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110TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
110–80

WATER RESOURCES DEVELOPMENT ACT OF 2007

R E P O R T

OF THE

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

[TO ACCOMPANY H.R. 1495]

MARCH 29, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. OBERSTAR, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 1495]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 1495) to provide for the 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, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Water Resources Development Act of 2007".

(b) TABLE OF CONTENTS.—

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SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

SEC. 1001. PROJECT AUTHORIZATIONS.

Except as otherwise provided in this section, the following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this section:

(1) HAINES, ALASKA.—The project for navigation, Haines, Alaska: Report of the Chief of Engineers dated December 20, 2004, at a total cost of $14,040,000, with an estimated Federal cost of $11,232,000 and an estimated non-Federal cost of $2,808,000.

(2) PORT LIONS, ALASKA.—The project for navigation, Port Lions, Alaska: Report of the Chief of Engineers dated June 14, 2006, at a total cost of $9,530,000, with an estimated Federal cost of $7,624,000 and an estimated non-Federal cost of $1,906,000.

(3) RIO SALADO OESTE, ARIZONA.—The project for environmental restoration, Rio Salado Oeste, Arizona: Report of the Chief of Engineers dated December 19, 2006, at a total cost of $166,650,000, with an estimated Federal cost of $106,629,000 and an estimated non-Federal cost of $60,021,000.

(4) SANTA CRUZ RIVER, PASEO DE LAS IGLESIAS, ARIZONA.—The project for environmental restoration, Santa Cruz River, Pima County, Arizona: Report of the Chief of Engineers dated March 28, 2006, at a total cost of $97,700,000, with an estimated Federal cost of $63,300,000 and an estimated non-Federal cost of $34,400,000.

(5) TANQUE VERDE CREEK, PIMA COUNTY, ARIZONA.—The project for environmental restoration, Tanque Verde Creek, Pima County, Arizona: Report of the Chief of Engineers dated July 22, 2003, at a total cost of $5,906,000, with an estimated Federal cost of $3,836,000 and an estimated non-Federal cost of $2,070,000.

(6) SALT RIVER (VA SHLYAY' AKIMEL), MARICOPA COUNTY, ARIZONA.—The project for environmental restoration, Salt River (Va Shlyay' Akimel), Arizona: Report of the Chief of Engineers dated January 3, 2005, at a total cost of $162,100,000, with an estimated Federal cost of $105,200,000 and an estimated non-Federal cost of $56,900,000.

(7) MAY BRANCH, FORT SMITH, ARKANSAS.—The project for flood damage reduction, May Branch, Fort Smith, Arkansas, Report of the Chief of Engineers dated December 19, 2006, at a total cost of $30,850,000, with an estimated Federal cost of $15,010,000 and an estimated non-Federal cost of $15,840,000.

(8) HAMILTON CITY, CALIFORNIA.—The project for flood damage reduction and environmental restoration, Hamilton City, California: Report of the Chief of Engineers dated December 22, 2004, at a total cost of $52,400,000, with an estimated Federal cost of $34,100,000 and estimated non-Federal cost of $18,300,000.

(9) IMPERIAL BEACH, CALIFORNIA.—The project for storm damage reduction, Imperial Beach, California: Report of the Chief of Engineers dated December 30, 2003, at a total cost of $13,700,000, with an estimated Federal cost of $8,521,000 and an estimated non-Federal cost of $5,179,000, and at an estimated total cost of $42,500,000 for periodic beach nourishment over the 50-year life of the project, with an estimated Federal cost of $21,250,000 and an estimated non-Federal cost of $21,250,000.

(10) MATILIJA DAM, VENTURA COUNTY, CALIFORNIA.—The project for environmental restoration, Matilija Dam, Ventura County, California: Report of the Chief of Engineers dated December 20, 2004, at a total cost of $144,500,000, with an estimated Federal cost of $89,700,000 and an estimated non-Federal cost of $54,800,000.

(11) MIDDLE CREEK, LAKE COUNTY, CALIFORNIA.—The project for flood damage reduction and environmental restoration, Middle Creek, Lake County, California: Report of the Chief of Engineers dated November 29, 2004, at a total cost of $45,200,000, with an estimated Federal cost of $29,500,000 and an estimated non-Federal cost of $15,700,000.

(12) NAPA RIVER SALT MARSH RESTORATION, CALIFORNIA.—

(A) IN GENERAL.—The project for environmental restoration, Napa River Salt Marsh Restoration, Napa, California: Report of the Chief of Engineers dated December 22, 2004, at a total cost of $134,500,000, with an estimated Federal cost of $87,500,000 and an estimated non-Federal cost of $47,000,000.

(B) ADMINISTRATION.—In carrying out the project authorized by this paragraph, the Secretary shall—

(i) construct a recycled water pipeline extending from the Sonoma Valley County Sanitation District Waste Water Treatment Plant and the Napa Sanitation District Waste Water Treatment Plant to the project; and

(ii) restore or enhance Salt Ponds 1, 1A, 2, and 3.

(13) DENVER COUNTY REACH, SOUTH PLATTE RIVER, DENVER, COLORADO.—The project for environmental restoration, Denver County Reach, South Platte River, Denver, Colorado: Report of the Chief of Engineers dated May 16, 2003, at a total cost of $21,050,000, with an estimated Federal cost of $13,680,000 and an estimated non-Federal cost of $7,370,000.

(14) MIAMI HARBOR, MIAMI-DADE COUNTY, FLORIDA.—

(A) IN GENERAL.—The project for navigation, Miami Harbor, Miami-Dade County, Florida: Report of the Chief of Engineers dated April 25, 2005, at a total cost of $125,270,000, with an estimated Federal cost of $75,140,000 and an estimated non-Federal cost of $50,130,000.

(B) GENERAL REEVALUATION REPORT.—The non-Federal share of the cost of the general reevaluation report that resulted in the report of the Chief of Engineers referred to in subparagraph (A) shall be the same percentage as the non-Federal share of cost of construction of the project.

(C) AGREEMENT.—The Secretary shall enter into a new partnership with the non-Federal interest to reflect the cost sharing required by subparagraph (B).

(15) EAST ST. LOUIS AND VICINITY, ILLINOIS.—The project for environmental restoration and recreation, East St. Louis and Vicinity, Illinois: Report of the Chief of Engineers dated December 22, 2004, at a total cost of $208,260,000, with an estimated Federal cost of $134,910,000 and an estimated non-Federal cost of $73,350,000.

(16) PEORIA RIVERFRONT DEVELOPMENT, ILLINOIS.—The project for environmental restoration, Peoria Riverfront Development, Illinois: Report of the Chief of Engineers dated July 28, 2003, at a total cost of $18,220,000, with an estimated Federal cost of $11,840,000 and an estimated non-Federal cost of $6,380,000.

(17) WOOD RIVER LEVEE SYSTEM RECONSTRUCTION, MADISON COUNTY, ILLINOIS.—The project for flood damage reduction, Wood River Levee System Reconstruction, Madison County, Illinois: Report of the Chief of Engineers dated July

18, 2006, at a total cost of $17,220,000, with an estimated Federal cost of $11,193,000 and an estimated non-Federal cost of $6,027,000.

(18) DES MOINES AND RACCOON RIVERS, DES MOINES, IOWA.—The project for flood damage reduction, Des Moines and Raccoon Rivers, Des Moines, Iowa: Report of the Chief of Engineers dated March 28, 2006, at a total cost of $10,780,000, with an estimated Federal cost of $6,967,000 and an estimated non-Federal cost of $3,813,000.

(19) LICKING RIVER BASIN, CYNTHIANA, KENTUCKY.—The project for flood damage reduction, Licking River Basin, Cynthiana, Kentucky: Report of the Chief of Engineers dated October 24, 2006, at a total cost of $18,200,000, with an estimated Federal cost of $11,830,000 and an estimated non-Federal cost of $6,370,000.

(20) BAYOU SORREL LOCK, LOUISIANA.—The project for navigation, Bayou Sorrel Lock, Louisiana: Report of the Chief of Engineers dated January 3, 2005, at a total cost of $9,680,000. The costs of construction of the project are to be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(21) MORGANZA TO THE GULF OF MEXICO, LOUISIANA.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, Morganza to the Gulf of Mexico, Louisiana: Reports of the Chief of Engineers dated August 23, 2002, and July 22, 2003, at a total cost of $886,700,000, with an estimated Federal cost of $576,355,000 and an estimated non-Federal cost of $310,345,000.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(22) PORT OF IBERIA, LOUISIANA.—The project for navigation, Port of Iberia, Louisiana, Report of the Chief of Engineers dated December 31, 2006, at a total cost of $131,250,000, with an estimated Federal cost of $105,315,000 and an estimated non-Federal cost of $25,935,000.

(23) SMITH ISLAND, SOMERSET COUNTY, MARYLAND.—The project for environmental restoration, Smith Island, Somerset County, Maryland: Report of the Chief of Engineers dated October 29, 2001, at a total cost of $15,580,000, with an estimated Federal cost of $10,127,000 and an estimated non-Federal cost of $5,453,000.

(24) ROSEAU RIVER, ROSEAU, MINNESOTA.—The project for flood damage reduction, Roseau River, Roseau, Minnesota, Report of the Chief of Engineers dated December 19, 2006, at a total cost of $25,100,000, with an estimated Federal cost of $13,820,000 and an estimated non-Federal cost of $11,280,000.

(25) MISSISSIPPI COASTAL, MISSISSIPPI.—The project for hurricane and storm damage reduction and environmental restoration, Mississippi Coastal, Mississippi, Report of the Chief of Engineers dated December 31, 2006, at a total cost of $107,690,000, with an estimated Federal cost of $70,000,000 and an estimated non-Federal cost of $37,690,000.

(26) KANSAS CITYS LEVEES, MISSOURI AND KANSAS.—The project for flood damage reduction, Kansas Citys levees, Missouri and Kansas, Report of the Chief of Engineers dated December 19, 2006, at a total cost of $65,430,000, with an estimated Federal cost of $42,530,000 and an estimated non-Federal cost of $22,900,000.

(27) SWOPE PARK INDUSTRIAL AREA, BLUE RIVER, KANSAS CITY, MISSOURI.—The project for flood damage reduction, Swope Park Industrial Area, Blue River, Kansas City, Missouri: Report of the Chief of Engineers dated December 30, 2003, at a total cost of $16,980,000, with an estimated Federal cost of $11,037,000 and an estimated non-Federal cost of $5,943,000.

(28) GREAT EGG HARBOR INLET TO TOWNSENDS INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Great Egg Harbor Inlet to Townsends Inlet, New Jersey: Report of the Chief of Engineers dated October 24, 2006, at a total cost of $54,360,000, with an estimated Federal cost of $35,069,000 and an estimated non-Federal cost of $19,291,000, and at an estimated total cost of $202,500,000 for periodic nourishment over the 50-year life of the project, with an estimated Federal cost of $101,250,000 and an estimated non-Federal cost of $101,250,000.

(29) HUDSON RARITAN ESTUARY, LIBERTY STATE PARK, NEW JERSEY.—

(A) IN GENERAL.—The project for environmental restoration, Hudson Raritan Estuary, Liberty State Park, New Jersey: Report of the Chief of Engineers dated August 25, 2006, at a total cost of $34,100,000, with an

estimated Federal cost of $22,200,000 and an estimated non-Federal cost of $11,900,000.

(B) RESTORATION TEAMS.—In carrying out the project, the Secretary shall establish and utilize watershed restoration teams composed of estuary restoration experts from the Corps of Engineers, the New Jersey department of environmental protection, and the Port Authority of New York and New Jersey and other experts designated by the Secretary for the purpose of developing habitat restoration and water quality enhancement.

(30) MANASQUAN INLET TO BARNEGAT INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Manasquan Inlet to Barnegat Inlet, New Jersey: Report of the Chief of Engineers dated December 30, 2003, at a total cost of $71,900,000, with an estimated Federal cost of $46,735,000 and an estimated non-Federal cost of $25,165,000, and at an estimated total cost of $119,680,000 for periodic beach nourishment over the 50-year life of the project, with an estimated Federal cost of $59,840,000 and an estimated non-Federal cost of $59,840,000.

(31) RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Union Beach, New Jersey: Report of the Chief of Engineers dated January 4, 2006, at a total cost of $115,000,000, with an estimated Federal cost of $74,800,000 and an estimated non-Federal cost of $40,200,000, and at an estimated total cost of $6,500,000 for periodic nourishment over the 50-year life of the project, with an estimated Federal cost of $3,250,000 and an estimated non-Federal cost of $3,250,000.

(32) SOUTH RIVER, RARITAN RIVER BASIN, NEW JERSEY.—The project for hurricane and storm damage reduction and environmental restoration, South River, Raritan River Basin, New Jersey: Report of the Chief of Engineers dated July 22, 2003, at a total cost of $122,300,000, with an estimated Federal cost of $79,500,000 and an estimated non-Federal cost of $42,800,000.

(33) SOUTHWEST VALLEY, BERNALILLO COUNTY, NEW MEXICO.—The project for flood damage reduction, Southwest Valley, Bernalillo County, New Mexico: Report of the Chief of Engineers dated November 29, 2004, at a total cost of $24,840,000, with an estimated Federal cost of $16,150,000 and an estimated non-Federal cost of $8,690,000.

(34) MONTAUK POINT, NEW YORK.—The project for hurricane and storm damage reduction, Montauk Point, New York: Report of the Chief of Engineers dated March 31, 2006, at a total cost of $14,600,000, with an estimated Federal cost of $7,300,000 and an estimated non-Federal cost of $7,300,000.

(35) HOCKING RIVER, MONDAY CREEK SUB-BASIN, OHIO.—The project for environmental restoration, Hocking River, Monday Creek Sub-basin, Ohio: Report of the Chief of Engineers dated August 24, 2006, at a total cost of $20,980,000, with an estimated Federal cost of $13,440,000 and an estimated non-Federal cost of $7,540,000.

(36) TOWN OF BLOOMSBURG, COLUMBIA COUNTY, PENNSYLVANIA.—The project for flood damage reduction, town of Bloomsburg, Columbia County, Pennsylvania: Report of the Chief of Engineers dated January 25, 2006, at a total cost of $44,500,000, with an estimated Federal cost of $28,925,000 and an estimated non-Federal cost of $15,575,000.

(37) PAWLEY'S ISLAND, SOUTH CAROLINA.—The project for hurricane and storm damage reduction, Pawley's Island, South Carolina, Report of the Chief of Engineers dated December 19, 2006, at a total cost of $8,980,000, with an estimated Federal cost of $5,840,000 and an estimated non-Federal cost of $3,140,000, and at an estimated total cost of $21,200,000 for periodic nourishment over the 50-year life of the project, with an estimated Federal cost of $10,600,000 and an estimated non-Federal cost of $10,600,000.

(38) CORPUS CHRISTI SHIP CHANNEL, CORPUS CHRISTI, TEXAS.—The project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas: Report of the Chief of Engineers dated June 2, 2003, at a total cost of $188,110,000, with an estimated Federal cost of $87,810,000 and an estimated non-Federal cost of $100,300,000.

(39) GULF INTRACOASTAL WATERWAY, MATAGORDA BAY RE-ROUTE, TEXAS.—The project for navigation, Gulf Intracoastal Waterway, Matagorda Bay Re-Route, Texas: Report of the Chief of Engineers dated December 24, 2002, at a total cost of $17,280,000. The costs of construction of the project are to be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(40) GULF INTRACOASTAL WATERWAY, HIGH ISLAND TO BRAZOS RIVER, TEXAS.—The project for navigation, Gulf Intracoastal Waterway, High Island to Brazos River, Texas: Report of the Chief of Engineers dated April 16, 2004, at a total

cost of $14,450,000. The costs of construction of the project are to be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(41) LOWER COLORADO RIVER BASIN PHASE I, TEXAS.—The project for flood damage reduction and environmental restoration, Lower Colorado River Basin Phase I, Texas, Report of the Chief of Engineers dated December 31, 2006, at a total cost of $110,730,000, with an estimated Federal cost of $69,640,000 and an estimated non-Federal cost of $41,090,000.

(42) ATLANTIC INTRACOASTAL WATERWAY BRIDGE REPLACEMENT, DEEP CREEK, CHESAPEAKE, VIRGINIA.—The project for Atlantic Intracoastal Waterway Bridge Replacement, Deep Creek, Chesapeake, Virginia: Report of the Chief of Engineers dated March 3, 2003, at a total cost of $37,200,000.

(43) CRANEY ISLAND EASTWARD EXPANSION, NORFOLK HARBOR AND CHANNELS, VIRGINIA.—The project for navigation, Craney Island Eastward Expansion, Norfolk Harbor and Channels, Virginia: Report of Chief of Engineers dated October 24, 2006, at a total cost of $712,103,000, with an estimated Federal cost of $31,229,000 and an estimated non-Federal cost of $680,874,000.

SEC. 1002. SMALL PROJECTS FOR FLOOD DAMAGE REDUCTION.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s):

(1) HALEYVILLE, ALABAMA.—Project for flood damage reduction, Haleyville, Alabama.

(2) WEISS LAKE, ALABAMA.—Project for flood damage reduction, Weiss Lake, Alabama.

(3) LITTLE COLORADO RIVER LEVEE, ARIZONA.—Project for flood damage reduction, Little Colorado River Levee, Arizona.

(4) CACHE RIVER BASIN, GRUBBS, ARKANSAS.—Project for flood damage reduction, Cache River Basin, Grubbs, Arkansas.

(5) BARREL SPRINGS WASH, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Barrel Springs Wash, Palmdale, California.

(6) BORREGO SPRINGS, CALIFORNIA.—Project for flood damage reduction, Borrego Springs, California.

(7) COLTON, CALIFORNIA.—Project for flood damage reduction, Colton, California.

(8) DUNLAP STREAM, YUCAIPA, CALIFORNIA.—Project for flood damage reduction, Dunlap Stream, Yucaipa, California.

(9) HUNTS CANYON WASH, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Hunts Canyon Wash, Palmdale, California.

(10) ONTARIO AND CHINO, CALIFORNIA.—Project for flood damage reduction, Ontario and Chino, California.

(11) SANTA VENETIA, CALIFORNIA.—Project for flood damage reduction, Santa Venetia, California.

(12) WHITTIER, CALIFORNIA.—Project for flood damage reduction, Whittier, California.

(13) WILDWOOD CREEK, YUCAIPA, CALIFORNIA.—Project for flood damage reduction, Wildwood Creek, Yucaipa, California.

(14) ST. FRANCISVILLE, LOUSIANA.—Project for flood damage reduction, St. Francisville, Louisiana.

(15) SALEM, MASSACHUSETTS.—Project for flood damage reduction, Salem, Massachusetts.

(16) CASS RIVER, MICHIGAN.—Project for flood damage reduction, Cass River, Vassar and vicinity, Michigan.

(17) CROW RIVER, ROCKFORD, MINNESOTA.—Project for flood damage reduction, Crow River, Rockford, Minnesota.

(18) MARSH CREEK, MINNESOTA.—Project for flood damage reduction, Marsh Creek, Minnesota.

(19) SOUTH BRANCH OF THE WILD RICE RIVER, BORUP, MINNESOTA.—Project for flood damage reduction, South Branch of the Wild Rice River, Borup, Minnesota.

(20) BLACKSNAKE CREEK, ST. JOSEPH, MISSOURI.—Project for flood damage reduction, Blacksnake Creek, St. Joseph, Missouri.

(21) ACID BROOK, POMPTON LAKES, NEW JERSEY.—Project for flood damage reduction, Acid Brook, Pompton Lakes, New Jersey.

(22) CANNISTEO RIVER, ADDISON, NEW YORK.—Project for flood damage reduction, Cannisteo River, Addison, New York.

(23) COHOCTON RIVER, CAMPBELL, NEW YORK.—Project for flood damage reduction, Cohocton River, Campbell, New York.

(24) DRY AND OTTER CREEKS, CORTLAND, NEW YORK.—Project for flood damage reduction, Dry and Otter Creeks, Cortland, New York.

(25) EAST RIVER, SILVER BEACH, NEW YORK CITY, NEW YORK.—Project for flood damage reduction, East River, Silver Beach, New York City, New York.

(26) EAST VALLEY CREEK, ANDOVER, NEW YORK.—Project for flood damage reduction, East Valley Creek, Andover, New York.

(27) SUNNYSIDE BROOK, WESTCHESTER COUNTY, NEW YORK.—Project for flood damage reduction, Sunnyside Brook, Westchester County, New York.

(28) LITTLE YANKEE RUN, OHIO.—Project for flood damage reduction, Little Yankee Run, Ohio.

(29) LITTLE NESHAMINY CREEK, WARRENTON, PENNSYLVANIA.—Project for flood damage reduction, Little Neshaminy Creek, Warrenton, Pennsylvania.

(30) SOUTHAMPTON CREEK WATERSHED, SOUTHAMPTON, PENNSYLVANIA.—Project for flood damage reduction, Southampton Creek watershed, Southampton, Pennsylvania.

(31) SPRING CREEK, LOWER MACUNGIE TOWNSHIP, PENNSYLVANIA.—Project for flood damage reduction, Spring Creek, Lower Macungie Township, Pennsylvania.

(32) YARDLEY AQUEDUCT, SILVER AND BROCK CREEKS, YARDLEY, PENNSYLVANIA.—Project for flood damage reduction, Yardley Aqueduct, Silver and Brock Creeks, Yardley, Pennsylvania.

(33) SURFSIDE BEACH, SOUTH CAROLINA.—Project for flood damage reduction, Surfside Beach and vicinity, South Carolina.

(34) CONGELOSI DITCH, MISSOURI CITY, TEXAS.—Project for flood damage reduction, Congelosi Ditch, Missouri City, Texas.

(35) DILLEY, TEXAS.—Project for flood damage reduction, Dilley, Texas.

(b) SPECIAL RULES.—

(1) CACHE RIVER BASIN, GRUBBS, ARKANSAS.—The Secretary may proceed with the project for the Cache River Basin, Grubbs, Arkansas, referred to in subsection (a), notwithstanding that the project is located within the boundaries of the flood control project, Cache River Basin, Arkansas and Missouri, authorized by section 204 of the Flood Control Act of 1950, (64 Stat. 172) and modified by section 99 of the Water Resources Development Act of 1974 (88 Stat. 41).

(2) ONTARIO AND CHINO, CALIFORNIA.—The Secretary shall carry out the project for flood damage reduction, Ontario and Chino, California, referred to in subsection (a) if the Secretary determines that the project is feasible.

(3) SANTA VENETIA, CALIFORNIA.—The Secretary shall carry out the project for flood damage reduction, Santa Venetia, California, referred to in subsection (a) if the Secretary determines that the project is feasible and shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

(4) WHITTIER, CALIFORNIA.—The Secretary shall carry out the project for flood damage reduction, Whittier, California, referred to in subsection (a) if the Secretary determines that the project is feasible.

(5) SOUTH BRANCH OF THE WILD RICE RIVER, BORUP, MINNESOTA.—In carrying out the project for flood damage reduction, South Branch of the Wild Rice River, Borup, Minnesota, referred to in subsection (a) the Secretary may consider national ecosystem restoration benefits in determining the Federal interest in the project and shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

(6) ACID BROOK, POMPTON LAKES, NEW JERSEY.—The Secretary shall carry out the project for flood damage reduction, Acid Brook, Pompton Lakes, New Jersey, referred to in subsection (a) if the Secretary determines that the project is feasible.

(7) DILLEY, TEXAS.—The Secretary shall carry out the project for flood damage reduction, Dilley, Texas, referred to in subsection (a) if the Secretary determines that the project is feasible.

SEC. 1003. SMALL PROJECTS FOR EMERGENCY STREAMBANK PROTECTION.

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

(1) ST. JOHNS BLUFF TRAINING WALL, DUVAL COUNTY, FLORIDA.—Project for emergency streambank protection, St. Johns Bluff Training Wall, Duval County, Florida.

(2) GULF INTRACOASTAL WATERWAY, IBERVILLE PARISH, LOUISIANA.—Projects for emergency streambank restoration, Gulf Intracoastal Waterway, Iberville Parish, Louisiana.

(3) OUACHITA AND BLACK RIVERS, ARKANSAS AND LOUISIANA.—Projects for emergency streambank protection, Ouachita and Black Rivers, Arkansas and Louisiana.

(4) PINEY POINT LIGHTHOUSE, ST. MARY'S COUNTY, MARYLAND.—Project for emergency streambank protection, Piney Point Lighthouse, St. Mary's County, Maryland.

(5) PUG HOLE LAKE, MINNESOTA.—Project for emergency streambank protection, Pug Hole Lake, Minnesota.

(6) MIDDLE FORK GRAND RIVER, GENTRY COUNTY, MISSOURI.—Project for emergency streambank protection, Middle Fork Grand River, Gentry County, Missouri.

(7) PLATTE RIVER, PLATTE CITY, MISSOURI.—Project for emergency streambank protection, Platte River, Platte City, Missouri.

(8) RUSH CREEK, PARKVILLE, MISSOURI.—Project for emergency streambank protection, Rush Creek, Parkville, Missouri, including measures to address degradation of the creek bed.

(9) DRY AND OTTER CREEKS, CORTLAND COUNTY, NEW YORK.—Project for emergency streambank protection, Dry and Otter Creeks, Cortland County, New York.

(10) KEUKA LAKE, HAMMONDSPORT, NEW YORK.—Project for emergency streambank protection, Keuka Lake, Hammondsport, New York.

(11) KOWAWESE UNIQUE AREA AND HUDSON RIVER, NEW WINDSOR, NEW YORK.—Project for emergency streambank protection, Kowawese Unique Area and Hudson River, New Windsor, New York.

(12) OWEGO CREEK, TIOGA COUNTY, NEW YORK.—Project for emergency streambank protection, Owego Creek, Tioga County, New York.

(13) HOWARD ROAD OUTFALL, SHELBY COUNTY, TENNESSEE.—Project for emergency streambank protection, Howard Road outfall, Shelby County, Tennessee.

(14) MITCH FARM DITCH AND LATERAL D, SHELBY COUNTY, TENNESSEE.—Project for emergency streambank protection, Mitch Farm Ditch and Lateral D, Shelby County, Tennessee.

(15) WOLF RIVER TRIBUTARIES, SHELBY COUNTY, TENNESSEE.—Project for emergency streambank protection, Wolf River tributaries, Shelby County, Tennessee.

(16) JOHNSON CREEK, ARLINGTON, TEXAS.—Project for emergency streambank protection, Johnson Creek, Arlington, Texas.

(17) WELLS RIVER, NEWBURY, VERMONT.—Project for emergency streambank protection, Wells River, Newbury, Vermont.

SEC. 1004. SMALL PROJECTS FOR NAVIGATION.

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

(1) MISSISSIPPI RIVER SHIP CHANNEL, LOUISIANA.—Project for navigation, Mississippi River Ship Channel, Louisiana.

(2) EAST BASIN, CAPE COD CANAL, SANDWICH, MASSACHUSETTS.—Project for navigation, East Basin, Cape Cod Canal, Sandwich, Massachusetts.

(3) LYNN HARBOR, LYNN, MASSACHUSETTS.—Project for navigation, Lynn Harbor, Lynn, Massachusetts.

(4) MERRIMACK RIVER, HAVERHILL, MASSACHUSETTS.—Project for navigation, Merrimack River, Haverhill, Massachusetts.

(5) OAK BLUFFS HARBOR, OAK BLUFFS, MASSACHUSETTS.—Project for navigation, Oak Bluffs Harbor, Oak Bluffs, Massachusetts.

(6) WOODS HOLE GREAT HARBOR, FALMOUTH, MASSACHUSETTS.—Project for navigation, Woods Hole Great Harbor, Falmouth, Massachusetts.

(7) AU SABLE RIVER, MICHIGAN.—Project for navigation, Au Sable River in the vicinity of Oscoda, Michigan.

(8) TRAVERSE CITY HARBOR, TRAVERSE CITY, MICHIGAN.—Project for navigation, Traverse City Harbor, Traverse City, Michigan.

(9) TOWER HARBOR, TOWER, MINNESOTA.—Project for navigation, Tower Harbor, Tower, Minnesota.

(10) OLCOTT HARBOR, OLCOTT, NEW YORK.—Project for navigation, Olcott Harbor, Olcott, New York.

(b) SPECIAL RULES.—

(1) TRAVERSE CITY HARBOR, TRAVERSE CITY, MICHIGAN.—The Secretary shall review the locally prepared plan for the project for navigation, Traverse City Harbor, Michigan, referred to in subsection (a), and, if the Secretary determines

that the plan meets the evaluation and design standards of the Corps of Engineers and that the plan is feasible, the Secretary may use the plan to carry out the project and shall provide credit toward the non-Federal share of the cost of the project for the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(2) TOWER HARBOR, TOWER MINNESOTA.—The Secretary shall carry out the project for navigation, Tower Harbor, Tower, Minnesota, referred to in subsection (a) if the Secretary determines that the project is feasible.

SEC. 1005. SMALL PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a):

(1) BALLONA CREEK, LOS ANGELES COUNTY, CALIFORNIA.—Project for improvement of the quality of the environment, Ballona Creek, Los Angeles County, California.

(2) BALLONA LAGOON TIDE GATES, MARINA DEL REY, CALIFORNIA.—Project for improvement of the quality of the environment, Ballona Lagoon Tide Gates, Marina Del Rey, California.

(3) FT. GEORGE INLET, DUVAL COUNTY, FLORIDA.—Project for improvement of the quality of the environment, Ft. George Inlet, Duval County, Florida.

(4) RATHBUN LAKE, IOWA.—Project for improvement of the quality of the environment, Rathbun Lake, Iowa.

(5) SMITHVILLE LAKE, MISSOURI.—Project for improvement of the quality of the environment, Smithville Lake, Missouri.

(6) DELAWARE BAY, NEW JERSEY AND DELAWARE.—Project for improvement of the quality of the environment, Delaware Bay, New Jersey and Delaware, for the purpose of oyster restoration.

(7) TIOGA-HAMMOND LAKES, PENNSYLVANIA.—Project for improvement of the quality of the environment, Tioga-Hammond Lakes, Pennsylvania.

SEC. 1006. SMALL PROJECTS FOR AQUATIC ECOSYSTEM RESTORATION.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) CYPRESS CREEK, MONTGOMERY, ALABAMA.—Project for aquatic ecosystem restoration, Cypress Creek, Montgomery, Alabama.

(2) BLACK LAKE, ALASKA.—Project for aquatic ecosystem restoration, Black Lake, Alaska, at the head of the Chignik watershed.

(3) BEN LOMOND DAM, SANTA CRUZ, CALIFORNIA.—Project for aquatic ecosystem restoration, Ben Lomond Dam, Santa Cruz, California.

(4) DOCKWEILER BLUFFS, LOS ANGELES COUNTY, CALIFORNIA.—Project for aquatic ecosystem restoration, Dockweiler Bluffs, Los Angeles County, California.

(5) SALT RIVER, CALIFORNIA.—Project for aquatic ecosystem restoration, Salt River, California.

(6) SANTA ROSA CREEK, SANTA ROSA, CALIFORNIA.—Project for aquatic ecosystem restoration, Santa Rosa Creek in the vicinity of the Prince Memorial Greenway, Santa Rosa, California.

(7) STOCKTON DEEP WATER SHIP CHANNEL AND LOWER SAN JOAQUIN RIVER, CALIFORNIA.—Project for aquatic ecosystem restoration, Stockton Deep Water Ship Channel and lower San Joaquin River, California.

(8) SWEETWATER RESERVOIR, SAN DIEGO COUNTY, CALIFORNIA.—Project for aquatic ecosystem restoration, Sweetwater Reservoir, San Diego County, California, including efforts to address aquatic nuisance species.

(9) BISCAYNE BAY, FLORIDA.—Project for aquatic ecosystem restoration, Biscayne Bay, Key Biscayne, Florida.

(10) CLAM BAYOU AND DINKINS BAYOU, SANIBEL ISLAND, FLORIDA.—Project for aquatic ecosystem restoration, Clam Bayou and Dinkins Bayou, Sanibel Island, Florida.

(11) CHATTAHOOCHEE FALL LINE, GEORGIA AND ALABAMA.—Project for aquatic ecosystem restoration, Chattahoochee Fall Line, Georgia and Alabama.

(12) LONGWOOD COVE, GAINESVILLE, GEORGIA.—Project for aquatic ecosystem restoration, Longwood Cove, Gainesville, Georgia.

(13) CITY PARK, UNIVERSITY LAKES, LOUISIANA.—Project for aquatic ecosystem restoration, City Park, University Lakes, Louisiana.

(14) MILL POND, LITTLETON, MASSACHUSETTS.—Project for aquatic ecosystem restoration, Mill Pond, Littleton, Massachusetts.

(15) PINE TREE BROOK, MILTON, MASSACHUSETTS.—Project for aquatic ecosystem restoration, Pine Tree Brook, Milton, Massachusetts.

(16) RUSH LAKE, MINNESOTA.—Project for aquatic ecosystem restoration, Rush Lake, Minnesota.

(17) SOUTH FORK OF THE CROW RIVER, HUTCHINSON, MINNESOTA.—Project for aquatic ecosystem restoration, South Fork of the Crow River, Hutchinson, Minnesota.

(18) ST. LOUIS, MISSOURI.—Project for aquatic ecosystem restoration, St. Louis, Missouri.

(19) TRUCKEE RIVER, RENO, NEVADA.—Project for aquatic ecosystem restoration, Truckee River, Reno, Nevada, including features for fish passage for Washoe County.

(20) GROVER'S MILL POND, NEW JERSEY.—Project for aquatic ecosystem restoration, Grover's Mill Pond, New Jersey.

(21) DUGWAY CREEK, BRATENAHL, OHIO.—Project for aquatic ecosystem restoration, Dugway Creek, Bratenahl, Ohio.

(22) JOHNSON CREEK, GRESHAM, OREGON.—Project for aquatic ecosystem restoration, Johnson Creek, Gresham, Oregon.

(23) BEAVER CREEK, BEAVER AND SALEM, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Beaver Creek, Beaver and Salem, Pennsylvania.

(24) CEMENTON DAM, LEHIGH RIVER, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Cementon Dam, Lehigh River, Pennsylvania.

(25) SAUCON CREEK, NORTHAMPTON COUNTY, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Saucon Creek, Northampton County, Pennsylvania.

(26) BLACKSTONE RIVER, RHODE ISLAND.—Project for aquatic ecosystem restoration, Blackstone River, Rhode Island.

(27) WILSON BRANCH, CHERAW, SOUTH CAROLINA.—Project for aquatic ecosystem restoration, Wilson Branch, Cheraw, South Carolina.

(28) WHITE RIVER, BETHEL, VERMONT.—Project for aquatic ecosystem restoration, White River, Bethel, Vermont.

(b) SPECIAL RULE.—The Secretary shall carry out the project for aquatic ecosystem restoration, Black Lake, Alaska referred to in subsection (a) if the Secretary determines that the project is feasible.

SEC. 1007. SMALL PROJECTS FOR SHORELINE PROTECTION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946 (33 U.S.C. 426g):

(1) NELSON LAGOON, ALASKA.—Project for shoreline protection, Nelson Lagoon, Alaska.

(2) SANIBEL ISLAND, FLORIDA.—Project for shoreline protection, Sanibel Island, Florida.

(3) APRA HARBOR, GUAM.—Project for shoreline protection, Apra Harbor, Guam.

(4) PITI, CABRAS ISLAND, GUAM.—Project for shoreline protection, Piti, Cabras Island, Guam.

(5) NARROWS AND GRAVESEND BAY, UPPER NEW YORK BAY, BROOKLYN, NEW YORK.—Project for shoreline protection in the vicinity of the confluence of the Narrows and Gravesend Bay, Upper New York Bay, Shore Parkway Greenway, Brooklyn, New York.

(6) DELAWARE RIVER, PHILADELPHIA NAVAL SHIPYARD, PENNSYLVANIA.—Project for shoreline protection, Delaware River in the vicinity of the Philadelphia Naval Shipyard, Pennsylvania.

(7) PORT ARANSAS, TEXAS.—Project for shoreline protection, Port Aransas, Texas.

SEC. 1008. SMALL PROJECTS FOR SNAGGING AND SEDIMENT REMOVAL.

The Secretary shall conduct a study for the following project and, if the Secretary determines that the project is feasible, the Secretary may carry out the project under section 2 of the Flood Control Act of August 28, 1937 (33 U.S.C. 701g): Project for removal of snags and clearing and straightening of channels for flood control, Kowawese Unique Area and Hudson River, New Windsor, New York.

TITLE II—GENERAL PROVISIONS

SEC. 2001. NON-FEDERAL CONTRIBUTIONS.

Section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213) is amended by adding at the end the following:

"(n) NON-FEDERAL CONTRIBUTIONS.—

"(1) PROHIBITION ON SOLICITATION OF EXCESS CONTRIBUTIONS.—The Secretary may not—

"(A) solicit contributions from non-Federal interests for costs of constructing authorized water resources projects or measures in excess of the non-Federal share assigned to the appropriate project purposes listed in subsections (a), (b), and (c); or

"(B) condition Federal participation in such projects or measures on the receipt of such contributions.

"(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to affect the Secretary's authority under section 903(c).".

SEC. 2002. HARBOR COST SHARING.

(a) PAYMENTS DURING CONSTRUCTION.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1); 100 Stat. 4082) is amended in each of subparagraphs (B) and (C) by striking "45 feet" and inserting "53 feet".

(b) OPERATION AND MAINTENANCE.—Section 101(b)(1) of such Act (33 U.S.C. 2211(b)(1)) is amended by striking "45 feet" and inserting "53 feet".

(c) DEFINITIONS.—Section 214 of such Act (33 U.S.C. 2241; 100 Stat. 4108) is amended in each of paragraphs (1) and (3) by striking "45 feet" and inserting "53 feet".

(d) APPLICABILITY.—The amendments made by subsections (a), (b), and (c) shall apply only to a project, or separable element of a project, on which a contract for physical construction has not been awarded before October 1, 2003.

(e) REVISION OF PARTNERSHIP AGREEMENT.—The Secretary shall revise any partnership agreement entered into after October 1, 2003, for any project to which the amendments made by subsections (a), (b), and (c) apply to take into account the change in non-Federal participation in the project as a result of such amendments.

SEC. 2003. FUNDING TO PROCESS PERMITS.

Section 214(c) of the Water Resources Development Act of 2000 (33 U.S.C. 2201 note; 114 Stat. 2594; 117 Stat. 1836; 119 Stat. 2169; 120 Stat. 318; 120 Stat. 3197) is amended by striking "2008" and inserting "2010".

SEC. 2004. NATIONAL SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATION PROGRAM.

(a) EXTENSION OF PROGRAM.—Section 5(a) of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946 (33 U.S.C. 426h(a)), is amended by striking "7 years" and inserting "10 years".

(b) EXTENSION OF PLANNING, DESIGN, AND CONSTRUCTION PHASE.—Section 5(b)(1)(A) of such Act (33 U.S.C. 426h(b)(1)(A)) is amended by striking "3 years" and inserting "6 years".

(c) COST SHARING; REMOVAL OF PROJECTS.—Section 5(b) of such Act (33 U.S.C. 426h(b)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) COST SHARING.—The Secretary may enter into a cost sharing agreement with a non-Federal interest to carry out a project, or a phase of a project, under the erosion control program in cooperation with the non-Federal interest.

"(4) REMOVAL OF PROJECTS.—The Secretary may pay all or a portion of the costs of removing a project, or an element of a project, constructed under the erosion control program if the Secretary determines during the term of the program that the project or element is detrimental to the environment, private property, or public safety.".

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 5(e)(2) of such Act (33 U.S.C. 426h(e)(2)) is amended by striking "$25,000,000" and inserting "$31,000,000".

SEC. 2005. SMALL SHORE AND BEACH RESTORATION AND PROTECTION PROJECTS.

Section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946 (33 U.S.C. 426g), is amended by striking "$3,000,000" and inserting "$5,000,000".

SEC. 2006. AQUATIC ECOSYSTEM RESTORATION.

Section 206(e) of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended by striking "$25,000,000" and inserting "$40,000,000".

SEC. 2007. SMALL FLOOD DAMAGE REDUCTION PROJECTS.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended by striking "$50,000,000" and inserting "$60,000,000".

SEC. 2008. MODIFICATION OF PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

Section 1135(h) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(h)) is amended by striking "$25,000,000" and inserting "$30,000,000".

SEC. 2009. WRITTEN AGREEMENT FOR WATER RESOURCES PROJECTS.

(a) IN GENERAL.—Section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) is amended—

(1) by striking "SEC. 221" and inserting the following:

"SEC. 221. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.";

(2) by striking subsection (a) and inserting the following:

"(a) COOPERATION OF NON-FEDERAL INTEREST.—

"(1) IN GENERAL.—After December 31, 1970, the construction of any water resources project, or an acceptable separable element thereof, by the Secretary of the Army, acting through the Chief of Engineers, or by a non-Federal interest where such interest will be reimbursed for such construction under any provision of law, shall not be commenced until each non-Federal interest has entered into a written partnership agreement with the Secretary (or, where appropriate, the district engineer for the district in which the project will be carried out) under which each party agrees to carry out its responsibilities and requirements for implementation or construction of the project or the appropriate element of the project, as the case may be; except that no such agreement shall be required if the Secretary determines that the administrative costs associated with negotiating, executing, or administering the agreement would exceed the amount of the contribution required from the non-Federal interest and are less than $25,000.

"(2) LIQUIDATED DAMAGES.—A partnership agreement described in paragraph (1) may include a provision for liquidated damages in the event of a failure of one or more parties to perform.

"(3) OBLIGATION OF FUTURE APPROPRIATIONS.—In any partnership agreement described in paragraph (1) and entered into by a State, or a body politic of the State which derives its powers from the State constitution, or a governmental entity created by the State legislature, the agreement may reflect that it does not obligate future appropriations for such performance and payment when obligating future appropriations would be inconsistent with constitutional or statutory limitations of the State or a political subdivision of the State.

"(4) CREDIT FOR IN-KIND CONTRIBUTIONS.—

"(A) IN GENERAL.—A partnership agreement described in paragraph (1) may provide with respect to a project that the Secretary shall credit toward the non-Federal share of the cost of the project, including a project implemented without specific authorization in law, the value of in-kind contributions made by the non-Federal interest, including—

"(i) the costs of planning (including data collection), design, management, mitigation, construction, and construction services that are provided by the non-Federal interest for implementation of the project;

"(ii) the value of materials or services provided before execution of the partnership agreement, including efforts on constructed elements incorporated into the project; and

"(iii) the value of materials and services provided after execution of the partnership agreement.

"(B) CONDITION.—The Secretary shall credit an in-kind contribution under subparagraph (A) if the Secretary determines that the material or service provided as an in-kind contribution is integral to the project.

"(C) WORK PERFORMED BEFORE PARTNERSHIP AGREEMENT.—In any case in which the non-Federal interest is to receive credit under subparagraph (A)(ii) for the cost of work carried out by the non-Federal interest and such work has not been carried out as of the date of enactment of this subparagraph, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work, and only work carried out following the execution of the agreement shall be eligible for credit.

"(D) LIMITATIONS.—Credit authorized under this paragraph for a project—

"(i) shall not exceed the non-Federal share of the cost of the project;

"(ii) shall not alter any other requirement that a non-Federal interest provide lands, easements or rights-of-way, or areas for disposal of dredged material for the project;

"(iii) shall not alter any requirement that a non-Federal interest pay a portion of the costs of construction of the project under sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211; 33 U.S.C. 2213); and

"(iv) shall not exceed the actual and reasonable costs of the materials, services, or other things provided by the non-Federal interest, as determined by the Secretary.

"(E) APPLICABILITY.—

"(i) IN GENERAL.—This paragraph shall apply to water resources projects authorized after November 16, 1986, including projects initiated after November 16, 1986, without specific authorization in law.

"(ii) LIMITATION.—In any case in which a specific provision of law provides for a non-Federal interest to receive credit toward the non-Federal share of the cost of a study for, or construction or operation and maintenance of, a water resources project, the specific provision of law shall apply instead of this paragraph.".

(b) NON-FEDERAL INTEREST.—Section 221(b) of such Act is amended to read as follows:

"(b) DEFINITION OF NON-FEDERAL INTEREST.—The term 'non-Federal interest' means a legally constituted public body (including a federally recognized Indian tribe), and a nonprofit entity with the consent of the affected local government, that has full authority and capability to perform the terms of its agreement and to pay damages, if necessary, in the event of failure to perform.".

(c) PROGRAM ADMINISTRATION.—Section 221 of such Act is further amended—

(1) by redesignating subsection (e) as subsection (h); and

(2) by inserting after subsection (d) the following:

"(e) DELEGATION OF AUTHORITY.—Not later than September 30, 2008, the Secretary shall issue policies and guidelines for partnership agreements that delegate to the district engineers, at a minimum—

"(1) the authority to approve any policy in a partnership agreement that has appeared in an agreement previously approved by the Secretary;

"(2) the authority to approve any policy in a partnership agreement the specific terms of which are dictated by law or by a final feasibility study, final environmental impact statement, or other final decision document for a water resources project;

"(3) the authority to approve any partnership agreement that complies with the policies and guidelines issued by the Secretary; and

"(4) the authority to sign any partnership agreement for any water resources project unless, within 30 days of the date of authorization of the project, the Secretary notifies the district engineer in which the project will be carried out that the Secretary wishes to retain the prerogative to sign the partnership agreement for that project.

"(f) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this subsection, and every year thereafter, the Secretary shall submit to Congress a report detailing the following:

"(1) The number of partnership agreements signed by district engineers and the number of partnership agreements signed by the Secretary.

"(2) For any partnership agreement signed by the Secretary, an explanation of why delegation to the district engineer was not appropriate.

"(g) PUBLIC AVAILABILITY.—Not later than 120 days after the date of enactment of this subsection, the Chief of Engineers shall—

"(1) ensure that each district engineer has made available to the public, including on the Internet, all partnership agreements entered into under this section within the preceding 10 years and all partnership agreements for water resources projects currently being carried out in that district; and

"(2) make each partnership agreement entered into after such date of enactment available to the public, including on the Internet, not later than 7 days after the date on which such agreement is entered into.".

(d) LOCAL COOPERATION.—Section 912(b) of the Water Resources Development Act of 1986 (101 Stat. 4190) is amended—

(1) in paragraph (2)—

(A) by striking "shall" the first place it appears and inserting "may"; and

(B) by striking the last sentence; and

(2) in paragraph (4)—

(A) by inserting after "injunction, for" the following: "payment of damages or, for";

(B) by striking "to collect a civil penalty imposed under this section,"; and

(C) by striking "any civil penalty imposed under this section," and inserting "any damages,".

(e) APPLICABILITY.—The amendments made by subsections (a), (b), and (d) only apply to partnership agreements entered into after the date of enactment of this Act; except that, at the request of a non-Federal interest for a project, the district engineer for the district in which the project is located may amend a project partnership agreement entered into on or before such date and under which construction on the project has not been initiated as of such date of enactment for the purpose of incorporating such amendments.

(f) PARTNERSHIP AND COOPERATIVE ARRANGEMENTS; REFERENCES.—

(1) IN GENERAL.—A goal of agreements entered into under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) shall be to further partnership and cooperative arrangements, and the agreements shall be referred to as "partnership agreements".

(2) REFERENCES TO COOPERATION AGREEMENTS.—Any reference in a law, regulation, document, or other paper of the United States to a "cooperation agreement" or "project cooperation agreement" shall be deemed to be a reference to a "partnership agreement" or a "project partnership agreement", respectively.

(3) REFERENCES TO PARTNERSHIP AGREEMENTS.—Any reference to a "partnership agreement" or "project partnership agreement" in this Act (other than this section) shall be deemed to be a reference to a "cooperation agreement" or a "project cooperation agreement", respectively.

SEC. 2010. ASSISTANCE FOR REMEDIATION, RESTORATION, AND REUSE.

(a) IN GENERAL.—The Secretary may provide to State and local governments assessment, planning, and design assistance for remediation, environmental restoration, or reuse of areas located within the boundaries of such State or local governments where such remediation, environmental restoration, or reuse will contribute to the improvement of water quality or the conservation of water and related resources of drainage basins and watersheds within the United States.

(b) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance provided under subsection (a) shall be 50 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2008 through 2012.

SEC. 2011. COMPILATION OF LAWS.

(a) COMPILATION OF LAWS ENACTED AFTER NOVEMBER 8, 1966.—Not later than one year after the date of enactment of this Act, the Secretary and the Chief of Engineers shall prepare a compilation of the laws of the United States relating to the improvement of rivers and harbors, flood damage reduction, beach and shoreline erosion, hurricane and storm damage reduction, ecosystem and environmental restoration, and other water resources development enacted after November 8, 1966, and before January 1, 2008, and have such compilation printed for the use of the Department of the Army, Congress, and the general public.

(b) REPRINT OF LAWS ENACTED BEFORE NOVEMBER 8, 1966.—The Secretary shall have the volumes containing the laws referred to in subsection (a) enacted before November 8, 1966, reprinted.

(c) INDEX.—The Secretary shall include an index in each volume compiled, and each volume reprinted, pursuant to this section.

(d) CONGRESSIONAL COPIES.—Not later than December 1, 2008, the Secretary shall transmit at least 25 copies of each volume compiled, and of each volume reprinted, pursuant to this section to each of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(e) AVAILABILITY.—The Secretary shall ensure that each volume compiled, and each volume reprinted, pursuant to this section are available through electronic means, including the Internet.

SEC. 2012. DREDGED MATERIAL DISPOSAL.

Section 217 of the Water Resources Development Act of 1996 (33 U.S.C. 2326a) is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

"(c) DREDGED MATERIAL FACILITY.—

"(1) IN GENERAL.—The Secretary may enter into a partnership agreement under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) with

one or more non-Federal interests with respect to a water resources project, or group of water resources projects within a geographic region, if appropriate, for the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility (including any facility used to demonstrate potential beneficial uses of dredged material, which may include effective sediment contaminant reduction technologies) using funds provided in whole or in part by the Federal Government.

"(2) PERFORMANCE.—One or more of the parties to a partnership agreement under this subsection may perform the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility.

"(3) MULTIPLE PROJECTS.—If a facility to which this subsection applies serves to manage dredged material from multiple water resources projects located in the geographic region of the facility, the Secretary may combine portions of such projects with appropriate combined costsharing between the various projects in a partnership agreement for the facility under this subsection.

"(4) SPECIFIED FEDERAL FUNDING SOURCES AND COST SHARING.—

"(A) SPECIFIED FEDERAL FUNDING.—A partnership agreement with respect to a facility under this subsection shall specify—

"(i) the Federal funding sources and combined cost-sharing when applicable to multiple water resources projects; and

"(ii) the responsibilities and risks of each of the parties relating to present and future dredged material managed by the facility.

"(B) MANAGEMENT OF SEDIMENTS.—

"(i) IN GENERAL.—A partnership agreement under this subsection may include the management of sediments from the maintenance dredging of Federal water resources projects that do not have partnership agreements.

"(ii) PAYMENTS.—A partnership agreement under this subsection may allow the non-Federal interest to receive reimbursable payments from the Federal Government for commitments made by the non-Federal interest for disposal or placement capacity at dredged material processing, treatment, contaminant reduction, or disposal facilities.

"(C) CREDIT.—A partnership agreement under this subsection may allow costs incurred by the non-Federal interest before execution of the partnership agreement to be credited in accordance with section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)).

"(5) CREDIT.—

"(A) EFFECT ON EXISTING AGREEMENTS.—Nothing in this subsection supersedes or modifies an agreement in effect on the date of enactment of this paragraph between the Federal Government and any non-Federal interest for the cost-sharing, construction, and operation and maintenance of a water resources project.

"(B) CREDIT FOR FUNDS.—Subject to the approval of the Secretary and in accordance with law (including regulations and policies) in effect on the date of enactment of this paragraph, a non-Federal interest for a water resources project may receive credit for funds provided for the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility to the extent the facility is used to manage dredged material from the project.

"(C) NON-FEDERAL INTEREST RESPONSIBILITIES.—A non-Federal interest entering into a partnership agreement under this subsection for a facility shall—

"(i) be responsible for providing all necessary lands, easements, rights-of-way, and relocations associated with the facility; and

"(ii) receive credit toward the non-Federal share of the cost of the project with respect to which the agreement is being entered into for those items."; and

(3) in paragraphs (1) and (2)(A) of subsection (d) (as redesignated by paragraph (1))—

(A) by inserting "and maintenance" after "operation" each place it appears; and

(B) by inserting "processing, treatment, contaminant reduction, or" after "dredged material" the first place it appears in each of those paragraphs.

SEC. 2013. WETLANDS MITIGATION.

In carrying out a water resources project that involves wetlands mitigation and that has impacts that occur within the same watershed of a mitigation bank, the Secretary, to the maximum extent practicable and where appropriate, shall first

consider the use of the mitigation bank if the bank contains sufficient available credits to offset the impact and the bank is approved in accordance with the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605) or other applicable Federal law (including regulations).

SEC. 2014. MITIGATION FOR FISH AND WILDLIFE LOSSES.

(a) MITIGATION PLAN CONTENTS.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)) is amended by adding at the end the following:

"(3) CONTENTS.—A mitigation plan shall include—

"(A) a description of the physical action to be undertaken to achieve the mitigation objectives within the watershed in which such losses occur and, in any case in which mitigation must take place outside the watershed, a justification detailing the rationale for undertaking the mitigation outside of the watershed;

"(B) a description of the lands or interests in lands to be acquired for mitigation and the basis for a determination that such lands are available for acquisition;

"(C) the type, amount, and characteristics of the habitat being restored;

"(D) success criteria for mitigation based on replacement of lost functions and values of the habitat, including hydrologic and vegetative characteristics; and

"(E) a plan for any necessary monitoring to determine the success of the mitigation, including the cost and duration of any monitoring and, to the extent practicable, the entities responsible for any monitoring.

"(4) RESPONSIBILITY FOR MONITORING.—In any case in which it is not practicable to identify in a mitigation plan for a water resources project, the entity responsible for monitoring at the time of a final report of the Chief of Engineers or other final decision document for the project, such entity shall be identified in the partnership agreement entered into with the non-Federal interest.".

(b) STATUS REPORT.—

(1) IN GENERAL.—Concurrent with the President's submission to Congress of the President's request for appropriations for the Civil Works Program for a fiscal year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the status of construction of projects that require mitigation under section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283; 100 Stat. 4186) and the status of such mitigation.

(2) PROJECTS INCLUDED.—The status report shall include the status of all projects that are under construction, all projects for which the President requests funding for the next fiscal year, and all projects that have completed construction, but have not completed the mitigation required under section 906 of the Water Resources Development Act of 1986.

SEC. 2015. REMOTE AND SUBSISTENCE HARBORS.

(a) IN GENERAL.—In conducting a study of harbor and navigation improvements, the Secretary may recommend a project without the need to demonstrate that the project is justified solely by national economic development benefits if the Secretary determines that—

(1)(A) the community to be served by the project is at least 70 miles from the nearest surface accessible commercial port and has no direct rail or highway link to another community served by a surface accessible port or harbor; or

(B) the project would be located in the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, or American Samoa;

(2) the harbor is economically critical such that over 80 percent of the goods transported through the harbor would be consumed within the community served by the harbor and navigation improvement; and

(3) the long-term viability of the community would be threatened without the harbor and navigation improvement.

(b) JUSTIFICATION.—In considering whether to recommend a project under subsection (a), the Secretary shall consider the benefits of the project to—

(1) public health and safety of the local community, including access to facilities designed to protect public health and safety;

(2) access to natural resources for subsistence purposes;

(3) local and regional economic opportunities;

(4) welfare of the local population; and

(5) social and cultural value to the community.

SEC. 2016. BENEFICIAL USES OF DREDGED MATERIAL.

(a) IN GENERAL.—Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by striking subsections (c) through (g) and inserting the following:

"(c) IN GENERAL.—The Secretary may carry out projects to transport and place sediment obtained in connection with the construction, operation, or maintenance of an authorized water resources project at locations selected by a non-Federal entity for use in the construction, repair, or rehabilitation of projects determined by the Secretary to be in the public interest and associated with navigation, flood damage reduction, hydroelectric power, municipal and industrial water supply, agricultural water supply, recreation, hurricane and storm damage reduction, aquatic plant control, and environmental protection and restoration.

"(d) COOPERATIVE AGREEMENT.—Any project undertaken pursuant to this section shall be initiated only after non-Federal interests have entered into an agreement with the Secretary in which the non-Federal interests agree to pay the non-Federal share of the cost of construction of the project and 100 percent of the cost of operation, maintenance, replacement, and rehabilitation of the project in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

"(e) SPECIAL RULE.—Construction of a project under subsection (a) for one or more of the purposes of protection, restoration, or creation of aquatic and ecologically related habitat, the cost of which does not exceed $750,000 and which will be located in a disadvantaged community as determined by the Secretary, may be carried out at Federal expense.

"(f) DETERMINATION OF CONSTRUCTION COSTS.—Costs associated with construction of a project under this section shall be limited solely to construction costs that are in excess of those costs necessary to carry out the dredging for construction, operation, or maintenance of the authorized water resources project in the most cos- effective way, consistent with economic, engineering, and environmental criteria.

"(g) SELECTION OF SEDIMENT DISPOSAL METHOD.—In developing and carrying out a water resources project involving the disposal of sediment, the Secretary may select, with the consent of the non-Federal interest, a disposal method that is not the least cost option if the Secretary determines that the incremental costs of such disposal method are reasonable in relation to the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion. The Federal share of such incremental costs shall be determined in accordance with subsections (d) and (f).

"(h) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $30,000,000 annually for projects under this section of which not more than $3,000,000 annually may be used for construction of projects described in subsection (e). Such sums shall remain available until expended.

"(j) REGIONAL SEDIMENT MANAGEMENT PLANNING.—In consultation with appropriate State and Federal agencies, the Secretary may develop, at Federal expense, plans for regional management of sediment obtained in conjunction with the construction, operation, or maintenance of water resources projects, including potential beneficial uses of sediment for construction, repair, or rehabilitation of public projects for navigation, flood damage reduction, hydroelectric power, municipal and industrial water supply, agricultural water supply, recreation, hurricane and storm damage reduction, aquatic plant control, and environmental protection and restoration.

"(k) USE OF FUNDS.—

"(1) NON-FEDERAL INTEREST.—The non-Federal interest for a project described in this section may use, and the Secretary shall accept, funds provided under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of such project if such funds are authorized to be used to carry out such project.

"(2) OTHER FEDERAL AGENCIES.—The non-Federal share of the cost of construction of a project under this section may be met through contributions from a Federal agency made directly to the Secretary, with the consent of the affected local government, if such funds are authorized to be used to carry out such project. Before initiating a project to which this paragraph applies, the Secretary shall enter into an agreement with a non-Federal interest in which the non-Federal interest agrees to pay 100 percent of the cost of operation, maintenance, replacement, and rehabilitation of the project.".

(b) REPEAL.—

(1) IN GENERAL.—Section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j) is repealed.

(2) HOLD HARMLESS.—The repeal made by paragraph (1) shall not affect the authority of the Secretary to complete any project being carried out under such section 145 on the day before the date of enactment of this Act.

(c) PRIORITY AREAS.—In carrying out section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326), the Secretary shall give priority to the following:

(1) A project at Little Rock Slackwater Harbor, Arkansas.

(2) A project at Egmont Key, Florida.

(3) A project in the vicinity of Calcasieu Ship Channel, Louisiana.

(4) A project in the vicinity of the Smith Point Park Pavilion and the TWA Flight 800 Memorial, Brookhaven, New York.

(5) A project in the vicinity of Morehead City, North Carolina.

(6) A project in the vicinity of Galveston Bay, Texas.

(7) A project at Benson Beach, Washington.

SEC. 2017. COST-SHARING PROVISIONS FOR CERTAIN AREAS.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310; 100 Stat. 4256) is amended to read as follows:

"SEC. 1156. COST-SHARING PROVISIONS FOR CERTAIN AREAS.

"The Secretary shall waive local cost-sharing requirements up to $500,000 for all studies and projects—

"(1) in the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands;

"(2) in Indian country (as defined in section 1151 of title 18, United States Code, and including lands that are within the jurisdictional area of an Oklahoma Indian tribe, as determined by the Secretary of the Interior, and are recognized by the Secretary of the Interior as eligible for trust land status under part 151 of title 25, Code of Federal Regulations); or

"(3) on land in the State of Alaska owned by an Alaska Native Regional Corporation or an Alaska Native Village Corporation (as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) or the Metlakatla Indian community.".

SEC. 2018. USE OF OTHER FEDERAL FUNDS.

The non-Federal interest for a water resources study or project may use, and the Secretary shall accept, funds provided by a Federal agency under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of the study or project if such funds are authorized to be used to carry out the study or project.

SEC. 2019. REVISION OF PROJECT PARTNERSHIP AGREEMENT.

Upon authorization by law of an increase in the maximum amount of Federal funds that may be allocated for a water resources project or an increase in the total cost of a water resources project authorized to be carried out by the Secretary, the Secretary shall revise the partnership agreement for the project to take into account the change in Federal participation in the project.

SEC. 2020. COST SHARING.

An increase in the maximum amount of Federal funds that may be allocated for a water resources project, or an increase in the total cost of a water resources project, authorized to be carried out by the Secretary shall not affect any cost-sharing requirement applicable to the project.

SEC. 2021. EXPEDITED ACTIONS FOR EMERGENCY FLOOD DAMAGE REDUCTION.

The Secretary shall expedite any authorized planning, design, and construction of any project for flood damage reduction for an area that, within the preceding 5 years, has been subject to flooding that resulted in the loss of life and caused damage of sufficient severity and magnitude to warrant a declaration of a major disaster by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 2022. WATERSHED AND RIVER BASIN ASSESSMENTS.

(a) IN GENERAL.—Section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a; 114 Stat. 2587–2588; 100 Stat. 4164) is amended—

(1) in subsection (d)—

(A) by striking "and" at the end of paragraph (4);

(B) by striking the period at the end of paragraph (5) and inserting ";"; and

(C) by adding at the end the following:

"(6) Tuscarawas River Basin, Ohio;

"(7) Sauk River Basin, Snohomish and Skagit Counties, Washington;

"(8) Niagara River Basin, New York;

"(9) Genesee River Basin, New York; and

"(10) White River Basin, Arkansas and Missouri.";

(2) by striking paragraph (1) of subsection (f) and inserting the following:

"(1) NON-FEDERAL SHARE.—The non-Federal share of the costs of an assessment carried out under this section on or after December 11, 2000, shall be 25 percent."; and

(3) by striking subsection (g).

(b) REVISION OF PARTNERSHIP AGREEMENT.—The Secretary shall revise the partnership agreement for any assessment being carried out under such section 729 to take into account the change in non-Federal participation in the assessment as a result of the amendments made by subsection (a).

SEC. 2023. TRIBAL PARTNERSHIP PROGRAM.

(a) SCOPE.—Section 203(b)(1)(B) of the Water Resources Development Act of 2000 (33 U.S.C. 2269(b)(1)(B); 114 Stat. 2589) is amended by inserting after "Code" the following: ", and including lands that are within the jurisdictional area of an Oklahoma Indian tribe, as determined by the Secretary of the Interior, and are recognized by the Secretary of the Interior as eligible for trust land status under part 151 of title 25, Code of Federal Regulations".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 203(e) of such Act is amended by striking "2006" and inserting "2012".

SEC. 2024. WILDFIRE FIREFIGHTING.

Section 309 of Public Law 102–154 (42 U.S.C. 1856a–1; 105 Stat. 1034) is amended by inserting "the Secretary of the Army," after "the Secretary of Energy,".

SEC. 2025. TECHNICAL ASSISTANCE.

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

(1) in subsection (a) by striking "(a) The Secretary" and inserting the following:

"(a) FEDERAL STATE COOPERATION.—

"(1) COMPREHENSIVE PLANS.—The Secretary";

(2) by inserting after the last sentence in subsection (a) the following:

"(2) TECHNICAL ASSISTANCE.—

"(A) IN GENERAL.—At the request of a governmental agency or non-Federal interest, the Secretary may provide, at Federal expense, technical assistance to such agency or non-Federal interest in managing water resources.

"(B) TYPES OF ASSISTANCE.—Technical assistance under this paragraph may include provision and integration of hydrologic, economic, and environmental data and analyses.";

(3) in subsection (b)(1) by striking "this section" each place it appears and inserting "subsection (a)(1)";

(4) in subsection (b)(3) by striking "Up to ½ of the" and inserting "The";

(5) in subsection (c) by striking "(c) There is" and inserting the following:

"(c) AUTHORIZATION OF APPROPRIATIONS.—

"(1) FEDERAL AND STATE COOPERATION.—There is";

(6) in subsection (c)(1) (as designated by paragraph (5))—

(A) by striking "the provisions of this section" and inserting "subsection (a)(1)"; and

(B) by striking "$500,000" and inserting "$1,000,000";

(7) by inserting at the end of subsection (c) the following:

"(2) TECHNICAL ASSISTANCE.—There is authorized to be appropriated $5,000,000 annually to carry out subsection (a)(2), of which not more than $2,000,000 annually may be used by the Secretary to enter into cooperative agreements with nonprofit organizations to provide assistance to rural and small communities.";

(8) by redesignating subsection (d) as subsection (e); and

(9) by inserting after subsection (c) the following:

"(d) ANNUAL SUBMISSION OF PROPOSED ACTIVITIES.—Concurrent with the President's submission to Congress of the President's request for appropriations for the Civil Works Program for a fiscal year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the individual activities proposed for funding under subsection (a)(1) for that fiscal year.".

SEC. 2026. LAKES PROGRAM.

Section 602(a) of the Water Resources Development Act of 1986 (100 Stat. 4148; 110 Stat. 3758; 113 Stat. 295) is amended—

(1) by striking "and" at end of paragraph (18);

(2) by striking the period at the end of paragraph (19) and inserting a semicolon; and

(3) by adding at the end the following:

"(20) Kinkaid Lake, Jackson County, Illinois, removal of silt and aquatic growth and measures to address excessive sedimentation;

"(21) McCarter Pond, Borough of Fairhaven, New Jersey, removal of silt and measures to address water quality;

"(22) Rogers Pond, Franklin Township, New Jersey, removal of silt and restoration of structural integrity;

"(23) Greenwood Lake, New York and New Jersey, removal of silt and aquatic growth;

"(24) Lake Rodgers, Creedmoor, North Carolina, removal of silt and excessive nutrients and restoration of structural integrity; and

"(25) Lake Luxembourg, Pennsylvania.".

SEC. 2027. COORDINATION AND SCHEDULING OF FEDERAL, STATE, AND LOCAL ACTIONS.

(a) NOTICE OF INTENT.—Upon request of the non-Federal interest in the form of a written notice of intent to construct or modify a non-Federal water supply, wastewater infrastructure, flood damage reduction, storm damage reduction, ecosystem restoration, or navigation project that requires the approval of the Secretary, the Secretary shall initiate, subject to subsection (g)(1), procedures to establish a schedule for consolidating Federal, State, and local agency and Indian tribe environmental assessments, project reviews, and issuance of all permits for the construction or modification of the project. The non-Federal interest shall submit to the Secretary, with the notice of intent, studies and documentation, including environmental reviews, that may be required by Federal law for decisionmaking on the proposed project. All States and Indian tribes having jurisdiction over the proposed project shall be invited by the Secretary, but shall not be required, to participate in carrying out this section with respect to the project.

(b) PROCEDURAL REQUIREMENTS.—Within 15 days after receipt of notice under subsection (a), the Secretary shall publish such notice in the Federal Register. The Secretary also shall provide written notification of the receipt of a notice under subsection (a) to all State and local agencies and Indian tribes that may be required to issue permits for the construction of the project or related activities. The Secretary shall solicit the cooperation of those agencies and request their entry into a memorandum of agreement described in subsection (c) with respect to the project. Within 30 days after publication of the notice in the Federal Register, State and local agencies and Indian tribes that intend to enter into the memorandum of agreement with respect to the project shall notify the Secretary of their intent in writing.

(c) SCHEDULING AGREEMENT.—Within 90 days after the date of receipt of notice under subsection (a) with respect to a project, the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency, as necessary, and any State or local agencies that have notified the Secretary under subsection (b) shall enter into an agreement with the Secretary establishing a schedule of decisionmaking for approval of the project and permits associated with the project and with related activities.

(d) CONTENTS OF AGREEMENT.—An agreement entered into under subsection (c) with respect to a project, to the extent practicable, shall consolidate hearing and comment periods, procedures for data collection and report preparation, and the environmental review and permitting processes associated with the project and related activities. The agreement shall detail, to the extent possible, the non-Federal interest's responsibilities for data development and information that may be necessary to process each permit required for the project, including a schedule when the information and data will be provided to the appropriate Federal, State, or local agency or Indian tribe.

(e) REVISION OF AGREEMENT.—The Secretary may revise an agreement entered into under subsection (c) with respect to a project once to extend the schedule to allow the non-Federal interest the minimum amount of additional time necessary to revise its original application to meet the objections of a Federal, State, or local agency or Indian tribe that is a party to the agreement.

(f) FINAL DECISION.—Not later than the final day of a schedule established by an agreement entered into under subsection (c) with respect to a project, the Secretary shall notify the non-Federal interest of the final decision on the project and whether the permit or permits have been issued.

(g) COSTS OF COORDINATION.—The costs incurred by the Secretary to establish and carry out a schedule to consolidate Federal, State, and local agency and Indian tribe environmental assessments, project reviews, and permit issuance for a project under this section shall be paid by the non-Federal interest.

(h) REPORT ON TIMESAVINGS METHODS.—Not later than 3 years after the date of enactment of this section, the Secretary shall prepare and transmit to Congress a report estimating the time required for the issuance of all Federal, State, local, and tribal permits for the construction of non-Federal projects for water supply, wastewater infrastructure, flood damage reduction, storm damage reduction, ecosystem restoration, and navigation. The Secretary shall include in that report recommendations for further reducing the amount of time required for the issuance of those permits, including any proposed changes in existing law.

SEC. 2028. PROJECT STREAMLINING.

(a) POLICY.—The benefits of water resources projects are important to the Nation's economy and environment, and recommendations to Congress regarding such projects should not be delayed due to uncoordinated or inefficient reviews or the failure to timely resolve disputes during the development of water resources projects.

(b) SCOPE.—This section shall apply to each study initiated after the date of enactment of this Act to develop a feasibility report under section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282), or a reevaluation report, for a water resources project if the Secretary determines that such study requires an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) WATER RESOURCES PROJECT REVIEW PROCESS.—The Secretary shall develop and implement a coordinated review process for the development of water resources projects.

(d) COORDINATED REVIEWS.—

(1) IN GENERAL.—The coordinated review process under this section shall provide that all reviews, analyses, opinions, permits, licenses, and approvals that must be issued or made by a Federal, State, or local government agency or Indian tribe for the development of a water resources project described in subsection (b) will be conducted, to the maximum extent practicable, concurrently and completed within a time period established by the Secretary, in cooperation with the agencies identified under subsection (e) with respect to the project.

(2) AGENCY PARTICIPATION.—Each Federal agency identified under subsection (e) with respect to the development of a water resources project shall formulate and implement administrative policy and procedural mechanisms to enable the agency to ensure completion of reviews, analyses, opinions, permits, licenses, and approvals described in paragraph (1) for the project in a timely and environmentally responsible manner.

(e) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to the development of each water resources project, the Secretary shall identify, as soon as practicable all Federal, State, and local government agencies and Indian tribes that may—

(1) have jurisdiction over the project;

(2) be required by law to conduct or issue a review, analysis, or opinion for the project; or

(3) be required to make a determination on issuing a permit, license, or approval for the project.

(f) STATE AUTHORITY.—If the coordinated review process is being implemented under this section by the Secretary with respect to the development of a water resources project described in subsection (b) within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

(1) have jurisdiction over the project;

(2) are required to conduct or issue a review, analysis, or opinion for the project; or

(3) are required to make a determination on issuing a permit, license, or approval for the project.

(g) MEMORANDUM OF UNDERSTANDING.—The coordinated review process developed under this section may be incorporated into a memorandum of understanding for a water resources project between the Secretary, the heads of Federal, State, and local government agencies, Indian tribes identified under subsection (e), and the non-Federal interest for the project.

(h) EFFECT OF FAILURE TO MEET DEADLINE.—

(1) NOTIFICATION OF CONGRESS AND CEQ.—If the Secretary determines that a Federal, State, or local government agency, Indian tribe, or non-Federal interest that is participating in the coordinated review process under this section with

respect to the development of a water resources project has not met a deadline established under subsection (d) for the project, the Secretary shall notify, within 30 days of the date of such determination, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, the Council on Environmental Quality, and the agency, Indian tribe, or non-Federal interest involved about the failure to meet the deadline.

(2) AGENCY REPORT.—Not later than 30 days after the date of receipt of a notice under paragraph (1), the Federal, State, or local government agency, Indian tribe, or non-Federal interest involved may submit a report to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Council on Environmental Quality explaining why the agency, Indian tribe, or non-Federal interest did not meet the deadline and what actions it intends to take to complete or issue the required review, analysis, or opinion or determination on issuing a permit, license, or approval.

(i) PURPOSE AND NEED AND DETERMINATION OF REASONABLE ALTERNATIVES.—

(1) IN GENERAL.—The Secretary, as the Federal lead agency responsible for carrying out a study for a water resources project and the associated process for meeting the requirements of the National Environmental Policy Act of 1969, shall—

(A) define the project's purpose and need for purposes of any document which the Secretary is responsible for preparing for the project and shall determine the range of alternatives for consideration in any document which the Secretary is responsible for preparing for the project; and

(B) determine, in collaboration with participating agencies at appropriate times during the study process, the methodologies to be used and the level of detail required in the analysis of each alternative for the project.

(2) PREFERRED ALTERNATIVE.—At the discretion of the Secretary, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives.

(j) LIMITATIONS.—Nothing in this section shall preempt or interfere with—

(1) any statutory requirement for seeking public comment;

(2) any power, jurisdiction, or authority that a Federal, State, or local government agency, Indian tribe, or non-Federal interest has with respect to carrying out a water resources project; or

(3) any obligation to comply with the provisions of the National Environmental Policy Act of 1969 and the regulations issued by the Council on Environmental Quality to carry out such Act.

SEC. 2029. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—For the purpose of expediting the cost-effective design and construction of wetlands restoration that is part of an authorized water resources project, the Secretary may enter into cooperative agreements under section 6305 of title 31, United States Code, with nonprofit organizations with expertise in wetlands restoration to carry out such design and construction on behalf of the Secretary.

(b) LIMITATIONS.—

(1) PER PROJECT LIMIT.—A cooperative agreement under this section shall not obligate the Secretary to pay the nonprofit organization more than $1,000,000 for any single wetlands restoration project.

(2) ANNUAL LIMIT.—The total value of work carried out under cooperative agreements under this section may not exceed $5,000,000 in any fiscal year.

SEC. 2030. TRAINING FUNDS.

(a) IN GENERAL.—The Secretary may include individuals not employed by the Department of the Army in training classes and courses offered by the Corps of Engineers in any case in which the Secretary determines that it is in the best interest of the Federal Government to include those individuals as participants.

(b) EXPENSES.—

(1) IN GENERAL.—An individual not employed by the Department of the Army attending a training class or course described in subsection (a) shall pay the full cost of the training provided to the individual.

(2) PAYMENTS.—Payments made by an individual for training received under paragraph (1), up to the actual cost of the training—

(A) may be retained by the Secretary;

(B) shall be credited to an appropriations account used for paying training costs; and

(C) shall be available for use by the Secretary, without further appropriation, for training purposes.

(3) EXCESS AMOUNTS.—Any payments received under paragraph (2) that are in excess of the actual cost of training provided shall be credited as miscellaneous receipts to the Treasury of the United States.

SEC. 2031. ACCESS TO WATER RESOURCE DATA.

(a) IN GENERAL.—The Secretary shall carry out a program to provide public access to water resources and related water quality data in the custody of the Corps of Engineers.

(b) DATA.—Public access under subsection (a) shall—

(1) include, at a minimum, access to data generated in water resources project development and regulation under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(2) appropriately employ geographic information system technology and linkages to water resource models and analytical techniques.

(c) PARTNERSHIPS.—To the maximum extent practicable, in carrying out activities under this section, the Secretary shall develop partnerships, including cooperative agreements with State, tribal, and local governments and other Federal agencies.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each fiscal year.

SEC. 2032. SHORE PROTECTION PROJECTS.

(a) IN GENERAL.—In accordance with the Act of July 3, 1930 (33 U.S.C. 426), and notwithstanding administrative actions, it is the policy of the United States to promote beach nourishment for the purposes of flood damage reduction and hurricane and storm damage reduction and related research that encourage the protection, restoration, and enhancement of sandy beaches, including beach restoration and periodic beach renourishment for a period of 50 years, on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprises.

(b) PREFERENCE.—In carrying out the policy under subsection (a), preference shall be given to—

(1) areas in which there has been a Federal investment of funds for the purposes described in subsection (a); and

(2) areas with respect to which the need for prevention or mitigation of damage to shores and beaches is attributable to Federal navigation projects or other Federal activities.

(c) APPLICABILITY.—The Secretary shall apply the policy under subsection (a) to each shore protection and beach renourishment project (including shore protection and beach renourishment projects constructed before the date of enactment of this Act).

SEC. 2033. ABILITY TO PAY.

(a) CRITERIA AND PROCEDURES.—Section 103(m)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(2)) is amended by striking "180 days after such date of enactment" and inserting "September 30, 2007".

(b) PROJECTS.—The Secretary shall apply the criteria and procedures referred to in section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) to the following projects:

(1) ST. JOHNS BAYOU AND NEW MADRID FLOODWAY, MISSOURI.—The project for flood control, St. Johns Bayou and New Madrid Floodway, Missouri, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4118).

(2) LOWER RIO GRANDE BASIN, TEXAS.—The project for flood control, Lower Rio Grande Basin, Texas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4125).

(3) WEST VIRGINIA AND PENNSYLVANIA PROJECTS.—The projects for flood control authorized by section 581 of the Water Resources Development Act of 1996 (110 Stat. 3790–3791).

SEC. 2034. LEASING AUTHORITY.

Section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes", approved December 22, 1944 (16 U.S.C. 460d), is amended—

(1) by inserting "federally recognized Indian tribes and" before "Federal" the first place it appears;

(2) by inserting "Indian tribes or" after "considerations, to such"; and

(3) by inserting "federally recognized Indian tribe" after "That in any such lease or license to a".

SEC. 2035. COST ESTIMATES.

The estimated Federal and non-Federal costs of projects authorized to be carried out by the Secretary before, on, or after the date of enactment of this Act are for informational purposes only and shall not be interpreted as affecting the cost sharing responsibilities established by law.

SEC. 2036. PROJECT PLANNING.

(a) DETERMINATION OF CERTAIN NATIONAL BENEFITS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that, consistent with the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies (1983), the Secretary may select a water resources project alternative that does not maximize net national economic development benefits or net national ecosystem restoration benefits if there is an overriding reason based on other Federal, State, local, or international concerns.

(2) FLOOD DAMAGE REDUCTION, NAVIGATION, AND HURRICANE STORM DAMAGE REDUCTION PROJECTS.—With respect to a water resources project the primary purpose of which is flood damage reduction, navigation, or hurricane and storm damage reduction, an overriding reason for selecting a plan other than the plan that maximizes net national economic development benefits may be if the Secretary determines, and the non-Federal interest concurs, that an alternative plan is feasible and achieves the project purposes while providing greater ecosystem restoration benefits.

(3) ECOSYSTEM RESTORATION PROJECTS.—With respect to a water resources project the primary purpose of which is ecosystem restoration, an overriding reason for selecting a plan other than the plan that maximizes net national ecosystem restoration benefits may be if the Secretary determines, and the non-Federal interest concurs, that an alternative plan is feasible and achieves the project purposes while providing greater economic development benefits.

(b) IDENTIFYING ADDITIONAL BENEFITS AND PROJECTS.—

(1) PRIMARILY ECONOMIC BENEFITS.—In conducting a study of the feasibility of a project where the primary benefits are expected to be economic, the Secretary may identify ecosystem restoration benefits that may be achieved in the study area and, after obtaining the participation of a non-Federal interest, may study and recommend construction of additional measures, a separate project, or separable project element to achieve those benefits.

(2) PRIMARILY ECOSYSTEM RESTORATION BENEFITS.—In conducting a study of the feasibility of a project where the primary benefits are expected to be associated with ecosystem restoration, the Secretary may identify economic benefits that may be achieved in the study area and, after obtaining the participation of a non-Federal interest, may study and recommend construction of additional measures, a separate project, or separable project element to achieve those benefits.

(3) RULES APPLICABLE TO CERTAIN MEASURES, PROJECTS, AND ELEMENTS.—Any additional measures, separate project, or separable element identified under paragraph (1) or (2) and recommended for construction shall not be considered integral to the underlying project and, if authorized, shall be subject to a separate partnership agreement, unless a non-Federal interest agrees to share in the cost of the additional measures, project, or separable element.

(c) CALCULATION OF BENEFITS AND COSTS FOR FLOOD DAMAGE REDUCTION PROJECTS.—A feasibility study for a project for flood damage reduction shall include, as part of the calculation of benefits and costs—

(1) a calculation of the residual risk of flooding following completion of the proposed project;

(2) a calculation of any upstream or downstream impacts of the proposed project; and

(3) calculations to ensure that the benefits and costs associated with structural and nonstructural alternatives are evaluated in an equitable manner.

SEC. 2037. INDEPENDENT PEER REVIEW.

(a) PROJECT STUDIES SUBJECT TO INDEPENDENT PEER REVIEW.—

(1) IN GENERAL.—Project studies shall be subject to a peer review by an independent panel of experts as determined under this section.

(2) SCOPE.—The peer review may include a review of the economic and environmental assumptions and projections, project evaluation data, economic analyses, environmental analyses, engineering analyses, formulation of alternative plans, methods for integrating risk and uncertainty, models used in evaluation of economic or environmental impacts of proposed projects, and any biological opinions of the project study.

(3) PROJECT STUDIES SUBJECT TO PEER REVIEW.—

(A) MANDATORY.—A project study shall be subject to peer review under paragraph (1)—

(i) if the project has an estimated total cost of more than $50,000,000, including mitigation costs, and is not determined by the Chief of Engineers to be exempt from peer review under paragraph (6); or

(ii) the Governor of an affected State requests a peer review by an independent panel of experts.

(B) DISCRETIONARY.—A project study may be subject to peer review if—

(i) the head of a Federal or State agency charged with reviewing the project study determines that the project is likely to have a significant adverse impact on environmental, cultural, or other resources under the jurisdiction of the agency after implementation of proposed mitigation plans and requests a peer review by an independent panel of experts; or

(ii) the Chief of Engineers determines that the project study is controversial.

(4) CONTROVERSIAL PROJECTS.—Upon receipt of a written request under paragraph (3)(B) or on the initiative of the Chief of Engineers, the Chief of Engineers shall determine whether a project study is controversial.

(5) FACTORS TO CONSIDER.—In determining whether a project study is controversial, the Chief of Engineers shall consider if—

(A) there is a significant public dispute as to the size, nature, or effects of the project; or

(B) there is a significant public dispute as to the economic or environmental costs or benefits of the project.

(6) PROJECT STUDIES EXCLUDED FROM PEER REVIEW.—Project studies that may be excluded from peer review under paragraph (1) are—

(A) a study for a project the Chief of Engineers determines—

(i) is not controversial;

(ii) has no more than negligible adverse impacts on scarce or unique cultural, historic, or tribal resources;

(iii) has no substantial adverse impacts on fish and wildlife species and their habitat prior to the implementation of mitigation measures; and

(iv) has, before implementation of mitigation measures, no more than a negligible adverse impact on a species listed as endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1539 et seq.) or the critical habitat of such species designated under such Act; and

(B) a study for a project pursued under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), section 2 of the Flood Control Act of August 28, 1937 (33 U.S.C. 701g), section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), section 107(a) of the River and Harbor Act of 1960 (33 U.S.C. 577(a)), section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946 (33 U.S.C. 426g), section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i), section 3 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 2, 1945 (33 U.S.C. 603a), section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), or section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).

(7) APPEAL.—The decision of the Chief of Engineers whether to peer review a project study shall be published in the Federal Register and shall be subject to appeal by a person referred to in paragraph (3)(B)(i) or (3)(B)(ii) to the Secretary of the Army if such appeal is made within the 30-day period following the date of such publication.

(8) DETERMINATION OF PROJECT COST.—For purposes of determining the estimated total cost of a project under paragraph (3)(A), the project cost shall be based upon the reasonable estimates of the Chief of Engineers at the completion of the reconnaissance study for the project. If the reasonable estimate of project costs is subsequently determined to be in excess of the amount in paragraph (3)(A), the Chief of Engineers shall make a determination whether a project study should be reviewed under this section.

(b) TIMING OF PEER REVIEW.—The Chief of Engineers shall determine the timing of a peer review of a project study under subsection (a). In all cases, the peer review shall occur during the period beginning on the date of the completion of the reconnaissance study for the project and ending on the date the draft report of the Chief

of Engineers for the project is made available for public comment. Where the Chief of Engineers has not initiated a peer review of a project study, the Chief of Engineers shall consider, at a minimum, whether to initiate a peer review at the time that—

(1) the without-project conditions are identified;

(2) the array of alternatives to be considered are identified; and

(3) the preferred alternative is identified.

Nothing in this subsection shall be construed to require the Chief of Engineers to conduct multiple peer reviews for a project study.

(c) ESTABLISHMENT OF PANELS.—

(1) IN GENERAL.—For each project study subject to peer review under subsection (a), as soon as practicable after the Chief of Engineers determines that a project study will be subject to peer review, the Chief of Engineers shall contract with the National Academy of Sciences (or a similar independent scientific and technical advisory organization), or an eligible organization, to establish a panel of experts to peer review the project study for technical and scientific sufficiency.

(2) MEMBERSHIP.—A panel of experts established for a project study under this section shall be composed of independent experts who represent a balance of areas of expertise suitable for the review being conducted.

(3) LIMITATION ON APPOINTMENTS.—An individual may not be selected to serve on a panel of experts established for a project study under this section if the individual has a financial or close professional association with any organization or group with a strong financial or organizational interest in the project.

(4) CONGRESSIONAL NOTIFICATION.—Upon identification of a project study for peer review under this section, but prior to initiation of any review, the Chief of Engineers shall notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of such review.

(d) DUTIES OF PANELS.—A panel of experts established for a peer review for a project study under this section shall, consistent with the scope of the referral for review—

(1) conduct a peer review for the project study submitted to the panel for review;

(2) assess the adequacy and acceptability of the economic and environmental methods, models, and analyses used by the Chief of Engineers;

(3) provide timely written and oral comments to the Chief of Engineers throughout the development of the project study, as requested; and

(4) submit to the Chief of Engineers a final report containing the panel's economic, engineering, and environmental analysis of the project study, including the panel's assessment of the adequacy and acceptability of the economic and environmental methods, models, and analyses used by the Chief of Engineers, to accompany the publication of the project study.

(e) DURATION OF PROJECT STUDY PEER REVIEWS.—

(1) DEADLINE.—A panel of experts shall—

(A) complete its peer review under this section for a project study and submit a report to the Chief of Engineers under subsection (d)(4) within 180 days after the date of establishment of the panel, or, if the Chief of Engineers determines that a longer period of time is necessary, such period of time established by the Chief of Engineers, but in no event later than 90 days after the date a draft project study is made available for public review; and

(B) terminate on the date of submission of the report.

(2) FAILURE TO MEET DEADLINE.—If a panel does not complete its peer review of a project study under this section and submit a report to the Chief of Engineers under subsection (d)(4) on or before the deadline established by paragraph (1) for the project study, the Chief of Engineers shall continue the project study for the project that is subject to peer review by the panel without delay.

(f) RECOMMENDATIONS OF PANEL.—

(1) CONSIDERATION BY THE CHIEF OF ENGINEERS.—After receiving a report on a project study from a panel of experts under this section and before entering a final record of decision for the project, the Chief of Engineers shall consider any recommendations contained in the report and prepare a written response for any recommendations adopted or not adopted.

(2) PUBLIC AVAILABILITY AND TRANSMITTAL TO CONGRESS.—After receiving a report on a project study from a panel of experts under this section, the Chief of Engineers shall—

(A) make a copy of the report and any written response of the Chief of Engineers on recommendations contained in the report available to the public; and

(B) transmit to Congress a copy of the report, together with any such written response, on the date of a final report of the Chief of Engineers or other final decision document for a project study that is subject to peer review by the panel.

(g) COSTS.—

(1) IN GENERAL.—The costs of a panel of experts established for a peer review under this section—

(A) shall be a Federal expense; and

(B) shall not exceed $500,000.

(2) WAIVER.—The Chief of Engineers may waive the $500,000 limitation contained in paragraph (1)(B) in cases that the Chief of Engineers determines appropriate.

(h) APPLICABILITY.—This section shall apply to—

(1) project studies initiated during the 2-year period preceding the date of enactment of this Act and for which the array of alternatives to be considered has not been identified; and

(2) project studies initiated during the period beginning on such date of enactment and ending 4 years after such date of enactment.

(i) REPORT.—Within 4½ years of the date of enactment of this section, the Chief of Engineers shall submit a report to Congress on the implementation of this section.

(j) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any peer review panel established under this section.

(k) SAVINGS CLAUSE.—Nothing in this section shall be construed to affect any authority of the Chief of Engineers to cause or conduct a peer review of a water resources project existing on the date of enactment of this section.

(l) DEFINITIONS.—In this section, the following definitions apply:

(1) PROJECT STUDY.—The term "project study" means a feasibility study or reevaluation study for a project. The term also includes any other study associated with a modification or update of a project that includes an environmental impact statement, including the environmental impact statement.

(2) AFFECTED STATE.—The term "affected State", as used with respect to a project, means a State all or a portion of which is within the drainage basin in which the project is or would be located and would be economically or environmentally affected as a consequence of the project.

(3) ELIGIBLE ORGANIZATION.—The term "eligible organization" means an organization that—

(A) is described in section 501(c)(3), and exempt from Federal tax under section 501(a), of the Internal Revenue Code of 1986;

(B) is independent;

(C) is free from conflicts of interest;

(D) does not carry out or advocate for or against Federal water resources projects; and

(E) has experience in establishing and administering peer review panels.

SEC. 2038. STUDIES AND REPORTS FOR WATER RESOURCES PROJECTS.

(a) STUDIES.—

(1) COST-SHARING REQUIREMENTS.—Section 105(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)) is amended by adding at the end the following:

"(3) DETAILED PROJECT REPORTS.—The requirements of this subsection that apply to a feasibility study also shall apply to a study that results in a detailed project report, except that—

"(A) the first $100,000 of the costs of a study that results in a detailed project report shall be a Federal expense; and

"(B) paragraph (1)(C)(ii) shall not apply to such a study.".

(2) PLANNING AND ENGINEERING.—Section 105(b) of such Act (33 U.S.C. 2215(b)) is amended by striking "authorized by this Act".

(3) DEFINITIONS.—Section 105 of such Act (33 U.S.C. 2215) is amended by adding at the end the following:

"(d) DEFINITIONS.—In this section, the following definitions apply:

"(1) DETAILED PROJECT REPORT.—The term 'detailed project report' means a report for a project not specifically authorized by Congress in law or otherwise that determines the feasibility of the project with a level of detail appropriate to the scope and complexity of the recommended solution and sufficient to proceed directly to the preparation of contract plans and specifications. The term

includes any associated environmental impact statement and mitigation plan. For a project for which the Federal cost does not exceed $1,000,000, the term includes a planning and design analysis document.

"(2) FEASIBILITY STUDY.—The term 'feasibility study' means a study that results in a feasibility report under section 905, and any associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project. The term includes a study that results in a project implementation report prepared under title VI of the Water Resources Development Act of 2000 (114 Stat. 2680–2694), a general reevaluation report, and a limited reevaluation report.".

(b) REPORTS.—

(1) PREPARATION.—Section 905(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)) is amended—

(A) by striking "(a) In the case of any" and inserting the following:

"(a) PREPARATION OF REPORTS.—

"(1) IN GENERAL.—In the case of any";

(B) by striking "the Secretary, the Secretary shall" and inserting "the Secretary that results in recommendations concerning a project or the operation of a project and that requires specific authorization by Congress in law or otherwise, the Secretary shall perform a reconnaissance study and";

(C) by striking "Such feasibility report" and inserting the following:

"(2) CONTENTS OF FEASIBILITY REPORTS.—A feasibility report";

(D) by striking "The feasibility report" and inserting "A feasibility report"; and

(E) by striking the last sentence and inserting the following:

"(3) APPLICABILITY.—This subsection shall not apply to—

"(A) any study with respect to which a report has been submitted to Congress before the date of enactment of this Act;

"(B) any study for a project, which project is authorized for construction by this Act and is not subject to section 903(b);

"(C) any study for a project which does not require specific authorization by Congress in law or otherwise; and

"(D) general studies not intended to lead to recommendation of a specific water resources project.

"(4) FEASIBILITY REPORT DEFINED.—In this subsection, the term 'feasibility report' means each feasibility report, and any associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project. The term includes a project implementation report prepared under title VI of the Water Resources Development Act of 2000 (114 Stat. 2680–2694), a general reevaluation report, and a limited reevaluation report.".

(2) PROJECTS NOT SPECIFICALLY AUTHORIZED BY CONGRESS.—Section 905 of such Act is further amended—

(A) in subsection (b) by inserting "RECONNAISSANCE STUDIES.—" before "Before initiating";

(B) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively;

(C) by inserting after subsection (b) the following:

"(c) PROJECTS NOT SPECIFICALLY AUTHORIZED BY CONGRESS.—In the case of any water resources project-related study authorized to be undertaken by the Secretary without specific authorization by Congress in law or otherwise, the Secretary shall prepare a detailed project report.";

(D) in subsection (d) (as so redesignated) by inserting "INDIAN TRIBES.—" before "For purposes of"; and

(E) in subsection (e) (as so redesignated) by inserting "STANDARD AND UNIFORM PROCEDURES AND PRACTICES.—" before "The Secretary shall".

SEC. 2039. OFFSHORE OIL AND GAS FABRICATION PORT.

(a) IN GENERAL.—In conducting a feasibility study for the project for navigation, Atchafalaya River, Bayous Chene, Boeuf, and Black, Louisiana, being conducted under section 430 of the Water Resources Development Act of 2000 (114 Stat. 2639), the Secretary shall include in the calculation of national economic development benefits all economic benefits associated with contracts for new energy exploration and contracts for the fabrication of energy infrastructure that would result from carrying out the project.

(b) REPEAL.—Section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) is repealed.

SEC. 2040. USE OF FIRMS EMPLOYING LOCAL RESIDENTS.

(a) CONTRACTS OR AGREEMENTS WITH PRIVATE ENTITIES.—In carrying out construction of a water resources project, the Secretary may enter into a contract or agreement with a private entity only if the private entity provides assurances satisfactory to the Secretary that, to the maximum extent practicable—

(1) local residents in the area of the project will comprise not less than 50 percent of the workforce employed by the entity to perform the contract or agreement; and

(2) local residents in the area of the project will comprise not less than 50 percent of the workforce employed by each subcontractor at each tier in connection with the contract or agreement.

(b) EXEMPTIONS.—

(1) IN GENERAL.—The Secretary may waive the application of subsection (a) with respect to a contract or agreement if the Secretary determines that compliance with subsection (a) is not feasible due to—

(A) a lack of qualified local residents to permit satisfaction of the requirements of subsection (a);

(B) a lack of sufficient numbers of specialized workers necessary to carry out the project; or

(C) the need to comply with small business or minority contracting requirements under Federal law.

(2) DOCUMENTATION.—Any determination by the Secretary under paragraph (1) to waive the application of subsection (a) with respect to a contract or agreement shall be justified in writing.

(c) REGULATIONS.—The Secretary shall issue regulations establishing local residency and other requirements to facilitate compliance with this section.

(d) PRIOR CONTRACTS.—Nothing in this section shall be construed to affect any contract or agreement entered into before the effective date of this section.

(e) EFFECTIVE DATE.—This section shall become effective 180 days after the date of enactment of this Act.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 3001. COOK INLET, ALASKA.

Section 118(a)(3) of the Energy and Water Development Appropriations Act, 2005 (title I of division C of the Consolidated Appropriations Act, 2005; 118 Stat. 2945) is amended by inserting "as part of the operation and maintenance of such project modification" after "by the Secretary".

SEC. 3002. KING COVE HARBOR, ALASKA.

The maximum amount of Federal funds that may be expended for the project for navigation, King Cove Harbor, Alaska, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), shall be $8,000,000.

SEC. 3003. SITKA, ALASKA.

The Sitka, Alaska, element of the project for navigation, Southeast Alaska Harbors of Refuge, Alaska, authorized by section 101(1) of the Water Resources Development Act of 1992 (106 Stat. 4801), is modified to direct the Secretary to take such action as is necessary to correct design deficiencies in the Sitka Harbor Breakwater, at full Federal expense. The estimated cost is $6,300,000.

SEC. 3004. TATITLEK, ALASKA.

The maximum amount of Federal funds that may be expended for the project for navigation, Tatitlek, Alaska, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), shall be $10,000,000.

SEC. 3005. RIO DE FLAG, FLAGSTAFF, ARIZONA.

The project for flood damage reduction, Rio De Flag, Flagstaff, Arizona, authorized by section 101(b)(3) of the Water Resources Development Act of 2000 (114 Stat. 2576), is modified to authorize the Secretary to construct the project at a total cost of $54,100,000, with an estimated Federal cost of $35,000,000 and a non-Federal cost of $19,100,000.

SEC. 3006. OSCEOLA HARBOR, ARKANSAS.

(a) IN GENERAL.—The project for navigation, Osceola Harbor, Arkansas, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to allow non-Federal interests to construct a mooring facility within the existing authorized harbor channel, subject to all necessary permits, certifications, and other requirements.

(b) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as affecting the responsibility of the Secretary to maintain the general navigation features of the project at a bottom width of 250 feet.

SEC. 3007. PINE MOUNTAIN DAM, ARKANSAS.

The Pine Mountain Dam feature of the project for flood protection, Lee Creek, Arkansas and Oklahoma, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1078), is modified—

(1) to add environmental restoration as a project purpose; and

(2) to direct the Secretary to finance the non-Federal share of the cost of the project over a 30-year period in accordance with section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)).

SEC. 3008. AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA. .

(a) IN GENERAL.—The project for flood control, American and Sacramento Rivers, California, authorized by section 101(a)(6)(A) of the Water Resources Development Act of 1999 (113 Stat. 274), as modified by section 128 of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2259), is further modified to authorize the Secretary to construct the auxiliary spillway generally in accordance with the Post Authorization Change Report, American River Watershed Project (Folsom Dam Modification and Folsom Dam Raise Projects), dated December 2006, at a total cost of $683,000,000, with an estimated Federal cost of $444,000,000 and an estimated non-Federal cost of $239,000,000.

(b) DAM SAFETY ACTIVITIES.—Nothing in this section shall be construed to limit the authority of the Secretary of the Interior to carry out dam safety activities in connection with the auxiliary spillway in accordance with the Bureau of Reclamation Safety of Dams Program.

(c) TRANSFER OF FUNDS.—The Secretary and the Secretary of the Interior are authorized to transfer between their respective agencies appropriated amounts and other available funds (including funds contributed by non-Federal interests) for the purpose of planning, design, and construction of the auxiliary spillway. Any transfer made pursuant to this subsection shall be subject to such terms and conditions as agreed upon by the Secretary and the Secretary of the Interior.

SEC. 3009. COMPTON CREEK, CALIFORNIA.

The project for flood control, Los Angeles Drainage Area, California, authorized by section 101(b) of the Water Resources Development Act of 1990 (104 Stat. 4611), is modified to add environmental restoration and recreation as project purposes.

SEC. 3010. GRAYSON CREEK/MURDERER'S CREEK, CALIFORNIA.

The project for aquatic ecosystem restoration, Grayson Creek/Murderer's Creek, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest in the project.

SEC. 3011. HAMILTON AIRFIELD, CALIFORNIA.

The project for environmental restoration, Hamilton Airfield, California, authorized by section 101(b)(3) of the Water Resources Development Act of 1999 (113 Stat. 279), is modified to direct the Secretary to construct the project substantially in accordance with the report of the Chief of Engineers dated July 19, 2004, at a total cost of $228,100,000, with an estimated Federal cost of $171,100,000 and an estimated non-Federal cost of $57,000,000.

SEC. 3012. JOHN F. BALDWIN SHIP CHANNEL AND STOCKTON SHIP CHANNEL, CALIFORNIA.

The project for navigation, San Francisco to Stockton, California, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1091) is modified—

(1) to provide that the non-Federal share of the cost of the John F. Baldwin Ship Channel and Stockton Ship Channel element of the project may be provided in the form of in-kind services and materials; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of such element the cost of planning and design work carried out by the non-Federal interest before the date of an agreement for such planning and design if the Secretary determines that such work is integral to such element.

SEC. 3013. KAWEAH RIVER, CALIFORNIA.

The project for flood control, Terminus Dam, Kaweah River, California, authorized by section 101(b)(5) of the Water Resources Development Act of 1996 (110 Stat.

3658), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project, or provide reimbursement not to exceed $800,000, for the costs of any work carried out by the non-Federal interest before, on, or after the date of the project partnership agreement if the Secretary determines that the work is integral to the project.

SEC. 3014. LARKSPUR FERRY CHANNEL, LARKSPUR, CALIFORNIA.

The project for navigation, Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148), is modified to direct the Secretary to determine whether maintenance of the project is feasible, and if the Secretary determines that maintenance of the project is feasible, to carry out such maintenance.

SEC. 3015. LLAGAS CREEK, CALIFORNIA.

(a) IN GENERAL.—The project for flood damage reduction, Llagas Creek, California, authorized by section 501(a) of the Water Resources Development Act of 1999 (113 Stat. 333), is modified to authorize the Secretary to carry out the project at a total cost of $105,000,000, with an estimated Federal cost of $65,000,000, and an estimated non-Federal cost of $40,000,000.

(b) SPECIAL RULE.—In evaluating and implementing the project, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

SEC. 3016. MAGPIE CREEK, CALIFORNIA.

(a) IN GENERAL.—The project for Magpie Creek, California, authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modified to direct the Secretary to apply the cost-sharing requirements of section 103(b) of the Water Resources Development Act of 1986 (100 Stat. 4085) for the portion of the project consisting of land acquisition to preserve and enhance existing floodwater storage.

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3017. PACIFIC FLYWAY CENTER, SACRAMENTO, CALIFORNIA.

The project for aquatic ecosystem restoration, Pacific Flyway Center, Sacramento, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to authorize the Secretary to expend $2,000,000 to enhance public access to the project.

SEC. 3018. PINOLE CREEK, CALIFORNIA.

The project for improvement of the quality of the environment, Pinole Creek Phase I, California, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3019. PRADO DAM, CALIFORNIA.

Upon completion of the modifications to the Prado Dam element of the project for flood control, Santa Ana River Mainstem, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4113), the Memorandum of Agreement for the Operation for Prado Dam for Seasonal Additional Water Conservation between the Department of the Army and the Orange County Water District (including all the conditions and stipulations in the memorandum) shall remain in effect for volumes of water made available prior to such modifications.

SEC. 3020. SACRAMENTO AND AMERICAN RIVERS FLOOD CONTROL, CALIFORNIA.

(a) DETERMINATION OF FEDERAL COSTS PAID BY NON-FEDERAL INTEREST.—

(1) FEDERAL COSTS PAID BY NON-FEDERAL INTEREST.—The Secretary shall determine the amount paid by the Sacramento Area Flood Control Agency towards the Federal share of the cost of the project for the Natomas levee features authorized by section 9159(b) of the Department of Defense Appropriations Act, 1993 (106 Stat. 1944) of the project for flood control and recreation, Sacramento and American Rivers, California.

(2) REIMBURSEMENTS TO NON-FEDERAL INTEREST.—The Secretary shall determine the amount of reimbursements paid to the Sacramento Flood Control Agency for payment of the Federal share of the cost of the project referred to in paragraph (1).

(3) DETERMINATION OF FEDERAL SHARE.—In carrying out paragraph (1), the Secretary shall include in the total cost of the project all costs of the following activities that the Secretary determines to be integral to the project:

(A) Planning, engineering, and construction.

(B) Acquisition of project lands, easements, and rights-of-way.

(C) Performance of relocations.

(D) Environmental mitigation for all project elements.

(b) CREDIT.—

(1) IN GENERAL.—The Secretary shall credit toward the non-Federal share of the cost of any flood damage reduction project, authorized before the date of enactment of this Act, for which the non-Federal interest is the Sacramento Area Flood Control Agency an amount equal to the total amount determined under subsection (a)(1) reduced by the amount determined under subsection (a)(2).

(2) ALLOCATION OF CREDIT.—The Secretary shall allocate the amount to be credited under paragraph (1) toward the non-Federal share of such projects as are requested by the Sacramento Area Flood Control Agency.

SEC. 3021. SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.

The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3022. SANTA CRUZ HARBOR, CALIFORNIA.

The project for navigation, Santa Cruz Harbor, California, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 300) and modified by section 809 of the Water Resources Development Act of 1986 (100 Stat. 4168) and section 526 of the Water Resources Development Act of 1999 (113 Stat. 346), is modified to direct the Secretary—

(1) to renegotiate the memorandum of agreement with the non-Federal interest to increase the annual payment to reflect the updated cost of operation and maintenance that is the Federal and non-Federal share as provided by law based on the project purpose; and

(2) to revise the memorandum of agreement to include terms that revise such payments for inflation.

SEC. 3023. SEVEN OAKS DAM, CALIFORNIA.

The project for flood control, Santa Ana Mainstem, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4113) and modified by section 104 of the Energy and Water Development Appropriations Act, 1988 (101 Stat. 1329–11), section 102(e) of the Water Resources Development Act of 1990 (104 Stat. 4611), and section 311 of the Water Resources Development Act of 1996 (110 Stat. 3713), is further modified to direct the Secretary to conduct a study for the reallocation of water storage at the Seven Oaks Dam, California, for water conservation.

SEC. 3024. UPPER GUADALUPE RIVER, CALIFORNIA.

The project for flood damage reduction and recreation, Upper Guadalupe River, California, authorized by section 101(a)(9) of the Water Resources Development Act of 1999 (113 Stat. 275), is modified to authorize the Secretary to construct the project generally in accordance with the Upper Guadalupe River Flood Damage Reduction, San Jose, California, Limited Reevaluation Report, dated March, 2004, at a total cost of $244,500,000.

SEC. 3025. WALNUT CREEK CHANNEL, CALIFORNIA.

The project for aquatic ecosystem restoration, Walnut Creek Channel, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest in the project.

SEC. 3026. WILDCAT/SAN PABLO CREEK PHASE I, CALIFORNIA.

The project for improvement of the quality of the environment, Wildcat/San Pablo Creek Phase I, California, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to direct the Sec-

retary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3027. WILDCAT/SAN PABLO CREEK PHASE II, CALIFORNIA.

The project for aquatic ecosystem restoration, Wildcat/San Pablo Creek Phase II, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project and to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest in the project.

SEC. 3028. YUBA RIVER BASIN PROJECT, CALIFORNIA.

The project for flood damage reduction, Yuba River Basin, California, authorized by section 101(a)(10) of the Water Resources Development Act of 1999 (113 Stat. 275), is modified—

(1) to authorize the Secretary to construct the project at a total cost of $107,700,000, with an estimated Federal cost of $70,000,000 and an estimated non-Federal cost of $37,700,000; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3029. SOUTH PLATTE RIVER BASIN, COLORADO.

Section 808 of the Water Resources Development Act of 1986 (100 Stat. 4168) is amended by striking "agriculture," and inserting "agriculture, environmental restoration,".

SEC. 3030. INTRACOASTAL WATERWAY, DELAWARE RIVER TO CHESAPEAKE BAY, DELAWARE AND MARYLAND.

The project for navigation, Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, authorized by the first section of the Rivers and Harbors Act of August 30, 1935 (49 Stat. 1030), and section 101 of the River and Harbor Act of 1954 (68 Stat. 1249), is modified to add recreation as a project purpose.

SEC. 3031. BREVARD COUNTY, FLORIDA.

(a) SHORELINE.—The project for shoreline protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified—

(1) to direct the Secretary to establish the reach of the project as the reach between the Florida department of environmental protection monuments 75.4 to 118.3, a distance of 7.6 miles; and

(2) to direct the Secretary to expedite the general reevaluation report required by section 418 of the Water Resources Development Act of 2000 (114 Stat. 2637).

(b) CREDIT.—Section 310 of the Water Resources Development Act of 1999 (113 Stat. 301) is amended by adding at the end the following:

"(d) CREDIT.—After completion of the study, the Secretary shall credit toward the non-Federal share of the cost of the project for shore protection the cost of nourishment and renourishment associated with the project for shore protection incurred by the non-Federal interest to respond to damages to Brevard County beaches that are the result of a Federal navigation project, as determined in the final report for the study.".

SEC. 3032. BROWARD COUNTY AND HILLSBORO INLET, FLORIDA.

The project for shore protection, Broward County and Hillsboro Inlet, Florida, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1090), and modified by section 311 of the Water Resources Development Act of 1999 (113 Stat. 301), is further modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of mitigation construction and derelict erosion control structure removal carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3033. CANAVERAL HARBOR, FLORIDA.

In carrying out the project for navigation, Canaveral Harbor, Florida, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1174), the Secretary shall construct a sediment trap.

SEC. 3034. GASPARILLA AND ESTERO ISLANDS, FLORIDA.

The project for shore protection, Gasparilla and Estero Island segments, Lee County, Florida, authorized by section 201 of the Flood Control Act of 1965 (79 Stat. 1073), by Senate Resolution dated December 17, 1970, and by House Resolution dated December 15, 1970, and modified by section 309 of the Water Resources Development Act of 2000 (114 Stat. 2602), is further modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3035. JACKSONVILLE HARBOR, FLORIDA.

(a) IN GENERAL.—The project for navigation, Jacksonville Harbor, Florida, authorized by section 101(a)(17) of the Water Resources Development Act of 1999 (113 Stat. 276), is modified to authorize the Secretary to extend the navigation features in accordance with the Report of the Chief of Engineers, dated July 22, 2003, at a total cost of $14,658,000, with an estimated Federal cost of $9,636,000 and an estimated non-Federal cost of $5,022,000.

(b) GENERAL REEVALUATION REPORTS.—The non-Federal share of the cost of the general reevaluation report that resulted in the report of the Chief of Engineers for the project and the non-Federal share of the cost of the general reevaluation report for Jacksonville Harbor, Florida, being conducted on June 1, 2005, shall each be the same percentage as the non-Federal share of the cost of construction of the project.

(c) AGREEMENT.—The Secretary shall enter into new partnership agreements with the non-Federal interest to reflect the cost sharing required by subsection (b).

SEC. 3036. LIDO KEY BEACH, SARASOTA, FLORIDA.

(a) IN GENERAL.—The project for shore protection, Lido Key Beach, Sarasota, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1819), deauthorized under section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), and reauthorized by section 364(2)(A) of the Water Resources Development Act of 1999 (113 Stat. 313), is modified to direct the Secretary to construct the project substantially in accordance with the report of the Chief of Engineers dated December 22, 2004, at a total cost of $15,190,000, with an estimated Federal cost of $9,320,000 and an estimated non-Federal cost of $5,870,000, and at an estimated total cost of $65,000,000 for periodic nourishment over the 50-year life of the project.

(b) CONSTRUCTION OF SHORELINE PROTECTION PROJECTS BY NON-FEDERAL INTERESTS.—The Secretary shall enter into a partnership agreement with the non-Federal interest in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1) for the modified project.

SEC. 3037. MIAMI HARBOR, FLORIDA.

The project for navigation, Miami Harbor Channel, Florida, authorized by section 101(a)(9) of the Water Resources Development Act of 1990 (104 Stat. 4606) and modified by section 315 of the Water Resources Development Act of 1999 (113 Stat. 302), is further modified—

(1) to include as a project purpose environmental mitigation required before July 18, 2003, by a Federal, State, or local environmental agency for unauthorized or unanticipated environmental impacts within, or in the vicinity of, the authorized project; and

(2) to direct the Secretary to reimburse the non-Federal interest for the Federal share of the costs the non-Federal interest has incurred in construction of the project (including environmental mitigation costs and costs incurred for incomplete usable increments of the project) in accordance with section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232).

SEC. 3038. PEANUT ISLAND, FLORIDA.

The maximum amount of Federal funds that may be expended for the project for improvement of the quality of the environment, Peanut Island, Palm Beach County, Florida, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) shall be $9,750,000.

SEC. 3039. TAMPA HARBOR-BIG BEND CHANNEL, FLORIDA.

The project for navigation, Tampa Harbor-Big Bend Channel, Florida, authorized by section 101(a)(18) of the Water Resources Development Act of 1999 (113 Stat. 276) is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3040. TAMPA HARBOR CUT B, FLORIDA.

(a) IN GENERAL.—The project for navigation, Tampa Harbor, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1818), is modified to authorize the Secretary to construct passing lanes in an area approximately 3.5 miles long and centered on Tampa Harbor Cut B if the Secretary determines that such improvements are necessary for navigation safety.

(b) GENERAL REEVAULATION REPORT.—The non-Federal share of the cost of the general reevaluation report for Tampa Harbor, Florida, being conducted on June 1, 2005, shall be the same percentage as the non-Federal share of the cost of construction of the project.

(c) AGREEMENT.—The Secretary shall enter into a new partnership agreement with the non-Federal interest to reflect the cost sharing required by subsection (b).

SEC. 3041. ALLATOONA LAKE, GEORGIA.

(a) LAND EXCHANGE.—

(1) IN GENERAL.—The Secretary may exchange lands above 863 feet in elevation at Allatoona Lake, Georgia, identified in the Real Estate Design Memorandum prepared by the Mobile district engineer, April 5, 1996, and approved October 8, 1996, for lands on the north side of Allatoona Lake that are needed for wildlife management and for protection of the water quality and overall environment of Allatoona Lake.

(2) TERMS AND CONDITIONS.—The basis for all land exchanges under this subsection shall be a fair market appraisal so that lands exchanged are of equal value.

(b) DISPOSAL AND ACQUISITION OF LANDS, ALLATOONA LAKE, GEORGIA.—

(1) IN GENERAL.—The Secretary may also sell lands above 863 feet in elevation at Allatoona Lake, Georgia, identified in the memorandum referred to in subsection (a)(1) and may use the proceeds to pay costs associated with the purchase of lands needed for wildlife management and for protection of the water quality and overall environment of Allatoona Lake.

(2) TERMS AND CONDITIONS.—Land sales and purchases to be conducted under this subsection shall be subject to the following terms and conditions:

(A) Lands acquired under this subsection shall be by negotiated purchase from willing sellers only.

(B) The basis for all transactions under the program shall be a fair market appraisal acceptable to the Secretary.

(C) The purchasers shall share in the associated real estate costs, to include surveys and associated fees in accordance with the memorandum referred to in subsection (a)(1).

(D) Any other conditions that the Secretary may impose.

(c) REPEAL.—Section 325 of the Water Resources Development Act of 1992 (106 Stat. 4849) is repealed.

SEC. 3042. LATHAM RIVER, GLYNN COUNTY, GEORGIA.

The maximum amount of Federal funds that may be expended for the project for improvement of the quality of the environment, Latham River, Glynn County, Georgia, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) shall be $6,175,000.

SEC. 3043. DWORSHAK DAM AND RESERVOIR IMPROVEMENTS, IDAHO.

The Secretary may carry out improvements to recreational facilities at the Dworshak Dam and Reservoir, North Fork, Clearwater River, Idaho, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1193), to accommodate lower pool levels.

SEC. 3044. BEARDSTOWN COMMUNITY BOAT HARBOR, BEARDSTOWN, ILLINOIS.

(a) IN GENERAL.—The project for navigation, Muscooten Bay, Illinois River, Beardstown Community Boat Harbor, Beardstown, Illinois, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified—

(1) to include the channel between the harbor and the Illinois River; and

(2) to direct the Secretary to enter into a partnership agreement with the city of Beardstown to replace the local cooperation agreement dated August 18, 1983, with the Beardstown Community Park District.

(b) TERMS OF PARTNERSHIP AGREEMENT.—The partnership agreement referred to in subsection (a) shall include the same rights and responsibilities as the local cooperation agreement dated August 18, 1983, changing only the identity of the non-Federal sponsor.

(c) MAINTENANCE.—Following execution of the partnership agreement referred to in subsection (a), the Secretary may carry out maintenance of the project referred to in subsection (a) on an annual basis.

SEC. 3045. CACHE RIVER LEVEE, ILLINOIS.

The Cache River Levee constructed for flood control at the Cache River, Illinois, and authorized by the Act of June 28, 1938 (52 Stat. 1217), is modified to add environmental restoration as a project purpose.

SEC. 3046. CHICAGO RIVER, ILLINOIS.

The navigation channel for the North Branch Canal portion of the Chicago River, authorized by the first section of the Rivers and Harbors Appropriations Act of March 3, 1899 (30 Stat. 1129), extending from 100 feet downstream of the Halsted Street Bridge to 100 feet upstream of the Division Street Bridge is modified to be no wider than 66 feet.

SEC. 3047. CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIERS PROJECT, ILLINOIS.

(a) TREATMENT AS SINGLE PROJECT.—The Chicago Sanitary and Ship Canal Dispersal Barrier Project (in this section referred to as "Barrier I") (as in existence on the date of enactment of this Act), constructed as a demonstration project under section 1202(i)(3) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722(i)(3)), and the project relating to the Chicago Sanitary and Ship Canal Dispersal Barrier, authorized by section 345 of the District of Columbia Appropriations Act, 2005 (Public Law 108–335; 118 Stat. 1352) (in this section referred to as "Barrier II"), shall be considered to constitute a single project.

(b) AUTHORIZATION.—

(1) IN GENERAL.—The Secretary, at Federal expense, shall—

(A) upgrade and make permanent Barrier I;

(B) construct Barrier II, notwithstanding the project cooperation agreement with the State of Illinois dated June 14, 2005;

(C) operate and maintain Barrier I and Barrier II as a system to optimize effectiveness;

(D) conduct, in consultation with appropriate Federal, State, local, and nongovernmental entities, a study of a range of options and technologies for reducing impacts of hazards that may reduce the efficacy of the Barriers; and

(E) provide to each State a credit in an amount equal to the amount of funds contributed by the State toward Barrier II.

(2) USE OF CREDIT.—A State may apply a credit provided to the State under paragraph (1)(E) to any cost sharing responsibility for an existing or future Federal project carried out by the Secretary in the State.

(c) CONFORMING AMENDMENT.—Section 345 of the District of Columbia Appropriations Act, 2005 (Public Law 108–335; 118 Stat. 1352), is amended to read as follows:

"SEC. 345. CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, ILLINOIS.

"There are authorized to be appropriated such sums as may be necessary to carry out the Barrier II project of the project for the Chicago Sanitary and Ship Canal Dispersal Barrier, Illinois, initiated pursuant to section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2294 note; 100 Stat. 4251).".

(d) FEASIBILITY STUDY.—The Secretary, in consultation with appropriate Federal, State, local, and nongovernmental entities, shall conduct, at Federal expense, a feasibility study of the range of options and technologies available to prevent the spread of aquatic nuisance species between the Great Lakes and Mississippi River Basins through the Chicago Sanitary and Ship Canal and other pathways.

SEC. 3048. EMIQUON, ILLINOIS.

(a) MAXIMUM AMOUNT.—The maximum amount of Federal funds that may be expended for the project for aquatic ecosystem restoration, Emiquon, Illinois, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), shall be $7,500,000.

(b) LIMITATION.—Nothing in this section shall affect the eligibility of the project for emergency repair assistance under section 5(a) of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved August 18, 1941 (33 U.S.C. 701n).

SEC. 3049. LASALLE, ILLINOIS.

In carrying out section 312 of the Water Resources Development Act of 1990 (104 Stat. 4639-4640), the Secretary shall give priority to work in the vicinity of LaSalle, Illinois, on the Illinois and Michigan Canal.

SEC. 3050. SPUNKY BOTTOMS, ILLINOIS.

(a) PROJECT PURPOSE.—The project for flood control, Spunky Bottoms, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1583), is modified to add environmental restoration as a project purpose.

(b) MAXIMUM AMOUNT.—The maximum amount of Federal funds that may be expended for the project for improvement of the quality of the environment, Spunky Bottoms, Illinois, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), shall be $7,500,000.

(c) LIMITATION.—Nothing in this section shall affect the eligibility of the project for emergency repair assistance under section 5(a) of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved August 18, 1941 (33 U.S.C. 701n).

SEC. 3051. FORT WAYNE AND VICINITY, INDIANA.

The project for flood control Fort Wayne, St. Mary's and Maumee Rivers, Indiana, authorized by section 101(a)(11) of the Water Resources Development Act of 1990 (104 Stat. 4604), is modified—

(1) to direct the Secretary to provide a 100-year level of flood protection at the Berry-Thieme, Park-Thompson, Woodhurst, and Tillman sites along the St. Mary's River, Fort Wayne and vicinity, Indiana, at a total cost of $5,300,000; and

(2) to allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

SEC. 3052. KOONTZ LAKE, INDIANA.

The project for aquatic ecosystem restoration, Koontz Lake, Indiana, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) and modified by section 520 of the Water Resources Development Act of 2000 (114 Stat. 2655), is further modified to direct the Secretary to seek to reduce the cost of the project by using innovative technologies and cost reduction measures determined from a review of non-Federal lake dredging projects in the vicinity of Koontz Lake.

SEC. 3053. WHITE RIVER, INDIANA.

The project for flood control, Indianapolis on West Fork of White River, Indiana, authorized by section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936 (49 Stat. 1586), and modified by section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716) and section 322 of the Water Resources Development Act of 1999 (113 Stat. 303–304), is further modified—

(1) to authorize the Secretary to undertake the riverfront alterations described in the Central Indianapolis Waterfront Concept Plan, dated February 1994, for the Fall Creek Reach feature at a total cost of $28,545,000; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3054. DES MOINES RIVER AND GREENBELT, IOWA.

The project for the Des Moines Recreational River and Greenbelt, Iowa, authorized by Public Law 99–88 and modified by section 604 of the Water Resources Development Act of 1986 (100 Stat. 4153), is modified to include enhanced public access and recreational enhancements, at a Federal cost of $3,000,000.

SEC. 3055. PRESTONSBURG, KENTUCKY.

The Prestonsburg, Kentucky, element of the project for flood control, Levisa and Tug Fork of the Big Sandy and Cumberland Rivers, West Virginia, Virginia, and Kentucky, authorized by section 202(a) of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), is modified to direct the Secretary to take measures to provide a 100-year level of flood protection for the city of Prestonsburg.

SEC. 3056. AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED.

The project for flood damage reduction and recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (113 Stat. 277) and modified by section 116 of division D of Public Law 108–7 (117 Stat. 140), is further modified—

(1) to direct the Secretary to carry out the project with the cost sharing for the project determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996;

(2) to authorize the Secretary to construct the project at a total cost of $187,000,000; and

(3) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3057. ATCHAFALAYA BASIN, LOUISIANA.

(a) IN GENERAL.—Section 315(a)(1) of the Water Resources Development Act of 2000 (114 Stat. 2603–2604) is amended to read as follows:

"(1) is authorized to study, design, construct, operate, and maintain, at Federal expense, a Type A Regional Visitor Center in the vicinity of Morgan City, Louisiana, in consultation with the State of Louisiana, to provide information to the public on the Atchafalaya River system and other associated waterways that have influenced surrounding communities, and national and local water resources development of the Army Corps of Engineers in South Central Louisiana; and".

(b) TECHNICAL CORRECTION.—Section 315(b) of such Act is amended by striking "(a)" and inserting "(a)(2)".

(c) DONATIONS.—Section 315 of such Act is amended by adding at the end the following:

"(c) DONATIONS.—In carrying out subsection (a)(1), the Mississippi River Commission is authorized to accept the donation of cash, funds, lands, materials, and services from non-Federal governmental entities and nonprofit corporations.".

SEC. 3058. ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA.

The public access feature of the Atchafalaya Basin Floodway System project, Louisiana, authorized by section 601(a) of the Water Resources Development Act 1986 (100 Stat. 4142), is modified to authorize the Secretary to acquire from willing sellers the fee interest, exclusive of oil, gas, and minerals, of an additional 20,000 acres of land within the Lower Atchafalaya Basin Floodway for the public access feature of the Atchafalaya Basin Floodway System, to enhance fish and wildlife resources, at a total cost of $4,000,000.

SEC. 3059. BAYOU PLAQUEMINE, LOUISIANA.

The project for the improvement of the quality of the environment, Bayou Plaquemine, Louisiana, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3060. J. BENNETT JOHNSTON WATERWAY, MISSISSIPPI RIVER TO SHREVEPORT, LOUISIANA.

The project for mitigation of fish and wildlife losses, J. Bennett Johnston Waterway, Mississippi River to Shreveport, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142) and modified by section 4(h) of the Water Resources Development Act of 1988 (102 Stat. 4016), section 102(p) of the Water Resources Development Act of 1990 (104 Stat. 4613), section 301(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3710), and section 316 of the Water Resources Development Act of 2000 (114 Stat. 2572), is further modified—

(1) to authorize the purchase and reforesting of lands that have been cleared or converted to agricultural uses; and

(2) to incorporate current wildlife and forestry management practices for the purpose of improving species diversity on mitigation lands that meet Federal and State of Louisiana habitat goals and objectives.

SEC. 3061. MELVILLE, LOUISIANA.

Section 315(a)(2) of the Water Resources Development Act of 2000 (114 Stat. 2603) is amended by inserting before the period at the end the following: "and may include the town of Melville, Louisiana, as one of the alternative sites".

SEC. 3062. MISSISSIPPI DELTA REGION, LOUISIANA.

The Mississippi Delta Region project, Louisiana, authorized as part of the project for hurricane-flood protection on Lake Pontchartrain, Louisiana, by section 204 of the Flood Control Act of 1965 (79 Stat. 1077) and modified by section 365 of the Water Resources Development Act of 1996 (110 Stat. 3739), is further modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the costs of relocating oyster beds in the Davis Pond project area if the Secretary determines that the work is integral to the Mississippi Delta Region project.

SEC. 3063. NEW ORLEANS TO VENICE, LOUISIANA.

The New Orleans to Venice, Louisiana, project for hurricane protection, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1184), is modified to authorize the Secretary to carry out the work on the St. Jude to City Price, Upper Reach A back levee. The Federal share of the cost of such work shall be 70 percent.

SEC. 3064. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF HARVEY CANAL), LOUISIANA.

Section 328 of the Water Resources Development Act of 1999 (113 Stat. 304–305) is amended—

(1) in subsection (a)—

(A) by striking "operation and maintenance" and inserting "operation, maintenance, rehabilitation, repair, and replacement"; and

(B) by striking "Algiers Channel" and inserting "Algiers Canal Levees"; and

(2) by adding at the end the following:

"(c) COST SHARING.—The non-Federal share of the cost of the project shall be 35 percent.".

SEC. 3065. CAMP ELLIS, SACO, MAINE.

The maximum amount of Federal funds that may be expended for the project being carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) for the mitigation of shore damages attributable to the project for navigation, Camp Ellis, Saco, Maine, shall be $26,900,000.

SEC. 3066. DETROIT RIVER SHORELINE, DETROIT, MICHIGAN.

(a) IN GENERAL.—The project for emergency streambank and shoreline protection, Detroit River Shoreline, Detroit, Michigan, being carried out under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), is modified to include measures to enhance public access.

(b) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project shall be $3,000,000.

SEC. 3067. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

Section 426 of the Water Resources Development Act of 1999 (113 Stat. 326) is amended to read as follows:

"SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

"(a) DEFINITIONS.—In this section, the following definitions apply:

"(1) MANAGEMENT PLAN.—The term 'management plan' means the management plan for the St. Clair River and Lake St. Clair, Michigan, that is in effect as of the date of enactment of the Water Resources Development Act of 2006.

"(2) PARTNERSHIP.—The term 'partnership' means the partnership established by the Secretary under subsection (b)(1).

"(b) PARTNERSHIP.—

"(1) IN GENERAL.—The Secretary shall establish and lead a partnership of appropriate Federal agencies (including the Environmental Protection Agency) and the State of Michigan (including political subdivisions of the State)—

"(A) to promote cooperation among the Federal, State, and local governments and other involved parties in the management of the St. Clair River and Lake St. Clair watersheds; and

"(B) develop and implement projects consistent with the management plan.

"(2) COORDINATION WITH ACTIONS UNDER OTHER LAW.—

"(A) IN GENERAL.—Actions taken under this section by the partnership shall be coordinated with actions to restore and conserve the St. Clair River and Lake St. Clair and watersheds taken under other provisions of Federal and State law.

"(B) NO EFFECT ON OTHER LAW.—Nothing in this section alters, modifies, or affects any other provision of Federal or State law.

"(c) IMPLEMENTATION OF ST. CLAIR RIVER AND LAKE ST. CLAIR MANAGEMENT PLAN.—

"(1) IN GENERAL.—The Secretary shall—

"(A) develop a St. Clair River and Lake St. Clair strategic implementation plan in accordance with the management plan;

"(B) provide technical, planning, and engineering assistance to non-Federal interests for developing and implementing activities consistent with the management plan;

"(C) plan, design, and implement projects consistent with the management plan; and

"(D) provide, in coordination with the Administrator of the Environmental Protection Agency, financial and technical assistance, including

grants, to the State of Michigan (including political subdivisions of the State) and interested nonprofit entities for the planning, design, and implementation of projects to restore, conserve, manage, and sustain the St. Clair River, Lake St. Clair, and associated watersheds.

"(2) SPECIFIC MEASURES.—Financial and technical assistance provided under subparagraphs (B) and (C) of paragraph (1) may be used in support of non-Federal activities consistent with the management plan.

"(d) SUPPLEMENTS TO MANAGEMENT PLAN AND STRATEGIC IMPLEMENTATION PLAN.—In consultation with the partnership and after providing an opportunity for public review and comment, the Secretary shall develop information to supplement—

"(1) the management plan; and

"(2) the strategic implementation plan developed under subsection (c)(1)(A).

"(e) COST SHARING.—

"(1) IN-KIND SERVICES.—The non-Federal share of the cost of technical assistance under subsection (c), the cost of planning, design, and construction of a project under subsection (c), and the cost of development of supplementary information under subsection (d) may be provided through the provision of in-kind services.

"(2) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The Secretary shall credit the non-Federal sponsor for the value of any land, easements, rights-of-way, dredged material disposal areas, or relocations required in carrying out a project under subsection (c).

"(3) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal interest for any project carried out under this section may include a nonprofit entity.

"(4) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of projects carried out under this section shall be non-Federal responsibilities.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each fiscal year.".

SEC. 3068. ST. JOSEPH HARBOR, MICHIGAN.

The Secretary shall expedite development of the dredged material management plan for the project for navigation, St. Joseph Harbor, Michigan, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 299).

SEC. 3069. SAULT SAINTE MARIE, MICHIGAN.

(a) IN GENERAL.—The text of section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254) is amended to read as follows:

"The Secretary shall construct at Federal expense a second lock, of a width not less than 110 feet and a length not less than 1,200 feet, adjacent to the existing lock at Sault Sainte Marie, Michigan, generally in accordance with the report of the Board of Engineers for Rivers and Harbors, dated May 19, 1986, and the limited reevaluation report dated February 2004 at a total cost of $341,714,000."

(b) CONFORMING REPEALS.—The following provisions are repealed:

(1) Section 107(a)(8) of the Water Resources Development Act of 1990 (104 Stat. 4620).

(2) Section 330 of the Water Resources Development Act of 1996 (110 Stat. 3717–3718).

(3) Section 330 of the Water Resources Development Act of 1999 (113 Stat. 305).

SEC. 3070. ADA, MINNESOTA.

(a) IN GENERAL.—The project for flood damage reduction, Wild Rice River, Ada, Minnesota, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modified to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest in the project.

(b) EVALUATION OF BENEFITS AND COSTS.—In evaluating the economic benefits and costs for the project, the Secretary shall not consider the emergency levee adjacent to Judicial Ditch No. 51 in the determination of conditions existing prior to construction of the project.

(c) SPECIAL RULE.—In evaluating and implementing the project, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

SEC. 3071. DULUTH HARBOR, MCQUADE ROAD, MINNESOTA.

(a) IN GENERAL.—The project for navigation, Duluth Harbor, McQuade Road, Minnesota, being carried out under section 107 of the River and Harbor Act of 1960 (33

U.S.C. 577) and modified by section 321 of the Water Resources Development Act of 2000 (114 Stat. 2605), is further modified to authorize the Secretary to provide public access and recreational facilities as generally described in the Detailed Project Report and Environmental Assessment, McQuade Road Harbor of Refuge, Duluth, Minnesota, dated August 1999.

(b) CREDIT.—The Secretary shall provide credit toward the non-Federal share of the cost of the project for the costs of design work carried out before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(c) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project shall be $9,000,000.

SEC. 3072. GRAND MARAIS, MINNESOTA.

The project for navigation, Grand Marais, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is modified to direct the Secretary to provide credit toward the non-Federal share of the cost of the project the cost of design work carried out before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3073. GRAND PORTAGE HARBOR, MINNESOTA.

The Secretary shall provide credit toward the non-Federal share of the cost of the navigation project for Grand Portage Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), for the costs of design work carried out before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3074. GRANITE FALLS, MINNESOTA.

(a) IN GENERAL.—The Secretary is directed to implement under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) the locally preferred plan for flood damage reduction, Granite Falls, Minnesota, substantially in accordance with the detailed project report dated 2002, at a total cost of $12,000,000, with an estimated Federal cost of $8,000,000 and an estimated non-Federal cost of $4,000,000.

(b) PROJECT FINANCING.—In evaluating and implementing the project under this section, the Secretary shall allow the non-Federal interests to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184), to the extent that the detailed project report evaluation indicates that applying such section is necessary to implement the project.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the project the cost of design and construction work carried out by the non-Federal interest before the date of execution of a partnership agreement for the project if the Secretary determines that the work is integral to the project.

(d) MAXIMUM FUNDING.—The maximum amount of Federal funds that may be expended for the flood damage reduction shall be $8,000,000.

SEC. 3075. KNIFE RIVER HARBOR, MINNESOTA.

The project for navigation, Harbor at Knife River, Minnesota, authorized by section 2 of the Rivers and Harbors Act of March 2, 1945 (59 Stat. 19), is modified to direct the Secretary to develop a final design and prepare plans and specifications to correct the harbor entrance and mooring conditions at the project.

SEC. 3076. RED LAKE RIVER, MINNESOTA.

The project for flood control, Red Lake River, Crookston, Minnesota, authorized by section 101(a)(23) of the Water Resources Development Act of 1999 (113 Stat. 278), is modified to include flood protection for the adjacent and interconnected areas generally known as the Sampson and Chase/Loring neighborhoods, in accordance with the feasibility report supplement for local flood protection, Crookston, Minnesota, at a total cost of $25,000,000, with an estimated Federal cost of $16,250,000 and an estimated non-Federal cost of $8,750,000.

SEC. 3077. SILVER BAY, MINNESOTA.

The project for navigation, Silver Bay, Minnesota, authorized by section 2 of the Rivers and Harbors Act of March 2, 1945 (59 Stat. 19), is modified to include operation and maintenance of the general navigation facilities as a Federal responsibility.

SEC. 3078. TACONITE HARBOR, MINNESOTA.

The project for navigation, Taconite Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include operation and maintenance of the general navigation facilities as a Federal responsibility.

SEC. 3079. TWO HARBORS, MINNESOTA.

(a) IN GENERAL.—The project for navigation, Two Harbors, Minnesota, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include construction of a dredged material disposal facility, including actions required to clear the site.

(b) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—Non-Federal interests shall be responsible for providing all lands, easements, rights-of-way, and relocations necessary for the construction of the dredged material disposal facility.

(c) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project shall be $5,000,000.

SEC. 3080. DEER ISLAND, HARRISON COUNTY, MISSISSIPPI.

The project for ecosystem restoration, Deer Island, Harrison County, Mississippi, being carried out under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326), is modified to authorize the non-Federal interest to provide any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.

SEC. 3081. PEARL RIVER BASIN, MISSISSIPPI.

(a) IN GENERAL.—The Secretary shall complete a feasibility study for the project for flood damage reduction, Pearl River Watershed, Mississippi.

(b) COMPARISON OF ALTERNATIVES.—The feasibility study shall identify both the plan that maximizes national economic development benefits and the locally preferred plan and shall compare the level of flood damage reduction provided by each plan to that portion of Jackson, Mississippi, located below the Ross Barnett Reservoir Dam.

(c) RECOMMENDED PLAN.—If the Secretary determines that the locally preferred plan provides a level of flood damage reduction that is equal to or greater than the level of flood damage reduction provided by the national economic development plan and the locally preferred plan is technically feasible and environmentally protective, the Secretary shall recommend construction of the locally preferred plan.

(d) EVALUATION OF PROJECT COST.—For the purposes of determining compliance with the first section of the Flood Control Act of June 22, 1936 (33 U.S.C. 701a), the Secretary shall consider only the costs of the national economic development plan and shall exclude incremental costs associated with the locally preferred plan that are in excess of such costs if the non-Federal interest agrees to pay 100 percent of such incremental costs.

(e) NON-FEDERAL COST SHARE.—If the locally preferred plan is authorized for construction, the non-Federal share of the cost of the project shall be the same percentage as the non-Federal share of the cost of the national economic development plan plus all additional costs of construction associated with the locally preferred plan.

SEC. 3082. FESTUS AND CRYSTAL CITY, MISSOURI.

Section 102(b)(1) of the Water Resources Development Act of 1999 (113 Stat. 282) is amended by striking "$10,000,000" and inserting "$12,000,000".

SEC. 3083. L–15 LEVEE, MISSOURI.

The portion of the L–15 levee system that is under the jurisdiction of the Consolidated North County Levee District and situated along the right descending bank of the Mississippi River from the confluence of that river with the Missouri River and running upstream approximately 14 miles shall be considered to be a Federal levee for purposes of cost sharing under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).

SEC. 3084. MONARCH-CHESTERFIELD, MISSOURI.

The project for flood damage reduction, Monarch-Chesterfield, Missouri, authorized by section 101(b)(18) of the Water Resources Development Act of 2000 (114 Stat. 2578), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of the planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3085. RIVER DES PERES, MISSOURI.

The projects for flood control, River Des Peres, Missouri, authorized by section 101(a)(17) of the Water Resources Development Act of 1990 (104 Stat. 4607) and section 102(13) of the Water Resources Development Act of 1996 (110 Stat. 3668), are each modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3086. ANTELOPE CREEK, LINCOLN, NEBRASKA.

The project for flood damage reduction, Antelope Creek, Lincoln, Nebraska, authorized by section 101(b)(19) of the Water Resources Development Act of 2000 (114 Stat. 2578), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to allow the non-Federal interest for the project to use, and to direct the Secretary to accept, funds provided under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the project if such funds are authorized to be used to carry out the project.

SEC. 3087. SAND CREEK WATERSHED, WAHOO, NEBRASKA.

The project for ecosystem restoration and flood damage reduction, Sand Creek watershed, Wahoo, Nebraska, authorized by section 101(b)(20) of the Water Resources Development Act of 2000 (114 Stat. 2578), is modified—

(1) to direct the Secretary to provide credit toward the non-Federal share of the cost of the project or reimbursement for the costs of any work that has been or will be performed by the non-Federal interest before, on, or after the approval of the project partnership agreement, including work performed by the non-Federal interest in connection with the design and construction of 7 upstream detention storage structures, if the Secretary determines that the work is integral to the project;

(2) to require that in-kind work to be credited under paragraph (1) be subject to audit; and

(3) to direct the Secretary to accept advance funds from the non-Federal interest as needed to maintain the project schedule.

SEC. 3088. LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NEW JERSEY.

The project for navigation mitigation, ecosystem restoration, shore protection, and hurricane and storm damage reduction, Lower Cape May Meadows, Cape May Point, New Jersey, authorized by section 101(a)(25) of the Water Resources Development Act of 1999 (113 Stat. 278), is modified to incorporate the project for shoreline erosion control, Cape May Point, New Jersey, carried out under section 5 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946 (33 U.S.C. 426h), if the Secretary determines that such incorporation is feasible.

SEC. 3089. PASSAIC RIVER BASIN FLOOD MANAGEMENT, NEW JERSEY.

The project for flood control, Passaic River, New Jersey and New York, authorized by section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607) and modified by section 327 of the Water Resources Development Act of 2000 (114 Stat. 2607), is further modified to direct the Secretary to include the benefits and costs of preserving natural flood storage in any future economic analysis of the project.

SEC. 3090. BUFFALO HARBOR, NEW YORK.

The project for navigation, Buffalo Harbor, New York, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1176), is modified to include measures to enhance public access, at Federal cost of $500,000.

SEC. 3091. ORCHARD BEACH, BRONX, NEW YORK.

Section 554 of the Water Resources Development Act of 1996 (110 Stat. 3781) is amended by striking "maximum Federal cost of $5,200,000" and inserting "total cost of $20,000,000".

SEC. 3092. PORT OF NEW YORK AND NEW JERSEY, NEW YORK AND NEW JERSEY.

The navigation project, Port of New York and New Jersey, New York and New Jersey, authorized by section 101(a)(2) of the Water Resources Development Act of 2000 (114 Stat. 2576), is modified—

(1) to authorize the Secretary to allow the non-Federal interest to construct a temporary dredged material storage facility to receive dredged material from the project if—

(A) the non-Federal interest submits, in writing, a list of potential sites for the temporary storage facility to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Secretary at least 180 days before the selection of the final site; and

(B) at least 70 percent of the dredged material generated in connection with the project suitable for beneficial reuse will be used at sites in the

State of New Jersey to the extent that there are sufficient sites available; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of construction of the temporary storage facility if the Secretary determines that the work is integral to the project.

SEC. 3093. NEW YORK STATE CANAL SYSTEM.

Section 553(c) of the Water Resources Development Act of 1996 (110 Stat. 3781) is amended to read as follows:

"(c) NEW YORK STATE CANAL SYSTEM DEFINED.—In this section, the term 'New York State Canal System' means the 524 miles of navigable canal that comprise the New York State Canal System, including the Erie, Cayuga-Seneca, Oswego, and Champlain Canals and the historic alignments of these canals, including the cities of Albany, Rochester, and Buffalo.".

SEC. 3094. LOWER GIRARD LAKE DAM, OHIO.

Section 507(1) of the Water Resources Development Act of 1996 (110 Stat. 3758) is amended by striking "$2,500,000" and inserting "$6,000,000".

SEC. 3095. MAHONING RIVER, OHIO.

In carrying out the project for environmental dredging, authorized by section 312(f)(4) of the Water Resources Development Act of 1990 (33 U.S.C. 1272(f)(4)), the Secretary is directed to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3096. DELAWARE RIVER, PENNSYLVANIA, NEW JERSEY, AND DELAWARE.

The Secretary may remove debris from the project for navigation, Delaware River, Pennsylvania, New Jersey, and Delaware, Philadelphia to the Sea.

SEC. 3097. RAYSTOWN LAKE, PENNSYLVANIA.

The Secretary may take such action as may be necessary, including construction of a breakwater, to prevent shoreline erosion between .07 and 2.7 miles south of Pennsylvania State Route 994 on the east shore of Raystown Lake, Pennsylvania.

SEC. 3098. SHERADEN PARK STREAM AND CHARTIERS CREEK, ALLEGHENY COUNTY, PENNSYLVANIA.

The project for aquatic ecosystem restoration, Sheraden Park Stream and Chartiers Creek, Allegheny County, Pennsylvania, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary to credit up to $400,000 toward the non-Federal share of the cost of the project for planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3099. SOLOMON'S CREEK, WILKES-BARRE, PENNSYLVANIA.

The project for flood control, Wyoming Valley, Pennsylvania, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), is modified to include as a project element the project for flood control for Solomon's Creek, Wilkes-Barre, Pennsylvania.

SEC. 3100. SOUTH CENTRAL PENNSYLVANIA.

Section 313 of the Water Resources Development Act of 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat. 3723; 113 Stat. 310; 117 Stat. 142) is amended—

(1) in subsection (g)(1) by striking "$180,000,000" and inserting "$200,000,000"; and

(2) in subsection (h)(2) by striking "Allegheny, Armstrong, Beford, Blair, Cambria, Clearfield, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Mifflin, Somerset, Snyder, Washington, and Westmoreland Counties" and inserting "Allegheny, Armstrong, Bedford, Blair, Cambria, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Somerset, Washington, and Westmoreland Counties".

SEC. 3101. WYOMING VALLEY, PENNSYLVANIA.

In carrying out the project for flood control, Wyoming Valley, Pennsylvania, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), the Secretary shall coordinate with non-Federal interests to review opportunities for increased public access.

SEC. 3102. CEDAR BAYOU, TEXAS.

(a) CREDIT FOR PLANNING AND DESIGN.—The project for navigation, Cedar Bayou, Texas, reauthorized by section 349(a)(2) of the Water Resources Development Act

of 2000 (114 Stat. 2632), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest for the project if the Secretary determines that such work is integral to the project.

(b) COST SHARING.—Cost sharing for construction and operation and maintenance of the project shall be determined in accordance with section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 3103. FREEPORT HARBOR, TEXAS.

The project for navigation, Freeport Harbor, Texas, authorized by section 101 of the Rivers and Harbors Act of 1970 (84 Stat. 1818), is modified.—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of the planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to direct the Secretary to remove the sunken vessel "COMSTOCK" at Federal expense.

SEC. 3104. LAKE KEMP, TEXAS.

(a) IN GENERAL.—The Secretary may not take any legal or administrative action seeking to remove a Lake Kemp improvement before the earlier of January 1, 2020, or the date of any transfer of ownership of the improvement occurring after the date of enactment of this Act.

(b) LIMITATION ON LIABILITY.—The United States, or any of its officers, agents, or assignees, shall not be liable for any injury, loss, or damage accruing to the owners of a Lake Kemp improvement, their lessees, or occupants as a result of any flooding or inundation of such improvements by the waters of the Lake Kemp reservoir, or for such injury, loss, or damage as may occur through the operation and maintenance of the Lake Kemp dam and reservoir in any manner.

(c) LAKE KEMP IMPROVEMENT DEFINED.—In this section, the term "Lake Kemp improvement" means an improvement (including dwellings) located within the flowage easement of Lake Kemp, Texas, below elevation 1159 feet mean sea level.

SEC. 3105. LOWER RIO GRANDE BASIN, TEXAS.

The project for flood control, Lower Rio Grande Basin, Texas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4125), is modified—

(1) to include as part of the project flood protection works to reroute drainage to Raymondville Drain constructed by the non-Federal interests in Hidalgo County in the vicinity of Edinburg, Texas, if the Secretary determines that such work meets feasibility requirements;

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(3) to direct the Secretary in calculating the non-Federal share of the cost of the project, to make a determination, within 180 days after the date of enactment of this Act, under section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) on the non-Federal interest's ability to pay.

SEC. 3106. NORTH PADRE ISLAND, CORPUS CHRISTI BAY, TEXAS.

The project for ecosystem restoration and storm damage reduction, North Padre Island, Corpus Christi Bay, Texas, authorized by section 556 of the Water Resources Development Act of 1999 (113 Stat. 353), is modified to include recreation as a project purpose.

SEC. 3107. PAT MAYSE LAKE, TEXAS.

The Secretary is directed to accept from the city of Paris, Texas, $3,461,432 as payment in full of monies owed to the United States for water supply storage space in Pat Mayse Lake, Texas, under contract number DA–34–066–CIVENG-65–1272, including accrued interest.

SEC. 3108. PROCTOR LAKE, TEXAS.

The Secretary is authorized to purchase fee simple title to all properties located within the boundaries, and necessary for the operation, of the Proctor Lake project, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259).

SEC. 3109. SAN ANTONIO CHANNEL, SAN ANTONIO, TEXAS.

The project for flood control, San Antonio Channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers in Texas and

modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921) and section 335 of the Water Resources Development Act of 2000 (114 Stat. 2611), is further modified to authorize the Secretary to credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest for the project if the Secretary determines that the work is integral to the project.

SEC. 3110. LEE, RUSSELL, SCOTT, SMYTH, TAZEWELL, AND WISE COUNTIES, VIRGINIA.

The project for flood control, Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, authorized by section 202 of the Energy and Water Development Appropriation Act, 1981 (94 Stat. 1339) and modified by section 352 of the Water Resources Development Act of 1996 (110 Stat. 3724-3725) and section 336 of the Water Resources Development Act of 2000 (114 Stat. 2611), is further modified to direct the Secretary to determine the ability of Lee, Russell, Scott, Smyth, Tazewell, and Wise Counties, Virginia, to pay the non-Federal share of the cost of the project based solely on the criterion specified in section 103(m)(3)(A)(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(3)(A)(i)).

SEC. 3111. TANGIER ISLAND SEAWALL, VIRGINIA.

Section 577(a) of the Water Resources Development Act of 1996 (110 Stat. 3789) is amended by striking "at a total cost of $1,200,000, with an estimated Federal cost of $900,000 and an estimated non-Federal cost of $300,000." and inserting "at a total cost of $3,000,000, with an estimated Federal cost of $2,500,000 and an estimated non-Federal cost of $750,000.".

SEC. 3112. DUWAMISH/GREEN, WASHINGTON.

The project for ecosystem restoration, Duwamish/Green, Washington, authorized by section 101(b)(26) of the Water Resources Development Act of 2000 (114 Stat. 2579), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to authorize the non-Federal interest to provide any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.

SEC. 3113. YAKIMA RIVER, PORT OF SUNNYSIDE, WASHINGTON.

The project for aquatic ecosystem restoration, Yakima River, Port of Sunnyside, Washington, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3114. GREENBRIER RIVER BASIN, WEST VIRGINIA.

Section 579(c) of the Water Resources Development Act of 1996 (110 Stat. 3790; 113 Stat. 312) is amended by striking "$47,000,000" and inserting "$99,000,000".

SEC. 3115. LESAGE/GREENBOTTOM SWAMP, WEST VIRGINIA.

Section 30(d) of the Water Resources Development Act of 1988 (102 Stat. 4030; 114 Stat. 2678) is amended to read as follows:

"(d) HISTORIC STRUCTURE.—The Secretary shall ensure the preservation and restoration of the structure known as the 'Jenkins House', and the reconstruction of associated buildings and landscape features of such structure located within the Lesage/Greenbottom Swamp in accordance with the Secretary of the Interior's standards for the treatment of historic properties. Amounts made available for expenditure for the project authorized by section 301(a) of the Water Resources Development Act of 1986 (100 Stat. 4110) shall be available for the purposes of this subsection.".

SEC. 3116. NORTHERN WEST VIRGINIA.

Section 557 of the Water Resources Development Act of 1999 (113 Stat. 353) is amended—

(1) in the first sentence by striking "favorable";

(2) by striking "$8,400,000" and inserting "$12,000,000"; and

(3) by striking "$4,200,000" each place it appears and inserting "$6,000,000".

SEC. 3117. MANITOWOC HARBOR, WISCONSIN.

The project for navigation, Manitowoc Harbor, Wisconsin, authorized by the River and Harbor Act of August 30, 1852 (10 Stat. 58), is modified to direct the Secretary

to deepen the upstream reach of the navigation channel from 12 feet to 18 feet, at a total cost of $405,000.

SEC. 3118. MISSISSIPPI RIVER HEADWATERS RESERVOIRS.

Section 21 of the Water Resources Development Act of 1988 (102 Stat. 4027) is amended—

(1) in subsection (a)—

(A) by striking "1276.42" and inserting "1278.42";

(B) by striking "1218.31" and inserting "1221.31"; and

(C) by striking "1234.82" and inserting "1235.30"; and

(2) by striking subsection (b) and inserting the following:

"(b) EXCEPTION.—The Secretary may operate the headwaters reservoirs below the minimum or above the maximum water levels established in subsection (a) in accordance with water control regulation manuals (or revisions thereto) developed by the Secretary, after consultation with the Governor of Minnesota and affected tribal governments, landowners, and commercial and recreational users. The water control regulation manuals (and any revisions thereto) shall be effective when the Secretary transmits them to Congress. The Secretary shall report to Congress at least 14 days before operating any such headwaters reservoir below the minimum or above the maximum water level limits specified in subsection (a); except that notification is not required for operations necessary to prevent the loss of life or to ensure the safety of the dam or if the drawdown of lake levels is in anticipation of flood control operations.".

SEC. 3119. CONTINUATION OF PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—Notwithstanding section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)), the following projects shall remain authorized to be carried out by the Secretary:

(1) The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092).

(2) The project for flood control, Agana River, Guam, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4127).

(3) The project for navigation, Fall River Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731); except that the authorized depth of that portion of the project extending riverward of the Charles M. Braga, Jr. Memorial Bridge, Fall River and Somerset, Massachusetts, shall not exceed 35 feet.

(b) LIMITATION.—A project described in subsection (a) shall not be authorized for construction after the last day of the 5-year period beginning on the date of enactment of this Act, unless, during such period, funds have been obligated for the construction (including planning and design) of the project.

SEC. 3120. PROJECT REAUTHORIZATIONS.

Each of the following projects may be carried out by the Secretary and no construction on any such project may be initiated until the Secretary determines that the project is feasible:

(1) MENOMINEE HARBOR AND RIVER, MICHIGAN AND WISCONSIN.—The project for navigation, Menominee Harbor and River, Michigan and Wisconsin, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 482) and deauthorized on April 15, 2002, in accordance with section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)).

(2) MANITOWOC HARBOR, WISCONSIN.—That portion of the project for navigation, Manitowoc Harbor, Wisconsin, authorized by the first section of the River and Harbor Act of August 30, 1852 (10 Stat. 58), consisting of the channel in the south part of the outer harbor, deauthorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1176).

(3) HEARDING ISLAND INLET, DULUTH HARBOR, MINNESOTA.—The project for dredging, Hearding Island Inlet, Duluth Harbor, Minnesota, authorized by section 22 of the Water Resources Development Act of 1988 (102 Stat. 4027).

SEC. 3121. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects are not authorized after the date of enactment of this Act:

(1) BRIDGEPORT HARBOR, CONNECTICUT.—The portion of the project for navigation, Bridgeport Harbor, Connecticut, authorized by the first section of the River and Harbor Act of July 3, 1930 (46 Stat. 919), consisting of an 18-foot channel in Yellow Mill River and described as follows: Beginning at a point along the eastern limit of the existing project, N123,649.75, E481,920.54, thence running northwesterly about 52.64 feet to a point N123,683.03, E481,879.75, thence running northeasterly about 1,442.21 feet to a point N125,030.08, E482,394.96,

thence running northeasterly about 139.52 feet to a point along the eastern limit of the existing channel, N125,133.87, E482,488.19, thence running southwesterly about 1,588.98 feet to the point of origin.

(2) MYSTIC RIVER, CONNECTICUT.—The portion of the project for navigation, Mystic River, Connecticut, authorized by the first section of the River and Harbor Appropriations Act of September 19, 1890 (26 Stat. 436) consisting of a 12-foot-deep channel, approximately 7,554 square feet in area, starting at a point N193,086.51, E815,092.78, thence running north 59 degrees 21 minutes 46.63 seconds west about 138.05 feet to a point N193,156.86, E814,974.00, thence running north 51 degrees 04 minutes 39.00 seconds west about 166.57 feet to a point N193,261.51, E814,844.41, thence running north 43 degrees 01 minutes 34.90 seconds west about 86.23 feet to a point N193,324.55, E814,785.57, thence running north 06 degrees 42 minutes 03.86 seconds west about 156.57 feet to a point N193,480.05, E814,767.30, thence running south 21 degrees 21 minutes 17.94 seconds east about 231.42 feet to a point N193,264.52, E814,851.57, thence running south 53 degrees 34 minutes 23.28 seconds east about 299.78 feet to the point of origin.

(3) NEW LONDON HARBOR, CONNECTICUT.—The portion of the project for navigation, New London Harbor, Connecticut, authorized by the River and Harbor Appropriations Act of June 13, 1902 (32 Stat. 333), that consists of a 23-foot waterfront channel and that is further described as beginning at a point along the western limit of the existing project, N188,802.75, E779,462.81, thence running northeasterly about 1,373.88 feet to a point N189,554.87, E780,612.53, thence running southeasterly about 439.54 feet to a point N189,319.88, E780,983.98, thence running southwesterly about 831.58 feet to a point N188,864.63, E780,288.08, thence running southeasterly about 567.39 feet to a point N188,301.88, E780,360.49, thence running northwesterly about 1,027.96 feet to the point of origin.

(4) FALMOUTH HARBOR, MASSACHUSETTS.—The portion of the project for navigation, th Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1948 (62 Stat. 1172), beginning at a point along the eastern side of the inner harbor N200,415.05, E845,307.98, thence running north 25 degrees 48 minutes 54.3 seconds east 160.24 feet to a point N200,559.20, E845,377.76, thence running north 22 degrees 7 minutes 52.4 seconds east 596.82 feet to a point N201,112.15, E845,602.60, thence running north 60 degrees 1 minute 0.3 seconds east 83.18 feet to a point N201,153.72, E845,674.65, thence running south 24 degrees 56 minutes 43.4 seconds west 665.01 feet to a point N200,550.75, E845,394.18, thence running south 32 degrees 25 minutes 29.0 seconds west 160.76 feet to the point of origin.

(5) ISLAND END RIVER, MASSACHUSETTS.—The portion of the project for navigation, Island End River, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), described as follows: Beginning at a point along the eastern limit of the existing project, N507,348.98, E721,180.01, thence running northeast about 35 feet to a point N507,384.17, E721,183.36, thence running northeast about 324 feet to a point N507,590.51, E721,433.17, thence running northeast about 345 feet to a point along the northern limit of the existing project, N507,927.29, E721,510.29, thence running southeast about 25 feet to a point N507,921.71, E721,534.66, thence running southwest about 354 feet to a point N507,576.65, E721,455.64, thence running southwest about 357 feet to the point of origin.

(6) CITY WATERWAY, TACOMA, WASHINGTON.—The portion of the project for navigation, City Waterway, Tacoma, Washington, authorized by the first section of the River and Harbor Appropriations Act of June 13, 1902 (32 Stat. 347), consisting of the last 1,000 linear feet of the inner portion of the waterway beginning at station 70+00 and ending at station 80+00.

(7) AUNT LYDIA'S COVE, MASSACHUSETTS.—

(A) IN GENERAL.—The portion of the project for navigation, Aunt Lydia's Cove, Massachusetts, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), consisting of the 8-foot deep anchorage in the cove described in subparagraph (B).

(B) DESCRIPTION OF PORTION.—The portion of the project described in subparagraph (A) is more particularly described as the portion beginning at a point along the southern limit of the existing project, N254,332.00, E1,023,103.96, thence running northwesterly about 761.60 feet to a point along the western limit of the existing project N255,076.84, E1,022,945.07, thence running southwesterly about 38.11 feet to a point N255,038.99, E1,022,940.60, thence running southeasterly about 267.07 feet to a point N254,772.00, E1,022,947.00, thence running southeasterly about 462.41 feet

to a point N254,320.06, E1,023,044.84, thence running northeasterly about 60.31 feet to the point of origin.

(b) SOUTHPORT HARBOR, FAIRFIELD, CONNECTICUT.—The project for navigation, Southport Harbor, Fairfield, Connecticut, authorized by section 2 of the River and Harbor Act of March 2, 1829, and by the first section of the River and Harbor Act of August 30, 1935 (49 Stat. 1029), and section 364 of the Water Resources Development Act of 1996 (110 Stat. 3733–3734), is further modified to redesignate a portion of the 9-foot-deep channel as an anchorage area, approximately 900 feet in length and 90,000 square feet in area, and lying generally north of a line with points at coordinates N108,043.45, E452,252.04 and N107,938.74, E452,265.74.

(c) SACO RIVER, MAINE.—The portion of the project for navigation, Saco River, Maine, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) and described as a 6-foot deep, 10-acre turning basin located at the head of navigation, is redesignated as an anchorage area.

(d) UNION RIVER, MAINE.—The project for navigation, Union River, Maine, authorized by the first section of the Act of June 3, 1896 (29 Stat. 215), is modified by redesignating as an anchorage area that portion of the project consisting of a 6-foot turning basin and lying northerly of a line commencing at a point N315,975.13, E1,004,424.86, thence running north 61 degrees 27 minutes 20.71 seconds west about 132.34 feet to a point N316,038.37, E1,004,308.61.

(e) MYSTIC RIVER, MASSACHUSETTS.—The portion of the project for navigation, Mystic River, Massachusetts, authorized by the first section of the River and Harbor Appropriations Act of July 13, 1892 (27 Stat. 96), between a line starting at a point N515,683.77, E707,035.45 and ending at a point N515,721.28, E707,069.85 and a line starting at a point N514,595.15, E707,746.15 and ending at a point N514,732.94, E707,658.38 shall be relocated and reduced from a 100-foot wide channel to a 50-foot wide channel after the date of enactment of this Act described as follows: Beginning at a point N515,721.28, E707,069.85, thence running southeasterly about 840.50 feet to a point N515,070.16, E707,601.27, thence running southeasterly about 177.54 feet to a point N514,904.84, E707,665.98, thence running southeasterly about 319.90 feet to a point with coordinates N514,595.15, E707,746.15, thence running northwesterly about 163.37 feet to a point N514,732.94, E707,658.38, thence running northwesterly about 161.58 feet to a point N514.889.47, E707,618.30, thence running northwesterly about 166.61 feet to a point N515.044.62, E707,557.58, thence running northwesterly about 825.31 feet to a point N515,683.77, E707,035.45, thence running northeasterly about 50.90 feet returning to a point N515,721.28, E707,069.85.

(f) CONDITIONS.—The first sentence of section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is amended—

(1) by striking "two years" and inserting "year"; and

(2) by striking "7" and inserting "5".

SEC. 3122. LAND CONVEYANCES.

(a) ST. FRANCIS BASIN, ARKANSAS AND MISSOURI.—

(1) IN GENERAL.—The Secretary shall convey to the State of Arkansas, without monetary consideration and subject to paragraph (2), all right, title, and interest in and to real property within the State acquired by the Federal Government as mitigation land for the project for flood control, St. Francis Basin, Arkansas and Missouri Project, authorized by the Flood Control Act of May 15, 1928 (33 U.S.C. 702a et seq.).

(2) TERMS AND CONDITIONS.—

(A) IN GENERAL.—The conveyance by the United States under this subsection shall be subject to—

(i) the condition that the State of Arkansas agree to operate, maintain, and manage the real property for fish and wildlife, recreation, and environmental purposes at no cost or expense to the United States; and

(ii) such other terms and conditions as the Secretary determines to be in the interest of the United States.

(B) REVERSION.—If the Secretary determines that the real property conveyed under paragraph (1) ceases to be held in public ownership or the State ceases to operate, maintain, and manage the real property in accordance with this subsection, all right, title, and interest in and to the property shall revert to the United States, at the option of the Secretary.

(3) MITIGATION.—Nothing in this subsection extinguishes the responsibility of the Federal Government or the non-Federal interest for the project referred to in paragraph (1) from the obligation to implement mitigation for such project that existed on the day prior to the transfer authorized by this subsection.

(b) MILFORD, KANSAS.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Geary County Fire Department, Milford, Kansas, all right, title, and interest of the United States in and to real property consisting of approximately 7.4 acres located in Geary County, Kansas, for construction, operation, and maintenance of a fire station.

(2) REVERSION.—If the Secretary determines that the real property conveyed under paragraph (1) ceases to be held in public ownership or ceases to be operated and maintained as a fire station, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

(c) PIKE COUNTY, MISSOURI.—

(1) IN GENERAL.—At such time as S.S.S., Inc., conveys all right, title and interest in and to the real property described in paragraph (2)(A) to the United States, the Secretary shall convey all right, title, and interest of the United States in and to the real property described in paragraph (2)(B) to S.S.S., Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—Approximately 42 acres, the exact legal description to be determined by mutual agreement of S.S.S., Inc., and the Secretary, subject to any existing flowage easements situated in Pike County, Missouri, upstream and northwest, about a 200-foot distance from Drake Island (also known as Grimes Island).

(B) FEDERAL LAND.—Approximately 42 acres, the exact legal description to be determined by mutual agreement of S.S.S. Inc., and the Secretary, situated in Pike County, Missouri, known as Government Tract Numbers MIs–7 and a portion of FM–46 (both tracts on Buffalo Island), administered by the Corps of Engineers.

(3) CONDITIONS.—The exchange of real property under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the real property described in paragraph (2)(A) to the Secretary shall be by a warranty deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the real property described in paragraph (2)(B) to S.S.S., Inc., shall be by quitclaim deed and contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—S.S.S., Inc., may remove, and the Secretary may require S.S.S., Inc., to remove, any improvements on the land described in paragraph (2)(A).

(C) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (1) shall be completed not later than 2 years after the date of enactment of this Act.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the real property conveyed to S.S.S., Inc., by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the real property conveyed to the United States by S.S.S., Inc., under paragraph (1), S.S.S., Inc., shall make a payment to the United States equal to the excess in cash or a cash equivalent that is satisfactory to the Secretary.

(d) BOARDMAN, OREGON.—Section 501(g)(1) of the Water Resources Development Act of 1996 (110 Stat. 3751) is amended—

(1) by striking "city of Boardman," and inserting "the Boardman Park and Recreation District, Boardman,"; and

(2) by striking "such city" and inserting "the city of Boardman".

(e) LOWELL, OREGON.—

(1) IN GENERAL.—The Secretary may convey without consideration to Lowell School District, by quitclaim deed, all right, title, and interest of the United States in and to land and buildings thereon, known as Tract A–82, located in Lowell, Oregon, and described in paragraph (2).

(2) DESCRIPTION OF PROPERTY.—The parcel of land authorized to be conveyed under paragraph (1) is as follows: Commencing at the point of intersection of the west line of Pioneer Street with the westerly extension of the north line of Summit Street, in Meadows Addition to Lowell, as platted and recorded at page 56 of Volume 4, Lane County Oregon Plat Records; thence north on the west line of Pioneer Street a distance of 176.0 feet to the true point of beginning of this description; thence north on the west line of Pioneer Street a distance of 170.0 feet; thence west at right angles to the west line of Pioneer Street a distance of 250.0 feet; thence south and parallel to the west line of Pioneer Street

a distance of 170.0 feet; thence east 250.0 feet to the true point of beginning of this description in Section 14, Township 19 South, Range 1 West of the Willamette Meridian, Lane County, Oregon.

(3) TERMS AND CONDITIONS.—Before conveying the parcel to the school district, the Secretary shall ensure that the conditions of buildings and facilities meet the requirements of applicable Federal law.

(4) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

(f) LOWELL, OREGON.—

(1) RELEASE AND EXTINGUISHMENT OF DEED RESERVATIONS.—

(A) RELEASE AND EXTINGUISHMENT OF DEED RESERVATIONS.—The Secretary may release and extinguish the deed reservations for access and communication cables contained in the quitclaim deed, dated January 26, 1965, and recorded February 15, 1965, in the records of Lane County, Oregon; except that such reservations may only be released and extinguished for the lands owned by the city of Lowell as described in the quitclaim deed, dated April 11, 1991, in such records.

(B) ADDITIONAL RELEASE AND EXTINGUISHMENT OF DEED RESERVATIONS.—The Secretary may also release and extinguish the same deed reservations referred to in subparagraph (A) over land owned by Lane County, Oregon, within the city limits of Lowell, Oregon, to accommodate the development proposals of the city of Lowell/St. Vincent de Paul, Lane County, affordable housing project; except that the Secretary may require, at no cost to the United States—

(i) the alteration or relocation of any existing facilities, utilities, roads, or similar improvements on such lands; and

(ii) the right-of-way for such facilities, utilities, or improvements, as a pre-condition of any release or extinguishment of the deed reservations.

(2) CONVEYANCE.—The Secretary may convey to the city of Lowell, Oregon, at fair market value the parcel of land situated in the city of Lowell, Oregon, at fair market value consisting of the strip of federally-owned lands located northeast of West Boundary Road between Hyland Lane and the city of Lowell's eastward city limits.

(3) ADMINISTRATIVE COST.—Notwithstanding paragraphs (1) and (2), the city of Lowell, Oregon, shall pay the administrative costs incurred by the United States to execute the release and extinguishment of the deed reservations under paragraph (1) and the conveyance under paragraph (2).

(g) RICHARD B. RUSSELL LAKE, SOUTH CAROLINA.—

(1) IN GENERAL.—The Secretary shall convey to the State of South Carolina, by quitclaim deed, at fair market value, all right, title, and interest of the United States in and to the real property described in paragraph (2) that is managed, as of the date of enactment of this Act, by the South Carolina department of commerce for public recreation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by section 203 of the Flood Control Act of 1966 (80 Stat. 1420).

(2) LAND DESCRIPTION.—Subject to paragraph (3), the real property referred to in paragraph (1) is the parcel contained in the portion of real property described in Army Lease Number DACW21–1–92–0500.

(3) RESERVATION OF INTERESTS.—The United States shall reserve—

(A) ownership of all real property included in the lease referred to in paragraph (2) that would have been acquired for operational purposes in accordance with the 1971 implementation of the 1962 Army/Interior Joint Acquisition Policy; and

(B) such other rights and interests in and to the real property to be conveyed as the Secretary considers necessary for authorized project purposes, including easement rights-of-way to remaining Federal land.

(4) NO EFFECT ON SHORE MANAGEMENT POLICY.—The Shoreline Management Policy (ER–1130–2–406) of the Corps of Engineers shall not be changed or altered for any proposed development of land conveyed under this subsection.

(5) COST SHARING.—In carrying out the conveyance under this subsection, the Secretary and the State shall comply with all obligations of any cost-sharing agreement between the Secretary and the State with respect to the real property described in paragraph (2) in effect as of the date of the conveyance.

(6) LAND NOT CONVEYED.—The State shall continue to manage the real property described in paragraph (3) not conveyed under this subsection in accord-

ance with the terms and conditions of Army Lease Number DACW21–1–92–0500.

(h) DENISON, TEXAS.—

(1) IN GENERAL.—The Secretary shall offer to convey at fair market value to the city of Denison, Texas, all right, title, and interest of the United States in and to the approximately 900 acres of land located in Grayson County, Texas, which is currently subject to an application for lease for public park and recreational purposes made by the city of Denison, dated August 17, 2005.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and description of the real property referred to in paragraph (1) shall be determined by a survey paid for by the city of Denison, Texas, that is satisfactory to the Secretary.

(3) CONVEYANCE.—On acceptance by the city of Denison, Texas, of an offer under paragraph (1), the Secretary may immediately convey the land surveyed under paragraph (2) by quitclaim deed to the city of Denison, Texas.

(i) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(4) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(5) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

SEC. 3123. EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.

(a) IDAHO.—

(1) IN GENERAL.—With respect to the property covered by each deed in paragraph (2)—

(A) the reversionary interests and use restrictions relating to port and industrial use purposes are extinguished;

(B) the restriction that no activity shall be permitted that will compete with services and facilities offered by public marinas is extinguished; and

(C) the human habitation or other building structure use restriction is extinguished if the elevation of the property is above the standard project flood elevation.

(2) AFFECTED DEEDS.—The deeds with the following county auditor's file numbers are referred to in paragraph (1):

(A) Auditor's Instrument No. 399218 of Nez Perce County, Idaho—2.07 acres.

(B) Auditor's Instrument No. 487437 of Nez Perce County, Idaho—7.32 acres.

(b) OLD HICKORY LOCK AND DAM, CUMBERLAND RIVER, TENNESSEE.—

(1) RELEASE OF RETAINED RIGHTS, INTERESTS, RESERVATIONS.—With respect to land conveyed by the Secretary to the Tennessee Society of Crippled Children and Adults, Incorporated (commonly known as "Easter Seals Tennessee") at Old Hickory Lock and Dam, Cumberland River, Tennessee, under section 211 of the Flood Control Act of 1965 (79 Stat. 1087), the reversionary interests and the use restrictions relating to recreation and camping purposes are extinguished.

(2) INSTRUMENT OF RELEASE.—As soon as practicable after the date of enactment of this Act, the Secretary shall execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument effectuating the release of interests required by paragraph (1).

(c) PORT OF PASCO, WASHINGTON.—

(1) EXTINGUISHMENT OF USE RESTRICTIONS AND FLOWAGE EASEMENT.—With respect to the property covered by the deed in paragraph (3)(A)—

(A) the flowage easement and human habitation or other building structure use restriction is extinguished if the elevation of the property is above the standard project flood elevation; and

(B) the use of fill material to raise areas of the property above the standard project flood elevation is authorized, except in any area for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is required.

(2) EXTINGUISHMENT OF FLOWAGE EASEMENT.—With respect to the property covered by each deed in paragraph (3)(B), the flowage easement is extinguished if the elevation of the property is above the standard project flood elevation.

(3) AFFECTED DEEDS.—The deeds referred to in paragraphs (1) and (2) are as follows:

(A) Auditor's File Number 262980 of Franklin County, Washington.

(B) Auditor's File Numbers 263334 and 404398 of Franklin County, Washington.

(d) NO EFFECT ON OTHER RIGHTS.—Nothing in this section affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

TITLE IV—STUDIES

SEC. 4001. JOHN GLENN GREAT LAKES BASIN PROGRAM.

Section 455 of the Water Resources Development Act of 1999 (42 U.S.C. 1962d–21) is amended by adding at the end the following:

"(g) IN-KIND CONTRIBUTIONS FOR STUDY.—The non-Federal interest may provide up to 100 percent of the non-Federal share required under subsection (f) in the form of in-kind services and materials.".

SEC. 4002. LAKE ERIE DREDGED MATERIAL DISPOSAL SITES.

The Secretary shall conduct a study to determine the nature and frequency of avian botulism problems in the vicinity of Lake Erie associated with dredged material disposal sites and shall make recommendations to eliminate the conditions that result in such problems.

SEC. 4003. SOUTHWESTERN UNITED STATES DROUGHT STUDY.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and other appropriate agencies, shall conduct, at Federal expense, a comprehensive study of drought conditions in the southwestern United States, with particular emphasis on the Colorado River basin, the Rio Grande River basin, and the Great Basin.

(b) INVENTORY OF ACTIONS.—In conducting the study, the Secretary shall assemble an inventory of actions taken or planned to be taken to address drought-related situations in the southwestern United States.

(c) PURPOSE.—The purpose of the study shall be to develop recommendations to more effectively address current and future drought conditions in the southwestern United States.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $7,000,000. Such funds shall remain available until expended.

SEC. 4004. DELAWARE RIVER.

The Secretary shall review, in consultation with the Delaware River Basin Commission and the States of Delaware, Pennsylvania, New Jersey, and New York, the report of the Chief of Engineers on the Delaware River, published as House Document Numbered 522, 87th Congress, Second Session, as it relates to the Mid-Delaware River Basin from Wilmington to Port Jervis, and any other pertinent reports (including the strategy for resolution of interstate flow management issues in the Delaware River Basin dated August 2004 and the National Park Service Lower Delaware River Management Plan (1997–1999)), with a view to determining whether any modifications of recommendations contained in the first report referred to are advisable at the present time, in the interest of flood damage reduction, ecosystem restoration, and other related problems.

SEC. 4005. KNIK ARM, COOK INLET, ALASKA.

The Secretary shall conduct, at Federal expense, a study to determine the potential impacts on navigation of construction of a bridge across Knik Arm, Cook Inlet, Alaska.

SEC. 4006. KUSKOKWIM RIVER, ALASKA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Kuskokwim River, Alaska, in the vicinity of the village of Crooked Creek.

SEC. 4007. ST. GEORGE HARBOR, ALASKA.

The Secretary shall conduct, at Federal expense, a study to determine the feasibility of providing navigation improvements at St. George Harbor, Alaska.

SEC. 4008. SUSITNA RIVER, ALASKA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for hydropower, recreation, and related purposes on the Susitna River, Alaska.

SEC. 4009. GILA BEND, MARICOPA, ARIZONA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Gila Bend, Maricopa, Arizona.

(b) REVIEW OF PLANS.—In conducting the study, the Secretary shall review plans and designs developed by non-Federal interests and shall incorporate such plans and designs into the Federal study if the Secretary determines that such plans and designs are consistent with Federal standards.

SEC. 4010. SEARCY COUNTY, ARKANSAS.

The Secretary shall conduct a study to determine the feasibility of using Greers Ferry Lake as a water supply source for Searcy County, Arkansas.

SEC. 4011. ELKHORN SLOUGH ESTUARY, CALIFORNIA.

The Secretary shall conduct a study of the Elkhorn Slough estuary, California, to determine the feasibility of conserving, enhancing, and restoring estuarine habitats by developing strategies to address hydrological management issues.

SEC. 4012. FRESNO, KINGS, AND KERN COUNTIES, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Fresno, Kings, and Kern Counties, California.

SEC. 4013. LOS ANGELES RIVER REVITALIZATION STUDY, CALIFORNIA.

(a) IN GENERAL.—The Secretary, in coordination with the city of Los Angeles, shall—

(1) prepare a feasibility study for environmental restoration, flood control, recreation, and other aspects of Los Angeles River revitalization that is consistent with the goals of the Los Angeles River Revitalization Master Plan published by the city of Los Angeles; and

(2) consider any locally-preferred project alternatives developed through a full and open evaluation process for inclusion in the study.

(b) USE OF EXISTING INFORMATION AND MEASURES.—In preparing the study under subsection (a), the Secretary shall use, to the maximum extent practicable—

(1) information obtained from the Los Angeles River Revitalization Master Plan; and

(2) the development process of that plan.

(c) DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—The Secretary is authorized to construct demonstration projects in order to provide information to develop the study under subsection (a)(1).

(2) FEDERAL SHARE.—The Federal share of the cost of any project under this subsection shall be not more than 65 percent.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000.

SEC. 4014. LYTLE CREEK, RIALTO, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and groundwater recharge, Lytle Creek, Rialto, California.

SEC. 4015. MOKELUMNE RIVER, SAN JOAQUIN COUNTY, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply along the Mokelumne River, San Joaquin County, California.

(b) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to invalidate, preempt, or create any exception to State water law, State water rights, or Federal or State permitted activities or agreements.

SEC. 4016. NAPA RIVER, ST. HELENA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the Napa River in the vicinity of St. Helena, California, for the purposes of improving flood management through reconnecting the river to its floodplain; restoring habitat, including riparian and aquatic habitat; improving fish passage and water quality; and restoring native plant communities.

(b) PLANS AND DESIGNS.—In conducting the study, the Secretary shall review plans and designs developed by non-Federal interests and shall incorporate such plans and designs into the Federal study if the Secretary determines that such plans and designs are consistent with Federal standards.

SEC. 4017. ORICK, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and ecosystem restoration, Orick, California.

(b) FEASIBILITY OF RESTORING OR REHABILITATING REDWOOK CREEK LEVEES.—In conducting the study, the Secretary shall determine the feasibility of restoring or rehabilitating the Redwood Creek Levees, Humboldt County, California.

SEC. 4018. RIALTO, FONTANA, AND COLTON, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Rialto, Fontana, and Colton, California.

SEC. 4019. SACRAMENTO RIVER, CALIFORNIA.

The Secretary shall conduct a comprehensive study to determine the feasibility of, and alternatives for, measures to protect water diversion facilities and fish protective screen facilities in the vicinity of river mile 178 on the Sacramento River, California.

SEC. 4020. SAN DIEGO COUNTY, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, San Diego County, California, including a review of the feasibility of connecting 4 existing reservoirs to increase usable storage capacity.

SEC. 4021. SAN FRANCISCO BAY, SACRAMENTO-SAN JOAQUIN DELTA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of the beneficial use of dredged material from the San Francisco Bay in the Sacramento-San Joaquin Delta, California, including the benefits and impacts of salinity in the Delta and the benefits to navigation, flood damage reduction, ecosystem restoration, water quality, salinity control, water supply reliability, and recreation.

(b) COOPERATION.—In conducting the study, the Secretary shall cooperate with the California Department of Water Resources and appropriate Federal and State entities in developing options for the beneficial use of dredged material from San Francisco Bay for the Sacramento-San Joaquin Delta area.

(c) REVIEW.—The study shall include a review of the feasibility of using Sherman Island as a rehandling site for levee maintenance material, as well as for ecosystem restoration. The review may include monitoring a pilot project using up to 150,000 cubic yards of dredged material and being carried out at the Sherman Island site, examining larger scale use of dredged materials from the San Francisco Bay and Suisun Bay Channel, and analyzing the feasibility of the potential use of saline materials from the San Francisco Bay for both rehandling and ecosystem restoration purposes.

SEC. 4022. SOUTH SAN FRANCISCO BAY SHORELINE STUDY, CALIFORNIA.

(a) IN GENERAL.—In conducting the South San Francisco Bay shoreline study, the Secretary shall—

(1) review the planning, design, and land acquisition documents prepared by the California State Coastal Conservancy, the Santa Clara Valley Water District, and other local interests in developing recommendations for measures to provide flood protection of the South San Francisco Bay shoreline, restoration of the South San Francisco Bay salt ponds (including lands owned by the Department of the Interior), and other related purposes; and

(2) incorporate such planning, design, and land acquisition documents into the Federal study if the Secretary determines that such documents are consistent with Federal standards.

(b) REPORT.—Not later than December 31, 2008, the Secretary shall transmit a feasibility report for the South San Francisco Bay shoreline study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(c) CREDIT.—

(1) IN GENERAL.—The Secretary shall credit toward the non-Federal share of the cost of any project authorized by law as a result of the South San Francisco Bay shoreline study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(2) LIMITATION.—In no case may work that was carried out more than 5 years before the date of enactment of this Act be eligible for credit under this subsection.

SEC. 4023. TWENTYNINE PALMS, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Pinto Cove Wash, in the vicinity of Twentynine Palms, California.

SEC. 4024. YUCCA VALLEY, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, West Burnt Mountain basin, in the vicinity of Yucca Valley, California.

SEC. 4025. ROARING FORK RIVER, BASALT, COLORADO.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and other purposes for the Roaring Fork River, Basalt, Colorado.

SEC. 4026. DELAWARE AND CHRISTINA RIVERS AND SHELLPOT CREEK, WILMINGTON, DELAWARE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and related purposes along the Delaware and Christina Rivers and Shellpot Creek, Wilmington, Delaware.

SEC. 4027. COLLIER COUNTY BEACHES, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for hurricane and storm damage reduction and flood damage reduction in the vicinity of Vanderbilt, Park Shore, and Naples beaches, Collier County, Florida.

SEC. 4028. LOWER ST. JOHNS RIVER, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental protection and restoration, including improved water quality, and related purposes, Lower St. Johns River, Florida.

SEC. 4029. VANDERBILT BEACH LAGOON, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, water supply, and improvement of water quality at Vanderbilt Beach Lagoon, Florida.

SEC. 4030. MERIWETHER COUNTY, GEORGIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Meriwether County, Georgia.

SEC. 4031. TYBEE ISLAND, GEORGIA.

The Secretary shall conduct a study to determine the feasibility of including the northern end of Tybee Island extending from the north terminal groin to the mouth of Lazaretto Creek as a part of the project for beach erosion control, Tybee Island, Georgia, carried out under section 201 of the Flood Control Act of 1965 (42 U.S.C. 1962d–5).

SEC. 4032. BOISE RIVER, IDAHO.

The study for flood control, Boise River, Idaho, authorized by section 414 of the Water Resources Development Act of 1999 (113 Stat. 324), is modified—

(1) to add ecosystem restoration and water supply as project purposes to be studied; and

(2) to require the Secretary to credit toward the non-Federal share of the cost of the study the cost, not to exceed $500,000, of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 4033. BALLARD'S ISLAND SIDE CHANNEL, ILLINOIS.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, Ballard's Island, Illinois.

SEC. 4034. SALEM, INDIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project to provide an additional water supply source for Salem, Indiana.

SEC. 4035. BUCKHORN LAKE, KENTUCKY.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction, Buckhorn Lake, Kentucky, authorized by section 2 of the Flood Control Act of June 28, 1938 (52 Stat. 1217), to

add ecosystem restoration, recreation, and improved access as project purposes, including permanently raising the winter pool elevation of the project.

(b) IN-KIND CONTRIBUTIONS.—The non-Federal interest may provide the non-Federal share of the cost of the study in the form of in-kind services and materials.

SEC. 4036. DEWEY LAKE, KENTUCKY.

The Secretary shall conduct a study to determine the feasibility of modifying the project for Dewey Lake, Kentucky, to add water supply as a project purpose.

SEC. 4037. LOUISVILLE, KENTUCKY.

The Secretary shall conduct a study of the project for flood control, Louisville, Kentucky, authorized by section 4 of the Flood Control Act of June 28, 1938 (52 Stat. 1217), to investigate measures to address the rehabilitation of the project.

SEC. 4038. FALL RIVER HARBOR, MASSACHUSETTS AND RHODE ISLAND.

The Secretary shall conduct a study to determine the feasibility of deepening that portion of the navigation channel of the navigation project for Fall River Harbor, Massachusetts and Rhode Island, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731), seaward of the Charles M. Braga, Jr. Memorial Bridge, Fall River and Somerset, Massachusetts.

SEC. 4039. CLINTON RIVER, MICHIGAN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, Clinton River, Michigan.

SEC. 4040. HAMBURG AND GREEN OAK TOWNSHIPS, MICHIGAN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction on Ore Lake and the Huron River for Hamburg and Green Oak Townships, Michigan.

SEC. 4041. DULUTH-SUPERIOR HARBOR, MINNESOTA AND WISCONSIN.

(a) IN GENERAL.—The Secretary shall conduct a study and prepare a report to evaluate the integrity of the bulkhead system located on and in the vicinity of Duluth-Superior Harbor, Duluth, Minnesota, and Superior, Wisconsin.

(b) CONTENTS.—The report shall include—

(1) a determination of causes of corrosion of the bulkhead system;

(2) recommendations to reduce corrosion of the bulkhead system;

(3) a description of the necessary repairs to the bulkhead system; and

(4) an estimate of the cost of addressing the causes of the corrosion and carrying out necessary repairs.

SEC. 4042. NORTHEAST MISSISSIPPI.

The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Tennessee-Tombigbee Waterway, Alabama and Mississippi, to provide water supply for northeast Mississippi.

SEC. 4043. ST. LOUIS, MISSOURI.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, St. Louis, Missouri, to restore or rehabilitate the levee system feature of the project for flood protection, St. Louis, Missouri, authorized by the first section of the Act entitled "An Act authorizing construction of certain public works on the Mississippi River for the protection of Saint Louis, Missouri", approved August 9, 1955 (69 Stat. 540).

SEC. 4044. DREDGED MATERIAL DISPOSAL, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project in the vicinity of the Atlantic Intracoastal Waterway, New Jersey, for the construction of a dredged material disposal transfer facility to make dredged material available for beneficial reuse.

SEC. 4045. BAYONNE, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, including improved water quality, enhanced public access, and recreation, on the Kill Van Kull, Bayonne, New Jersey.

SEC. 4046. CARTERET, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, including improved water quality, enhanced public access, and recreation, on the Raritan River, Carteret, New Jersey.

SEC. 4047. GLOUCESTER COUNTY, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Gloucester County, New Jersey, including the

feasibility of restoring the flood protection dikes in Gibbstown, New Jersey, and the associated tidegates in Gloucester County, New Jersey.

SEC. 4048. PERTH AMBOY, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for riverfront development, including enhanced public access, recreation, and environmental restoration, on the Arthur Kill, Perth Amboy, New Jersey.

SEC. 4049. BATAVIA, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for hydropower and related purposes in the vicinity of Batavia, New York.

SEC. 4050. BIG SISTER CREEK, EVANS, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Big Sister Creek, Evans, New York.

(b) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study, the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

SEC. 4051. FINGER LAKES, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration and protection, Finger Lakes, New York, to address water quality and aquatic nuisance species.

SEC. 4052. LAKE ERIE SHORELINE, BUFFALO, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for storm damage reduction and shoreline protection in the vicinity of Gallagher Beach, Lake Erie Shoreline, Buffalo, New York.

SEC. 4053. NEWTOWN CREEK, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out ecosystem restoration improvements on Newtown Creek, Brooklyn and Queens, New York.

SEC. 4054. NIAGARA RIVER, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for a low-head hydroelectric generating facility in the Niagara River, New York.

SEC. 4055. SHORE PARKWAY GREENWAY, BROOKLYN, NEW YORK.

The Secretary shall conduct a study of the feasibility of carrying out a project for shoreline protection in the vicinity of the confluence of the Narrows and Gravesend Bay, Upper New York Bay, Shore Parkway Greenway, Brooklyn, New York.

SEC. 4056. UPPER DELAWARE RIVER WATERSHED, NEW YORK.

Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and with the consent of the affected local government, a nonprofit organization may serve as the non-Federal interest for a study for the Upper Delaware River watershed, New York, being carried out under Committee Resolution 2495 of the Committee on Transportation and Infrastructure of the House of Representatives, adopted May 9, 1996.

SEC. 4057. LINCOLN COUNTY, NORTH CAROLINA.

The Secretary shall conduct a study of existing water and water quality-related infrastructure in Lincoln County, North Carolina, to assist local interests in determining the most efficient and effective way to connect county infrastructure.

SEC. 4058. WILKES COUNTY, NORTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Wilkes County, North Carolina.

SEC. 4059. YADKINVILLE, NORTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Yadkinville, North Carolina.

SEC. 4060. LAKE ERIE, OHIO.

The Secretary shall conduct a study to determine the feasibility of carrying out projects for power generation at confined disposal facilities along Lake Erie, Ohio.

SEC. 4061. OHIO RIVER, OHIO.

The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood damage reduction on the Ohio River in Mahoning, Columbiana,

Jefferson, Belmont, Noble, Monroe, Washington, Athens, Meigs, Gallia, Lawrence, and Scioto Counties, Ohio.

SEC. 4062. ECOSYSTEM RESTORATION AND FISH PASSAGE IMPROVEMENTS, OREGON.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of undertaking ecosystem restoration and fish passage improvements on rivers throughout the State of Oregon.

(b) REQUIREMENTS.—In carrying out the study, the Secretary shall—

(1) work in coordination with the State of Oregon, local governments, and other Federal agencies; and

(2) place emphasis on—

(A) fish passage and conservation and restoration strategies to benefit species that are listed or proposed for listing as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(B) other watershed restoration objectives.

(c) PILOT PROGRAM.—

(1) IN GENERAL.—In conjunction with conducting the study under subsection (a), the Secretary may carry out pilot projects to demonstrate the effectiveness of ecosystem restoration and fish passages.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 to carry out this subsection.

SEC. 4063. WALLA WALLA RIVER BASIN, OREGON.

In conducting the study of determine the feasibility of carrying out a project for ecosystem restoration, Walla Walla River Basin, Oregon, the Secretary shall—

(1) credit toward the non-Federal share of the cost of the study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) allow the non-Federal interest to provide the non-Federal share of the cost of the study in the form of in-kind services and materials.

SEC. 4064. CHARTIERS CREEK WATERSHED, PENNSYLVANIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Chartiers Creek watershed, Pennsylvania.

SEC. 4065. KINZUA DAM AND ALLEGHENY RESERVOIR, PENNSYLVANIA.

The Secretary shall conduct a study of the project for flood control, Kinzua Dam and Allegheny Reservoir, Warren, Pennsylvania, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1570), and modified by section 2 of the Flood Control Act of June 28, 1938 (52 Stat. 1215), section 2 of the Flood Control Act of August 18, 1941 (55 Stat. 646), and section 4 of the Flood Control Act of December 22, 1944 (58 Stat. 887), to review operations of and identify modifications to the project to expand recreational opportunities.

SEC. 4066. WESTERN PENNSYLVANIA FLOOD DAMAGE REDUCTION, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary shall conduct a study of structural and nonstructural flood damage reduction, stream bank protection, storm water management, channel clearing and modification, and watershed coordination measures in the Mahoning River basin, Pennsylvania, the Allegheny River basin, Pennsylvania, and the Upper Ohio River basin, Pennsylvania, to provide a level of flood protection sufficient to prevent future losses to communities located in such basins from flooding such as occurred in September 2004, but not less than a 100-year level of flood protection.

(b) PRIORITY COMMUNITIES.—In carrying out this section, the Secretary shall give priority to the following Pennsylvania communities: Marshall Township, Ross Township, Shaler Township, Jackson Township, Harmony, Zelienople, Darlington Township, Houston Borough, Chartiers Township, Washington, Canton Township, Tarentum Borough, and East Deer Township.

SEC. 4067. WILLIAMSPORT, PENNSYLVANIA.

The Secretary shall conduct a study of the project for flood control, Williamsport, Pennsylvania, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1570), to investigate measures to rehabilitate the project.

SEC. 4068. YARDLEY BOROUGH, PENNSYLVANIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, at Yardley Borough, Pennsylvania, including the alternative of raising River Road.

SEC. 4069. RIO VALENCIANO, JUNCOS, PUERTO RICO.

(a) IN GENERAL.—The Secretary shall conduct a study to reevaluate the project for flood damage reduction and water supply, Rio Valenciano, Juncos, Puerto Rico, authorized by section 209 of the Flood Control Act of 1962 (76 Stat. 1197) and section 204 of the Flood Control Act of 1970 (84 Stat. 1828), to determine the feasibility of carrying out the project.

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 4070. CROOKED CREEK, BENNETTSVILLE, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Crooked Creek, Bennettsville, South Carolina.

SEC. 4071. BROAD RIVER, YORK COUNTY, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Broad River, York County, South Carolina.

SEC. 4072. CHATTANOOGA, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Chattanooga Creek, Dobbs Branch, Chattanooga, Tennessee.

SEC. 4073. CLEVELAND, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Cleveland, Tennessee.

SEC. 4074. CUMBERLAND RIVER, NASHVILLE, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for recreation on, riverbank protection for, and environmental protection of, the Cumberland River and riparian habitats in the city of Nashville and Davidson County, Tennessee.

SEC. 4075. LEWIS, LAWRENCE, AND WAYNE COUNTIES, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Lewis, Lawrence, and Wayne Counties, Tennessee.

SEC. 4076. WOLF RIVER AND NONCONNAH CREEK, MEMPHIS TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along Wolf River and Nonconnah Creek, in the vicinity of Memphis, Tennessee, to include the repair, replacement, rehabilitation, and restoration of the following pumping stations: Cypress Creek, Nonconnah Creek, Ensley, Marble Bayou, and Bayou Gayoso.

SEC. 4077. ABILENE, TEXAS.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Abilene, Texas.

SEC. 4078. COASTAL TEXAS ECOSYSTEM PROTECTION AND RESTORATION, TEXAS.

(a) IN GENERAL.—The Secretary shall develop a comprehensive plan to determine the feasibility of carrying out projects for flood damage reduction, hurricane and storm damage reduction, and ecosystem restoration in the coastal areas of the State of Texas.

(b) SCOPE.—The comprehensive plan shall provide for the protection, conservation, and restoration of wetlands, barrier islands, shorelines, and related lands and features that protect critical resources, habitat, and infrastructure from the impacts of coastal storms, hurricanes, erosion, and subsidence.

(c) DEFINITION.—For purposes of this section, the term "coastal areas in the State of Texas" means the coastal areas of the State of Texas from the Sabine River on the east to the Rio Grande River on the west and includes tidal waters, barrier islands, marshes, coastal wetlands, rivers and streams, and adjacent areas.

SEC. 4079. JOHNSON CREEK, ARLINGTON, TEXAS.

(a) REEVALUATION OF ENVIRONMENTAL RESTORATION FEATURES.—The Secretary shall reevaluate the project for flood damage reduction, environmental restoration, and recreation, authorized by section 101(b)(14) of the Water Resources Development Act of 1999 (113 Stat. 280), to develop alternatives to the separable environmental restoration element of the project.

(b) STUDY OF ADDITIONAL FLOOD DAMAGE REDUCTION MEASURES.—The Secretary shall conduct a study to determine the feasibility of additional flood damage reduction measures and erosion control measures within the boundaries of the project referred to in subsection (a).

(c) PLANS AND DESIGNS.—In conducting the studies referred to in subsections (a) and (b), the Secretary shall review plans and designs developed by non-Federal interests and shall use such plans and designs to the extent that the Secretary determines that such plans and designs are consistent with Federal standards.

(d) CREDIT TOWARD FEDERAL SHARE.—If an alternative environmental restoration element is authorized by law, the Secretary shall credit toward the Federal share of the cost of that project the costs incurred by the Secretary to carry out the separable environmental restoration element of the project referred to in subsection (a). The non-Federal interest shall not be responsible for reimbursing the Secretary for any amount credited under this subsection.

(e) CREDIT TOWARD THE NON-FEDERAL SHARE.—The Secretary shall credit toward the non-Federal share of the cost of the studies under subsections (a) and (b), and the cost of any project carried out as a result of such studies the cost of work carried out by the non-Federal interest.

SEC. 4080. PORT OF GALVESTON, TEXAS.

The Secretary shall conduct a study of the feasibility of carrying out a project for dredged material disposal in the vicinity of the project for navigation and environmental restoration, Houston-Galveston Navigation Channels, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1996 (110 Stat. 3666).

SEC. 4081. GRAND COUNTY AND MOAB, UTAH.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Grand County and the city of Moab, Utah, including a review of the impact of current and future demands on the Spanish Valley Aquifer.

SEC. 4082. SOUTHWESTERN UTAH.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Santa Clara River, Washington, Iron, and Kane Counties, Utah.

SEC. 4083. CHOWAN RIVER BASIN, VIRGINIA AND NORTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, navigation, and erosion control, Chowan River basin, Virginia and North Carolina.

SEC. 4084. ELLIOTT BAY SEAWALL, SEATTLE, WASHINGTON.

(a) IN GENERAL.—The study for rehabilitation of the Elliott Bay Seawall, Seattle, Washington, being carried out under Committee Resolution 2704 of the Committee on Transportation and Infrastructure of the House of Representatives adopted September 25, 2002, is modified to include a determination of the feasibility of reducing future damage to the seawall from seismic activity.

(b) ACCEPTANCE OF CONTRIBUTIONS.—In carrying out the study, the Secretary may accept contributions in excess of the non-Federal share of the cost of the study from the non-Federal interest to the extent that the Secretary determines that the contributions will facilitate completion of the study.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of any project authorized by law as a result of the study the value of contributions accepted by the Secretary under subsection (b).

SEC. 4085. MONONGAHELA RIVER BASIN, NORTHERN WEST VIRGINIA.

The Secretary shall conduct a study to determine the feasibility of carrying out aquatic ecosystem restoration and protection projects in the watersheds of the Monongahela River Basin lying within the counties of Hancock, Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood, Doddridge, Monongalia, Marion, Harrison, Taylor, Barbour, Preston, Tucker, Mineral, Grant, Gilmer, Brooke, and Rithchie, West Virginia, particularly as related to abandoned mine drainage abatement.

SEC. 4086. KENOSHA HARBOR, WISCONSIN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Kenosha Harbor, Wisconsin, including the extension of existing piers.

SEC. 4087. WAUWATOSA, WISCONSIN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and environmental restoration, Menomonee River and Underwood Creek, Wauwatosa, Wisconsin, and greater Milwaukee watersheds, Wisconsin.

SEC. 4088. JOHNSONVILLE DAM, JOHNSONVILLE, WISCONSIN.

The Secretary shall conduct a study of the Johnsonville Dam, Johnsonville, Wisconsin, to determine if the structure prevents ice jams on the Sheboygan River.

TITLE V—MISCELLANEOUS

SEC. 5001. MAINTENANCE OF NAVIGATION CHANNELS.

(a) IN GENERAL.—Upon request of a non-Federal interest, the Secretary shall be responsible for maintenance of the following navigation channels and breakwaters constructed or improved by the non-Federal interest if the Secretary determines that such maintenance is economically justified and environmentally acceptable and that the channel or breakwater was constructed in accordance with applicable permits and appropriate engineering and design standards:

(1) Manatee Harbor basin, Florida.

(2) Bayou LaFourche Channel, Port Fourchon, Louisiana.

(3) Calcasieu River at Devil's Elbow, Louisiana.

(4) Pidgeon Industrial Harbor, Pidgeon Industrial Park, Memphis Harbor, Tennessee.

(5) Pix Bayou Navigation Channel, Chambers County, Texas.

(6) Racine Harbor, Wisconsin.

(b) COMPLETION OF ASSESSMENT.—Not later than 6 months after the date of receipt of a request from a non-Federal interest for Federal assumption of maintenance of a channel listed in subsection (a), the Secretary shall make a determination as provided in subsection (a) and advise the non-Federal interest of the Secretary's determination.

SEC. 5002. WATERSHED MANAGEMENT.

(a) IN GENERAL.—The Secretary may provide technical, planning, and design assistance to non-Federal interests for carrying out watershed management, restoration, and development projects at the locations described in subsection (d).

(b) SPECIFIC MEASURES.—Assistance provided under subsection (a) may be in support of non-Federal projects for the following purposes:

(1) Management and restoration of water quality.

(2) Control and remediation of toxic sediments.

(3) Restoration of degraded streams, rivers, wetlands, and other waterbodies to their natural condition as a means to control flooding, excessive erosion, and sedimentation.

(4) Protection and restoration of watersheds, including urban watersheds.

(5) Demonstration of technologies for nonstructural measures to reduce destructive impacts of flooding.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance provided under subsection (a) shall be 50 percent.

(d) PROJECT LOCATIONS.—The locations referred to in subsection (a) are the following:

(1) Big Creek watershed, Roswell, Georgia.

(2) Those portions of the watersheds of the Chattahoochee, Etowah, Flint, Ocmulgee, and Oconee Rivers lying within the counties of Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Fulton, Forsyth, Gwinnett, Hall, Henry, Paulding, Rockdale, and Walton, Georgia.

(3) Kinkaid Lake, Jackson County, Illinois.

(4) Amite River basin, Louisiana.

(5) East Atchafalaya River basin, Iberville Parish and Pointe Coupee Parish, Louisiana.

(6) Red River watershed, Louisiana.

(7) Lower Platte River watershed, Nebraska.

(8) Rio Grande watershed, New Mexico.

(9) Taunton River basin, Massachusetts.

(10) Marlboro Township, New Jersey.

(11) Esopus, Plattekill, and Rondout Creeks, Greene, Sullivan, and Ulster Counties, New York.

(12) Greenwood Lake watershed, New York and New Jersey.

(13) Long Island Sound watershed, New York.

(14) Ramapo River watershed, New York.

(15) Western Lake Erie basin, Ohio.

(16) Those portions of the watersheds of the Beaver, Upper Ohio, Connoquenessing, Lower Allegheny, Kiskiminetas, Lower Monongahela, Youghiogheny, Shenango, and Mahoning Rivers lying within the counties of Beaver, Butler, Lawrence, and Mercer, Pennsylvania.

(17) Otter Creek watershed, Pennsylvania.
(18) Unami Creek watershed, Milford Township, Pennsylvania.
(19) Sauk River basin, Washington.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.

SEC. 5003. DAM SAFETY.

(a) ASSISTANCE.—The Secretary may provide assistance to enhance dam safety at the following locations:
(1) Fish Creek Dam, Blaine County, Idaho.
(2) Hamilton Dam, Saginaw River, Flint, Michigan.
(3) State Dam, Auburn, New York.
(4) Whaley Lake Dam, Pawling, New York.
(5) Ingham Spring Dam, Solebury Township, Pennsylvania.
(6) Leaser Lake Dam, Lehigh County, Pennsylvania.
(7) Stillwater Dam, Monroe County, Pennsylvania.
(8) Wissahickon Creek Dam, Montgomery County, Pennsylvania.

(b) SPECIAL RULE.—The assistance provided under subsection (a) for State Dam, Auburn, New York, shall be for a project for rehabilitation in accordance with the report on State Dam Rehabilitation, Owasco Lake Outlet, New York, dated March 1999, if the Secretary determines that the project is feasible.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $6,000,000.

SEC. 5004. STRUCTURAL INTEGRITY EVALUATIONS.

(a) IN GENERAL.—Upon request of a non-Federal interest, the Secretary shall evaluate the structural integrity and effectiveness of a project for flood damage reduction and, if the Secretary determines that the project does not meet such minimum standards as the Secretary may establish and, absent action by the Secretary, the project will fail, the Secretary may take such action as may be necessary to restore the integrity and effectiveness of the project.

(b) PRIORITY.—The Secretary shall evaluate under subsection (a) the following projects:
(1) Project for flood damage reduction, Arkansas River Levees, Arkansas.
(2) Project for flood damage reduction, Nonconnah Creek, Tennessee.

SEC. 5005. FLOOD MITIGATION PRIORITY AREAS.

(a) IN GENERAL.—Section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e); 114 Stat. 2599) is amended—
(1) by striking "and" at the end of paragraphs (23) and (27);
(2) by striking the period at the end of paragraph (28) and inserting a semicolon; and
(3) by adding at the end the following:
"(29) Ascension Parish, Louisiana;
"(30) East Baton Rouge Parish, Louisiana;
"(31) Iberville Parish, Louisiana;
"(32) Livingston Parish, Louisiana; and
"(33) Pointe Coupee Parish, Louisiana.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 212(i)(1) of such Act (33 U.S.C. 2332(i)(1)) is amended by striking "section—" and all that follows before the period at the end and inserting "section $20,000,000".

SEC. 5006. ADDITIONAL ASSISTANCE FOR AUTHORIZED PROJECTS.

(a) IN GENERAL.—Section 219(e) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334) is amended—
(1) by striking "and" at the end of paragraph (7);
(2) by striking the period at the end of paragraph (8) and inserting a semicolon; and
(3) by adding at the end the following:
"(9) $35,000,000 for the project described in subsection (c)(18);
"(10) $27,000,000 for the project described in subsection (c)(19);
"(11) $20,000,000 for the project described in subsection (c)(20);
"(12) $35,000,000 for the project described in subsection (c)(23);
"(13) $20,000,000 for the project described in subsection (c)(25);
"(14) $20,000,000 for the project described in subsection (c)(26);
"(15) $35,000,000 for the project described in subsection (c)(27);
"(16) $20,000,000 for the project described in subsection (c)(28); and
"(17) $30,000,000 for the project described in subsection (c)(40).".

(b) EAST ARKANSAS ENTERPRISE COMMUNITY, ARKANSAS.—Federal assistance made available under the rural enterprise zone program of the Department of Agriculture may be used toward payment of the non-Federal share of the costs of the

project described in section 219(c)(20) of the Water Resources Development Act of 1992 (114 Stat. 2763A–219) if such assistance is authorized to be used for such purposes.

SEC. 5007. EXPEDITED COMPLETION OF REPORTS AND CONSTRUCTION FOR CERTAIN PROJECTS.

The Secretary shall expedite completion of the reports and, if the Secretary determines that the project is feasible, shall expedite completion of construction for the following projects:

(1) False River, Louisiana, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(2) Fulmer Creek, Village of Mohawk, New York, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(3) Moyer Creek, Village of Frankfort, New York, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(4) Steele Creek, Village of Ilion, New York, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(5) Oriskany Wildlife Management Area, Rome, New York, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(6) Whitney Point Lake, Otselic River, Whitney Point, New York, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(7) North River, Peabody, Massachusetts, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(8) Chenango Lake, Chenango County, New York, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

SEC. 5008. EXPEDITED COMPLETION OF REPORTS FOR CERTAIN PROJECTS.

(a) IN GENERAL.—The Secretary shall expedite completion of the reports for the following projects and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design:

(1) Project for water supply, Little Red River, Arkansas.

(2) Project for shoreline stabilization at Egmont Key, Florida.

(3) Project for ecosystem restoration, University Lake, Baton Rouge, Louisiana.

(4) Project for navigation, Sabine-Neches Waterway, Texas and Louisiana.

(b) SPECIAL RULE FOR EGMONT KEY, FLORIDA.—In carrying out the project for shoreline stabilization at Egmont Key, Florida, referred to in subsection (a)(3), the Secretary shall waive any cost share to be provided by non-Federal interests for any portion of the project that benefits federally owned property.

SEC. 5009. SOUTHEASTERN WATER RESOURCES ASSESSMENT.

(a) IN GENERAL.—The Secretary shall conduct, at Federal expense, an assessment of the water resources needs of the river basins and watersheds of the southeastern United States.

(b) COOPERATIVE AGREEMENTS.—In carrying out the assessment, the Secretary may enter into cooperative agreements with State and local agencies, non-Federal and nonprofit entities, and regional researchers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $7,000,000 to carry out this section.

SEC. 5010. UPPER MISSISSIPPI RIVER ENVIRONMENTAL MANAGEMENT PROGRAM.

Section 1103(e)(7) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(7)) is amended—

(1) by adding at the end of subparagraph (A) the following: "The non-Federal interest may provide the non-Federal share of the cost of the project in the form of in-kind services and materials."; and

(2) by inserting after subparagraph (B) the following:

"(C) Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal interest may include for any project undertaken under this section, a nonprofit entity with the consent of the affected local government.".

SEC. 5011. MISSOURI AND MIDDLE MISSISSIPPI RIVER ENHANCEMENT PROJECT.

Section 514(g) of the Water Resources Development Act of 1999 (113 Stat. 343; 117 Stat. 142) is amended by striking "and 2004" and inserting "through 2015".

SEC. 5012. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.

Section 506(f)(3)(B) of the Water Resources Development Act of 2000 (42 U.S.C. 1962d–22; 114 Stat. 2646) is amended by striking "50 percent" and inserting "100 percent".

SEC. 5013. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

Section 401(c) of the Water Resources Development Act of 1990 (104 Stat. 4644; 33 U.S.C. 1268 note) is amended by striking "through 2006" and inserting "through 2012".

SEC. 5014. GREAT LAKES TRIBUTARY MODELS.

Section 516(g)(2) of the Water Resources Development Act of 1996 (33 U.S.C. 2326b(g)(2)) is amended by striking "through 2006" and inserting "through 2012".

SEC. 5015. GREAT LAKES NAVIGATION.

(a) IN GENERAL.—Using available funds, the Secretary shall expedite the operation and maintenance, including dredging, of the navigation features of the Great Lakes and Connecting Channels for the purpose of supporting commercial navigation to authorized project depths.

(b) GREAT LAKES AND CONNECTING CHANNELS DEFINED.—In this section, the term "Great Lakes and Connecting Channels" includes Lakes Superior, Huron, Michigan, Erie, and Ontario, all connecting waters between and among such lakes used for commercial navigation, any navigation features in such lakes or waters that are a Federal operation or maintenance responsibility, and areas of the Saint Lawrence River that are operated or maintained by the Federal government for commercial navigation.

SEC. 5016. UPPER MISSISSIPPI RIVER DISPERSAL BARRIER PROJECT.

(a) IN GENERAL.—The Secretary, in consultation with appropriate Federal and State agencies, shall study, design, and carry out a project for preventing and reducing the dispersal of aquatic nuisance species through the Upper Mississippi River system. The Secretary shall complete the study, design, and construction of the project not later than 6 months after the date of enactment of this Act.

(b) DISPERSAL BARRIER.—The Secretary, at Federal expense, shall—

(1) investigate and identify environmentally sound methods for preventing and reducing the dispersal of aquatic nuisance species;

(2) study, design, and carry out a project for a dispersal barrier, using available technologies and measures, to be located in the lock portion of Lock and Dam 11 in the Upper Mississippi River basin;

(3) monitor and evaluate, in cooperation with the Director of the United States Fish and Wildlife Service, the effectiveness of the project in preventing and reducing the dispersal of aquatic nuisance species through the Upper Mississippi River system, and report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the results of the evaluation; and

(4) operate and maintain the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $4,000,000 to carry out this section.

SEC. 5017. SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASINS, DELAWARE, MARYLAND, PENNSYLVANIA, AND VIRGINIA.

(a) EX OFFICIO MEMBER.—Notwithstanding section 3001(a) of the 1997 Emergency Supplemental Appropriations Act for Recovery From Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105–18; 111 Stat. 176), section 2.2 of the Susquehanna River Basin Compact (Public Law 91–575), and section 2.2 of the Delaware River Basin Compact (Public Law 87–328), beginning in fiscal year 2002, and each fiscal year thereafter, the Division Engineer, North Atlantic Division, Corps of Engineers—

(1) shall be the ex officio United States member under the Susquehanna River Basin Compact, the Delaware River Basin Compact, and the Potomac River Basin Compact;

(2) shall serve without additional compensation; and

(3) may designate an alternate member in accordance with the terms of those compacts.

(b) AUTHORIZATION TO ALLOCATE.—The Secretary shall allocate funds to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin (Potomac River Basin Compact (Public Law 91–407)) to fulfill the equitable funding requirements of the respective interstate compacts.

(c) WATER SUPPLY AND CONSERVATION STORAGE, DELAWARE RIVER BASIN.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the Delaware River Basin Commission to provide temporary water supply and conservation storage at the Francis E. Walter Dam, Pennsylvania, for any period during which the Commission has determined that a drought warning or drought emergency exists.

(2) LIMITATION.—The agreement shall provide that the cost for water supply and conservation storage under paragraph (1) shall not exceed the incremental operating costs associated with providing the storage.

(d) WATER SUPPLY AND CONSERVATION STORAGE, SUSQUEHANNA RIVER BASIN.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the Susquehanna River Basin Commission to provide temporary water supply and conservation storage at Federal facilities operated by the Corps of Engineers in the Susquehanna River Basin for any period for which the Commission has determined that a drought warning or drought emergency exists.

(2) LIMITATION.—The agreement shall provide that the cost for water supply and conservation storage under paragraph (1) shall not exceed the incremental operating costs associated with providing the storage.

(e) WATER SUPPLY AND CONSERVATION STORAGE, POTOMAC RIVER BASIN.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the Potomac River Basin Commission to provide temporary water supply and conservation storage at Federal facilities operated by the Corps of Engineers in the Potomac River Basin for any period for which the Commission has determined that a drought warning or drought emergency exists.

(2) LIMITATION.—The agreement shall provide that the cost for water supply and conservation storage under paragraph (1) shall not exceed the incremental operating costs associated with providing the storage.

SEC. 5018. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

(a) FORM OF ASSISTANCE.—Section 510(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3759) is amended by striking ", and beneficial uses of dredged material" and inserting ", beneficial uses of dredged material, and restoration of submerged aquatic vegetation".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 510(i) of such Act (110 Stat. 3761) is amended by striking "$10,000,000" and inserting "$50,000,000".

SEC. 5019. HYPOXIA ASSESSMENT.

The Secretary may participate with Federal, State, and local agencies, non-Federal and nonprofit entities, regional researchers, and other interested parties to assess hypoxia in the Gulf of Mexico.

SEC. 5020. POTOMAC RIVER WATERSHED ASSESSMENT AND TRIBUTARY STRATEGY EVALUATION AND MONITORING PROGRAM.

The Secretary may participate in the Potomac River Watershed Assessment and Tributary Strategy Evaluation and Monitoring Program to identify a series of resource management indicators to accurately monitor the effectiveness of the implementation of the agreed upon tributary strategies and other public policies that pertain to natural resource protection of the Potomac River watershed.

SEC. 5021. LOCK AND DAM SECURITY.

(a) STANDARDS.—The Secretary, in consultation with the Federal Emergency Management Agency, the Tennessee Valley Authority, and the Coast Guard, shall develop standards for the security of locks and dams, including the testing and certification of vessel exclusion barriers.

(b) SITE SURVEYS.—At the request of a lock or dam owner, the Secretary shall provide technical assistance, on a reimbursable basis, to improve lock or dam security.

(c) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with a nonprofit alliance of public and private organizations that has the mission of promoting safe waterways and seaports to carry out testing and certification activities, and to perform site surveys, under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $3,000,000 to carry out this section.

SEC. 5022. REHABILITATION.

The Secretary, at Federal expense and not to exceed $1,000,000, shall rehabilitate and improve the water-related infrastructure and the transportation infrastructure for the historic property in the Anacostia River Watershed located in the District of Columbia, including measures to address wet weather conditions. To carry out this section, the Secretary shall accept funds provided for such project under any other Federal program.

SEC. 5023. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVER SALMON SURVIVAL.

Section 511 of the Water Resources Development Act of 1996 (16 U.S.C. 3301 note; 110 Stat. 3761; 113 Stat. 375) is amended—

(1) in subsection (a)(6) by striking "$10,000,000" and inserting "$25,000,000"; and

(2) in subsection (c)(2) by striking "$1,000,000" and inserting "$10,000,000".

SEC. 5024. AUBURN, ALABAMA.

The Secretary may provide technical assistance relating to water supply to the city of Auburn, Alabama. There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5025. PINHOOK CREEK, HUNTSVILLE, ALABAMA.

(a) PROJECT AUTHORIZATION.—The Secretary shall design and construct the locally preferred plan for flood protection at Pinhook Creek, Huntsville, Alabama. In carrying out the project, the Secretary shall utilize, to the extent practicable, the existing detailed project report for the project prepared under the authority of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(b) PARTICIPATION BY NON-FEDERAL INTEREST.—The Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 5026. ALASKA.

Section 570 of the Water Resources Development Act of 1999 (113 Stat. 369) is amended—

(1) in subsection (c) by inserting "environmental restoration," after "water supply and related facilities,";

(2) in subsection (e)(3)(B) by striking the last sentence;

(3) in subsection (h) by striking "$25,000,000" and inserting "$45,000,000"; and

(4) by adding at the end the following:

"(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

"(j) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.".

SEC. 5027. BARROW, ALASKA.

The Secretary shall carry out, under section 117 of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2944), a nonstructural project for coastal erosion and storm damage prevention and reduction at Barrow, Alaska, including relocation of infrastructure.

SEC. 5028. COFFMAN COVE, ALASKA.

The Secretary is authorized to carry out a project for navigation, Coffman Cove, Alaska, at a total cost of $3,000,000.

SEC. 5029. FIRE ISLAND, ALASKA.

(a) IN GENERAL.—The Secretary is authorized to provide planning, design, and construction assistance to the non-Federal interest for the construction of a causeway between Point Campbell and Fire Island, Alaska, including the beneficial use of dredged material in the construction of the causeway.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5030. FORT YUKON, ALASKA.

The Secretary shall make repairs to the dike at Fort Yukon, Alaska, so that the dike meets Corps of Engineers standards.

SEC. 5031. KOTZEBUE HARBOR, ALASKA.

The Secretary is authorized to carry out a project for navigation, Kotzebue Harbor, Kotzebue, Alaska, at total cost of $2,200,000.

SEC. 5032. LOWELL CREEK TUNNEL, SEWARD, ALASKA.

(a) LONG-TERM MAINTENANCE AND REPAIR.—The Secretary shall assume responsibility for the long-term maintenance and repair of the Lowell Creek Tunnel.

(b) STUDY.—The Secretary shall conduct a study to determine whether alternative methods of flood diversion in Lowell Canyon are feasible.

SEC. 5033. ST. HERMAN AND ST. PAUL HARBORS, KODIAK, ALASKA.

The Secretary shall carry out, on an emergency basis, necessary removal of rubble, sediment, and rock impeding the entrance to the St. Herman and St. Paul Harbors, Kodiak, Alaska, at a Federal cost of $2,000,000.

SEC. 5034. TANANA RIVER, ALASKA.

The Secretary shall carry out, on an emergency basis, the removal of the hazard to navigation on the Tanana River, Alaska, near the mouth of the Chena River, as described in the January 3, 2005, memorandum from the Commander, Seventeenth Coast Guard District, to the Corps of Engineers, Alaska District, Anchorage, Alaska.

SEC. 5035. VALDEZ, ALASKA.

The Secretary is authorized to construct a small boat harbor in Valdez, Alaska, at a total cost of $20,000,000, with an estimated Federal cost of $10,500,000 and an estimated non-Federal cost of $9,500,000.

SEC. 5036. WHITTIER, ALASKA.

(a) STUDY.—The Secretary shall conduct, at Federal expense, a study to determine the feasibility of carrying out projects for navigation at Whittier, Alaska, to construct a new boat harbor at the head of Whittier Bay and to expand the existing harbor and, if the Secretary determines that a project is feasible, the Secretary may carry out the project.

(b) NON-FEDERAL COST SHARE.—The non-Federal interest for the project may use, and the Secretary shall accept, funds provided by a Federal agency under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of the project if such funds are authorized to be used to carry out the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $35,200,000.

SEC. 5037. WRANGELL HARBOR, ALASKA.

(a) GENERAL NAVIGATION FEATURES.—In carrying out the project for navigation, Wrangell Harbor, Alaska, authorized by section 101(b)(1) of the Water Resources Development Act of 1999 (113 Stat. 279), the Secretary shall consider the dredging of the mooring basin and construction of the inner harbor facilities to be general navigation features for purposes of estimating the non-Federal share of project costs.

(b) REVISION OF PARTNERSHIP AGREEMENT.—The Secretary shall revise the partnership agreement for the project to reflect the change required by subsection (a).

SEC. 5038. AUGUSTA AND CLARENDON, ARKANSAS.

(a) IN GENERAL.—The Secretary is authorized to perform operation, maintenance, and rehabilitation of authorized and completed levees on the White River between Augusta and Clarendon, Arkansas.

(b) REIMBURSEMENT.—After performing the operation, maintenance, and rehabilitation under subsection (a), the Secretary shall seek reimbursement from the Secretary of the Interior of an amount equal to the costs allocated to benefits to a Federal wildlife refuge of such operation, maintenance, and rehabilitation.

SEC. 5039. DES ARC LEVEE PROTECTION, ARKANSAS.

The Secretary shall review the project for flood control, Des Arc, Arkansas, to determine whether bank and channel scour along the White River threaten the existing project and whether the scour is as a result of a design deficiency. If the Secretary determines that such conditions exist as a result of a deficiency, the Secretary shall carry out measures to eliminate the deficiency.

SEC. 5040. LOOMIS LANDING, ARKANSAS.

The Secretary shall conduct a study of shore damage in the vicinity of Loomis Landing, Arkansas, to determine if the damage is the result of a Federal navigation project, and, if the Secretary determines that the damage is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the damage under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

SEC. 5041. ST. FRANCIS RIVER BASIN, ARKANSAS AND MISSOURI.

The Secretary shall conduct a study of increased siltation and streambank erosion in the St. Francis River Basin, Arkansas and Missouri, to determine if the siltation or erosion, or both, are the result of a Federal flood control project and, if the Secretary determines that the siltation or erosion, or both, are the result of a Federal

flood control project, the Secretary shall carry out a project to mitigate the siltation or erosion, or both.

SEC. 5042. CAMBRIA, CALIFORNIA.

Section 219(f)(48) of the Water Resources Development Act of 1992 (114 Stat. 2763A–220) is amended—

(1) by striking "$10,300,000" and inserting the following:

"(A) IN GENERAL.—$10,300,000";

(2) by adding at the end the following:

"(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project not to exceed $3,000,000 for the cost of planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project."; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5043. CONTRA COSTA CANAL, OAKLEY AND KNIGHTSEN, CALIFORNIA; MALLARD SLOUGH, PITTSBURG, CALIFORNIA.

Sections 512 and 514 of the Water Resources Development Act of 2000 (114 Stat. 2650) are each amended by adding at the end the following: "All planning, study, design, and construction on the project shall be carried out by the office of the district engineer, San Francisco, California.".

SEC. 5044. DANA POINT HARBOR, CALIFORNIA.

The Secretary shall conduct a study of the causes of water quality degradation within Dana Point Harbor, California, to determine if the degradation is the result of a Federal navigation project, and, if the Secretary determines that the degradation is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the degradation at Federal expense.

SEC. 5045. EAST SAN JOAQUIN COUNTY, CALIFORNIA.

Section 219(f)(22) of the Water Resources Development Act of 1992 (113 Stat. 336) is amended—

(1) by striking "$25,000,000" and inserting the following:

"(A) IN GENERAL.—$25,000,000";

(2) by adding at the end the following:

"(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project (i) the cost of design and construction work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and (ii) the cost of provided for the project by the non-Federal interest.

"(C) IN-KIND CONTRIBUTIONS.—The non-Federal interest may provide any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials."; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5046. EASTERN SANTA CLARA BASIN, CALIFORNIA.

Section 111(c) of the Miscellaneous Appropriations Act, 2001 (as enacted into law by Public Law 106–554; 114 Stat. 2763A–224) is amended—

(1) by striking "$25,000,000" and inserting "$28,000,000"; and

(2) by striking "$7,000,000" and inserting "$10,000,000".

SEC. 5047. LOS OSOS, CALIFORNIA.

Section 219(c)(27) of the Water Resources Development Act of 1992 (106 Stat. 4835; 114 Stat. 2763A–219) is amended to read as follows:

"(27) LOS OSOS, CALIFORNIA.—Wastewater infrastructure, Los Osos, California.".

SEC. 5048. PINE FLAT DAM AND RESERVOIR, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall review the Kings River Fisheries Management Program Framework Agreement, dated May 29, 1999, among the California Department of Fish and Game, the Kings River Water Association, and the Kings River Conservation District and, if the Secretary determines that the management program is feasible, the Secretary may participate in the management program.

(b) PROHIBITION.—Nothing in this section authorizes any project for the raising of, or the construction of, a multilevel intake structure at Pine Flat Dam, California.

(c) USE OF EXISTING STUDIES.—In carrying out this section, the Secretary shall use, to the maximum extent practicable, studies in existence on the date of enactment of this Act, including data and environmental documentation in the Report of the Chief of Engineers, Pine Flat Dam and Reservoir, Fresno County, California, dated July 19, 2002.

(d) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to $20,000,000 to carry out this section.

SEC. 5049. RAYMOND BASIN, SIX BASINS, CHINO BASIN, AND SAN GABRIEL BASIN, CALIFORNIA.

(a) COMPREHENSIVE PLAN.—The Secretary, in consultation and coordination with appropriate Federal, State, and local entities, shall develop a comprehensive plan for the management of water resources in the Raymond Basin, Six Basins, Chino Basin, and San Gabriel Basin, California. The Secretary may carry out activities identified in the comprehensive plan to demonstrate practicable alternatives for water resources management.

(b) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of activities carried out under this section shall be 35 percent.

(2) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of activities carried out under this section the cost of planning, design, and construction work completed by or on behalf of the non-Federal interests for implementation of measures under this section. The amount of such credit shall not exceed the non-Federal share of the cost of such activities.

(3) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of operation and maintenance of any measures constructed under this section shall be 100 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000.

SEC. 5050. SAN FRANCISCO, CALIFORNIA.

(a) IN GENERAL.—The Secretary, in cooperation with the Port of San Francisco, California, may carry out the project for repair and removal, as appropriate, of Piers 30-32, 35, 36, 70 (including Wharves 7 and 8), and 80 in San Francisco, California, substantially in accordance with the Port's redevelopment plan.

(b) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated $25,000,000 to carry out this subsection.

SEC. 5051. SAN FRANCISCO, CALIFORNIA, WATERFRONT AREA.

(a) AREA TO BE DECLARED NONNAVIGABLE; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the boundaries of the portion of the San Francisco, California, waterfront area described in subsection (b) are not in the public interest, such portion is declared to be nonnavigable waters of the United States.

(b) NORTHERN EMBARCADERO SOUTH OF BRYANT STREET.—The portion of the San Francisco, California, waterfront area referred to in subsection (a) is as follows: Beginning at the intersection of the northeasterly prolongation of that portion of the northwesterly line of Bryant Street lying between Beale Street and Main Street with the southwesterly line of Spear Street, which intersection lies on the line of jurisdiction of the San Francisco Port Commission; following thence southerly along said line of jurisdiction as described in the State of California Harbor and Navigation Code Section 1770, as amended in 1961, to its intersection with the easterly line of Townsend Street along a line that is parallel and distant 10 feet southerly from the existing southern boundary of Pier 40 produced to its point of intersection with the United States Government pier-head line; thence northerly along said pier-head line to its intersection with a line parallel with, and distant 10 feet easterly from, the existing easterly boundary line of Pier 30–32; thence northerly along said parallel line and its northerly prolongation, to a point of intersection with a line parallel with, and distant 10 feet northerly from, the existing northerly boundary of Pier 30–32, thence westerly along last said parallel line to its intersection with the United States Government pier-head line; to the northwesterly line of Bryant Street produced northwesterly; thence southwesterly along said northwesterly line of Bryant Street produced to the point of beginning.

(c) REQUIREMENT THAT AREA BE IMPROVED.—The declaration of nonnavigability under subsection (a) applies only to those parts of the area described in subsection

(b) that are or will be bulkheaded, filled, or otherwise occupied by permanent structures and does not affect the applicability of any Federal statute or regulation applicable to such parts the day before the date of enactment of this Act, including sections 9 and 10 of the Act of March 3, 1899 (33 U.S.C. 401 and 403; 30 Stat. 1151), commonly known as the Rivers and Harbors Appropriation Act of 1899, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) EXPIRATION DATE.—If, 20 years from the date of enactment of this Act, any area or part thereof described in subsection (b) is not bulkheaded or filled or occupied by permanent structures, including marina facilities, in accordance with the requirements set out in subsection (c), or if work in connection with any activity permitted in subsection (c) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

SEC. 5052. SAN PABLO BAY, CALIFORNIA, WATERSHED AND SUISUN MARSH ECOSYSTEM RESTORATION.

(a) SAN PABLO BAY WATERSHED, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall complete work, as expeditiously as possible, on the ongoing San Pablo Bay watershed, California, study to determine the feasibility of opportunities for restoring, preserving and protecting the San Pablo Bay watershed.

(2) REPORT.—Not later than March 31, 2008, the Secretary shall submit to Congress a report on the results of the study.

(b) SUISUN MARSH, CALIFORNIA.—The Secretary shall conduct a comprehensive study to determine the feasibility of opportunities for restoring, preserving and protecting the Suisun Marsh, California.

(c) SAN PABLO AND SUISUN BAY MARSH WATERSHED CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary may participate in critical restoration projects that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits in the following sub-watersheds of the San Pablo and Suisun Bay Marsh watersheds:

(A) The tidal areas of the Petaluma River, Napa-Sonoma Marsh.

(B) The shoreline of West Contra Costa County.

(C) Novato Creek.

(D) Suisun Marsh.

(E) Gallinas-Miller Creek.

(2) TYPES OF ASSISTANCE.—Participation in critical restoration projects under this subsection may include assistance for planning, design, or construction.

(d) NON-FEDERAL INTERESTS.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

(e) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of construction of a project under this section—

(1) the value of any lands, easements, rights-of-way, dredged material disposal areas, or relocations provided by the non-Federal interest for carrying out the project, regardless of the date of acquisition;

(2) funds received from the CALFED Bay-Delta program; and

(3) the cost of the studies, design, and construction work carried out by the non-Federal interest before the date of execution of a partnership agreement for the project if the Secretary determines that the work is integral to the project.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 5053. STOCKTON, CALIFORNIA.

(a) REEVALUATION.—The Secretary shall reevaluate the feasibility of the Lower Mosher Slough element and the levee extensions on the Upper Calaveras River element of the project for flood control, Stockton Metropolitan Area, California, carried out under section 211(f)(3) of the Water Resources Development Act of 1996 (110 Stat. 3683), to determine the eligibility of such elements for reimbursement under section 211 of such Act (33 U.S.C. 701b–13).

(b) SPECIAL RULES FOR REEVALUATION.—In conducting the reevaluation under subsection (a), the Secretary shall not reject a feasibility determination based on one or more of the policies of the Corps of Engineers concerning the frequency of flooding, the drainage area, and the amount of runoff.

(c) REIMBURSEMENT.—If the Secretary determines that the elements referred to subsection (a) are feasible, the Secretary shall reimburse, subject to appropriations,

the non-Federal interest under section 211 of the Water Resources Development Act of 1996 for the Federal share of the cost of such elements.

SEC. 5054. CHARLES HERVEY TOWNSHEND BREAKWATER, NEW HAVEN HARBOR, CONNECTICUT.

(a) DESIGNATION.—The western breakwater for the project for navigation, New Haven Harbor, Connecticut, authorized by the first section of the Act of September 19, 1890 (26 Stat. 426), shall be known and designated as the "Charles Hervey Townshend Breakwater".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the breakwater referred to in subsection (a) shall be deemed to be a reference to the "Charles Hervey Townshend Breakwater".

SEC. 5055. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

Section 109 of the Miscellaneous Appropriations Act, 2001 (enacted into law by Public Law 106–554) (114 Stat. 2763A–222) is amended—

(1) by adding at the end of subsection (e)(2) the following:

"(C) CREDIT FOR WORK PRIOR TO EXECUTION OF THE PARTNERSHIP AGREEMENT.—The Secretary shall credit toward the non-Federal share of the cost of the project—

"(i) the cost of construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

"(ii) the cost of land acquisition carried out by the non-Federal interest for projects to be carried out under this section."; and

(2) in subsection (f) by striking "$100,000,000" and inserting "$100,000,000, of which not more than $15,000,000 may be used to provide planning, design, and construction assistance to the Florida Keys Aqueduct Authority for a water treatment plant, Florida City, Florida".

SEC. 5056. LAKE WORTH, FLORIDA.

The Secretary may carry out necessary repairs for the Lake Worth bulkhead replacement project, West Palm Beach, Florida, at an estimated total cost of $9,000,000.

SEC. 5057. RILEY CREEK RECREATION AREA, IDAHO.

The Secretary is authorized to carry out the Riley Creek Recreation Area Operation Plan of the Albeni Falls Management Plan, dated October 2001, for the Riley Creek Recreation Area, Albeni Falls Dam, Bonner County, Idaho.

SEC. 5058. RECONSTRUCTION OF ILLINOIS FLOOD PROTECTION PROJECTS.

(a) IN GENERAL.—The Secretary may participate in the reconstruction of an eligible flood control project if the Secretary determines that such reconstruction is not required as a result of improper operation and maintenance of the project by the non-Federal interest.

(b) COST SHARING.—The non-Federal share of the costs for the reconstruction of a flood control project authorized by this section shall be the same non-Federal share that was applicable to construction of the project. The non-Federal interest shall be responsible for operation and maintenance and repair of a project for which reconstruction is undertaken under this section.

(c) RECONSTRUCTION DEFINED.—In this section, the term "reconstruction", as used with respect to a project, means addressing major project deficiencies caused by long-term degradation of the foundation, construction materials, or engineering systems or components of the project, the results of which render the project at risk of not performing in compliance with its authorized project purposes. In addressing such deficiencies, the Secretary may incorporate current design standards and efficiency improvements, including the replacement of obsolete mechanical and electrical components at pumping stations, if such incorporation does not significantly change the scope, function, and purpose of the project as authorized.

(d) ELIGIBLE PROJECTS.—The following flood control projects are eligible for reconstruction under this section:

(1) Clear Creek Drainage and Levee District, Illinois.

(2) Fort Chartres and Ivy Landing Drainage District, Illinois.

(3) Cairo, Illinois Mainline Levee, Cairo, Illinois.

(4) Goose Pond Pump Station, Cairo, Illinois.

(5) Cottonwood Slough Pump Station, Alexander County, Illinois.

(6) 10th and 28th Street Pump Stations, Cairo, Illinois.

(7) Prairie Du Pont Levee and Sanitary District, including Fish Lake Drainage and Levee District, Illinois.

(8) Flood control levee projects in Brookport, Shawneetown, Old Shawneetown, Golconda, Rosiclare, Harrisburg, and Reevesville, Illinois.

(e) JUSTIFICATION.—The reconstruction of a project authorized by this section shall not be considered a separable element of the project.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated—

(1) $15,000,000 to carry out the projects described in paragraphs (1) through (7) of subsection (d); and

(2) $15,000,000 to carry out the projects described in subsection (d)(8).

Such sums shall remain available until expended.

SEC. 5059. ILLINOIS RIVER BASIN RESTORATION.

(a) EXTENSION OF AUTHORIZATION.—Section 519(c)(2) of the Water Resources Development Act of 2000 (114 Stat. 2654) is amended by striking "2004" and inserting "2010".

(b) IN-KIND SERVICES.—Section 519(g)(3) of such Act (114 Stat. 2655) is amended by inserting before the period at the end of the first sentence "if such services are provided not more than 5 years before the date of initiation of the project or activity".

(c) NONPROFIT ENTITIES AND MONITORING.—Section 519 of such Act (114 Stat. 2654) is amended by adding at the end the following:

"(h) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity, with the consent of the affected local government.

"(i) MONITORING.—The Secretary shall develop an Illinois river basin monitoring program to support the plan referred to in subsection (b). Data collected under the monitoring program shall incorporate data provided by the State of Illinois and shall be publicly accessible through electronic means.".

SEC. 5060. KASKASKIA RIVER BASIN, ILLINOIS, RESTORATION.

(a) KASKASKIA RIVER BASIN DEFINED.—In this section, the term "Kaskaskia River Basin" means the Kaskaskia River, Illinois, its backwaters, its side channels, and all tributaries, including their watersheds, draining into the Kaskaskia River.

(b) COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, as expeditiously as practicable, a comprehensive plan for the purpose of restoring, preserving, and protecting the Kaskaskia River Basin.

(2) TECHNOLOGIES AND INNOVATIVE APPROACHES.—The comprehensive plan shall provide for the development of new technologies and innovative approaches—

(A) to enhance the Kaskaskia River as a transportation corridor;

(B) to improve water quality within the entire Kaskaskia River Basin;

(C) to restore, enhance, and preserve habitat for plants and wildlife;

(D) to ensure aquatic integrity of sidechannels and backwaters and their connectivity with the mainstem river;

(E) to increase economic opportunity for agriculture and business communities; and

(F) to reduce the impacts of flooding to communities and landowners.

(3) SPECIFIC COMPONENTS.—The comprehensive plan shall include such features as are necessary to provide for—

(A) the development and implementation of a program for sediment removal technology, sediment characterization, sediment transport, and beneficial uses of sediment;

(B) the development and implementation of a program for the planning, conservation, evaluation, and construction of measures for fish and wildlife habitat conservation and rehabilitation, and stabilization and enhancement of land and water resources in the basin;

(C) the development and implementation of a long-term resource monitoring program;

(D) a conveyance study of the Kaskaskia River floodplain from Vandalia, Illinois, to Carlyle Lake to determine the impacts of existing and future waterfowl improvements on flood stages, including detailed surveys and mapping information to ensure proper hydraulic and hydrological analysis;

(E) the development and implementation of a computerized inventory and analysis system; and

(F) the development and implementation of a systemic plan to reduce flood impacts by means of ecosystem restoration projects.

(4) CONSULTATION.—The comprehensive plan shall be developed by the Secretary in consultation with appropriate Federal agencies, the State of Illinois, and the Kaskaskia River Watershed Association.

(5) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the comprehensive plan.

(6) ADDITIONAL STUDIES AND ANALYSES.—After transmission of a report under paragraph (5), the Secretary shall conduct studies and analyses of projects related to the comprehensive plan that are appropriate and consistent with this subsection.

(c) GENERAL PROVISIONS.—

(1) WATER QUALITY.—In carrying out activities under this section, the Secretary's recommendations shall be consistent with applicable State water quality standards.

(2) PUBLIC PARTICIPATION.—In developing the comprehensive plan under subsection (b), the Secretary shall implement procedures to facilitate public participation, including providing advance notice of meetings, providing adequate opportunity for public input and comment, maintaining appropriate records, and making a record of the proceedings of meetings available for public inspection.

(d) CRITICAL PROJECTS AND INITIATIVES.—If the Secretary, in cooperation with appropriate Federal agencies and the State of Illinois, determines that a project or initiative for the Kaskaskia River Basin will produce independent, immediate, and substantial benefits, the Secretary may proceed expeditiously with the implementation of the project.

(e) COORDINATION.—The Secretary shall integrate activities carried out under this section with ongoing Federal and State programs, projects, and activities, including the following:

(1) Farm programs of the Department of Agriculture.

(2) Conservation Reserve Enhancement Program (State of Illinois) and Conservation 2000 Ecosystem Program of the Illinois Department of Natural Resources.

(3) Conservation 2000 Conservation Practices Program and the Livestock Management Facilities Act administered by the Illinois Department of Agriculture.

(4) National Buffer Initiative of the Natural Resources Conservation Service.

(5) Nonpoint source grant program administered by the Illinois Environmental Protection Agency.

(6) Other programs that may be developed by the State of Illinois or the Federal Government, or that are carried out by non-profit organizations, to carry out the objectives of the Kaskaskia River Basin Comprehensive Plan.

(f) IN-KIND SERVICES.—The Secretary may credit the cost of in-kind services provided by the non-Federal interest for an activity carried out under this section toward not more than 80 percent of the non-Federal share of the cost of the activity. In-kind services shall include all State funds expended on programs that accomplish the goals of this section, as determined by the Secretary. The programs may include the Kaskaskia River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Kaskaskia River Basin.

SEC. 5061. FLOODPLAIN MAPPING, LITTLE CALUMET RIVER, CHICAGO, ILLINOIS.

(a) IN GENERAL.—The Secretary shall provide assistance for a project to develop maps identifying 100- and 500-year flood inundation areas along the Little Calumet River, Chicago, Illinois.

(b) REQUIREMENTS.—Maps developed under the project shall include hydrologic and hydraulic information and shall accurately show the flood inundation of each property by flood risk in the floodplain. The maps shall be produced in a high resolution format and shall be made available to all flood prone areas along the Little Calumet River, Chicago, Illinois, in an electronic format.

(c) PARTICIPATION OF FEMA.—The Secretary and the non-Federal interests for the project shall work with the Director of the Federal Emergency Management Agency to ensure the validity of the maps developed under the project for flood insurance purposes.

(d) FORMS OF ASSISTANCE.—In carrying out the project, the Secretary may enter into contracts or cooperative agreements with the non-Federal interests or provide reimbursements of project costs.

(e) FEDERAL SHARE.—The Federal share of the cost of the project shall be 50 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000.

SEC. 5062. PROMONTORY POINT, LAKE MICHIGAN, ILLINOIS.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary may carry out a third-party review of the Promontory Point project along the Chicago Shoreline, Chicago, Illinois, at a cost not to exceed $450,000.

(2) JOINT REVIEW.—The Buffalo and Seattle districts of the Corps of Engineers shall jointly conduct the review.

(3) STANDARDS.—The review shall be based on the standards under part 68 of title 36, Code of Federal Regulations, for implementation by the non-Federal sponsor for the Chicago Shoreline, Chicago, Illinois, project.

(b) CONTRIBUTIONS.—The Secretary shall accept from a State or political subdivision of a State voluntarily contributed funds to initiate the third-party review under subsection (a).

(c) EFFECT OF SECTION.—Nothing in this section affects the authorization for the project for the Chicago Shoreline, Chicago, Illinois.

SEC. 5063. BURNS WATERWAY HARBOR, INDIANA.

The Secretary shall conduct a study of shoaling in the vicinity of Burns Waterway Harbor, Indiana, to determine if the shoaling is the result of a Federal navigation project, and, if the Secretary determines that the shoaling is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the shoaling under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426).

SEC. 5064. CALUMET REGION, INDIANA.

Section 219(f)(12) of the Water Resources Development Act of 1992 (113 Stat. 335; 117 Stat. 1843) is amended—

(1) by striking "$30,000,000" and inserting the following:

"(A) IN GENERAL.—$100,000,000";

(2) by adding at the end the following:

"(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project."; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5065. PADUCAH, KENTUCKY.

The Secretary shall complete a feasibility report for rehabilitation of the project for flood damage reduction, Paducah, Kentucky, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project at a total cost of $3,000,000.

SEC. 5066. SOUTHERN AND EASTERN KENTUCKY.

Section 531 of the Water Resources Development Act of 1996 (110 Stat. 3773; 113 Stat. 348; 117 Stat. 142) is amended by adding the following:

"(i) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.".

SEC. 5067. WINCHESTER, KENTUCKY.

Section 219(c) of the Water Resources Development Act of 1992 (106 Stat. 4835; 114 Stat. 2763A–219) is amended by adding at the end the following:

"(41) WINCHESTER, KENTUCKY.—Wastewater infrastructure, Winchester, Kentucky.".

SEC. 5068. BATON ROUGE, LOUISIANA.

Section 219(f)(21) of the Water Resources Development Act of 1992 (113 Stat. 336; 114 Stat. 2763A–220) is amended by striking "$20,000,000" and inserting "$35,000,000".

SEC. 5069. CALCASIEU SHIP CHANNEL, LOUISIANA.

The Secretary shall expedite completion of a dredged material management plan for the Calcasieu Ship Channel, Louisiana, and may take interim measures to increase the capacity of existing disposal areas, or to construct new confined or beneficial use disposal areas, for the channel.

SEC. 5070. CROSS LAKE, SHREVEPORT, LOUISIANA.

The Secretary may accept from the Department of the Air Force, and may use, not to exceed $4,500,000 to assist the city of Shreveport, Louisiana, with its plan to construct a water intake facility.

SEC. 5071. WEST BATON ROUGE PARISH, LOUISIANA.

(a) MODIFICATION OF STUDY.—The study for waterfront and riverine preservation, restoration, and enhancement, Mississippi River, West Baton Rouge Parish, Louisiana, being carried out under Committee Resolution 2570 of the Committee on Transportation and Infrastructure of the House of Representatives adopted July 23, 1998, is modified—

(1) to add West Feliciana Parish and East Baton Rouge Parish to the geographic scope of the study; and

(2) to direct the Secretary to credit toward the non-Federal share the cost of the study and the non-Federal share of the cost of any project authorized by law as a result of the study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the study or project, as the case may be.

(b) EXPEDITED CONSIDERATION.—Section 517(5) of the Water Resources Development Act of 1999 (113 Stat. 345) is amended to read as follows:

"(5) Mississippi River, West Baton Rouge, West Feliciana, and East Baton Rouge Parishes, Louisiana, project for waterfront and riverine preservation, restoration, and enhancement modifications.".

SEC. 5072. CHARLESTOWN, MARYLAND.

(a) IN GENERAL.—The Secretary may carry out a project for nonstructural flood damage reduction and ecosystem restoration at Charlestown, Maryland.

(b) LAND ACQUISITION.—The flood damage reduction component of the project may include the acquisition of private property from willing sellers.

(c) JUSTIFICATION.—Any nonstructural flood damage reduction project to be carried out under this section that will result in the conversion of property to use for ecosystem restoration and wildlife habitat shall be justified based on national ecosystem restoration benefits.

(d) USE OF ACQUIRED PROPERTY.—Property acquired under this section shall be maintained in public ownership for ecosystem restoration and wildlife habitat.

(e) ABILITY TO PAY.—In determining the appropriate non-Federal cost share for the project, the Secretary shall determine the ability of Cecil County, Maryland, to participate as a cost-sharing non-Federal interest in accordance with section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 to carry out this section.

SEC. 5073. ANACOSTIA RIVER, DISTRICT OF COLUMBIA AND MARYLAND.

(a) COMPREHENSIVE ACTION PLAN.—Not later than one year after the date of enactment of this Act, the Secretary, in coordination with the Mayor of the District of Columbia, the Governor of Maryland, the county executives of Montgomery County and Prince George's County, Maryland, and other interested entities, shall develop and make available to the public a 10-year comprehensive action plan to provide for the restoration and protection of the ecological integrity of the Anacostia River and its tributaries.

(b) PUBLIC AVAILABILITY.—On completion of the comprehensive action plan under subsection (a), the Secretary shall make the plan available to the public, including on the Internet.

SEC. 5074. DELMARVA CONSERVATION CORRIDOR, DELAWARE AND MARYLAND.

(a) ASSISTANCE.—The Secretary may provide technical assistance to the Secretary of Agriculture for use in carrying out the Conservation Corridor Demonstration Program established under subtitle G of title II of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3801 note; 116 Stat. 275).

(b) COORDINATION AND INTEGRATION.—In carrying out water resources projects in Delaware and Maryland on the Delmarva Peninsula, the Secretary shall coordinate and integrate those projects, to the maximum extent practicable, with any activities carried out to implement a conservation corridor plan approved by the Secretary of Agriculture under section 2602 of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3801 note; 116 Stat. 275).

SEC. 5075. MASSACHUSETTS DREDGED MATERIAL DISPOSAL SITES.

The Secretary may cooperate with Massachusetts in the management and long-term monitoring of aquatic dredged material disposal sites within the State, and is authorized to accept funds from the State to carry out such activities.

SEC. 5076. ONTONAGON HARBOR, MICHIGAN.

The Secretary shall conduct a study of shore damage in the vicinity of the project for navigation, Ontonagon Harbor, Ontonagon County, Michigan, authorized by section 101 of the Rivers and Harbors Act of 1962 (76 Stat. 1176, 100 Stat. 4213, 110

Stat. 3730), to determine if the damage is the result of a Federal navigation project, and, if the Secretary determines that the damage is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the damage under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

SEC. 5077. CROOKSTON, MINNESOTA.

The Secretary shall conduct a study for a project for emergency streambank protection along the Red Lake River in Crookston, Minnesota, and, if the Secretary determines that the project is feasible, the Secretary may carry out the project under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r); except that the maximum amount of Federal funds that may be expended for the project shall be $6,500,000.

SEC. 5078. GARRISON AND KATHIO TOWNSHIP, MINNESOTA.

(a) PROJECT DESCRIPTION.—Section 219(f)(61) of the Water Resources Development Act of 1992 (114 Stat. 2763A–221) is amended—

(1) in the paragraph heading by striking "AND KATHIO TOWNSHIP" and inserting ", CROW WING COUNTY, MILLE LACS COUNTY, MILLE LACS INDIAN RESERVATION, AND KATHIO TOWNSHIP";

(2) by striking "$11,000,000" and inserting "$17,000,000";

(3) by inserting ", Crow Wing County, Mille Lacs County, Mille Lacs Indian Reservation (10 Stat. 1165)," after "Garrison"; and

(4) by adding at the end the following: "Such assistance shall be provided directly to the Garrison-Kathio-West Mille Lacs Lake Sanitary District, Minnesota, except for assistance provided directly to the Mille Lacs Band of Ojibwe at the discretion of the Secretary.".

(b) PROCEDURES.—In carrying out the project authorized by such section 219(f)(61), the Secretary may use the cost sharing and contracting procedures available to the Secretary under section 569 of the Water Resources Development Act of 1999 (113 Stat. 368).

SEC. 5079. ITASCA COUNTY, MINNESOTA.

The Secretary shall carry out a project for flood damage reduction, Trout Lake and Canisteo Pit, Itasca County, Minnesota, irrespective of normal policy considerations.

SEC. 5080. MINNEAPOLIS, MINNESOTA.

(a) CONVEYANCE.—The Secretary shall convey to the city of Minneapolis by quitclaim deed and without consideration all right, title, and interest of the United States to the property known as the War Department (Fort Snelling Interceptor) Tunnel in Minneapolis, Minnesota.

(b) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance under this section.

SEC. 5081. NORTHEASTERN MINNESOTA.

(a) IN GENERAL.—Section 569 of the Water Resources Development Act of 1999 (113 Stat. 368) is amended—

(1) in subsection (a) by striking "Benton, Sherburne," and inserting "Beltrami, Hubbard, Wadena,";

(2) by striking the last sentence of subsection (e)(3)(B);

(3) by striking subsection (g) and inserting the following:

"(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity.";

(4) in subsection (h) by striking "$40,000,000" and inserting "$54,000,000"; and

(5) by adding at the end the following:

"(i) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.".

(b) BIWABIK, MINNESOTA.—The Secretary shall reimburse the non-Federal interest for the project for environmental infrastructure, Biwabik, Minnesota, carried out under section 569 of the Water Resources Development Act of 1999 (113 Stat. 368), for planning, design, and construction costs that were incurred by the non-Federal interest with respect to the project before the date of the partnership agreement for the project and that were in excess of the non-Federal share of the cost of the project if the Secretary determines that the costs are appropriate.

SEC. 5082. WILD RICE RIVER, MINNESOTA.

The Secretary shall expedite the completion of the general reevaluation report, authorized by section 438 of the Water Resources Development Act of 2000 (114

Stat. 2640), for the project for flood protection, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), to develop alternatives to the Twin Valley Lake feature, and upon the completion of such report, shall construct the project at a total cost of $20,000,000.

SEC. 5083. HARRISON, HANCOCK, AND JACKSON COUNTIES, MISSISSIPPI.

In carrying out projects for the protection, restoration, and creation of aquatic and ecologically related habitats located in Harrison, Hancock, and Jackson Counties, Mississippi, under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326), the Secretary shall accept any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.

SEC. 5084. MISSISSIPPI RIVER, MISSOURI AND ILLINOIS.

As a part of the operation and maintenance of the project for the Mississippi River (Regulating Works), between the Ohio and Missouri Rivers, Missouri and Illinois, authorized by the first section of an Act entitled "Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved June 25, 1910, the Secretary may carry out activities necessary to restore and protect fish and wildlife habitat in the middle Mississippi River system. Such activities may include modification of navigation training structures, modification and creation of side channels, modification and creation of islands, and studies and analysis necessary to apply adaptive management principles in design of future work.

SEC. 5085. ST. LOUIS, MISSOURI.

Section 219(f)(32) of the Water Resources Development Act of 1992 (113 Stat. 337) is amended—

(1) by striking "project" and inserting "projects";

(2) by striking "$15,000,000" and inserting "$35,000,000"; and

(3) by inserting "and St. Louis County" before ", Missouri".

SEC. 5086. HACKENSACK MEADOWLANDS AREA, NEW JERSEY.

Section 324 of the Water Resources Development Act of 1992 (106 Stat. 4849; 110 Stat. 3779) is amended—

(1) in subsection (a)—

(A) by striking "design" and inserting "planning, design,"; and

(B) by striking "Hackensack Meadowlands Development" and all that follows through "Plan for" and inserting "New Jersey Meadowlands Commission for the development of an environmental improvement program for";

(2) in subsection (b)—

(A) in the subsection heading by striking "REQUIRED";

(B) by striking "shall" and inserting "may";

(C) by striking paragraph (1) and inserting the following:

"(1) Restoration and acquisitions of significant wetlands and aquatic habitat that contribute to the Meadowlands ecosystem.";

(D) in paragraph (2) by inserting "and aquatic habitat" before the period at the end; and

(E) by striking paragraph (7) and inserting the following:

"(7) Research, development, and implementation for a water quality improvement program, including restoration of hydrology and tidal flows and remediation of hot spots and other sources of contaminants that degrade existing or planned sites.";

(3) in subsection (c) by inserting before the last sentence the following: "The non-Federal sponsor may also provide in-kind services, not to exceed the non-Federal share of the total project cost, and may also receive credit for reasonable cost of design work completed prior to entering into the partnership agreement with the Secretary for a project to be carried out under the program developed under subsection (a).."; and

(4) in subsection (d) by striking "$5,000,000" and inserting "$35,000,000".

SEC. 5087. ATLANTIC COAST OF NEW YORK.

(a) DEVELOPMENT OF PROGRAM.—Section 404(a) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended—

(1) by striking "processes" and inserting "and related environmental processes";

(2) by inserting after "Atlantic Coast" the following: "(and associated back bays)";

(3) by inserting after "actions" the following: ", environmental restoration or conservation measures for coastal and back bays,"; and

(4) by adding at the end the following: "The plan for collecting data and monitoring information included in such annual report shall be fully coordinated with and agreed to by appropriate agencies of the State of New York.".

(b) ANNUAL REPORTS.—Section 404(b) of such Act is amended—

(1) by striking "INITIAL PLAN.—Not later than 12 months after the date of the enactment of this Act, the" and inserting "ANNUAL REPORTS.—The";

(2) by striking "initial plan for data collection and monitoring" and inserting "annual report of data collection and monitoring activities"; and

(3) by striking the last sentence.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 404(c) of such Act (113 Stat. 341) is amended by striking "and an additional total of $2,500,000 for fiscal years thereafter" and inserting "$2,500,000 for fiscal years 2000 through 2004, and $7,500,000 for fiscal years beginning after September 30, 2004,".

(d) TSUNAMI WARNING SYSTEM.—Section 404 of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended by adding at the end the following:

"(d) TSUNAMI WARNING SYSTEM.—There is authorized to be appropriated $800,000 for the Secretary to carry out a project for a tsunami warning system, Atlantic Coast of New York.".

SEC. 5088. COLLEGE POINT, NEW YORK CITY, NEW YORK.

In carrying out section 312 of the Water Resources Development Act of 1990 (104 Stat. 4639), the Secretary shall give priority to work in College Point, New York City, New York.

SEC. 5089. FLUSHING BAY AND CREEK, NEW YORK CITY, NEW YORK.

The Secretary shall credit toward the non-Federal share of the cost of the project for ecosystem restoration, Flushing Bay and Creek, New York City, New York, the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 5090. HUDSON RIVER, NEW YORK.

The Secretary may participate with the State of New York, New York City, and the Hudson River Park Trust in carrying out activities to restore critical marine habitat, improve safety, and protect and rehabilitate critical infrastructure. There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5091. MOUNT MORRIS DAM, NEW YORK.

As part of the operation and maintenance of the Mount Morris Dam, New York, the Secretary may make improvements to the access road for the dam to provide safe access to a Federal visitor's center.

SEC. 5092. JOHN H. KERR DAM AND RESERVOIR, NORTH CAROLINA.

The Secretary shall expedite the completion of the calculations necessary to negotiate and execute a revised, permanent contract for water supply storage at John H. Kerr Dam and Reservoir, North Carolina, among the Secretary and the Kerr Lake Regional Water System and the city of Henderson, North Carolina.

SEC. 5093. STANLY COUNTY, NORTH CAROLINA.

Section 219(f)(64) of the Water Resources Development Act of 1992 (114 Stat. 2763A–221) is amended by inserting "water and" before "wastewater".

SEC. 5094. CINCINNATI, OHIO.

(a) IN GENERAL.—The Secretary is authorized to undertake the ecosystem restoration and recreation components of the Central Riverfront Park Master Plan, dated December 1999, at a total cost of $25,000,000.

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 5095. TOUSSAINT RIVER, OHIO.

(a) IN GENERAL.—The project for navigation, Toussaint River, Carroll Township, Ohio, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to authorize the Secretary to enter into an agreement with the non-Federal interest under which the Secretary may—

(1) acquire, and transfer to the non-Federal interest, a dredge and associated equipment with the capacity to perform operation and maintenance of the project; and

(2) provide the non-Federal interest with a lump-sum payment to cover all future costs of operation and maintenance of the project.

(b) AGREEMENT.—The Secretary may carry out subsection (a)(1) by entering into an agreement with the non-Federal interest under which the non-Federal interest may acquire the dredge and associated equipment directly and be reimbursed by the Secretary.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,800,000 to carry out this section. Of such funds, $500,000 may be used to carry out subsection (a)(1).

(d) RELEASE.—Upon the acquisition and transfer of a dredge and associated equipment under subsection (a)(1), and the payment of funds under subsection (a)(2), all future Federal responsibility for operation and maintenance of the project is extinguished.

SEC. 5096. EUGENE, OREGON.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of restoring the millrace in Eugene, Oregon, and, if the Secretary determines that the restoration is feasible, the Secretary shall carry out the restoration.

(b) CONSIDERATION OF NONECONOMIC BENEFITS.—In determining the feasibility of restoring the millrace, the Secretary shall include noneconomic benefits associated with the historical significance of the millrace and associated with preservation and enhancement of resources.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000.

SEC. 5097. FERN RIDGE DAM, OREGON.

The Secretary may treat all work carried out for emergency corrective actions to repair the embankment dam at the Fern Ridge Lake project, Oregon, as a dam safety project. The cost of work carried out may be recovered in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n; 100 Stat. 4263).

SEC. 5098. ALLEGHENY COUNTY, PENNSYLVANIA.

Section 219(f)(66) of the Water Resources Development Act of 1992 (114 Stat. 2763A–221) is amended—

(1) by striking "$20,000,000" and inserting the following:

"(A) IN GENERAL.—$20,000,000";

(2) by adding at the end the following:

"(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project."; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5099. KEHLY RUN DAMS, PENNSYLVANIA.

Section 504(a)(2) of the Water Resources Development Act of 1999 (113 Stat. 338; 117 Stat. 1842) is amended by striking "Dams" and inserting "Dams No. 1–5".

SEC. 5100. LEHIGH RIVER, LEHIGH COUNTY, PENNSYLVANIA.

The Secretary shall use existing water quality data to model the effects of the Francis E. Walter Dam, at different water levels, to determine its impact on water and related resources in and along the Lehigh River in Lehigh County, Pennsylvania. There is authorized to be appropriated $500,000 to carry out this section.

SEC. 5101. NORTHEAST PENNSYLVANIA.

Section 219(f)(11) of the Water Resources Development Act of 1992 (113 Stat. 335) is amended by striking "and Monroe" and inserting "Northumberland, Union, Snyder, Luzerne, and Monroe".

SEC. 5102. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

(a) STUDY AND STRATEGY DEVELOPMENT.—Section 567(a) of the Water Resources Development Act of 1996 (110 Stat. 3787; 114 Stat. 2662) is amended—

(1) in the matter preceding paragraph (1) by inserting "and carry out" after "develop"; and

(2) in paragraph (2) by striking "$10,000,000." and inserting "$20,000,000, of which the Secretary may utilize not more than $5,000,000 to design and construct feasible pilot projects during the development of the strategy to demonstrate alternative approaches for the strategy. The total cost for any single pilot project may not exceed $500,000. The Secretary shall evaluate the results of the pilot projects and consider the results in the development of the strategy.".

(b) COOPERATIVE AGREEMENTS.—Section 567(c) of such Act (114 Stat. 2662) is amended—

(1) in the subsection heading by striking "COOPERATION" and inserting "COOPERATIVE"; and

(2) in the first sentence—

(A) by inserting "and carrying out" after "developing"; and

(B) by striking "cooperation" and inserting "cost-sharing and cooperative".

(c) IMPLEMENTATION OF STRATEGY.—Section 567(d) of such Act (114 Stat. 2663) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary";

(2) in the second sentence of paragraph (1) (as so designated)—

(A) by striking "implement" and inserting "carry out"; and

(B) by striking "implementing" and inserting "carrying out";

(3) by adding at the end the following:

"(2) PRIORITY PROJECT.—In carrying out projects to implement the strategy, the Secretary shall give priority to the project for ecosystem restoration, Cooperstown, New York, described in the Upper Susquehanna River Basin—Cooperstown Area Ecosystem Restoration Feasibility Study, dated December 2004, prepared by the Corps of Engineers and the New York State Department of Environmental Conservation."; and

(4) by aligning the remainder of the text of paragraph (1) (as designated by paragraph (1) of this subsection) with paragraph (2) (as added by paragraph (3) of this subsection).

(d) CREDIT.—Section 567 of such Act (110 Stat. 3787; 114 Stat. 2662) is amended by adding at the end the following:

"(e) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of a project under this section—

"(1) the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

"(2) the cost of in-kind services and materials provided for the project by the non-Federal interest.".

SEC. 5103. CANO MARTIN PENA, SAN JUAN, PUERTO RICO.

The Secretary shall review a report prepared by the non-Federal interest concerning flood protection and environmental restoration for Cano Martin Pena, San Juan, Puerto Rico, and, if the Secretary determines that the report meets the evaluation and design standards of the Corps of Engineers and that the project is feasible, the Secretary may carry out the project at a total cost of $130,000,000, with an estimated Federal cost of $85,000,000 and an estimated non-Federal cost of $45,000,000.

SEC. 5104. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND TERRESTRIAL WILDLIFE HABITAT RESTORATION, SOUTH DAKOTA.

(a) DISBURSEMENT PROVISIONS OF THE STATE OF SOUTH DAKOTA AND THE CHEYENNE RIVER SIOUX TRIBE AND THE LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 602(a)(4) of the Water Resources Development Act of 1999 (113 Stat. 386) is amended—

(1) in subparagraph (A)—

(A) in clause (i) by inserting "and the Secretary of the Treasury" after "Secretary"; and

(B) by striking clause (ii) and inserting the following:

"(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the State of South Dakota funds from the State of South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund established under section 603, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the State of South Dakota after the State certifies to the Secretary of the Treasury that the funds to be disbursed will be used in accordance with section 603(d)(3) and only after the Trust Fund is fully capitalized."; and

(2) in subparagraph (B) by striking clause (ii) and inserting the following:

"(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe funds from the Cheyenne River Sioux Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Terrestrial Wildlife Habitat Restoration Trust Fund, respectively, established under section 604, to be used to carry out the plans for terrestrial wildlife habitat restoration

submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, respectively, to after the respective tribe certifies to the Secretary of the Treasury that the funds to be disbursed will be used in accordance with section 604(d)(3) and only after the Trust Fund is fully capitalized.".

(b) INVESTMENT PROVISIONS OF THE STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE RESTORATION TRUST FUND.—Section 603 of the Water Resources Development Act of 1999 (113 Stat. 388; 114 Stat. 2664) is amended—

(1) by striking subsection (c) and inserting the following:

"(c) INVESTMENTS.—

"(1) ELIGIBLE OBLIGATIONS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) and the interest earned on those amounts only in interest-bearing obligations of the United States issued directly to the Fund.

"(2) INVESTMENT REQUIREMENTS.—

"(A) IN GENERAL.—The Secretary of the Treasury shall invest the amounts in the Fund in accordance with the requirements of this paragraph.

"(B) SEPARATE INVESTMENTS OF PRINCIPAL AND INTEREST.—

"(i) PRINCIPAL ACCOUNT.—The amounts deposited in the Fund under subsection (b) shall be credited to an account within the Fund (referred to in this paragraph as the 'principal account') and invested as provided in subparagraph (C).

"(ii) INTEREST ACCOUNT.—The interest earned from investing amounts in the principal account of the Fund shall be transferred to a separate account within the Fund (referred to in this paragraph as the 'interest account') and invested as provided in subparagraph (D).

"(iii) CREDITING.—The interest earned from investing amounts in the interest account of the Fund shall be credited to the interest account.

"(C) INVESTMENT OF PRINCIPAL ACCOUNT.—

"(i) INITIAL INVESTMENT.—Each amount deposited in the principal account of the Fund shall be invested initially in eligible obligations having the shortest maturity then available until the date on which the amount is divided into 3 substantially equal portions and those portions are invested in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having a 2-year maturity, a 5-year maturity, and a 10-year maturity, respectively.

"(ii) SUBSEQUENT INVESTMENT.—As each 2-year, 5-year, and 10-year eligible obligation matures, the principal of the maturing eligible obligation shall also be invested initially in the shortest-maturity eligible obligation then available until the principal is reinvested substantially equally in the eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having 2-year, 5-year, and 10-year maturities.

"(iii) DISCONTINUANCE OF ISSUANCE OF OBLIGATIONS.—If the Department of the Treasury discontinues issuing to the public obligations having 2-year, 5-year, or 10-year maturities, the principal of any maturing eligible obligation shall be reinvested substantially equally in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations of the maturities longer than 1 year then available.

"(D) INVESTMENT OF INTEREST ACCOUNT.—

"(i) BEFORE FULL CAPITALIZATION.—Until the date on which the Fund is fully capitalized, amounts in the interest account of the Fund shall be invested in eligible obligations that are identical (except for transferability) to publicly issued Treasury obligations that have maturities that coincide, to the maximum extent practicable, with the date on which the Fund is expected to be fully capitalized.

"(ii) AFTER FULL CAPITALIZATION.—On and after the date on which the Fund is fully capitalized, amounts in the interest account of the Fund shall be invested and reinvested in eligible obligations having the shortest maturity then available until the amounts are withdrawn and transferred to fund the activities authorized under subsection (d)(3).

"(E) PAR PURCHASE PRICE.—The price to be paid for eligible obligations purchased as investments of the principal account shall not exceed the par value of the obligations so that the amount of the principal account shall be preserved in perpetuity.

"(F) HIGHEST YIELD.—Among eligible obligations having the same maturity and purchase price, the obligation to be purchased shall be the obligation having the highest yield.

"(G) HOLDING TO MATURITY.—Eligible obligations purchased shall generally be held to their maturities.

"(3) ANNUAL REVIEW OF INVESTMENT ACTIVITIES.—Not less frequently than once each calendar year, the Secretary of the Treasury shall review with the State of South Dakota the results of the investment activities and financial status of the Fund during the preceding 12-month period.

"(4) AUDITS.—

"(A) IN GENERAL.—The activities of the State of South Dakota (referred to in this subsection as the 'State') in carrying out the plan of the State for terrestrial wildlife habitat restoration under section 602(a) shall be audited as part of the annual audit that the State is required to prepare under the Office of Management and Budget Circular A-133 (or a successor circulation).

"(B) DETERMINATION BY AUDITORS.—An auditor that conducts an audit under subparagraph (A) shall—

"(i) determine whether funds received by the State under this section during the period covered by the audit were used to carry out the plan of the State in accordance with this section; and

"(ii) include the determination under clause (i) in the written findings of the audit.

"(5) MODIFICATION OF INVESTMENT REQUIREMENTS.—

"(A) IN GENERAL.—If the Secretary of the Treasury determines that meeting the requirements under paragraph (2) with respect to the investment of a Fund is not practicable, or would result in adverse consequences for the Fund, the Secretary shall modify the requirements, as the Secretary determines to be necessary.

"(B) CONSULTATION.—Before modifying a requirement under subparagraph (A), the Secretary of the Treasury shall consult with the State regarding the proposed modification.";

(2) in subsection (d)(2) by inserting "of the Treasury" after "Secretary"; and

(3) by striking subsection (f) and inserting the following:

"(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury to pay expenses associated with investing the Fund and auditing the uses of amounts withdrawn from the Fund—

"(1) $500,000 for each of fiscal years 2006 and 2007; and

"(2) such sums as are necessary for each subsequent fiscal year.".

(c) INVESTMENT PROVISIONS FOR THE CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TRUST FUNDS.—Section 604 of the Water Resources Development Act of 1999 (113 Stat. 389; 114 Stat. 2665) is amended—

(1) by striking subsection (c) and inserting the following:

"(c) INVESTMENTS.—

"(1) ELIGIBLE OBLIGATIONS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) and the interest earned on those amounts only in interest-bearing obligations of the United States issued directly to the Funds.

"(2) INVESTMENT REQUIREMENTS.—

"(A) IN GENERAL.—The Secretary of the Treasury shall invest the amounts in each of the Funds in accordance with the requirements of this paragraph.

"(B) SEPARATE INVESTMENTS OF PRINCIPAL AND INTEREST.—

"(i) PRINCIPAL ACCOUNT.—The amounts deposited in each Fund under subsection (b) shall be credited to an account within the Fund (referred to in this paragraph as the 'principal account') and invested as provided in subparagraph (C).

"(ii) INTEREST ACCOUNT.—The interest earned from investing amounts in the principal account of each Fund shall be transferred to a separate account within the Fund (referred to in this paragraph as the 'interest account') and invested as provided in subparagraph (D).

"(iii) CREDITING.—The interest earned from investing amounts in the interest account of each Fund shall be credited to the interest account.

"(C) INVESTMENT OF PRINCIPAL ACCOUNT.—

"(i) INITIAL INVESTMENT.—Each amount deposited in the principal account of each Fund shall be invested initially in eligible obligations having the shortest maturity then available until the date on which the amount is divided into 3 substantially equal portions and those portions are invested in eligible obligations that are identical (except for

transferability) to the next-issued publicly issued Treasury obligations having a 2-year maturity, a 5-year maturity, and a 10-year maturity, respectively.

"(ii) SUBSEQUENT INVESTMENT.—As each 2-year, 5-year, and 10-year eligible obligation matures, the principal of the maturing eligible obligation shall also be invested initially in the shortest-maturity eligible obligation then available until the principal is reinvested substantially equally in the eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having 2-year, 5-year, and 10-year maturities.

"(iii) DISCONTINUATION OF ISSUANCE OF OBLIGATIONS.—If the Department of the Treasury discontinues issuing to the public obligations having 2-year, 5-year, or 10-year maturities, the principal of any maturing eligible obligation shall be reinvested substantially equally in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations of the maturities longer than 1 year then available.

"(D) INVESTMENT OF THE INTEREST ACCOUNT.—

"(i) BEFORE FULL CAPITALIZATION.—Until the date on which each Fund is fully capitalized, amounts in the interest account of the Fund shall be invested in eligible obligations that are identical (except for transferability) to publicly issued Treasury obligations that have maturities that coincide, to the maximum extent practicable, with the date on which the Fund is expected to be fully capitalized.

"(ii) AFTER FULL CAPITALIZATION.—On and after the date on which each Fund is fully capitalized, amounts in the interest account of the Fund shall be invested and reinvested in eligible obligations having the shortest maturity then available until the amounts are withdrawn and transferred to fund the activities authorized under subsection (d)(3).

"(E) PAR PURCHASE PRICE.—The price to be paid for eligible obligations purchased as investments of the principal account shall not exceed the par value of the obligations so that the amount of the principal account shall be preserved in perpetuity.

"(F) HIGHEST YIELD.—Among eligible obligations having the same maturity and purchase price, the obligation to be purchased shall be the obligation having the highest yield.

"(G) HOLDING TO MATURITY.—Eligible obligations purchased shall generally be held to their maturities.

"(3) ANNUAL REVIEW OF INVESTMENT ACTIVITIES.—Not less frequently than once each calendar year, the Secretary of the Treasury shall review with the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe (referred to in this subsection as the 'Tribes') the results of the investment activities and financial status of the Funds during the preceding 12-month period.

"(4) AUDITS.—

"(A) IN GENERAL.—The activities of the Tribes in carrying out the plans of the Tribes for terrestrial wildlife habitat restoration under section 602(a) shall be audited as part of the annual audit that the Tribes are required to prepare under the Office of Management and Budget Circular A-133 (or a successor circulation).

"(B) DETERMINATION BY AUDITORS.—An auditor that conducts an audit under subparagraph (A) shall—

"(i) determine whether funds received by the Tribes under this section during the period covered by the audit were used to carry out the plan of the appropriate Tribe in accordance with this section; and

"(ii) include the determination under clause (i) in the written findings of the audit.

"(5) MODIFICATION OF INVESTMENT REQUIREMENTS.—

"(A) IN GENERAL.—If the Secretary of the Treasury determines that meeting the requirements under paragraph (2) with respect to the investment of a Fund is not practicable, or would result in adverse consequences for the Fund, the Secretary shall modify the requirements, as the Secretary determines to be necessary.

"(B) CONSULTATION.—Before modifying a requirement under subparagraph (A), the Secretary of the Treasury shall consult with the Tribes regarding the proposed modification."; and

(2) by striking subsection (f) and inserting the following:

"(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury to pay expenses associated with investing the Funds and auditing the uses of amounts withdrawn from the Funds—

"(1) $500,000 for each of fiscal years 2006 and 2007; and

"(2) such sums as are necessary for each subsequent fiscal year.".

SEC. 5105. FRITZ LANDING, TENNESSEE.

The Secretary shall—

(1) conduct a study of the Fritz Landing Agricultural Spur Levee, Tennessee, to determine the extent of levee modifications that would be required to make the levee and associated drainage structures consistent with Federal standards;

(2) design and construct such modifications; and

(3) after completion of such modifications, incorporate the levee into the project for flood control, Mississippi River and Tributaries, authorized by the Act entitled "An Act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928 (45 Stat. 534–539), commonly known as the "Flood Control Act of 1928".

SEC. 5106. J. PERCY PRIEST DAM AND RESERVOIR, TENNESSEE.

The Secretary shall plan, design, and construct a trail system at the J. Percy Priest Dam and Reservoir, Tennessee, authorized by section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938 (52 Stat. 1217), and adjacent public property, including design and construction of support facilities. In carrying out such improvements, the Secretary is authorized to use funds made available by the State of Tennessee from any Federal or State source, or both.

SEC. 5107. TOWN CREEK, LENOIR CITY, TENNESSEE.

The Secretary shall design and construct the project for flood damage reduction designated as Alternative 4 in the Town Creek, Lenoir City, Loudon County, Tennessee, feasibility report of the Nashville district engineer, dated November 2000, under the authority of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), notwithstanding section 1 of the Flood Control Act of June 22, 1936 (33 U.S.C. 701a; 49 Stat. 1570). The non-Federal share of the cost of the project shall be subject to section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

SEC. 5108. TENNESSEE RIVER PARTNERSHIP.

(a) IN GENERAL.—As part of the operation and maintenance of the project for navigation, Tennessee River, Tennessee, Alabama, Mississippi, and Kentucky, authorized by the first section of the River and Harbor Act of July 3, 1930 (46 Stat. 927), the Secretary may enter into a partnership with a nonprofit entity to remove debris from the Tennessee River in the vicinity of Knoxville, Tennessee, by providing a vessel to such entity, at Federal expense, for such debris removal purposes.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000.

SEC. 5109. UPPER MISSISSIPPI EMBAYMENT, TENNESSEE, ARKANSAS, AND MISSISSIPPI.

The Secretary may participate with non-Federal and nonprofit entities to address issues concerning managing groundwater as a sustainable resource through the Upper Mississippi Embayment, Tennessee, Arkansas, and Mississippi, and coordinating the protection of groundwater supply and groundwater quality with local surface water protection programs. There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5110. BOSQUE RIVER WATERSHED, TEXAS.

(a) COMPREHENSIVE PLAN.—The Secretary, in consultation with appropriate Federal, State, and local entities, shall develop, as expeditiously as practicable, a comprehensive plan for development of new technologies and innovative approaches for restoring, preserving, and protecting the Bosque River watershed within Bosque, Hamilton, McLennan, and Erath Counties, Texas. The Secretary, in cooperation with the Secretary of Agriculture, may carry out activities identified in the comprehensive plan to demonstrate practicable alternatives for stabilization and enhancement of land and water resources in the basin.

(b) SERVICES OF PUBLIC NON-PROFIT INSTITUTIONS AND OTHER ENTITIES.—In carrying out subsection (a), the Secretary may utilize, through contracts or other means, the services of public non-profit institutions and such other entities as the Secretary considers appropriate.

(c) NON-FEDERAL SHARE.—

(1) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of activities carried out under this section the cost of planning, design, and construction work completed by or on behalf of the non-Federal interests for implementation of measures constructed with assistance provided under this sec-

tion. The amount of such credit shall not exceed the non-Federal share of the cost of such activities.

(2) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of operation and maintenance for measures constructed with assistance provided under this section shall be 100 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 5111. DALLAS FLOODWAY, DALLAS TEXAS.

(a) IN GENERAL.—The project for flood control, Trinity River and tributaries, Texas, authorized by section 2 of the Act entitled, "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 2, 1945 (59 Stat. 18), is modified to—

(1) direct the Secretary to review the Balanced Vision Plan for the Trinity River Corridor, Dallas, Texas, dated December 2003 and amended in March 2004, prepared by the non-Federal interest for the project;

(2) direct the Secretary to review the Interior Levee Drainage Study Phase-I report, Dallas, Texas, dated September 2006, prepared by the non-Federal interest; and

(3) if the Secretary determines that the project is technically sound and environmentally acceptable, authorize the Secretary to construct the project at a total cost of $459,000,000, with an estimated Federal cost of $298,000,000 and an estimated non-Federal cost of $161,000,000.

(b) CREDIT.—

(1) IN-KIND CONTRIBUTIONS.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(2) CASH CONTRIBUTIONS.—The Secretary shall accept funds provided by the non-Federal interest for use in carrying out planning, engineering, and design for the project. The Federal share of such planning, engineering, and design carried out with non-Federal contributions shall be credited against the non-Federal share of the cost of the project.

SEC. 5112. HARRIS COUNTY, TEXAS.

(a) IN GENERAL.—Section 575(a) of the Water Resources Development Act of 1996 (110 Stat. 3789; 113 Stat. 311) is amended by inserting before the period at the end the following: ", whether or not such works or actions are partially funded under the hazard mitigation grant program of the Federal Emergency Management Agency".

(b) SPECIFIC PROJECTS.—Section 575(b) of such Act (110 Stat. 3789; 113 Stat. 311) is amended—

(1) in paragraph (3) by striking "and" at the end;

(2) in paragraph (4) by striking the period at the end and inserting "; and"; and

(3) by adding the following:

"(5) the project for flood control, Upper White Oak Bayou, Texas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4125).".

SEC. 5113. ONION CREEK, TEXAS.

In carrying out the study for the project for flood damage reduction, recreation, and ecosystem restoration, Onion Creek, Texas, the Secretary shall include the costs and benefits associated with the relocation of flood-prone residences in the study area for the project in the period beginning 2 years before the date of initiation of the study and ending on the date of execution of the partnership agreement for construction of the project to the extent the Secretary determines such relocations are compatible with the project. The Secretary shall credit toward the non-Federal share of the cost of the project the cost of relocation of such flood-prone residences incurred by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the relocation of such residences is integral to the project.

SEC. 5114. EASTERN SHORE AND SOUTHWEST VIRGINIA.

Section 219(f)(10) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335) is amended—

(1) by striking "$20,000,000 for water supply and wastewater infrastructure" and inserting the following:

"(A) IN GENERAL.—$20,000,000 for water supply, wastewater infrastructure, and environmental restoration";

(2) by adding at the end the following:

"(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project."; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5115. DYKE MARSH, FAIRFAX COUNTY, VIRGINIA.

The Secretary shall accept funds from the National Park Service to restore Dyke Marsh, Fairfax County, Virginia.

SEC. 5116. BAKER BAY AND ILWACO HARBOR, WASHINGTON.

The Secretary shall conduct a study of increased siltation in Baker Bay and Ilwaco Harbor, Washington, to determine if the siltation is the result of a Federal navigation project (including diverted flows from the Columbia River) and, if the Secretary determines that the siltation is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the siltation as part of maintenance of the Federal navigation project.

SEC. 5117. HAMILTON ISLAND CAMPGROUND, WASHINGTON.

The Secretary is authorized to plan, design, and construct a campground for Bonneville Lock and Dam at Hamilton Island (also know as "Strawberry Island") in Skamania County, Washington.

SEC. 5118. PUGET ISLAND, WASHINGTON.

The Secretary is directed to place dredged and other suitable material along portions of the Columbia River shoreline of Puget Island, Washington, between river miles 38 to 47 in order to protect economic and environmental resources in the area from further erosion, at a Federal cost of $1,000,000. This action shall be coordinated with appropriate resource agencies and comply with applicable Federal laws.

SEC. 5119. WILLAPA BAY, WASHINGTON.

Section 545 of the Water Resources Development Act of 2000 (114 Stat. 2675) is amended—

(1) in subsection (b)(1) by striking "may construct" and inserting "shall construct"; and

(2) by inserting "and ecosystem restoration" after "erosion protection" each place it appears.

SEC. 5120. WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL.

(a) CHEAT AND TYGART RIVER BASINS, WEST VIRGINIA.—Section 581(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3790; 113 Stat. 313) is amended—

(1) by striking "flood control measures" and inserting "structural and nonstructural flood control, streambank protection, stormwater management, and channel clearing and modification measures"; and

(2) by inserting "with respect to measures that incorporate levees or floodwalls" before the semicolon.

(b) PRIORITY COMMUNITIES.—Section 581(b) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended—

(1) by striking "and" at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting a semicolon; and

(3) by adding at the end the following:

"(7) Etna, Pennsylvania, in the Pine Creek watershed; and

"(8) Millvale, Pennsylvania, in the Girty's Run River basin.".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 581(c) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended by striking "$12,000,000" and inserting "$90,000,000".

SEC. 5121. CENTRAL WEST VIRGINIA.

Section 571 of the Water Resources Development Act of 1999 (113 Stat. 371) is amended—

(1) in subsection (a)—

(A) by striking "Nicholas,"; and

(B) by striking "Gilmer,"; and

(2) by adding at the end the following:

"(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any

project undertaken under this section a nonprofit entity with the consent of the affected local government.

"(j) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.".

SEC. 5122. SOUTHERN WEST VIRGINIA.

(a) CORPS OF ENGINEERS.—Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856; 113 Stat. 320) is amended by adding at the end the following:

"(h) CORPS OF ENGINEERS.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.".

(b) SOUTHERN WEST VIRGINIA DEFINED.—Section 340(f) of such Act is amended by inserting "Nicholas," after "Greenbrier,".

(c) NONPROFIT ENTITIES.—Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856) is further amended by adding at the end the following:

"(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.".

SEC. 5123. CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTERESTS.

Section 211(f) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) is amended by adding at the end the following:

"(12) PERRIS, CALIFORNIA.—The project for flood control, Perris, California.

"(13) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—An element of the project for flood control, Chicagoland Underflow Plan, Illinois.

"(14) LAROSE TO GOLDEN MEADOW, LOUISIANA.—The project for flood control, Larose to Golden Meadow, Louisiana.

"(15) BUFFALO BAYOU, TEXAS.—A project for flood control, Buffalo Bayou, Texas, to provide an alternative to the project authorized by the first section of the River and Harbor Act of June 20, 1938 (52 Stat. 804) and modified by section 3a of the Flood Control Act of August 11, 1939 (53 Stat. 1414).

"(16) HALLS BAYOU, TEXAS.—A project for flood control, Halls Bayou, Texas, to provide an alternative to the project for flood control, Buffalo Bayou and tributaries, Texas, authorized by section 101(a)(21) of the Water Resources Development Act of 1990 (104 Stat. 4610).".

TITLE VI—FLORIDA EVERGLADES

SEC. 6001. HILLSBORO AND OKEECHOBEE AQUIFER, FLORIDA.

(a) MODIFICATION.—The project for Hillsboro and Okeechobee Aquifer, Florida, authorized by section 101(a)(16) of the Water Resources Development Act of 1999 (113 Stat. 276), is modified to authorize the Secretary to carry out the project at a total cost of $42,500,000.

(b) TREATMENT.—Section 601(b)(2)(A) of the Water Resources Development Act of 2000 (114 Stat. 2681) is amended—

(1) in clause (i) by adding at the end the following: "The project for aquifer storage and recovery, Hillsboro and Okeechobee Aquifer, Florida, authorized by section 101(a)(16) of the Water Resources Development Act of 1999 (113 Stat. 276), shall be treated for purposes of this section as being in the Plan, except that operation and maintenance costs of the project shall remain a non-Federal responsibility."; and

(2) in clause (iii) by inserting after "subparagraph (B)" the following: "and the project for aquifer storage and recovery, Hillsboro and Okeechobee Aquifer".

SEC. 6002. PILOT PROJECTS.

Section 601(b)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2681) is amended—

(1) in the matter preceding clause (i)—

(A) by striking "$69,000,000" and inserting "$71,200,000"; and

(B) by striking "$34,500,000" each place it appears and inserting "$35,600,000"; and

(2) in clause (i)—

(A) by striking "$6,000,000" and inserting "$8,200,000"; and

(B) by striking "$3,000,000" each place it appears and inserting "$4,100,000".

SEC. 6003. MAXIMUM COSTS.

(a) MAXIMUM COST OF PROJECTS.—Section 601(b)(2)(E) of the Water Resources Development Act of 2000 (114 Stat. 2683) is amended by inserting "and section (d)" before the period at the end.

(b) MAXIMUM COST OF PROGRAM AUTHORITY.—Section 601(c)(3) of such Act (114 Stat. 2684) is amended by adding at the end the following:

"(C) MAXIMUM COST OF PROGRAM AUTHORITY.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to the individual project funding limits in subparagraph (A) and the aggregate cost limits in subparagraph (B).".

SEC. 6004. PROJECT AUTHORIZATION.

Section 601(d) of the Water Resources Development Act of 2000 (114 Stat. 2684) is amended by adding at the end the following:

"(3) PROJECT AUTHORIZATION.—The following project for water resources development and conservation and other purposes is authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the report designated in this paragraph:

"(A) INDIAN RIVER LAGOON SOUTH, FLORIDA.—The project for ecosystem restoration, water supply, flood damage reduction, and protection of water quality, Indian River Lagoon South, Florida: Report of the Chief of Engineers dated August 6, 2004, at a total cost of $1,365,000,000, with an estimated Federal cost of $682,500,000 and an estimated non-Federal cost of $682,500,000.

"(B) PICAYUNE STRAND, FLORIDA.—The project for environmental restoration, Picayune Strand, Florida: Report of the Chief of Engineers dated September 15, 2005, at a total cost of $375,330,000, with an estimated Federal cost of $187,665,000 and an estimated non-Federal cost of $187,665,000.

"(C) SITE 1 IMPOUNDMENT, FLORIDA.—The project for environmental restoration, Site 1 Impoundment, Florida: Report of the Chief of Engineers dated December 19, 2006, at a total cost of $80,840,000, with an estimated Federal cost of $40,420,000 and an estimated non-Federal cost of $40,420,000.".

SEC. 6005. CREDIT.

Section 601(e)(5)(B) of the Water Resources Development Act of 2000 (114 Stat. 2685) is amended—

(1) in clause (i)—

(A) by striking "or" at the end of subclause (I);

(B) by adding "or" at the end of subclause (II); and

(C) by adding at the end the following:

"(III) the credit is provided for work carried out before the date of the partnership agreement between the Secretary and the non-Federal sponsor, as defined in an agreement between the Secretary and the non-Federal sponsor providing for such credit;"; and

(2) in clause (ii)—

(A) by striking "design agreement or the project cooperation"; and

(B) by inserting before the semicolon the following: ", including in the case of credit provided under clause (i)(III) conditions relating to design and construction".

SEC. 6006. OUTREACH AND ASSISTANCE.

Section 601(k) of the Water Resources Development Act of 2000 (114 Stat. 2691) is amended by adding at the end the following:

"(3) MAXIMUM EXPENDITURES.—The Secretary may expend up to $3,000,000 per fiscal year for fiscal years beginning after September 30, 2004, to carry out this subsection.".

SEC. 6007. CRITICAL RESTORATION PROJECTS.

Section 528(b)(3)(C) of the Water Resources Development Act of 1996 (110 Stat. 3769; 113 Stat. 286) is amended—

(1) in clause (i) by striking "$75,000,000" and all that follows through "2003" and inserting "$95,000,000"; and

(2) in clause (ii) by striking "$25,000,000" and inserting "$30,000,000".

SEC. 6008. MODIFIED WATER DELIVERIES.

(a) IN GENERAL.—The project, Modified Water Deliveries to Everglades National Park, authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), as described in the General Design Memorandum and Environmental Impact Statement for Modified Water Deliveries to Everglades National Park, June 1992, is modified to authorize the Secretary to con-

struct the project substantially in accordance with the Revised General Reevaluation Report/Second Supplemental Environmental Impact Statement for the Tamiami Trail Modifications, Modified Water Deliveries to Everglades National Park, August 2005, at a total cost of $144,131,000.

(b) USE OF FUNDS.—Funds made available under section 102(f) of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–6), may be used to carry out the project modification under subsection (a).

(c) SOURCE AND ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), Federal costs incurred for construction of the project modification under subsection (a) on or after October 1, 2004, shall be shared equally between the Secretary and the Secretary of the Interior.

(2) ACCEPTANCE AND USE OF FUNDS.—The Secretary may accept and expend funds, without further appropriation, provided from another Federal agency or from non-Federal interests for construction of the project modification under subsection (a) or for carrying out such other work that the Secretary determines to be appropriate and consistent with authorized purposes of the modified project.

SEC. 6009. DEAUTHORIZATIONS.

The following projects are not authorized after the date of enactment of this Act:

(1) The uncompleted portions of the project for the C–44 Basin Storage Reservoir of the Comprehensive Everglades Restoration Plan, authorized by section 601(b)(2)(C)(i) of the Water Resources Development Act of 2000 (114 Stat. 2682), at a total cost of $147,800,000, with an estimated Federal cost of $73,900,000 and an estimated non-Federal cost of $73,900,000.

(2) The uncompleted portions of the Martin County, Florida, modifications to the project for Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1968 (82 Stat. 740), at a total cost of $15,471,000, with an estimated Federal cost of $8,073,000 and an estimated non-Federal cost of $7,398,000.

(3) The uncompleted portions of the East Coast Backpumping, St. Lucie–Martin County, Spillway Structure S–311 modifications to the project for Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1968 (82 Stat. 740), at a total cost of $77,118,000, with an estimated Federal cost of $55,124,000 and an estimated non-Federal cost of $21,994,000.

SEC. 6010. REGIONAL ENGINEERING MODEL FOR ENVIRONMENTAL RESTORATION.

(a) IN GENERAL.—The Secretary shall complete the development and testing of the regional engineering model for environmental restoration as expeditiously as practicable.

(b) USAGE.—The Secretary shall consider using, as appropriate, the regional engineering model for environmental restoration in the development of future water resource projects, including projects developed pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out subsection (a).

TITLE VII—LOUISIANA COASTAL AREA

SEC. 7001. DEFINITIONS.

In this title, the following definitions apply:

(1) COASTAL LOUISIANA ECOSYSTEM.—The term "coastal Louisiana ecosystem" means the coastal area of Louisiana from the Sabine River on the west to the Pearl River on the east, including those parts of the Deltaic Plain and the Chenier Plain included within the study area of the Plan.

(2) GOVERNOR.—The term "Governor" means the Governor of the State of Louisiana.

(3) PLAN.—The term "Plan" means the report of the Chief of Engineers for ecosystem restoration for the Louisiana Coastal Area dated January 31, 2005.

(4) TASK FORCE.—The term "Task Force" means the Coastal Louisiana Ecosystem Protection and Restoration Task Force established by section 7003.

SEC. 7002. COMPREHENSIVE PLAN.

(a) IN GENERAL.—The Secretary, in coordination with the Governor, shall develop a comprehensive plan for protecting, preserving, and restoring the coastal Louisiana ecosystem.

(b) INTEGRATION OF PLAN INTO COMPREHENSIVE HURRICANE PROTECTION STUDY.—In developing the comprehensive plan, the Secretary shall integrate the plan into

the analysis and design of the comprehensive hurricane protection study authorized by title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2247).

(c) CONSISTENCY WITH COMPREHENSIVE COASTAL PROTECTION MASTER PLAN.—In developing the comprehensive plan, the Secretary shall ensure that the plan is consistent with the goals, analysis, and design of the comprehensive coastal protection master plan authorized and defined pursuant to Act 8 of the First Extraordinary Session of the Louisiana State Legislature, 2005, including—

(1) investigation and study of the maximum effective use of the water and sediment of the Mississippi and Atchafalaya Rivers for coastal restoration purposes consistent with flood control and navigation;

(2) a schedule for the design and implementation of large-scale water and sediment reintroduction projects and an assessment of funding needs from any source; and

(3) an investigation and assessment of alterations in the operation of the Old River Control Structure, consistent with flood control and navigation purposes.

(d) INCLUSIONS.—The comprehensive plan shall include a description of—

(1) the framework of a long-term program integrated with hurricane and storm damage reduction, flood damage reduction, and navigation activities that provide for the comprehensive protection, conservation, and restoration of the wetlands, estuaries (including the Barataria-Terrebonne estuary), barrier islands, shorelines, and related land and features of the coastal Louisiana ecosystem, including protection of critical resources, habitat, and infrastructure from the effects of a coastal storm, a hurricane, erosion, or subsidence;

(2) the means by which a new technology, or an improved technique, can be integrated into the program referred to in paragraph (1);

(3) the role of other Federal and State agencies and programs in carrying out such program;

(4) specific, measurable ecological success criteria by which success of the plan will be measured; and

(5) proposed projects in order of priority as determined by their respective potential to contribute to—

(A) creation of coastal wetlands; and

(B) flood protection of communities ranked by population density and level of protection.

(e) CONSIDERATIONS.—In developing the comprehensive plan, the Secretary shall consider the advisability of integrating into the program referred to in subsection (d)(1)—

(1) any related Federal or State project being carried out on the date on which the plan is developed;

(2) any activity in the Plan; or

(3) any other project or activity identified in—

(A) the Mississippi River and Tributaries program;

(B) the Louisiana Coastal Wetlands Conservation Plan;

(C) the Louisiana Coastal Zone Management Plan; or

(D) the plan of the State of Louisiana entitled "Coast 2050: Toward a Sustainable Coastal Louisiana".

(f) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the comprehensive plan.

(2) UPDATES.—Not later that 5 years after the date of submission of a report under paragraph (1), and at least once every 5 years thereafter until implementation of the comprehensive plan is complete, the Secretary shall submit to Congress a report containing an update of the plan and an assessment of the progress made in implementing the plan.

SEC. 7003. LOUISIANA COASTAL AREA.

(a) IN GENERAL.—The Secretary may carry out a program for ecosystem restoration, Louisiana Coastal Area, Louisiana, substantially in accordance with the report of the Chief of Engineers, dated January 31, 2005.

(b) PRIORITIES.—

(1) IN GENERAL.—In carrying out the program under subsection (a), the Secretary shall give priority to—

(A) any portion of the program identified in the report described in subsection (a) as a critical restoration feature;

(B) any Mississippi River diversion project that—

(i) will protect a major population area of the Pontchartain, Pearl, Breton Sound, Barataria, or Terrebonne basins; and

(ii) will produce an environmental benefit to the coastal Louisiana ecosystem;

(C) any barrier island, or barrier shoreline, project that—

(i) will be carried out in conjunction with a Mississippi River diversion project; and

(ii) will protect a major population area;

(D) any project that will reduce storm surge and prevent or reduce the risk of loss of human life and the risk to public safety; and

(E) a project to physically modify the Mississippi River-Gulf outlet and to restore the areas affected by the Mississippi River-Gulf outlet in accordance with the comprehensive plan to be developed under section 7002(a), subject to the conditions and recommendations in a final report of the Chief of Engineers.

SEC. 7004. COASTAL LOUISIANA ECOSYSTEM PROTECTION AND RESTORATION TASK FORCE.

(a) ESTABLISHMENT.—There is established a task force to be known as the Coastal Louisiana Ecosystem Protection and Restoration Task Force (in this section referred to as the "Task Force").

(b) MEMBERSHIP.—The Task Force shall consist of the following members (or, in the case of the head of a Federal agency, a designee at the level of Assistant Secretary or an equivalent level):

(1) The Secretary.

(2) The Secretary of the Interior.

(3) The Secretary of Commerce.

(4) The Administrator of the Environmental Protection Agency.

(5) The Secretary of Agriculture.

(6) The Secretary of Transportation.

(7) The Secretary of Energy.

(8) The Director of the Federal Emergency Management Agency.

(9) The Commandant of the Coast Guard.

(10) The Coastal Advisor to the Governor.

(11) The Secretary of the Louisiana Department of Natural Resources.

(12) A representative of the Governor's Advisory Commission on Coastal Restoration and Conservation.

(c) DUTIES.—The Task Force shall make recommendations to the Secretary regarding—

(1) policies, strategies, plans, programs, projects, and activities for addressing conservation, protection, restoration, and maintenance of the coastal Louisiana ecosystem;

(2) financial participation by each agency represented on the Task Force in conserving, protecting, restoring, and maintaining the coastal Louisiana ecosystem, including recommendations—

(A) that identify funds from current agency missions and budgets; and

(B) for coordinating individual agency budget requests; and

(3) the comprehensive plan to be developed under section 7002(a).

(d) REPORT.—The Task Force shall submit to Congress a biennial report that summarizes the activities of the Task Force.

(e) WORKING GROUPS.—

(1) GENERAL AUTHORITY.—The Task Force may establish such working groups as the Task Force determines to be necessary to assist the Task Force in carrying out this section.

(2) HURRICANES KATRINA AND RITA.—

(A) IN GENERAL.—The Task Force may establish a working group for the purpose of advising the Task Force of opportunities to integrate the planning, engineering, design, implementation, and performance of Corps of Engineers projects for hurricane and storm damage reduction, flood damage reduction, ecosystem restoration, and navigation in those areas in Louisiana for which a major disaster has been declared by the President as a result of Hurricane Katrina or Rita.

(B) EXPERTISE; REPRESENTATION.—In establishing the working group under subparagraph (A), the Task Force shall ensure that the group—

(i) has expertise in coastal estuaries, diversions, coastal restoration and wetlands protection, ecosystem restoration, hurricane protection, storm damage reduction systems, navigation, and ports; and

(ii) represents the State of Louisiana and local governments in south Louisiana.

(f) COMPENSATION.—Members of the Task Force and members of a working group established by the Task Force may not receive compensation for their services as members of the Task Force or working group, as the case may be.

(g) TRAVEL EXPENSES.—Travel expenses incurred by members of the Task Force and members of a working group established by the Task Force, in the performance of their service on the Task Force or working group, as the case may be, shall be paid by the agency or entity that the member represents.

(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force or any working group established by the Task Force.

SEC. 7005. PROJECT MODIFICATIONS.

(a) REVIEW.—The Secretary, in cooperation with the non-Federal interest of the project involved, shall review each Federally-authorized water resources project in the coastal Louisiana ecosystem being carried out or completed as of the date of enactment of this Act to determine whether the project needs to be modified—

(1) under the program authorized by section 7003; or

(2) to contribute to ecosystem restoration under section 7003.

(b) MODIFICATIONS.—Subject to subsections (c) and (d), the Secretary may carry out the modifications described in subsection (a).

(c) PUBLIC NOTICE AND COMMENT.—Before completing the report required under subsection (d), the Secretary shall provide an opportunity for public notice and comment.

(d) REPORT.—

(1) IN GENERAL.—Before modifying an operation or feature of a project under subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the modification.

(2) INCLUSION.—A report describing a modification under paragraph (1) shall include such information relating to the timeline for and cost of the modification, as the Secretary determines to be relevant.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 7006. CONSTRUCTION.

(a) SCIENCE AND TECHNOLOGY.—

(1) IN GENERAL.—The Secretary shall carry out a coastal Louisiana ecosystem program substantially in accordance with the Plan, at a total cost of $100,000,000.

(2) PURPOSES.—The purposes of the program under paragraph (1) shall be—

(A) to identify any uncertainty relating to the physical, chemical, geological, biological, and cultural baseline conditions in coastal Louisiana ecosystem;

(B) to improve knowledge of the physical, chemical, geological, biological, and cultural baseline conditions in coastal Louisiana ecosystem; and

(C) to identify and develop technologies, models, and methods to carry out this subsection.

(3) WORKING GROUPS.—The Secretary may establish such working groups as the Secretary determines to be necessary to assist the Secretary in carrying out this subsection.

(4) CONTRACTS AND COOPERATIVE AGREEMENTS.—In carrying out this subsection, the Secretary may enter into a contract or cooperative agreement with an individual or entity (including a consortium of academic institutions in Louisiana) with scientific or engineering expertise in the restoration of aquatic and marine ecosystems for coastal restoration and enhancement through science and technology.

(b) DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may carry out demonstration projects substantially in accordance with the Plan and within the coastal Louisiana ecosystem for the purpose of resolving critical areas of scientific or technological uncertainty related to the implementation of the comprehensive plan to be developed under section 7002(a).

(2) MAXIMUM COST.—

(A) TOTAL COST.—The total cost for planning, design, and construction of all projects under this subsection shall not exceed $100,000,000.

(B) INDIVIDUAL PROJECT.—The total cost of an individual project under this subsection shall not exceed $25,000,000.

(c) INITIAL PROJECTS.—

(1) IN GENERAL.—The Secretary is authorized to carry out the following projects substantially in accordance with the Plan:

(A) Mississippi River Gulf Outlet environmental restoration at a total cost of $105,300,000.

(B) Small diversion at Hope Canal at a total cost of $68,600,000.

(C) Barataria basin barrier shoreline restoration at a total cost of $242,600,000.

(D) Small Bayou Lafourche reintroduction at a total cost of $133,500,000.

(E) Medium diversion at Myrtle Grove with dedicated dredging at a total cost of $278,300,000.

(2) MODIFICATIONS.—

(A) IN GENERAL.—In carrying out each project under paragraph (1), the Secretary shall carry out such modifications as may be necessary to the ecosystem restoration features identified in the Plan to address the impacts of Hurricanes Katrina and Rita on the areas of the project.

(B) INTEGRATION.—The Secretary shall ensure that each modification under subparagraph (A) is taken into account in conducting the study of comprehensive hurricane protection authorized by title I of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2247).

(3) CONSTRUCTION REPORTS.—Before the Secretary may begin construction of any project under this subsection, the Secretary shall submit a report documenting any modifications to the project, including cost changes, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(4) APPLICABILITY OF OTHER PROVISIONS.—Notwithstanding section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), the cost of a project described in paragraph (1) and any modifications to the project shall not exceed 150 percent of the cost of such project set forth in paragraph (1).

(d) BENEFICIAL USE OF DREDGED MATERIAL.—The Secretary, substantially in accordance with the Plan, shall implement in the coastal Louisiana ecosystem a program for the beneficial use of material dredged from federally maintained waterways at a total cost of $100,000,000.

(e) ADDITIONAL PROJECTS.—

(1) IN GENERAL.—The Secretary is authorized to carry out a project for ecosystem restoration for the Chenier Plain, Louisiana, and the following projects referred to in the Plan if the Secretary determines such projects are feasible:

(A) Land Bridge between Caillou Lake and the Gulf of Mexico at a total cost of $56,300,000.

(B) Gulf Shoreline at Point Au Fer Island at a total cost of $43,400,000.

(C) Modification of Caernarvon Diversion at a total cost of $20,700,000.

(D) Modification of Davis Pond Diversion at a total cost of $64,200,000.

(2) REPORTS.—Not later than December 31, 2009, the Secretary shall submit feasibility reports on the projects described in paragraph (1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(3) CONSTRUCTION.—No appropriations shall be made to construct any project under this subsection if the report under paragraph (2) has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

SEC. 7007. NON-FEDERAL COST SHARE.

(a) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of a study or project under this title the cost of work carried out in the coastal Louisiana ecosystem by the non-Federal interest before the date of the execution of the partnership agreement for the study or project if the Secretary determines that the work is integral to the study or project.

(b) SOURCES OF FUNDS.—The non-Federal interest may use, and the Secretary shall accept, funds provided under any other Federal program to satisfy, in whole or in part, the non-Federal share of the construction of any project carried out under this section if such funds are authorized to be used to carry out such project.

(c) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this section toward the non-Federal share of the cost of a study or project under this title may be applied toward the non-Federal share of the cost of any other study or project under this title.

(d) PERIODIC MONITORING.—

(1) IN GENERAL.—To ensure that the contributions of the non-Federal interest equal the non-Federal share of the cost of a study or project under this title during each 5-year period beginning after the date of commencement of the first study or project under this title, the Secretary shall—

(A) monitor for each study or project under this title the non-Federal provision of cash, in-kind services and materials, and land, easements, rights-of-way, relocations, and disposal areas; and

(B) manage the requirement of the non-Federal interest to provide for each such study or project cash, in-kind services and materials, and land, easements, rights-of-way, relocations, and disposal areas.

(2) OTHER MONITORING.—The Secretary shall conduct monitoring separately for the study phase, construction phase, preconstruction engineering and design phase, and planning phase for each project authorized on or after date of enactment of this Act for all or any portion of the coastal Louisiana ecosystem.

(e) AUDITS.—Credit for land, easements, rights-of-way, relocations, and disposal areas (including land value and incidental costs) provided under this section, and the cost of work provided under this section, shall be subject to audit by the Secretary.

SEC. 7008. PROJECT JUSTIFICATION.

(a) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out any project or activity under this title or any other provision of law to protect, conserve, and restore the coastal Louisiana ecosystem, the Secretary may determine that—

(1) the project or activity is justified by the environmental benefits derived by the coastal Louisiana ecosystem; and

(2) no further economic justification for the project or activity is required if the Secretary determines that the project or activity is cost effective.

(b) LIMITATION ON APPLICABILITY.—Subsection (a) shall not apply to any separable element of a project intended to produce benefits that are predominantly unrelated to the protection, preservation, and restoration of the coastal Louisiana ecosystem.

SEC. 7009. INDEPENDENT REVIEW.

The Secretary shall establish the Louisiana Water Resources Council which shall serve as the exclusive peer review panel for projects under this title as required by section 2037 of this Act.

SEC. 7010. EXPEDITED REPORTS.

The Secretary shall expedite completion of the reports for the following projects and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction engineering and design:

(1) The projects identified in the study of comprehensive hurricane protection authorized by title I of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2447).

(2) A project for ecosystem restoration for the Chenier Plain, Louisiana.

(3) The project for Multipurpose Operation of Houma Navigation Lock.

(4) The project for Terrebonne Basin Barrier Shoreline Restoration.

(5) The project for Small Diversion at Convent/Blind River.

(6) The project for Amite River Diversion Canal Modification.

(7) The project for Medium Diversion at White's Ditch.

(8) The project to convey Atchafalaya River Water to Northern Terrebonne Marshes.

(9) The projects identified in the Southwest Coastal Louisiana hurricane and storm damage reduction study authorized by the Committee on Transportation and Infrastructure of the House of Representatives on December 7, 2005.

SEC. 7011. REPORTING.

(a) IN GENERAL.—Not later than 6 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report including a description of—

(1) the projects authorized and undertaken under this title;

(2) the construction status of the projects;

(3) the cost to date and the expected final cost of each project undertaken under this title; and

(4) the benefits and environmental impacts of the projects.

(b) EXTERNAL REVIEW.—The Secretary shall enter into a contract with the National Academy of Sciences under which the National Academy of Sciences shall perform and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate an external review of the demonstration program authorized by subsection 7006(b).

SEC. 7012. NEW ORLEANS AND VICINITY.

(a) IN GENERAL.—The Secretary is authorized to—

(1) raise levee heights where necessary and otherwise enhance the Lake Pontchartrain and Vicinity Project and the West Bank and Vicinity Project to provide the levels of protection necessary to achieve the certification required for

participation in the national flood insurance program under the National Flood Insurance Act of 1965 (42 U.S.C. 2001 et seq.);

(2) modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront at Lake Pontchartrain;

(3) armor critical elements of the New Orleans hurricane and storm damage reduction system;

(4) modify the Inner Harbor Navigation Canal to increase the reliability of the flood protection system for the city of New Orleans;

(5) replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the New Orleans to Venice Hurricane Protection Project;

(6) reinforce or replace flood walls in the existing Lake Pontchartrain and Vicinity Project and the existing West Bank and Vicinity Project to improve performance of the flood and storm damage reduction systems;

(7) perform one time stormproofing of interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events;

(8) repair, replace, modify and improve non-Federal levees and associated protection measures in Terrebonne Parish; and

(9) reduce the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands through measures to begin to reverse wetland losses in areas affected by navigation, oil and gas, and other channels and through modification of the Caernarvon Freshwater Diversion structure or its operations.

(b) FUNDING AUTHORITY.—Activities authorized by subsection (a) and section 7013 shall be carried out in a manner that is consistent with the cost-sharing requirements specified in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234).

(c) CONDITIONS.—The Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate if estimates for the expenditure of funds on any single project or activity identified in subsection (a) exceeds the amount specified for that project or activity in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234). No appropriation in excess of 25 percent above the amount specified for a project or activity in such Act shall be made until an increase in the level of expenditure has been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

SEC. 7013. MISSISSIPPI RIVER GULF OUTLET.

(a) IN GENERAL.—The project for navigation, Mississippi River-Gulf outlet, authorized by the Act entitled "An Act to authorize construction of the Mississippi River-Gulf outlet", approved March 29, 1956 (70 Stat. 65), as modified by section 844 of the Water Resources Development Act of 1986 (100 Stat. 4177), is not authorized.

(b) PLAN FOR CLOSURE AND RESTORATION.—The Secretary shall carry out a study and implement a project to physically modify the Mississippi River-Gulf outlet and to restore the areas affected by the Mississippi River-Gulf outlet in accordance with the plan to be developed under section 7002(a), subject to the conditions and recommendations in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than 180 days after the date of enactment of this Act. The plan shall incorporate the recommendations of the Interim Mississippi River Gulf Outlet Deep-Draft De-Authorization Report submitted to Congress in December 2006.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the project described in subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for the costs of carrying out the study and developing the report of the Chief of Engineers required by subsection (b). Such costs shall be a Federal expense.

TITLE VIII—UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-WAY SYSTEM

SEC. 8001. DEFINITIONS.

In this title, the following definitions apply:

(1) PLAN.—The term "Plan" means the project for navigation and ecosystem improvements for the Upper Mississippi River and Illinois Waterway System: Report of the Chief of Engineers, dated December 15, 2004.

(2) UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM.—The term "Upper Mississippi River and Illinois Waterway System" means the projects for navigation and ecosystem restoration authorized by Congress for—

(A) the segment of the Mississippi River from the confluence with the Ohio River, River Mile 0.0, to Upper St. Anthony Falls Lock in Minneapolis-St. Paul, Minnesota, River Mile 854.0; and

(B) the Illinois Waterway from its confluence with the Mississippi River at Grafton, Illinois, River Mile 0.0, to T.J. O'Brien Lock in Chicago, Illinois, River Mile 327.0.

SEC. 8002. NAVIGATION IMPROVEMENTS AND RESTORATION.

Except as modified by this title, the Secretary shall undertake navigation improvements and restoration of the ecosystem for the Upper Mississippi River and Illinois Water System substantially in accordance with the Plan and subject to the conditions described therein.

SEC. 8003. AUTHORIZATION OF CONSTRUCTION OF NAVIGATION IMPROVEMENTS.

(a) SMALL SCALE AND NONSTRUCTURAL MEASURES.—

(1) IN GENERAL.—The Secretary shall—

(A) construct mooring facilities at Locks 12, 14, 18, 20, 22, 24, and LaGrange Lock or other alternative locations that are economically and environmentally feasible;

(B) provide switchboats at Locks 20 through 25; and

(C) conduct development and testing of an appointment scheduling system.

(2) AUTHORIZATION OF APPROPRIATIONS.—The total cost of projects authorized under this subsection shall be $235,000,000. Such costs are to be paid 1/2 from amounts appropriated from the general fund of the Treasury and 1/2 from amounts appropriated from the Inland Waterways Trust Fund. Such sums shall remain available until expended.

(b) NEW LOCKS.—

(1) IN GENERAL.—The Secretary shall construct new 1,200-foot locks at Locks 20, 21, 22, 24, and 25 on the Upper Mississippi River and at LaGrange Lock and Peoria Lock on the Illinois Waterway.

(2) AUTHORIZATION OF APPROPRIATIONS.—The total cost of projects authorized under this subsection shall be $1,795,000,000. Such costs are to be paid 1/2 from amounts appropriated from the general fund of the Treasury and 1/2 from amounts appropriated from the Inland Waterways Trust Fund. Such sums shall remain available until expended.

(c) CONCURRENCE.—The mitigation required for the projects authorized under subsections (a) and (b), including any acquisition of lands or interests in lands, shall be undertaken or acquired concurrently with lands and interests in lands for the projects authorized under subsections (a) and (b), and physical construction required for the purposes of mitigation shall be undertaken concurrently with the physical construction of such projects.

SEC. 8004. ECOSYSTEM RESTORATION AUTHORIZATION.

(a) OPERATION.—To ensure the environmental sustainability of the existing Upper Mississippi River and Illinois Waterway System, the Secretary shall modify, consistent with requirements to avoid adverse effects on navigation, the operation of the Upper Mississippi River and Illinois Waterway System to address the cumulative environmental impacts of operation of the system and improve the ecological integrity of the Upper Mississippi River and Illinois River.

(b) ECOSYSTEM RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall carry out, consistent with requirements to avoid adverse effects on navigation, ecosystem restoration projects to attain and maintain the sustainability of the ecosystem of the Upper Mississippi River and Illinois River in accordance with the general framework outlined in the Plan.

(2) PROJECTS INCLUDED.—Ecosystem restoration projects may include—

(A) island building;

(B) construction of fish passages;

(C) floodplain restoration;

(D) water level management (including water drawdown);

(E) backwater restoration;

(F) side channel restoration;

(G) wing dam and dike restoration and modification;

(H) island and shoreline protection;
(I) topographical diversity;
(J) dam point control;
(K) use of dredged material for environmental purposes;
(L) tributary confluence restoration;
(M) spillway, dam, and levee modification to benefit the environment; and
(N) land and easement acquisition.

(3) COST SHARING.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the Federal share of the cost of carrying out an ecosystem restoration project under this subsection shall be 65 percent.

(B) EXCEPTION FOR CERTAIN RESTORATION PROJECTS.—In the case of a project under this section for ecosystem restoration, the Federal share of the cost of carrying out the project shall be 100 percent if the project—

(i) is located below the ordinary high water mark or in a connected backwater;
(ii) modifies the operation of structures for navigation; or
(iii) is located on federally owned land.

(C) SAVINGS CLAUSE.—Nothing in this subsection affects the applicability of section 906(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(e)).

(D) NONGOVERNMENTAL ORGANIZATIONS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this title, a non-Federal sponsor may include a nonprofit entity, with the consent of the affected local government.

(4) LAND ACQUISITION.—The Secretary may acquire land or an interest in land for an ecosystem restoration project from a willing seller through conveyance of—

(A) fee title to the land; or
(B) a flood plain conservation easement.

(c) MONITORING.—The Secretary shall carry out a long term resource monitoring, computerized data inventory and analysis, and applied research program for the Upper Mississippi River and Illinois River to determine trends in ecosystem health, to understand systemic changes, and to help identify restoration needs. The program shall build upon the monitoring program established under section 1103(e)(1)(A)(ii) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(1)(A)(ii)).

(d) ECOSYSTEM RESTORATION PRECONSTRUCTION ENGINEERING AND DESIGN.—

(1) RESTORATION DESIGN.—Before initiating the construction of any individual ecosystem restoration project, the Secretary shall—

(A) establish ecosystem restoration goals and identify specific performance measures designed to demonstrate ecosystem restoration;
(B) establish the without-project condition or baseline for each performance indicator; and
(C) for each separable element of the ecosystem restoration, identify specific target goals for each performance indicator.

(2) OUTCOMES.—Performance measures identified under paragraph (1)(A) shall include specific measurable environmental outcomes, such as changes in water quality, hydrology, or the well-being of indicator species the population and distribution of which are representative of the abundance and diversity of ecosystem-dependent aquatic and terrestrial species.

(3) RESTORATION DESIGN.—Restoration design carried out as part of ecosystem restoration shall include a monitoring plan for the performance measures identified under paragraph (1)(A), including—

(A) a timeline to achieve the identified target goals; and
(B) a timeline for the demonstration of project completion.

(e) CONSULTATION AND FUNDING AGREEMENTS.—

(1) IN GENERAL.—In carrying out the environmental sustainability, ecosystem restoration, and monitoring activities authorized in this section, the Secretary shall consult with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin.

(2) FUNDING AGREEMENTS.—The Secretary is authorized to enter into agreements with the Secretary of the Interior, the Upper Mississippi River Basin Association, and natural resource and conservation agencies of the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to provide for the direct participation of and transfer of funds to such entities for the planning, implementation, and evaluation of projects and programs established by this section.

(f) SPECIFIC PROJECTS AUTHORIZATION.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this subsection $1,580,000,000, of which not more than $226,000,000 shall be available for projects described in subsection (b)(2)(B) and not more than $43,000,000 shall be available for projects described in subsection (b)(2)(J). Such sums shall remain available until expended.

(2) LIMITATION ON AVAILABLE FUNDS.—Of the amounts made available under paragraph (1), not more than $35,000,000 in any fiscal year may be used for land acquisition under subsection (b)(4).

(3) INDIVIDUAL PROJECT LIMIT.—Other than for projects described in subparagraphs (B) and (J) of subsection (b)(2), the total cost of any single project carried out under this subsection shall not exceed $25,000,000.

(4) MONITORING.—In addition to amounts authorized under paragraph (1), there are authorized $10,420,000 per fiscal year to carry out the monitoring program under subsection (c) if such sums are not appropriated pursuant to section 1103(e)(4) the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(4)).

(g) IMPLEMENTATION REPORTS.—

(1) IN GENERAL.—Not later than June 30, 2008, and every 4 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an implementation report that—

(A) includes baselines, milestones, goals, and priorities for ecosystem restoration projects; and

(B) measures the progress in meeting the goals.

(2) ADVISORY PANEL.—

(A) IN GENERAL.—The Secretary shall appoint and convene an advisory panel to provide independent guidance in the development of each implementation report under paragraph (1).

(B) PANEL MEMBERS.—Panel members shall include—

(i) one representative of each of the State resource agencies (or a designee of the Governor of the State) from each of the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin;

(ii) one representative of the Department of Agriculture;

(iii) one representative of the Department of Transportation;

(iv) one representative of the United States Geological Survey;

(v) one representative of the United States Fish and Wildlife Service;

(vi) one representative of the Environmental Protection Agency;

(vii) one representative of affected landowners;

(viii) two representatives of conservation and environmental advocacy groups; and

(ix) two representatives of agriculture and industry advocacy groups.

(C) CHAIRPERSON.—The Secretary shall serve as chairperson of the advisory panel.

(D) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Advisory Panel and any working group established by the Advisory Panel shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

(h) RANKING SYSTEM.—

(1) IN GENERAL.—The Secretary, in consultation with the Advisory Panel, shall develop a system to rank proposed projects.

(2) PRIORITY.—The ranking system shall give greater weight to projects that restore natural river processes, including those projects listed in subsection (b)(2).

SEC. 8005. COMPARABLE PROGRESS.

(a) IN GENERAL.—As the Secretary conducts pre-engineering, design, and construction for projects authorized under this title, the Secretary shall—

(1) select appropriate milestones;

(2) determine, at the time of such selection, whether the projects are being carried out at comparable rates; and

(3) make an annual report to Congress, beginning in fiscal year 2008, regarding whether the projects are being carried out at a comparable rate.

(b) NO COMPARABLE RATE.—If the Secretary or Congress determines under subsection (a)(2) that projects authorized under this title are not moving toward completion at a comparable rate, annual funding requests for the projects shall be adjusted to ensure that the projects move toward completion at a comparable rate in the future.

PURPOSE OF LEGISLATION

H.R. 1495, the "Water Resources Development Act of 2007", includes project authorizations, modifications, deauthorizations, studies, and policy initiatives for the Army Corps of Engineers' Civil Works Program—the nation's largest water resources program. Throughout its eight titles, the bill authorizes and directs the Corps to carry out various studies, projects, and programs relating to navigation, flood damage reduction, shoreline protection, dam safety, water supply, recreation, environmental restoration and protection.

BACKGROUND AND NEED FOR LEGISLATION

The Water Resources Development Act of 2007 demonstrates the continuing commitment of the Committee on Transportation and Infrastructure to the nation's water resources infrastructure, and a regular authorization schedule for the Civil Works Program of the U.S. Army Corps of Engineers ("Corps"), which was instituted by the Water Resources Development Act of 1986. The Committee believes that passage of the Water Resources Development Act of 2007 is vitally important to fulfill commitments to non-Federal sponsors, to be responsive to new and emerging water resources needs, and to fine-tune the Corps' missions and responsibilities.

VALUE OF THE CIVIL WORKS PROGRAM

The Committee recognizes the value of the Corps and the Corps' Civil Works missions to the nation and the critical importance of maintaining these vital contributions. Over the years, the Corps has maintained flexibility in its Civil Works missions to meet the changing needs of the nation. The Corps has an impressive history of helping to meet the nation's water resources needs. For more than 175 years, the Corps has supported navigation needs by maintaining and improving the nation's waterways in 41 States. The Corps also maintains 300 commercial harbors, through which more than two billion tons of cargo pass each year. With more than 13 million American jobs dependent on our import and export trade, these ports are vital to our economic security. The ports and waterways maintained by the Corps also play a vital role in our nation's defense.

Corps flood damage reduction efforts range from small, local protection projects (levees or non-structural flood damage reduction measures) to major dams. Today, most Corps constructed flood damage reduction projects are owned by sponsoring cities, towns, and agricultural districts, but the Corps continues to maintain and operate 383 dams and reservoirs for flood damage reduction. These projects have prevented an estimated $706 billion in flood damage, most of that within the last 25 years. The cumulative cost for building and maintaining these projects is $119 billion. Thus, for every dollar invested, more than six dollars in potential damages have been saved.

Legislation passed in 1990 established environmental protection as one of the primary missions of the Corps—along with navigation and flood damage reduction. Since that time, ecosystem restoration projects have grown increasingly popular throughout the country, resulting in more than $1.3 billion in Federal support for environ-

mental activities. The Corps has provided leadership on large-scale ecosystem restoration projects, including restoring the hydrologic regime for the Everglades in Florida, undertaking an ecosystem restoration project for the Upper Mississippi River and Illinois Waterway system, and addressing wetland losses of catastrophic proportion in Coastal Louisiana. In addition, the Corps carries out environmental and natural resource management programs at its projects, manages thousands of square miles of forest and wildlife habitat, monitors water quality at its dams, and, in some cases, restores the environment at projects built in earlier days.

As the Corps program continues to evolve in service to the nation, the Committee notes with interest the efforts of the Chief of Engineers to encourage a more holistic approach to water resources management. An increased emphasis on watershed and basin-wide planning, conducted in conjunction with State and local governments and non-public stakeholders, can lead to a more sustainable use of water resources that integrates water development, protection, and restoration. The Corps can play a particularly important role in facilitating planning when the issues affecting water resources concern multiple jurisdictions. The Corps is encouraged to pursue efforts to improve coordination and cooperation in the development of recommended approaches to address water resources problems and formulating plans to solve these problems.

CORPS OF ENGINEERS PLANNING PROCESS

In recent years, there has been some controversy regarding the planning process used by the Corps of Engineers to develop water resources projects. The Civil Works program of the Corps of Engineers is a $4.5 to $5.5 billion annual program. Of that amount, between $135 and $145 million is spent annually to study water resources needs, determine if there is a Federal interest in meeting those needs, and develop recommendations for water resources projects that are technically sound, environmentally acceptable, and economically justified.

For certain small projects, Congress has authorized the Corps to participate in the development and construction under continuing authorities. The Federal participation in these small projects is limited to between $500,000 and $7 million per project, depending on the project type. For all other projects, the Corps must first receive authorization from Congress to proceed with a study, either by statute or, if the Corps previously has conducted a study in the same geographic area, in the form of a Committee resolution.

Once authorized, a water resources study begins with a reconnaissance study. The reconnaissance phase is a relatively quick examination of the problem (generally costing no more than $100,000 and lasting 12 months) during which the Corps of Engineers determines if there is a Federal interest and a potentially feasible project. If, based on the reconnaissance study, the Corps determines there is a potentially feasible water resources project, it may seek the participation of a non-Federal interest willing to share in 50 percent of the study costs (for studies for projects other than inland navigation) and proceed to a full feasibility study. A feasibility study generally takes about two years.

To ensure that a project is technically sound, environmentally acceptable, and economically justified, the Corps must conduct a

study in accordance with applicable laws, regulations, and policy, including the 1983 Principles and Guidelines issued by the Water Resources Council, Engineering Regulations issued by the Corps of Engineers (and most recently comprehensively revised in 1999), and other guidance periodically issued by the Chief of Engineers. Studies that result in a report of the Chief of Engineers recommending a water resources project are submitted to Congress for authorization. Other than projects constructed under continuing authorities, the Corps may not proceed to construction of a project until it is specifically authorized.

All Corps of Engineers projects affect water resources in some fashion. In many cases, there may be competing demands on those water resources, leading to controversy and even opposition to a proposed project by some constituencies. In some cases, project opponents have found problems with analyses conducted by the Corps of Engineers, leading to calls for improvement of the Corps' process for developing water resources projects. The Committee believes that the Corps of Engineers employs experts in their fields who provide a tremendous service to the nation. The Committee also holds these professionals to the highest standards and expects all work products generated by the Corps of Engineers to be able to withstand any level of outside scrutiny. Accordingly, this bill provides the Chief of Engineers with tools to ensure that project studies are carried out using high quality methods, models, and analyses. At the same time, the Committee also recognizes that many disputes over water resources projects are policy disputes. Accordingly, the bill also ensures that changes to the project planning process will not lead to delays in project delivery and provides the Chief of Engineers with tools to resolve policy disputes and minimize delays. Once fully implemented, the Committee expects that the improvements to the Corps planning process contained in this bill will result in fewer delays, fewer technical concerns, and increased public acceptance of proposed projects.

SUMMARY OF THE LEGISLATION

Section 1. Short title; table of contents

This section establishes the short title of this Act as the "Water Resources Development Act of 2007" and includes a table of contents.

Section 2. Definition of Secretary

This section defines the term "Secretary", which is used throughout the bill, as the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

Section 1001. Project authorizations

This section authorizes projects for water resources development and conservation to be carried out substantially in accordance with the reports of the Chief of Engineers cited for each project, except as otherwise provided.

(1) Haines Small Boat Harbor, Haines, Alaska.

Location of Study Area: The Haines Borough is located in the northern portion of Southeast Alaska, the region of the state com-

monly referred to as "the panhandle", approximately 129 air kilometers northwest of Juneau. City boundaries straddle a peninsula that separates the Chilkat River Valley from Chilkoot Inlet, an embayment near the northern end of Lynn Canal.

Problems and Opportunities Identified in Study: The existing harbor is inadequate in terms of size and design to accommodate the needs of the existing demands of resident and transient users. During the summer season, extending from June through September, the harbor is overcrowded and numerous vessels are either turned away or simply avoid the harbor because vessel captains know that the harbor is full beyond its design capacity. The current harbor configuration is exposed to southeast winds, causing reduced maneuverability and damage to vessels and harbor facilities. Overcrowded conditions in the harbor result in (1) delays in entering and maneuvering in the harbor; (2) hot-berthing where transient vessels are moored in stalls of resident vessels left vacant; (3) rafting of transient vessels; and (4) damages to vessels and harbor facilities. Additional moorage is also needed to improve or provide services such as oil spill response, water taxi service, and to reduce costs associated with subsistence harvesting.

Alternative Plans Considered: The final array of alternatives evaluated focused on various plans to expand the existing harbor. Various protected moorage layouts with differing fleet scenarios were developed for the Portage Cove site. To accomplish the improvements basin dredging and rubblemound breakwaters were designed to provide improved protection to the existing harbor and accommodate the moorage demand experienced at Haines.

Description of Recommended Plan: The recommended plan is not the plan that maximizes net national economic development benefits. The recommended plan provides additional protection to the existing 2.25-hectare mooring and maneuvering basin and adds a new adjacent 6.60-hectare basin with an additional entrance channel. It would provide protected moorage for a total of 279 permanent stalls and 961 linear meters of transient floats for vessels ranging in length from 5.5 meters to 42.7 meters. The plan would replace the existing floats and provide properly sized slips for the smaller vessels in the existing fleet, and the larger existing and additional vessels needing moorage would use the new basin.

Physical Data on Project Features: Major construction items of the recommended plan include breakwaters consisting of a 103-meter long north spur breakwater, a 154-meter long first portion of the main breakwater, a turnaround portion of the main breakwater with a radius of 18.5 meters, a 316-meter long second portion of the main breakwater, a 46.7-meter long stub breakwater attached to the existing breakwater, a 51.2-meter long extension of the existing breakwater to the south, and a 33.3-meter long south spur breakwater. These breakwaters will provide the additional moorage area and improve protection to the existing moorage area. Dredging and relocation of the existing entrance channel will be necessary because of the breakwater extension providing additional protection for the existing basin. Dredging of the new mooring area and construction of the float system will provide required and properly sized moorage for the fleet utilizing the harbor. The existing south basin entrance channel depth would remain the same at −4.6 m MLLW. The depth required for the entrance channel for

the north basin is −5.5m MLLW, which occurs naturally. Basin depths would range from −4.3 m MLLW near the entrance channel to −4.9 m MLLW at the far end of the north basin. The south basin would remain unchanged with depths ranging from −3.3 m MLLW to −4.3 m MLLW.

Mitigation for the general navigation features includes the restoration work proposed on Sawmill Creek to improve fish passage and habitat.

Views of States, and Non-Federal Interests: The Non Federal Sponsor has provided a Letter of Intent, dated 3 March 2004, indicating their commitment to the project and financial responsibility. The State Department of Transportation and Public Facilities provided a letter dated 1 March 2004, indicating their support for the project.

Views of Federal and Regional Agencies: There are no unresolved issues related to this project.

Status of NEPA Document: The FONSI was signed for this project on 29 November 2002.

Estimated Implementation Costs:

Corps of Engineers	$11,232,000
Haines Borough	2,808,000
Total	14,040,000

There also will be approximately $9,400,000 in costs for local service facilities that are not part of the authorized project.

Description of Non-Federal O&M Cost: Non-Federal O&M costs account for yearly float maintenance and replacement after 30 years.

Estimated Effects:

[Dollars in thousands]

Account	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
NED, Commercial Navigation	$1,202	$1,122
NED, Recreation (Incidental)	294	96
Total	1,496	1,218

Project economic life: 50 years.

Benefit-Cost Ratio: 1.2

Current Discount Rate: 5–5/8%

Direct Beneficiaries: The project would provide properly sized stalls for mooring and increase wave protection from the southeast resulting in reduced damages to existing floats and to vessels incurred from the overcrowded conditions in the existing harbor. The newly created harbor would provide additional protected moorage to reduce travel costs incurred from the overcrowded conditions in the existing harbor.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 20 December 2004.

The Committee understands that the Haines Borough would like to convert the breakwater structures planned for the project into a causeway which could be used to service vessels which are too large to enter the proposed new boat harbor. The Committee sup-

ports this initiative because it will provide long-term economic benefits to the project above those projected in the Chief's Report. The construction of this breakwater involves the use of a bridge to move materials over a channel. The Committee therefore instructs the Corps to leave this infrastructure in place and work with the Haines Borough to develop a plan which would allow for a finished causeway, road and bridge on the causeway should funds be identified for this additional feature.

(2) Port Lions, Kodiak Island, Alaska.

Location of Study Area: The study area is located at the Native Village of Port Lions, located on Kodiak Island, Alaska.

Problems and Opportunities Identified in Study: The primary problem is the lack of adequate wave protection for the existing inner harbor facilities and moored vessels at Port Lions. The mooring basin is subject to severe damages and undesirable wave conditions from northeast waves entering the basin through the nearshore breach and around the deep-water end of the main breakwater. Damages are also caused by smaller, locally generated waves from the southwest. Wave heights of three to five feet have been observed within the harbor limits. Damage to the float system is especially prevalent on the outer portions of the three main floats due to exposure to higher waves. Significant portions of the mooring floats are unsafe and have been blocked off from public access or removed from the water. Year round use of the basin has been reduced from about 124 to 35 vessels. For the general Kodiak Island area, demand for year around moorage exceeds all planned expansion. A shortage of regional moorage that is both safe and convenient has led to lost income, vessel damages, lost time, and inconvenience.

Alternative Plans Considered: Alternatives plans investigated included; the no-action plan, non-structural plans, and various alternative structural plans. The alternatives were designed to meet the planning objectives and criteria and were evaluated based on environmental, economic, and engineering considerations.

Description of Recommended Plan: The Recommended Plan provides a new rubblemound breakwater at the existing harbor to provide protected moorage for the design fleet.

Benefits to the Nation would include; reduced harbor and vessel damages, reduced harvest costs, reduced local emergency costs, and reduced water taxi service costs. Other direct benefits include; increased subsistence opportunities, harbor of refuge, and reduced search and rescue costs. Because the Recommended Plan would not have any significant adverse effects, no mitigation measures (beyond management practices and avoidance) or compensation were required. The Recommended Plan is the National Economic Development (NED) Plan.

Physical Data on Project Features: The Recommended Plan provides a new rubblemound breakwater 1,360 feet in length, located southwest and east of the existing mooring basin. The new breakwater would protect the design fleet from northeast and southwest waves. The new breakwater would not be shore-connected to provide a 150-foot opening for fish passage. This would allow fish to remain in the shallow water near the shore and minimize the threat of deep-water predation. Additionally, the width of the nearshore opening at the existing breakwater would be reduced to 30

feet by a combination of extending the existing breakwater 40 feet shoreward and by extending the existing stub breakwater 75 feet seaward. The breakwaters would provide protection for a 10-acre mooring basin. The basin would provide protected moorage for a total of 124 commercial and subsistence vessels ranging in length from 22 to 55 feet. The entrance channel is 1,100 feet long by 100 feet wide with a depth of −14 feet, mean lower low water (MLLW).

Views of States, Non-Federal Interests and Other Countries: The Alaska Department of Transportation and Public Facilities (ADOT&PF) is the non-Federal sponsor. The ADOT&PF and community of Port Lions strongly support the project and will fund the non-Federal share of the project.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service supports the Recommended Plan. There were no objections to the Recommended Plan. There are no outstanding issues.

Status of NEPA Document: The Environmental Assessment is included as part of the Feasibility Report dated October 2005. There were no objectionable comments received during the public comment period. A Finding of No Significant Impact was signed 26 September 2005.

Estimated Implementation Costs of Recommended Plan:

Corps of Engineers	$7,624,000
Alaska Department of Transportation and Public Facilities	1,906,000
Total	9,530,000

The estimated cost for all features required to obtain the projected navigation benefits, including the general navigation features (GNF); lands, easements, rights-of-way, and relocations; local service facilities; and aids-to-navigation is estimated to be $10,460,000 (October 2005 price level). The estimated Federal share of the GNF is $7,440,000 in addition to the cost the Government would incur for navigations aids currently estimated to be $10,000.

Direct Beneficiaries: The residents Port Lions and the surrounding area and transient commercial fishers are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 14 June 2006.

(3) Rio Salado Oeste, Salt River, Phoenix, Arizona.

Location of Study Area: The study area is located within Maricopa County, Phoenix, Arizona.

Problems and Opportunities Identified in Study: Key problems within the study area include severe ecosystem degradation as a result of land use changes, groundwater overdraft and modifications to the river channel and hydrology. There is potential for flood damages throughout the study area and recreation opportunities associated within riverine and riparian habitat in the Phoenix area are lacking. There are opportunities to restore riparian habitat and river function, reduce flood damages and increase recreation opportunities. Historically, the study area supported significant biological resources including extensive riparian and marsh habitats. Urban development, diversion of water to support agriculture, and domestic livestock grazing have eliminated or altered most of the natural vegetation communities that occupied the study area leaving only scattered remnants of the original vegetation

communities. The study evaluated both structural and non structural alternatives to reduce flood damages through the study area, although none of those alternatives were economically justified. The restoration plan does provide incidental flood damage reduction benefits.

Alternative Plans Considered: The study considered numerous alternatives to address the problems and opportunities described above. The final array of alternatives considered included no action and nine action alternatives, one of which is the Recommended Plan.

Description of Recommended Plan: The Recommended Plan is described in the Chief's Report, dated 19 DEC 2006. This plan includes the restoration of four significant habitat types which are scarce and ecologically significant in the desert southwest. These habitats are cottonwood/willow, mesquite, wetlands, and riparian shrub. Multiple measures make up the restoration plan including water supply and distribution, channel restoration, revegetation, and invasive species removal.

Physical Data on Project Features: The Recommended Plan includes restoration of four significant habitat types throughout the project area. These are habitats that are scarce and ecologically significant in the desert southwest, including cottonwood/willow (375 acres), mesquite (417), wetlands including within the river channel (190 acres), and restoration of 8 miles of river channel made up of approximately 500 acres of active channel and riparian scrub. Multiple measures make up the restoration plan, including, water supply and distribution, channel restoration, revegetation, and invasive-species removal. There are existing lake features created from aggregate mining operations at 27th and 37th Avenues that will be modified by a significant amount of regrading. Invasive species such as salt cedar would require removal and management with project implementation. A recreation component is also part of the Recommended Plan that was developed by the City of Phoenix, consistent with USACE policy. Major recreation features include multipurpose trails, shelters, signage, utilities, park furniture, and interpretive media. Access points are identified in the plan, with four drive-in points with parking facilities and five smaller access points for walk-in use.

Views of States, Non-Federal Interests and Other Countries: The City of Phoenix is the local sponsor. The City of Phoenix strongly supports the project and will fund the local share of the project.

Views of Federal and Regional Agencies: The Flood Control District of Maricopa County supports the recommended plan. There are no outstanding issues.

Status of NEPA Document: The Final Environmental Impact Statement has been included as part of the Final Feasibility Report, dated September 2006. These documents were released for public review and comment on 28 APR 2006 and minor comments were received by the close of the public comment period on 26 JUN 2006.

Estimated Implementation Costs of Recommended Plan:

Corps of Engineers	$106,629,000
City of Phoenix	60,021,000
Total	166,650,000

Estimated Effects of the NED Plan:

[Dollars in thousands]

Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan (NED)	FDR	N/A	N/A
	ER	N/A	N/A
	Rec	1,433	N/A
Total		$1,433	$0

Benefit-Cost Ratio: N/A
NER plan recommended? Yes.

The NER plan would restore approximately 1,466 acres and would produce approximately 267 average annual functional capacity units (AAFCU). Environmental benefits are not quantified monetarily and therefore environment specific costs are not included in the project benefit/cost ratio.

Direct Beneficiaries: The residents and visitors to Phoenix and surrounding areas and the ecosystem are the direct beneficiaries of the project. Combined with other projects in the watershed will restore 42 miles of the Salt River from the Granite Reef Dam downstream to the Salt-Agua Fria River confluence.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on December 19, 2006.

(4) Santa Cruz River, Paseo de las Iglesias, Pima County, Arizona.

Location of Study Area: The study area is located in southeast Arizona within Pima County and flows through the city of Tucson, the 2nd largest city in Arizona.

Problems and Opportunities Identified in Study: The loss of riparian habitat in the arid southwest is extremely significant. Originally comprising a mere 1% of the landscape historically, over 95% of riparian habitat has been lost in Arizona. This type of river-connected riparian and fringe habitat is of an extremely high value due to its rarity. Arid Southwest riparian ecosystems are designated as a critically endangered habitat type. It has been estimated that 75 to 90 percent of all wildlife in the arid southwest is riparian dependent during some part of its life cycle. As a direct consequence of the extensive degradation and loss of riparian habitat, the area has experienced a major reduction in species diversity and in the population of remaining species. In addition, destruction of native riparian habitat facilitates an increase in invasive plant species that are more tolerant of disturbed conditions. The existing functional capacity of the ecosystem in the study area is forecasted to deteriorate significantly over the next 50 years.

Alternative Plans Considered: Alternatives investigated in detail included three plans; the no-action, the National Ecosystem Restoration (NER) Plan and the Preferred Alternative.

Description of Recommended Plan: The recommended plan for ecosystem restoration and recreation would restore ecosystem functions and values to approximately a 7.5 mile reach of the Santa Cruz River. No flood damage reduction project could be justified within the 5,000 acre study area.

Physical Data on Project Features: The Recommended Plan includes restoring 1,098 acres including 718 acres of mesquite

bosque, 356 acres of riparian shrub, 18 acres of cottonwood-willow, and 6 acres of emergent marsh. The plan includes five water harvesting basins and eight water harvesting basins at tributary confluences. The recommended plan would restore a significant ecosystem resource along the Pacific Flyway for neo-tropical birds, reconnect wildlife corridors, restore wildlife habitat for species significant to Pima County, provide potential habitat for threatened and endangered species, and restore threatened plant communities of cottonwood/willow riparian forest and Mesquite Bosque. The ecosystem function will increase fourteen (14) times over the expected future without project degraded condition.

Views of States, Non-Federal Interests and Other Countries: The Pima County Regional Flood Control District is the local sponsor and they strongly support the project and will fund the local share of the project.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service, Arizona Game and Fish Department, Arizona Department of Environmental Quality, and the Center for Biological Diversity have all stated support for the proposed restoration efforts.

Status of NEPA Document: The Final Environmental Assessment has been included as part of the Final Feasibility Report, dated July 2005. These documents were released for public review and comment on 8 October 2004 and minor comments were received and responded to and are included in the Final Environmental Impact Statement.

Estimated Implementation Costs of Addendum Modified Recommended LPP Plan:

Corps of Engineers	$63,300,000
Pima County Regional Flood Control District	34,400,000
Total	97,700,000

Estimated Effects of the Addendum Modified NER Plan: N/A

[Dollars in thousands]

Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan (NER)	FDR	N/A	N/A
	ER	N/A	
	Rec	N/A	
Total			

Note: FDR = Flood Damage Reduction; ER = Ecosystem Restoration; Rec = Recreation.
Project economic life: 50 years.
Benefit-Cost Ratio: 1.3.
NED plan recommended? No.
NER plan recommended? No.

Direct Beneficiaries: The residents in the surrounding area are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 28 March 2006.

(5) Tanque Verde Creek, Pima County, Arizona.

Location of Study Area: Tanque Verde Creek is located in the City of Tucson, approximately 100 miles southeast of Phoenix, Arizona.

Problems and Opportunities Identified in Study: Tanque Verde Creek is an ephemeral stream, draining a 219 square mile water-

shed that extends into the Catalina and Tanque Verde Mountains, north and east of Tucson, Arizona, respectively. It combines with another major regional watercourse, Pantano Wash, to become the Rillito River, which continues west along the northern edge of Tucson. The reach of Tanque Verde Creek between Craycroft Road and Sabino Canyon Road is approximately two miles long and is partially bank protected. The study reach extends a short distance downstream of Craycroft Road and a short distance upstream of Sabino Canyon Road. The study reach is better defined as the unprotected portion of Tanque Verde Creek from the area of Craycroft Road to Sabino Canyon Road.

The localized approach to bank protection in the study area has left large areas with little or no protection. These areas continue to experience rapid erosion during significant flow events. Two large gaps in the bank protection measuring 4,220 and 2,830 feet are currently found on the south bank of Tanque Verde Creek. These gaps are found along the outer edge of a broad bend in the creek, are subjected to continued erosion by low flows, and flood flows on Tanque Verde Creek. On the north bank, immediately upstream of the Craycroft Road Bridge, the existing bank continues to migrate north, and has begun to expose areas of soil cement that are keyed into the sideslope, thereby potentially compromising its integrity. Additionally, upstream of the Craycroft Road Bridge, an old meander bend extends south of the existing channel. Flood flows and subsurface flows tend to follow this meander and have resulted in the undermining of the roadway embankment in the past. Periodic repairs to the road surface and to an interceptor sewer line are required due to these flows. In the event of a catastrophic flood, flows could undermine and break through the roadway embankment, washing out the roadway and the sewer interceptor. Such an event could also cause inundation and erosion damages to houses and other development west of Craycroft Road, including within the Fort Lowell Historic District.

The opportunity exists to provide bank protection between Craycroft Road and Sabino Canyon Road to halt the channel migration and protect existing structures, property, and riparian areas. The study area contains many areas of high quality desert riparian habitat. These areas are becoming increasingly scarce, due primarily to development encroachment. The opportunity exists to acquire the rights-of-way to a 500-foot-wide buffer along the north bank. Public ownership would prevent future development of this area, and would preserve the existing riparian values.

Alternative Plans Considered: The Los Angeles District in its preparation of the "Survey Report & Environmental Assessment, Rillito River & Associated Streams," conducted extensive analyses of the economic and engineering viability of various structural techniques on the Rillito River to which Tanque Verde Creek is a tributary. The Corps examined gabions, stone revetment, grouted stone, and soil cement revetment. The Corps determined that gabions and stone revetment were cost inefficient in comparison to grouted stone and soil cement revetment, and were dropped from further consideration. Current cost data suggest that the cost efficiencies of grouted stone and soil cement revetment still exist; gabions and stone revetment, therefore, are not considered viable candidates for evaluation. Grouted stone is economically viable; however, current

costs and its requirement for additional land maintain its cost ineffectiveness in comparison to soil cement revetment, as was determined in the Survey Report. Web cellular confinement systems were investigated as potential alternatives. These systems would require the addition of concrete into the cells as flow velocities exceed 15 feet per second (fps), thus defeating their intended environmental advantage. Soil cement revetment remains an engineering and economically viable solution.

An array of soil cement revetment alternatives identified as satisfying all the criteria were evaluated, in addition to the no-action plan.

Description of Recommended Plan: The recommended plan, Alternative 4, best satisfies the project objectives. It provides the desired flood damage protection, produces the highest environmental outputs, is designated as the National Economic Development (NED) Plan and is locally preferred.

The recommended plan fully addresses the identified problems along the Tanque Verde Creek between Sabino Canyon Road and Craycroft Road while including both structural and non-structural measures. The structural measures include installing soil cement bank protection in the existing gaps in bank protection on the south bank, and installing approximately 1,550 feet of bank protection upstream of the Craycroft Road Bridge on the north bank. The horizontal alignment of the proposed bank protection would be along smooth curves that generally follow the existing bank. Where applicable, the ends would match the existing soil cement. On the south bank, at the downstream end, the proposed soil cement would key into the bank just upstream of the confluence with Pantano Wash.

On the north bank, at the upstream end, the soil cement would key into the existing bank and be tied back to high ground. The soil cement would match the top of the existing bank, and the toedown would extend 10 feet below the existing thalweg. In addition, limited bank protection will be constructed for the preserve area. This limited bank protection will be a low soil cement berm (approximately 5,000 feet in length) with "weep holes" to maintain the hydrologic connection between the creek and the preserve. The berm will stabilize the slope and allow for the continued overtopping of flood waters with events greater than approximately 10–years in size by its low 2–foot height. The soil cement mixture provides a hard and durable surface that is expected to last well over the project life of 50 years.

The recommended plan would affect desert riparian habitat, including mesquite bosque habitat, along Tanque Verde Creek. A total of approximately 9.9 acres of habitat would be lost, including approximately 1.9 acres of moderate to high quality mesquite bosque habitat and 8.0 acres of disturbed desert wash habitat. Impacts to wildlife in the disturbed desert wash area will be minor because relatively few species inhabit these areas, and most are relatively common. Impacts to wildlife found in the mesquite bosque habitats would include temporary and permanent displacement and mortality of some wildlife that is unable to escape.

Mitigation of the recommended plan, in addition to the berm, involves acquiring the rights-of-way to establish a permanent 500–foot buffer along the north bank. Public ownership of this land (ap-

proximately 48 acres) would prevent additional development and the associated flood damages, while preserving the riparian values of this heavily vegetated area.

Physical Data on Project Features: The project reach is approximately 2 miles of the Tanque Verde Creek immediately upstream of Rillito River at its confluence with Pantano Wash from Craycroft Road to just downstream of Sabino Canyon Road. The selected plan includes:

- complete bank erosion control on the southern bank with the construction of two segments of which one is approximately 4,220 linear feet and the other 2,830 linear feet
- north bank erosion control (1,550 linear feet) protecting vulnerable public infrastructure and 5,000 feet of modified bank protection along the mitigation preserve area, and
- establishment of a 48-acre riparian habitat area.

Views of States, and Non-Federal Interests: Pima County Department of Transportation and Flood Control has indicated its support for the selected plan and has provided a Letter of Intent acknowledging sponsorship requirements for the Selected Plan.

Views of Federal and Regional Agencies: Both the U.S. Fish and Wildlife Service and the Arizona Game and Fish have indicated their support for the project. The opinion received through the Draft Coordination Act Report and through ongoing coordination favors the project, which addresses the flood damage problem and yield environmental benefits that are necessary to preserve the environmental community in this area. It is the recommendation of the Arizona Game and Fish that softer protection for the riparian preserve be investigated during the design phase of this project.

Status of NEPA Document: The Environmental Assessment was included with the LRR, which was drafted in May of 2002 and approved on 30 Sept 02.

Estimated Implementation Costs:

Corps of Engineers	$3,836,000
Pima County Flood Control District	2,070,000
Total	5,906,000

The non-Federal sponsor, Pima County Department of Transportation and Flood Control, has developed a plan to protect a portion of the study area in advance and in connection with the Federal project for an approximate 4,220 linear foot section along the creek. With this plan, the non-Federal sponsor has petitioned and received preliminary approval from the Secretary for credit for the advanced construction of this portion of the Federal plan.

Description of Non-Federal O&M Cost: Expected maintenance activities will include sediment removal, minor structural repair might be needed after infrequent larger events. It is estimated that future maintenance activities will cost $17,900 annually.

Estimated Effects:

[Dollars in thousands]

Account	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
Annualized Flood Damage Reduction	$714,100	Not Applicable

Project economic life: 50 years.
Benefit-Cost Ratio: 2.1. (Current Discount Rate: 6.625)

Direct Beneficiaries: Expected flood damage reduction for the City of Tucson along the lower portion of Tanque Verde Creek between Sabino Canyon Road and Craycroft Road.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 22 July 2003.

(6) Va Shily' Ay Akimel, Salt River Restoration, Arizona.

Location of Study Area: The Va Shily' Ay Akimel study area is approximately 14 miles on the Salt River in Arizona, located within the jurisdiction of the Salt River Pima-Maricopa Indian Community and the City of Mesa, between Granite Reef Dam and Price Freeway Bridge.

The study area consists of that portion of the river extending from the Granite Reef Dam at the upstream end down to the Pima Freeway (SR 101). The study area is located in Maricopa County, Arizona within the Salt River Pima-Maricopa Indian Community (SRPMIC) and the City of Mesa. The study boundary encompasses an area approximately 14 miles long, averaging two miles in width, and encompassing approximately 17,435 acres. The Salt River originates in eastern Arizona and flows from east to west along the southern boundary of the SRPMIC, westward to its confluence with the Gila River, west of downtown Phoenix.

Problems and Opportunities Identified in Study: Although flood damages occur in some portions of the study area, Corps of Engineers flood control studies have demonstrated the lack of justification for further single purpose flood damage reduction measures. The primary problem is the severe degradation and loss of riparian habitat along the Salt River since the early 20th century. The Salt River once flowed perennially and supported substantial growth of cottonwoods, willows, and mesquites. The river channel carried abundant water that supported early irrigation projects. Increasing appropriation of surface and ground water to support expansion of agriculture and growing urban populations resulted in the transformation of the Salt River to a dry river that flows only ephemerally in response to storm runoff.

As a result of this change, stands of native riparian habitat are rare in the study area as they are throughout Maricopa County. Loss of riparian habitat is extremely significant in the arid southwest. Originally comprising a mere 3% of the landscape historically, over 95% of riparian habitat has already been lost in Arizona. This type of river-connected riparian and fringe habitat is of an extremely high value due to its rarity. Arid Southwest riparian ecosystems are designated as a critically endangered habitat type. It has been estimated that 75 to 90 percent of all wildlife in the arid southwest is riparian dependent during some part of its life cycle. As a direct consequence of the extent of the lost or degraded riparian habitat, the area has experienced a major reduction in species diversity and in the population of remaining species.

In addition, destruction of native riparian habitat facilitates an increase in invasive plant species that are more tolerant of disturbed conditions. Such plants consume more water than native vegetation, placing additional strains on limited water resources.

Ecosystem function was evaluated using a functional assessment model. The average annual functional capacity is forecast to deteriorate from its current capacity of 812 AAFCU to 705 units in 50 years. Multiplying the Functional Capacity Index scores by the

number of acres of riparian area and taking the average provides this score.

Presently, there are still adjacent parcels of undeveloped land in the Salt River area, and potential sources of water for restoration still exist. As long as these conditions remain unchanged, there is an opportunity to accomplish significant restoration in the study area. Restoration alternatives have the potential to increase riparian habitat acreage and quality and thereby expand wildlife diversity and quantity, control invasive plant species and provide an ecological resource that is significant and valuable to the SRPMIC and to the region.

The Federal objective for ecosystem restoration studies is to contribute to National Ecosystem Restoration (NER) through increasing the net quality and/or quantity of desired ecosystem resources. The specific objectives for environmental restoration within the study area are as follows:

• Restore the riparian ecosystem to the degree that it supports native vegetation and wildlife through the Salt River from immediately downstream of the Granite Reef Dam to the Pima Freeway (SR 101).

• Establish a functional floodplain in unconstrained river reaches of the study area that is ongoing and mimics the natural processes found in other naturalized riparian corridors in Arizona.

• Provide passive recreation opportunities for visitors of all ages, abilities, and backgrounds that are in harmony with the SRPMIC's management of its culture and native ecology.

• Create awareness through ongoing educational opportunities of the significance of the cultural resources relating to the Salt River.

• Create awareness through ongoing educational opportunities of the significance of the Salt River ecosystem.

• Create awareness through ongoing educational opportunities of the ecological connection between other ongoing riparian restoration projects along the Salt River.

Alternative Plans Considered: A number of restoration measures were developed based upon the study objectives and constraints, public input and suggestions, and Corps and other federal and state agencies input, and were formulated to address problems and opportunities identified in the early phases of the study process.

Through an iterative process, the final array of 6 alternatives was identified, including the no action alternative. Additional refinement of those alternatives and subsequent analysis of costs and ecosystem restoration benefits relative to their effectiveness, acceptability, completeness, and efficiency led to the selection of the recommended plan.

Description of Recommended Ecosystem Restoration Plan: The recommended plan is Alternative O2. It provides the desired ecosystem restoration, produces high environmental outputs, is designated as the National Ecosystem Restoration (NER) Plan and is locally preferred. The recommended plan fully addresses the identified problems along this reach of the Salt River while including both structural and non-structural measures.

Physical Data on Project Features: The recommended plan includes:

• Restoration of 883 acres cottonwood/willow, 380 acres of mesquite, 200 acres of wetland, and 24 acres of Sonoran desert

scrub shrub planted in the channel, on channel banks and at stormwater outlets;

• A surface braided irrigation network will allow surface water to be directed to areas of vegetation. Additional water will be collected from a new groundwater well and also diverted using the surface braided network;

• A grade control structure at the mid-point of the abandoned SRS&R Beeline One pit (Gilbert Quarry) to provide stream stabilization and protection to the newly established vegetation;

• A recreation plan including approximately 5 miles of maintained trails and a cultural center to highlight the SRPMIC culture.

Selected Recreation Plan Description: The proposed recreation plan was selected based on the evaluation of combined measures and the desires of the SRPMIC and City of Mesa. Alternatives varied from a plan with 5.1 miles of trail leading from the proposed Cultural Center south to Thomas Road, to a plan with 13.6 miles of trail connecting to the City of Mesa's existing trail system and to the arterial street grid. Economic analysis resulted in a final alternative for recreation with a benefit cost ratio of 1.5 with annual recreation benefits of $170,800. The first cost of the plan is $1,337,600. This is less than 1.5% of the costs of the Federal share of the restoration plan. Cost sharing for recreation is 50 % Federal and 50% non-Federal. Annual operation and maintenance costs are $256,500.

Views of States, and Non-Federal Interests: The Salt River Pima-Maricopa Indian Community and the City of Mesa have indicated their support for the recommended plan and have provided a Letter of Intent acknowledging sponsorship requirements for the recommended plan. The Arizona Department of Environmental Quality and the Arizona Game and Fish have provided statements of support for the restoration efforts.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service indicated support for the project. The opinion received through the Final Coordination Act Report and ongoing coordination favors the project, which addresses ecosystem restoration that is important to restore the environmental community in this area. The Environmental Protection Agency (EPA) has said it supports the restoration effort. During the draft Environmental Impact Statement (EIS) public comment period the EPA provided a letter stating its support, but outlined additional areas of impacts it would like addressed. Those areas have been addressed in the final EIS.

Status of NEPA Document: The draft Environmental Impact Statement was released for public and agency review May 7, 2004, and the review period closed June 21, 2004. The Final Environmental Impact Statement was completed and filed with EPA in the Federal Register on November 12, 2004.

Estimated Implementation Costs:

Corps of Engineers	$105,200,000
The Salt River Pima-Maricopa Indian Community and the City of Mesa	56,900,000
Total:	162,100,000

Estimated Effects: This project is part of the growing effort to restore portions of the former riparian communities in the Arid Southwest thereby providing increased areas of threatened vital wildlife habitat.

Account	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
Annualized Functional Capacity Units Net Increase	1006 AAFCU	Not Applicable
Annualized Recreational Benefits	$170,800	Not Applicable
Annualized Incidental Flood Damage Reduction (Base Year Only)	32,300	Not Applicable

Project economic life: 50 years.
Benefit-Cost Ratio (Recreation): 1.50. (Current Discount Rate: 5.625).

Direct Beneficiaries: Expected ecosystem restoration and recreation benefits for Maricopa County, the Salt River Pima-Maricopa Indian Community, and the City of Mesa along the Salt River between the Granite Reef Dam and Pima Freeway (SR 101).

Current Status of Chief of Engineers Report: A final Chief's report was signed on 3 January 2005.

(7) May Branch, Fort Smith, Arkansas.

Location of Study Area: The study area is located within the corporate limits of Fort Smith, Sebastian County, Arkansas.

Problems and Opportunities Identified in Study: The principal water resources problems in the May Branch Basin are flood damages to industry, businesses, and residences, and limited aquatic habitat. The P Street storm sewer is the major drainage outlet for the May Branch basin. Runoff with a recurrence interval of approximately ten years exceeds the capacity of the outlet. A major flood event occurred in spring 1990. At that time, the Arkansas River experienced high flows and the P Street gravity outlet on May Branch was closed. Pumping and the P Street storm sewer could not handle the flow. The heavy rainfall resulted in flooding that caused an estimated $2.5 million in damages to 26 businesses and 44 residential units. In 2004, a 13–year old boy slipped into a side drain. He was swept 1.5 miles through the rough, dark P Street storm sewer until he was rescued at the P Street weir. There is an opportunity to open up the channel to allow for rescue of persons falling into the drainage system. Expected annual flood damages are estimated to be $1.7 million to include damages to the 136 structures located in the 500-year floodplain. The opportunity exists to improve the social wellbeing of those who live and work in the May Branch floodplain by alleviating the flood damages to the homes, businesses, and infrastructure.

Construction of the P Street storm sewer in 1910 to replace the May Branch open channel reduced the aquatic habitat to virtually nonexistent. The opportunity exists to reconstruct the May Branch channel, which would restore some minor aquatic habitat.

Alternative Plans Considered: Alternatives investigated included no action, nonstructural, parallel storm sewers, additional pump capacity, detention basins, and open channel plans. The plans investigated in detail included the no-action plan, the National Economic Development (NED) Plan and the Locally Preferred Plan (LPP).

Description of Recommended Plan: The recommended plan is the LPP. The LPP provides for a new 2.77–mile long open channel to

convey flood waters from the May Branch basin to the Arkansas River.

Physical Data on Project Features: The new channel alignment would require 15 structure relocations, 5 rail and 9 road crossings, and a gated hydraulic control structure at the Fort Smith (Arkansas River) Levee. These features are to provide flood damage reduction benefits. From O Street to the Fort Smith (Arkansas River) Levee, the new open channel would augment the flow capacity of the P Street Storm Sewer. Most of the road and rail crossings would be covered channel sections. The channel bottom width varies from 24 feet in the downstream portion to 4 feet for the upstream most 0.5 miles. The channel would be mainly trapezoidal with three horizontal to one vertical (3H:1V) side slopes. The channel slopes would be rip-rapped, except for a short vertical concrete wall section, and a 1,500–foot long segment downstream of Grand Avenue where the channel has 2H:1V concrete-lined side slopes to avoid area buildings. The reporting officers find that approximately 2.25 miles of the new channel, from the Arkansas River upstream to Grand Avenue (Reaches 1 through 4), satisfy requirements for full Federal participation in cost sharing under current Administration policy. The remaining 0.52 miles of new channel (Reaches 5 and 6) will lie upstream of the limit of Federal interest and will be constructed at 100–percent non-Federal cost.

Views of States, Non-Federal Interests and Other Countries: The State Of Arkansas supported the project by letter dated November 27, 2006. The City of Fort Smith is the local sponsor. By letter dated October 19, 2006, the City of Fort Smith affirmed its full support and ability to fund the local share of the project.

Views of Federal and Regional Agencies: No comments were received from the Federal and Regional Agencies as part of the State and Agency Review.

Status of NEPA Document: The Final Environmental Assessment was an integral part of the Final Feasibility Report, dated September 2006. The draft report was released for a 30–day public review on 28 July 2006. The public review was completed on 6 September 2006. Comments received were favorable.

Estimated Implementation Costs of Recommended LPP Plan:

Corps of Engineers/Flood Damage Reduction	$15,010,000
City of Fort Smith/sponsor	15,840,000
Total	30,850,000

Estimated Effects of the LPP:

[Dollars in thousands]

Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
NED—FDR	$1,740	$0
ER—N/A		N/A
Rec—N/A		N/A
Total:	1,740	0

Note: FDR = Flood Damage Reduction; ER = Ecosystem Restoration; Rec = Recreation.
Period of Analysis: 50 years.
Benefit-Cost Ratio: 1.13. (Discount Rate: 4.875%)

NED plan recommended? No, the features of the NED plan are, in all material respects, identical to those of Reaches 1 through 4 of the LPP, except that the NED plan would have smaller flow capacity in Reaches 1 and 2 nearest the Arkansas River. Implementing the NED plan would be approximately $1,981,000 less costly than the LPP. However, the LPP would provide greater flood damage reduction and less expected residual flood damages compared to the NED Plan. Implementation of the recommended LPP would remove 127 structures from the 100–year flood plain of May Branch. Consequently, the recommended project has the potential to reduce future net Federally subsidized reimbursements for flood losses.

The recommended LPP would decrease expected annual flood damages along May Branch by more than 96 percent and nearly eliminate the flood damages expected to be caused by a flood that has a 1.0–percent chance of occurring in any given year (100–year event). The recommended plan would also diminish flood damages for events larger than the 1.0–percent chance event by decreasing flood stages and increasing the chances of successful emergency flood fighting. The project would also reduce highway and railroad traffic interruptions, lessen flood-induced disruptions to the delivery of health and safety services, and decrease the threat of loss of life attendant to flash flooding in urban settings.

Based on the preceding information, the Assistant Secretary of the Army (Civil Works), by memorandum dated 27 October 2005, granted an exception to the Administration policy requirement that the NED plan be recommended for implementation.

Direct Beneficiaries: The residents in the surrounding area are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 19 December 2006.

(8) Hamilton City, California.

Location of Study Area: Hamilton City is in Glenn County, California, along the west bank of the Sacramento River, about 85 miles north of the City of Sacramento. The study area includes Hamilton City and the surrounding rural area. It is bounded by the Sacramento River to the east and the Glenn Colusa Canal to the west and extends about two miles north and six miles south of Hamilton City. Hamilton City has a population of about 2,000. An existing private levee, constructed by landowners in about 1904 and known as the "J" levee, provides some flood protection to the city and surrounding area. Surrounding land use is agricultural with fruit and nut orchards as the primary crops.

Problems and Opportunities Identified in Study: Flooding threatens public safety in and around the community of Hamilton City. The primary risk of flooding to Hamilton City is from the upstream, unregulated tributary streams along the Sacramento River between Shasta Dam and Hamilton City. The community relies on the "J" levee to contain flows in the Sacramento River. The "J" levee does not meet Corps of Engineers or any other levee construction standards and could fail at river levels well below the top of the levee. The Sacramento River is prevented from meandering. A primary problem of the riverine ecosystem in the study area is the loss of the river's natural function to erode its banks and migrate through its floodplain. Confinement of the river by levees, bank

protection, and channel stabilization have limited erosion and deposition of sediment and the formation of essential riverine and riparian habitats. In addition, in the Hamilton City area, private levees protecting the community and surrounding agricultural lands have severed the Sacramento River from its historic floodplain. The levees greatly reduce the area subject to relatively frequent, ecologically significant flooding, which reduces the establishment of riparian vegetation and associated components. The lack of the disturbance pattern from flooding in riparian areas has resulted in a reduction in the natural mosaic of vegetative patterns. As a result, the quantity and quality of riparian and related floodplain habitat and dependent species has been diminished.

Alternative Plans Considered: Alternative plans were formulated for the primary project purpose, ecosystem restoration, to ensure an Ecosystem Restoration (NER) plan could be identified. Combined alternative plans were also formulated for both flood damage reduction and ecosystem restoration. In general, the most cost efficient plans aligned a new levee as far from the river as possible. This allowed the greatest extent of floodplain flooding and habitat restoration, maximizing ecosystem restoration and flood damage reduction benefits. To identify the NER plan, an incremental cost analysis was performed. Two alternatives were identified as "best buys" in that they provide the greatest increase in output for the least increase in cost and have the lowest incremental costs per unit of output relative to the other cost-effective plans. The comparison of the incremental outputs for the two "best buy" plans resulted in the identification of ecosystem alternative #6 as the NER plan. With the identification of alternative #6 as the NER plan, flood damage reduction measures were reevaluated and combined alternative plans were formulated to address other problems and opportunities. The preliminary combined alternative plans were screened against the four planning criteria of completeness, effectiveness, efficiency and acceptability. An incremental cost analysis was performed for the cost effective combined alternatives. Combined alternative 6 is determined to be the alternative plan that reasonably maximizes both ecosystem restoration and flood damage reduction benefits when compared to costs, and is identified as the Combined Plan. The non-Federal sponsor has indicated its willingness to sponsor this plan.

Description of Recommended Plan: The recommended plan consists of actively restoring about 1,500 acres of native vegetation, constructing a setback levee about 6.8 miles long, starting at about 7.5 feet high and transitioning in two increments down to 6 feet high and then to three feet high, and breaching the existing "J" levee in several locations. The levee would provide the community with a 90% level of confidence of passing the 75-year, 35-year, and 11-year events, respectively, by increment.

Views of States and Non-Federal Interests: The State of California Reclamation Board has agreed to be the non-Federal sponsor for the project.

Views of Federal and Regional Agencies: Federal and regional agencies offered no comments.

Status of NEPA Document: A Final Environmental Impact Statement/Report (FSEIS/R) was completed for the project.

Estimated Implementation Costs:

Corp of Engineers	$34,100,000
The State of California Reclamation Board	18,300,000
Total	52,400,000

Estimated Effects: Full implementation of the recommended plan would result in the restoration of 1,500 acres of habitat, providing 888 average annual habitat units (AAHUs). It reduces expected annual flood damages by about $604,000 (including avoided flood-fighting costs). The FDR benefit-to-cost ratio is about 1.9 to 1.

Annual Benefits

Ecosystem restoration: 888 Average Annual Habitat Units.

FDR: $604,000 (BCR = 1.9 to 1).

Current Status of Chief of Engineers Report: A final Chief's report was signed on 22 December 2004.

(9) Imperial Beach, California.

Location of Study Area: The Silver Strand shoreline is located at the City of Imperial Beach approximately 12 miles south of San Diego, California.

Problems and Opportunities Identified in Study: The shoreline at the City of Imperial Beach is severely impacted by this erosion. Estimates of the sediment budget indicate that approximately 76,000 cubic meters (100,000 cubic yards) per year is eroding from the Imperial Beach reach, corresponding to a shoreline retreat rate of two meters per year (6.6 feet per year). Many private property owners have constructed stone revetments or vertical seawalls to protect their property, but these non-continuous protection structures do not solve the erosion issue, and may fail as the beach recedes. Intermittent beach fills have been constructed, but not at a sufficient quantity to halt the shoreline retreat. At the current retreat rate, the shoreline in the North Reach is expected to reach the first line of development by 2007.

Alternative Plans Considered: The Los Angeles District in its preparation of the General Reevaluation Report considered a broad range of potential structural and non-structural measures to prevent further erosion. The Corps examined (1) beach nourishment alone, (2) breakwaters with beach nourishment, (3) additional and extended groins with beach nourishment, (4) a new continuous revetment in the north reach of the study area, (5) a new continuous revetment in the north reach and a raised revetment in the south reach, and (6) a new seawall in the north reach. The Corps determined that the only project alternative that met the planning objectives of economic efficiency and public and regulatory acceptability was the beach nourishment alternative. Breakwaters have met with considerable public resistance at this location in the past. An array of 4 beach alternatives and 5 sacrificial nourishment intervals corresponds to a total of 20 project alternatives that were evaluated. The no-action plan was also evaluated.

Recommended Plan: The recommended plan is the plan that maximizes net national economic development benefits. The recommended plan, Alternative 1, fully addresses the problems of loss of structures and land due to erosion, and of structure damage due to direct wave attack, although some residual damages due to inundation and damage to existing revetments remain. The plan also retains a wide sandy beach for recreational use. The recommended plan involves construction of a base beach fill consisting of 450,000 cubic meters (589,000 cubic yards) of suitable beach sand, plus a

sacrificial advance beach fill of 764,000 cubic meters (1,000,000 cubic yards), for a total initial beach fill of 1,214,000 cubic meters (1,589,000 cubic yards). The placement would be 2,165 meters (7,100 feet) long extending from the northerly groin to the southern end of the development, providing a base nourishment beach width of 12 meters (39 feet) at an elevation of +4 meters (+13 feet) MLLW. The foreshore slope would be set to 15H : 1V. The additional sacrificial beach width would be 20 meters (66 yards), so that initially the nourished beach would be 32 meters (105 yards) wider than the existing beach. The nourished beach is expected to erode to the 12-meter (39-foot) width after 10 years. It would be renourished with a sacrificial advance beach fill of 764,000 cubic meters (1,000,000 cubic yards) every 10 years within the 50-year project lifetime.

The sand used for beach nourishment would be dredged from offshore, from one of two borrow areas. Borrow Area A is located approximately 2 kilometers (1.2 miles) north of the Imperial Beach pier. Borrow Area B is located approximately 4.5 kilometers (2.8 miles) south of the Imperial Beach pier. Both borrow areas contain beach compatible sand, and enough sand is believed to be present in either borrow area alone for the recommended plan.

The initial and periodic beach nourishment will provide a wide beach that is expected to remain in place over the project life of 50 years and will both provide protection against storm-related damage to structures, and maintain existing recreational facilities. Residual storm-related damages are anticipated from storm-related structure inundation, clean-up costs, and costs to maintain the existing revetment in the north reach.

Physical Data on Project Features: The project reach is 2,165 meters (7,100 feet) of the Silver Strand shoreline running from the south end of development at Seacoast Drive to the north limits of the City of Imperial Beach. The selected plan includes:

- Complete erosion control throughout the project reach with the construction of the initial and periodic sacrificial beach fills.
- A high degree of protection against storm-related damage to structures.
- Maintenance of recreational facilities through the provision of a sandy beach that is 12 meters (39 feet) wider than the year 2002 condition.

Views of States, and Non-Federal Interests: The City of Imperial Beach has indicated its support for the selected plan and has provided a Letter of Intent acknowledging sponsorship requirements for the recommended plan.

Views of Federal and Regional Agencies: Both the U.S. Fish and Wildlife Service and the California Department of Fish and Game have indicated their support for the project.

Status of NEPA Document: The Final Environmental Impact Statement / Environmental Impact Report were finalized in October 2002.

Estimated Implementation Costs

Corps of Engineers	$8,521,000
Imperial Beach	5,179,000
Total	13,700,000

In addition, the cost of periodic renourishment over the 50-year life of the project is estimated to be $38,004,000, or $650,000 a year. These costs are cost shared at 50% Federal, 50% non-Federal.

Description of Non-Federal O&M Costs: At least twice annually and after storm events, perform surveillance of the beach to determine losses of nourishment material from the project design section and provide the results of such surveillance to the Federal Government, at an estimated annual cost of $60,000.

Estimated Effects: (October 2004 price levels at 5³/₈% discount rate)

Account	Average annual beneficial effects	Average annual adverse effects
Storm Damage Reduction	$2,395,000	N/A
Recreation	744,000	N/A
Total	3,139,000	N/A

Project Economic Life: 50 years.
Benefit-Cost Ratio: 2.16.

Direct Beneficiaries: Expected storm damage reduction for the City of Imperial Beach along the developed area between the south end of development at Seacoast Drive to the north limits of the City of Imperial Beach.

Current Status of Chief of Engineers Report: A final Chiefs Report was signed on 30 December 2003.

(10) Matilija Dam, Ventura County, California.

Location of Study Area: The study area includes most of the Ventura River and one of its tributaries, Matilija Creek, in Ventura County approximately 70 miles from Los Angeles. A major feature within this area is the Matilija Dam, which is located on Matilija Creek near the City of Ojai. The dam was constructed in the late 1940s and the reservoir has since filled with sediments. It is an impediment to fish passage and has degraded the natural processes in the river system.

Physical Description of the Study Area: The study area consists of the Ventura River watershed, particularly the Matilija Creek sub-watershed and Ventura River and surrounding areas, from the confluence of the north fork of Matilija Creek to the Ventura River. The study area is located in Ventura County, California near the Cities of Ojai (upstream) and Ventura (downstream). The study boundary encompasses an area of approximately 223 square miles and over 33 miles of riverine habitat. The total acres included in the modified Habitat Evaluation Procedure (HEP) are about 2,814 acres. The Matilija Creek watershed begins in the Los Padres al Forest at elevations exceeding 5,000 feet and a drainage area of about 55 square miles. The elevation quickly drops to about 1, 000 feet at Matilija Dam, located about 16 miles from the Pacific Ocean. The confluence of the two forks of Matilija Creek is located about 1/2 mile downstream of the dam. The confluence establishes the beginning of the Ventura River, which flows from north to south and empties into the Pacific Ocean.

Problems and Opportunities Identified in the Study: Construction of the 190-foot high Matilija Dam was completed in 1947 by the Ventura County Watershed Protection District (VCWPD, formerly the Flood Control District) to provide water storage for agricultural

needs and limited flood control. Problems associated with the dam became evident within a couple of decades after construction and include: large volumes of sediment deposited behind the dam and the loss of the majority of the water supply function and designed flood control capability; the deteriorating condition of the dam; the non-functional fish ladder and overall obstruction to migratory fishes; the loss of riparian and wildlife corridors between the Ventura River and Matilija Creek; and the loss of sediment transport contributions from upstream of the dam, with resulting erosion to downstream reaches of the Ventura River, the estuary and the sand-starved beaches along the Ventura County shoreline.

Sedimentation behind the dam has rapidly reduced the ability to store a significant amount of water for future use. It is estimated that approximately 6 million cubic yards of sediments (silts, sands, gravels, cobbles and boulders) have accumulated behind the dam. The remaining shallow reservoir is about 500 acre-feet or seven percent (7%) of the original capacity and is expected to disappear by 2020. Storm flows carry mostly suspended fine sediments downstream; the coarser sediments remain trapped behind the dam. By approximately year 2040, the reservoir basin is expected to have reached an equilibrium condition and be completely filled with sediment totaling over 9 million cubic yards.

Matilija Dam has had many adverse effects on stream ecology and wildlife since its construction. Sediment trapped by the dam has deprived downstream reaches of sand and gravel sized materials necessary to sustain a suitable substrate for spawning, including the creation of riffle and pool formations, sandbars, and secondary channels. These conditions help promote habitat diversity capable of supporting many sensitive wildlife species such as the southern steelhead, southwestern pond turtle, the arroyo toad and the California red-legged frog. The dam has blocked upper watershed natural river flows and therefore has altered natural stream and habitat dynamics. Water that has been impounded and subsequently released downstream is typically of poorer quality, affected by higher temperature, lower dissolved oxygen, and potentially higher nutrient loads. The cumulative adverse effects of Matilija Dam on downstream ecology will continue for at least 100 years, long after the reservoir is completely filled with sediment.

Historically southern steelhead, a species of migratory trout, was common inhabitants of California coastal streams as far south as San Diego. In the last 50 years there has been a dramatic decline from historic estimates of returning adults. This decline has been attributed in large measure to the numerous dams and diversions that have blocked steelhead access into historic habitat in the tributaries of major river systems, and the degradation to quality of habitat in rivers due to agricultural influence and urbanization. In 1997, the southern steelhead was listed as federally endangered. The Ventura River system once supported approximately 4,000 to 5,000 spawning southern steelhead. Current population estimates are less than 100 adult individuals for the Ventura River system. The steelhead habitat upstream from Matilija Dam was historically the most productive spawning and rearing habitat in the Ventura River system. It is estimated that about fifty percent (50%) of this remaining prime habitat was lost due to the construction of the dam.

Steelhead and other aquatic species (fish, including the Arroyo chub- a California State species of special concern, and amphibians) would regain access to approximately 17.3 river miles of high quality spawning and rearing habitat by removing Matilija Dam. Without removal of the dam, fish passage cannot be restored, as even a fish ladder facility could not provide a viable solution for a dam of this size.

Matilija Dam has contributed to streambed erosion in the riverine system. Where erosion of the streambed has been most severe and the active channel has become entrenched, the adjacent alluvial deposits in the floodplain are now abandoned. Flood flows up to the 100-year event can remain in the main channel and do not inundate the floodplain. Native habitats dependent on an active floodplain as a result are significantly impacted and drastically altered. The greatest influence of Matilija Dam to riverine sediment supply and transport are within the 8.5 river miles between the structure and San Antonio Creek. In this stretch of the river, the majority of sediment supply is from the North Fork Matilija Creek. Without the dam in place however, Matilija Creek would be the largest sediment contributor in these reaches. Immediately downstream of Matilija Dam, about 4 feet of erosion has occurred since 1971. Bedrock control limits the amount of erosion. In the reach downstream of Robles Diversion Dam, there has been up to 10 feet of erosion, as there is detention of sediment at that facility. However, if Matilija Dam were removed, degradation would not be a significant problem in this reach. Downstream of San Antonio Creek, a reach between river mile 2 and 5.5 (measured from the river mouth) has experienced up to 10 feet of erosion. This is attributed to a combination of sediment supply deficits resulting from the presence of Casitas Dam and Matilija Dam, as well as debris basins in San Antonio Creek watershed, and channel constriction by bridges.

Beach erosion, attributed to the influence of human activities including the construction of dams, has also been a problem along most of the local coastline. Over the last 50 years, Emma Wood State Beach, west of the mouth of the Ventura River, has eroded approximately 150 feet, indicating an erosion rate of 2 to 3 ft/yr. Surfer's Point just down coast of the river mouth, once a sandy beach, is now mostly cobble. Loss of upper sand beach zones has caused a loss of spawning habitat for the California grunion, and to foraging and breeding habitat for the federally listed threatened western snowy plover. The extent of coastal dunes on both sides of the river mouth has been diminishing over the years as a result of the loss of protective beachfront and erosion by wave action. Coastal dunes and their habitats, which once supported the silvery legless lizard, a California-State species of special concern, are diminishing and will eventually be lost entirely.

The removal of Matilija Dam would release approximately 4 million cubic yards of sands, gravels and more coarse-grained sediment to Ventura River reaches downstream of the dam, and to the nearby coastline. The downstream channel degradation trends would reverse, and equilibrium (roughly pre-dam) channel bed elevations would be restored in about 10 years versus the approximate 100 years it would take if the dam were to remain in-place.

Recreation trails exist upstream and downstream of the Matilija Dam area, but not in the vicinity of the dam. The upper trails are located in the Los Padres al Forest. Downstream trails are primarily located along Highway 33, roughly parallel to the Ventura River. Opportunities exist to link the trail systems, particularly in combination with dam removal.

The natural streamflow in the Ventura River and associated subsurface alluvial groundwater is impacted by several major water extraction operations in the watershed: Matilija Dam, Casitas Dam, Robles Diversion Dam, Foster Park diversion facility and other smaller water extractors. The average annual extraction operations in the Ventura River are about 18,000 acre feet. Matilija Dam provides an average of 590 acre feet/year to Robles Diversion Dam located two miles downstream of Matilija Dam (owned by the Bureau of Reclamation and leased to Casitas Municipal Water District, CMWD) and diverts water during large storm events from the Ventura River to Lake Casitas, the primary surface water supply for the County of Ventura. The effects of these extractions limit the duration and magnitude of river flow necessary for successful steelhead migration, and in addition, adversely affect in-stream habitat characteristics. During the summer/fall period when natural flows are low, fish and aquatic organisms that become isolated as a result of receding stream flows are subjected to predation, impaired water quality, and desiccation once flows cease. This diversion dam has impacted steelhead migration, spawning and rearing throughout the lower Ventura River. CMWD has constructed a fish passage that is intended to restore the capability for fish to pass the Robles Dam. The only remaining upstream obstruction to fish passage along Matilija Creek will be Matilija Dam.

Discharges into the Ventura River, including point source contributions from a wastewater treatment facility, and non-point source contributions from agricultural and urban development have affected the water quality of the river. The California Regional Water Quality Control Board has classified the Ventura River as a Category I (impaired) watershed and has approved the river's status on the 303(d) list and TMDL priority schedule for pollutants including DDT, copper, silver, zinc, algae (eutrophication) and trash.

Planning Objectives: The Federal objective for ecosystem restoration studies is to contribute to National Ecosystem Restoration (NER) through increasing the net quality and/or quantity of desired ecosystem resources. The Corps, the sponsor, resource agencies and stakeholders based on public input, meetings, and identification of the problems and needs, developed the primary objectives for this study. The primary ecosystem restoration study objectives are:

- Improve aquatic and terrestrial habitat along Matilija Creek and the Ventura River to benefit native fish and wildlife species, including the endangered Southern California steelhead trout.
- Restore the hydrologic and sediment transport processes to support the riverine and coastal regime of the Ventura River Watershed.
- Create recreational opportunities along Matilija Creek and the downstream Ventura River system.

Alternative Plans Considered: Multiple iterations of formulation and screening of measures and alternatives were conducted during

the plan formulation process. These activities involved the multi-agency members represented in the various groups formed to address specific issues related to dam fate, sediment management, the ecosystem, fish migration barriers, water supply, flood control, recreation, air quality, noise, and traffic. Measures that address the study objectives were considered, discussed, combined in different manners and screened during this process.

Description of Recommended Ecosystem Restoration Plan: Alternative 4b best satisfies the project objectives. It provides the desired ecosystem restoration, produces high environmental outputs, and is designated as the National Ecosystem Restoration (NER) Plan and, with the addition of an associated feature that will be paid for by the sponsor, it is the Locally Preferred Plan and the Recommended Plan. The selected plan fully addresses the identified problems along the Matilija Creek and the Ventura River.

Physical Data on Project Features: Project features include:

- Slurry of approximately 2 million cubic yards (1/3 of total deposits) of fine sediments (silts and clays) from behind Matilija Dam approximately 5 miles downstream to slurry disposal sites;
- Construction of levees/floodwalls at Casitas Springs, Live Oak and Meiners Oaks;
- Addition of two wells at Foster Park;
- Construction of high-flow sediment bypass structure at Robles Diversion Dam;
- Contouring of remaining 4 million cubic yards of deposited sediments into sediment storage areas as source for future natural erosion/transport downstream during storm events;
- Construction of 100–foot wide meandering fish passage channel through former sediment deposition area;
- Addition of soil cement to two downstream sediment storage areas;
- Dam removal by controlled blasting in 15–foot increments;
- Construction of recreation trail along slurry pipeline alignment;
- Construction of desilting basin adjacent to Robles Canal (to be paid for by the Sponsor)

Selected Recreation Plan Description:

A new trail system includes a hiking trail linking the existing Los Padres al Forest Matilija Wilderness Area trails to the Matilija Reservoir Area. The dirt trail would then be designed for multiple uses (hiking, equestrian and mountain biking) along the existing unimproved access road that parallels the eastern edge of the Matilija Reservoir Area to the road entrance below the dam site. The multi-use trail would continue downstream along the Ventura River using the slurry pipeline and service road alignment after completion of that phase of the project. The trail would extend from Matilija Road to the Highway 150 Bridge (Baldwin Road) crossing. The Sponsor would pursue a link between the lower end of this proposed trail at Highway 150 Bridge crossing to the County of Ventura Ojai Valley Trail located along Highway 33, about a 1/4 mile away. The total length for this trail system is about 7 miles.

Vegetative barriers, such as chaparral, would be used along portions of the trail to protect adjacent private properties and environmentally sensitive habitat areas from unwanted access by trail

users. Fencing would be installed where vegetative barriers could not be used.

Two trailheads would be constructed for the multi-use recreation trail. The lower site would be located at the Highway 150 Bridge as part of the restoration plan for the disposal site, and the upper site would be at a rest area at the current location of Matilija Dam. Consideration would be given to including turnarounds, parking, footbridges and other measures for access and circulation as well as safety measures along the trails.

Three rest areas are proposed for the project area based on existing facilities and landscape features. Specific facilities at these areas could include comfort stations, shelters, picnic areas, drinking fountains and faucets, interpretive signs and markers, and similar features consistent with Corps of Engineers guidance.

Views of States, and Non-Federal Interests: The Ventura County Watershed Protection District has indicated its strong support for the Recommended Plan.

Views of Federal and Regional Agencies: The NOAA, al Marine Fisheries Service, the U.S. Fish and Wildlife Service, the Bureau of Reclamation, the California Regional Water Quality Control Board, the California Coastal Conservancy, and multiple other wide, regional and local environmental groups have expressed strong support for the Recommended Plan.

Status of NEPA Document: The Final Environmental Impact Statement/ Environmental Impact Report has been completed.

Estimated Implementation Costs:

Corps of Engineers	$ 89,700,000
Ventura County Watershed Protection District	54,800,000
Total:	144,500,000

Estimated Effects: This project will restore a vital link to a fragmented ecosystem in Ventura County and will provide access to pristine habitat area within the Los Padres al Forest. This dam removal project is the first of its kind with Corps of Engineers participation based on the scope and scale of the effort. The economic analysis is presented in the following summary table.

ECONOMIC ANALYSIS OF RECOMMENDED PLAN

Average Annual Cost per Habitat Unit	$10,127
Avg Annual Equivalent Cost per Acre	2,723/acre
First Cost per Acre	43,984/acre

These values are based on Fiscal Year 2004 price levels, and an interest rate of 5.625 percent and a 50–year period of economic analysis. The costs for associated features and the recreation Plan are not included in the average annual cost calculations for the NER analysis. The average annual benefits reflect the increase in habitat units based on HEP values, reflecting non-monetary benefits.

HEP COMPARISON OF NO ACTION TO RECOMMENDED PLAN (HABITAT UNITS)

Target year	Steelhead Habitat Component		Riparian Habitat Component		Natural Processes Component		Totals	
	No Action	With Project	No Action	With Project	No Action	With Project	No Action	With Project
0	177	177	1032	1032	228	228	1437	1437
5	234	501	1029	1125	228	240	1491	1866
20	234	543	944	1145	228	520	1406	2208
50	234	544	782	1183	286	570	1302	2297
AAHUS	231	514	917	1147	245	464	1393	2128
Change in AAHUs	——	283	——	229	——	219	——	731
% Change	——	122%	——	25%	——	89%	——	53%

Project economic life: 50 years.
Benefit-Cost Ratio (Recreation): 4:1
(Discount Rate used: 5.625)

Direct Beneficiaries: Ecosystem restoration and recreation features of the Recommended Plan directly benefit the Ventura County Watershed Protection District and the local communities and residents of the Ventura River Watershed.

Current Status of Chief of Engineers Report: A Chief's report was signed on 20 December 2004.

(11) Middle Creek, Lake County, California.

Location of Study Area: Middle Creek is located in Lake County, approximately 80 miles north of San Francisco and is the main tributary into Clear Lake, the largest natural lake entirely within the borders of California.

Problems and Opportunities Identified in Study: Flood-related problems in the study area include potential damages from inundation to structures and extensive areas of agriculture from overflow from Rodman Slough. Prior to agricultural reclamation efforts, the study area was also part of Clear Lake. Although surrounded by levees, the study area remains at risk from flooding from both Clear Lake and Rodman Slough because of levee settlement. The majority of the study area is now included in the FEMA 100–year flood plain even though the Corps' Middle Creek Project was constructed in the 1960's to provide 100–year protection to the area.

Considerable ecosystem degradation has taken place in the study area. Historically, the area was a portion of Clear Lake and consisted of tule marsh and open water. Shoreline wetlands served an important function to Clear Lake, providing fish and wildlife habitat, and trapping sediments. These wetlands were converted to agricultural fields during the last century. Problems associated with this degradation have increased over time. These problems include loss of natural habitat, loss of ecosystem function, and degraded water quality. Opportunities were presented to reduce flood damage reduction and restore the ecosystem.

Alternative Plans Considered: Five alternative plans were included: (1) no action; (2) restoring the 100-year flood plan boundary, approximately 1,650 acres of potential open water, wetland, riparian and upland habitat, breaching existing levees acquiring property, relocation of 22 structures and a ring levee around tribal trust lands; (3) similar to alternative 2 but smaller, only approximately 1,127 acres, construction of a cross levee and ring levee; (4) similar to 2 and 3 but smaller area of 890 acres to include a cross levee and ring levee; and (5) a non-structural flood damage reduction alternative with no ecosystem restoration, area of approximately 1,650 acres, similar to alternative 2 without the habitat restoration.

Description of Recommended Plan: The recommended plan is not the plan that maximizes net national economic development benefits. Alternative 2 encompasses about 1,650 acres, extending from the current shoreline of Clear Lake to the 100-year flood plain boundary. This alternative would restore the entire flood plain in the study area, with the exception of the Tribal lands adjacent to the study area. Alternative 2 was formulated to address both planning objectives. This alternative plan focuses on reconnecting the flood plain of Middle Creek to the historic Robinson Lake wetland area by breaching the existing levee system to create inlets that direct flows into the study area and providing flood damage reduction by relocating residents from the flood plain.

Physical Data on Project Features: A portion of the Middle Creek Project levee from the confluence of Scotts and Middle Creeks to Clear Lake [would need to be] [is] deauthorized to allow it to be breached. Channels and sloughs will be constructed to direct creek flows from the breaches through the study area to Clear Lake. A ring levee will be constructed to provide an existing level of protection for the Tribal lands. Implementation of this alternative will result in 765 acres of wetlands, 230 acres of riparian, 405 acres of open water, and 250 acres of upland habitat.

This alternative also will require that all structures and personal property be removed from the study area. A total of 22 structures and associated infrastructure (septic tanks, plumbing, and electrical) would be demolished and removed from the project area. Wells will be abandoned and capped as required by County and State standards. Property owners will be compensated and relocated outside the flood plain. All current agricultural practices within the flood plain will be discontinued.

Alternative 2 provides $285,000 in average annual National Economic Development (NED) benefits. The average annual costs for allocated flood damage reduction is $252,000, resulting in net NED benefits of $30,000 and a benefit-to-cost (B/C) ratio of 1.12. Alternative 2 produces 869 Average Annual Habitat Units with an incremental cost per unit of $547.

Views of States, and Non-Federal Interests: The sponsor, Lake County Flood Control and Water Conservation District, has continued to express support for the project, understands the cost sharing requirements during preconstruction engineering and design and is prepared to execute a cost sharing agreement upon completion of the feasibility study.

Views of Federal and Regional Agencies: At this time, 4 of the 6 native American tribes within the Clear Lake Basin have expressed support of the project, the local Bureau of Indian Affairs also has expressed support of the project provided continued coordination with all tribes and BIA, U.S. Fish and Wildlife and EPA supports the project based on their review of the draft report.

Status of NEPA Document: The Integrated Feasibility Report and Environmental Impact Statement/Environmental Impact Report are complete.

Estimated Implementation Costs:

Corps of Engineers	$29,500,000
Lake County	15,700,000
Total	45,200,000

Description of Non-Federal Implementation Costs: Non-Federal implementation costs include $18,229,000 in land acquisition, $2,497,000 in relocations and $645,000 in design and construction management costs, total Non-federal $21,371,000 costs, Federal reimbursement of $6,834,000, for total Non-Federal cost of $14,537,000.

Description of Non-Federal O&M Costs: The OMRR&R cost for the ecosystem restoration consists of $104,000 for systematic thinning of terrestrial vegetation to maintain unimpeded hydraulic flows in the study area and to provide maintenance to the ring levee. Costs would also be associated with the adaptive management plan.

Estimated Effects: Construction of the restoration area will cause temporary effects to the environment. Once construction is complete, approximately 765 acres of wetlands, 230 acres of riparian, 405 acres of open water and 250 acres of upland habitat will be restored. Approximately 22 structures will be removed.

Project economic life: 50 years

Benefit-Cost Ratio: 1.12 (Oct 2002 price levels, 6⅛%)

Habitat Benefits: 869 AAHUs

Alternative 4 was the NED plan with the NED benefits of $35,000 but the NER plan was Alternative 2 with 869 AAHUs versus Alternative 4 with only 127 AAHU's habitat benefits. The combined NED/NER plan was selected with benefits of $30,000 and 869 AAHUs.

Direct Beneficiaries: The project would provide flood damage reduction, improve ecosystem values in the Middle Creek area; improve fish and wildlife habitat, increase wetland, riparian, and upland/foraging habitats; reestablish native historic plant and wildlife communities within the historic Robinson Lake area; reconnect Middle Creek to the historical flood plain and increase ecosystem habitat values to the watershed.

Relationship to Other Plans: Construction of the Middle Creek Flood Control Project was completed by the Corps in 1966. The project, which included 14.4 miles of levees, diversion structures, and a pumping station, separated the historic Robinson Lake wetlands area (about 1,500 to 2,000 acres) and a shallow bay of the Upper arm of Clear Lake from Rodman Slough located upstream of Clear Lake. The project included levees and incidental channel improvements along 7 miles of Middle Creek (including Rodman Slough), a channel to divert Clover Creek overflow around the town of Upper Lake, levees along lower Scotts Creek creating the Middle Creek Reclamation area, and pumps to discharge drainage. This ecosystem restoration project will modify 7 miles of levees along Middle Creek, which were part of the Middle Creek Flood Control Project.

Current Status of the Chief of Engineers Report: A Chief's report was signed on 29 November 2004.

(12) Napa River Salt Marsh, California.

Location of the Study Area: The study area is located approximately 30 miles northeast of the City of San Francisco, in unincorporated portions of Napa, Sonoma, and Solano Counties, California. The study area is located on the northeast side of San Pablo Bay, immediately west of the Napa River, and immediately east of Sonoma Creek. The study area consists of the Napa River Unit of the Napa-Sonoma Marshes State Wildlife Area (NSMWA), which is comprised of 12 ponds formerly used for solar salt production.

Problems and Opportunities Identified in Study: Diking or filling has destroyed nearly 90 percent of the original tidal wetlands of San Francisco and San Pablo Bays. The project site, historically dominated by tidal salt marsh, was diked and converted to hayfields approximately 150 years ago. Subsequently, in the early 1950s, the diked areas were converted to solar evaporation salt ponds. The project is a part of a larger effort to restore a portion of diked Baylands to tidal action to support endangered and special species (such as the salt marsh harvest mouse and California clap-

per rail) recovery, improve water quality, and restore greater ecological balance to the San Francisco Bay area.

Alternative Plans Considered: Initially, twenty-four salinity reduction, seven habitat restoration, and three supplemental water delivery alternatives were considered in the alternative screening process. The screening process narrowed consideration to seventeen alternatives, including the No Action Plan, that were carried forward. All possible combinations of salinity reduction options and habitat restoration options were considered.

Description of Recommended Plan: The Recommended Plan is the plan that maximizes net national ecosystem restoration benefits and would involve salinity reduction of Ponds 4, 5, 6 and 6A through water discharges to the Napa River, and bittern removal/salinity reduction of Ponds 7, 7A and 8 through water discharges to Napa Slough. The Recommended Plan would use a combination of natural water sources to achieve the salinity and bittern reductions, including seasonal rainfall and flows from neighboring waters (Napa Slough and Mud Slough.) This plan was recommended because it provides a balanced mix of pond and tidal habitat, manages restoration related risk through effective use of adaptive management, and is determined to be the most cost effective based on cost effectiveness/incremental cost analysis evaluation. The Secretary is authorized to carry out the recommended plan. However, the Secretary is directed to include as part of the project, construction of a recycled water pipeline and restoration of Salt Ponds 1, 1A, 2, and 3.

Physical Data on Project Features: The plan would be constructed with two broad categories of outputs in mind: (1) desalination; and (2) habitat restoration. Features aimed at the desalination portion would include a combination of water conveyance and control structures—including intakes, fish screens, outfalls, diffusers, siphons, mixing chambers, and levee breaches. The recycled water pipeline that is included in the project extends from the Sonoma Valley County Sanitation District Wastewater Treatment Plant and the Napa Sanitation District Wastewater Treatment Plant. Habitat restoration features would include construction of starter channels and berms, levee lowering, blocking ditches, breaching of ponds to reestablish tidal actions, and maintenance of ponds that currently provide good habitat. The Recommended Plan would result in the restoration of approximately 4,534 acres of high-quality pond and tidal marsh habitat.

Views of States, and Non-Federal Interests: The State of California responded verbally with no comment during the 30-day State and Federal agency review period, which began on 20 August 2004 and expired on 20 September 2004.

Views of Federal and Regional Agencies: The U.S. Department of Interior responded via letter dated 22 September 2004 with no comment. FEMA, Health and Human Services, and the U.S. Coast Guard responded verbally with no comment. The Environmental Protection Agency responded via Federal Register notice dated 10 September 2004 with no comment.

Status of NEPA Document: A Final Environmental Impact Statement/Report (SEIS/EIR) was completed for the project. The Notice of Availability for the Final SEIS/EIR was published in the Federal

Register on 20 August 2004; the final date for comments was 20 September 2004. No significant comments have been received.

Estimated Implementation Costs:

Corps of Engineers	$87,500,000
Non-Federal Interest	47,000,000
Total	134,500,000

Description of Non-Federal O&M Costs: The CDFG will assume ownership of the constructed project and be responsible for all operations and maintenance (O&M) activities associated with the ponds. O&M responsibilities for the project include levee inspection and maintenance, repair and replacement of water conveyance and control structures, operator's labor, maintenance materials, equipment and labor, inspection reports, utilities, removal of invasive exotic vegetation such as Spartina and other major replacements.

Estimated Effects:

NER Effects: Average Annual Habitat Units: 2,000

Recreation annual benefit: $1,170,000

Direct Beneficiaries: Native species of flora and fauna (including special-status species), the general public, and users of the recycled water pipeline after the project is completed.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 22 December 2004.

(13) South Platte River, Denver, Colorado.

Location of the Study Area: The project is located on the Zuni/Sun Valley Reach of the South Platte River, between 8th Avenue and Lakewood Gulch.

Problems and Opportunities Identified in Study: The City and County of Denver has accomplished much towards restoring the environmental assets of Denver's South Platte River corridor. Only the Zuni to Sun Valley reach, which includes the Zuni Power Plant and the Sun Valley housing development, remains in a severely degraded condition. A low head Fabridam that is used to store water for cooling purposes by the Zuni Power Plant dominates this area by backing up water for over one mile and blocking upstream movement of aquatic organisms to an additional 13 miles of river habitat. Ecosystem problems include restricted fish mobility (100 percent blockage during low river flows); low dissolved oxygen levels upstream of the Fabridam; harmful sediment deposition in areas downstream of the Fabridam following periodic flushing of sediment trapped above the dam; no protective cover for aquatic species downstream of the dam; minimal riparian habitat; virtually no wetland habitat; extremely low stream-flow depth-to-width ratios; elevated stream temperatures from power plant discharged water and from stagnant upstream pools heated by sunlight; bank stabilization problems caused by the Fabridam backwater; elimination of wildlife mobility due to the presence of the Fabridam, significant invasion by non-native plant species; minimal river access constraining recreational use of the river corridor; and safety problems due to steep banks and deep pools behind the dam.

Opportunities exist to restore this last river reach in metropolitan Denver, resulting in unrestricted mobility through aquatic, riparian, and terrestrial habitat and substantial increases in wetlands and quality aquatic habitat. Once the Fabridam is removed and aquatic and riparian habitat is restored, an unobstructed

South Platte greenway will exist through the entire 35-mile reach from Chatfield Dam through the Denver metropolitan area.

Weir Gulch, a west bank tributary entering the South Platte River a few thousand feet upstream of the Fabridam, also presents a significant opportunity for restoration and reconnection of aquatic and riparian habitat with the South Platte River.

Alternative Plans Considered: Measures considered included revegetation, bank modifications, Weir Gulch restoration, removal of the Fabridam, development of a low flow channel, and no action. Also, the potential for abandonment of the dam was considered at some future point in time; however, the power plant, which relies on the dam for necessary cooling water, is expected to operate indefinitely into the future. Combinations of these measures were evaluated for cost-effectiveness and "best buy" (incremental analysis).

Description of Recommended Plan: The recommended plan is the plan that maximizes net national ecosystem restoration benefits. This plan consists of the removal of the Fabridam, construction of a 250 cfs low flow channel, site utility relocations, and full site restoration, including bank modifications, revegetation with native plants, and Weir Gulch restoration. With removal of the Fabridam, a new alternative cooling water supply (a within-channel infiltration gallery system) will be constructed to allow continued operation of the Zuni Power Plant.

Physical Data on Project Features: The recommended NER plan will restore 15 acres of fish and wildlife habitats along one mile of the stream corridor of the South Platte River. Bank modifications will include removal of existing riprap, stripping of vegetation, excavation of soil material, and use of excavated west bank soil material to build out and stabilize the east bank. A 250 cfs low flow channel excavated into the channel will concentrate flows in a slight meandering pattern, creating aquatic and wetland habitat through the formation of riffles, pools and bars. The stream corridor throughout the project area will be fully vegetated with native species. Weir Gulch restoration will consist of clearing, grading and revegetation for approximately 600 feet upstream from its mouth.

Views of States, and Non-Federal Interests: This project is strongly supported locally by the Greenway Foundation, Urban Drainage and Flood Control District, and the City and County of Denver, the study's non-Federal sponsor. A letter from the State of Colorado Division of Wildlife dated 9 March 2001 and a letter from the Denver Board of Water Commissioners dated 20 February 2001 provided extensive support for this project, including support for the removal of the Fabridam and for the established goals for restoration of the South Platte River downstream of 8th Avenue to Lakewood Gulch. There is broad community support for South Platte River restoration, as reflected in letters of concurrence from the Colorado Historical Society and support from nongovernmental organizations, including the Audubon Society and Sierra Club. Approximately 40 letters of support have been received from agencies, organizations, and other interested parties. A State of Colorado letter dated 2 December 2002 had a few minor concerns that have been formally addressed by the Omaha District in a letter dated 25 February 2003.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service letter dated 14 February 2001 states directly that the proposed project would not negatively impact any threatened and endangered species. The Environmental Protection Agency provided two letters, dated 15 March 2001 and 26 February 2003, supporting the project.

Status of NEPA Document: The finding of no significant impact was signed on 7 August 2002, following public review. No opposing or negative responses were encountered or submitted.

Estimated Implementation Costs:

Corps of Engineers	$13,680,000
Non-Federal	7,370,000
Total	21,050,000

Description of Non-Federal Implementation Costs: The City and County of Denver will be responsible for acquiring all real estate necessary for project construction, including relocation of all utilities, as well as construction of the infiltration gallery and acquisition of all consumptive water rights. In accordance with report recommendations, the Federal Government will execute and/or reimburse the non-Federal sponsor for all activities that exceed their 35% total project cost obligation.

Description of Non-Federal O&M Costs: At the end of the monitoring period, and upon receipt of the OMRR&R manual, the local sponsor will assume normal operation and maintenance responsibility for the project. Future operation and maintenance requirements will be funded entirely by the local sponsor.

Estimated Effects: The recommended NER plan will restore 15 acres of fish and wildlife habitats along one mile of the stream corridor of the South Platte River. A more natural flow regime will be restored by removal of the Fabridam. Negative downstream impacts associated with sediment flushing at the Fabridam every 3–4 months will be eliminated. The project area will experience improved water temperatures and water quality, a significant increase in native plants and fish habitat, a decrease in non-native plants and noxious weeds, and a net gain of approximately 3 acres of wetland. A productive and biologically diverse fish and wildlife community, including migratory waterfowl and fish-eating birds, riparian songbirds and mammals, and native fish, will develop. Unrestricted movement by mobile aquatic and riparian species will be possible along a 35-mile reach of the South Platte River, since restoration of river reaches, both upstream and downstream of the proposed project through Denver, has previously been completed by local interests.

Direct Beneficiaries: Fish and wildlife using the South Platte River and the residents of the Denver metropolitan area and the rest of the Nation will benefit from the improved fish and wildlife habitat quality and quantity.

Relationship to Other Plans: The City and County of Denver has spent over $35 million of local funds on numerous projects upstream and downstream of Denver County Reach to create a more environmentally sound South Platte River through metropolitan Denver. As the last major river restoration project in metropolitan Denver, the proposed Denver County Reach project completes the transformation of the South Platte River from one long-abused as

solely a means of providing storm drainage and a water delivery system for residential, agricultural and commercial interests to a river corridor recognized as having great environmental value. The project location is upstream and contiguous to the Section 1135, Colfax Reach Project.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 16 May 2003.

(14) Miami Harbor, Florida.

Location of Study Area: Miami Harbor is located on the east coast of Florida in Biscayne Bay near the southern end of the Florida peninsula.

Problems and Opportunities Identified in Study: Currently vessels using the harbor must light-load to enter or leave the harbor causing increased transportation costs. Entrance channel and inner harbor widths and depths are not adequate for safe, cost-efficient transiting of many existing and future container ships. Difficult crosscurrents at the beginning of the entrance channel and the transition from Cut-3 to Lummus Island Cut have resulted in groundings. Ships transiting the Lummus Island Cut pass extremely close to vessels docked at the gantry crane berths, which results in a surge effect on those ships at dock. The surge effect produces a force that tends to pull ships away from their moorings and makes unloading difficult.

Proposed wideners at the beginning of the entrance channel, along the southern intersection of Cut-3 with Lummus Island Cut, and along the southern edge of Lummus Island Cut will improve navigation safety, and reduce tug assists. The proposed channel deepening will provide a reduction or elimination of light loading costs. Expanding the Fisher Island Turning Basin will decrease transit times for ships due to an additional turning basin. Those transportation efficiencies will allow the existing and future container ships to carry more cargo and reduce transportation costs.

Alternative Plans Considered: To achieve the cost reduction benefits mentioned above six initial measures or components received consideration. As a result of information received during the coordination process, modifications to those components resulted in reduced environmental impacts to reef and seagrass areas while increasing navigation safety. Iterative reviews involving resource agencies, ship simulation results, and the harbor pilots resulted in modifications to the original six components to provide fourteen total components that received consideration. Continued dialogue with interested parties completely avoided one reef area at the entrance channel and produced similar reductions in seagrass impacts and construction costs for the other proposed components. For evaluation of benefits different combinations of components resulted in nine alternative plans. The nine alternative plans include a no action plan, a channel widening alternative (Components 1C, 2A, and 5A), an expansion of Fisher Island Turning Basin (Component 3B), deepening the previously authorized channel configuration to depths of 43–50 feet, four combinations of deepening and widening alternatives, and a 36-foot deepening and widening alternative (Components 6 and 6A involving extension and widening of the Dodge Island Channel and construction of the Dodge Island Turning Basin). Component 4 involved a non-structural alternative,

which shifts the cruise ship channel or Cut-4 to an area of existing deep water.

The NED plan consists of widening components 1C, 2A, and 5A optimized at a depth of 49 feet. The NED plan would provide AAEQ benefits of $14,710,000 and AAEQ costs of $10,010,000, which resulted in net AAEQ benefits of $4,700,000 and a benefit-to-cost ratio of 1.5 to 1.

The sponsor is willing to pay for an additional foot of depth, which provides for a locally preferred plan of 50 feet. The LP plan has AAEQ benefits of $14,740,000 and AAEQ costs of $10,650,000, which provides net AAEQ benefits of $4,090,000 and a benefit-to-cost ratio of 1.4 to 1.

Description of Recommended Plan: The recommended plan is not the plan that maximizes net national economic development benefits. The recommended plan is the locally-preferred plan and consists of:

- Component 1C—Widen seaward portion of Cut-1 from 500 to 800 feet and deepen Cut-1 and Cut-2 from a project depth of 44 to 52 feet for the LP plan;
- Component 2A—Add turn widener at the southern intersection of Cut-3 with Fisherman's Channel and deepen to a project depth of 50 feet for the LP plan;
- Component 3B—Increase the Fisher Island Turning Basin from 1200 to 1500 feet. Truncate the northeast section of the turning basin to minimize seagrass impacts. Deepen from a project depth of 42 feet to 50 feet for the LP plan;
- Component 4—Realign the western end of the existing 36-foot main channel about 250 feet to the south, no dredging required; and
- Component 5A—Expand the Sponsor's berthing area by 60 feet and widen the southern edge of Fisherman's Channel (Lummus Island Cut) about 40 feet for a 100-foot increase in total width, reduce the Lummus Island (Middle) Turning Basin to a 1500-foot diameter from the currently authorized 1600-foot diameter, and deepen from a project depth of 42 feet to 50 feet for the LP plan.

Mitigation for channel widening includes construction of artificial reef areas and filling existing borrow sites for seagrass restoration. Based upon the extent of impacts and the ratios discussed, restoration of approximately 24 acres of seagrass beds would occur as compensation for unavoidable impacts. Seagrass impacts include the permanent loss (removal) of 0.2 acres of mixed seagrass beds and the indirect loss of 7.7 acres of seagrass due to the natural equilibration of side slopes for a total of 7.9 acres. In order to replace local seagrass functions and values, restoration would be implemented within Biscayne Bay, preferably in areas where seagrass once occurred and is now absent due to past borrow site excavation for causeway construction. New impacts to low relief hardbottom/reef and high relief hardbottom/reef total 1.4 and 3.1 acres, respectively. Based on the Habitat Equivalency Analyses calculations, direct impacts to hardbottom/reef habitats would require the construction of artificial reef habitat at an effective mitigation ratio of 2:1 for high relief hardbottom/reef habitat and an effective mitigation ratio of 1.3:1 for low relief hardbottom/reef habitat. Construction of mitigation reefs would occur in two different designs to re-

flect the differences in the habitat structure of the two types of hardbottom/reefs impacted. For the high relief reef/reef habitat development of a total of 6.2 acres would occur. For the low relief hardbottom/reef habitat development of a total of 1.82 acres would take place. Reef construction would occur at proposed artificial sites located south of the entrance channel. The sponsor will have responsibility for five years of post-construction monitoring of both the seagrass and reef mitigation sites.

Physical Data on Project Features: The recommended plan would consist of dredging approximately 6.0 million cubic yards of limestone and sands. Mitigation for impacts to entrance channel reef areas and seagrass beds is described in the paragraph above.

Views of States, and Non-Federal Interests: Public and agency views including correspondence and informal comments received to date from coordination of the Draft GRR/EIS and public meeting on May 6, 2003, have been addressed and are included in Appendix N of the final EIS. Florida Department of Environmental Protection/State Clearinghouse letter dated May 14, 2003, described the project at this stage as consistent with the Florida Coastal Management Program (FCMP) based on information contained in the Draft GRR and EIS. All subsequent environmental documents prepared for this project must be reviewed to determine the project's continued consistency with the FCMP. The state's continued concurrence with the project will be based, in part, on the adequate resolution of issues identified during this and subsequent reviews. The Department's Bureau of Beaches and Wetland Resources issued a state water quality certification in the form of a Consolidated Notice of Intent to Issue an Environmental Resource Permit and Authorization to Use Sovereign Submerged Lands on December 23, 2002, for the channel maintenance dredging and deepening project to complete construction of the 42-foot depth along the Lummus Island Cut (phase II dredging—not proposed new work). The potential environmental impacts of the project have been addressed in the permit, water quality certification and authorization to use sovereign submerged lands (Permit No. 0173770–001–EI), pursuant to Chapters 161, 253, and 373, Florida Statutes. Final agency action on the permit application will constitute the State of Florida's final consistency determination. Local agencies included Miami-Dade County Department of Environmental Resources management, South Florida Regional Planning Council, and the City of Miami. Non-Government Organizations/Institutions included the Biscayne Bay Pilots, and the Biscayne Bay Regional Coordination Team (formerly the Biscayne Bay Partnership Initiative).

Additionally, numerous national and local environmental organizations were coordinated with through the draft EIS review and public meeting processes. Reviewers and commenter included: The Sierra Club; Save the Manatee; Tropical Audubon Society; Surfrider Foundation; Caribbean Conservation Corps and Reefkeeper International. Reviewers and Commenter expressed concerns about impacts of the project to seagrass and coral reef habitats, sufficiency of the mitigation plan presented in the DEIS as well as impacts to endangered, threatened and protected marine species that inhabit the project area. These comments are addressed in Appendix N of the FEIS.

The sponsor, the Miami-Dade County Florida Seaport Department (Port of Miami), in a letter dated April 26, 2004, strongly supports the findings and recommendations of the General Reevaluation Report and Environmental Impact Statement with one reservation. Regarding the calculation of the cost-sharing from depths of 0 to 42 feet in Component 5A of the GRR, the sponsor believes the recommended widening in this area is required for navigational safety due to surge effects and conditions due to currents and winds and therefore should be cost-shared as a general navigation feature.

Views of Federal and Regional Agencies: Public and agency views including correspondence and informal comments received to date from coordination of the Draft GRR/EIS and public meeting on May 6, 2003, have been addressed and are included in Appendix N of the final EIS. As a result of that coordination seagrass mitigation has increased from 6.3 acres in the draft to 24 acres in the final EIS. Monitoring of those proposed seagrass rehabilitation sites has increased from three years to five years from the date the mitigation site construction is completed. Mitigation monitoring for artificial reef areas has increased from three years to five years. The monitoring will be conducted by the sponsor and will include coordination with resource agencies. Federal agencies included the U.S. Coast Guard, the Environmental Protection Agency, the U.S. Fish and Wildlife, the National Marine Fisheries Service, National Park Service—Biscayne Bay National Park.

Status of NEPA Document: Coordination of the draft EIS for public review occurred from March 14, 2003 through May 20, 2003 and comments provided during that review period were incorporated in the final report. Coordination of the final EIS occurred along with the proposed report of the Chief of Engineers and the report of the district engineer from 31 Aug 04 through 30 Nov 04 with receipt of the Florida Department of Environmental Protection Clearinghouse Consistency Determination.

Estimated Implementation Costs:

Corps of Engineers	$ 75,140,000
Miami-Dade County Seaport Department	50,130,000
Total	125,270,000

In addition, the Secretary is directed to determine the non-Federal share of the cost of preparing the general reevaluation report for this project based on construction cost-sharing. As a general rule, made express in section 2039 of this bill, cost-sharing for all studies should be 50%. However, in this case, the Jacksonville District made erroneous commitments to the non-Federal interest and subparagraphs (B) and (C) of section 1001(a)(11) ensure that those commitments are met. In the future, the Committee expects the Jacksonville District to apply correct cost-sharing to project studies.

Estimated Effects:

Account	Average Annual Equivalent Benefits	Average Annual Costs
Economic	$14,740,000	$10,650,000

Project economic life: 50 years.
Benefit-Cost Ratio: 1.4 (Current Discount Rate: 5.375%)

Direct Beneficiaries: The benefits of the recommended plan are based on transportation cost reductions and reflect the economy of scale savings resulting from vessels being able to load deeper and reduce harbor transit times.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 25 Apr 2004.

(15) East St. Louis and Vicinity, Illinois.

Location of the Study Area: The study area is located in Madison and St. Clair counties, Illinois, along the east bank of the Mississippi River between river miles 175 and 195 above the mouth of the Ohio River.

Problems and Opportunities Identified in Study: The study area consisted of approximately 166 square miles (about 105,000 acres). The area has historically experienced widespread interior flooding and the loss or serious degradation of the floodplain ecosystems. Some examples of the ecosystem degradation include: 60 to 70 percent loss of forest, over 99.9 percent loss of prairie, 65 to 85 percent loss of wetlands, 35 to 50 percent loss of lakes and ponds, and about 66 percent loss of floodplain streams (by length). This has resulted in a loss of biodiversity, fragmentation of natural systems, loss of the historic ecosystem disturbances (such as flooding and wildfire), and degradation or loss of habitat quality.

Alternative Plans Considered: A wide array of alternatives was considered for each of the 8 action areas. Cost-effectiveness and incremental cost analyses were performed to identify the NER plan.

Description of the Recommended Plan: The recommended plan is the plan that maximizes net national ecosystem restoration benefits and is an extensive restoration of the ecosystem in the vicinity of East St. Louis, Illinois, on the Mississippi River. The project provides for the restoration of approximately 4,500 acres of ecosystem habitat that will also provide temporary storage and detention areas for stormwater events that now exceed the existing capacity of the interior drainage system. The recommended plan will restore approximately 1,700 acres of bottomland forest habitat, 1,100 acres of prairie wetland habitat, 840 acres of marsh and shrub swamp habitat, 460 acres of lake habitat, and 380 acres of riparian forest. In addition, the recommended plan also includes restoration of 10.4 miles of floodplain stream, installation of 650 wood duck boxes and 870 prairie bird perches, improvement of 20 acres of lacustrine over wintering and shoreline habitat, construction of 130 tributary sediment detention basins and riffle and pool complexes in 178 miles of streams, 15.5 miles of earthen embankments, and associated water control features (i.e., culverts, flap gates, and new channels). A very small amount of recreational features have also been added to the project. All project features are located within the State of Illinois. Because the recommended plan would not have any significant adverse effects, no mitigation measures (beyond management practices and avoidance) or compensation measures are required. The recommended plan is the national ecosystem restoration plan.

Views of States, and Non-Federal Interests: A strong partnership exists between state, Federal and local interests. Two counties, the Levee District and Illinois Department of Natural Resources joined in sponsorship of the general reevaluation study. Letters of Intent have been received from the two counties and the Illinois Department of Natural Resources for project sponsorship.

Views of Federal and Regional Agencies: The Natural Resource Conservation Service, U.S. Fish and Wildlife Service and the Environmental Protection Agency, Region 5 were active participants in the study process and strongly support the report's recommendations.

Status of NEPA Document: An Environmental Impact Statement was integrated into the General Reevaluation Report. A Draft Record of Decision was prepared in January 2005.

Estimated Implementation Costs:

Corps of Engineers	$134,910,000
Illinois Department of Natural Resources and Madison and St. Clair counties	73,350,000
Total	208,260,000

Description of Non-Federal O&M Costs: Operation and Maintenance by the non-Federal sponsor will include the removal of debris at all control structures and upland dry detention basins; installment of sediment panels in upland dry detention basins; periodic erosion repair; periodic inspection to maintain smooth operation of all flap gates; and the mowing and burning, as necessary, of berms and prairie areas. None of the features of the recommended plan have any manual or automated operational components.

Estimated Effects: Environmental Effects. The recommended plan provides both feeding and resting resources for the federally-threatened bald eagle and will protect and propagate the decurrent false aster. The project contributes to the life cycle requirements of more than 50 migratory bird species covered by interal treaties and the state-threatened Illinois chorus frog. The palustrine wetland resources to be restored are considered scarce with over 85 percent of the wetlands in Illinois and other Midwestern states lost since the 1780's, and the decline is continuing. The plan connects 5 habitat areas and enlarges 3 isolated habitats to improve overall resource sustainability. The project produces approximately 8,332 average annual habitat units (AAHU) at a cost of approximately $1,350 per AAHU. The recommended plan also provides incidental flood damage reduction benefits estimated at $1,445,000 annually. Total average annual costs, including initial construction and OMRR&R, are $11,193,000 based on an interest rate of 5.375 percent and a 50-year period of analysis. Average annual recreation benefits are estimated at $25,000 and average annual costs are estimated at $18,000, for a recreation benefit-to-cost ratio of 1.3 to 1.

Direct Beneficiaries: The recommended plan is anticipated to directly benefit the federally-threatened bald eagle and will protect and propagate the decurrent false aster. The project contributes to the life cycle requirements of more than 50 migratory bird species covered by interal treaties and the state-threatened Illinois chorus frog.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 22 December 2004.

(16) Peoria Riverfront, Illinois.

Location of Study Area: The study area includes the Lower Peoria Lake area watershed on the Illinois River and tributaries between river miles 162 and 167, and in the vicinity of Peoria and East Peoria, Illinois.

Problems and Opportunities Identified in Study: Peoria Lake, the largest lake on the Illinois River, has lost 61 percent of its volume and related aquatic habitat since 1903 due to sedimentation. A statewide planning process determined that this loss of aquatic habitat is the greatest threat to the Illinois River ecosystem. Areas outside of the navigation channel have experienced more extreme losses of depth and volume, which have severely impacted off-channel overwintering, spawning, and nursery habitats for fish. Shallow water areas are subject to wave action that resuspends sediment, further limiting fish, aquatic vegetation, macroinvertebrate, and mussel production. Sedimentation has reduced depths in off-channel areas from 8 feet to only 1 or 2 feet in recent years. This has transformed Peoria Lake into a narrow navigation channel bordered by shallow, wind-swept areas and has adversely impacted fish and wildlife habitat and also reduced the aesthetic values and recreation opportunities. Opportunities explored included the restoration of aquatic habitat with incidental recreation benefits.

Alternative Plans Considered: Alternative plans included dredging various locations in Peoria Lake at various depths in order to restore aquatic habitat diversity. Connecting channels and closure structures were included to control future sediment movements. The plans included using the dredged material to construct islands to restore terrestrial habitat and aquatic habitat structure.

Description of Recommended Plan: The recommended plan is the plan that maximizes net national ecosystem restoration benefits and includes dredging approximately 200 acres, including connecting channels and deeper holes to create depth diversity in the aquatic habitat. The dredged material would be placed to create three islands, which in turn would add shoreline and terrestrial habitats. Rock jetties placed around the islands would further improve the aquatic habitat by providing structure and more edge areas. The islands would provide resting, nesting, and feeding areas for waterfowl and shorebirds. In addition, the islands would reduce waves in the study area, which would further improve aquatic habitat usefulness by lowering turbidity levels.

Physical Data on Project Features: A 55-acre shallow, open water area upstream of the McClugage Bridge (U.S. Highways 24 and 150) would be dredged to construct an adjacent 21-acre island. A 144-acre shallow, open water area downstream of the McClugage Bridge would be dredged to construct two adjacent islands, 17 and 37 acres respectively. Each island would have an outer embankment with a top elevation of 450 feet MSL (10 feet above the normal lake elevation) and a top width of 20–275 feet. Each island center would have an approximate elevation of 448 feet MSL. The island side slopes would include a flat area 20 to 40 feet wide at elevation 444 feet MSL.

The dredging would create a 3,650-foot-long flowing side channel between the two downstream islands and a similar channel along the upstream island. Dredging depths at both sites would vary from 6 feet to 16 feet, including holes and connecting channels. Rock riprap would be placed on the island sides facing the navigation channel side to control erosion. Rock jetties about 20 feet long and 2 feet high would be placed about every 250 feet around the islands to provide additional aquatic structure and edge habitat.

Rock closure structures would be constructed at the upstream end of the channels to minimize sediment movements.

The plan would restore 675 average annual habitat units (AAHU's) of aquatic habitat in the dredged areas and 125 AAHU's of terrestrial and shoreline habitat on the islands.

Views of States, and Non-Federal Interests: All participating stakeholders fully support the recommended plan. The Illinois Department of Natural Resources (IDNR) is the non-Federal sponsor has indicated their support for the project and interest to assume cost-shared financial obligations for implementing the project. Further, the Fon du Lac Park District, East Peoria, Illinois, has agreed to allow use of its property for project implementation. The Audubon Society, The Nature Conservancy, Heartland Water Resources Council, Peoria Lakes Basin Alliance, and the Peoria Area Chamber of Commerce have provided letters of support.

Views of Federal and Regional Agencies: No outstanding coordination issues exist with other Federal or Regional Agencies. The U.S. Fish and Wildlife Service provided a letter of support.

Status of NEPA Document: A Finding of No Significant Impact for the Environmental Assessment was signed 20 December 2002.

Estimated Implementation Costs:

Corps of Engineers	$11,840,000
Non-Federal (IDNR)	6,380,000
Total	18,220,000

Description of Non-Federal O&M Cost: The non-Federal O&M costs consist primarily of future monitoring of sediment deposition and maintenance dredging if necessary at approximately year 26.

Estimated Effects: Beneficial effects consist of approximately 800 average annual habitat units, with no average annual adverse effects.

Project economic life: 50 years.

Benefit-Cost Ratio: N/A (Current Discount Rate: 5.875%)

Direct Beneficiaries: Residents of Peoria, East Peoria, Tazewell and Peoria Counties, the Illinois River valley, and the Nation will benefit from the restored habitat. Wide, aquatic and riparian ecosystems are very important vanishing resources. The functions they provide are more significant in the Illinois River valley because of their scarcity resulting from the impacts of sedimentation. The restored aquatic habitat would be especially valuable for helping to reestablish the health of the Illinois River, once a nationally renowned fishery. The Illinois River valley is part of the integrally significant Mississippi Flyway, a major migration route for waterfowl, shorebirds, and neotropical migrant birds. The restored shoreline and terrestrial habitats would be especially valuable as resting, nesting, and feeding areas for these migratory birds. These functions include wildlife habitat and travel corridors for terrestrial and aquatic species including endangered species, neo-tropical migratory birds, shorebirds, herons and egrets, and waterfowl.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 28 July 2003.

(17) Wood River Levee System Reconstruction Project, Madison County, Illinois.

Location of Study Area: The study area is located in the Mississippi River flood plain of Madison County, Illinois, upstream of the city of East St. Louis.

Problems and Opportunities Identified in Study: The potential for levee failure is a major problem. As time continues to pass without a comprehensive reconstruction being undertaken for the Wood River Drainage and Levee System the probability that the project will fail continues to increase. The Wood River Drainage and Levee District has remained a good steward of this Federal infrastructure. They have historically and continue to provide routine operation and maintenance of the system and take action to repair as circumstances require in accordance with the agreements under which they assumed Sponsorship responsibility. However, as all parts of this integral system continue to degrade with time the chances of multiple failures occurring simultaneously continue to increase. This serious situation truly creates a "pay me now" or "pay me later" scenario. The opportunity exists to proactively take action to reconstruct the system now in order to prevent a future catastrophe caused by system deterioration.

Alternative Plans Considered: Alternatives investigated in detail included three plans; the no-action, reconstruction, and replacement alternatives.

Description of Recommended Plan: The Recommended Plan includes replacement of 163 existing relief wells, construction of 60 new relief wells, and reconstruction/replacement of various components of 26 closure structures, 38 gravity drains, and 7 pump stations. Relief well work is considered a design deficiency and has been approved under existing project authority. The remaining reconstruction work requires new authorization.

Physical Data on Project Features: Wood River Drainage and Levee District (Levee District) lies in southwestern Illinois, on the left bank of the Mississippi River flood plain, within Madison County, Illinois, between river miles 195 and 203 above the Ohio River. The levee district is protected by an urban design levee, across the Mississippi River from St. Louis and St. Charles counties in Missouri. This system includes approximately 21 miles of main line levee, 170 relief wells, 26 closure (road and railroad) structures, 41 gravity drains and 7 pump stations. Only 163 wells are included in the reconstruction project as 7 wells are 8–inch diameter PVC wells, installed in 1985 as a part of the Wood River Alterations, Design Memorandum No. 16; L&D 26(R) and are not included as part of the replacement/rehabilitation alternatives. The study area lies in the Mississippi River flood plain of Madison County, Illinois, just upstream of the city of East St. Louis. There are approximately 13,700 acres of bottomland within the District and 4,700 acres of hill land tributary to the levee units.

Views of States, Non-Federal Interests and Other Countries: The Wood River Drainage and Levee District is the local sponsor. The levee district strongly supports the project and will fund the local share of the project.

Views of Federal and Regional Agencies: As a result of the public review, the District received responses from three agencies. The Illinois Department of Natural Resources indicated no concerns. The U.S. Fish and Wildlife Service, Marion, Illinois indicated no comment. Comments were received from the Illinois Historic Preserva-

tion Agency; coordination will continue as necessary with that agency as the project moves forward.

Status of NEPA Document: The Final Environmental Assessment has been included as part of the Final General Reevaluation Report, dated March 2006. These documents were released for public review and comment on 10 January 2005 and comments were received by the close of the public comment period on 15 February 2005.

Estimated Implementation Costs of Recommended Plan:

Corps of Engineers	11,193,000
Wood River Drainage and Levee District	6,027,000
Total	17,220,000

Estimated Effects of the Recommended Plan

[Dollars in thousands]

Total Levee System Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan (NED)	FDR	$6,763.7	$1,240.5
	ER	N/A	N/A
	Rec	N/A	N/A
Total		$6,763.7	$1,240.5

Note: FDR = Flood Damage Reduction.
Project economic life: 50 years.
Benefit-Cost Ratio: 3.32 (Current Discount Rate: 4–7/8%)
Design Deficiency Correction.

[Dollars in thousands]

(Relief Wells) Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan (NED)	FDR	$2,752.2	$1,110.4
	ER	N/A	N/A
	Rec	N/A	N/A
Total		$2,752.2	$ 1,110.4

Note: FDR = Flood Damage Reduction.
Project economic life: 50 years.
Benefit-Cost Ratio: 3.56 (Current Discount Rate: 4–7/8%)

[Dollars in thousands]

Reconstruction Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan (NED)	FDR	$3,948.8	$1,329.6
	ER	N/A	N/A
	Rec	N/A	N/A
Total		$3,948.8	$1,329.6

Note: FDR = Flood Damage Reduction.
Project economic life: 50 years.
Benefit-Cost Ratio: 3.23 (Current Discount Rate: 4–7/8%)
NED plan recommended? No

Direct Beneficiaries: The residents, businesses, and industry in the surrounding area are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed and transmitted to the ASA(CW) on 18 July 2006.

(18) Des Moines and Raccoon Rivers, Des Moines, Iowa.

Location of Study Area: The study area is located within the corporate limits of Polk County, and the City of Des Moines, Iowa.

Problems and Opportunities Identified in Study: The City of Des Moines has been subject to frequent flooding that impacts large numbers of residential, commercial, and industrial properties. During the Great Flood of 1993, Polk County suffered more than $152,000,000 in flood damages, mostly in the Des Moines metropolitan area. More than 3,000 properties were damaged in this event. In addition, Des Moines was without water service for more than a week causing closure of most businesses and industries in the city. The Birdland Park and Central Place levees on the Des Moines River failed during the 1993 flood event and do not provide reliable flood protection, placing nearly 200 homes and businesses at risk. These two non-Federal levees require reconstruction. An opportunity also exists at the Birdland Park levee to incorporate a multipurpose recreational trail with access to Riverview Park. Downtown Des Moines along both the Des Moines and Raccoon Rivers also flooded in 1993 due to incomplete installation of levee closures. These Federal levees have large numbers of closures which decreases the reliability of the system, and increases the flood threat for hundreds of commercial, industrial, and residential structures. Improvements and reduction in the numbers of closures would not only reduce operation and maintenance costs, but would improve the system reliability. Homes and businesses along selected portions of Walnut Creek, Fourmile Creek, and Leetown Creekway are subject to frequent flash floods.

Alternative Plans Considered: Alternative plans were developed and evaluated for each of the 11 reaches included in the study. Alternatives included levees and floodwalls, reservoirs, channel improvements, and nonstructural measures such as flood warning systems and relocation/removal of existing structures. Preliminary screening focused detailed analysis on plans that provided the most benefits and potential to be economically justified. Alternatives that were developed and evaluated in detail include:

—three levee alignments at three levee heights to protect the Birdland Park area;

—an improved and extended recreational trail at Birdland Park;

—three levee heights for an improved levee to protect the Central Place area;

—raising the levees and floodwalls of the existing downtown levee system;

—improving the closures in the existing downtown levee system; and

—constructing new levees along portions of Walnut Creek and Fourmile Creek.

Description of Recommended Plan: The recommended plan provides for increased flood protection along the Des Moines and Raccoon Rivers to the areas of Birdland Park, Central Place and downtown Des Moines. The flood damage reduction features of the recommended plan consist of constructing 7,700 feet of levee and 440 feet of retaining wall with one closure structure generally along and extending the existing non-Federal levee at Birdland Park; constructing 5,900 feet of levee generally along and extending the existing non-Federal Central Place levee; and modifying three ex-

isting pump stations. The recommended plan also includes modification to nineteen closure structures in the existing Federal downtown levee system. The recreation features include 5,100 feet of recreational trail along the Birdland Park levee with access to Riverview Park and landscaping along the levee crossing Riverview Park. Compensatory mitigation to offset the environmental impacts of the project will be accomplished through the creation of 13 to 16 acres of emergent wetland, open water, upland forest, and herbaceous upland buffer at the Chichaqua mitigation site, northeast of Des Moines. Further compensation includes approximately 5 acres of bottomland forest enhancement, and upland forest creation on the riverside of the levee at Central Place. The recommended plan is the locally preferred plan (LPP). The LPP has greater net benefits than smaller scaled plans and is smaller in scope and less costly than the national economic development plan. The LPP would provide the maximum level of protection desired by the non-Federal sponsor.

Views of States, Non-Federal Interests and Other Countries: The City of Des Moines is the local sponsor and strongly supports the project and will fund the local share of the project.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service and the Iowa Department of Natural Resources support the recommended plan as it mitigates impacts to the environment. There are no outstanding issues.

Status of NEPA Document: The Final Environmental Assessment has been included as part of the Final Feasibility Report, dated Dec 2005. These documents were released for public review and comment on May 2005 and minor comments were received by the close of the public comment period on Aug 2005.

Estimated Implementation Costs of the Recommended Plan:

Corps of Engineers	6,967,000
City of Des Moines	3,813,000
Total	10,780,000

Estimated Effects:

Purpose	Average Annual Benefits
Flood Damage Reduction	$1,667,000
Recreation	127,000
Total project	1,794,000

Period of Analysis: 50 years.
Benefit-Cost Ratio: (Discount Rate: 4⅞%)
Flood Damage Reduction: 2.6
Recreation: 7.9
Total project: 2.7
NED plan recommended? No.

Direct Beneficiaries: The residents in the surrounding area are the direct beneficiaries of the project.

Relationship to Other Plans: The Des Moines and Raccoons Rivers project LPP recommended plan is part of a greater Des Moines flood control and recreational system. The following projects are part of those FDR and recreational systems for the City of Des Moines:

(1) Des Moines Recreational River and Greenbelt (Greenbelt), Iowa: This project was authorized in the Supplemental Appropriations Act of 1985 (Public Law 99–88) to provide recreation facilities

along the Des Moines River. Riverfront recreation facilities are proposed in downtown Des Moines as part of the Des Moines Riverwalk project.

(2) Raccoon River, Des Moines, Iowa: This Federal project was authorized under Section 205 of the Flood Control Act of 1948. The project is located along the south bank of the Raccoon River and in Des Moines. It was completed in 2000. This project has been designated Reach 6 for the purposes of this study.

(3) Des Moines River Basin, Iowa and Minnesota: (Also known as the West Des Moines—Des Moines project) this Federal project was authorized by the Water Resources Development Act of 1986. The project is located along the Raccoon River, Walnut Creek, and Jordan Creek in the cities of West Des Moines and Des Moines. It was completed in 1998. This project has been designated Reach 8 for the purposes of this study.

(4) Saylorville Lake, Iowa: The project is located on the Des Moines River approximately 6 miles upstream of Des Moines. The reservoir has a conservation pool covering about 5,400 acres and a total capacity of 676,000 acre-feet.

(5) Des Moines, Iowa: This Federal flood protection project was authorized by the Flood Control Act of 1944. The project is located along the Des Moines River and Raccoon River in downtown Des Moines.

(6) Red Rock Dam, Iowa: This Federal project was authorized by the Flood Control Act of 1944. The project is located on the Des Moines River downstream of Des Moines, Iowa. The 110-foot-tall dam has been in operation since 1969 and forms a 19,000-acre lake. The Red Rock Remedial Works levees were constructed along the upper portions of the lake to protect properties from flooding during high reservoir stages.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 28 March 2006. It was submitted to the office of the Assistant Secretary of the Army (Civil Works) on 5 April 2006.

(19) Licking River, Cynthiana, Kentucky.

Location of Study Area: Cynthiana is located in Harrison County, Kentucky, along the South Fork Licking River, approximately 25 miles north of Lexington, Kentucky. The project would be located along upstream tributaries of the South Fork Licking River in the Counties of Bourbon, and Nicholas, Kentucky.

Problems and Opportunities Identified in Study: Problems identified in the watershed include flooding of 415 structures in the 1% (100-year) floodplain, with flood damages of $3,639,000 on an average annual basis. A recurrence of the 1997 flood event in this portion of the Licking River Basin would result in an estimated $34,000,000 in flood related damages. The benefit-to-cost ratio for this project is estimated to be 3.1. The only compensable mitigation requirement for this project will be for 90 acres of hardwood plantings on project lands to offset the impacts of these structures on the existing riparian hardwood corridors in the vicinity of the proposed detention basins.

Alternative Plans Considered: Alternatives investigated in detail included no action, non-structural plans, and structural plans, including detention basin storage, levees and floodwalls, and channel modifications.

Description of Recommended Plan: The Recommended Plan consists of two dry bed detention basins located in Bourbon and Nicholas Counties along upstream tributaries of the South Fork Licking River. The basins would reduce existing damages in the study area by up to 86% and would have a fully funded cost of about $20.6M for project completion in FY 2013. The dry bed detention basins would be created by construction of a roller compacted concrete dam on both the Hinkston and Strodes Creek tributaries.

Physical Data on Project Features: The Hinkston Creek detention structure, located just upstream of the town of Millersburg, would have a height of about 30′, a length of about 680′, and would create a pool with a volume of about 8,188 acre-feet, given an occurrence of the 0.2 percent chance (500-year flood). The Strodes Creek detention structure, located about 26 miles upstream of the town of Paris, would have a height of about 25′, a length of about 700′, and would create a pool with a volume of about 3,923 acre-feet, given an occurrence of the 0.2 percent chance (500-year flood). Mitigation for unavoidable environmental impacts associated with the proposed project would consist of 90 acres of hardwood plantings on project lands to offset the impacts of the detention structures on the existing riparian hardwood corridors in the vicinity of the proposed project.

Views of States, Non-Federal Interests and Other Countries: The City of Cynthiana is the local sponsor. The City of Cynthiana and Harrison County support the project and will fund the local share of the project. The Kentucky Governor's Office for Local Development (GOLD) is a strong supporter of the project, and is providing funds to augment the local cost share for the project.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service is in concurrence with the recommended plan, including mitigation features. There are no outstanding issues.

Status of NEPA Document: The Finding of No Significant Impact (FONSI) was signed on September 14, 2005. The Final Environmental Assessment and FONSI were included as a part of the Final Feasibility Report, dated September 2005. The draft Feasibility Report and Environmental Assessment was released for public review and comment in July 2005.

Estimated Implementation Costs of Recommended LPP:

Corps of Engineers	$11,200,000
City of Cynthiana	6,370,000
Total	18,200,000

Estimated Effects of the NED Plan:

[Dollars in thousands]

Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan	FDR	$3,350	$1,096

Note: FDR = Flood Damage Reduction.
Average Annual Adverse Effects = Average Annual Costs.
Project economic life: 50 years.
Benefit-Cost Ratio: 3.1 (Current Discount Rate: 5–1/8%)
NED plan recommended? Yes.

The NED plan would reduce existing damages in the study area by up to 86% and would have a fully funded cost of about $20.6M for project completion in FY 2013.

Direct Beneficiaries: The residents in Cynthiana, and to a lesser extent, Paris and Millersburg are the direct beneficiaries of the project.

Relationship to Other Plans: A Flood Warning System for the entire Licking River Basin was completed under Section 205 of the Continuing Authorities Program in 2004. The Corps constructed Cave Run Reservoir is located in the basin, along with three local protection projects in Salyersville, Newport and Dayton, Kentucky.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 24 October 2006.

(20) Bayou Sorrel Lock, Louisiana.

Location of the Study Area: This study focuses on the replacement of Bayou Sorrel Lock located on the Morgan City-to-Port Allen Alternate Route of the Gulf Intracoastal Waterway. Bayou Sorrel Lock is located in Iberville Parish in south central Louisiana, approximately 20 miles south of Baton Rouge, Louisiana.

Problems and Opportunities Identified in Study: Bayou Sorrel Lock is an integral feature of the Atchafalaya Basin, Louisiana Project feature of the Mississippi River and Tributaries project. The project flood flow line was revised because of changes and projected changes in the Atchafalaya Basin and Atchafalaya Bay. The top of wall of Bayou Sorrel Lock is 5 feet lower than the current approved project flood flow line and 8 feet below the project flood design grade. The lock is stable for its original design loading conditions and is in good operating condition; however, the structure cannot be raised to accommodate the higher flow line. The lock must be replaced or other structural measures must be implemented to pass the project flood. These measures have been authorized for construction under the authority of the Flood Control, Mississippi River and Tributaries project. There is a need to develop and implement a plan to safely pass the project flood at Bayou Sorrel Lock. There also is a need to increase the capacity of Bayou Sorrel Lock to reduce the cost to navigation caused by delays at the lock, which averaged 4.7 hours per tow in 1999 and are projected to climb to 12.7 hours by the year 2010. Although delays cannot be eliminated, they can be significantly reduced with a larger chamber.

Lockage congestion at Bayou Sorrel results from both the growth in traffic volumes and the increase in the size and configuration of the tows. The traffic congestion in Bayou Sorrel causes excessive delays and has increased lock transit time to a point where it is the highest west of the Mississippi River. Lockage delays represent a significant economic loss to the shipping industry and, ultimately, to the consumer.

The need to develop and implement a plan to safely pass the project flood at Bayou Sorrel Lock provides an opportunity to address current and projected delays to barge tows at the lock. The portion of the cost of the construction of a new navigation lock at Bayou Sorrel that would be allocated to navigation could be decreased if the new lock also provided for the flood control objective.

Alternative Plans Considered:

Flood Control Plans: Three plans were considered for passing the Atchafalaya Basin project flood in the vicinity of Bayou Sorrel Lock; (1) an independent float-in floodgate located on the flood side of the lock, (2) a replacement-in-kind lock, that is, a lock with the

same chamber dimensions as the existing Bayou Sorrel Lock, 56 feet wide by 796 feet long, and (3) flood fighting.

Flood Control/Navigation Plans: Alternative navigation plans include (1) the construction of a larger replacement lock at Bayou Sorrel Lock; 75 feet and 110 feet wide, (2) the replacement of bridges crossing the Atchafalaya River; and (3) small scale improvements to increase the navigation efficiency at the other locks in the GIWW system.

Description of the Recommended Plan: The recommended plan, which is the National Economic Development (NED) plan, provides for: construction of a new, larger lock located adjacent to the existing lock at Bayou Sorrel, construction of approach channels to the new lock, closure of the existing lock, measures to mitigate the impacts of the project on fish and wildlife resources, erosion protection, and mooring buoy facilities.

Physical Data on Project Features:

New Lock. The new lock would have a U-shaped concrete chamber, with dimensions of 75 feet by 1,200 feet. The sill depth of the lock would be at an elevation of −15 feet NGVD. Each set of lock gates would consist of two, 70-degree steel sector gate leaves, which would be electrically operated. Emptying and filling of the lock would be accomplished by the controlled opening of the gates. The guide walls, 1,200 feet long on the west side of the lock and 400 feet long on the east side, would be constructed of a high density synthetic material attached to timber piles. The gates and gate bays on the floodway side of the lock, which tie into the East Atchafalaya Basin Protection Levee, would have an elevation of 31.7 feet NGVD, and the chamber walls and landside gates and gate bays would have an elevation of 26.8 feet NGVD.

Closure of Existing Lock. When the new lock structure is completed and becomes operational, the existing lock would be closed by an earthen levee extending from the East Atchafalaya Basin Protection Levee south of the existing lock across the floodway side approach channel to the floodway end of the new lock. The existing lock would be abandoned in place and its approach channels and chamber would be filled with dredged material during periodic maintenance of the Morgan City-to-Port Allen Alternate Route.

Approach Channels. The construction of the new lock would require the construction of new approach channels on the northern, or protected, side of the lock and on the southern, or floodway side, of the lock. The Atchafalaya Basin Floodway East Access Channel, which currently joins the south approach channel of the existing lock immediately south of the lock, would be relocated west of its existing alignment and extended southward to tie into the Morgan City-to-Port Allen Alternate Route about 5,000 feet south of the new lock. During high water, cross currents from the East Access Channel cause significant problems to tows approaching the south guide wall. Relocating the channel west and extending its junction with the new lock's south approach channel will allow barge traffic ample time to negotiate the cross currents before reaching the lock guide walls.

The northern approach channel to the new lock, on the protected side of the floodway levee, would parallel the existing northern approach channel for about 3,500 feet and then merge with the existing navigation channel.

Erosion Protection. Bank stabilization extending 1½ miles to the north and south of Bayou Sorrel Lock will be placed to minimize the effect on residences of marine transportation activities in the vicinity of Bayou Sorrel Lock. Hydraulic analysis required a minimum 2-foot blanket of stone from the waters edge to natural ground elevation to protect against the most severe wave damage resulting from prop-wash. Geotextile separator fabric will be placed between the existing bankline and the stone paving.

Mooring Buoy Facility. In connection with the erosion protection feature of the recommended plan a floating mooring buoy facility will be incorporated to provide a safe location for barges to utilize if needed when using the Lock. The locations will include 14 mooring buoys in the vicinity of the new lock and 13 mooring buoys north of the Bayou Sorrel Bridge. In order to place the 13 mooring buoys north of the Bayou Sorrel Bridge dredging will be required to provide at least 9-feet in the vicinity of the mooring buoy.

Disposal Areas. Material to be dredged from the new tailbay channel would be placed into two existing borrow pits. There would be impacts from the conversion of bottomland hardwood forest to open water resulting from the channel cut, but no net adverse impacts associated with the dredged material disposal. The new forebay channel would be cut through existing disposal areas and bottomland hardwood forest. Dredged material from this new channel would be placed in existing disposal areas to the west of the lock. After the new lock is operational, the East Access Channel would be relocated. Relocating this channel would also impact existing disposal areas and bottomland hardwood forest. Dredged material from this channel would be placed into the old lock's forebay and tailbay channels and the old lock chamber. Mitigation credit would come from the planting and management of disposal areas. The area between the new forebay channel and the relocated East Access Channel would become an uneconomic remnant of real estate to be acquired in fee by the Government. This area would be planted and managed as a hardwood forest. Mitigation credit would also come from eliminating the need for dredged material disposal in the Atchafalaya Basin. In the absence of a new Federal project, cypress swamp and bottomland hardwood would continue to be converted to disposal areas. With the project, existing channels would be used for disposal of material dredged during routine maintenance, for up to 35 years after project completion. These disposal areas would be planted and managed as hardwood forest when they are filled to capacity.

Mitigation Features. The recommended plan was developed with the objective of avoiding and minimizing adverse impacts to fish and wildlife habitats and compensating for remaining adverse impacts. Most of the impacts of the project could result from dredging of the connecting channels, relocating the East Access Channel, and dredged material disposal. A primary focus of mitigation planning was to minimize adverse impacts to cypress swamp and bottomland hardwood forest within the Atchafalaya Basin. The habitat assessment models do not adequately capture the environmental effects of the conversion of wet, bottomland hardwood forest to more upland-type habitat that does not get periodically flooded. Also, the habitat assessment models cannot adequately capture the effect that dredged material disposal areas have on nearby cypress

swamps by blocking-off headwater flows. In order to mitigate for these two effects, additional mitigation is planned. A new ditch would be constructed through existing dredged material disposal sites to connect the East Access Channel with the swamp to the west of the disposal sites. A sediment trap would also be built on an existing ditch located along the northern boundary of existing disposal sites. These features would be built during project construction and would serve two purposes—mitigation and environmental restoration. The costs associated with planting and reforestation are those costs necessary for preparing the mitigation areas for planting, reducing competing vegetation, replanting as necessary to replace dead seedlings, and monitoring the mitigation sites.

Views of the Federal and Regional Agencies: The U.S. Fish and Wildlife Service do not oppose the recommended plan. The Environmental Protection Agency gave the EIS its highest rating of "LO", or Lack of Objection. The Louisiana Department of Transportation has responded by letter in support of the feasibility report.

Status of NEPA Document: An EIS has been prepared for the project. The draft EIS was filed with the Environmental Protection Agency (EPA) on 15 November 2002, and the final EIS was filed with the EPA on 23 July 2004.

Estimated Implementation Costs: The total estimated cost of implementing the recommended plan is $97,500,000. The only new costs authorized by this bill to carry out this project are the $9,680,000 allocated to navigation improvements needed to reduce delays. The costs of construction of the inland navigation improvements of the project are to be paid half from amounts appropriated from the general fund of the Treasury and half from amounts appropriated from the Inland Waterways Trust Fund. The remainder of the proposed modification of the Bayou Sorrel Lock project allocated to safely pass the project flood in the Atchafalaya Basin Floodway is a feature of the authorized Flood Control, Mississippi River and Tributaries project, and as such, no additional authority is required.

Description of O&M costs: The Corps would assume operation of the lock as part of the Federal operation and maintenance of the Gulf Intracoastal Waterway.

Estimated effects of navigation feature:

Total Average Annual Benefits	$16,586,115
Total Average Annual Cost	863,784
Average Annual Net Benefits	15,722,331
Benefit-Cost Ratio: 19.2: 1	

Direct Beneficiaries: Residents of the Bayou Sorrel community and the Inland Waterway users.

Relationship to Other Plans: Bayou Sorrel Lock is an integral feature of the Atchafalaya Basin, Louisiana Project feature of the Mississippi River and Tributaries project. The lock must be replaced or other structural measures must be implemented to pass the project flood. These measures have been authorized for construction under the Flood Control, Mississippi River and Tributaries project. The need to develop and implement a plan to safely pass the project flood provides an opportunity to address current and projected delays to barge tows at the lock.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 3 January 2005.

(21) Morganza to the Gulf of Mexico, Louisiana.

Location of the Study Area: The study area is located in south Louisiana between the Mississippi and Atchafalaya rivers. Bayou Lafourche forms the eastern study boundary and Bayou du Large and Louisiana Highway 311 form the western boundary. The eastern and western boundaries form the apex of a triangle at Thibodaux, Louisiana. The southern boundary is the Gulf of Mexico.

Problems and Opportunities Identified in Study: Hurricanes and tropical storms cause widespread flooding of residential and commercial property in the study area. Residential communities, commercial and agricultural developments, and industries in the study area are generally located along alluvial ridges at elevations ranging from 4 or 5 feet to less than 1 foot above sea level. The Terrebonne Levee and Conservation District maintains about 20 miles of forced drainage levees in various communities, including flood control structures and drainage pumping stations. The existing levees have a maximum elevation of 7 feet above sea level and protect against weak tidal and rainfall events, but not hurricanes. The three most recent flooding events (Isidore and Lili in 2002, and Bill in 2003) have been from the southeast, confirming the study findings that prevailing flood events are from that direction causing extensive damage (in excess of $170,000,000) in Terrebonne and Lafourche parishes.

The Morganza to the Gulf project will protect a population of over 120,000 and safeguard an area of 1700 square miles containing residential, commercial and industrial property, and unique Louisiana coastal area. Opportunities to be realized from a completed project also include enhancement of the environmental habitat, navigation industry, commercial and recreational fishing, salinity intrusion, and fresh water and sediment diversion, as well as coastal preservation and restoration.

Alternative Plans Considered: Eight alternative plans were evaluated. A preliminary screening focused detailed efforts on the plans that provided the most benefit. Two structural alternatives and various non-structural alternatives were evaluated in detail. The structural alternatives, known as the Reconnaissance and the Highway 57 Alignments, involved raising existing levees and constructing new levees to provide reliable protection against 50-, 85-, 100- and 500-year flood frequency events. The structural plans included earthen levees, sector-gated floodgate structures, and environmental water control structures to maintain tidal ebb and flow. The non-structural plans involved relocating, purchasing and elevating structures.

Description of the Selected Plan: The recommended plan, known as the Highway 57 Alignment, is the National Economic Development (NED) plan. It consists of the construction of approximately 72 miles of levee south of Houma, Louisiana, varying in elevation from +15.0 ft NGVD to +9.0 ft. NGVD. Also required for flood protection is the construction of nine 56-foot-wide sector gate structures in various waterways and three 125-foot floodgates in the GIWW. Another significant feature of the plan is the 110-ft-wide x 800-ft multipurpose lock structure and an abutting floodgate for

the Houma Navigation Canal. Two existing 56-foot-wide floodgates would require removal and replacement: one at Bayou Terrebonne and one at the Humble Canal. At twelve locations along the levee alignment, a series of 6-foot by 6-foot concrete box culverts will be constructed through the earthen levees to maintain tidal ebb and flow. Six existing pump stations would be modified during construction. Construction would require 1,265 acres of perpetual levee right-of-way, 1,415 acres of borrow area, 433 acres of temporary construction easement and 289 acres of fee-owned land for all flood control structures, including the lock. At twelve locations along the levee alignment, a series of 6-foot by 6-foot concrete box culverts will be constructed through the earthen levees to maintain tidal ebb and flow. Several plans were generated as possible mitigation alternatives by the Habitat Evaluation Team, a team composed of Federal, state and local environmental commenting agencies. Alternatives were generated for fresh marsh and brackish marsh. The focus of the plans was to restore marsh to offset direct impacts rather than rely on possible future marsh improvement by manipulating hydrology.

Views of States, and Non-Federal Interests: The Louisiana Department of Transportation and Development (lead sponsor), Terrebonne Parish, City of Houma, Terrebonne Levee and Conservation District, and Congressional representatives strongly support the project. The sponsor has indicated a strong desire to cost-share in the design and construction of this project.

Views of Federal and Regional Agencies: No outstanding coordination issues exist with other Federal or Regional Agencies. None of the agencies objected to the project. The project will mitigate for all direct adverse impacts resulting from construction.

Status of NEPA Document: The Final Programmatic EIS (PEIS) and Feasibility Report was filed with the EPA on 26 April 2002.

Estimated Implementation Costs:

Corps of Engineers	$576,355,000
Non-Federal	310,345,000
Total	886,700,000

Description of Non-Federal Implementation Costs: The sponsor would be responsible for acquiring all necessary lands, easements, rights-of-way, relocations and disposal sites for the project (LERRD's) worth an estimated $49,241,000. The sponsor would also provide work-in-kind and cash worth $209,759,000. The Terrebonne Levee and Conservation District is seeking credit for in-kind services for design and construction of various features of the proposed project. This request was addressed in the supplemental report of the Chief of Engineers dated July 22, 2003, and is authorized by this section. The credit request does not affect the project costs.

Description of Non-Federal O&M Costs: This cost covers the general operation and maintenance of floodgate structures, the lock to be located in the Houma Navigation Canal, environmental water control structures and levees including levee inspections, mowing and erosion control.

Estimated Effects:

[Dollars in thousands]

Account	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
Purposes		
NED Hurricane Protection	$80,772	N/A
Total	80,772	N/A

Project economic life: 50 years.
Benefit-Cost Ratio: 1.72 (Discount Rate: 5.875%)

Direct Beneficiaries: This project will directly benefit the residents and businesses of Terrebonne and Lafourche Parishes, and help preserve the Louisiana coastal ecosystem.

Relationship to Other Plans: This plan is consistent with the Coastal Wetlands Planning, Protection and Restoration Act program, the Lower Atchafalaya Basin project, Donaldsonville to the Gulf project, and the Louisiana Coastal Area Study to include all contained projects within the study.

Current Status of Chief of Engineers Report: Signed 23 August 2002; and a supplemental Chief of Engineers Report addressing the sponsor's request for credit for in-kind services was signed July 22, 2003.

(22) Port of Iberia, Louisiana.

Location of Study Area: The study area is bounded by the cities of Lafayette and New Iberia, to the north; the Atchafalaya River to the east; the Vermilion River and FWB to the west; and the Weeks Bay/Vermilion Bay complex and the Gulf of Mexico to the south. Major communities in the study area include New Iberia, Lafayette, Jeanerette, Franklin, Abbeville, and numerous smaller communities.

Problems and Opportunities Identified in Study: This study focused on examining opportunities to alleviate the problems stemming from the shallow depth of water access to and from the POI by improving navigation access. Rigs and platforms designed for the shallow offshore environment were light and could use navigation channels with the same width and depth as those used for inland waterborne commerce. New structures that economically extract the hydrocarbons from the deep-sea bottom are much larger and heavier than the traditional shallow rigs. These large structures require deeper navigation waterways to the Gulf of Mexico than shallow water rigs.

Some of the ports along the Gulf of Mexico that were traditionally leaders in shallow water rig component fabrication and rehabilitation have found themselves shut out of the deepwater market due to insufficient draft in existing navigation channels. The POI is one such port. The POI has facilities, infrastructure, and skilled labor in place for fabricating deepwater topsides, but many of the major producers will not consider bids submitted by the POI fabricators due to draft restrictions.

Alternative Plans Considered: The plan formulation rationale is used to evaluate a range of alternatives that would satisfy the planning objectives identified previously. The POI, Louisiana Navigation Reconnaissance Report evaluated a range of alternative alignments from the POI to the Gulf of Mexico and recommended a single economically feasible alignment for further analysis, known as the FWB Alignment. In feasibility, various channel di-

mensions were investigated to improve navigation from the port and facilitate the construction and transportation of larger, heavier deepwater platforms to the Gulf of Mexico. A preliminary screening was performed and one channel dimension was selected for detailed analysis. The feasibility analysis evaluated several alternatives for dredge disposal.

Several alternatives existed for routing POI vessel traffic to the Gulf of Mexico (Coastal Engineering and Environmental Consultants, Inc. 2001 and USACE August 2002). All alternatives used the existing channel, known as the Commercial Canal, and connected with the GIWW. The first alternative was to route vessel traffic west on the GIWW and south through the Vermilion River Cutoff to the Gulf of Mexico. The second alternative was to route the vessel traffic southwest through Vermilion Bay and into the Gulf of Mexico. The third alternative was to route vessel traffic east on the GIWW and south through the Lower Atchafalaya River. Cursory investigations that explored the maintenance of navigation channels through Vermilion Bay and the Lower Atchafalaya River revealed that the existence of fluid mud rendered these channels inefficient and, in the case of Vermilion Bay, increased the likelihood of saltwater intrusion. The Lower Atchafalaya River route requires an increased travel distance and would likely incur added transportation delays because of existing structures. Thus, enough information existed to rule out these three alternatives from further study.

The FWB Alignment incorporates four existing channels—Commercial Canal, west on the GIWW and then south on FWB to the Gulf of Mexico—in order to reduce costs. Vessel dimensions are used to determine both depth and width of a navigation channel. Several proposed channel dimensions were evaluated based on current traffic patterns and projected vessel sizes based on traffic analysis prepared for the USACE. It was determined that the 150-foot channel would adequately serve the majority of vessel traffic and therefore, was the maximum channel width evaluated. Prior to selection of the 16-foot channel depth 18 and 20-feet NAVD88 channels were considered, plus 3 feet of advanced maintenance and overdepth dredging.

In response to the marsh loss and erosion in the study area, the USACE and other resource agencies concluded that all dredged material excavated from the inshore channels for the construction and maintenance of this project would be confined behind rock dikes and used to reestablish the bank line of the eroding channels. Any material not in the confined bank line disposal area would then be used for wetland restoration in broken marsh areas and shallow open water areas.

Given the substantive uncertainties that exist with regards to projecting market conditions and the associated share of the business the Port of Iberia may garner over the next 50 years, scenarios were used as the basis for initial decision-making for federal investments at the Port of Iberia.

An incremental analysis was conducted on alternative channel depths. The selection of the channel depths is based on the size of the deepwater fabrication topsides that POI is projected to win. The largest units—12,000 to 15,000-ton deepwater topsides fabricated for floating production storage and offloading (FPSO) and floating production systems (FPS)—are comprised of distinct mod-

ules, which can be transported on two or three separate barges. Allowing for multiple barge tows of topside movements means that all projected benefits will accrue to the 16-foot channel. The larger topsides projected for the GOM market are in the 12,000 to 15,000 ton range. Only 1–2 larger topsides are projected to be fabricated at POI and they are comprised of a 10,000 ton module and 5,000 tons of add-on components. The 16-foot channel will accommodate the 10,000 ton module and therefore the 16-foot channel will accommodate all the contracts that are projected to be constructed by POI fabricators. Incremental benefits of channel depths beyond 16 feet are zero, but there are additional construction costs plus incremental maintenance and thus net benefits will decrease with larger projects.

Description of Recommended Plan: The plan that reasonably maximizes net contributions to economic development is designated as the NED Plan. Due to the uncertainty of projections of both the GOM market and the POI market share, a scenario approach was taken to evaluate the project benefits. Of the 24 possible scenarios, a total of 17 (71 percent of all possible outcomes) are expected to produce positive net benefits and in every one of these outcomes the 16-foot channel alternative produces the highest average annual net benefits and corresponding BCR. The range of average annual net benefits is from a maximum of $14,193,000 to a minimum of $562,000 and the range of BCR is from a maximum of 2.16 to a minimum of 1.05, all for the 71 percent of positive outcomes. Given these results, the 16-foot channel alternative is identified as the NED plan and best meets the Federal Criteria for recommending authorization.

The recommended plan would provide for the enlargement of GIWW (20 miles), FWB (18 miles) and bar channel (7.5 miles) and Commercial Canal (7.5 miles), with an additional 7 miles through the Port of Iberia itself. The enlarged channel would provide a 16-foot depth and a 150-foot width. Two new concrete barge floodgates with concrete receiving structures would be constructed for salinity control and navigation—one at each end of the FWB Bypass Channel. The least-cost environmentally acceptable method of enlarging the channels to 16-feet deep and 150-feet wide was developed. Dredged material would be used to reestablish the bank line, create marsh, and nourish the shoreline resulting in net positive environmental impacts. The GIWW and FWB channel bank lines would be stabilized to +3.5-feet NAVD88 and +5-feet NAVD88, respectively, with rock armoring that would settle to +1.4-feet NAVD88 (which corresponds to the adjacent marsh elevation) within 5 years. Removals would be required for impacted facilities including oil and gas pipelines and electrical lines. Private and commercial bulkheads impacted by the channel enlargement would be replaced or modified as appropriate. The recommended plan includes features such as floodgates and other features designed to accommodate a 20-foot navigation depth in the anticipation that channel improvements will be warranted in the future.

Views of States, Non-Federal Interests and Other Countries: Coordination with state, local agencies and the public was maintained throughout the study to assure that all aspects of the water resource problems were addressed. The following statement was provided by the Port of Iberia on 7 March 2006:

The Local Sponsor's interest in navigation improvements for the POI and Acadiana Region has been established since the early 1900s. In the early years of the port, access to the Gulf of Mexico was primarily needed for recreational and commercial fisheries but as the oil & gas industry developed and matured, the POI systematically became a "hub" for the central Gulf of Mexico offshore oil & gas fabrication and service industry. For many years the POI, Iberia Parish, Acadiana Business Community, and the State of Louisiana have invested millions of dollars of infrastructure in support of the jobs and economic well-being of the POI. Currently the POI requires significant waterway and channel improvements for it to continue to support and service the oil & gas industry as the industry moves further out into the Gulf of Mexico.

Views of Federal and Regional Agencies: Other Federal agencies including The U.S. Fish and Wildlife Service support the project. There are no outstanding issues.

Status of NEPA Document: Team members representing various Federal and state resource agencies were invited to actively participate and take ownership in the navigation study early in the process. Invoking the EOPs early in the study process supported National Environmental Policy Act (NEPA) compliance and promoted public acceptance toward the feasibility study. Inviting the resource agencies and stakeholders to be actively involved in the decision-making process during the entire plan formulation process allowed for early resolution of some of the controversial issues of the project hence making the review process smoother.

Identification of channel alignment and dredge material disposal was accomplished with the help of various agency participants as well as stakeholders to ensure a plan was pursued that would ensure balance and synergy among human development activities and natural systems. The entire dredge material disposal plan was considered precedent setting by the resource agencies and the majority of the public involved in portions of the study process. As a result, the project delivery team (PDT) recognized the interdependence of life and the physical environment and incorporated this relationship into the study process for the best possible outcome. With involvement from individuals outside of the USACE, the environmental consequences related to deepening existing navigation channels allowed a win-win alternative to be identified early in the study process. Existing data was used to exclude unreasonable alternatives, thus minimizing study time and cost.

The recommended plan meets the majority of the sponsor and stakeholder needs while fully engaging nearly all of the EOPs to culminate in a positive environmental output. The EOPs are consistent with NEPA, the Army's Environmental Strategy with its four pillars of prevention, compliance, restoration and conservation, and other environmental statutes and Water Resource Development Act that govern USACE activities.

Estimated Implementation Costs:

Corps of Engineers	$105,315,000
Louisiana Department of Transportation and Development	25,935,000
Total	131,250,000

Description of Non-Federal Implementation Costs: The non-Federal sponsor's 10 percent share of general navigation features re-

quired during construction would be $12,951,435. In addition, the sponsor would provide LERRD and local service facilities amounting to $1,778,385 and $16,440,900 respectively. For the purpose of this report, all pipeline relocations are non-compensable and thus are removals. The facility owners would be responsible for $23,743,965 for removals. Upon completion of the project, the sponsor would be responsible for a 10 percent payback to the USACE based on the GNF costs, reduced by credit for the non-Federal sponsor's cost of LERRD's. Therefore, the $1,778,385 for real estate would be creditable towards the 10 percent after construction. The resulting payback amount would be $11,173,050 and can be paid over a period of 30 years, with interest. The responsibility for Real Estate efforts (lands, easements, and rights-of-way), pipeline removals, and bulkhead replacements belongs to the non-Federal sponsor.

Estimated Effects:

TABLE 1.—AVERAGE ANNUAL NET BENEFITS

[5.125 interest rate, thousands of dollars]

Scenario	Infield GOM Market		MMS High GOM Market		MMS Low GOM Market	
Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition
16-Foot Channel	3,274	1,599	7,430	5,272	1,335	(114)
18-Foot Channel	2,982	1,530	7,541	5,670	855	(401)
20-Foot Channel	4,702	1,965	10,371	6,846	2,056	(312)
20 Percent EPC:						
16-Foot Channel	371	(969)	3,689	1,962	(1,178)	(2,337)
18-Foot Channel	302	(1,373)	4,087	1,929	(1,464)	(2,914)
20-Foot Channel	793	(1,441)	5,335	2,457	(1,327)	(3,260)
50 Percent Integration:						
16-Foot Channel	(634)	(1,751)	2,394	955	(2,047)	(3,014)
18-Foot Channel	(1,485)	(2,825)	1,785	58	(3,011)	(4,170)
20-Foot Channel	(2,334)	(3,898)	1,306	(708)	(4,033)	(5,386)
Staging:						
16-Foot Channel	(2,198)	(3,147)	379	(844)	(3,400)	(4,222)
18-Foot Channel	(3,048)	(4,221)	(229)	(1,740)	(4,364)	(5,378)
20-Foot Channel	(3,898)	(5,293)	(708)	(2,507)	(5,386)	(6,594)

Note: The market share effects are sequential and cumulative rather than independent of each other.

Of the 24 scenarios evaluated using the updated MMS forecasts and maximum net benefits, 8 indicated the 20-foot channel plan was optimal, 3 indicated the 16-foot channel plan was optimal, and the remaining 13 scenarios indicated no deepening was justified. Of the 24 scenarios evaluated using the updated MMS forecasts and positive net benefits, 9 scenarios indicated positive net benefits for the 20-foot channel plan, 10 scenarios indicated positive net benefits for the 18-foot channel plan, and 11 scenarios indicated positive net benefits for the 16-foot channel plan. Given the substantive uncertainties that exist with regards to projecting market conditions and the associated share of the business the Port of Iberia may garner over the next 50 years, Corps leadership determined that the scenarios could be used as the basis for initial decision-making for federal investments at the Port of Iberia.

The second new piece of information is regarding the modularization of shipments. The measurement of benefits described in the April 2006 feasibility report was predicated on the assumption that a single barge will be required to transport very large topsides. Industry preference is that the entire topside structure (fabricated and add-on pieces) be transported on one barge to the integration site. Therefore, the analysis described in the feasibility report assumed that single barge transport would be the most likely future alternative and would continue throughout the period of analysis. However, subsequent to submission of the feasibility report, the split shipment (two barges) possibility was researched through a series of interviews and no information to preclude the engineering feasibility of moving large topsides on multiple barges was offered. The largest units—12,000 to 15,000-ton deepwater topsides fabricated for floating production storage and offloading (FPSO) and floating production systems (FPS)—are comprised of distinct modules, which can be transported on two or three separate barges. The topside Thunderhorse floating production system is just one example of separate transport of individual topside modules. Three topsides modules were constructed by J. Ray McDermott (JRM) in Morgan City, Louisiana. The modules included the 5,700-ton gas compression module, 5,140-ton production module and 6,740-ton power generation module, which together at over 17,000 tons represent the type of large topside modules forecast to move on the 20-foot channel plan. The modules were shipped individually on separate barges from JRM's Morgan City facility to another firm's facility in Ingleside, Texas, for attachment to the hull structure.

Use of more than one barge to transport the individual topside modules leads to significant benefit and formulation changes. Allowing for multiple barge tows of topside movements means that all projected benefits will accrue to the 16-foot channel. The larger topsides projected for the GOM market are in the 12,000 to 15,000 ton range. Only 1–2 larger topsides are projected to be fabricated at POI and they are comprised of a 10,000 ton module and 5,000 tons of add-on components. The 16-foot channel will accommodate the 10,000 ton module and therefore the 16-foot channel will accommodate all the contracts that are projected to be constructed by POI fabricators. Incremental benefits of channel depths beyond 16 feet are zero, but there are additional construction costs plus incre-

mental maintenance and thus net benefits will decrease with larger projects.

Table 2 displays the revised average annual net benefits that incorporate the two new pieces of information described above. Net benefits, representing the difference between incremental average annual benefits and incremental average annual costs, were calculated for each alternative channel depth and are displayed in table 2 by GOM market size and POI market share scenario. The estimates are in 2004 price levels and were annualized using an interest rate of 5.125 percent and a 50-year amortization period. The resulting benefit-to-cost ratios (BCR) are displayed in table 3.

As tables 2 and 3 show, of the 24 possible scenarios, a total of 17 (71 percent of all possible outcomes) are expected to produce positive net benefits and in every one of these outcomes the 16-foot channel alternative produces the highest average annual net benefits and corresponding BCR. The range of average annual net benefits is from a maximum of $14,193,000 to a minimum of $562,000 and the range of BCR is from a maximum of 2.16 to a minimum of 1.05, all for the 71 percent of positive outcomes. Given these results, the 16-foot channel alternative is identified as the NED plan and best meets the Federal Criteria for recommending authorization.

Production in very deep water is still in its infancy. Consequently the specific nature and size of production units is associated with a high degree of uncertainty. This raises the possibility of future topsides larger than currently addressed that could not be accommodated by a 16-foot channel even with multiple barges. Given the uncertainty associated with larger units, individual modules could require more than a 16-foot channel.

As a result, the 16 foot channel deepening plan includes accommodations for a future 20-foot channel. The placement of the bypass-channel flood gates, removals and associated costs, all will accommodate a 20-foot channel. Such an action could avoid costs in the future if a 20-foot channel is deemed appropriate. The added cost to build a bypass-channel floodgate to accommodate a 20-foot channel depth (approximately $3.8 million) is considered a reasonable and prudent accommodation to provide flexibility for this uncertain future. There would be no additional change in the removal costs for a 20-foot channel versus a 16-foot channel. This additional cost to the 16-foot channel plan has been incorporated in the calculation of the estimates shown in tables 4 and 5. Any additional channel depth over 16 feet would have to be justified and authorized when deemed viable in the future.

TABLE 2.—AVERAGE ANNUAL NET BENEFITS FOR TWO-BARGE TRANSPORT

[5.125 interest rate, 2004 price levels, thousands of dollars]

Scenario	Infield GOM Market		MMS High GOM Market		MMS Low GOM Market	
Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition
16-Foot Channel	8,523	5,787	14,193	10,668	5,877	3,510
18-Foot Channel	6,835	4,099	12,505	8,979	4,189	1,821
20-Foot Channel	4,702	1,965	10,371	6,846	2,056	(312)
20 Percent EPC:						
16-Foot Channel	4,615	2,381	9,157	6,279	2,495	562
18-Foot Channel	2,926	693	7,469	4,591	807	(1,126)
20-Foot Channel	793	(1,441)	5,335	2,457	(1,327)	(3,260)

TABLE 2.—AVERAGE ANNUAL NET BENEFITS FOR TWO-BARGE TRANSPORT—Continued

[5.125 interest rate, 2004 price levels, thousands of dollars]

Scenario	Infield GOM Market		MMS High GOM Market		MMS Low GOM Market	
Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition
50 Percent Integration:						
16-Foot Channel	1,488	(76)	5,128	3,113	(211)	(1,564)
18-Foot Channel	(200)	(1,764)	3,440	1,425	(1,899)	(3,252)
20-Foot Channel	(2,334)	(3,898)	1,306	(708)	(4,033)	(5,386)
Staging:						
16-Foot Channel	(76)	(1,472)	3,113	1,315	(1,564)	(2,772)
18-Foot Channel	(1,764)	(3,160)	1,425	(373)	(3,252)	(4,460)
20-Foot Channel	(3,898)	(5,293)	(708)	(2,507)	(5,386)	(6,594)

Note: The market share effects are sequential and cumulative rather than independent of each other.

TABLE 3.—BENEFIT TO COST RATIOS FOR TWO-BARGE TRANSPORT

[2004 Price Levels]

Scenario	Infield GOM Market		MMS High GOM Market		MMS Low GOM Market	
Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition	No Increased Competition	Increased Competition
16-Foot Channel	1.70	1.47	2.16	1.87	1.48	1.29
18-Foot Channel	1.49	1.30	1.90	1.65	1.30	1.13
20-Foot Channel	1.29	1.12	1.65	1.43	1.13	0.98
20 Percent EPC:						
16-Foot Channel	1.38	1.20	1.75	1.51	1.20	1.05
18-Foot Channel	1.21	1.05	1.54	1.33	1.06	0.92
20-Foot Channel	1.05	0.91	1.33	1.15	0.92	0.80
50 Percent Integration:						
16-Foot Channel	1.12	0.99	1.42	1.26	0.98	0.87
18-Foot Channel	0.99	0.87	1.25	1.10	0.86	0.77
20-Foot Channel	0.85	0.76	1.08	0.96	0.75	0.66
Staging:						
16-Foot Channel	0.99	0.88	1.26	1.11	0.87	0.77
18-Foot Channel	0.87	0.77	1.10	0.97	0.77	0.68
20-Foot Channel	0.76	0.67	0.96	0.84	0.66	0.59

Note: The market share effects are sequential and cumulative rather than independent of each other.

Direct Beneficiaries: The Port of Iberia and the State of Louisiana the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 31 December 2006.

(23) Smith Island, Somerset County, Maryland.

Location of Study Area: The study area is Smith Island, which is located 12 miles offshore of Crisfield in Somerset County on Maryland's Eastern Shore.

Problems and Opportunities Identified in Study: Smith Island is part of a chain of islands that form the border between Chesapeake Bay and Tangier Sound, and is comprised of 97-percent emergent wetlands. The study area is within the largest contiguous submerged aquatic vegetation (SAV) bed in the Bay. Although SAV coverages have been rebounding in the last decade throughout the Bay, the Tangier Sound area has seen continual decreases in coverage. There are many factors that determine whether or not SAV flourishes, some factors are local and some are larger-scale. SAV experts have determined that the likely over-riding factor in the study area is the effect of erosion. As the landmasses that make up Smith Island erode, it allows increased wave and current action into shallow-water areas that were previously protected, quiescent,

and suitable for SAV growth. The eroded material also adds turbidity and nutrients to the water column that further inhibit SAV colonization and growth. Additionally, the landmasses themselves are extremely high quality emergent wetlands. These wetlands are even more valuable than most since they are part of a remote island with little human disruption. In its entirety, Smith Island has lost over 3,300 acres of wetlands in the last 150 years, and, in the identified project areas alone, it lost almost 2,400 acres of SAV between 1992 and 1998.

Alternative Plans Considered: After a number of screening processes to evaluate various combinations of management features to address the erosion problems at Smith Island in the interest of ecosystem restoration, the study team identified 10 alternatives in addition to the no action alternative, to consider in detail. The alternatives consisted of various lengths and designs of structures to attenuate wave energy and thus reduce erosion in order to protect and restore wetlands and SAV.

Description of Recommended Plan: The Recommended Plan is described in the Chief's Report, dated 29 October 2001. The proposed plan provides for construction of a series of segmented breakwaters along the western shore of the Martin National Wildlife Refuge at the north end of Smith Island. The breakwaters would extend over a distance of approximately 4 miles. Sand would be placed behind the structures to establish wetland habitat. Areas that currently support SAV would be protected while additional habitat would be restored due to the reduction in sedimentation and its associated negative impacts. The recommended plan would protect approximately 216 acres of marsh and 540 acres of SAV, and restore approximately 24 acres of marsh and 1440 acres of SAV.

Physical Data on Project Features: The Recommended Plan consisted of various structural measures along the Martin Wildlife Refuge. The three plan components are the western shoreline, Fog Point Cove and Back Cove. Specifically, the plan is as follows. (1) Construction of a series of segmented breakwaters parallel to the western shoreline of the Refuge from Swan Island to Fog Point. The protection would be 9,840 feet long and be comprised of stone breakwaters, approximately 150 feet long, placed 30 to 100 feet offshore with gaps between the structures of varying lengths. Sand would be placed behind the structures to insure project success, and to create wetland habitat. The project includes protection and restoration of Fog Point Cove by recreating and protecting landmasses at the western and eastern sides of the cove. The protection would be in the form of stone breakwaters and continuous stone sills with sand backfill to create wetland habitat and sandy shoreline to restore terrapin habitat. The eastern shoreline of Fog Point Cove will be protected to help to protect Back Cove from sedimentation and flanking of the northern peninsula. The project includes protection of Back Cove by constructing a series of segmented breakwaters and sills along to northern protective peninsula and along the southeastern shoreline.

Views of States, Non-Federal Interests and Other Countries: The Maryland Department of Natural Resources (MdDNR) is the local sponsor. The MdDNR strongly supports the project and will fund the local share of the project.

Views of Federal and Regional Agencies: The formulation of the proposed projects has been coordinated with local, state and federal agencies and all agencies have indicated their support for the project. The U.S. Fish and Wildlife Service has provided a letter of support. The local communities of Tylerton, Ewell and Rhodes Point and the Chesapeake Bay community have also expressed their support for the project. There are no outstanding issues.

Status of NEPA Document: The Final Environmental Assessment has been included as part of the Final Feasibility Report, dated May 2001. These documents were released for public review and comment in March 2001 and minor comments were received by the close of the public comment period. A supplemental Environmental Assessment was conducted and a Finding of No Significant Impact was signed on 1 June 2004.

Estimated Implementation Costs:

Corps of Engineers	$10,127,000
Maryland Department of Natural Resources	5,543,000
Total:	15,580,000

Estimated Effects of the NER Plan:

[Dollars in thousands]

Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan (NER)	ER	N/A	809.7

Note: ER = Ecosystem Restoration.
Project economic life: 50 years.
Benefit-Cost Ratio: N/A (Current Discount Rate: 5-1/8%).
NED plan recommended? No.
NER plan recommended? Yes.

The project is estimated to protect 216 acres of wetlands and 540 acres of submerged aquatic vegetation over a 50-year lifespan, while creating or restoring 24 acres of wetlands and 1,440 acres of SAV. The impacts are minimal and temporary and are related to construction activities such as borrow operations and staging. Environmental benefits are not quantified monetarily and therefore there is no project benefit/cost ratio.

Direct Beneficiaries: The project is for the purpose of ecosystem restoration. It is assumed that local residents will benefit from the improved environment and stabilized marshes. The local watermen will benefit due to the improved habitat and spawning areas for commercially important species.

Relationship to Other Plans: Smith Island is one of a series of islands along the Eastern Shore of Maryland. This area is a critical component of the Atlantic migratory flyway, and the islands provide critical protection, nursery, and habitat areas for fish and crabs as the move up and down the Chesapeake Bay. For these reasons, the Smith Island project is related to other island protection and restoration projects in the Bay such as Poplar Island Environmental Restoration Project, and the Mid-Chesapeake Bay Island project that is being proposed for construction.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 29 October 2001.

(24) Roseau River, Roseau, Minnesota.

Location of Study Area: Roseau, Minnesota

Problems and Opportunities Identified in Study: The city of Roseau is vulnerable to flooding from both spring snowmelt and rainfall events. During the summer of 2002 a rainfall event caused flooding in more than 80 percent of the city causing damages estimated at more than $120,000,000. The flood lasted several weeks and city services were significantly affected for months.

The city of Roseau relies heavily on temporary emergency levees, which are in poor condition, leaving the city vulnerable to levee failures and catastrophic flooding. These levees were overtopped during the 2002 flood and do not provide reliable flood protection. Additional flood protection is needed to reduce flood damages in the city from these frequent events. An opportunity also exists to provide the city with passive, family oriented recreational resources which are currently not present.

Alternative Plans Considered: Both structural and nonstructural flood damage reduction measures were considered during the development of alternatives. Structural measures considered include: levees, reservoirs, channel modifications, cutoff channels, and diversion channels. Nonstructural measures considered included: buyouts of flood prone structures, flood proofing of structures, and elevating structures. Ecosystem restoration and recreational features were also considered.

The study team identified 11 possible plans, including the no action plan, as potential alternatives which could provide some benefit to the City of Roseau and meet the goals and objectives of the project. Of those 11 plans, 3 were initially eliminated because they were conceptually found to have extremely large costs and were not expected to have a significant amount of flood damage reduction benefits. The remaining plans were analyzed based on economic costs and their ability to provide outputs similar to the other plans considered. Those with fewer net benefits were eliminated at that time. The result was that two plans remained, the East Diversion Channel and the In-Town Levee alternative. Various sizes of these two plans were evaluated, resulting in the plan with the greatest net benefits being the selected plan. This plan, the East Diversion Channel, was then optimized by looking at smaller secondary measures which would be able to add net benefits to the overall project, resulting in the NED plan.

It was determined that the selected NED plan would cause a 0.1 foot increase in stage downstream of the project area for the 100-year flood event. This was not acceptable to the City of Roseau. As a result, two large storage areas were added to the plan, and the NED plan plus the storage areas became the recommended locally preferred plan (LPP). Recreational features were determined to be economically justified and were included as part of both the NED plan and the recommended LPP.

Description of Recommended Plan: The recommended plan is the locally preferred plan. This alternative includes the NED plan and two large storage areas to eliminate downstream stage increases. The plan meets the project objectives and constraints. The following is a description of the NED and recommended plans.

NED Plan Features

• Approximately 4.5 miles of diversion channel (ranging from a maximum depth of 16 feet to areas where no channel cut is needed, with a bottom width of 150 feet and 1V:5H side slopes).

• 763 acres of land acquisition.

• Approximately 5.1 miles of levees used to contain flows within the diversion channel. The majority would have a height of less than 5 feet.

• 0.51 mile of road raises ranging from 2 to 4 feet.

• An inlet control structure to regulate the events that would pass into the diversion channel, beginning with 2-year frequency events.

• A restriction structure to increase the efficiency of the diversion channel. This structure would be 16 feet wide and 100 feet long. It would begin to restrict flows at the 5-year event (20-percent exceedance frequency).

• Construction of three bridges (two associated with roads crossing the diversion and one railroad bridge crossing the diversion).

• Relocations of electrical, sewer, gas, and telephone infrastructure.

• Riprap at various locations to protect the levees and diversion structures from erosion.

• Approximately 200 acres of native plantings to provide ground cover in the project area.

LPP Features (Changes to NED Plan)

• Approximately 4.1 miles of additional levees used to contain peak flows within the storage areas. The majority would be less than 5 feet, the highest would be 15 feet.

• Approximately 5.1 miles of reduced levee heights; the reduction would vary from 2 to 5 feet (see NED plan features above).

• 1,089 acres of additional land acquisition for storage areas and associated levees.

• 0.69 mile of additional road raises ranging from 2 to 4 feet.

• 9.0-acre reduction in disposal stockpiles; the material would be used in levee construction.

• Four additional spillways along the levee system to allow for peak flow storage.

RECREATION PLAN FEATURES

• Three multipurpose recreational trail loops combining for a total of approximately 7 miles of paved or compacted gravel trails.

• 4.3 miles of canoe trails in two segments, the north being 1.3 miles and the south 3 miles.

• One scenic overlook, two interpretative sites, and birding stations.

• A total of 9 miles of off-road vehicle trails of different levels of difficulty.

• Restrooms, potable water, picnic facilities, grills, and parking at the off-road vehicle trailhead where the project intersects with Highway 11.

• 5 acres of hardwood planting for trail head and park areas.

• Planting of 25 acres of wooded areas near trails.

Views of States, Non-Federal Interests and Other Countries: The City of Roseau is the project sponsor. The feasibility study included extensive coordination with numerous groups including federal, state, county, township, and city agencies; businesses, landowners, the media, and the general public. All stakeholder concerns identified during the study have been resolved.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service supports the project. There are no outstanding issues.

Status of NEPA Document: An environmental assessment was completed which resulted in a Finding of No Significant Impact (FONSI) signed on 29 August 2006.

Estimated Implementation Costs:

Corps of Engineers	$13,280,000
City of Roseau	11,280,000
Total	25,100,000

Description of Non-Federal Implementation Costs: The non-Federal sponsor would be required to cost share the flood damage reduction features for the NED plan in accordance with cost sharing provisions of Section 103 of the Water Resources Development Act (WRDA) of 1986, as amended, and provide 100 percent of the additional costs associated with design and construction of the LPP. Thus the non-Federal cost of the flood damage reduction features is estimated at $10,430,000 of which $2,930,000 is the additional costs associated with the LPP. The estimated total first cost of the separable recreational features is $1,700,000; and based on cost sharing requirements of Section 103 of WRDA 1986, it would be shared 50 percent Federal and 50 percent non-Federal. The overall non-Federal share of the estimated total first cost of the recommended project would be $11,280,000. The City of Roseau, Minnesota, is the non-Federal cost sharing sponsor for all features of the plan.

Estimated Effects:

Purpose	Average Annual Benefits
FDR	$2,350,000
Recreation	2,160,000
Total project	4,510,000

Period of Analysis: 50 years.
Benefit-Cost Ratio: (Discount Rate: 4⅞%).
Flood Damage Reduction: 1.7.
Recreation: 19.8.
Total project: 3.0.
NED plan recommended? No.

Direct Beneficiaries: The residents of Roseau are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 19 December 2006.

(25) Mississippi Coastal, Mississippi.

Location of Study Area: Recommendations made in this report encompass the entire three-county area of coastal Mississippi, with specific actions in each county.

Problems and Opportunities: The hurricanes of 2005 caused numerous deaths and injuries to local residents and visitors to the area, extensive damage to environmental resources, homes, businesses and industries, exacerbated saltwater intrusion problems, caused widespread coastal erosion, and damage to public infrastructure and the regional economy. Damage from hurricane-induced storm surge was particularly devastating along the coast of Mississippi. Hurricane Katrina alone caused over $125 billion in damages along the Mississippi coast; caused 236 deaths statewide,

and resulted in 67 missing; destroyed 65,380 homes, and resulted in 141,000 insurance claims in the three-county area.

Opportunities identified for the interim report study effort included addressing 2005 hurricane-caused: 1) storm damage to public infrastructure; 2) flood inundation to public infrastructure; 3) saltwater intrusion problems; and 4) damage to ecosystems supporting important fish and wildlife resources. Additional, opportunities include addressing the need for potential future structural and non-structural solutions to the problems identified above.

Alternative Plans Considered: The ongoing MsCIP comprehensive study and this interim report comply with the Congressional legislative direction governing this effort. The analysis process for the near-term recommendations essentially followed ER 1005–2–100, the Corps' "Planning Guidance Notebook," with the specific exclusion of the determination of National Economic Development and National Ecosystem Restoration Plans and conduct of an incremental analysis, as called for in the authorizing language. In general the plan formulation followed the traditional sequence of identifying problems, opportunities, and planning constraints, developing and screening measure to address problems, formulating alternatives, screening alternatives using established "System of Accounts" criteria, and selection of recommended plans based on cost-effectiveness, technical, environmental, and acceptability criteria.

Final alternatives consisted of steel, aluminum, or vinyl sheet-pile repairs to existing seawalls; structural channel modifications; residential purchase and removal plans; dune restoration or beach modification plans; sediment and debris removal or channel modifications to restore drainage flow, and repair of existing structures using different methods and materials.

Description of Recommended Plan: The recommended plan for near-term recommendations for the coastal Mississippi study area includes the following components:

Evacuation Planning. The critical need for adequate evacuation planning was borne out by Hurricane Katrina. An evacuation plan is an essential component of a comprehensive plan for ensuring the safety of residents of, and visitors to, the coast of Mississippi. The preservation of life is the single most important goal and objective of the recommendations presented in this Interim Report. The joint FEMA/NOAA/COE/MEMA task force's Mississippi Hurricane Evacuation Study of April 2002 has provided great value to-date in aiding local government, individual and family readiness, in the face of approaching events. There is still much that can be done to update this on-going effort, and to provide new, and more widely-disseminated tools in evacuation planning by local county and city governments, and also for use by individuals and families in their preparation for an impending event. Support for this program is a critical element of the recommendations for coastal Mississippi.

Bayou Caddy Ecosystem Restoration, Hancock County, MS. This recommendation consists of restoration of marshlands badly damaged during the hurricanes of 2005. Restoration would involve use of clean concrete rubble created by the demolition of local projects for use in development of a protective breakwater, construction of an earthen containment barrier, fill material placement of approximately 120,000 cubic yards to re-establish the marsh substrate,

and planting of native vegetation on the approximately 18-acre site.

Hancock County Beaches Hurricane and Storm Damage Reduction, Hancock County, MS. This recommendation consists of restoring a destroyed dune field atop an existing 6-mile long beach system. The plan would replace approximately 31,000 cubic yards of lost sand dune material and add stabilizing fencing and dune vegetation. The finished stable dune would be approximately 2 feet high with a crest width of approximately 10 feet. The material will come from the established upland borrow areas within 10 miles of the work area. Plantings would have a density of 1 plant per 4 square feet and the fence would protect the entire length of the project site.

Hancock County Streams Flood Damage Reduction, Hancock County, MS. This recommendation consists of restoring lost capacity in local drainage channels, caused by sediment and debris deposition resulting from storm surge during Hurricane Katrina. Sediment and debris deposition has caused a reduction in conveyance, leading to inundation of residences and businesses within the communities adjacent to these channels. Channels where sediment and debris removal would not restore lost flood drainage capacity are not included in this recommendation. Restoring lost drainage capacity would involve removal of approximately 1,035,500 cubic yards of sediment and debris.

Jackson Marsh Ecosystem Restoration, Hancock County, MS. This recommendation consists of repairing numerous outfalls heavily damaged by Hurricane Katrina, to restore connection of Jackson Marsh to the Gulf. The marsh is a high value resource along this reach of the coast, providing habitat for numerous species. Blockage of 12 of 15 existing outfalls has already caused damage to the resource. The repair would reinforce portions of the 12 damaged existing outlet channels with vinyl sheet-pile, and remove deposited sediment and debris blocking the outfalls. The average length of the outfall structures is approximately 155 feet.

Clermont Harbor Hurricane and Storm Damage Reduction, Hancock County, MS. This recommendation consists of replacing erosion protection on an existing seawall heavily damaged by Hurricane Katrina, to prevent undermining and failure of the structure. The seawall protects a heavily-used road, which serves as an evacuation route, and associated utilities. The repair would incorporate the existing seawall, with emplacement of a new sheet-pile toe wall seaward of that feature, tied together by construction of a new concrete cap. The length of this repair is approximately 2,000 feet.

Downtown Bay St. Louis Hurricane and Storm Damage Reduction, Hancock County, MS. This recommendation consists of replacing a seawall heavily damaged or destroyed by Hurricane Katrina, with a new gravity concrete seawall. The seawall protects a heavily-used road, which serves as an evacuation route, and associated utilities. The new seawall would consist of a concrete gravity concrete seawall approximately 6,500 feet in length, incorporating 20-inch and 14-inch pre-stressed foundation piles, vinyl sheet-pile cutoff wall, cast in-place concrete, scour protection, and new storm drains. The top elevation of the new wall would match the existing elevation of Beach Boulevard ranging from approximately, 7 feet NGVD to 20 feet NGVD (approximately 10 feet higher than the

original wall) to minimize future storm and erosion damage to the road and utilities landward of this feature.

Cowand Point Hurricane and Storm Damage Reduction, Hancock County, MS. This recommendation consists of replacing erosion protection on an existing seawall heavily damaged by Hurricane Katrina, to prevent undermining and failure of the structure. The seawall protects a heavily-used road, which serves as an evacuation route, and associated utilities. The repair would incorporate the existing seawall, with emplacement of a new sheet-pile toe wall seaward of that feature, tied together by construction of a new concrete cap. The length of this repair is approximately 5,000 feet.

Long Beach Canals Flood Damage Reduction, Harrison County, MS. This recommendation consists of replacement of a damaged culvert, canal modification, bank stabilization, sediment and debris removal, construction of a diversion channel and bridge replacement in and along Canal 2 in Harrison County. These modifications would significantly improve floodwater conveyance, aesthetics, and circulation for better water quality and fish habitat conditions. Work would include 375 feet of 24-inch culvert and 263,000 cubic yards of sediment removal.

Harrison County Beaches Ecosystem Restoration and Hurricane Storm Damage Reduction, Harrison County, MS. This recommendation consists of restoring approximately 26 miles of dune systems, along a reconstructed beach, destroyed by Hurricane Katrina. These beach dune systems played host to the largest concentration of Least Tern on the entire Mississippi coast, and were also valued habitat for other coastal species. Restoration would consist of placement of approximately 681,000 cubic yards of dune sand, fencing along a 134,000 foot perimeter, to offer protection to the resource, and approximately 125 acres of native vegetation plantings. The 5-foot-high profile dune system would provide a secondary hurricane storm damage reduction benefit by absorbing surge and wave energy along this heavily-trafficked and occupied portion of the Mississippi coastline.

Courthouse Road Flood Damage Reduction and Ecosystem Restoration, Harrison County, MS. This recommendation consists of replacing 14 channel braces and restoring 14,200 square feet of adjacent marshland, both damaged by Hurricane Katrina. The channel walls protect adjacent land from erosion and potential collapse into the channel outfall, while the marsh provides avian and aquatic species habitat. The repair would install new pre-cast concrete channel braces, to prevent failure of the channel walls, anchoring to prevent future damage, and restoration of the damaged marsh by placement of fill, grading, and planting of native vegetation. The length of the channel repair is approximately 235 feet.

Shearwater Bridge Hurricane Storm Damage Reduction, Jackson County, MS. This recommendation consists of repairing the damaged approaches to Shearwater Bridge, a local traffic artery and evacuation route damaged during Hurricane Katrina. Failure to repair the approaches could result in failure of the approach and roadway surface during a future storm event. Repairs would consist of placement of vinyl sheet-pile along the bridge abutments, sand fill, and a concrete cap.

Gautier Coastal Streams Flood Damage Reduction, Jackson County, MS. This recommendation consists of restoring lost capac-

ity in the Old Spanish Trail, Graveline Bayou, Hiram Drive, Ladner Road, and Seacliff Bayou drainage channels, caused by sediment and debris deposition resulting from storm surge during Hurricane Katrina. Sediment and debris deposition has caused a reduction in conveyance, leading to inundation of residences and businesses within the communities adjacent to these channels. The total length of channels requiring clean-out is approximately 2.7 miles. Restoration of tidal flow will re-establish saltwater exchange with habitat in these areas. Channels in which sediment removal would not restore lost flood control capacity are not included in this recommendation. Restoration of lost capacity would involve removal of approximately 73,300 cubic yards of sediment and debris.

Pascagoula Beach Boulevard Hurricane and Storm Damage Reduction, Jackson County, MS. This recommendation consists of repairing an existing seawall heavily damaged by Hurricane Katrina, with vinyl sheet-pile reinforcement of the existing breakwater, replacement of joint caulking, repair of an existing outfall channel, cell capping, and construction of new concrete channel wall panels. The seawall protects a heavily-used road, which serves as an evacuation route, and associated utilities. The repair would incorporate portions of the existing seawall, with emplacement of a new sheet-pile seaward of that feature, tied together by construction of a new concrete cap. Approximately, 270,000 cubic yards of beach sand at the toe of the wall would replace sand lost during the hurricane. The length of this repair is approximately 2,590 feet.

Upper Bayou Casotte Flood Damage Reduction, Jackson County, MS. This recommendation consists of restoring lost capacity in local drainage channels, caused by sediment and debris deposition resulting from storm surge during Hurricane Katrina. Sediment and debris deposition has caused a reduction in conveyance, leading to inundation of residences and businesses within the communities adjacent to these channels. The total length of channels requiring sediment and debris removal is approximately 2.7 miles. Channels where debris removal would not restore lost flood drainage capacity are not included in this recommendation. Restoration of lost capacity would involve removal of approximately 15,900 cubic yards of sediment and debris.

Franklin Creek Floodway Flood Damage Reduction, Jackson County, MS. This recommendation consists of purchase and removal of approximately 24 traditional slab-on-grade or curtain-wall-foundation residences, and approximately six mobile homes occupying the heavily damaged community of Pecan, near the Mississippi-Alabama border. These homes were inundated by approximately four and a half feet of water, as a result of storm surge created by Hurricane Katrina. This low-lying area would be extremely hard to protect from any number of land-based flood events or large hurricane surges.

Views of States, Non-federal Interests and Other Countries: The state of Mississippi Clearinghouse for Federal Programs responded by letter dated September 13, 2006. The letter states the following: "None of the state agencies involved in the review had comments or recommendations at this time. This concludes the State Clearinghouse review, and we encourage appropriate action as soon as possible. A copy of this letter is to be attached to the application

as evidence of compliance with Executive Order 12372 review requirements."

The vast majority of comments received from the public, either on study conduct or the draft report, have been generally supportive. Criticism has mainly been in the form of anticipation of the effects various actions might have on plans that will be analyzed in the Comprehensive Plan phase to follow. Other comments focused mainly on why their particular problem area was not recommended in the Interim Report phase. The reasons for this were almost always that the particular problem area required more extensive engineering or environmental analysis or coordination than would have allowed it to be included in the Interim Report study. The vast majority of public respondents support a combination of natural and engineered features in pursuit of the larger goal of storm damage reduction. The recommended plans have been reviewed by, and are supported, by the State of Mississippi, all three counties in which they would be implemented, and the communities that would be affected by their implementation. Several State compliance letters have been received concurring and supporting the near-term improvements. A letter of support has been received from the State of Mississippi.

Views of Federal and Regional Agencies: Federal Agencies. The U.S. Department of Interior responded by letter dated September 29, 2006. The letter stated that the Department does not object to the proposed project and has no comments to offer. The Department of Commerce, National Marine Fisheries Service (NMFS), responded by telephone on November 7, 2006. NMFS had no comment on the proposed project. The Environmental Protection Agency, Region 4, responded by telephone on October 11, 2006. The EPA had no comment on the project proposal.

Status of NEPA Document:

Estimated Implementation Cost of the Recommended Plan:

Corps of Engineers	$ 70,000,000
State of Mississippi, and the counties of Hancock, Harrison, and Jackson, Mississippi	37,690,000
Total	107,690,000

Estimated Effects of the Recommended Plan:

Equivalent Annual Costs and Benefits. Because the authorizing language specifically excluded the completion of a benefit-cost analysis, that information was not developed; however, each recommendation's contribution to the NED, EQ, RED, and OSE accounts is summarized below.

RECOMMENDED PLANS—OUTPUTS AND ACHIEVEMENTS

Project Name	County	Impacts to NED [1]	Impacts to EQ	Impacts to RED [2]	Impacts to OSE
Bayou Caddy.	Hancock ...	Affects: 2,800 people; 1,500 structures (value not available)	FHI score of 465; 18 acres of tidal wetlands and estuarine habitat; Prevention of future shoreline erosion losses	Increase of: $14,651,000 in sales $3,533,000 in income; 90 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.

RECOMMENDED PLANS—OUTPUTS AND ACHIEVEMENTS—Continued

Project Name	County	Impacts to NED [1]	Impacts to EQ	Impacts to RED [2]	Impacts to OSE
Hancock County Beaches.	Hancock ...	Affects: 13,500 people; 6,800 structures-average value of $85,000; $795,000 in avg. annual recreation benefits	FHI score of 405; 14.5 acres (8 miles) of vegetated dune habitat; Benefits to nearshore ecosystem including protected shorebirds	Increase of: $4,493,000 in sales $1,083,000 in income; 28 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.
Hancock County Streams.	Hancock ...	Affects: 17,500 people; 9,100 structures-average value of $78,400; $3,820,000 in avg. annual recreation benefits	FHI score of 195; 35,000 linear feet (6.6 miles) of coastal stream and waters; restoration of circulation and tidal exchange	Increase of: $16,096,000 in sales $3,881,000 in income; 98 new jobs	Improved community cohesion; Reduce risk of harm to children and pets; Potential increase in tax revenue from new jobs.
Jackson Marsh.	Hancock ...	Affects: 2,800 people; 1,500 structures (value not available); prevent loss of 1,000 ac coastal marsh	FHI score of 525; Connectivity to MS Sound restored for 977 acres of tidal salt marsh wetland	Increase of: $13,894,000 in sales $3,350,000 in income; 86 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.
Clermont Harbor.	Hancock ...	Affects: 7,800 people; 4,100 structures-average value of $86,100; Avg. Annual reduction of $1,206,000 in road damage, vehicle operating, and maintenance costs	2000 linear feet of seawall modification; Shoreline stabilization, reduce erosion	Increase of: $5,327,000 in sales $1,284,587 in income; 33 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.
Downtown Bay St. Louis.	Hancock ...	Affects: 5,700 people; 2,700 structures-average value of $83,900; $2,267,000 in avg. annual costs and damage	6500 linear feet of seawall modification; Shoreline stabilization, reduce erosion	Increase of: $2,067,000 in sales; $412,000 in income; 12 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.
Cowand Point.	Hancock ...	Affects: 5,700 people; 2,700 structures-average value of $83,900; $510,500 in avg. annual damage and costs	5000 linear feet of seawall modification; Shoreline stabilization, reduce erosion	Increase of: $12,656,000 in sales $3,052,000 in income; 76 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.
Long Beach Canals.	Harrison ...	Affects: 12,600 people; 4,900 structures-average value of $88,000	Removal of debris; Improved habitat; improved fish migration	Increase of: $57,375,000 in sales $12,145,000 in income; 364 new jobs	Improved community cohesion; Reduce risk of harm to children and pets; Potential increase in tax revenue from new jobs.

RECOMMENDED PLANS—OUTPUTS AND ACHIEVEMENTS—Continued

Project Name	County	Impacts to NED [1]	Impacts to EQ	Impacts to RED [2]	Impacts to OSE
Harrison County Beaches.	Harrison ...	Affects: 23,000 people; 13,100 structures (value not available) $4,707,000 in avg. annual rec. benefits	FHI score of 405; 47 acres (26 miles) of vegetated dune habitat; Benefits to nearshore ecosystem	Increase of: $39,064,000 in sales $7,618,000 in income; 221 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.
Courthouse Road.	Harrison ...	Affects: 4,200 people; 2,500 structures (value not available)	FHI score of 525; 0.33 acres of coastal marsh and associated wetland functional values	Increase of: $3,081,000 in sales $805,000 in income; 24 new jobs	Improved community cohesion; Potential increase in tax revenue from new jobs.
Shearwater Bridge.	Jackson	Affects: 10,400 people; $330 in avg. annual reduction in vehicle operating costs	Estuarine shoreline stabilization; Improvement of aesthetics	Increase of: $3,489,900 in sales $680,600 in income	Improved community cohesion Potential increase in tax revenue from new jobs.
Gautier Coastal Streams.	Jackson	Affects: 12,500 people; 4,900 structures-average value of $76,100	FHI score of 245; 14,880 linear feet of coastal streams; Removal of sediment and debris Restore ecosystem connectivity	Increase of: $11,840,000 in sales $2,309,000 in income; 67 new jobs	Improved community cohesion; Reduce risk of harm to children and pets; Potential increase in tax revenue from new jobs.
Pascagoula Beach Boulevard.	Jackson	Affects: 6,400 people; 2,900 structures-average value of $68,500; $20,500 avg. annual reduction in damage and costs; $2,632,200 avg. annual recreation benefits	FHI score of 395; 35 acres (7,700 feet) of beach with vegetated dunes; Benefits nearshore ecosystem Beach/shallow water edge benefits aquatic habitats	Increase of: $50,789,000 to sales $9,905,152 to income; 288 new jobs	Improved community cohesion Potential increase in tax revenue from new jobs.
Upper Bayou Casotte.	Jackson	Affects: 10,400 people; 4,100 structures-average value of $59,400	14,880 linear feet of coastal streams; Improved habitat Improved water quality; ecosystem connectivity	Increase of: $3,554,000 in sales; $693,028 in income; 19 new jobs	Improved community cohesion; Reduce risk of harm to human beings.
Franklin Creek Floodway.	Jackson	Affects: Approx. 150 people; Full FDR benefits from the buyout of approx. 30 structures-average value of $50,000	180 acres coastal pine savannah; Remove obstacles for restoration of hydrology of overland flows into Grand Bay	Increase of: $0 to sales; $0 to income; 0 new jobs	No future development of land for residential or commercial purposes.

1. Population and structure counts represent the total possible number that could be affected. Structure value is for the dwelling only and does not include land value or the value of any secondary structures. All numbers are rounded to the nearest hundred.
2. All numbers are rounded to the nearest hundred except for employment.
*Functional Habitat Index, or FHI score, is a measure of the functional capacity of a given area of habitat.

Direct Beneficiaries: The beneficiaries are the affected local communities where the projects are located.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 31 December 2006.

(26) Kansas Citys Levees, Missouri and Kansas.

Location of Study Area: The project area is located in the Kansas City metropolitan area at the confluence of the Missouri and Kan-

sas Rivers, in Kansas City, Missouri, North Kansas City, Missouri, and Kansas City, Kansas.

Problems and Opportunities Identified in Study: The entire system of seven levee units withstood the Great Flood of 1993, but some elements of the system were seriously challenged as the flood crested. This flood experience raised a concern that the levees may provide less than the level of protection for which they were designed. Accordingly, this feasibility study was undertaken to further investigate the Federal interest in planning, designing and constructing economically viable measures to address any changed conditions and levee performance issues. After a comprehensive risk based assessment of the existing levee system, the total expected annual physical flood damages for the existing units in the Interim Report are $50,299,000.

Alternative Plans Considered: A variety of alternatives were examined to address levee reliability problems. Depending on the particular unit, they included engineering measures to address structural reliability, foundation underseepage, foundation stability, pump station reliability, and reliability against overtopping. The Argentine Unit on the Kansas River was designed to pass a discharge of 390,000 cfs (typically associated with the 0.2% chance flood event or nominal 500-year flood). Updated hydraulic analyses indicated that the Argentine Unit is not able to pass the design discharge. This problem was related to changed conditions in the Kansas River as well as a more current and technologically improved hydrologic analysis. The Fairfax-Jersey Creek Unit floodwall in the vicinity of the BPU Power Plant is structurally inadequate for approximately 1,500 linear feet. Measures were considered to replace or reinforce this section of floodwall. Also in the Fairfax-Jersey Creek Unit, a section of sheetpiles was found to be significantly degraded requiring replacement. Two sites in the North Kansas City Unit, known as "National Starch" and "Harlem", require additional underseepage control. The East Bottoms Unit requires additional underseepage control at the confluence of the Missouri River and Blue River.

Four alternatives were considered for the Argentine Levee Unit, including, raising the levee 2 feet (0.2% chance profile), raising it 5 feet (0.2% chance profile plus 3 feet), raising it 7 feet (0.2% chance profile plus 5 feet), and increasing the structural reliability of pump stations with no levee raise. The two alternatives for the Fairfax-Jersey Creek BPU Floodwall were modification / reinforcement of the existing floodwall, and a combination of new wall segments with reinforcement of the existing wall. At the Fairfax-Jersey Creek Sheetpile Wall replacement site, a closed sheetpile wall, an open cell sheetpile wall, an augur cast pile wall, and the option of flood fighting were considered. At the North Kansas City Harlem and National Starch Underseepage Sites, seepage berms, buried collector pipes, pressure relief wells, and the option of flood fighting were considered. For the East Bottoms-Blue River Confluence Underseepage Site, a sheetpile wall, a slurry cut-off wall, and pressure relief wells were considered.

Description of Recommended Plan and Features: The recommended plan is the National Economic Development (NED) plan. The recommended measures include three that can be implemented under existing construction authority (deficiency correc-

tions) and three that require modification of the existing construction authority and some that do not. The recommended Argentine Levee modifications would increase the project capabilities beyond existing authorized levels and thus require modification of the existing construction authority. The Fairfax-Jersey Creek Sheetpile Wall would involve the reconstruction due to deterioration over time and a section of new sheetpile wall, and thus requires modification of the existing construction authority. The East Bottoms underseepage modification addresses changed conditions, which also require modification of the existing construction authority. Both of the North Kansas City underseepage modifications and the Fairfax-BPU floodwall strengthening would correct design deficiencies, which can be implemented under existing project authority.

Argentine Levee Raise: Approximately 5.5 miles of levee would be raised an average of about 5 feet. The levee unit raise includes modifying earthen levee and berms, about 1,340 feet of flood wall, stop log gaps, and other necessary line of protection features. Fourteen utility crossings would be relocated over the levee, including pressure pipelines that currently pass under the levee. Three pump stations would be modified or replaced to retain the reliability of the line of protection. This work is based upon changed conditions and will require new authorization under the WRDA.

Fairfax Jersey Creek Levee Unit—Fairfax-Jersey Creek Sheetpile Wall: The modifications would include reconstructing about 868 linear feet of sheetpile wall to ensure the wall's stability and construction about 590 linear feet of new sheetpile wall to reduce the risk of levee failure. This work is categorized as reconstruction and will require new authorization under the WRDA.

East Bottoms Levee Unit: Modifications would include installing approximately seventeen pressure relief wells to reduce underseepage and reduce the risk of failure and constructing approximately 2,100 linear feet of 30-inch pipe system to transfer collected seepage from the wells to the proximity of the Hawthorne pump plant. This work is based upon changed conditions and will require new authority under the WRDA.

North Kansas City Levee Unit—Harlem Area: Modifications would include constructing a new buried collector system about 2,600 feet long and 18-inches in diameter with seepage collection vaults to enable pumping during flood events. This would control underseepage pressures at the interior toe of the existing levee. National Starch Area: Modifications would include installing approximately 20 pressure relief wells, an approximately 2,000 feet long and 30-inch diameter pipeline, and a new pump station to collect, move and remove water in order to control underseepage at the interior toe of the existing levee. This work is categorized as design deficiency correction and will not require new authorization under the WRDA.

Fairfax Jersey Creek Levee Unit—Fairfax-BPU Floodwall: The modifications would include strengthening about 1,446 linear feet of floodwall using approximately 50-foot deep; 24-inch diameter piles about seven feet apart. This work is categorized as design deficiency and will not require new authorization under the WRDA.

Views of States, Non-Federal Interests and Other Countries: The local sponsors include Kaw Valley Drainage District, Fairfax Drain-

age District, North Kansas City Levee District, and the City of Kansas City, Missouri. They are all strongly supporting this project. Recreation enthusiasts in the area are encouraging the sponsors and the Corps to provide opportunities for trails to be incorporated in the levee systems. Where this is practicable, the Corps is supportive of the sponsors accommodating compatible recreation into their projects if they so desire. There is broad support for the project in the metropolitan area and the sponsors are unified in their cooperation with the Corps. The State and Agency Review for the interim report began 29 September 2006 and ended 29 October 2006. In a letter dated 10 October 2006, the State of Missouri had no comments or recommendations. In a letter dated 03 November 2006, the Kansas Department of Health and Environment summarized state permit requirements and water quality protection requirements. It noted that the review of HTRW sites is dated and may need to be updated. It encouraged the Corps to participate in an upcoming watershed protection effort. CECW–NWD replied with letter on 22 November 2006 that acknowledged the state's concerns and recommendations

Views of Federal and Regional Agencies: The Environmental Protection Agency is a cooperating agency in the study and is in concurrence with the findings. In a letter dated 27 October 2006, the Department of the Interior did not object to the proposed project and had no comments to offer. The Department of Agriculture (Natural Resource Conservation Service), Department of Transportation (Federal Aviation Administration), and the Federal Emergency Management Agency, indicated by phone or e-mail that they had no comments.

Status of NEPA Document: The Environmental Impact Statement (EIS) has been included as part of the Interim Feasibility Report. These documents were released for public review and comment on 2 June 2006 and minor comments were received by the close of the public comment period on 17 July 2006.

Estimated Implementation Costs for the Recommended Plan: The estimated total cost of the project recommended in the interim feasibility report is $79,431,000, the Federal share is $51,630,000, and the local share is $27,801,000 in fiscal year 2006 prices. For the work requiring new authorization in WRDA, the total cost is $63,400,000, the Federal share is $41,200,000, and the non-Federal share is $22,200,000 in fiscal year 2006 prices. The work requiring new authorization in WRDA has a total cost of $65,430,000, a Federal share of $42,530,000, and a non-Federal share of $22,900,000 in fiscal year 2007 prices.

Estimated Implementation Costs:

Corps of Engineers	$42,530,000
Kansas City, Missouri; Fairfax D.D.; Kaw Valley D.D.; North KC Levee Dist.	22,900,000
Total	65,430,000

Description of Non-Federal Implementation Costs: Non-Federal implementation costs for the interim report Recommended Plan consist primarily of the cost related to the acquisition of lands, easements, rights-of-way, relocations and disposals. Estimated cost of LERRD is approximately $3.61 million. Non-Federal cash for the NED is approximately $24,193,000;

Estimated Effects of the Recommended Plan:

[Dollars in thousands]

Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic	FDR	$41,404,000	$5,204,000
Development Plan (NER)	ER	N/A	N/A
	Rec	N/A	N/A
Total		$41,404,000	$5,204,000

Note: FDR = Flood Damage Reduction; ER = Ecosystem Restoration; Rec = Recreation.
Project economic life: 50 years.
Benefit-Cost Ratio: 8.0 (Current Discount Rate: 5–1/8%).
NED plan recommended? Yes.
NER plan recommended? N/A.

Direct Beneficiaries: The project includes 60 miles of levee and floodwalls and protects 32 square miles of urban industrial, commercial, and residential area, including 5,000 significant structures, 94,000 jobs, and $16 billion in fixed investment. Beneficiaries include the multiple protected communities, cities, counties, and states.

Relationship to Other Plans: The Kansas Citys Metropolitan Levee System was initially authorized by the 1936 Flood Control Act and modified by subsequent acts as a system to provide uniform flood protection to the industrial and commercial areas at the confluence of the Missouri and Kansas Rivers. The system was designed to pass a related set of design discharges on the Kansas and Missouri Rivers and has been analyzed and modified subsequently as a system with uniform levels of protection. The effects of reservoirs upstream in the Missouri and Kansas River Basins were taken into account in the analysis for this study.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 19 December 2006.

(27) Swope Park Industrial Area, Missouri.

Location of Study Area: The Swope Park Industrial area is near the intersection of 75th Terrace and Manchester Trafficway in southeastern Kansas City, Jackson County, Missouri. The upstream study boundary is at river mile 18.84 from the mouth of the Blue River and the downstream boundary is at river mile 18.25.

Problems and Opportunities Identified in Study: The 50-acre industrial park was built in the early 1960s and is within an area with a 1 percent chance of flooding each year. Of the 10 structures in the park, 6 are within the regulated floodway boundary. Study objectives included investigating the feasibility of developing an environmentally, socially, and technically acceptable project to reduce recurring flood damages in the Swope Park area. The project area also presents an opportunity to contribute to Jackson County's Blue River Parkway by allowing the establishment of additional riparian habitat in conjunction with the flood control project.

Alternative Plans Considered: The initial screening of potential solutions included evaluation of flood insurance/floodplain regulation, flood warning systems and temporary evacuation, floodproofing of the structures, permanent evacuation/buy-out of the area, upstream detention dams, levees, floodwalls, channel modification and no Federal action.

Description of Recommended Plan: The report recommends a levee and a floodwall system estimated to be 90 percent reliable in

protecting the area from a flood which has a 1-percent chance of occurring in any year. The proposed project is also estimated to be 64-percent reliable in protecting against a flood with 0.2-percent chance of occurrence in any year. The recommended plan, which is the National Economic Development (NED) plan, accommodates the sponsor's newly developed access plan which changes the primary Industrial Area access to the south end. The recommended plan incorporates a floodwall and levee on an alignment that protects the industrial park and revised access corridor and then ties to high ground. The alignment also encloses and borders the interior drainage pond at the east end of the site. The project area also presents an opportunity to contribute to Jackson County's Blue River Parkway by allowing restoration of currently degraded riparian habitat and establishment of additional riparian habitat in conjunction with the flood control project. The plan would reduce flood damage costs, reduce the threat to loss of life, reduce health and safety services disruptions, and preserve the environmental resources of the area.

Physical Data on Project Features: The reporting officers recommend construction of a combined floodwall and levee on an alignment that protects the Swope Industrial Park and access corridor, then ties in to high ground. The recommended plan consists of 1,215 meters of reinforced concrete floodwall and 869 meters of compacted earthen levee for a combined project length of 2,084 meters. The alignment encloses and borders an interior drainage pond at the east end of the site and protects the sponsor's newly developed access plan which changes the primary access from the northwest to the southwest side. Interior drainage to the ponding area would pass through a total of 1,100 meters of reinforced concrete pipe ranging in diameter from 30 to 135 centimeters. A rolling-gate closure would be constructed at the existing 75th Street entrance. Environmental design features include selected riparian and woodland tree plantings on 5.3 hectares and creation of a small wetland.

Views of State, and Non-Federal Interests: The Draft Feasibility Report and Environmental Assessment (EA) was distributed for a 30-day public review from August 6, 2002, until 9 September 2002. During a public meeting in Kansas City, Missouri, on 22 August 2002, all public and local entities expressed strong support. Extensive coordination was conducted with all known local, regional, and State stakeholders.

Views of Federal and Regional Agencies: Coordination with Federal agencies included US EPA Region VII and the U.S. Fish and Wildlife Service. No negative comments or concerns were expressed during the agency review process.

Status of NEPA Document: The Kansas City District Engineer signed a Finding of No Significant Impact on 10 January 2003.

Estimated Implementation Costs:

Corps of Engineers	$11,037,000
Non-Federal	5,943,000
Total	16,980,000

Description of Non-Federal O&M Costs: The non-Federal sponsor will be responsible for periodic maintenance of structures and debris removal after flood events, mowing and occasional landscaping,

repair of the floodwall and earthen levee, and testing and servicing of gated structures and the rolling gate.

Estimated Effects: (October 2002 price level)

Account	Average annual equivalent beneficial effects	Average annual adverse effects
NED Flood Damage Reduction	$1,402,000	$922,000
Total	1,402,000	922,000

Project economic life: 50 years
Benefit-cost ratio: 1.5 (current discount rate = 5.375 percent)

Direct Beneficiaries: The direct beneficiaries of the plan are the approximately 9 business enterprises and their employees in approximately 400 jobs who would receive improved economic viability and increased safety and stability of employment with a reduced threat of flooding.

Current Status of Chief Engineers Report: A final Chief's report was signed on 30 December 2003.

(28) New Jersey Shore Protection, Great Egg Harbor Inlet to Townsends Inlet, New Jersey.

Location of Study Area: This study area extends approximately 16 miles from Great Egg Harbor Inlet to Townsends Inlet, and includes the municipalities of Ocean City, Upper Township, and Sea Isle City.

Problems and Opportunities Identified in Study: The study investigated methods of reducing impacts from coastal erosion and storms. The recommended plan calls for construction of a beachfill with a berm and dune along the study area oceanfront utilizing sand from an offshore borrow source and periodic nourishment for a period of 50 years.

Alternative Plans Considered: Alternatives investigated in detail included two plans: the no-action plan and the National Economic Development (NED) Plan.

Description of Recommended Plan: The selected plan for South End Ocean City consists of a berm and dune utilizing sand obtained from an offshore borrow source. The dune crest will have a top elevation of +3.9 meters (+12.8 ft) NAVD88, while the berm will extend from the seaward toe of the dune for a distance of 30.5 meters (100 feet) at an elevation of 2.1 meters (7.0 ft) NAVD88 before sloping down at 1V:25H to elevation −0.38 meters (−1.25ft) NAVD88. The remainder of the design template parallels the existing profile slope to the depth of closure. The total width from the seaward toe of the dune to Mean High Water (MHW) is 66 meters (218 feet).

The plan extends from 34th Street to 59th Street for a total length of 4,268 meters (14,000 feet or 2.6 miles). Initial sand quantity is estimated at 1,218,000 cu meters (1,603,000 cu yds) which includes design fill quantity of 912,000 cu meters (1,192,000 cu yds) plus advanced nourishment of 306,000 cu meters (403,000 cu yds). Periodic nourishment of 306,000 cu meters (403,000 cu yds) is scheduled to occur every 3 years synchronized with the existing Federal beachfill project at Ocean City (Great Egg Harbor Inlet to 34th Street).

The selected plan for Ludlam Island consists of a berm and dune utilizing sand obtained from an offshore borrow source. The dune crest will have a top elevation of +4.5 meters (+14.8 ft) NAVD88,

while the berm width will extend from the seaward toe for a distance of 15 meters (50 ft) at an elevation of 1.8 meters (6.0 ft) NAVD88 before sloping down (varying from 1V:30H to 1V:50H) to elevation −0.38 meters (−1.25 ft) NAVD88. The remainder of the design template parallels the existing profile slope to the depth of closure. The total width from the seaward toe of the dune to Mean High Water (MHW) varies depending upon location from 58 to 87 meters (190 to 285 feet).

The plan extends from 38 meters (125 feet) north of Seaview Avenue in Strathmere to Pleasure Ave (just beyond 93rd Street) in Sea Isle City for a total length of 10,507 meters (6.5 miles). In addition, there is a taper of 224 meters (734 feet) into Corson's Inlet State Park and a taper of 20 meters (66 feet) into the terminal groin south of 93rd Street. Total length of beachfill, including tapers, is 10,751 meters (6.7 miles). The plan also includes the extension of two stormwater outfall pipes at both 84th and 88th Street in Sea Isle City by 46 meters (150 feet).

Initial sand quantity is 3,911,000 cu meters (5,146,000 cu yds) which includes design fill quantity of 2,528,000 cu meters (3,326,000 cu yds) plus advanced nourishment of 1,383,000 cu meters (1,820,000 cu yds). Periodic nourishment of 1,383,000 cu meters (1,820,000 cu yds) is scheduled to occur every 5 years.

Views of States, Non-Federal Interests and Other Countries: The non-Federal sponsor for the New Jersey Shore Protection Program is the NJ Department of Environmental Protection (NJDEP). NJDEP coordinates with the appropriate municipal governments to fulfill non-Federal project requirements, including cost-sharing, LERRD, etc. State and affected municipal governments support this project.

Views of Federal and Regional Agencies: The DEIS was made available for public review and filed with the Environmental Protection Agency on May 11, 2001. Public notification of the availability of the DEIS was made through a public notice, District press release, the District internet website, and public workshop meetings held in Sea Isle City and Ocean City. A Planning Aid Report and a Section 2(b) Fish and Wildlife Coordination Act Report were received from the USFWS. These reports provided official USFWS comments on the project pursuant to the Fish and Wildlife Coordination Act. A Coastal Zone Management Federal Consistency determination was provided by the NJDEP Land Use Regulation Program on 27 February 2006.

Status of NEPA Document: The Final Environmental Assessment was included as part of the Final Feasibility Report, dated September 2001.

Estimated Implementation Costs of Recommended Plan:

Corps of Engineers	$35,069,000
NJ Department of Environmental Protection	19,291,000
Total	54,360,000

Estimated Annual O&M Costs: There are no Federal annual O&M costs. The local sponsor, NJDEP, will be responsible for all O&M costs for the recommended plan estimated at $72,000 annually.

Description of Non-Federal O&M Cost: O&M responsibilities include maintaining dune grass and dune fence, pedestrian beach accesses, and beach shaping to maintain the design template.

Direct Beneficiaries: The residents of the three included municipalities, plus local, regional and national members of the public who utilize the beaches for recreation.

Relationship to Other Plans: The recommended project features for Ocean City, NJ, will extend a continuous line of shore protection for the 38,000 lineal feet of shoreline of that municipality. Presently only 24,000 lineal feet of shoreline from Surf Road to 34th Street in Ocean City is included in the Great Egg Harbor and Peck Beach (Ocean City), NJ shore protection project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 24 October 2006.

(29) Hudson Raritan Estuary, Liberty State Park, New Jersey.

Location of Study Area: The study area under this interim response consists of the Liberty State Park, located in Jersey City, Hudson County, New Jersey, which is on the western side of New York's Upper Bay, a few hundred feet from Ellis Island and the Statue of Liberty.

Problems and Opportunities Identified in Study: Liberty State Park was once mostly open cove and coastal marshland until it was filled in the 19th century to create a large urban rail yard. The rail yard and nearby properties were converted into an urban waterfront park in 1976 as part of the United States bicentennial celebrations. While many improvements have been made, in the absence of this project, the study area ecosystem will experience a long-term decrease in ecological value, due to successional processes and accelerated dominance of invasive and opportunistic species. Tidal marsh habitat has been lost through filling. Existing maritime grassland communities located adjacent to monocultures of invasive plant species will likely become non-existent within the Liberty State Park restoration area at some future point. Freshwater wetland functional value will likely decrease over time, as common reed and purple loosestrife are common in most of the freshwater wetlands, and are poised to spread in many cases. Existing wetlands may develop into monocultures of these invasive species, losing ecological value and further reducing the already severely depleted acreage of tidal wetlands, a key driver of a healthy system.

It would not be practical to restore this site to its "original" or "predevelopment" condition of open water, intertidal flats, and tidal marshlands. However, direct restoration of 160 acres (and indirect restoration for a total of 234 acres) of mostly undeveloped parkland that is now fenced off in an inaccessible interior section will provide substantial benefit to all 1,121 acres of the park by linking previously developed and restored, but isolated, components of the park into one cohesive whole to a more ecologically valuable condition.

Throughout the planning process, the study team was mindful of a Consent Decree issued by the United States District Court, District of New Jersey, in June 2000 on behalf of the Interfaith Community Organization, Inc. to the NJDEP. A consent decree is a judicial decree expressing a voluntary agreement between parties to

a suit. The Consent Decree describes problematic areas within Liberty State Park identified by the Interfaith Community Organization and outlines mutually acceptable solutions for these areas. The Consent Decree recites that the parties do not make any admission of law, fact, or liability, and that no law, fact, or finding of liability has been finally adjudicated by the court.

Alternative Plans Considered: Alternatives investigated included combinations of the following ecosystem restoration measures:

(1) No Action Alternative.
(2) Removal of invasive species.
(3) Planting of native species.
(4) Topsoil/Sand Treatment.
(5) Addition of water to freshwater wetlands.
(6) Enhancement of existing wetlands.
(7) Creation of infiltration basin.
(8) Single inlet tidal creek with on-site placement of excavated material.
(9) Single inlet tidal creek with off-site placement of excavated material.

Best buy plans included combinations of tidal wetland, freshwater wetland and related aquatic upland buffer measures. These plans including the National Ecosystem Restoration (NER) Plan and the no action plan were assessed in more detail.

Description of Recommended Plan: The NER Plan is described in the Chief's Report, dated 26 Aug 2006. In total, this recommended plan would restore ecosystem values (as measured through Ecological Functional Units) on 160 acres of the project area as follows:

—Construction of a 46 acre salt marsh and tidal creek system;

—Construction of a 50 acre upland berm, utilizing 700,000 cubic yards of material from the excavated tidal creek;

—Construction and restoration of 26 acres of freshwater wetlands;

—Enhancement of 23 acres of seasonal wetlands;

—Construction of two drainage pipes;

—Construction of a drainage swale to connect interior freshwater wetlands;

—Construction of 15 acres of buffer areas surrounding the tidal marsh, and 25 acres of buffer areas surrounding existing freshwater wetlands. The implementation of these two measures will result in significant incidental benefits to 74 acres of existing uplands that are not the subject of any actions under the recommended plan.

The creation of a tidal creek with on-site material placement (berm creation), freshwater wetland enhancement including Liberty Science Center water, an enhancement of the LSC wetland, and clearing and grubbing of the upland portion of the site, adequately addresses the problems, opportunities, and objectives of the study, it was chosen as the Recommended Plan.

Physical Data on Project Features: The proposed restoration of rare and ecologically significant saltwater tidal marsh and tidal creek system, and improvement/protection of existing freshwater wetlands, grasslands, and forest and shrub habitats will provide an improvement to significant habitats in a highly urbanized environment within the New York-New Jersey Harbor. Constructing 46

acres of salt marsh at LSP will increase a scarce resource in the harbor, significantly enhance the ecological value of limited nearby existing salt marshes in the harbor, and contribute invaluable wildlife habitat in the center of the most densely populated area of the country. Use of the excavated material for a sheltering berm provides a cost effective disposal method, improves the hydrology of adjacent freshwater wetlands, buffers the project from nearby developed areas, and provides approximately 50 acres of warm weather grasslands in the southwest comer of the site. Grassland habitat values, largely replaced by agricultural fields in the past, are fast disappearing as agriculture lands are now developed for more intensive uses; therefore, this type of habitat is also considered threatened in New Jersey. The warm weather grasses will provide forage and breeding areas for many passerine and raptor species. They will enhance the potential for successful nesting of the Northern Harrier, a state listed species. The development of 26 acres of freshwater wetland systems will help to restore this locally endangered habitat. While no action is planned for the remainder of the site, management of the site by the sponsor will provide a protective buffer for these rare habitats. The interior area includes the 23 acres of seasonally flooded wetlands and an urban forest of about 74 acres which is currently dominated by northern hardwood tree species and maritime shrubs assemblages. The urban forest is one of the largest contiguous areas of naturally established successional hardwoods in the metropolitan area and will indirectly contribute to the reestablishment of a diverse ecological mosaic of habitats. Construction impacts associated with this project will be temporary and long term beneficial effects of the project fully compensate for the temporary impacts. Based on October 2006 prices and a Federal discount rate of 4.875 percent, the estimated average annual cost of the recommended plan is $2,162,000, providing a net gain of 4,436 ecological functional units.

Views of States, Non-Federal Interests and Other Countries: The Port Authority of New York and New Jersey is the local sponsor for the study. The New Jersey Department of Environmental Protection (NJDEP) strongly supports the project and will act as the implementation sponsor, funding the local share of the project. The State of New Jersey (November 30, 2005 and December 2, 2005) noted that the project would greatly enhance habitat viability within Liberty State Park and add to the passive recreation opportunities enjoyed by millions of visitors per year, but had no specific comments on the report. The Liberty State Park project has enjoyed wide support from the public. The Recommended Plan was warmly received at the Public Meeting held on September 26, 2005.

Views of Federal and Regional Agencies: A number of agencies and environmental groups cooperated with the New York District in executing this study including the EPA, NJDEP, Baykeeper, NOAA and USFWS. The Liberty State Park project has enjoyed wide support from the public and resource agencies. In the spirit of EC1105–2–409, representatives from resource agencies have participated in monthly Project Delivery Team meetings and have been generous with their insights and recommendations throughout the planning process. The U.S. Fish and Wildlife Service (December 6, 2005) expressed support for the selected alternative for habitat enhancements at Liberty State Park, but had no additional

comments on the draft report of the Chief of Engineers. FWS did request additional coordination be conducted to complete Endangered Species Act consultation for the bald eagle. With regard to the requested coordination for the bald eagle, FWS was notified that we do not believe that the development of such a plan is appropriate at this time, given that the Fish and Wildlife Service has determined that the proposed project would not adversely affect the species. Normally, a "no adverse affect" determination leads to the closure of the section 7 consultation process pursuant to the Endangered Species Act. They were advised that the Corps of Engineers would support the preparation of a bald eagle management plan should the species be attracted to the site in the future, and would enlist the cooperation of the non-Federal sponsor in the event that future consultation under section 7 13 of the ESA is warranted. Continued cooperation was promised for the upcoming phases of the project. Four agencies responded by e-mail that they had no comments on the final report. These included: the National Oceanic and Atmospheric Agency of the Department of Commerce (December 20, 2005), the National Center for Environmental Health within the Department of Health and Human Services (December 20, 2005), the U.S. Coast Guard (24 January 2006), and the Environmental Protection Agency (15 March 2006). Continued support for the project was also expressed by the Friends of Liberty State Park (November 25, 2005). There are no outstanding issues.

Status of NEPA Document: The Final Environmental Impact Statement has been included as part of the Final Feasibility Report, dated October 2005. The final report and proposed Chief of Engineers report were circulated to the State of New Jersey and Federal agencies for comment. The 30–day review period ended on December 12, 2005. These documents were previously released for public review and comment in August 2005 and minor comments were received by the close of the public comment period.

Estimated Implementation Costs of Recommended Plan:

Corps of Engineers	$22,200,000
New Jersey Department of Environmental Protection	11,900,000
Total	34,100,000

Project economic life: 50 years.
Benefit-Cost Ratio: N/A (Current Discount Rate: 4⅞%)
NER plan recommended? Yes.

Environmental benefits are not quantified monetarily and therefore environment specific costs are not included in the project benefit/cost ratio.

Estimated Annual O&M Costs: There are no Federal annual O&M costs. The local sponsor, the NJDEP, will be responsible for all O&M costs for the NER plan estimated at $175,000 annually.

Description of Non-Federal O&M Cost: O&M responsibilities include:

—Clearing drainage pipes along Philips Drive and the connecting swales in the LSC freshwater wetland complex.

—Clearing the culvert opening for the tidal creek on Freedom Way.

—Clearing accumulated debris, such as trash left behind by park visitors.

—Maintaining signage along the perimeter trail.

—Maintaining additional LSP staff to oversee the constructed habitat features.

—Mowing, trash collection and, as needed, replacements or rehabilitation of any of its components.

Direct Beneficiaries: The State, residents in the surrounding area and all Liberty Science Center visitors are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 26 Aug 2006.

(30) Manasquan to Barnegat Inlets, New Jersey.

Location of Study Area: The study area is located in Ocean County, New Jersey, and extends approximately 24 miles from Manasquan Inlet south to Barnegat Inlet.

Problems and Opportunities Identified in the Study: The principal cause of economic damages along the Atlantic Coast of New Jersey is storms. Storm damage includes wave attack, inundation and storm-induced erosion. Major storms have occurred in September 1944, March 1962, March 1984, September 1985, October 1991, December 1992, and March 1993. The 1962 Northeaster caused damage estimated at $43,400,000 (1996 dollars) in the study area. Storm activity during the 1970s and 1980s was relatively low and coastal development during this period accelerated. This has increased the potential for storm damages exceeding the 1962 storm despite progress made in some areas to minimize losses associated with storm damage. Such advances include structural and building code improvements. However, many portions of the developed coast remain vulnerable due to the proximity of structures to the beach. The December 1992 storm caused extensive beach and dune erosion within the study area, and damages estimated at approximately $10,000,000 according to records provided by the Federal Insurance Administration.

Alternative Plans Considered: Both non-structural and structural alternatives were considered, including permanent evacuation from areas subject to storm damage, regulation of future development, berm restoration, dune restoration, berm and dune restoration with groin field, berm and dune restoration with offshore detached breakwater, berm and dune restoration with submerged reef, berm and dune restoration with perched beach, berm and dune restoration with geotextile tube core, seawall/bulkhead, offshore submerged feeder berm, and beach dewatering.

Description of Recommended Plan: The recommended plan is the National Economic Development plan and consists of a berm and dune utilizing sand obtained from offshore borrow sources. In all areas except northern Point Pleasant Beach and Seaside Heights, the dune crest will have an elevation of +22 ft NAVD, and the berm will extend 75 ft from the seaward toe of the dune at an elevation of +8.5 ft NAVD. In northern Point Pleasant Beach and Seaside Heights the dune will have an elevation of +18 ft NAVD and the berm will extend 100 ft from the seaward toe of the dune at an elevation of +8.5 ft NAVD at Seaside Heights and +11.5 ft NAVD at northern Point Pleasant Beach. In all areas, the berm will slope at 1 V: 10 H from the berm crest down to approximately Mean High Water (MHW) at elevation +1.5 ft NAVD. Below MHW, the design template parallels the existing profile slope to the depth of closure.

The plan extends from the Manasquan Inlet south jetty in Point Pleasant Beach southward to the northern boundary of Island Beach State Park in Berkeley Township for a total length of approximately 14 miles. Initial sand quantity is estimated at 10,689,000 cu yards. Periodic nourishment estimated at 961,000 cubic yards is scheduled to occur every 4 years.

Physical Data on Protect Features: See following table.

DESCRIPTION OF THE SELECTED PLAN

Design component	Dimension/quantity	Remarks
Berm Elevation	+8.5 ft NAVD; +11.5 ft NAVD at northern Point Pleasant Beach.	Same as average existing condition
Berm Width	75 ft; 100 ft at Seaside Heights and northern Point Pleasant Beach.	Berm width measured from seaward base of dune to berm crest
Seaward Berm Slope	1:10	Same as average existing condition
Dune Elevation	+22 ft NAVD; +18 ft NAVD at Seaside Heights and northern Point Pleasant Beach.	
Dune Width at Crest	25 ft	Standard Caldwell section
Dune Side Slopes	1:5	Standard Caldwell section
Dune Offset for Maintenance of Existing Structures.	20 ft (as required)	Required dune offsets are reflected in selected plan layout
Length of Fill	13.7 miles.	
Initial Sand Quantity	10,689,000 cu yds	Includes advanced nourishment with overfill
Periodic Nourishment Quantity	961,000 cu yds/4 year cycle	Includes overfill
Major Replacement Quantity	1,788,000 cu yds	Includes periodic nourishment with overfill; same dune grass and sand fence quantities as initial fill
Taper Section	Tapers to existing within project reach at southern end; no taper at northern end.	Manasquan Inlet south jetty functions as terminal structure at northern end
Borrow Source Location	Area A—approximately 2 miles offshore of Island Beach State Park; Area B—approximately 2 miles offshore of Mantoloking.	Overfill factor of 1.5 for borrow material
Dune Grass	175 acres	18″ spacing
Sand Fence	206,000 feet	Along base of dune and at crossovers
Outfall Extensions	None.	
Pedestrian Dune Crossovers	247	Includes handicap access ramps
Vehicle Dune Crossovers	11.	

Views of States, and Non-Federal Interests: The New Jersey Department of Environmental Protection (NJDEP) is the non-Federal sponsor. NJDEP has indicated interest in entering into a partnership with the Corps of Engineers to provide storm damage reduction to the study area.

Views of Federal and Regional Agencies: No objections to project.

Status of NEPA Document: EIS finalized September 2001.

Estimated Implementation Costs:

Corps of Engineers	$46,735,000
New Jersey Department of Environmental Protection	25,165,000
Total	71,900,000

In addition, 50 years of periodic nourishment will cost $108,000,000, approximately $2,160,000 a year, cost-shared 50% by the Corps of Engineers and 50% by the non-Federal sponsor.

Description of Non-Federal O&M Costs: The annual operation and maintenance of the project includes maintaining of the dunes

(including sand fence and dune grass), pedestrian accesses, and beach shaping. The beach will be maintained by shaping the sand with heavy equipment to help ensure the presence of the design template. Dune walkovers for beach access will be the responsibility of the Non-Federal sponsor.

Estimated Effects:

Discount Rate	7.0%
Period of Economic Analysis	50 years
Price Level	September 2000
Base Year	2006
Average Annual Benefits:	
Storm Damage Reduction	$8,294,000
Local Costs Foregone	$865,000
Recreation	$2,011,000
Total Average Annual Benefits	$11,170,000
Average Annual Costs:	
Initial Construction (includes $76,000 in monitoring costs)	$4,260,000
Periodic Nourishment (includes $264,000 in monitoring costs)	$1,795,000
Subtotal Average Annual Cost (includes $340,000 in monitoring costs)	$6,055,000
Interest During Construction (IDC)	$195,000
Operations and Maintenance (OMRR&R)	$100,000
Total Average Annual Cost	$6,350,000
Net Benefits	$4,820,000
Benefit to Cost Ratio (BCR)	1.8

Direct Beneficiaries: The direct beneficiaries of the proposed hurricane and storm damage reduction project are the municipalities of Point Pleasant Beach, Bay Head, Mantoloking, Brick Township, Dover Township, Lavallette, Seaside Heights, Seaside Park, and Berkeley Township.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 30 December 2003.

(31) Raritan Bay and Sandy Hook Bay, New Jersey.

Location of the Study Area: The Union Beach project area is located in the northern portion of Monmouth County, New Jersey. It occupies a 1.8 square mile area of land along the coast of the Raritan Bay. The study area is defined by the Raritan Bay to the north, the Borough of Keansburg to the east, the Township of Hazlet to the south, and Keyport to the west. Chingarora Creek, Flat Creek, and East Creek flow through sections of Union Beach. All creeks flow north into Raritan Bay. However, during coastal storms these creeks convey tidal waters throughout much of the Borough of Union Beach. The developed section of Union Beach at the Raritan Bay shoreline is protected by assorted bulkheads and seawalls.

Problems and Opportunities Identified in Study: Extratropical storms, northeasters, and hurricanes historically impact the Raritan and Sandy Hook Bayshore areas. These storms produce storm surges and waves that cause extensive flooding and erosion to the study area. Damages to homes and commercial properties, utility lines, shore structures, roads and bridges have been extensive. Union Beach is composed of mostly residential structures. The population of Union Beach in 2000 was reported to be 6,650. There are approximately 2,083 year-round residential structures and 114 commercial structures in the study area. Approximately 1,000 structures would be inundated by a 100-year storm event. A 100-year combined storm frequency has a stage of about 12.5 ft NGVD.

Historically, the Union Beach area experiences most of its problems from bay surges caused by severe storms resulting in the inundation of structures between Chingarora Creek, Flat Creek, and East Creek. During even moderate storms tidal floodwaters enter the creeks and quickly spread over the broad low-lying floodplain from both the east and the west. A storm stage of 10 ft NGVD, approximately equal to the December 1992 storm, results in flooding so severe that emergency services are interrupted due to impassable roads and most residents north of Route 36 are stranded. Extensive damage to hundreds of structures has been recorded in the Union Beach area during such storms. The small shorefront area to be protected is highly developed especially along Front Street where there is a fully public bathing beach with parking open to all, though not a typical tourist destination.

The study area includes approximately 500 acres of State and Federal designated jurisdictional wetlands. In general, vegetation in the Raritan Bay-Sandy Hook Bay area is typical of coastal dune, intertidal marsh, and deciduous forested upland plant communities common in the mid-Atlantic region. The type and quality of wildlife habitat in the Raritan Bay-Sandy Hook Bay region are suitable for a diverse group of migratory and resident species of fish and wildlife. With the exception of the occasional transient bald eagle, no Federally-listed endangered or threatened species are known to occur in the Project area.

The greatest need in the study area is for an effective, long-term storm damage reduction program that provides acceptable levels of protection from the impacts of tidal inundation. Due to the low elevations of the land along the area's creeks, an effective barrier against high bay surges from both the bay and its adjoining creeks is a necessary component of a comprehensive plan of protection. In addition, along some portions of the study area, storm-driven waves have resulted in erosion of beaches and dunes. Stabilization of these areas is needed to ensure the integrity and effectiveness of any storm surge barrier as well as to protect upland structures from damaging waves and storm recession. There is also a need to ensure minimal impacts to environmental and cultural resources.

Alternative Plans Considered: During formulation of potential plans of improvement, structural and non-structural measures were examined, including: buy-outs, zoning restrictions, floodproofing, channelization, floodwalls, levees, storm gates, beach nourishment, coastal structures, and beach nourishment with structures. A wide variety of alternatives were investigated. The no action plan was also part of the assessment. A formulation document was prepared and it included 101 alternatives for a comprehensive plan of improvement. A first phase screening analysis identified plan components for further analysis. Subsequent screening resulted in plan selection for optimization. A line of protection was formulated and optimized separately from the interior drainage analysis. Interior drainage plan alternatives included the investigation of drainage structures, excavated ponds, pump stations, and use of pump stations in conjunction with ponds.

A Habitat Evaluation Procedure (HEP) and Evaluation of Planned Wetlands (EPW) were followed to determine project impacts. An interagency HEP/EPW team was formed to facilitate the

process. This was an integral part of overall plan formulation and the NED plan.

The NED plan is the alternative that reasonably maximizes net excess benefits and is the baseline against which other alternatives are compared. Normally, the Federal share of the NED plan is the limit of federal expenditures on any more costly plan.

Although the NED plan was recommended, the planning process recognized that the non-Federal partner may have had additional desires for storm damage reduction or recreation beyond that provided by the NED plan. A locally preferred plan may have been recommended, provided the non-Federal partner agreed to pay the difference in cost.

Description of Recommended Plan: The recommended project in the Feasibility Report includes environmental mitigation and consists of the following primary elements: levees, floodwalls, road raisings, road closure gates, pump stations, a storm (sector) gates across East and Flat Creeks, a sluice gate across the Chingarora/East Tributary, drainage outlets, gravity outlets, a reconstructed dune, initial beach fill, and periodic renourishment. The line of protection consists of a combination of levees and floodwalls tied into the existing Keansburg levee (eastern project boundary), including storm gates spanning across East and Flat Creek up to the Bayshore area at which point the alignment ties into a reconstructed beach dune and berm incorporating terminal groins and revetments, which run west from Flat Creek to the northwest end of Front Street. The alignment ties into a series of levees, floodwalls, and road closure gates that run along Chingarora Creek and terminate near the intersection of Florence Avenue and Bank Street.

Physical Data on Project Features:

- Construction of 10,870 feet of levee, with a 10–foot crest width, 2.5:1 side slopes and top elevation of +15 feet NGVD;
- Construction of 3,388 feet of interior levee, with a 2–foot crest width, 2:1 side slopes and top elevation of +8 feet NGVD;
- Construction of 6,885 feet of floodwall, with top elevation of +15 feet NGVD;
- Construction of 580 feet of road raising and relocations in the vicinity of both the Harris Avenue and Jersey Avenue intersection and Rose Lane and Jersey Avenue intersection;
- Construction of one road closure (Mitre) gate;
- Construction of a storm (sector) gate across Flat Creek, 20 feet high, with a 35 foot wide opening;
- Construction of a storm (sector) gate across East Creek, 20 feet high, with a 35 foot wide opening;
- Construction of a 250 cfs pump station at Flat Creek, a 100 cfs pump station at East Creek, a 40 cfs pump station at Chingarora Creek, and 11 primary and 37 secondary outlet structures;
- Construction of a dune, with 50 foot crest width, landward slope of 1:5, seaward slope of 1:10, with a top elevation of +17 feet NGVD;
- Construction of a beach berm, with a minimum 50 foot berm width, and foreshore slope of 1:15 and elevation of +9-feet NGVD;

- Construction of design, advance, overfill, and tolerance fill as part of initial beach fill;
- Construction of a 17.5-acre wetland mitigation site, 14.5 acres within Flat Creek and 3 acres within East Creek;
- Renourishment at a 9-year cycle of 21,000 cubic yards by trucking;
- Acquisition of 90.55 acres of perpetual and temporary easements for levees, floodwalls, beach, and dune.

Views of States, Non-Federal Interests and Other Counties: The State of New Jersey Department of Environmental Protection has indicated, by letter dated, September 12, 2003, their support for the project and are willing to cost-share the Pre-construction, Engineering, and Design Phase. Similarly, by letter dated September 23, 2003, the Borough of Union Beach supports the findings of the Feasibility Report.

Views of Federal and Regional Agencies: Generally, there were no major objections to the recommended plan by Federal agencies. Some local interest groups raised objections to the recommended plan. Their comments, along with district responses, are included in the final report.

Status of NEPA Documentation:

- Draft EIS was filed in the Federal Register on June 30, 2003
- DEIS Public meeting was held on July 18, 2003 at Union Beach Borough Hall
- Final EIS was completed September 2003

Estimated Implementation Costs:

Corps of Engineers	$74,800,000
NJDEP	40,200,000
Total	115,000,000

Description of Non-Federal Implementation Costs: The non-Federal implementation costs include LERRD. Relocations include costs for relocations of access ways and outfall extensions due to the configuration of the dune, which would otherwise impede beach access and outfall operability respectively. Relocations also include dune walkovers (and removal of existing beach access ramps), a dune walkway, vehicle access ramps, extension of the existing stone encased storm outfall and raising of one timber deck due to dune positioning.

	October 2006
LERRD	$5,743,900
Cash	35,598,500
Total	41,342,400

Description of Non-Federal O&M Cost: Charges attributed to the operation and maintenance (O&M) of the project consist of annualized replacement costs, anticipated energy charges, and the cost of routine maintenance. Project components requiring routine care include levees, floodwalls, and the interior drainage facilities, outlets, closure structures, gate structures and pump stations.

The major mechanical equipment within the storm gate and interior drainage pump stations have anticipated life expectancies of 20–25 years. The cost of periodic equipment replacement has been estimated, annualized over the 50–year period of analysis and incorporated into the O&M estimate. In addition, electric power re-

quirements based on anticipated frequency of pump station and storm gate operations have been added to the project's annual operation charge.

Estimated Effects:

Account	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Total	$13,888,300	$7,140,000
Economic (HSDR)	$13,877,500	
Development (Recreation)	$10,800	

Project Economic Life: 50 Years
Benefit to Cost Ratio (BCR): 1.9
Net Benefits: $6,748,300
4NED Plan Selected? Yes
Environmental Quality: N/A.
Regional Economic: N/A.
Development Effects:
Other Social Effects: N/A.

Direct Beneficiaries: Those that work and live within the flood-prone regions of Union Beach.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 4 January 2006.

(32) South River, New Jersey.

Location of Study Area: The South River watershed is located within the lower Raritan River Basin in Middlesex County, New Jersey. The South River is the first major tributary of the Raritan River, located approximately 8.3 miles upstream of the Raritan River's mouth at Raritan Bay. The South River is formed by the confluence of the Matchaponix and Manalapan Brooks, just above Duhernal Lake, and flows northward from Duhernal Lake a distance of approximately 7 miles, at which point it splits into two branches, the Old South River and the Washington Canal. Both branches flow northward into the Raritan River. The study investigates flooding and ecosystem degradation problems facing the communities of South River, Sayreville, and East Brunswick, New Jersey.

Problems and Opportunities Identified in the Study: Periodic hurricanes and storms have caused severe flooding along the South River. Flood damages downstream of Duhernal Lake are primarily due to storm surges with additional damages associated with basin runoff. The communities repeatedly affected by storm surges are the Boroughs of South River and Sayreville, the Township of Old Bridge, and the Historic Village of Old Bridge in East Brunswick Township. There are approximately 1,247 structures (1,082 residential; 165 commercial) in the 100–year floodplains of these communities and 1,597 structures in the 500-year floodplains (1,399 residential; 198 commercial). Storm surges create the greatest damages in the study area occurring during hurricanes and northeasters that generate sustained onshore winds through multiple tidal cycles. For example, the northeaster of March 1993 (a 25–year event) resulted in approximately $17 million damage (2001 dollars) and closed the highway bridge connecting the Boroughs of South River and Sayreville.

The area under consideration for ecosystem restoration encompasses 1,278 acres along the Old South River and the Washington Canal and includes the 380–acre Clancy Island bounded by these waterways and by the Raritan River. Wetland plant communities account for 786 acres (61 percent) of the study area land cover. Up-

lands account for the remaining 492 acres, of which 234 acres are occupied by residential, commercial, and industrial development. These wetlands and uplands are ecologically degraded. Approximately 527 acres (41 percent of the study area) are dominated by monotypic stands of common reed (*Phragmites australis*). Other wetland communities are scattered around the site in a patchwork of fragmented parcels. The uplands are dominated by low quality scrub-shrub land cover. The current degraded ecological conditions appear to be the result of (1) construction and maintenance dredging associated with the Federal navigation channels in the South River, Washington Canal, and Raritan River, and (2) clay excavation and industrial activity associated with the defunct Sayreville brick industry.

Alternative Plans Considered: In addition to the No Action Plan, numerous structural and non-structural alternatives were considered to reduce damages associated with hurricanes and storm surges. These include: a storm surge barrier/gate at the confluences of the South River and Washington Canal with the Raritan River; multiple levee and floodwall configurations; stream modification; detention basin; acquisition of flood-prone properties; floodplain zoning; flood proofing; and a flood warning system.

Ecosystem restoration alternatives included the following: control of Phragmites, an invasive weed; restoration of salt marsh habitat; restoration of tidal creeks and permanently flooded ponds; restoration of intertidal mudflats; and restoration of wetland forest/scrub-shrub habitat.

Description of Recommended Plan: Economic analysis of the hurricane and storm damage reduction plans indicated that the levee/floodwall system with upstream storm surge barrier would result in the greatest net benefits. Subsequent optimization of this plan determined that a 500-year level of protection would provide the greatest net benefits. Consequently, the levee/floodwall system with upstream storm surge barrier providing a 500-year level of protection was designated the National Economic Development (NED) plan and selected as the recommended plan. Using a combination of levees, floodwalls, and a storm surge barrier, structural protection will extend to an elevation of +21.5 feet NGVD. The levees will extend 10,712 feet in length, and the floodwalls will extend 1,655 feet in length. The storm surge barrier will span the South River for a length of 320 feet and will have a clear opening of 80 feet. Interior drainage features will also be provided.

Implementation of the recommended hurricane and storm damage reduction plan will result in some unavoidable impacts to the natural resources in the South River study area. To offset these impacts, mitigation will be provided. Based on an analysis of the acreages, costs, benefits, and incremental cost/output for each of the mitigation alternative plans developed, the selected mitigation plan will entail the conversion of 11.1 acres of degraded wetland Phragmites and disturbed habitat to a combination of wetland scrub-shrub (7.8 acres) and salt marsh (3.3 acres).

The National Ecosystem Restoration (NER) plan will restore 100 percent of the 379 acres of degraded wetlands in the potential restoration areas. The NER plan will restore the following habitats: low emergent marsh (151 acres: 40 percent), wetland forest/scrub-shrub (170 acres: 45 percent; plus an additional 19 acres, or 5 per-

cent, as upland forest/scrub-shrub), mudflat (19 acres: 5 percent), and open water (19 acres: 5 percent).

Physical Data on Project Features:

Level of Protection (storm with probability of exceedence)	0.002 (500-year event)
Levee/Floodwall:	
Levee Length	10,712 feet
Floodwall Length	1,655 feet
Top Elevation	21.5 feet NGVD
Levee Crest Width	10 feet
Levee Slopes	2.3:1
Fill Volume	304,400 cubic yards
River Segment:	
Storm Surge Barrier Length	320 feet
Clear Opening	80 feet
Top Elevation	21.5 feet NGVD
Interior Drainage:	Gravity outlets and pump stations

Views of States, and Non-Federal Interests: The New Jersey Department of Environmental Protection (NJDEP) is the non-Federal sponsor. It responded by letter dated 7 March 2003 in which it confirmed a common goal to maximize reduction of flood damages while protecting and restoring the environment in a cost effective manner and provided a list of activities to be accomplished during the Pre-construction Engineering and Design phase.

Views of Federal and Regional Agencies: The Environmental Protection Agency (EPA), Region 3, responded by letter dated 28 January 2003 which expressed concerns about the project's air quality and wetland impacts and recommended that the Record of Decision for the project commit to preparing a subsequent NEPA document which would include the projects General Conformity Determination and increased details about the wetlands mitigation and restoration plans. The U.S. Department of the Interior (DOI), Office of the Secretary, responded by letter dated 4 March 2003 stating DOI had no comments to offer and did not object to the proposed project. The Department of Commerce and Federal Emergency Management Agency, responded by e-mail on 25 March 2003 and 26 March 2003, respectively, that each had no comments to offer.

Status of NEPA Document: The Integrated Feasibility Report/Environmental Impact Statement (IFR/EIS) was finalized September 2002.

Estimated Implementation Costs:

Corps of Engineers	$79,500,000
New Jersey Department of Environmental Protection	42,800,000
Total	122,300,000

Description of Non-Federal O&M Costs: Maintenance and operation of the project is the responsibility of the non-Federal sponsor and will be conducted as follows:

Hurricane and Storm Damage Reduction

• Levees and floodwalls require maintenance to assure continued required performance levels such as vegetation maintenance, control of earthen settlements and sloughs, piping, animal burrows, repair of damaged wall joints and wall caps and maintenance of drainage ditching adjacent to levees and walls by removing debris.

• Maintenance of all drainage structure chambers and flap and sluice gates, including cleanout, concrete repair, pipe repair, gate

performance with required repair maintenance and operation and replacement (every 25 years).

• Pump stations require trash removal, cleanout, testing of pumping systems 4 times/year, repair and replacement (every 20 years) of pumps and controls, gate repair and replacement (every 25 years).

• Closure gate (interior drainage)—operation and maintenance includes pertinent lubrication, testing, periodic painting and replacement of gates and seals and concrete repair.

• Sector gate requires testing 4 times per year plus use during storm occurrences, repair of electrical/mechanical systems including gate members and gate and equipment replacement (approximately 25 years).

Ecosystem Restoration

• Maintain tidal flushing of creeks and ponds.

• Preventing encroachment of invasive species (*Phragmites*).

Estimated Effects:

Benefit-Cost Summary for Selected Plan:	
Discount Rate	5.375%
Period of Economic Analysis	50 years
Price Level	October 2004
Base Year	2010
Average Annual Benefits:	
Storm Damage Reduction	$10,260,800
Ecosystem Restoration	334.9 AAHU's*
Average Annual Costs:	
Storm Damage Reduction:	
Initial Construction	$3,478,600
Interest During Constructiond	$ 440,200
Operation and Maintenance (OMRR&R)	$ 244,200
Total Average Annual Costs	$4,163,000
Net Benefits	$6,097,800
Benefit to Cost Ratio (BCR)	2.5
Ecosystem Restoration:	
Initial Construction	$3,051,300
Interest During Construction	$ 377,500
Operation and Maintenance (OMRR&R)	$88,900
Total Average Annual Costs	$3,517,700
Benefits	334.9 AAHU's
Hurricane and Storm Damage Reduction and Ecosystem Restoration:	
Initial Construction	$6,529,900
Interest During Construction	$ 817,700
Operation and Maintenance (OMRR&R)	$ 333,100
Total Average Annual Costs	$7,680,700

*AAHU's = Average Annual Habitat Units

Direct Beneficiaries: The direct beneficiaries of the proposed hurricane and storm damage reduction and ecosystem restoration project at the study area would be the communities of the Boroughs of South River and Sayreville, the Township of Old Bridge, and the Historic Village of Old Bridge in East Brunswick Township.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 22 July 2003.

(33) Southwest Valley, Albuquerque, New Mexico.

Location of the Study Area: The study area covers approximately 180-square miles encompassing the Southwest Valley and its contributing mesa areas of Bernalillo County and portions of Albu-

querque, New Mexico. The study area is located west of the Rio Grande and comprises three physiographic regions: the relatively flat West Mesa, the steeply sloping "ceja" or mesa edge, and the very flat valley proper. The West Mesa drains into Westgate Dam or Cedar Wash. The ceja drains into the five other dams owned by the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) or directly onto the valley. Elevations range from 6,000 feet on the West Mesa to 4,870 feet at the Rio Grande. The study area encompasses 177.7 square miles, including 23.5 square miles of valley area and 154.2 square miles of West Mesa and ceja area. Six detention dams constructed by AMAFCA control 41.4 square miles of the West Mesa drainage area. Another 17.4 square miles of mesa area that contributes to valley flooding is uncontrolled. The 95.4 square mile Cedar Wash drainage area discharges at the extreme southern end of the Southwest Valley.

Problems and Opportunities Identified in Study: Portions of the Southwest Valley are subject to flooding from a variety of sources. The runoff from the West Mesa is largely controlled by a series of dams, detention basins, and diversion channels constructed by AMAFCA, Bernalillo County, and the City of Albuquerque. Most of these facilities release controlled discharges directly or indirectly into Middle Rio Grande Conservancy District (MRGCD) agricultural drainage facilities. Flood damages occur when large floods overwhelm the capacity of these facilities, or the capacity of the MRGCD drains or canals is exceeded. Some portions of the West Mesa are directly tributary to the valley. The runoff consists of high peak and low volume discharges that, due to the steep slopes, typically transport large quantities of sediment. Runoff from the valley floor also causes flooding. A series of irrigation canals, laterals, acequias, and drains traverse the valley; most of which have embankments from one to three feet high. These embankments and raised roadways divide the valley into many small subareas. Some subareas discharge into the MRGCD agricultural drains where confining embankments are low or do not exist. Others discharge into adjacent subareas or ponds on-site, inundating residential, commercial, or agricultural land. The depth of the 1-percent chance event flood in irrigated fields is often less than the depth of water that accumulates during routine flood irrigation. The flows from subareas that discharge into irrigation drains combine with the runoff from the mesa, groundwater, and agricultural return water to exceed the capacity of the drains, inundating adjacent lands. The valley is also subject to flooding from the Rio Grande. The Albuquerque west levee, a major flood control structure, constructed by the Corps of Engineers in 1958, protects the northern half of the Southwest Valley and has a design discharge of 42,000 cfs.

Alternative Plans Considered: Various flood damage reduction alternatives were developed in cooperation with the non-Federal sponsor and evaluated relative to their effectiveness, acceptability, completeness, and incremental economic efficiency. Alternatives were formulated to capture West Mesa flood flow utilizing existing Middle Rio Grande Project Features surface drainage facilities. Alternatives were formulated and sized to safely convey the 1%, 4%, 10%, and 20% chance flood events.

Description of the Recommended Plan: Alternative 3 (10% plan) is the National Economic Development plan and is recommended. This plan would use existing Middle Rio Grande Conservancy District (MRGCD) surface drain facilities to capture flood flow from the West Mesa. The main features of the proposed work involve using existing easements, widening existing drains, constructing a large storm water detention ponding area, and constructing two new channels.

Physical Data on Project Features: The recommended plan has the following features:

Enlarging the following MRGCD drains:

- 22,700-feet of the Isleta Drain beginning near Bridge Boulevard and continuing 4,200 feet south of Rio Bravo Boulevard;
- 8,100 feet of the Armijo Drain from Robertson Road to its intersection with the Isleta Drain just north of Rio Bravo Boulevard;
- and, 4,600 feet of the Los Padillas Drain from the southern boundary of Anderson Farms to its intersection with a newly constructed flood-flow channel.

Rehabilitating and/or enlarging existing road-crossings to facilitate the proposed improvements and additions to the drainage system. This alternative includes overflow spill collection from the Arenal Canal with conveyance to the Isleta Drain

Constructing a 25-acre detention pond (Pond 187) in an existing agricultural field situated east of the Isleta Drain to detain a portion of flood-flow during large storms. Proposed capacity of this pond for alternative 3 is 325 Acre Feet.

Constructing a 4,300-foot-long by 120-foot-wide earthen channel along the southern property boundary of Anderson Farms below Rio Bravo Boulevard to connect the existing Isleta Drain to the existing Los Padillas Drain. New 15-foot-wide access roads would be placed on each side of the new channel.

Constructing a new 3,800-foot-long by 45-foot-wide (top width) concrete-lined channel (near Metzgar Road) from the Los Padillas Drain to the Rio Grande levee. Flood Gates would be built at the Rio Grande Levee. An engineered outfall would continue from the levee for approximately 700 feet through the floodplain to the Rio Grande. This work would occur entirely within an existing power line easement. New 15-foot-wide access roads would run along each side of this channel.

Views of States, and Non-Federal Interests: The State of New Mexico responded verbally with no comment. There were no additional comments.

Views of Federal and Regional Agencies: Correspondence was received in response to the 30-day comment period for State and agencies. The U.S. Department of Interior's response stated that the sponsors will be required to apply for Bureau of Reclamation's Discharge Urban Storm Water Drainage Permit into existing Reclamation Delivery and Drainage Facilities, but they did not object to the project. The Fish and Wildlife Service provided recommendations to ensure that impacts are minimized during the implementation phase of the project. The Environmental Protection Agency and Federal Emergency Management Agency responded verbally with no comment.

Status of NEPA Document: An Environmental Assessment (EA) was completed for the project. The Finding of No Significant Impact was signed on 20 April 2004.

Estimated Implementation Costs of Recommended Plan:

Corps of Engineers	$16,150,000
Albuquerque Metropolitan Arroyo Flood Control Authority and Bernalillo County	8,690,000
Total	24,840,000

Description of Non-Federal O&M Costs: The Albuquerque Metropolitan Arroyo Flood Control Authority and Bernalillo County will assume responsibility for the operation and maintenance of facilities constructed by this project. An operation and maintenance agreement between the two organizations will designate the responsibilities.

Estimated Effects:

Average annual benefits: $1,697,200

Benefit to cost ratio: 1.4

Discount Rate: 5⅝ percent, 50-year planning period.

Direct Beneficiaries: Residents and businesses located with the southwest valley of Albuquerque and Bernalillo County.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 29 November 2004.

(34) Montauk Point, New York.

Project Location/Congressional District: The study area is located at Montauk, in the Town of East Hampton, Suffolk County, New York, between the Atlantic Ocean and Block Island Sound at the easternmost end of the south fork of Long Island (see figure). The study area extends far enough southwest and northwest to fully evaluate down drift effects, in order to prevent any adverse impacts, and make sure the project is environmentally sustainable. The critical area of study consists of the fronting bluff, covering about 900 feet of shoreline. The project protects the entire historic Montauk Point Lighthouse Complex situated on a 70-foot-high bluff underlain with glacial till.

Problems and Opportunities: In the absence of Federal action, the study area will be subject to continued erosion of the shoreline. Because the present shore protection measures were not designed to withstand major storm events over a substantial duration, i.e. lack of buried toe, inadequate stone size, insufficient overtopping protection, it is expected that the revetment now in place will fail in the foreseeable future. As a result of future projected revetment instability and subsequent bluff erosion, the historic structure, a functioning lighthouse, as well as the associated artifacts within the vicinity, will be in critical danger if a long-term protection plan is not implemented. Opportunities exist to complement, enhance and augment local efforts in a collaborative planning environment.

Final Array of Alternatives/Comparison of Alternatives:

1. No Action: The No Action Plan (no Federal action through the Corps of Engineers) would consist of a continuation of the without-project condition, which includes the eventual displacement of the existing revetment and subsequent erosion of the exposed bluff. If allowed to occur, progressive instability of the bluff would result in the irrecoverable loss of the lighthouse and its associated structures, along with archaeological resources.

2. Stone Revetment: A riprap stone revetment was proposed for long-term erosion control. The plan consists of 840 feet of revetment protection. The protection covers the most vulnerable bluff area that would directly endanger the lighthouse complex due to bluff failure without the project.

3. Offshore Breakwater: The purpose of an offshore breakwater is to reduce the storm wave height offshore of the revetment toe, thus reducing the wave impact force and runup elevation on the bluff. Shoreline recession would be reduced with the construction of an offshore breakwater. The existing revetment and terracing of the upper bluff would provide an acceptable level of protection with the offshore breakwaters in place. Breakwaters would be particularly difficult to construct due to difficult site access and in-water construction.

4. T-groins with Beachfill: Similar to a nearer-to-shore segmented breakwater system with shore-attached groins, T-Groins are considered as a second breakwater alternative. Similar to the breakwater alternative presented, the purpose of T-groins is to reduce the storm wave height, thus reducing the wave impact force and runup elevation on the bluff. The consistent beach and shoreline recession would be reduced with the construction of T-groins and beach fill. The existing revetment and terracing of the upper bluff would provide a reasonable level of protection with the T-groins in place. T-groins would be difficult to construct due to difficult site access, however, land-based equipment could be utilized. Protective beach fill would require renourishment at a rate that is difficult to predict until it is constructed and monitored.

5. Beach Fill: For this design, a construction berm with an elevation of +11 feet NGVD and 150-feet in width is created. Approximately 200,000 cubic yards of beach fill would be placed. This alternative was considered not feasible for many reasons, including high longshore transport rates requiring constant renourishment, environmental impacts from frequent renourishment and potential adverse impacts to surfing interests. This alternative was rejected because the protection would not be reliable.

6. Relocation: Moving the Montauk Point Lighthouse complex would preserve the existing structures, but allow for the eventual destruction of the bluff. Prior to the relocation of the existing buildings, the arrangement and relationships of the structures on the landscape as well as the view to and from the lighthouse and bluff would be documented. In addition, subsurface archeological investigations would be required at the current site as well as at the new lighthouse location. The relocation of the Montauk Point Lighthouse complex would have an adverse effect on the above and below ground resources. Moving the Lighthouse complex would have an adverse impact on the archaeological resources and compromise the integrity of the lighthouse and associated structures. The New York State Office of Parks, Recreation and Historic Preservation has objected to any alternative which would involve relocation of the lighthouse.

Recommended Plan: Based on the advantages and disadvantages of each of the alternatives discussed, including an evaluation of environmental quality, other social effects, regional economic development, and national economic development (see Table 1), as well as the estimated costs of construction and periodic nourishment re-

quired as well as benefits provided with the potential alternatives (see Table 2), the selected plan for protection of Montauk Point and the lighthouse complex and bluff is the stone revetment. The stone revetment alternative has the lowest annual cost and highest net benefits of the alternatives considered. Revetments are a proven method of shore protection in this area and have a record of acceptance by state and local agencies. In addition, by re-using some of the stone already on site in the existing structure, cost savings will be realized. Environmental impacts are insignificant as are impacts to fishing and surfing interests.

TABLE 1: PLAN EVALUATION MATRIX

	Environmental Quality	Other Social Effects	Regional Economic Development	National Economic Development
Alternative 1—No Action Plan	–	–	–	–
Alternative 2—Stone Revetment	0	0	+	+
Alternative 3—Offshore breakwater with beach fill	–	–	+	–
Alternative 4—T Groins with Beach Fill	–	–	+	–
Alternative 5—Beach fill only	–	–	+	–
Alternative 6—Relocation of Lighthouse	–	0	0	–

+ Indicates a net positive influence or effect
0 Indicates no positive or negative effect
– Indicates a net negative influence or effect
The alternative plans have been evaluated based upon four accounts to facilitate plan selection.
Based upon these evaluations the revetment alternative is the selected NED plan.
The Environmental quality account displays non-monetary effects on significant cultural and natural resources.
The Other Social Effects account registers plan effects relevant to planning process but not captured in other three accounts.
The Regional Economic Development account registers changes in regional economic activity.
The National Economic Development account displays changes in economic value of national output of goods and services.

Table 2: PRELIMINARY ALTERNATIVES CONSTRUCTION COST ESTIMATE, Oct. 2004 Price Levels—FIRST & ANNUAL COSTS & ANNUAL BENEFITS SUMMARY—SELECTION OF ALTERNATIVES

	Alternative #2 Stone Revetment	Alternative #3 Offshore Breakwater and Beach Fill	Alternative #4 T-Groins and Beach Fill
Total First Cost	$14,843,000	$14,481,000	$12,094,000
Interest during Construction @5.375%	949,000	752,000	629,000
Total Investment Cost	15,792,000	15,233,000	12,723,000
Annualized Total Investment Cost Based on 50-year Design Life Annual Interest of 5.375%	916,000	884,000	738,000
Annualized Maintenance Cost	55,000	57,000	47,000
Annualized Periodic Nourishment Cost Based on 50-year design life Annual interest of 5.375% 100,000 cy nourishment every 3 years	Zero Cost	502,000	502,000
Total Annual Cost	971,000	1,443,000	1,287,000
Total Annual Benefits*	1,578,700	1,578,700	1,578,700
Total Net Benfits	607,700	135,700	291,700

Alternatives #2 through #4 are developed at the same 73-year storm design. The benefits claimed are the same because each of the alternatives will protect the same land to the same degree, and each alternative avoids the same average annual project damages.

Of the potential alternatives discussed above, the stone revetment alternative is the plan that maximizes net benefits.

Design Optimization of the Recommended Plan: Three design variations in the selected revetment alternative were considered to economically optimize the construction cost relative to the economic benefits (provide the greatest net economic benefits): a 150-year storm design; a 73-year storm design; and a 15-year storm design (see Table 3).

TABLE 3: STONE REVETMENT—CONSTRUCTION COST ESTIMATES FOR 3 ALTERNATIVES, OCT. 2004 PL

	Alternative #2A 150-year protection	Alternative #2B 73-year protection	Alternative #2C 15-year protection
Total First Cost	$15,998,900	$13,722,900	$5,804,000
Total Annual Cost	1,050,400	889,300	524,700

Table 4 summarizes the National Economic Development (NED) Plan Selection of Alternative 2B. The 73-year design is the NED plan because it has the greatest net benefits (Line 6). All recreation benefits (Line 2) are included in the total benefits, total net benefits and final BCR (lines 8, 9 and 10) because the criterion for Federal participation with limited recreation benefits has been met. Based on maximum net excess benefits, the selected plan consists of the construction of a stone revetment with a 73–year storm design.

TABLE 4: NED PLAN SELECTION

[Oct 2004 PL, 5.375% discount rate]

Description	15 yr Storm Design	73 yr Storm Design	150 yr Storm Design
1. Annual Storm Damage Benefits	$213,500	$541,400	$564,200
2. Annual Recreation Benefits	551,200	1,037,300	1,062,400
3. Annual Recreation Benefits used for Project Justification	213,500	541,400	564,200
4. Total Benefits used for Project Justification	427,000	1,082,800	1,128,400
5. Annual Costs	524,700	889,300	1,050,400
6. Net Benefits	−97,700	193,500	78,000
7. BCR	0.8	1.2	1.1
8. Total Benefits		1,578,700	
9. Total Net Benefits		689,400	
10 Final BCR		1.8	

Systems/Watershed Context: The recommended plan, construction of a stone revetment, is consistent with the Fire Island to Montauk Point reformulation project sediment budget modeling and will not impact the results of that study. The goals of both that study and this project are consistent and include protection of historic and cultural resources. The recommended plan, construction of the stone revetment, is the National Economic Development Plan and satisfies the Environmental Quality requirements. In addition, this feature is consistent with existing recreation purposes, such as fishing, surfing and sightseeing as well as the regional economic development requirements.

Stakeholder Perspectives and Differences: Construction of the project would result in short-term, direct impacts to recreational uses, such as use of pedestrian trails and the revetment for recreational fishing, by temporarily limiting and/or blocking access to the beachfront and the existing revetment. These short-term, direct impacts would primarily affect recreational fishing because surfcasting from the existing revetment is a popular activity at Montauk Point. As a result of this potential impact, the District has coordinated with the Montauk Surfcasters Association and the New York Sport Fishing Federation to develop a plan that would minimize impacts on access to the revetment by fishermen during construction and enhance access after construction. The District has developed a construction schedule that will allow fishermen

limited access to the revetment area during the initial stages of construction. Both organizations understand the importance of ensuring that there is a strong, stable, and long-lasting revetment wall at Montauk Point and offered their full support of the project. Access impacts during construction would be reduced by allowing limited access to the current revetment for fishing during the construction period to the maximum extent practicable, without causing a safety hazard. By initiating construction on the south end of the revetment while having a delayed construction start date on the north end of the revetment, a few additional months of access to the revetment by fishermen would be possible. However, eventually the entire revetment and staging areas immediately adjacent to the northern and southern ends of the revetment would need to be closed to the public for about 21 months. During this time, fishermen would still be able to fish from the adjacent beach areas.

The Surfrider Foundation, Long Island Chapter, raised concerns regarding the impact of the proposed project on recreational surfing. In response to the Surfrider Foundation's concerns, the District performed an analysis to determine the potential effect of implementation of the proposed project on offshore waves. The results determined that the wave reflection coefficient for the existing revetment ranged from 0.30 to 0.33, whereas the reflection coefficient for the proposed revetment would range from 0.25 to 0.28, an approximate 15 percent reduction from that of the existing revetment. This reduction is due to the milder front slope, the greater porosity of the cap stone layer, and the replaced 1946 stone at the toe of the proposed revetment. The analysis shows that from a coastal engineering perspective, the negative effects of the reflected waves would be slightly less with the proposed revetment alternative. The District believes that implementation of the proposed project would have little to no perceptible impact on the quality or surfability of the waves in the offshore waters of Montauk Point.

Several comments, including The Nature Conservancy, have questioned whether the project would have an impact on the FIMP Reformulation Study because of downdrift changes to coastal and littoral processes. We have prepared responses that explain that long term impacts due to the proposed project are small, essentially continuing the effects of the existing revetment. An equally small increase in erosion downdrift, which rapidly diminishes in a westerly direction on both the north and south shores would have an insignificant effect on the environment and no effect on the formulation of plans for the FIMP project.

Estimated Costs of Recommended Plan:

Corps of Engineers	$7,300,000
New York State Department of Environmental Conservation	7,300,000
Total	14,600,000

Equivalent Annual Benefits and Costs:

OCTOBER 2006 PRICE LEVEL, 50–YEAR PERIOD OF ANALYSIS, 4.875% AND 7% DISCOUNT RATE

Investment Costs:.	
Total Project Construction Costs	$14,600,000
Interest During Construction	$758,000
Total Investment Cost	$15,358,000

OCTOBER 2006 PRICE LEVEL, 50–YEAR PERIOD OF ANALYSIS, 4.875% AND 7% DISCOUNT RATE—Continued

Average Annual Costs:	
Interest and Amortization of Initial Investment (additional annual amounts, if applicable)	$890,000
OMRR&R	$56,000
Total Average Annual Costs	$946,000
Average Annual Benefits	$1,680,000
Net Annual Benefits	$734,000
Benefit-Cost Ratio	1.8
Benefit-Cost Ratio (computed at 7%)	1.3

Current Status of Chief's Report: The Chief of Engineers Report was signed on 31 March 2007.

(35) Hocking River Basin Ecosystem Restoration, Monday Creek, Ohio.

Location of Study Area: Monday Creek, a tributary of the Hocking River, encompasses 116 square miles of Perry, Athens, and Hocking Counties near Nelsonville in southeastern Ohio.

Problems and Opportunities Identified in Study: Problems identified in the watershed include impacts to 235 acres of the aquatic ecosystem from past coal mining activities. Underground mining has caused the generation of Acid Mine Drainage (AMD) and subsidence impacts in the watershed that have affected the flora and fauna of the watershed. Iron hydroxide flocculent increases siltation/sedimentation of the streams causing severe acid loadings and metal precipitants from AMD have greatly impacted the aquatic and terrestrial biological community and in some areas have left sections of the mainstem of Monday Creek and its tributaries unable to support aquatic life. Subsidence impacts occur in the watershed when underground mine voids that are close to the surface collapse. The collapsed overburden captures surface water into the mine voids, allowing contact with sulfide minerals and oxygen, thus generating AMD within the watershed. Subsidences can take the form of large gaping holes in the stream bed or of hidden underground cracks that allow surface water to dissipate into the underground mine workings, thus continuing the generation of AMD. Approximately 82 of the 107 miles (77%) of streams assessed by Ohio EPA during the 2001 biological and water quality surveys were found to be impaired due to AMD from both a water quality issue and a siltation/sedimentation issue.

Alternative Plans Considered: Alternatives investigated in detail included 7 plan combinations; PC1 No Action; PC 2; PC 3; PC 4; PC 5; PC 6 National Ecosystem Restoration (NER) Plan; PC 7 Locally Preferred Plan (LPP).

Description of Recommended Plan: The Recommended Plan is Plan Combination 6, the NER Plan, and addresses AMD impacts in seven of the major subwatersheds within Monday Creek and includes connectivity of the aquatic resources with the headwaters. The Recommended Plan successfully reduces the toxic concentrations of iron, aluminum, acidity, and increases pH which meet the water quality thresholds in the mainstem of Monday Creek. The minimum resource requirements considered necessary to support the aquatic ecosystem will exist in 98% of the watershed except for Monkey Hollow.

Physical Data on Project Features: Currently, the project consists of 178 total restoration structures located within the following eight subwatersheds locations: Jobs Hollow, Dixie Hollow, Rock Run, Monkey Hollow, Lost Run, Snake Hollow, Coe Hollow, and Snow Fork (which is comprised of Salem Hollow, Sycamore Hollow, Spencer Hollow, Brush Fork, Long Hollow, Whitmore Cemetery and Orbiston). Proposed structures include open limestone channels, low head dams, limestone leach beds, slag leach beds, aerobic wetlands and dosers. Other forms of construction activities involve the closure of stream-capturing subsidences, re-routing dissipating streams, and either breaching or removal of spoil blocks.

Approximately 230.3 acres of aquatic habitat and 58.55 miles of the 61.62 miles of AMD impacted streams within the watershed would be restored.

Views of States, Non-Federal Interests and Other Countries: The Ohio Division of Natural Resources is the local sponsor. The ODNR strongly supports the project and will fund the local share of the project.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service, U.S. Forest Service, U.S. Office of Surface of Mines, Ohio Environmental Protection Agency and the support the recommended plan as it would have substantial positive benefits to fish and wildlife resources of the project area. There are no outstanding issues.

Status of NEPA Document: The Final Environmental Assessment has been included as part of the Final Feasibility Report, dated July 2005. These documents were released for public review and comment on 2 May 2005 and minor comments were received by the close of the public comment period on 3 June 2005.

Estimated Implementation Costs of Recommended Plan:

Corps of Engineers	$13,440,000
Ohio Division of Natural Resources	7,540,000
Total	20,980,000

Estimated Effects of the Addendum Modified NER Plan (Effects for the LPP were not calculated):

[Dollars in thousands]

Account	Purposes	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development Plan (NER)	FDR	$ N/A	$ N/A
	ER	N/A	N/A
	Rec	N/A	N/A
Total:		N/A	N/A

Note: FDR = Flood Damage Reduction.
ER = Ecosystem Restoration.
Rec = Recreation.
Project economic life: 20 years.
Benefit-Cost Ratio: N/A (Current Discount Rate: 5–1/8%)
NED plan recommended? No
NER plan recommended? Yes

Environmental benefits are not quantified monetarily and therefore environment specific costs are not included in the project benefit/cost ratio.

Direct Beneficiaries: The residents in the surrounding area are the direct beneficiaries of the project.

Relationship to Other Plans: The Corps has two major projects in the Hocking River Watershed, the Athens Local Protection Project (flood damage reduction) and the Tom Jenkins Dam-Burr Oak Reservoir (flood damage reduction, water supply and recreation). The Athens project consisted of a channel modification project of the Hocking River in Athens, Ohio, authorized by Congress in 1965, and completed in 1971. The project shortens the Hocking River by about 1,400 feet. The channel bottom was widened from its former width of 120–140 feet to 215 feet. The modified channel is about 26,000 feet in length. The Tom Jenkins Dam-Burr Oak Lake is located on the East Branch of Sunday Creek. The project is operated for flood damage reduction in the Sunday Creek valley and as a unit of a coordinated system for flood protection in the Hocking and Ohio River valleys. The reservoir also includes storage for water supply use and recreational facilities.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 25 August 2006.

(36) Town of Bloomsburg, Columbia County, Pennsylvania.

Location of Study Area: Bloomsburg, PA is located in Columbia County within the Middle Susquehanna River sub-basin. The Susquehanna River forms the Town's southern boundary, and Fishing Creek forms the northern and western boundaries. Extensive portions of the Bloomsburg study area are within the 500–year floodplain of the Susquehanna River and Fishing Creek. The floodplain includes approximately 525 residential structures, and 75 businesses and local government buildings.

Problems and Opportunities Identified in Study: The primary water resource problem along the Susquehanna River at Bloomsburg is recurrent flooding. Since the early 1800's, the River has flooded, on average, once every twenty years. In the Bloomsburg area, the Susquehanna River has very little slope and shallow banks. Therefore, when storms occur, the River is slow to recede, causing the River floodwaters to flow upstream and overtop the banks of Fishing Creek. Normal discharge from Fishing Creek to the main stem of the River is also hindered and exacerbates the backwater flooding. When the Susquehanna River and Fishing Creek simultaneously rise above flood stage, overbank flooding can cover up to 33 percent of the land mass within the Town's boundaries, resulting in extensive damages to structures, water and sewer services and transportation systems. Therefore, any solution must be able to provide protection from the River and from backwater flooding along Fishing Creek.

Alternative Plans Considered:

• Structural flood damage reduction measures considered. The following structural measures were considered and evaluated: (1) stream modifications, such as channel deepening and widening, modification of bridge and culvert openings, and dredging, (2) detention basins that would store large volumes of water, and then release them at a controlled rate, and (3) floodwater barriers, such as levees, floodwalls, and mechanically-stabilized earth (MSE) walls that confine flood flows to the existing channel footprint and prevent breakout of floodwaters. The type of floodwater barrier is usually a function of available space, cost of real estate, and the desire to avoid or minimize adverse impacts to affected properties.

• Preferred structural flood damage reduction solution. Of the solutions considered, floodwall barriers were the most viable solution to meet defined objectives. Furthermore, there is an alternative that is justified, supported by the Sponsor, and offers opportunities to mitigate for its adverse impacts. Towards that end, the following alignments were developed as a baseline to determine viable preliminary alternatives: (1) interior alignment, (2) fringe alignment, and (3) east Bloomsburg extension alignment (Figure 3–10 in Main Report).

• Interior alignment. The Interior Alignment is 9,100 linear feet long and consists of earthen levee, MSE wall, and concrete floodwall. The Interior Alignment was positioned as a setback levee along Fishing Creek (south of Route 11), and would cover the shortest distance across the Fairgrounds parking area to provide a line of protection. The setback feature provides a flow area for floodwaters and minimizes the level of increased flooding to property located on the right descending bank of Fishing Creek. While the design of the Interior Alignment provides an efficient floodwater flow area, potential problems include:

• The likelihood of encountering hazardous, toxic, and radiological waste (HTRW) since the alignment runs along the borders of two known closed landfills. Extensive excavation would be required to reach a depth where foundation suitable soil would be present. There is extremely limited space to shift the interior alignment to avoid these landfills without severely disrupting operations for two key industries nearby.

• Not providing protection for sixteen residential and two commercial structures located immediately west of the main Fairground entrance on Route 11.

• Fringe alignment. The overall length is 12,450 linear feet, consisting of earthen levee, MSE wall, and concrete floodwall. The Fringe Alignment provides protection for the same area as the Interior Alignment but also protects the sixteen residences and two commercial properties not protected by the Interior Alignment. Furthermore, the Fringe Alignment maintains some flexibility to avoid known landfills.

• East Bloomsburg Levee Extension. The East Bloomsburg Levee Extension, comprised of 9,300 linear feet of earthen levee and closure structures, would provide protection to a relatively large area where a majority of residential and non-residential structures are located at elevations above the 100–year floodplain.

Description of Recommended Plan: The NED Plan (alternative 4) is the recommended plan and provides protection for Agnes-level events (440–year) on the Susquehanna River and 100–year events on Fishing Creek. The NED plan consists of 16,555 linear feet of levee/floodwall systems with fourteen drainage structures, limited road raisings, four closure structures, upgrades to the existing flood warning system, and ecosystem mitigation activities.

Physical Data on Project Features: The recommended flood damage reduction plan is to provide Agnes (440–year) level protection from Susquehanna River flooding and 100–year level of protection from Fishing Creek flooding. The recommended plan consists of approximately 17,000 linear feet of levee/floodwall systems with fourteen drainage structures, and nine closure structures, six of which incorporate limited road raisings. The alignment of the line of pro-

tection was refined based on physical, environmental, and economic criteria.

The project consists of a system of earthen levees, mechanically stabilized earth (MSE) floodwalls, concrete floodwalls, railroad and road closure structures and roadway relocations to provide ramps over the line of protection. Earthen levees are proposed for the majority of the line of protection, though MSE walls will be required along portions of Fishing Creek in both Bloomsburg and Fernville and a concrete floodwall (H-Pile wall) will be required along portions of Fishing Creek in Bloomsburg. Limited riprap will be used to protect the steep banks along the lower project reaches along Fishing Creek.

Views of States, Non-Federal Interests and Other Countries: The Town of Bloomsburg is the local sponsor. The Town Council supports the project and will fund the local share of the project. Also, the Commonwealth of Pennsylvania will fund 50% of the Town's local share and the Governor has committed an extra $1 million over their normal contribution due to the economic benefits (protection of exiting jobs) the project will provide.

Views of Federal and Regional Agencies: Public involvement was conducted in part through the publishing of a Notice of Intent in the Federal Register and holding information workshops and public meetings in Bloomsburg to discuss the project and receive comments. Additionally, coordination with resource agencies (to include the U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, the PA Natural Diversity Inventory, the PA Fish and Boat Commission, and the PA State Historic Preservation Office) was conducted through personal contact and coordination letters to solicit their input and expertise to assist in the development of solutions that are effective and responsible. Several of these agencies worked with the study team to develop potential solutions to improve fish passage as mitigation for the impact rendered by riprap placement. There are no unresolved issues.

Status of NEPA Document: The Final Environmental Impact Statement in integrated within the Final Feasibility Report, dated August 2005. The Record of Decision for this FEIS was signed January 9, 2007.

Estimated Implementation Costs of NED (Recommended) Plan:

Corps of Engineers	$28,925,000
Town of Bloomsburg, PA	15,575,000
Total	44,500,000

Direct Beneficiaries: The residents and businesses in and around the Town are the direct beneficiaries of the project.

Relationship to Other Plans: The Bloomsburg project is located downstream of the Wyoming Valley Levee Raising Federal flood control project currently being constructed upstream of the Danville and Sunbury Federal Flood Control projects. Additionally, the Bloomsburg project is located downstream of a system of Federal flood protection dams in the Upper Susquehanna River watershed.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 25 January 2006.

(37) Pawleys Island, South Carolina.

Location of Study Area: The study area is located within the corporate limits of Pawleys Island, Georgetown County, South Carolina.

Problems and Opportunities Identified in Study: Prior storm events have resulted in breaches of the main access road and damages to electric, water, and sewage lines. The structural integrity of many beachfront homes is threatened. The opportunity exists to provide a protective berm and restored dune system, improve sea turtle nesting habitat, and increase the recreation opportunities at the only beach in Georgetown County with free public access.

Alternative Plans Considered: Alternatives investigated in detail included the no-action plan, the National Economic Development (NED) Plan as described below, and other alternatives. The relocation of structures, the placement of new groins, and the use of hardened structures such as seawalls were among the alternatives considered that were not recommended.

Description of Recommended Plan: The proposed Federal project consists of construction of a 50-foot-wide protective berm over a 6,800-foot-long reach, with two 350-foot tapers (7,500 feet total) at elevation +7 feet National Geodetic Vertical Datum (NGVD) along the southern reach of the island. Additionally the project includes a 20-foot-wide dune at elevation +10 feet NGVD with side slopes of 1 Vertical to 5 Horizontal. The project calls for periodic nourishment over a 50-year period. Periodic nourishment, accomplished via four 9-year renourishment intervals and one 5-year renourishment interval, would optimize net benefits over the 50-year period of analysis. The estimated volume of fill for initial construction is 666,400 cubic yards, which includes 305,300 cubic yards for the first nourishment. The source of fill material is an 832-acre borrow area located between 11,000 feet and 17,000 feet offshore of Pawleys Island. The project is designed to avoid and minimize adverse environmental effects such that no mitigation is required, and is expected to enhance sea turtle nesting habitat.

The Recommended Plan is the National Economic Development plan and the Locally Preferred Plan. The Benefit-Cost Ratio is 1.7:1 at a Discount Rate of 5⅝%.

Views of States, Non-Federal Interests and Other Countries: The Town of Pawley's Island is the local sponsor. The sponsor strongly supports the project and will fund the local share of the project.

Views of Federal and Regional Agencies: The U.S. Fish and Wildlife Service and the South Carolina Department of Health and Environmental Control agree that the recommended plan would not have a significant impact.

Status of NEPA Document: The Final Environmental Assessment has been included as part of the Final Feasibility Report, dated May 2004. The District Commander signed the Finding of No Significant Impact on March 15, 2004.

Estimated Implementation Costs of the Recommend Plan:

Corps of Engineers	$5,840,000
Town of Pawley's Island	3,140,000
Total	8,980,000

Estimated Annual O&M Costs: The periodic renourishment costs of an estimated $21,200,000 in October 2005 prices over 50 years have an equivalent annual cost of $390,000. The local sponsor, the

Town of Pawleys Island, will be responsible for an estimated $50,000 in annual O&M costs.

Direct Beneficiaries: The residents and property owners of the homes to be protected are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 19 December 2006. An Addendum to the Feasibility Report was completed for the ASA(CW) in April 2005.

(38) Corpus Christi Ship Channel, Corpus Christi, Texas.

Location of Study Area: The Corpus Christi Ship Channel (CCSC) provides deep-water access from the Gulf of Mexico to the Port of Corpus Christi, via Aransas Pass, through Redfish Bay and Corpus Christi Bay. Access points include the La Quinta Channel, the Gulf Intracoastal Waterway (GIWW), and the Rincon Canal.

Problems and Opportunities Identified in Study: The CCSC was the first waterway in Texas to be completed to a depth of 45 feet. This channel ranks fifth in the tonnage shipped on deep-draft vessels, and, in Texas, only the Houston Ship Channel handles more tonnage. Since the completion of the 45-foot project, the size of ships using the waterway has steadily increased so that many vessels currently have to be light-loaded to traverse the waterway. The current channel depth also requires that large crude carriers remain offshore and transfer their cargo into smaller crude tankers for the remainder of the voyage. Widening the Upper Bay reach and installation of barge lanes would increase the safety factor for this area and would reduce the shipping delays for the project, especially since shipping trends indicate a movement toward the use of larger vessels. Development of the La Quinta extension would allow benefits to be achieved while enhancing the economy of the region.

Alternative Plans Considered: A general screening process was first used to determine which structural plan would result in the objective of providing safe and efficient navigation at the least cost while minimizing environmental impacts. A total of 23 alternatives were initially evaluated for more detailed consideration. These alternatives included widening portions of the CCSC, deepening the CCSC, construction of barge lanes, deepening of the La Quinta Channel, and extending the La Quinta Channel.

Description of Recommended Plan: The recommended plan consists of the following improvements:

Deepen the CCSC from Viola Turning Basin to the end of the jetties in the Gulf of Mexico (approximately 34 miles) to −52 feet mean low tide (MLT); deepen the remainder of the channel into the Gulf of Mexico (approximately 2 miles) to −54 feet MLT; and widen the Upper Bay and Lower Bay reaches (approximately 20 miles) to 530 feet.

Construct barge shelves (channels) 200-foot-wide and 12-foot-deep MLT on both sides of the CCSC from its junction with the La Quinta Channel to the entrance of the Inner Harbor (approximately 10 miles).

Extend the La Quinta Channel approximately 1.4 miles beyond its current limit at a depth of −39 feet MLT. The channel will measure 400 feet wide and include a second turning basin. The turning basin will be constructed at the end of the proposed channel extension with a diameter of 1200 feet, to a depth of −39 feet,

MLT. The existing La Quinta Channel will remain at the existing 45-foot depth. The creation of 15 acres of seagrass adjacent to the La Quinta extension will mitigate for project impacts to approximately 5 acres of seagrass.

Construct two ecosystem restoration features, including rock breakwaters and geo-tubes to protect 1,200 acres of an existing high quality, complex wetland ecosystem that is comprised of a valuable mix of subtidal habitat, saltmarsh, blue-green algae flats, sandflats and associated uplands. Additionally, protect 40 acres of highly productive seagrass. Both components are adjacent to the CCSC in the Lower Bay reach of the channel.

Physical Data on Project Features: Deepening of the CCSC to 52 feet will allow vessels with deeper draft to access port facilities without first lightering/lightening their loads. Widening of the CCSC will allow for two-way traffic in the channel, increasing safety and reducing delays. Barge lanes will allow the smaller, slower barges to transit the bay without the increased concern of collisions with larger ships. This will reduce delays and increase safety. Extension of the La Quinta Channel will allow benefits to be achieved while enhancing the economy of the region. Ecosystem restoration components will protect and enhance several important habitats including estuarine marsh, submerged aquatic vegetation, and endangered species habitat.

Views of States, and Non-Federal Interests: The selected beneficial use plan is the least cost plan and has the support of the state and Federal resource agencies. The non-Federal sponsor for the existing project, the Port of Corpus Christi Authority, has actively participated throughout the planning process. The Port of Corpus Christi Authority is supportive of the selected plan. There are no known significant issues.

Views of Federal and Regional Agencies: Extensive coordination was performed with the state and Federal resource agencies through the development of a Regulatory Agency Coordination Team. No outstanding issues remain.

States of NEPA Document: The Final Feasibility Report and Final Environmental Impact Statement were filed in the Federal Register on 18 April 2003.

Estimated Implementation Costs:

Corps of Engineers	$87,810,000
Non-Federal interest	100,300,000
Total	188,110,000

Description of Non-Federal O&M Cost: The non-Federal sponsor will cost share O&M for the CCSC at the same ratio as construction for the implement below 45 feet in depth. O&M for the barge shelves, and La Quinta extension will be paid 100% by the Federal interest. The non-Federal sponsor will also be responsible for 100% of O&M costs associated with mitigation and ecosystem restoration.

Estimated Effects:

[Dollars in thousands]

Account	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
NED:		
CCSC	$32,501	$15,562
Barge Shelves	135	81
La Quinta	9,234	5,330
Ecosystem Restoration	*	267

Project Economic Life: 50 years.
Benefit-Cost Ratio: CCSC 2.1; Barge Lanes 1.7; La Quinta 1.7.
Current Discount Rate: 5.375%
NED Plan Recommended? Yes.
* Average annual costs for ecosystem restoration at sites L and P are estimated at $160,600 and $106,400, respectively. It is estimated that the two sites will generate 144 and 16 average annual habitat units (AAHU), respectively, resulting in average annual costs of $1,120 and $6,650 per AAHU, respectively.

Direct Beneficiaries: Benefits were identified for ships carrying both import and export petroleum products and grain, as well as barge traffic and container ship traffic.

Current State of Chief of Engineers Report: A final Chief's report was signed on 2 June 2003.

(39) Gulf Intracoastal Waterway, High Island to Brazos River, Texas.

Location of Study Area: Gulf Intracoastal Waterway (GIWW) from mile 318 to 400, between High Island and the Brazos River.

Problems and Opportunities Identified in Study: Rollover Pass is a man-made cut through a barrier island that causes several problems near this section of the GIWW. The study identified problems with high frequency of dredging and placement of material. Other concerns for this section are traffic collisions and groundings caused by the high shoaling rate.

Sievers Cove is a residential canal subdivision located along the GIWW where there is no barrier between the channel and East Bay. The gap poses a navigation problem for pilots during prevailing north winds. Also, area waterway users reported that a private mooring basin has barges moored too close to the GIWW. This condition causes recurring accidents and collisions.

Texas City Wye is a turning channel between the GIWW and the Galveston Ship Channel. The existing eastbound turning channel for barge traffic is too narrow and is often shoaled and difficult to locate. In addition to high winds and strong currents, the south end of the Texas City Wye channel intersects the north end of the Pelican Island Mooring Basin, complicating navigation when barges are moored there. Many towboat pilots have abandoned the Texas City Wye in favor of using the main intersection of the Texas City Channel and GIWW. This causes time delays and creates unsafe conditions as tows try to maneuver a 120-degree turn into a congested area used by deep-draft vessels.

The Pelican Island Bridge is a hazard to navigation due to the difficulty that tow operators have in lining barges up to pass through the bridge. A strong tidal current in the channel causes barges to drift into the bridge fender system. Consistently, there are at least four barge accidents at the fenders systems each year.

The Galveston Island Causeway Bridge, and railroad bridge, are major navigation hazards due to width limitations. The primary factor in barge collisions is the restriction in navigation span 104 to 109 feet in width. The United States Coast Guard's data showed

ninety-nine collisions between commercial vessels near the causeway between 1991 and 1999.

Greens Lake contains no mooring facilities. Waterway users have stressed a need for a mooring facility west of Galveston Bay so tows can be moored when the high winds and currents do not allow for safe passage. Currently tow operators must push onto the bank in a sheltered area near Greens Lake. Constructing a mooring facility at this location would allow tows to break down and trip barges through the Galveston Causeway to the Pelican Island moorings on the other side.

A contiguous artificial land barrier flanking the GIWW on the West Bay side has been washed out due to severe erosion by the rough environment of the bay system. Although maintenance material has prolonged the protective service life of the barrier, it has not been able to keep pace with the erosion reclaiming the barrier. In these areas navigation is difficult due to strong southeasterly winds since there is no structure to attenuate the high current velocities and wave amplitude. Further erosion could breach the land, increasing shoaling in the GIWW and allowing saltwater into Halls Lake, damaging existing habitat.

Alternative Plans Considered: For Rollover Pass, four alternatives were developed and analyzed. Preliminary alternatives include taking no action, narrowing the pass to limit the tidal currents, completely closing Rollover Pass, and the construction of a sediment trap.

For Sievers Cove, three alternatives were developed and analyzed. Alternatives included no-action, bank stabilization, and channel widening.

For Texas City Wye, three alternatives were developed and analyzed. Alternatives include the future without project condition (no-action plan), widening the existing turning channel, and widening the intersection between the GIWW and Texas City Channel (main channel).

For Pelican Island Moorings, three alternatives were developed and analyzed. Alternatives include the future without project condition (no-action plan), realignment of the GIWW adjacent to the mooring, and moving existing mooring further landward from GIWW.

For Pelican Island Bridge, four alternatives were developed and analyzed. Alternative plans include the future without project condition (no-action plan), bridge replacement, construction of moorings on each side of the bridge, and the construction of dolphins on each side of the bridge.

For Galveston Island Causeway Bridge, four alternatives were developed and analyzed. Alternatives include the future without project condition (no-action plan), flare alternatives, channel realignment and bridge replacement.

For Greens Lake, three alternatives were developed and analyzed. Alternative plans included the future without project condition (no-action plan), construction of the mooring facility on the bay side of the GIWW, and construction of the mooring facility within the mouth of Greens Lake.

Description of Recommended Plan: The recommended plan is the National Economic Development Plan. The recommended plan for Rollover Pass is to construct a sediment trap to intercept the sedi-

ment before it reaches the GIWW. Trapping the sediment and storing it in a basin would reduce the rate of its accumulation within the channel, thus reducing the number of times the channel has to be dredged. A numerical model reveals that a properly configured basin constructed in Rollover Bay will likely be effective in trapping enough sediment volume to significantly reduce the rate of shoaling occurring within the channel. Material trapped in the basin would be dredged and placed on the beach, at Federal cost, approximately every 2–3 years depending on the sedimentation rate.

The recommended plan for Sievers Cove is to widen the GIWW along the west approach to the opening to give pilots sufficient maneuvering room to position their tows northward when crossing the opening during prevailing northerly winds. Based on the existing conditions, engineering, and user input, it was determined that the north side of the channel should be widened 75 feet. The length of the widened area will extend westward 1400 feet, including transitions. The widened area will be excavated to a depth of elevation −17.0 feet Mean Low Tide (MLT) and have 1V to 3H side slopes. Upland placement would use the existing GIWW placement site located adjacent to the channel in Placement Area #41.

The recommended plan for the Texas City Wye simply acknowledges and improves upon what is already taking place under current navigation practices. The plan was modified to include the parabolic curve based on reviews of the tract plots. With the improved intersection in place, the existing channel will be abandoned, and navigational aides removed. Marsh creation to extend the Pelican Island Spit was determined to have the least cost with the most environmentally acceptable disposal plan.

The recommended plan for the Pelican Island Moorings is to widen the facility 80 feet to the north, more than doubling its present width of 75 feet, yielding a total width of 155 feet. The depth of the basin will be −16.0 feet MLT with an additional 1-foot allowable overdepth. Along with the widening, 13 existing mooring buoys will be cut away from their anchors and set back 80 feet.

The recommended plan for the Pelican Island Bridge is the no-action alternative as none of the other alternatives provided enough benefits to overcome the cost. No further action will be taken at this site under this study.

The recommended plan for the Galveston Causeway is to wait until the Texas Department of Transportation replaces the highway and railroad bridges, and then dredge the channel to the authorized width of 125 feet. Bridge replacement, as part of this project, was not economically justified due to the high costs.

The recommended plan for mooring facilities in the area of Greens Lake is to construct Greens Lake Moorings at the mouth of the lake. This area was selected because open water is available, the area is somewhat sheltered, and the channel's north shoreline would be minimally impacted. Pilots surveyed stated that currents and waves from the lake do not cause appreciable navigational concerns or problems, and they were supportive of the site chosen. The mooring facility's design was developed jointly with the waterway users to assure their needs were completely satisfied, while minimizing impacts to the existing environment. The depth of the moor-

ing basin will be −16.0 feet MLT with an additional 1-foot allowable overdepth. Placing material on the adjacent barrier island provides the mooring facility additional protection from wind and current. However, additional erosion protection is required. It was determined that a hydraulic filled levee with concrete matting be constructed on two sides of the PA.

The recommended plan for the West Bay Washout calls for a single 24-foot circumference, 10,000 foot geotube to be constructed between the GIWW and the West Bay. The geotube will be tied into the existing marsh creation site on the southwest end and to the existing barrier island on the northeast end. A cellular concrete mattress will be installed along the channel's north shoreline that separates the channel from Halls Lake. The mattress will be used to supplement the riprap placed by the State of Texas to provide the required 50-year project life.

Views of States and Non-Federal Interests: The local sponsor, Texas Department of Transportation (TXDOT), has actively participated throughout the planning process. TXDOT supports the recommended plans as outlined in this report and the continuation of shallow draft navigation of the state's coastal waters.

Views of Federal and Regional Agencies: The Final U.S. Fish and Wildlife Service Coordination Act Report, dated September 2002, was coordinated with Texas Parks and Wildlife. The final coordination report was received 9 October 2003. There were no outstanding issues on the draft.

Status of NEPA Document: An Environmental Assessment was completed as part of the Feasibility Report. The Finding of No Significant Impact was signed on 9 October 2003.

Estimated Implementation Costs:

Corps of Engineers	$7,225,000
Total	14,450,000

One-half of the costs will be paid out of General Revenues and one-half of the costs will be paid out of the Inland Waterways Trust Fund.

Estimated Effects:

[Dollars in thousands]

Account	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
National Economic Development (NED) Plan:		
Navigation	$3,272	$1,430

Project economic life: 50 years.
Benefit-Cost Ratio: 2.3 (Current Discount Rate: 5 ⅜ percent).

Direct Beneficiaries: The waterway users are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 16 April 2004.

(40) Matagorda Bay, Texas.

Location of Study Area: The GIWW parallels the Gulf of Mexico's coastline from Brownsville, at the southern tip of Texas, to St. Marks, Florida. The man-made channel is maintained by the Corps of Engineers at a minimum bottom width of 125 feet and a minimum depth of 12 feet. This shallow draft channel is an integral part of the total inland transportation system of the United States.

The GIWW is a necessary link in the transportation network that moves commodities throughout the United States, as well as foreign markets. The Matagorda Bay reach of the GIWW extends from Channel Mile 454 to 473, a distance of about 19 miles. The GIWW leaves the landlocked portion on the eastern side of Matagorda Bay near Mile 454 and turns in a southwesterly direction before turning west and running parallel to Matagorda Peninsula. At Mile 471, the GIWW intersects with the deep-draft Matagorda Ship Channel (MSC). The GIWW enters the landlocked portion again at Port O'Connor near Mile 473.

Problems and Opportunities Identified in Study: The proximity of the GIWW to the natural pass of Pass Cavallo and the construction of the jettied entrance channel and deep-draft MSC has created a maintenance dredging nightmare and navigation hazard. The influences of the natural and man-made channels have created a dangerous crosscurrent at the intersection with the GIWW. One-way traffic has been self-imposed from mile marker 469 to the Port O'Connor jetties at mile 473. To the south of the GIWW is Sundown Island, a National Audubon Society bird sanctuary. To the north is the dredged material placement site for the maintenance dredging operations. This has effectively limited the ability of barge traffic to maneuver to compensate for the crosscurrents and shoaling. The Feasibility Report offers an opportunity to relocate and widen the existing channel to avoid the strong cross-currents and allow for safe two-way vessel passage.

Alternative Plans Considered: The process for this study began with several alternative solutions that were considered reasonable and practical for the Matagorda Bay reach of the GIWW. Additional alternatives and changes to current alternatives were added as the study progressed. The non-structural and structural alternative plans were presented and developed to the level of detail needed to evaluate each plan alternative. Non-structural alternatives, other than No-Action, included the utilization of alternate modes of transportation such as the use of rail, truck, ocean-going barge, or combinations of these alternatives. The typical ratio of tonnage per movement between rail and inland barges is about 15 to 1, and with trucks the ratio is about 60 to 1. Another non-structural alternative of additional tugs to assist barges across the high-current area was considered but eliminated as not fully addressing the problems. Structural alternatives included dredging exchange outlets across the Matagorda barrier island to reduce the strong currents at the MSC, or realigning the existing route to avoid the existing current.

Description of Recommended Plan: The recommended plan is the National Economic Development plan and involves a southern realignment utilizing the existing GIWW route on the eastward end for approximately 3.9 miles before turning westward.

The alignment is approximately 6,000 feet north of and parallel to the existing route. As the channel approaches the MSC, it is aligned towards the north, approximately 7,500 feet from the existing GIWW at its farthest point. The channel intersects the MSC approximately 6,000 feet north of the existing GIWW. The alignment then reconnects with the existing GIWW just before entering the jetties at Port O'Connor. A flare at the intersection allows the tows to realign in the GIWW before passing through the jetties.

The total length of this alignment is 13 miles and divided into three reaches. Reach 1 is from station 0+00 to 160+00. Reach 2 is from 160+00 to 452+00. Reach 3 is from 452+00 to 704+59. The proposed channel depth is 12 feet, plus 2 feet of overdepth and 2 feet of advanced maintenance. The bottom width remains at 125 feet from station 0+00 to 550+00. It continues westward to station 703+00 with an average bottom width of 300 feet. The southern realignment results in 2.5 million cubic yards of dredged material and avoids impacts to oyster reefs. Future maintenance dredging is estimated at 77,000 cubic yards per year.

Physical Data on Project Features: Several ecosystem restoration features and beneficial use of dredged material features are included in the recommended placement plan. The area south of the shoreline east of Palacios Point is suitable for marsh creation using the new work material dredged from Reach 1. The water depth near the shoreline quickly drops to 2 feet and increases to 5 feet approximately 700 feet from the water's edge. The bottom sediment is sandy clay with large amounts of shell material, although no live oysters were present. Some 7,000 feet east of Palacios Point, soil conditions and water depths are considered more suitable for establishment of oyster beds; therefore this would represent the limit of the marsh. The sandy clay material has sufficient bearing strength to easily support a geotextile tube that would be used as the perimeter levee of the marsh site. A marsh between 58 and 78 acres would be sufficient to contain the new work material from Reach 1.

For Reach 3, an acceptable marsh creation site was found in the bay, south of Broad Bayou and north of Port O'Connor. The area along the shore is prime habitat for oyster beds and seagrass is plentiful. However, some 900 feet from shore the depth of water is 4 feet and varies between 4 feet and 5 feet for approximately another 1,500 feet farther from shore. Maintaining this distance from shore ensures that the marsh avoids impacting this habitat. Approximately 108 acres of marsh can be created from the new work dredged material. The foundation material in this area is a silty sand with considerable shell fragments. The bearing capacity is easily sufficient for the geotextile tube that would be required to achieve the necessary levee height.

Sundown Island in Matagorda Bay is situated approximately one mile southeast of the intersection of the existing GIWW and the MSC. This island was created entirely from dredged material and consists of 60 acres, not including an existing bird island of 16 acres enclosed by one 8-foot-high geotextile tube on the east end of the island. The site is a designated National Audubon Sanctuary (NAS) and serves as a nesting site for several endangered and threatened species. Because of the strong currents in the area, the island undergoes severe erosion. The NAS has requested that dredged material be placed on the perimeter of the island to offset the effects of erosion and help preserve the site. This existing bird island has a remaining capacity that can utilize the more sandy material from the western portion of Reach 3. An additional levee can be constructed off the north shore of Sundown Island, using 8-foot high tubes. The northwestern leg of the existing bird island's tube can serve as one of the boundaries in the new enclosure. With geotextile tubes placed out to distances of between 450 and 700

feet, in water depths suitable for avoiding stacking of tubes, an additional 31 acres would provide a storage capacity of 414,752 cubic yards of material. It will be necessary to construct a 2-foot berm under the tube's scour pad to raise the levee height in the deeper water. The western portion of Reach 3 consists of, on average, 74.3% loose sand. There is sufficient suitable sandy material for both the placement at Sundown Island and at Port O'Connor beach.

The beach at Port O'Connor was originally constructed as a beneficial use site using material dredged from the GIWW. The area north of the existing geotextile tube jetty that extends from the beach has experienced some erosion. This area could benefit from placement of the sandy material from dredging the western portion of Reach 3. The area would extend from the shore to approximately 300 to 400 feet into the water. The sand quality of this material, mostly between 37% and 14% fines, is sufficient for this purpose. The material could be pumped onto the beach from an average depth of between −2 feet and +1 feet (MLLW). This restoration could yield a disposal capacity for new work material of approximately 200,000 cubic yards. The use of this beach as a beneficial use site may be considered once or twice during the 50-year maintenance dredge plan.

The application of ecosystem restoration and beneficial uses of dredged material for both new work and maintenance material for the selected plan is summarized below.

—In Reach 1, material is used to create a 10-acre marsh at Palacios Point. The remainder of the material is deposited in the offshore surf zone. Maintenance material from each 10-year dredging event is used to create an additional 25-acre marsh at Palacios Point.

—For Reach 2, all of the material is placed in the offshore surf zone.

—In Reach 3, material is used to create a 20-acre marsh at Port O'Connor, nourish the Port O'Connor beach, provide material to Sundown Island, and offshore placement in the surf zone. Maintenance material from each 3-year dredging event is used to create an additional 20-acre marsh at Port O'Connor for the first 21 years or 7 cycles. After 21 years, the maintenance material is placed offshore in the surf zone.

Views of States, and Non-Federal Interests: The non-Federal sponsor for the existing project, the Port of Corpus Christi Authority, has actively participated throughout the planning process. The Port of Corpus Christi Authority is supportive of the selected plan. There are no known significant issues.

Views of Federal and Regional Agencies: The local sponsor for the existing project, the Texas Department of Transportation, has actively participated throughout the planning process. The Texas Department of transportation supports the Matagorda Bay Re-Route and the continuation of shallow draft navigation of the state's coastal waters. Extensive coordination was performed with the state and Federal resource agencies through the development of the recommended plan and no outstanding issues remain.

States of NEPA Document: The Final Feasibility Report and Final EA have been approved by all necessary Environmental Agencies. An EIS was not required for this report.

Estimated Implementation Costs:

Corps of Engineers	$8,640,000
Total	17,280,000

One half of the costs will be paid from General Revenues and one half will be paid from the Inland Waterways Trust Fund.

Estimated Effects:

[Dollars in thousands]

Account Effects	Average Annual Equivalent Beneficial Effects	Average Annual Adverse Effects
NED		
Re-Route	$1,600	$2,356

Project Economic Life: 50 years.
Benefit-Cost Ratio: 1.5.
Current Discount Rate: 5.375%.

Direct Beneficiaries: Benefits were identified for ships carrying both import and export petroleum products and grain, as well as barge traffic and container ship traffic.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 24 December 2002.

(41) Lower Colorado River Basin Phase I, Travis County, Texas.

Location of Study Area: The study area is located in southern Travis County (in and near the corporate limits of Austin) and in Wharton County, Texas.

Problems and Opportunities Identified in Study: The Onion Creek and Wharton study areas were evaluated in a traditional manner by dividing the area into smaller, more definitive study reaches. Total average annual damages within the project area is estimated to be approximately $10.8 million, based on 2004 prices and levels of development. Of this amount, $4.5 million is attributed to Wharton, and $6.3 million to Onion Creek. Findings indicated that essentially all reaches within the Wharton area encounter a high, unacceptable level of flood damages. For Onion Creek, however, further evaluation identified four key areas for project formulation and development. These are known as Timber Creek, Onion Creek Forest/Yarrabee Bend, Williamson Creek, and Bear/Onion Confluence. Studies were also conducted to assess the problems and opportunities associated with the current ecosystem within the Onion Creek watershed. Findings indicate that there has been extensive urban and rural development in the Onion and Williamson Creek watersheds within the last fifty years. This has markedly reduced the overall width and quality of the riparian corridor in the watersheds, thereby degrading wildlife habitat and aquatic resources. Identified ecosystem restoration opportunities investigated to counter the continuing degradation include: (1) restore riparian woodland habitat along Onion Creek on public property where it has been completely lost; and (2) purchase lands adjacent to the creeks and perform riparian woodland habitat restoration to improve the aquatic habitat in the creek. While development of recreation facilities is not a primary Corps mission and therefore cannot be a stand alone project purpose, the high potential for combining recreation features with non-structural flood damage reduction measures was recognized, and studies found that there is a demand for several types of compatible recreation in the

study area, including trails, picnicking facilities, outdoor cultural activities, and open sport fields.

Alternative Plans Considered: Alternatives investigated in detail varied for each specifically identified area of interest. For both the Onion Creek watershed and Wharton areas, flood damage reduction alternatives included channels, levees, diversions, non-structural floodplain evacuation (buyout), and no action. In addition, ecosystem restoration alternatives were considered in the Onion Creek watershed, and consisted of the establishment of riparian woodlands in concert with compatible flood damage reduction alternatives.

Description of Recommended Plan: The Recommended Plan consists of non-structural floodplain evacuation, in combination with recreation and ecosystem restoration features located in two separable areas within the Onion Creek watershed, as well as a system of channels, levees, and diversion features to reduce flood damages within the city of Wharton, Texas. The two Onion Creek segments are referred to as Timber Creek and Onion Creek Forest/Yarrabee Bend. The Timber Creek segment includes the acquisition and removal of approximately 81 residential structures from the 4 percent annual chance of exceedence (25-year) floodplain. The vacated land would then be utilized for recreation and ecosystem restoration. A 40-acre park would be established, along with establishment of riparian woodlands on an additional 16 acres. The Onion Creek Forest/Yarrabee Bend segment consists of acquisition and removal of 410 residential structures located in the 4 percent annual chance of exceedence (25-year) floodplain, in combination with recreation features and ecosystem restoration. Recreational features include 32 picnic shelters, 32 small group shelters, 1 large group shelter, 7,860 feet of unpaved trails and 9,680 feet of paved 10 foot wide trails (including 1 footbridge), 7,400 feet of equestrian trails, 4 basketball courts, 2 tennis courts, 19 volleyball courts, one waterborne restroom, 20,000 square feet of parking, and the infrastructure associated with these facilities. The Recommended Plan would result in a 100-acre park. Approximately 190 additional acres would be restored to riparian woodlands.

The Wharton component of the plan includes approximately 20,300 feet of levees (5 feet average height) and 1,900 feet of floodwalls (4 feet average height) along the Colorado River, 6,600 feet of levees (3 feet average height), 380 feet of floodwalls, and 7,000 feet of channel modification (3 feet average height) along Baughman Slough, and three smaller features to facilitate the drainage of Caney Creek. Some refinements of the plan were incorporated into the Recommended Plan, with the most significant being the incorporation of additional interior drainage facilities to adequately address any ponding issues resulting from implementation of the levee system. The plan would effectively remove the vast majority of the city of Wharton from the designated 1% chance floodplain.

Views of States, Non-Federal Interests and Other Countries: The official sponsor for the project is the Lower Colorado River Authority (LCRA), who is acting on behalf of the City of Austin, Travis County, and the City of Wharton. All four entities have aggressively pursued Federal assistance in order to address their water resource needs.

Views of Federal and Regional Agencies: Coordination was undertaken with the U.S. Fish and Wildlife Service (USFWS), the Texas State Historic Preservation Officer, Texas Parks and Wildlife Department, the Barton Springs/Edwards Aquifer Conservation District, the Texas Commission on Environmental Quality (TCEQ), and numerous other State and local agencies. The USFWS provided a favorable final Coordination Act Report, and continued coordination is anticipated, as needed. State Water Quality Certification was granted by the TCEQ. The Texas Water Development Board was heavily involved with this study, and in fact provided grant funds equal to approximately 50% of the non-Federal share. Their involvement included monthly participation in the project management meetings.

Status of NEPA Document: The Final Environmental Assessment has been included as part of the Final Feasibility Report, dated October 2006. These documents were released for public review and comment on 18 August 2006. Only minor comments were received during the comment period, and a Finding of No Significant Impact was signed on 10 Oct 2006.

Estimated Implementation Costs of the Recommended Plan:

Corps of Engineers	$69,640,000
Lower Colorado River Authority	41,090,000
Total	110,730,000

Description of Non-Federal Implementation Costs: Non-Federal implementation costs for the Recommended Plan consist primarily of the cost related to the acquisition of lands, easements, rights-of-way, relocations and disposals (LERRD's). A non-Federal cash contribution is required for 50% of the costs that are allocated to recreation. The Wharton component will adhere to cost sharing rules for a structural flood damage reduction project, which stipulates a cash contribution of 5% of the total project cost, as well as additional cash to insure a minimum non-federal cost share of 35% for this component.

Estimated Effects (Benefits) of the Recommended Plan:

Average Annual Equivalent

[Monetary Benefits in (1,000's)]

Purpose	Timber Creek	Onion Creek	Wharton
Flood Damage Reduction	390	2,620	4,300
Recreation	480	2,650	N/A
Segment Benefit-Cost	1.7	1.5	2.7

Project economic life: 50 years.
Overall Benefit-Cost Ratio: 1.9 (Current Federal Interest Rate: 4-7/8%).
NED plan recommended? Yes.
NER plan recommended? Yes.

In addition to the monetary benefits cited above, ecosystem restoration benefits are achieved by restoring riparian woodlands in the Timber Creek and Onion Creek Forest/Yarrabee Bend segments. Restoration of 16 acres in the Timber Creek segment yields 5.9 habitat units at an average annual cost of $3,600 per habitat unit. Restoration of 16 acres in the Onion Creek Forest/Yarrabee Bend segment yields 56.8 habitat units at an average annual cost of $4,900 per habitat unit. Environmental benefits are not quan-

tified monetarily and therefore environment specific costs are not included in the project benefit/cost ratio.

Direct Beneficiaries: The residents in the surrounding area are the direct beneficiaries of the project.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 31 December 2006.

(42) Atlantic Intracoastal Waterway Bridge Replacement, Deep Creek, Chesapeake, Virginia.

Location of the Study Area: The Corps of Engineers operates a federally owned highway bridge over which U.S. Route 17 (George Washington Highway) crosses the Dismal Swamp Canal (DSC), a part of the Atlantic Intracoastal Waterway (AIWW). The bridge was constructed in 1934 and is located in the community of Deep Creek in the city of Chesapeake, Virginia. Chesapeake is part of the large metropolitan area of Hampton Roads which surrounds the mouth of the Chesapeake Bay.

Problems and Opportunities Identified in Study: The existing Deep Creek Bridge is a two lane, single-leaf Bascule Bridge that was constructed in 1934 at a cost of $64,000. The bridge is now outdated and while structurally sound it is functionally obsolete in that it does not conform to existing standards for traffic load limits and roadway geometry. Traffic congestion and delays are commonplace. Potential adverse impacts to vessel traffic on the AIWW could result due to malfunction of the bridge, which has been used for almost twice its originally estimated useful life. The city of Chesapeake operates and maintains four moveable highway bridges over navigable waterways, has experience in operating to meet the needs of navigation, and is willing to take over operation and maintenance of the improved bridge.

In a letter dated 21 March 1996, the city of Chesapeake requested that the Corps of Engineers consider the need for and feasibility of modifying or replacing this structure in conjunction with City and Commonwealth of Virginia plans to improve the road system in this area. The City has already begun improvements to the area's roadways, and the Commonwealth is currently contracting the design for a 10-mile stretch of U.S. Route 17 improvements from the North Carolina line to the proposed Dominion Boulevard. These improvements are needed to accommodate the rapidly increasing development in this area of Chesapeake.

Alternative Plans Considered: The possible solutions examined in the feasibility study included: (1) abandonment of the existing bridge in favor of relocating highways; (2) abandonment of the waterway; (3) rerouting the waterway to consolidate or minimize highway crossings; (4) bridge replacement with adequate structures that will accommodate existing and future traffic conditions and minimize delays for highway uses and navigation traffic; and (5) continued use of the existing low-level bridge. Bridge replacements included high-level fixed-span bridges, low-level bridges, and tunnels under the Dismal Swamp Canal.

Description of the Recommended Plan: The recommended plan, which is the National Economic Development (NED) plan, consists of replacing the existing bridge with a 5-lane, low-level, split-leaf, pit bascule bridge aligned south of and parallel to the existing bridge's centerline, and approach roadways.

The selected plan consists of a separate 2-lane leaf (eastbound) and 3-lane leaf (westbound). The eastbound leaf would be 75 feet long, 40 feet wide, and have two vehicle lanes and a pedestrian sidewalk. The westbound lane would have 3 vehicle lanes and be approximately 48 feet wide. The two spans would be separated by a space of approximately 1.5 feet. The new deck elevation would be at approximately 16.9 feet al Geodetic Vertical Datum, which is approximately 5.5 to 7 feet above average ground elevation in the vicinity and over one foot higher than the existing bridge deck. The roadway centerline would be approximately 100 feet south of the existing bridge centerline.

The selected plan described above is a design refinement of the bridge described in the feasibility report, which consisted of a 5-lane, low-level, fast acting (Scherzer rolling lift), single-leaf bascule bridge located south of and parallel to the existing bridge. The design change resulted from ongoing coordination by the Project Delivery Team including two design charrettes to refine the bridge design and roadway tie-ins. The refined design has several advantages over the initial design presented in the feasibility report including improving the sequence of construction, provides a better alignment which reduces real estate needs and impacts to adjacent properties, and allows better maintenance of traffic during construction. The new design does not change the estimated OMRR&R costs. The new design involves both cost savings and increased costs for various project features. There is a net increase in cost; estimated first costs are $21.8 million for the split-leaf bridge design compared to $21.5 million for the single leaf. The increase is largely do to increased work resulting from additional information on site conditions and to increases in materials costs. These costs would be associated with any bridge plans, therefore, the new design remains the NED plan.

The plan initially preferred by the non-Federal sponsor was a four lane bridge. However, the studies have shown that in addition to providing greater overall benefits the addition of the fifth lane provides for a through lane to Old Mill Road and a left turn lane for southbound traffic on Mill Creek Parkway. These improvements allow for smooth traffic flow without backing traffic onto the bridge. The sponsor concurred with the selection of the NED plan.

Approach Roadways—The higher deck would require modifications to the approach roads on either side of the bridge to tie into existing road elevations on Cedar Road and Old Mill Road, as well as tying into the intersecting portions of George Washington Highway and Route 17. The recommended south parallel alignment was developed for a 5-lane roadway width. This south alternative alignment is less likely to disturb existing utilities. The provision of a fifth lane allows smooth traffic movement at the intersection without unreasonable stacking of traffic onto the bridge. In particular, the fifth lane will provide a dedicated through lane to Old Mill Road and a left turn lane for southbound traffic on Mill Creek Parkway. These movements are projected to increase substantially over the life of the project. The location of the proposed south alignment was set to allow continued operation of the existing bridge during new bridge construction. The approach roadway design speed for this alignment is 35 mph.

New Policy Directions Recommended: The Federal Government would pay 100 percent of the bridge replacement and approach road cost of the recommended plan, including LERRD. In addition, non-Federal interests would be responsible for operation and maintenance (O&M) costs, including assuming full ownership for the recommended plan.

Views of States, and Non-Federal Interests: The Commonwealth of Virginia, Department of Environmental Quality, responded by letter dated 20 August 2001. This letter forwarded a copy of the Commonwealth's 29 January 2001 comments on the draft report, which stated they had no objection to the project as long as it is constructed in accordance with all applicable state and Federal laws and regulations. There were no additional comments.

Views of Federal and Regional Agencies: The U.S. Department of the Interior (DOI), Office of the Secretary, responded by letter dated 8 August 2001. DOI had no comments to offer and did not object to the proposed project. The Environmental Protection Agency (EPA), Region 3 and Department of Transportation, responded by phone conversation on 26 February 2002 and 21 August 2001, respectively, that each had no comments to offer.

Status of NEPA Document: Because there were no significant issues affecting the natural and human environment, an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) were prepared for this project. The FONSI was signed by the Norfolk District Engineer on 25 April 2001. The final Feasibility report and EA, with the signed FONSI, were circulated for State and Agency review on 10 July 2001. The State and Agency review period ended on 9 August 2001.

Estimated Implementation Costs:

Corps of Engineers	$37,200,000

Description of Non-Federal O&M Costs: The city of Chesapeake will assume ownership of the bridge and be responsible for all operations and maintenance (O&M) activities associated with this movable bridge. O&M responsibilities for the project include operator's labor, maintenance materials, equipment and labor, bridge inspection reports, utilities, and major replacements.

Estimated Effects: The estimated average annual costs are $2,458,000 and the estimated average annual benefits are $18,750,000. The benefit to cost ratio is 7.6, applying a discount rate of 5⅜ percent over a 50-year planning period.

Direct Beneficiaries: Highway users. Increased safety to boating traffic.

Current Status of Chief of Engineers Report: A final Chief's report was signed on 3 March 2003.

(43) Craney Island Eastward Expansion, Norfolk Harbor and Channels, Hampton Roads, Virginia.

Location of Study Area: The study area is located within the city limits of Portsmouth, Virginia.

Problems and Opportunities Identified in Study: The major water resource problems at Norfolk Harbor include dredged material disposal capacity and container handling capacity, both of which cannot keep pace with demand. These problems confronting Norfolk Harbor result from the rapid growth in international maritime trade that the Nation has experienced over the past decade and

which are expected to continue in the future. Planned navigation improvements and maintenance of existing channels will produce more dredged material than can be accommodated at the Craney Island Dredged Material Management Area (CIDMMA). The demand for container handling capacity at Norfolk Harbor will exceed future capabilities by 2011, and the shortfall in container handling capacity will grow in the future. Projected shortages in dredged material disposal capacity and container handling capacity at Norfolk Harbor create the need for increased capacity for dredged material disposal and for expanded container handling facilities. The opportunity posed by existing and expected future conditions is to meet expected future dredged material disposal and container handling needs in a way that generates the greatest benefit to the Nation.

Alternative Plans Considered: Alternatives investigated in detail included two plans: an eastward expansion, the locally preferred plan (LPP), and an eastward expansion with dike strengthening.

Description of Recommended Plan: The Recommended Plan is the LPP, and it consists of constructing a 580-acre eastward expansion to an elevation of +18 mean lower low water (MLLW) to provide additional dredged material capacity and a suitable platform to construct a container handling terminal.

Physical Data on Project Features: The Recommended Plan consists of constructing a 580-acre eastward expansion to an elevation of +18 MLLW to provide additional dredged material capacity and a suitable platform to construct a container handling terminal. Perimeter dikes for the Recommended Plan would be constructed around the area of the new cell to contain dredged material. The western limit of the proposed cell would tie into the existing east dike of the CIDMMA. In addition, the plan includes construction of an access channel to a depth of 50 feet (MLLW) to serve the VPA's container port. In preparation for future port development, the 580-acre area would be divided by a dike into two dredged material receiving areas consisting of 220 and 360 acres. The 220-acre area would be filled with dredged material first, and it would be the area where the VPA would begin port construction. The 360-acre area would begin to receive dredged material after the 220-acre area has been filled. Once the 360-acre area is filled, it would also be turned over to the VPA for port construction. The entire eastward expansion provides an additional 3 years of dredged material capacity. The initial phase of the port terminal on the 220-acre area is projected to be operational by 2017. To expedite construction and minimize problems associated with settlement of the dikes, the dikes would generally be constructed in the following way: (1) pre-dredge to a depth of −60 feet (MLLW) on the dike alignment; (2) dredge suitable sand from the Atlantic and Thimble Shoal channels for construction of the dike; (3) place the dike material in the pre-dredged hole to elevation +18 MLLW; (4) install a cross dike to subdivide the interior into a southern cell of approximately 220 acres and a northern cell of approximately 360 acres; (5) install wick drains to expedite the remaining settlement of the dikes; and (6) install spill boxes in the newly created eastward cell.

Views of States, Non-Federal Interests and Other Countries: The non-Federal sponsor, the Commonwealth of Virginia, acting through the Secretary of Transportation, represented by the Vir-

ginia Port Authority (VPA) is very supportive of the project. In addition, 22 local interest groups and maritime industry representatives were contacted. Seven stakeholder meetings were held and 27 committee and agency meetings or workshops were held. Extensive dialogue and coordination with these interested parties contributed to the development of the recommended plan.

Views of Federal and Regional Agencies: During the Feasibility Study, 29 Federal, state, and local agencies were coordinated with and a consensus mitigation plan was agreed upon. In addition, 22 local interest groups and maritime industry representatives were contacted. Seven stakeholder meetings were held and 27 committee and agency meetings or workshops were held. Extensive dialogue and coordination with these interested parties contributed to the scoping and preparation of the NEPA document, negotiating the consensus mitigation plan, and the development of the recommended plan.

Status of NEPA Document: On March 2, 2001, the USACE published a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) in the Federal Register. A notice of availability of the Draft EIS was published in the Federal Register on September 23, 2005. The Final EIS was published in the Federal Register on June 2, 2006 and has been included as part of the Final Feasibility Report, dated January 2006. These NEPA documents were released as drafts for public review and comment on September 16, 2005 and as final documents for state and agency review on May 18, 2006. There are no unresolved issues in response to comments to the Final EIS.

Estimated Implementation Costs of the Recommended LPP Plan:

Corps of Engineers	$31,229,000
Commonwealth of Virginia	680,874,000
Total	712,103,000

Estimated Effects of the Recommended Plan:

AVERAGE ANNUAL

[Dollars in thousands]

Account	Purposes	Average Annual Equivalent Benefits
National Economic Development	Transportation Cost Savings	$338,819,000
	Dredged Material Disposal	2,530,000
Total		341,349,000

Project economic life: 50 years.
Benefit-Cost Ratio: 4.5 (Current Discount Rate: 4⅞%).
NED plan recommended? No.
NER plan recommended? No.

The Recommended Plan will provide a 580 acre expansion for additional dredged material capacity and construction of a future port terminal. The project will produce $265 million in net benefits from savings in transportation costs and dredged material disposal. Regionally, there will be increases in jobs and wages as well as increases in state and local taxes.

Direct Beneficiaries: The surrounding cities, the Commonwealth of Virginia, and the Nation are the direct beneficiaries of the project.

Relationship to Other Projects: The western limit of the proposed cell would tie into the existing east dike of the CIDMMA. The CIDMMA was originally authorized in 1946 and construction was completed in 1958. Additionally, twenty-five significant navigation projects have been constructed within the Norfolk Harbor, ranging in depth from 6 feet to 50 feet when measured at mean low water (MLW). Construction and maintenance dredging materials from all of these projects are deposited at CIDMMA.

Current Status of Chief of Engineers Report: The Chief of Engineers Report was signed on 24 October 2006.

Section 1002. Small projects for flood damage reduction

Subsection (a) directs the Secretary to study and carry out projects for flood damage reduction under the authority of section 205 of the Flood Control Act of 1948 (which authorizes $50,000,000 a year for Federal participation in small flood damage reduction projects up to $7,000,000 per project, with a minimum 35% non-Federal cost-share) at the following locations:

(1) Haleyville, Alabama.
(2) Weiss Lake, Alabama.
(3) Little Colorado River Levee, Arizona.
(4) Cache River Basin, Grubbs, Arkansas.
(5) Barrel Springs Wash, Palmdale, California.
(6) Borrego Springs, California.
(7) Colton, California.
(8) Dunlap Stream, San Bernardino, California.
(9) Hunts Canyon Wash, Palmdale, California.
(10) Ontario and Chino, California.
(11) Santa Venetia, California.
(12) Whittier, California.
(13) Wildwood Creek, Yucaipa, California.
(14) St. Francisville, Louisiana.
(15) Salem, Massachusetts.
(16) Cass River, Michigan.
(17) Crow River, Rockford, Minnesota.
(18) Marsh Creek, Minnesota.
(19) South Branch of the Wild Rice River, Borup, Minnesota.
(20) Blacksnake Creek, St. Joseph, Missouri.
(21) Acid Brook, New Jersey.
(22) Cannisteo River, Addison, New York.
(23) Cohocton River, Campbell, New York.
(24) Dry and Otter Creeks, New York.
(25) East River, Silver Beach, New York City, New York.
(26) East Valley Creek, Andover, New York.
(27) Sunnyside Brook, Westchester County, New York.
(28) Little Yankee Run, Ohio.
(29) Little Neshaminy Creek, Warrenton, Pennsylvania.
(30) Southampton Creek Watershed, Southampton, Pennsylvania.
(31) Spring Creek, Lower Macungie Township, Pennsylvania.
(32) Yardley Aqueduct, Silver and Brock Creeks, Yardley, Pennsylvania.
(33) Surfside Beach, South Carolina.
(34) Congelosi Ditch, Missouri City, Texas.
(35) Dilley, Texas.

Subsection (b) establishes special rules for the following projects—

(1) Cache River Basin, Grubbs, Arkansas.—The Secretary may carry out the project for flood damage reduction, Cache River Basin, Grubbs, Arkansas under this section notwithstanding any policy limiting use of this authority in areas within the boundaries of a larger flood control project.

(2) Ontario and Chino, California.—The Secretary is directed to carry out the project for flood damage reduction, Ontario and China, California, if feasible, notwithstanding any policy regarding volume of flows.

(3) Santa Venetia, California.—The Secretary is directed to carry out the project for flood damage reduction, Santa Venetia, California, if feasible, notwithstanding any policy regarding volume of flows and is directed to allow the non-Federal interest to increase its participation in the project, if necessary to implement the project.

(4) Whittier, California.—The Secretary is directed to carry out the project for flood damage reduction, Whittier, California, if feasible, notwithstanding any policy regarding volume of flows.

(5) South Branch of the Wild Rice River, Borup, Minnesota.—The Secretary is authorized to consider ecosystem restoration benefits when determining the Federal interest in the project for flood damage reduction, South Branch of the Wild Rice River, Borup, Minnesota, and is directed to allow the non-Federal interest to increase its participation in the project, if necessary to implement the project.

(6) Acid Brook, Pompton Lakes, New Jersey.—The Secretary is directed to carry out the project for flood damage reduction, Acid Brook, New Jersey, if feasible, notwithstanding any policy regarding volume of flows.

(7) Dilley, Texas.—The Secretary is directed to carry out the project for flood damage reduction, Dilley, Texas, if feasible, notwithstanding any policy regarding volume of flows.

Section 1003. Small projects for emergency streambank protection

This section directs the Secretary to study and carry out projects for streambank erosion control under section 14 of the Flood Control Act of 1946 (which authorizes $15,000,000 a year for Federal participation in projects up to $1,000,000 per project, with a 35% non-Federal cost-share) at the following locations:

(1) St. John's Bluff Training Wall, Duval County, Florida.

(2) Ouachita and Black Rivers, Arkansas and Louisiana.

(3) Gulf Intracoastal Waterway, Iberville Parish, Louisiana.

(4) Piney Point Lighthouse, St. Mary's County, Maryland.

(5) Pug Hole Lake, Minnesota.

(6) Middle Fork Grand River, Gentry County, Missouri.

(7) Platte River, Platte City, Missouri.

(8) Rush Creek, Parkville, Missouri.

(9) Dry and Otter Creeks, Cortland County, New York.

(10) Keuka Lake, Hammondsport, New York.

(11) Kowawese Unique Area and Hudson River, New Windsor, New York.

(12) Owega Creek, Tioga County, New York.

(13) Howard Road Outfall, Shelby County, Tennessee.

(14) Mitch Farm Ditch and Lateral D, Shelby County, Tennessee.
(15) Wolf River Tributaries, Shelby County, Tennessee.
(16) Johnson Creek, Arlington, Texas.
(17) Wells River, Newbury, Vermont.

Section 1004. Small projects for navigation

Subsection (a) directs the Secretary to study and carry out projects for navigation, under the authority of section 107 of the River and Harbor Act of 1960 (which authorizes $35,000,000 a year for Federal participation in small navigation projects up to $4,000,000 per project with non-Federal cost-sharing as determined under the Water Resources Development Act of 1986) at the following locations:

(1) Mississippi River Ship Channel, Louisiana.
(2) East Basin, Cape Cod Canal, Sandwich, Massachusetts.
(3) Lynn Harbor, Lynn, Massachusetts.
(4) Merrimack River, Haverhill, Massachusetts.
(5) Oak Bluffs Harbor, Oak Bluffs, Massachusetts.
(6) Woods Hole Great Harbor, Falmouth, Massachusetts.
(7) Au Sable River, Michigan.
(8) Traverse City Harbor, Traverse City, Michigan.
(9) Tower Harbor, Tower, Minnesota.
(10) Olcott Harbor, Olcott, New York.

Subsection (b) establishes special rules for the following projects—

(1) Traverse City Harbor, Traverse City, Michigan.—Directs the Secretary to use a plan developed by the local sponsor to carry out the project if the Secretary determines that the plan meets standards of the Corps of Engineers and to credit the local sponsor for the costs of preparing that plan and for other work, if the Secretary determines that work is integral to the project.

(2) Tower Harbor, Tower, Minnesota.—Directs the Secretary to carry out the project for navigation if feasible.

Section 1005. Small projects for improvement of the quality of the environment

This section directs the Secretary to study and carry out a project for improvement of the environment, under the authority of section 1135 of the Water Resources Development Act of 1986 (which authorizes $25,000,000 a year for Federal participation in projects up to $5,000,000 per project, with a 25% non-Federal cost-share) at the following locations:

(1) Ballona Creek, Los Angeles County, California.
(2) Ballona Lagoon Tide Gates, Marina Del Rey, California.
(3) Ft. George Inlet, Duval County, Florida.
(4) Rathbun Lake, Iowa.
(5) Smithville Lake, Missouri.
(6) Delaware Bay, New Jersey and Delaware.
(7) Tioga-Hammond Lakes, Pennsylvania.

Section 1006. Small projects for aquatic ecosystem restoration

This section directs the Secretary to study and carry out projects for aquatic ecosystem restoration under the authority of section 206 of the Water Resources Development Act of 1996 (which authorizes $25,000,000 a year for Federal participation in small ecosystem

restoration and protection projects up to $5,000,000 per project, with a 35% non-Federal cost-share) at the following locations:

(1) Cypress Creek, Montgomery, Alabama.
(2) Black Lake, Alaska.
(3) Ben Lomond Dam, Santa Cruz, California.
(4) Dockweiler Bluffs, Los Angeles County, California.
(5) Salt River, California.
(6) Santa Rosa Creek, Santa Rosa, California.
(7) Stockton Deep Water Ship Channel and Lower San Joaquin River, California.
(8) Sweetwater Reservoir, San Diego County, California.
(9) Bayou Texar, Pensacola, Florida.
(10) Biscayne Bay, Florida.
(11) Clam Bayou and Dinkins Bayou, Sanibel Island, Florida.
(12) Destin Harbor, Florida.
(13) Chattahoochee Fall Line, Georgia and Alabama.
(14) Longwood Cove, Gainesville, Georgia.
(15) City Park, University Lakes, Louisiana.
(16) Mill Pond, Littleton, Massachusetts.
(17) Pine Tree Brook, Milton, Massachusetts.
(18) Kalamazoo River Watershed, Battle Creek, Michigan.
(19) Rush Lake, Minnesota.
(20) South Fork of the Crow River, Hutchinson, Minnesota.
(21) St. Louis County, Missouri.
(22) Truckee River, Reno, Nevada.
(23) Grover's Mill Pond, New Jersey.
(24) Dugway Creek, Bratenahl, Ohio.
(25) Johnson Creek, Gresham, Oregon.
(26) Beaver Creek, Beaver and Salem, Pennsylvania.
(27) Cementon Dam, Lehigh River, Pennsylvania.
(28) Delaware River, Philadelphia Naval Shipyard, Pennsylvania.
(29) Saucon Creek, Northampton County, Pennsylvania.
(30) Blackstone River, Rhode Island.
(31) Wilson Branch, Cheraw, South Carolina.
(32) White River, Bethel, Vermont.

Section 1007. Small projects for shoreline protection

This section directs the Secretary to study and carry out projects under section 3 of the Act entitled "An Act authorizing the Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946 (which authorizes $30,000,000 a year for Federal participation in small shoreline protection projects, up to $3,000,000 per project, with a 35% non-Federal cost-share) at the following locations:

(1) Nelson Lagoon, Alaska.
(2) Sanibel Island, Florida.
(3) Apra Harbor, Guam.
(4) Piti, Cabras Island, Guam.
(5) Narrows and Gravesend Bay, Upper New York Bay, Brooklyn, New York.
(6) Delaware River, Philadelphia Naval Shipyard, Pennsylvania.
(7) Port Aransas, Texas.

Section 1008. Small projects for snagging and sediment removal

This section directs the Secretary to study and carry out a project under section 2 of the Flood Control Act of August 28, 1937 at Kowawese Unique Area and Hudson River, New Windsor, New York.

TITLE II—GENERAL PROVISIONS

Section 2001. Non-Federal contributions

This section amends section 103 of the Water Resources Development Act of 1986 to prohibit the solicitation of excess contributions from the non-Federal sponsor for water resources development projects. This provision does not affect the ability of non-Federal interest to make additional contributions in order to implement a project as provided in section 903(c) of the Water Resources Development Act of 1986.

Section 2002. Harbor cost sharing

This section amends sections 101 and 214 of the Water Resources Development Act of 1986 by striking "45 feet" each place it appears and inserting "53 feet" and provides that such amendments shall only apply to the project, or separable element thereof, on which a contract for physical construction has not been awarded before October 1, 2003.

Section 2003. Funding to process permits

This section amends section 214 of the Water Resources Development Act of 2000, as amended, to extend the authorization of the program to 2010.

Section 2004. National Shoreline Erosion Control Development and Demonstration Program

This section amends section 5 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property" of August 13, 1946, to extend the program to 10 years and to continue the planning, design, and construction phase to 6 years, provide for cost-sharing, allow removal of some projects, and to increase the authorization level from $25,000,000 to $31,000,000.

Section 2005. Small shore and beach restoration and protection projects

This section amends section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property" of August 13, 1946, to increase the maximum Federal participation in each project from $3,000,000 to $5,000,000.

Section 2006. Aquatic ecosystem restoration

This section amends section 206 of the Water Resources Development Act of 1996 to increase the annual authorization of appropriations for Federal participation in aquatic ecosystem restoration projects from $25,000,000 to $40,000,000.

Section 2007. Small flood damage reduction projects

This section amends section 205 of the Flood Control Act of 1948 to increase the annual authorization of appropriations for Federal participation in small flood damage reduction projects from $50,000,000 to $60,000,000.

Section 2008. Modification of projects for improvement of the quality of the environment

This section amends section 1135 of the Water Resources Development Act of 1986 to increase the annual authorization of appropriations for Federal participation in modification of Corps of Engineers' projects for improvement of the quality of the environment from $25,000,000 to $30,000,000.

Section 2009. Written agreement for water resources projects

This section amends section 221 of the Flood Control Act of 1970 and section 912 of the Water Resources Development Act of 1986 to incorporate several changes into the statutory requirements for non-Federal interests to enter into written agreements with the Federal government for carrying out projects.

Credit for in-kind contributions and work performed before a partnership agreement

Subsection 2009(a) amends section 221(a) of the Flood Control Act of 1970 to explicitly authorize the Secretary to enter into a written agreement with the non-Federal interest to credit certain costs and in-kind contributions against the non-Federal share of cost of the project.

The Committee has received numerous requests for project-specific credit during the development of this Act. While requests for credit typically have received favorable consideration in this legislation and prior water resources legislation, the Committee has concluded that a general provision allowing credit under specified conditions would minimize the need for future project-specific provisions and, at the same time, assure consistency in considering future proposals for credit.

First, new paragraph 221(a)(4) directs the Secretary to credit toward the non-Federal share of the cost of the project, including a project implemented without specific authorization in law, such as Corps' continuing authority programs, the value of in-kind contributions made by the non-Federal interest, provided the Secretary determines that the property or service is integral to the project. Under this paragraph, the Secretary is authorized to provide credit for contributions towards: the cost of planning, design, management, mitigation, construction, and construction services provided by the non-Federal interest for implementation of the project; the value of materials or services provided before the execution of the project cooperation agreement (later renamed "partnership agreement"); and the value of materials and services provided after execution of the agreement.

Second, new subparagraph 221(a)(4)(C) authorizes the Secretary to enter into a separate written agreement the non-Federal interest to credit the cost of work, including the value of materials and services, carried out by the non-Federal interest before the date of enactment of this Act, and before the execution of the "partnership

agreement", provided that such work is specifically referenced in the separate agreement.

Finally, new subparagraph 221(a)(4)(D) limits the scope of credit authorized by this paragraph. First, the credit amount cannot exceed the non-Federal share of project costs. Second, allowing credit does not obviate the normal requirement that the non-Federal interest provides necessary lands, easements, rights-of-way and dredged material disposal area. Finally, the value of the credited amount cannot exceed the Secretary's determination of actual and reasonable costs of materials or in-kind services that are provided by the non-Federal interest.

Nonprofit entities as non-Federal interest

Subsection 2009(b) amends section 221(b) of the Flood Control Act of 1970 to make nonprofit entities eligible to serve as the non-Federal interest on projects with the consent of the local government provided that the nonprofit entity meets the remaining requirements of section 221(b).

Delegation of authority

Subsection 2009(c) amends section 221 of the Flood Control Act of 1970 to require the Secretary to delegate authority to District Engineers to enter into certain partnership agreements. The purpose of the amendments made by this subsection is to encourage increased efficiency of Corps project implementation.

Under new subsection 221(e), the Assistant Secretary of the Army (Civil Works) is directed to develop policies and guidelines to govern the content of partnership agreements to comply with law and policy, and to delegate to District Engineers, the authority: to approve certain policies contained in partnership agreements; to approve partnership agreements that comply with the policies and guidelines of the Secretary; and to sign partnership agreements for water resources projects unless notified by the Secretary (within 30 days) that the Secretary intends to retain the prerogative to sign the agreement.

Under this new subsection, not all partnership agreements would require Washington level reviews, and Divisions and Districts are encouraged to accomplish as much review and approval, as possible. However, agreements that address novel or particularly complicated issues should continue to be reviewed by Corps Headquarters.

New subsection 221(f) requires the Secretary to report to Congress annually on the number of agreements signed by District Engineers and by the Secretary. For agreements signed by the Secretary, the Secretary must provide an explanation of why delegation to the District Engineer was not appropriate.

New subsection 221(g) requires the Chief of Engineers to ensure that partnership agreements are made publicly available, including on the Internet.

Local cooperation and partnership agreements

Subsection 2009(d) amends section 912(b) of the Water Resources Development Act of 1986 to eliminate the authority of the Secretary to collect civil penalties, and, instead, allow the Secretary to recover simple damages, for costs incurred by the Secretary from

the failure of a non-Federal interest to comply with the terms of a partnership agreement.

Subsection 2009(f) renames existing "project cooperation agreements" as "partnership agreements" to encourage partnership between the Corps of Engineers and non-Federal project sponsors.

Section 2010. Assistance for remediation, restoration, and reuse

This section authorizes the Secretary to provide assessment, planning, and design assistance to State and local governments for remediation, environmental restoration, and reuse of areas that will contribute to improvement in water quality or to conservation of water and related resources. The non-Federal share of projects carries out under this authority is 50 percent. This section authorizes appropriations of $30,000,000 annually for fiscal years 2008–2012.

Under the authority provided by this section, the Secretary may provide assistance to the city of St. Louis, Missouri, to help remove abandoned buildings and prepare property for future use, may provide assistance to the Port of Bellingham, Washington, to provide assistance to the Bellingham "Portsfield" project, and may provide assistance of Worcester, Massachusetts, to revitalize the Blackstone Canal.

Section 2011. Compilation of laws

This section directs the Secretary to produce a compilation of water resources development laws enacted after November 8, 1966, and before January 1, 2008, to reprint compilation volumes containing laws prior to November 8, 1966, and to make all compilations available through electronic means, including the Internet. The Committee included similar language in the Water Resources Development Act of 1986, which the Secretary has not implemented. The Committee strongly supports public availability and consolidation of laws related to water resources development, and expects the Secretary to promptly comply with this section using existing, internal resources.

Section 2012. Dredged material disposal

This section amends section 217 of the Water Resources Development Act of 1996 to ensure that the Secretary has the authority to address dredged material disposal on a regional, as well as a project-by-project basis, and may combine funding from separate projects to address dredged material disposal.

Section 2013. Wetlands mitigation

This section directs the Secretary, to the maximum extent practicable and where appropriate, to first consider the use of wetlands mitigation banks, when carrying out wetlands mitigation for a water resources project, provided that the mitigation bank is within the same watershed as the water resource project requiring mitigation, and that the mitigation bank meets certain criteria. The Committee has amended the language in this section from an earlier version of this language in the prior Congress to express the intent of the Committee that mitigation projects be carried out in the same watershed as the proposed activity that necessitates a mitigation project.

Nothing in this section affects the responsibility of the Corps of Engineers to apply the regulatory guidelines developed under section 404(b)(1) of the Federal Water Pollution Control Act (40 CFR Part 230) related to mitigation sequencing.

Section 2014. Mitigation for fish and wildlife losses

Section 2014 amends section 906(d) of the Water Resources Development Act of 1986 to specify the elements that must be identified in a mitigation plan required under that section. The specific mitigation plan must include a description of the physical action to be undertaken. The plan also must include a description of the lands or interests in lands to be acquired for mitigation, and the basis for a determination that such lands are available. This description is not intended to be a description of the specific property interests. The Committee expects the mitigation plan to identify the quantity and type of lands needed, and include a determination that lands of such quantity and type are available for acquisition. The plan also must include the type, amount, and characteristics of the habitat to be restored. The plan must include success criteria based on replacement of lost functions and values of the habitat, including hydrologic and vegetative characteristics. Finally, if monitoring is necessary to determination success of the mitigation, the plan must include a plan for monitoring and to the extent practicable, identification of the entities responsible for monitoring. As monitoring is part of operation and maintenance of a project, in most cases the entity responsible for any monitoring will be the non-Federal sponsor. If such person is not identifiable at the time the mitigation plan is prepared under this section, such person must be identified in the partnership agreement entered into with the non-Federal interest.

The Committee supports more specificity in Corps reporting documents concerning expected mitigation efforts. Such increased specificity will better inform the Congress, the non-Federal sponsor, and the public as to planned mitigation efforts and the likely success of these efforts. This section also directs the Secretary to submit to Congress a report on the status of mitigation concurrent with the submission of reports on the status of project construction, as part of the President's budget submission.

Section 2015. Remote and subsistence harbors

This section allows the Secretary to recommend a project for harbor and navigation improvements without the need to demonstrate that the project is justified solely by national economic development benefits if: (1) the community served by the project is at least 70 miles from the nearest surface accessible commercial port with no direct rail or highway link to another serviceable community, or is located in the Commonwealth of Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands, the United States Virgin Islands, or American Samoa; (2) the harbor is economically critical such that over 80 percent of the goods transported would be consumed within the community served by the harbor and navigation improvement; and (3) the long term viability of the community is dependent on the harbor, including access to resources and facilities designed to protect public health and safety.

Section 2016. Beneficial uses of dredged material

This section amends section 204 of the Water Resources Development Act of 1992 to allow cost-sharing of the use of dredged material at any water resources project (not just aquatic ecosystem restoration projects), to allow non-profit entities to serve as the non-Federal interest for a project under specified conditions, to increase the authorization of appropriations to $30,000,000 annually, and to allow the Secretary to develop regional sediment management plans at Federal expense.

New subsection 204(e) allows the Secretary to use this dredged material to carry out, at Federal expense, aquatic ecosystem restoration projects located in a disadvantaged community if the project cost is not greater than $750,000; however under new subsection 204(i), such projects may not to exceed a total of $3,000,000 in any fiscal year.

Section 2016(c) directs the Secretary to give priority to beneficial use projects in the vicinity of Little Rock Slackwater Harbor, Arkansas; Egmont Key, Florida; Calcasieu Ship Channel, Louisiana; Smith Point Park Pavilion TWA Flight 800 Memorial, Brookhaven, New York; Morehead City, North Carolina; and, Galveston Bay, Texas.

Section 2017. Cost sharing provisions for certain areas

This section amends section 1156 of the Water Resources Development Act of 1986 to increase from $250,000 to $500,000 the exemption from cost-sharing for the initial costs of studies and projects: (1) in the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, United States Virgin Islands; (2) on Indian country (as defined by 18 U.S.C. 1156); and (3) on land in the State of Alaska conveyed to an Alaska Native Village Corporation under the Alaskan Native Claims Settlement Act.

Section 2018. Use of other Federal funds

This section authorizes a non-Federal interest to use, and the Secretary to accept, funds provided by another Federal agency under any other Federal program, to satisfy any portion of the non-Federal share of the cost of a water resources study or project if such funds are authorized to be used to carry out the study or project.

Section 2019. Revision of project partnership agreement

This section directs the Secretary to revise a partnership agreement for a water resources project to take into account the change in Federal participation in the project, when Congress increases the authorization ceiling for such project.

Section 2020. Cost sharing

This section provides that in any case in which Congress increases the maximum amount of Federal funds that may be allocated for a project or increases the total cost of a project, such increase shall not affect any cost-sharing requirement applicable to the project.

Section 2021. Expedited actions for emergency flood damage reduction

This section directs the Secretary to expedite planning, design, and construction of a project for flood damage reduction for an area that, within the preceding 5 years, has been subject to flooding that resulted in the loss of life and caused damage sufficient to warrant a declaration of a major disaster by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Section 2022. Watershed and river basin assessments

This section amends section 729(f)(1) of the Water Resources Development Act of 1986 to provide a 75 percent Federal share for watershed and river basin assessments carried out under that section to encourage States and local governments to engage in regional planning.

Paragraph 2022(a)(1) adds the following projects to the list of priority watershed and river basin assessments under section 729(d): Tuscarawas River Basin, Ohio; Sauk River Basin, Snohomish and Skagit Counties, Washington; Niagara River Basin, New York; Genesee River Basin, New York; and White River Basin, Arkansas and Missouri.

Section 2023. Tribal partnership program

This section amends section 203 of the Water Resources Development Act of 2000 to make Oklahoma tribes eligible for assistance under the Tribal Partnership Program and to extend the program through 2012.

Section 2024. Wildfire firefighting

This section adds the Secretary to the existing list of Federal agencies authorized to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the pre-suppression, detection, and suppression of fires on any units within their jurisdiction.

Section 2025. Technical assistance

Section 2025 amends section 22 of the Water Resources Development Act of 1974, which authorizes planning assistance to States, to authorize the Secretary, upon request of a governmental agency or non-Federal interest, to provide up to $5 million in technical assistance for managing water resources, at Federal expense. This assistance may include the provision or integration of hydrologic, economic and environmental data and analyses. This authority will allow the Corps of Engineers to participate with State and local governments in watershed planning. Of the amount authorized, $2 million may be used by the Secretary to enter into cooperative agreements with nonprofit entities to provide assistance to rural and small communities.

Section 2025 also increases the amount of State planning assistance that may be provided annually, under section 22, to a single State from $500,000 to $1 million, and requires the Secretary to provide the Committee with an annual report describing the activities proposed to be funded in each State under the existing section 22 authority.

Section 2026. Lakes program

This section adds the following lakes to the list of lakes at which the Secretary is authorized to carry out programs for the removal of silt and other material under Section 602 of the Water Resources Development Act of 1986.

(1) Kinkaid Lake, Jackson County, Illinois.
(2) McCarter Pond, Borough of Fairhaven, New Jersey.
(3) Rogers Pond, Franklin Township, New Jersey.
(4) Greenwood Lake, New York and New Jersey.
(5) Lake Rogers, Creedmoor, North Carolina.
(6) Lake Luxembourg, Pennsylvania.

Section 2027. Coordination and scheduling of Federal, State, and local actions

Section 2027 authorizes the Secretary to assist in the coordination and scheduling of all agency environmental assessments, project review, and issuance of permits for the construction of non-Federal water supply, wastewater infrastructure, flood damage and storm damage reduction, ecosystem restoration, and navigation projects that require the approval of the Secretary, if requested by the non-Federal interest. Under subsection (g), any costs incurred by the Secretary for establishing or carrying out a coordination schedule under section 2027 shall be paid by the non-Federal interest.

Under section 2027, if the Secretary is responsible for reviewing and issuing an approval for a non-Federal project, the Secretary may provide a coordinating role to facilitate other necessary reviews and approvals. This provision is based on the Corps' existing authority under section 205 of the Water Resources Development Act of 1986 to coordinate Federal, State, and local reviews for non-Federal navigation projects.

Section 2028. Project streamlining

Section 2028 authorizes the Secretary to develop and implement a coordinated review process for the development of water resources projects. The coordinate review process established by the Secretary is intended to ensure that all reviews, analyses, opinions, permits, licenses, and approvals are, to the maximum extent practicable, conducted concurrently and completed within a period of time established by the Secretary, in cooperation with the agencies participating in the coordinated environmental review process. Participation by non-Federal agencies is voluntary. If deadlines are not met, this section requires the Secretary to notify the Committee, as well as the Committee on Environment and Public Works of the Senate, the Council on Environmental Quality, and the agency, Indian tribe, or non-Federal interest involved about the failure to meet the deadline established by the Secretary. This section also requires that a participating agency, Indian tribe, or non-Federal interest that misses the deadline established by the Secretary prepare a report explaining the reasons for the missing the deadline and what actions will be taken to complete or issue the required review, analysis, or opinion, or determination for issuing a permit, license, or approval. This report is to be submitted to the Secretary, the Committee, the Committee on Environment and Public Works of the Senate, and the Council on Environmental Quality.

Under the National Environmental Policy Act of 1969 (NEPA), the Corps of Engineers is the lead Federal agency for the water resources projects that it carries out. As such, the Corps of Engineers is responsible for defining the purpose and need for the proposed water resources project and for determining which alternatives for carrying out the project are reasonable and may be reasonably anticipated to meet project purposes and needs. As the lead Federal agency, the Corps of Engineers also has authority under the NEPA regulations issued by the Council on Environmental Quality to bring other Federal agencies with jurisdiction over the project into the project development process early, and to resolve issues and disputes in a timely fashion. The authority under section 2028 to develop a coordinated review process for water resources projects is to be carried out consistent with these NEPA authorities. Section 2028(j) specifically states that nothing in this section preempts or interferes with any obligation of the Corps of Engineers to comply with NEPA or the CEQ regulations implementing NEPA, or any other statutory requirement or practice for seeking public comment, or any other power, jurisdiction, or authority with respect to carrying out a water resources project.

Section 2029. Cooperative agreements

Section 2029 authorizes the Secretary to enter into cooperative agreements with nonprofit organizations with expertise in wetlands restoration to carry out such activities at authorized projects, limited to $1 million per project and $5 million per fiscal year.

Section 2030. Training funds

Section 2030 authorizes the Secretary to allow persons not employed by the Department of the Army to participate in training courses offered by the Corps of Engineers on a reimbursable basis.

Section 2031. Access to water resource data

Section 2031 directs the Secretary to improve public access to water resources and related water quality data in the custody of the Corps and authorizes $5 million a year to carry out the program.

Section 2032. Shore protection projects

Section 2032 establishes a policy of the United States to promote beach nourishment for the purposes of flood damage reduction and hurricane and storm damage reduction and directs the Secretary to give preference for shore protection projects where there has already been Federal investment in flood damage and hurricane and storm damage reduction projects or a need for prevention or mitigation of impacts to shores and beaches from Federal navigation projects or other Federal activities.

Section 2033. Ability to pay

Section 2033(a) amends section 103(m)(2) of the Water Resources Development Act of 1986 to direct the Secretary to issue, by September 30, 2007, updated criteria for reducing the non-Federal share of a project cost based on the inability of the non-Federal interest to pay.

The Committee notes that section 202 of the Water Resources Development Act of 1996 changed the non-Federal share of the cost of flood damage reduction projects from 25 percent to 35 percent. Section 202 of the Water Resources Development Act of 1996 also directed the Secretary to revise, within one year, the criteria for reducing a non-Federal cost share based on an inability to pay in order to address the potential adverse effects on disadvantaged communities. The statement of managers accompanying the Conference Report for the Water Resources Development Act of 1996 stated, "It is essential that prudent, yet meaningful ability-to-pay procedures be implemented. This is especially important in light of the increase in the non-Federal share of project costs for future project authorizations that is provided for in section 202." In the ten years that have passed, and the Secretary still has not met this obligation. The Committee is now providing until September 20, 2007, to issue new criteria.

Section 2033(b) directs the Secretary to apply updated ability-to-pay criteria to the following projects:

(1) St. Johns Bayou and New Madrid Floodway, Missouri.

(2) Lower Rio Grande Basin, Texas.

(3) West Virginia and Pennsylvania flood control projects under section 581 of the Water Resources Development Act of 1996.

Section 2034. Leasing authority

Section 2034 amends Section 4 of the Flood Control Act of 1944 to add federally recognized Indian tribes to the list of entities afforded priority by the Corps of Engineers when leasing Corps property.

Section 2035. Cost estimates

Section 2035 clarifies that estimates of Federal and non-Federal costs of projects authorized to be carried out by the Secretary before, on, or after the date of enactment of this Act are informational only and do not affect cost sharing responsibilities established by law.

The Committee is concerned that the offices of the Secretary and the Chief of Engineers have been misinterpreting the effect of legislation stating the estimated Federal and non-Federal costs of authorized projects. For certain projects, the Committee is informed that the Administration interprets that information as affecting the cost sharing requirements associated with the specific project. That interpretation is not correct.

The Federal and non-Federal responsibilities for cost sharing for Corps of Engineers projects are as stated in sections 101, 102, and 103 of the Water Resources Development Act of 1986, including amendments to that Act, unless expressly superseded by law for a specific project. In authorizing a Corps of Engineers project, the Congress includes a total cost that both serves as an authorization of appropriations and provides a maximum project cost to which section 902 of the Water Resources Development Act of 1986 applies. The listing of the estimated Federal and non-Federal costs are for informational purposes only, have no substantive effect, and should never be interpreted as affecting the cost-sharing requirements applicable to the project based on project purposes.

In the Statement of Managers accompanying the conference report for the Water Resources Development Act of 1986, the managers stated that the "cost figures have been updated to reflect the most current information available." The managers also acknowledged that because the stated estimate of Federal costs includes cost to be repaid over time, "[i]n many cases, the actual Federal share of costs may be somewhat lower than the share reflected in the costs shown in the bill." The only cost number that has substantive effect is the total cost, and that number has substantive effect because of the application of section 902, Maximum Cost of Projects.

Interpreting the stated estimates of the Federal and non-Federal share as having a substantive effect on the cost-sharing requirements of law would be inconsistent with the fixed requirements established in the 1986 Act and its subsequent amendments.

Section 2036. Project planning

Paragraph 2036(a)(1) states the sense of Congress that, consistent with the Economic and Environmental Principles and Guidelines for Water Related Land Resources Implementation Studies (1983), and subsequent Executive regulations and communications, the Secretary may select a water resources project alternative that does not maximize net national economic development benefits or, for ecosystem restoration projects, does not maximize national ecosystem restoration benefits, if there is an overriding reason for selecting another plan based on other Federal, State, local, and international concerns.

Consistent with the sense of Congress, paragraph 2036(a)(2) codifies an example of an "overriding reason" for selecting an alternative other than the national economic development plan for economic projects (flood control, navigation, and hurricane and storm damage reduction). This objective is consistent with the Economic and Environmental Principles and Guidelines for Water Related Land Resources Implementation Studies (1983).

Consistent with the sense of Congress, paragraph 2036(a)(3) codifies an example of an "overriding reason" for selecting an alternative other than which maximizes ecosystem restoration benefits for ecosystem restoration projects, provided that such alternative is shown to be cost-effective and justified incrementally. This objective is consistent with existing Corps policy for identifying a National Ecosystem Restoration (NER) plan. (Planning Guidance Notebook, ER 1105–0–100). This paragraph does not change existing law under which the costs of ecosystem restoration projects are deemed to be equal to the benefits.

Subsection 2036(b) authorizes the Secretary to study and identify additional benefits when formulating a water resources project beyond the primary project purpose, provided that the scope of the study is consistent with the study authorization. In addition, the Secretary is authorized to pursue such additional benefits only after obtaining the participation of a non-Federal interest both for the expanded study, as well as any construction, if a separable project or project element is subsequently authorized. The Secretary may not require a non-Federal interest to participate as a cost-sharing partner in the study or construction of a separable

project or project element as a condition of participation in a water resources project.

Subsection 2036(c) directs the Secretary to calculate residual flood risks and upstream or downstream impacts when studying a project for flood damage reduction, and requires equitable treatment in the evaluation of structural and nonstructural alternatives.

Section 2037. Independent peer review

Over the last three Congresses, the Committee has received testimony and additional views of interested parties on the application of peer review to Corps of Engineers studies and projects. There have been many calls for independent peer review as a means of ensuring that Federal agency decision-making is based on current scientific knowledge and economic principles. These recommendations have been developed by agencies themselves, by scientific organizations such as the National Academy of Sciences, and by interest groups. In addition, the Office of Management and Budget and the Corps of Engineers, itself, have placed an increased emphasis on peer review.

On March 5, 2003, the Subcommittee on Water Resources and Environment held a hearing on "Independent Peer Review of Products that Support Agency Decision-Making." The Subcommittee received testimony from the U.S. Environmental Protection Agency, the Department of the Interior, the U.S. Army Corps of Engineers, a representative of the National Research Council, and representatives of interested stakeholders, waterways users, environmental advocacy organizations, and a consulting group that conducts peer reviews. This testimony disclosed that Federal agencies conduct peer reviews in different ways and view it as a useful tool appropriate for some, but not all circumstances.

As a result, the Committee has considered and recommends codifying a process for peer review of Corps studies that will apply to certain studies that are initiated within 4 years after the date of enactment of this section, as well as certain ongoing studies that are early in the study process. After four and a half years, the Chief of Engineers must submit a report to Congress on the experience with peer reviews under this section. This report will allow the Committee to evaluate the implications of peer review based on actual information and experience and to make a determination if additional legislative action should be taken.

Under the peer review process established under this section, the Chief of Engineers must subject a project study to peer review if the project has an estimated total cost of more than $50 million, at the time of the completion of the reconnaissance study, or if the Governor of a State that would be affected by a project requests a peer review for the project. If a $50 million cost threshold had been enacted during the study process for the projects authorized in this Act, 26 of the 51 Reports of the Chief of Engineers authorized in this bill would have been subject to independent review.

Section 2037 authorizes the Chief of Engineers to exempt certain studies from review. Specifically, the Chief of Engineers may exclude a study from review if the Chief determines that the study is for a project that is not controversial; has no more than negligible adverse impacts on scarce or unique cultural, historic, or

tribal resources; has no substantial adverse impacts on fish and wildlife species and their habitat prior to implementation of mitigation measures; and has, before implementation of mitigation measures, no more than a negligible adverse impact on a species listed as endangered or threatened species under the Endangered Species Act of 1973, or the critical habitat of such species. In addition, all studies for projects pursued under the Corps' continuing authorities may be excluded from peer review.

However, under this section, the Chief of Engineers retains the discretion to subject any study to independent peer review that the Chief determines is controversial. In addition, if the head of a Federal or State agency determines that the project is likely to have a significant adverse impact on environmental, cultural, or other resources within the jurisdiction of the agency after the implementation of mitigation, he or she may request that a project study be subject to peer review by an independent panel. A decision by the Chief of Engineers whether to agree to a request to peer review a study may be appealed to the Secretary of the Army.

Section 2037 gives the Chief of Engineers substantial discretion regarding when during the course of a study a peer review should take place. The Chief may initiate the peer review at any time following completion of the reconnaissance study for the project. The Committee encourages that a peer review under this section be a review of the models and methods to be used to evaluate project alternatives, rather than a review of a completed analysis. If problems are discovered at this early stage of the study, they should be corrected before significant time and resources are expended using flawed models or methods to analyze project alternatives.

Generally, a review should take no longer than 180 days and not exceed $500,000; however, the Chief of Engineers is given the discretion to allow a longer period of time for the review and to waive the cost limitation. If a study is subject to review, and no review has yet taken place when one of the following milestones is reached, the Chief must consider whether to initiate the peer review at that time: (1) when the Corps identifies the conditions that will occur if the project is not built (the without project conditions), (2) when the array of alternatives to be considered is identified, and (3) when the preferred alternative is identified. In all cases, a peer review under this section must be completed no later than 90 days after the date a draft study is made available for public review.

Section 2037 provides that a peer review panel be established by the National Academy of Sciences, a similar independent scientific technical advisory organization, or a non-profit organization that is free from conflicts of interest and has experience in establishing and administering peer review panels, pursuant to a contract with the Chief of Engineers. The members of the panels must be independent, free from conflict of interest, and must represent a balance of expertise suitable for the review being conducted.

A panel shall review a study for technical and scientific sufficiency and, consistent with the scope of the referral for review and the stage of the study at which the review takes place, shall assess the adequacy and acceptability of the economic and environmental methods, models, and analyses used in the study. The panel must provide timely written and oral comments, as requested, and must

submit a report to the Chief of Engineers at the conclusion of the peer review. The Chief of Engineers must respond to the peer review report and both the report and the Chief's response for any recommendations of the panel, adopted or not adopted, must be made available to the public and transmitted to Congress.

With this section, the Committee intends to provide the Chief of Engineers with a tool that will improve the Corps' planning process and result in a greater number of successful water resources projects. The Committee does not intend peer review to be used as a tool to delay or halt projects.

Section 2038. Studies and reports for water resources projects

Section 2038 amends section 905 of the Water Resources Development Act of 1986 to clarify the type of reports required for projects that must be submitted to Congress for authorization and projects that are not submitted to Congress for authorization, and the cost sharing associated with such reports.

Section 2039. Offshore oil and gas fabrication port

Section 2039 directs the Secretary, when determining the feasibility of the project for navigation at Atchafalaya River, Bayous Chene, Boeuf, and Black, Louisiana, to consider all economic benefits associated with contracts for new energy exploration and energy infrastructure fabrication that would result from the project to be national economic development benefits. This section also repeals section 6009 of Public Law 109–13, which attempts to address this project-specific issue through a broad change in national policy for the development of navigation projects.

The Committee is aware that the Corps is currently utilizing the standard set forth in section 6009 of Public Law 109–13 in the formulation of the project study for the Atchafalaya River, Bayous Chene, Boeuf, and Black, Louisiana, and has utilized the same standard in recommending the project for navigation, Port of Iberia, Louisiana, authorized by section 1001 of this Act.

The Committee does not intend section 2039 to apply a different standard for the Atchafalaya River project study. This amendment is intended to repeal the general change to the policy for calculating navigation benefits and to instead specify the test for economic justification for an ongoing study that utilizes the standard established by section 6009. The Committee notes that under section 6009 of Public Law 109–13, the same energy contracts that were considered in the study for the Port of Iberia could be used to justify a Federal interest in competing oil and gas fabrication ports, because under section 6009, merely shifting economic benefits from one port to another is defined as national economic development benefits.

Section 2040. Use of firms employing local residents

Section 2040 authorizes the Secretary to enter into a contract or agreement with a private entity to carry out the construction of a water resources project only if the entity provides sufficient assurances to the Secretary that, to the maximum extent practicable, local residents in the area of the project will comprise not less than 50 percent of the workforce employed to perform the contract or agreement, and local residents in the area of the project will com-

prise not less than 50 percent of the workforce employed by each subcontractor in connection with the contract or agreement. This section provides limited exceptions where the Secretary may waive this requirement, and provides that this section will become effective 180 days after the date of enactment of this Act.

TITLE III—PROJECT-RELATED PROVISIONS

Section 3001. Cook Inlet, Alaska

This section modifies the authorization for transitional dredging at the Anchorage Harbor project, Cook Inlet, Alaska, to provide that such dredging shall be included as part of operation and maintenance of the project.

Section 3002. King Cove Harbor, Alaska

This section provides that the maximum Federal expenditure for the King Cove Harbor navigation project shall be $8,000,000.

Section 3003. Sitka, Alaska

This section modifies the Thompson Harbor, Sitka, Alaska, element of the project for navigation, Southeast Alaska Harbors of Refuge, to direct the Secretary to correct design deficiencies at a total Federal cost of $6,300,000.

Section 3004. Tatilek, Alaska

This section provides that the maximum Federal expenditure for the Tatilek navigation project shall be $10,000,000.

Section 3005. Rio De Flag, Flagstaff, Arizona

This section modifies the project for flood damage reduction, Rio De Flag, Flagstaff, Arizona, to authorize the Secretary to carry out the project at a total cost of $54,100,000.

Section 3006. Osceola Harbor, Arkansas

This section modifies the project for navigation, Osceola Harbor, Arkansas, to allow non-federal participants to construct a mooring facility within the confines of the navigation project. The Secretary is to maintain the general navigation features of the project at a bottom width of 250 feet.

Section 3007. Pine Mountain Dam, Arkansas

This section modifies the project for flood control, Lee Creek, Arkansas and Oklahoma, to add environmental restoration as a project purpose and to direct the Secretary to finance the non-Federal share of the cost over a 30-year period in accordance with section 103(k) of the Water Resources Development Act of 1986.

Section 3008. American and Sacramento Rivers, California

This section modifies the project for flood control, American and Sacramento Rivers, California (Folsom Dam), to authorize the Secretary to construct the auxiliary spillway generally in accordance with the Post Authorization Change Report, American River Watershed Project (Folsom Dam Modification and Folsom Dam Raise Projects), dated December 2006, at a total cost of $683,000,000. This section provides that nothing in this section shall be construed

to limit the authority of the Secretary of the Interior, acting through the Bureau of Reclamations, to carry out dam safety activities in connection with the auxiliary spillway. This section authorizes the Secretary and the Secretary of the Interior to transfer funds between the Corps and the Bureau for the purpose of planning, design, and construction of the auxiliary spillway.

Section 3009. Compton Creek, California

This section modifies the project for flood control, Los Angeles Drainage Areas, California, to add environmental restoration and recreation as project purposes.

Section 3010. Grayson Creek/Murderer's Creek, California

This section modifies the project for aquatic ecosystem restoration, Grayson Creek/Murderer's Creek, California, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest before the project cooperation agreement is signed, if an integral part of the project. Also allows the Secretary to consider national ecosystem restoration benefits when determining whether the project is justified.

Section 3011. Hamilton Airfield, California

This section modifies the project for environmental restoration, Hamilton Airfield, California, to include Bel Marin Keys, Unit V in accordance with the Report of the Chief of Engineers dated July 19, 2004. As modified, the total cost of the project is now $228,100,000. Implementation of Bel Marin Keys, Unit V, will produce 526 average annual habitat units, bringing the total for both project components to 866 average annual habitat units. The modified project also will provide annual economic benefits of $568,000 for recreation use and will provide disposal capacity for 24.4 million cubic yards of dredged material. The estimated total average annual cost of the new, expanded, project is $15,335,000, applying a discount rate of 5.375, over a 50-year project life.

Section 3012. John F. Baldwin Ship Channel and Stockton Ship Channel, California

This section modifies the project for navigation, John F. Baldwin Ship Channel and Stockton Ship Channel, California, to allow the non-Federal share of the cost of the project to be provided in the form of in-kind services and to direct the Secretary to provide credit for the cost of planning and design work performed by the non-Federal interest, if an integral part of the project.

Section 3013. Kaweah River, California

This section modifies the project for flood control, Terminus Dam, Kaweah River, California, to direct the Secretary to provide credit for or reimbursement of the non-Federal share of the cost of the project, not to exceed $800,000, for costs of work performed by the non-Federal interests on or after the date of the project partnership agreement if the Secretary determines the work to be integral to the project.

Section 3014. Larkspur Ferry Channel, Larkspur, California

This section modifies the project for navigation, Larkspur Ferry Channel, California, directing the Secretary to prepare a reevaluation report to determine whether maintenance of the project is justified, and carry out such maintenance, if justified.

Section 3015. Llagas Creek, California

This section modifies the project for flood damage reduction, Llagas Creek, California, to authorize the Secretary to carry out a project at a total cost of $105,000.00, and authorizes the non-Federal interest to participate in financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986, to the extent necessary to implement the project.

Section 3016. Magpie Creek, California

This section modifies the project for flood control, Magpie Creek, California, to direct the Secretary to apply the cost-sharing applicable to non-structural projects, in accordance with section 103(b) of the Water Resources Development Act of 1986, to the non-structural portion of the project. This section also directs the Secretary to credit toward the non-Federal share of the cost of the project the cost of the planning and design work carried out by the non-Federal interest before the project partnership agreement if the Secretary determines the work to be integral to the project.

Section 3017. Pacific Flyway Center, Sacramento, California

This section modifies the project for aquatic ecosystem restoration, Pacific Flyway Center, Sacramento, California, to authorize the Secretary to expend $2,000,000 to enhance public access to the project.

Section 3018. Pinole Creek, California

This section modifies the project for improvement of the quality of the environment, Pinole Creek Phase I, California, to direct the Secretary to provide credit for work performed by the non-Federal interests, if an integral part of the project.

Section 3019. Prado Dam, California

This section ensures that the agreement between the Corps of Engineers and the Orange County Water District, which requires the District to pay specific costs associated with operating and maintaining Prado Dam for seasonal water conservation, shall remain in effect after reconfiguration of the Dam for volumes of water up to the maximum amount provided for water conservation prior to the reconfiguration of the Dam.

Section 3020. Sacramento and American Rivers Flood Control, California

This section directs the Secretary to determine the amount paid by the Sacramento Area Flood Control Agency (SAFCA) towards the Federal share of the Natomas levee flood damage reduction project, and to credit those excess payments against the non-Federal share of authorized flood damage reduction projects for which SAFCA is the non-Federal interest.

Section 3021. Sacramento Deep Water Ship Channel, California

This section modifies the project for navigation, Sacramento Deep Water Ship Channel, California, to direct the Secretary to provide credit for work performed by the non-Federal interests before the date of the partnership agreement, if an integral part of the project.

Section 3022. Santa Cruz Harbor, California

This section modifies the project for navigation, Santa Cruz Harbor, California, to direct the Secretary to renegotiate the memorandum of agreement with the non-federal interest to increase the annual payment to reflect the updated cost of operation and maintenance that is the Federal and non-Federal share as provided by law.

Section 3023. Seven Oaks Dam, California

This section modifies the project for flood control, Santa Ana Mainstem, to direct the Secretary to conduct a study for the reallocation of water storage at the Seven Oaks Dam, California, for water conservation.

Section 3024. Upper Guadalupe River, California

This section modifies the project for flood damage reduction and recreation, Upper Guadalupe River, California, to authorize the Secretary to carry out the project in accordance with the Upper Guadalupe River Flood Damage Reduction, San Jose, California, Limited Reevaluation Report, dated March, 2004, at a total cost of $244,500,000.

Section 3025. Walnut Creek Channel, California

This section modifies the project for aquatic ecosystem restoration, Walnut Creek Channel, California, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest, if an integral part of the project, and to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest.

Section 3026. Wildcat/San Pablo Creek Phase I, California

This section modifies the project for improvement of the quality of the environment, Wildcat/San Pablo Creek Phase I, California, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest, if an integral part of the project.

Section 3027. Wildcat/San Pablo Creek Phase II, California

This section modifies the project for aquatic ecosystem restoration, Wildcat/San Pablo Creek Phase II, California, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest, if an integral part of the project, and to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest.

Section 3028. Yuba River Basin Project, California

This section modifies the project for flood damage reduction, Yuba River Basin, California, to increase the authorization for con-

struction to $107,700,000, and to credit towards the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement, if integral to the project.

Section 3029. South Platte River Basin, Colorado

This section modifies the project for flood control and other purposes on the South Platte River Basin in Colorado to authorize the Secretary to add environmental restoration as an authorized purpose for reallocation of water storage in Chatfield Reservoir.

Section 3030. Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland

This section modifies the project for navigation, Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, to include recreation as a project purpose.

Section 3031. Brevard County, Florida

This section modifies the project for shoreline protection, Brevard County, Florida, to establish the reach of the project, correcting an error in the report of the Chief of Engineers for this project. This section also directs the Secretary to expedite a report identifying the level of damage to the project caused by a Federal navigation project, and to authorize credit for costs incurred by the non-Federal interest to respond to such damages.

Section 3032. Broward County and Hillsboro Inlet, Florida

This section modifies the project for shore protection, Broward County and Hillsboro Inlet, Florida, to direct the Secretary to provide credit for the removal of derelict erosion control structures carried out by the non-Federal interest, if integral to the project.

Section 3033. Canaveral Harbor, Florida

This section authorizes the Secretary to construct a sediment trap in carrying out a project for navigation, Canaveral Harbor, Florida.

Section 3034. Gasparilla and Estero Islands, Florida

This section modifies the project for shore protection, Gasparilla and Estero Islands, Florida, to authorize credit for the cost of work performed by the non-Federal interest, if integral to the project.

Section 3035. Jacksonville Harbor, Florida

This section modifies the project for navigation, Jacksonville Harbor, Florida to authorize the Secretary to expand the size of the project, in accordance with the Report of the Chief of Engineers dated July 22, 2003, and at a total cost of $14,658,000. In addition, the Secretary is directed to determine the non-Federal share of the cost of preparing the general reevaluation report for this project based on construction cost-sharing. Unless otherwise authorized by Congress, all Corps' studies are cost shared at 50 percent Federal and 50 percent non-Federal. However, in this case, the Jacksonville District made erroneous commitments to the non-Federal interest that the non-Federal interest relied upon to its detriment, and subsections (b) and (c) of this section ensure that those commitments

are met. In the future, the Committee expects the Corps' District offices to apply correct cost-sharing to project studies.

Section 3036. Lido Key Beach, Sarasota, Florida

This section modifies the project for shore protection, Lido Key Beach, Sarasota, Florida, to authorize the Secretary to carry out the project at a total cost of $15,190,000. This section also directs the Secretary to allow the non-Federal interest to construct the project in accordance with section 206 of the Water Resources Development Act of 1992.

Section 3037. Miami Harbor, Florida

This section authorizes the project for navigation, Miami Harbor Channel, Florida and modifies section 315 of the Water Resources Development Act of 1999, to include as project purpose mitigation for dredging conducted outside the authorized channel prior to July 18, 2003. The Secretary is directed to provide credit for the cost of work performed by the non-Federal interest, if integral to the project.

Section 3038. Peanut Island, Florida

This section authorizes the Secretary to construct the project for improvement of the quality of environment, Peanut Island, Florida, at a total Federal cost of $9,750,000.

Section 3039. Tampa Harbor-Big Bend Channel, Florida

This section modifies the project for navigation, Tampa Harbor-Big Bend Channel, Florida, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest, if an integral part of the project.

Section 3040. Tampa Harbor Cut B, Florida

This section modifies the project for navigation, Tampa Harbor-Cut B, Florida, to authorize the Secretary to construct passing lanes if such improvements are necessary for navigation safety. In addition, the Secretary is directed to determine the non-Federal share of the cost of preparing the general reevaluation report for this project based on construction cost-sharing. Unless otherwise authorized by Congress, all Corps' studies are cost shared at 50 percent Federal and 50 percent non-Federal. However, in this case, the Jacksonville District made erroneous commitments to the non-Federal interest that the non-Federal interest relied upon to its detriment, and subsections (b) and (c) ensure that those commitments are met. In the future, the Committee expects the Corps' District offices to apply correct cost-sharing to project studies.

Section 3041. Allatoona Lake, Georgia

This section authorizes the Secretary to participate in a land exchange at Allatoona Lake, Georgia, with willing sellers at fair market value for lands needed for wildlife management and protection of water quality.

Section 3042. Latham River, Glynn County, Georgia

This section authorizes the Secretary to construct the project for improvement of the quality of environment, Latham River, Glynn

County, Georgia, under section 1135 of the Water Resources Development Act of 1986 at a total Federal cost of $6,175,000.

Section 3043. Dworshak Dam and Reservoir Improvements, Idaho

This section authorizes the Secretary to carry out improvements for recreation facilities at Dworshak Dam and Reservoir, North Fork, Clearwater River, Idaho, to accommodate lower pool levels.

Section 3044. Beardstown Community Boat Harbor, Beardstown, Illinois

This section modifies the project for navigation, Muscooten Bay, Illinois River, Beardstown, Illinois, directing the Secretary to enter into a partnership agreement with the City of Beardstown Community Park District to change the identity of the non-Federal sponsor and, upon execution of the new partnership agreement, to authorize the Secretary to dredge the navigation channel annually.

Section 3045. Cache River Levee, Illinois

This section modifies the Cache River Levee portion of the project for flood control, Cache River, Illinois, to add environmental restoration as a project purpose.

Section 3046. Chicago River, Illinois

This section modifies the width of the project for navigation, North Branch Canal portion of the Chicago River, Illinois, from 100 feet downstream of Halsted Street to 100 feet upstream of Division Street Bridge, to be no wider than 66 feet.

Section 3047. Chicago Sanitary and Ship Canal, Illinois

This section authorizes the Secretary to upgrade and make permanent an existing dispersal barrier (Barrier I), construct a second dispersal barrier (Barrier II), and operate and maintain both barriers as a single project to prevent the migration of Asian Carp from the Chicago Sanitary and Ship Canal to Lake Michigan, at Federal expense. This section provides that operation and maintenance of both Barrier I and Barrier II, currently under construction, be a Federal responsibility. This section directs the Secretary to conduct a study of the feasibility of options and technologies to prevent the spread of aquatic species between the Great Lakes and the Mississippi River Basin through the Chicago Sanitary and Ship Canal and other pathways.

Section 3048. Emiquon, Illinois

This section increases the authorization for Federal participation in the project for aquatic ecosystem restoration, being carried out under section 206 of the Water Resources Development Act of 1996, to $7,500,000. This section ensures that nothing affects the eligibility of the project for emergency repairs.

Section 3049. LaSalle, Illinois

This section directs the Secretary to give priority to environmental dredging in the vicinity of LaSalle, Illinois, on the Illinois and Michigan Canal.

Section 3050. Spunky Bottoms, Illinois

This section modifies the project for flood control, Spunky Bottoms, Illinois, to add environmental restoration as a project purpose; increase the authorized Federal participation in the cost of the project for the improvement of the environment being carried out under section 1135 of the Water Resources Development Act of 1986 to $7,500,000; and provide that these changes do not affect eligibility of the project for emergency repairs.

Section 3051. Fort Wayne and Vicinity, Indiana

This section modifies the project for flood control, Fort Wayne, St. Mary's and Maumee Rivers, Indiana, to direct the Secretary to provide a 100-year flood protection at the Berry-Thieme, Park-Thompson, Woodhurst, and Tillman sites along the St. Mary's River, Fort Wayne and vicinity, at a total cost of $5,300,000. This section allows the non-Federal interest to increase its participation in the project, in accordance with section 903(c) of the Water Resources Development Act of 1986, if necessary to implement the project.

Section 3052. Koontz Lake, Indiana

This section modifies the project for aquatic ecosystem restoration, Koontz Lake, Indiana, to direct the Secretary to seek to reduce the cost of the project by using innovative technologies and other cost reduction measures

Section 3053. White River, Indiana

This section modifies the project for flood control, Indianapolis on the West Fork of White River, Indiana, to authorize the Secretary to carry out the Fall Creek Reach feature, at a total cost of $28,545,000, and to provide credit for work carried out by the non-Federal interest, if integral to the project.

Section 3054. Des Moines River and Greenbelt, Iowa

This section modifies the Des Moines Recreational River and Greenbelt, Iowa, project to include public access and enhanced recreation, at a Federal cost of $3,000,000.

Section 3055. Prestonsburg, Kentucky

This section directs the Secretary to provide 100-year level of flood protection for the city of Prestonsburg at the Prestonsburg, Kentucky, element of the project for flood control, Levisa and Tug Fork of the Big Sandy and Cumberland River, West Virginia, Virginia, and Kentucky.

Section 3056. Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed

This section modifies the project for flood damage reduction and recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, to direct the Secretary to carry out the project with cost-sharing in accordance with section 103(a) of the Water Resources Development Act of 1986, as in effect on October 11, 1996. This section also increases the authorization for the project to $178,000,000, and directs the Secretary to provide credit

for work carried out by the non-Federal interest, if integral to the project.

Section 3057. Atchafalaya Basin, Louisiana

This section modifies the Atchafalaya Basin Floodway System project to authorize the Secretary to construct a Type A Regional Visitor Center.

Section 3058. Atchafalaya Basin Floodway System, Louisiana

This section modifies the public access feature of the Atchafalaya Basin Floodway System project to authorize the Secretary to purchase an additional 20,000 acres of land from willing sellers at a total cost of $4,000,000.

Section 3059. Bayou Plaquemine, Louisiana

This section modifies the project for the quality of the environment, Bayou Plaquemine, Louisiana, to direct the Secretary to provide credit for work performed by the non-Federal interests before the project cooperation agreement, if an integral part of the project.

Section 3060. J. Bennett Johnston Waterway, Mississippi River to Shreveport, Louisiana

This section modifies the project for mitigation of fish and wildlife losses, J. Bennett Johnston Waterway, Mississippi River to Shreveport, Louisiana, to authorize the purchase and reforesting of lands that have been cleared or converted to agricultural uses, and to incorporate current wildlife and forestry management measures for the purpose of improving species diversity.

Section 3061. Melville, Louisiana

This section modifies section 315(a)(2) of the Water Resources Development Act of 2000 to authorize the City of Melville as an alternative site for a recreational feature of the project for flood control, Atchafalaya Basin Floodway System, Louisiana.

Section 3062. Mississippi Delta Region, Louisiana

This section modifies the project for hurricane-flood protection on Lake Pontchartrain, Louisiana, to direct the Secretary to provide credit for costs incurred in relocating oyster beds in the Davis Pond project area, if integral to the project.

Section 3063. New Orleans to Venice, Louisiana

This section authorizes the Secretary to carry out work on the St. Jude to City Price, Upper Reach A back levee at Federal cost share of 70 percent.

Section 3064. West Bank of the Mississippi River (East of Harvey Canal), Louisiana

This section modifies section 328 of the Water Resources Development Act of 1999 to direct the Secretary to carry out rehabilitation, repair, and replacement of the project to prevent flood damage-hurricane damage reduction, West Bank of the Mississippi River (East of Harvey Canal), Louisiana.

Section 3065. Camp Ellis, Saco, Maine

This section increases the authorization of Federal funds for the project being carried out under section 111 of the River and Harbor Act of 1968 to $26,900,000.

Section 3066. Detroit River Shoreline, Detroit, Michigan

This section modifies the project for emergency streambank and shoreline protection, Detroit River Shoreline, Detroit, Michigan, to include measures to enhance public access at a maximum Federal expenditure of $3,000,000.

Section 3067. St. Clair River and Lake St. Clair, Michigan

This section modifies section 426 of the Water Resources Development Act of 1999 to authorize the Secretary to carry out a project to develop and implement projects for the restoration, conservation, and management, including a review of lake levels, of the St. Clair River and Lake St. Clair, Michigan. This section authorizes $10 million annually to carry out this section.

Section 3068. St. Joseph Harbor, Michigan

This section directs the Secretary to expedite development of a dredged material management plan for the project for navigation, St. Joseph Harbor, Michigan.

Section 3069. Sault Sainte Marie, Michigan

This section directs the Secretary to construct, at Federal expense, a second lock at Sault Sainte Marie, Michigan, of the same dimensions as the existing lock, in accordance with a limited reevaluation report dated February 2004, at a total cost of $341,714,000. The Secretary is directed to carry out the project to maximize the benefit of costs avoided from a potential terrorist disruption, to enhance overall national security by avoiding the effects of a shutdown or terrorist attack, and irrespective of normal policy considerations.

Section 3070. Ada, Minnesota

This section modifies the project for flood damage reduction, Wild Rice River, Minnesota, to authorize the Secretary to consider all ecosystem restoration benefits; to exclude consideration of an emergency levee as a pre-project condition and to allow the local sponsor to contribute a larger non-Federal share under section 903(c) of the Water Resources Development Act of 1986, if necessary to implement the project.

Section 3071. Duluth Harbor, McQuade Road, Minnesota

This section modifies the project for navigation, Duluth Harbor, McQuade Road, Minnesota, to authorize the Secretary to provide access and recreational facilities as described in the Detailed Project Report and Environmental Assessment dated August 1999, at a maximum Federal cost of $9,000,000. This section also directs the Secretary to provide credit for work performed by the non-Federal interest before the date of the partnership agreement for the project, if integral to the project.

Section 3072. Grand Marais, Minnesota

This section modifies the project for navigation, Grand Marais, Minnesota, to direct the Secretary to provide credit for design work performed by the non-Federal interest before the date of the partnership agreement for the project, if integral to the project.

Section 3073. Grand Portage Harbor, Minnesota

This section directs the Secretary to provide the non-Federal interest credit toward the non-Federal share of the cost of the project for work the Secretary determines is integral to the project.

Section 3074. Granite Falls, Minnesota

This section modifies the project for flood damage reduction, Granite Falls, Minnesota, to increase the maximum Federal expenditure to $8,000,000; authorize the non-Federal interest to contribute a larger share, to the extent necessary to implement the project in accordance with section 903(c) of the Water Resources Development Act of 1986; and authorize credit toward the non-Federal share for work carried out by the non-Federal interest that the Secretary determines is integral to the project.

Section 3075. Knife River Harbor, Minnesota

This section modifies the project for navigation, Knife River Harbor, Minnesota, authorized by section 2 of the Rivers and Harbors Act of March 2, 1945, to direct the Secretary to develop a final design and prepare a plan to correct conditions at the Knife River Harbor, Minnesota.

Section 3076. Red Lake River, Minnesota

This section modifies the project for flood damage reduction, Red Lake River, Minnesota, to increase the project authorization to $25,000,000.

Section 3077. Silver Bay, Minnesota

This section modifies the project for navigation, Silver Bay, Minnesota, to include operation and maintenance of the general navigation facilities as a Federal responsibility.

Section 3078. Taconite Harbor, Minnesota

This section modifies the project for navigation, Taconite Harbor, Minnesota, to include operation and maintenance of the general navigation facilities as a Federal responsibility.

Section 3079. Two Harbors, Minnesota

This section modifies the project for navigation, Two Harbors, Minnesota, to include construction of a dredged material disposal facility at a Federal cost not to exceed $5,000,000.

Section 3080. Deer Island, Harrison County, Mississippi

This section modifies the project for aquatic ecosystem restoration, Deer Island, Mississippi, to authorize the non-Federal share to be provided in the form of in-kind contributions.

Section 3081. Pearl River Basin, Mississippi

This section directs the Secretary to recommend the locally preferred plan for a project for flood damage reduction, Pearl River Basin, if the locally preferred plan provides equal or greater flood damage reduction benefits, but to establish the Federal share of the project based on the Federal share of the plan that maximizes the national economic development benefits.

Section 3082. Festus and Crystal City, Missouri

This section amends section 102(b) of the Water Resources Development Act of 1999 to increase the authorization to $12,000,000.

Section 3083. L–15 Levee, Missouri

This section directs the Secretary to consider the portion of the L–15 levee system that is under the jurisdiction of the Consolidated North County Levee District and situated along the right descending bank of the Mississippi River and running upstream approximately 14 miles as a Federal levee for the purposes of cost sharing under section 5 of the Act of August 18, 1941.

Section 3084. Monarch-Chesterfield, Missouri

This section modifies the project for flood damage reduction, Monarch-Chesterfield, Missouri, to direct the Secretary to provide credit for work performed by the non-Federal interests before the partnership agreement, if an integral part of the project.

Section 3085. River Des Peres, Missouri

This section modifies the project for flood control, River Des Peres, Missouri, to direct the Secretary to provide credit for work performed by the non-Federal interests before the partnership agreement, if an integral part of the project.

Section 3086. Antelope Creek, Lincoln, Nebraska

This section modifies the project for flood damage reduction, Antelope Creek, Lincoln, Nebraska, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest, if an integral part of the project. Directs the Secretary to accept advance funds from the non-Federal interest as needed to carry out the project.

Section 3087. Sand Creek Watershed, Wahoo, Nebraska

This section modifies the project for ecosystem restoration and flood damage reduction, Sand Creek Watershed, Wahoo, Nebraska, to direct the Secretary to provide credit or reimbursement toward the non-Federal share of the cost of the project for work that is integral to the project, and direct the Secretary to accept advance funds from the non-Federal interest as needed to maintain the project schedule.

Section 3088. Lower Cape May Meadows, Cape May Point, New Jersey

This section modifies the project for navigation mitigation, ecosystem restoration, shore protection, and hurricane and storm damage reduction, Lower Cape May Meadows, Cape May Point, New Jersey, to incorporate the project for shoreline erosion control, Cape

May Point, New Jersey, if the Secretary determines the incorporation is feasible.

Section 3089. Passaic River Basin Flood Management, New Jersey

This section modifies the project for flood control, Passaic River, New Jersey and New York, to direct the Secretary to include the benefits and costs of preserving natural flood storage in any future economic analysis of the project.

Section 3090. Buffalo Harbor, New York

This section modifies the project for navigation, Buffalo Harbor, New York, to include measures to enhance public access at a Federal cost of $500,000.

Section 3091. Orchard Beach, Bronx, New York

This section modifies the project for shoreline protection, Orchard Beach, Bronx, New York, to increase the project authorization to $20,000,000.

Section 3092. Port of New York and New Jersey, New York and New Jersey

This section modifies the project for navigation, Port of New York and New Jersey, New York and New Jersey, to authorize the Secretary to allow the non-Federal interest to construct a temporary dredged material disposal facility; to require the potential locations of sites be submitted to Congress; to require 70 percent of dredged material generated by the project to be beneficially reused; and to direct the Secretary to provide credit for the cost of the temporary storage facility, if integral to the project.

Section 3093. New York State Canal System

This section modifies section 553 of the Water Resources Development Act of 1996 to change the definition of the New York State Canal System.

Section 3094. Lower Girard Lake Dam, Ohio

This section amends section 507(1) of the Water Resources Development Act of 1999, to increase the authorization to $6,000,000.

Section 3095. Mahoning River, Ohio

This section directs the Secretary to carry out a project for environmental dredging, Mahoning River, Ohio, and to provide credit for work performed by the non-Federal interests before the partnership agreement, if an integral part of the project.

Section 3096. Delaware River, Pennsylvania, New Jersey, and Delaware

This section authorizes the Secretary to remove marine debris from the project for navigation, Delaware River, Pennsylvania, New Jersey, and Delaware, Philadelphia to the Sea.

Section 3097. Raystown Lake, Pennsylvania

This section authorizes the Secretary to take such action as may be necessary to prevent shoreline erosion to protect recreational fa-

cilities located south of Pennsylvania State Route 994 on the east shore of Raystown Lake.

Section 3098. Sheraden Park Stream and Chartiers Creek, Allegheny County, Pennsylvania

This section modifies the project for aquatic ecosystem restoration, Sheraden Park Stream and Chartiers Creek, Allegheny County, Pennsylvania, to direct the Secretary to credit $400,000 for the cost of work performed by the non-Federal interest if the Secretary determines the work to be an integral part of the project.

Section 3099. Solomon's Creek, Wilkes-Barre, Pennsylvania

This section modifies the project for flood control, Wyoming Valley, Pennsylvania, to include as a project element the project for flood control, Solomon's Creek, Wilkes-Barre, Pennsylvania.

Section 3100. South Central Pennsylvania

This section modifies the geographic scope of section 313 of the Water Resources Development Act of 1992, and increases the authorization of appropriations to $200,000,000.

Section 3101. Wyoming Valley, Pennsylvania

This section modifies the project for flood control, Wyoming Valley, Pennsylvania, to direct the Secretary to coordinate with non-Federal interests to review options for increased public access.

Section 3102. Cedar Bayou, Texas

This section modifies the project for navigation, Cedar Bayou, Texas, to authorize credit for planning and design work carried out by the non-Federal interest, if integral to the project.

Section 3103. Freeport Harbor, Texas

This section modifies the project for navigation, Freeport Harbor, Texas, to direct the Secretary to credit the cost of work by the non-Federal interest performed before the partnership agreement, if the Secretary determines the work to be an integral part of the project, and to remove the sunken Corps of Engineers vessel "COMSTOCK" at Federal expense.

Section 3104. Lake Kemp, Texas

This section directs the Secretary to forgo removing improvements from Lake Kemp before January 1, 2020, or the date ownership of the improvement is transferred, whichever is earlier.

Section 3105. Lower Rio Grande Basin, Texas

This section modifies the project for flood control, Lower Rio Grande Basin, Texas, to include as part of the project flood protection works to reroute drainage to Raymondville Drain constructed by the non-Federal interest if the Secretary determines that such work meets feasibility requirements; to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest determined by the Secretary to be an integral part of the project; and, in calculating the non-Federal share, to make a determination on the non-Federal interest's ability to pay.

Section 3106. North Padre Island, Corpus Christi Bay, Texas

This section modifies the project for ecosystem restoration and storm damage reduction, North Padre Island, Corpus Christi Bay, Texas, to include recreation as a project purpose.

Section 3107. Pat Mayse Lake, Texas

This section directs the Secretary to accept payment in full of the monies owed for water supply storage at Pat Mayse Lake, Texas.

Section 3108. Proctor Lake, Texas

This section authorizes the Secretary to purchase fee simple title to all properties located within the operational boundaries of the flood control project at Proctor Lake, Texas.

Section 3109. San Antonio Channel, San Antonio, Texas

This section modifies the project for flood control, San Antonio Channel, San Antonio, Texas, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest determined by the Secretary to be an integral part of the project.

Section 3110. Lee, Russell, Scott, Smyth, Tazewell, and Wise Counties, Virginia

This section modifies the project for flood control, Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, to direct the Secretary to determine the ability of the non-Federal interest to pay the non-Federal share of the cost of the project for certain counties in southwest Virginia.

Section 3111. Tangier Island Seawall, Virginia

This section directs the Secretary to design and construct a seawall at Tangier Island, Virginia, at a total cost of $3,000,000.

Section 3112. Duwamish/Green, Washington

This section modifies the project for ecosystem restoration, Duwamish/Green, Washington, to provide credit for work carried out by the non-Federal interest, if integral to the project, and to authorize the payment of the non-Federal share through in-kind services and materials.

Section 3113. Yakima River, Port of Sunnyside, Washington

This section modifies the project for aquatic ecosystem restoration, Yakima River, Port of Sunnyside, Washington, to direct the Secretary to provide credit for the cost of work performed by the non-Federal interest determined by the Secretary to be an integral part of the project.

Section 3114. Greenbrier River Basin, West Virginia

This section amends section 579(c) of the Water Resources Development Act of 1996 to increase the authorization for a flood protection program for the Greenbrier River Basin, West Virginia, to $99,000,000.

Section 3115. Lesage/Greenbottom Swamp, West Virginia

This section modifies section 30(d) of the Water Resources Development Act of 1988, as modified, to ensure the preservation and

restoration of structures associated with "Jenkins House" located within the Lesage/Greenbottom Swamp, West Virginia.

Section 3116. Northern West Virginia

This section authorizes the Secretary to carry out the projects at Parkersburg, Weirton, and Erickson/Wood County, West Virginia, following the issuance of a report from the Chief of Engineers, at a total cost of $12 million.

Section 3117. Manitowoc Harbor, Wisconsin

This section modifies the project for navigation, Manitowoc Harbor, Wisconsin, to direct the Secretary to deepen the upstream reach of the navigation channel from 12 feet to 18 feet, at a total cost of $405,000.

Section 3118. Mississippi River Headwaters reservoirs

This section changes the levels for the operation of the Mississippi River Headwaters reservoirs and authorizes the Secretary to operate the reservoirs below the minimum or above the maximum water levels established by the Water Resources Development Act of 1988, in accordance with water regulation control manuals that are transmitted to Congress.

Section 3119. Continuation of project authorizations

This section continues the authorization for an additional 5 years for the following projects: (1) the project for navigation, Sacramento Deep Water Ship Channel, California; (2) the project for flood control, Agana River, Guam; and (3) the project for navigation, Fall River Harbor, Massachusetts.

Section 3120. Project reauthorizations

This section renews the authorizations for: (1) the project for navigation in Menominee Harbor and River, Michigan and Wisconsin; (2) the project for the south part of the outer harbor, Manitowoc Harbor, Wisconsin; and (3) the project for dredging, Hearding Inland Inlet, Duluth Harbor, Minnesota.

Section 3121. Project deauthorizations

This section deauthorizes a portion of the following projects for navigation, Bridgeport Harbor, Connecticut; Mystic River, Connecticut; New London Harbor, Connecticut; Falmouth Harbor, Massachusetts; Island End River, Massachusetts; City Waterway, Tacoma, Washington; Aunt Lydia's Cove, Massachusetts; Southport Harbor, Fairfield, Connecticut; Saco River, Maine; Union River, Maine; and Mystic River, Massachusetts.

This section also amends section 1001(b)(2) of the Water Resources Development Act of 1986 to require the Secretary to submit a list of projects for deauthorization yearly, instead of biennially and to make projects eligible for the list if they received no funding during the previous five years, instead of seven years.

Section 3122. Land conveyances

This section conveys Federal properties at the following locations: (1) St. Francis Basin, Arkansas and Missouri; (2) Milford, Kansas; (3) Pike County, Missouri; (4) Boardman, Oregon; (5) Lowell, Or-

egon; (6) Lowell, Oregon; (7) Richard B. Russell Lake, South Carolina, and (8) Denison, Texas.

Section 3123. Extinguishment of reversionary interests and use restrictions

This section extinguishes reversionary interests and use restrictions in deeds conveying properties in: (1) Nez Perce County, Idaho; (2) Old Hickory Lock and Dam, Cumberland River, Tennessee; and (3) Port of Pasco, Washington.

TITLE IV—STUDIES

Section 4001. John Glenn Great Lakes basin program

This section amends section 455 of the Water Resources Development Act of 1999 to authorize payment of the non-Federal share in the form of in-kind services and materials.

Section 4002. Lake Erie dredged material disposal sites

This section directs the Secretary to conduct a study and make recommendations to eliminate avian botulism problems at dredged material disposal sites in the vicinity of Lake Erie.

Section 4003. Southwestern United States drought study

This section directs the Secretary, in coordination with the Secretaries of the Interior, Agriculture, Commerce and other appropriate agencies, to conduct a study of drought conditions in the southwestern United States, with particular emphasis on the Colorado River Basin, the Rio Grande River Basin, and the Great Basin.

Section 4004. Delaware River

This section directs the Secretary, in consultation with the Delaware River Basin Commission and the States of Delaware, Pennsylvania, New Jersey, and New York, to review the report of the Chief of Engineers on the Delaware River, as well as other pertinent reports, to determine whether any modifications of recommendations contained in the first report are advisable at the present time, in the interest of flood damage reduction, ecosystem restoration, and other related problems.

Section 4005. Knik Arm, Cook Inlet, Alaska

This section directs the Secretary to conduct a study to determine the impacts on navigation from the construction of a bridge across Knik Arm, Cook Inlet, Alaska.

Section 4006. Kuskokwim River, Alaska

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for navigation, Kuskokwim River, Alaska, in the vicinity of the village of Crooked Creek.

Section 4007. St. George Harbor, Alaska

This section directs the Secretary to conduct a study to determine the feasibility of providing navigation improvements at St. George Harbor, Alaska.

Section 4008. Susitna River, Alaska

This section directs the Secretary to conduct a study to determine the feasibility of constructing a hydropower project on the Susitna River, Alaska.

Section 4009. Gila Bend, Maricopa, Arizona

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Gila Bend, Maricopa, Arizona, and to use plans and designs developed by the non-Federal interest, if consistent with Federal standards.

Section 4010. Searcy County, Arkansas

This section directs the Secretary to conduct a study to determine the feasibility of using Greers Ferry Lake as a source of water supply for Searcy County, Arkansas.

Section 4011. Elkhorn Slough Estuary, California

This section directs the Secretary to conduct a study of the Elkhorn Slough Estuary to determine the feasibility of conserving, enhancing, and restoring estuarine habitats by addressing hydrological management issues.

Section 4012. Fresno, Kings, and Kern Counties, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply, Fresno, Kings, and Kern counties, California.

Section 4013. Los Angeles River, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for environmental restoration, flood control, and recreation for the Los Angeles River, and to use the Los Angeles River revitalization plan developed by the non-Federal interests if such plan is consistent with Federal standards. This section authorizes appropriations of $20 million to carry out demonstration projects.

Section 4014. Lytle Creek, Rialto, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction and groundwater recharge at Lytle Creek, Rialto, California.

Section 4015. Mokelumne River, San Joaquin County, California

This section directs the Secretary to conduct a study to determine the feasibility of using Mokelumne River as a source of water supply for San Joaquin County, California. The Committee is aware of concerns expressed about this study and whether it would affect water rights, water law, and permitted activities and agreements governing East Bay Municipal Utility District and its use of this watershed. To address these concerns, the Committee included language stating that this section does not invalidate, preempt, or create any exception to State water law, State water rights, of Federal or State permitted activities or agreements.

Section 4016. Napa River, St. Helena, California

This section directs the Secretary to conduct a comprehensive study of the Napa River in the area of St. Helena, California, to improve flood management, restore habitat, improve fish passage and water quality, and restore plants native to the area. Directs the Secretary to use plans and designs developed by the non-Federal interest, if consistent with Federal standards.

Section 4017. Orick, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction and ecosystem restoration. In conducting the study, the Secretary shall determine the feasibility of restoring or rehabilitating the Redwood Creek Levees, Humboldt County, California.

Section 4018. Rialto, Fontana, and Colton, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply for Rialto, Fontana, and Colton, California.

Section 4019. Sacramento River, California

This section directs the Secretary to conduct a study to determine the feasibility of and alternatives for measures to protect water diversion facilities and fish protective screen facilities on the Sacramento River, California.

Section 4020. San Diego County, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply for San Diego County, including a review of the feasibility of connecting four existing reservoirs to increase usable storage capacity.

Section 4021. San Francisco Bay, Sacramento-San Joaquin Delta, California

This section directs the Secretary to conduct a study to determine the feasibility of the beneficial use of dredged material from the San Francisco Bay in the Sacramento-San Joaquin Delta, California, including a review of using Sherman Island as a re-handling site.

Section 4022. South San Francisco Bay Shoreline Study, California

This section directs the Secretary to complete the feasibility report for the South San Francisco Bay Shoreline Study, California, by December 31, 2008, using documents prepared by the non-Federal interest if they are consistent with Federal standards, and provide credit for work performed by the non-Federal interest towards the non-Federal share of the cost of any project authorized as a result of the study, if integral to the project.

Section 4023. Twentynine Palms, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction at the Pinto Cove Wash, in the vicinity of Twentynine Palms, California.

Section 4024. Yucca Valley, California

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, West Burnt Mountain Basin, in the vicinity of Yucca Valley, California.

Section 4025. Roaring Fork River, Basalt, Colorado

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction for the Roaring Fork River, Basalt, Colorado.

Section 4026. Delaware and Christina Rivers and Shellpot Creek, Wilmington, Delaware

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction and related purposes along the Delaware and Christina Rivers and Shellpot Creek, Wilmington, Delaware.

Section 4027. Collier County Beaches, Florida

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for hurricane and storm damage reduction and flood damage reduction in the vicinity of Vanderbilt, Park Shore, and Naples beaches, Collier County, Florida.

Section 4028. Lower St. Johns River, Florida

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for environmental protection and restoration, including improved water quality, at Lower St. Johns River, Florida.

Section 4029. Vanderbilt Beach Lagoon, Florida

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for environmental restoration, water supply, and improvement of water quality at Vanderbilt Beach Lagoon, Florida.

Section 4030. Meriwether County, Georgia

This section directs the Secretary to conduct a study to determine the feasibility carrying out a project for water supply, Meriwether County, Georgia.

Section 4031. Tybee Island, Georgia

This section directs the Secretary to conduct a study to determine the feasibility of including the northern end of Tybee Island, extending from the north terminal groin to the mouth of Lazaretto Creek, as part of the project for beach erosion control, Tybee Island, Georgia.

Section 4032. Boise River, Idaho

This section modifies the study for flood control, Boise River, Idaho, to add ecosystem restoration and water supply as project purposes to be studied and to direct the Secretary to provide up to $500,000 in credit for the cost of work performed by the non-Federal interest, if an integral part of the project.

Section 4033. Ballard's Island Side Channel, Illinois

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for ecosystem restoration in the side channel of Ballard's Island, Illinois.

Section 4034. Salem, Indiana

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for an additional water supply source for Salem, Indiana.

Section 4035. Buckhorn Lake, Kentucky

This section directs the Secretary to conduct a study to determine the feasibility of modifying the project for flood damage reduction, Buckhorn Lake, Kentucky, to add ecosystem restoration, recreation, and improved access as project purposes, including a permanent raise in winter pool elevation, and to allow the non-Federal interest to satisfy its share with in-kind contributions.

Section 4036. Dewey Lake, Kentucky

This section directs the Secretary to conduct a study to determine the feasibility of modifying the project for Dewey Lake, Kentucky, to add water supply as a project purpose.

Section 4037. Louisville, Kentucky

This section directs the Secretary to conduct a study of the project for flood control, Louisville, Kentucky, to investigate measures to rehabilitate the project.

Section 4038. Fall River Harbor, Massachusetts and Rhode Island

This section directs the Secretary to conduct a study to determine the feasibility of deepening a portion of the navigation channel for Fall River Harbor, Massachusetts and Rhode Island, seaward of the Charles M. Braga, Jr. Memorial Bridge, Fall River and Somerset, Massachusetts.

Section 4039. Clinton River, Michigan

This section directs the Secretary to carry out a study to determine the feasibility of carrying out a project for environmental restoration on the Clinton River, Michigan.

Section 4040. Hamburg and Green Oak Townships, Michigan

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction on Ore Lake and the Huron River for Hamburg and Green Oak townships, Michigan.

Section 4041. Duluth-Superior Harbor, Minnesota and Wisconsin

This section directs the Secretary to conduct a study and prepare a report to evaluate the integrity of the bulkhead system located on and in the vicinity of Duluth-Superior Harbor, Duluth, Minnesota, and Superior, Wisconsin.

Section 4042. Northeast Mississippi

This section directs the Secretary to conduct a study to determine the feasibility of modifying the project for navigation on the

Tennessee-Tombigbee Waterway, Alabama and Mississippi, to provide water supply to northeast Mississippi.

Section 4043. St. Louis, Missouri

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, St. Louis, Missouri, to restore or rehabilitate the existing levee system for the City of St. Louis, Missouri.

Section 4044. Dredged material disposal, New Jersey

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for the construction of a dredged material disposal transfer facility in the vicinity of the Atlantic Intracoastal Waterway to make dredged material available for beneficial use.

Section 4045. Bayonne, New Jersey

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for environmental restoration, including improved water quality, enhanced public access, and recreation, on the Kill Van Kull, Bayonne, New Jersey.

Section 4046. Carteret, New Jersey

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for environmental restoration, including improved water quality, enhanced public access, and recreation, on the Raritan River, Carteret, New Jersey.

Section 4047. Gloucester County, New Jersey

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Gloucester County, New Jersey, including the feasibility of restoring flood protection dikes in Gibbstown, New Jersey, and associated tidegates in Gloucester, New Jersey. In conducting the study, the Secretary shall use any relevant information developed by the Corps or the non-Federal interest related to temporary, emergency, or permanent improvements.

Section 4048. Perth Amboy, New Jersey

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for riverfront development, including enhanced public access, recreation, and environmental restoration, on the Arthur Kill, Perth Amboy, New Jersey.

Section 4049. Batavia, New York

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for micro-hydropower and related purposes in the vicinity of Batavia, New York.

Section 4050. Big Sister Creek, Evans, New York

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Big Sister Creek, Evans, New York, including potential solutions to flooding that result from ice jams.

Section 4051. Finger Lakes, New York

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration and protection, Finger Lakes, New York, to address water quality and invasive species.

Section 4052. Lake Erie Shoreline, Buffalo, New York

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for storm damage reduction and shoreline protection in the vicinity of Gallagher Beach, Lake Erie Shoreline, Buffalo, New York.

Section 4053. Newtown Creek, New York

This section directs the Secretary to conduct a study to determine the feasibility of carrying out ecosystem restoration improvements at Newtown Creek, Brooklyn and Queens, New York.

Section 4054. Niagara River, New York

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for a low-head hydroelectric generating facility in the Niagara River, New York.

Section 4055. Shore Parkway Greenway, Brooklyn, New York

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for shoreline protection in the vicinity of the confluence of the Narrows and Gravesend Bay, Upper New York Bay, Shore Parkway Greenway, Brooklyn, New York.

Section 4056. Upper Delaware River Watershed, New York

This section authorizes a non-profit organization to participate as the non-Federal sponsor for a study being conducted for the Upper Delaware River Watershed, New York.

Section 4057. Lincoln County, North Carolina

This section directs the Secretary to conduct a study of existing water and water quality-related infrastructure in Lincoln County, North Carolina, and to assist local interests in determining the most efficient and effective way to connect county infrastructure.

Section 4058. Wilkes County, North Carolina

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply, Wilkes County, North Carolina.

Section 4059. Yadkinville, North Carolina

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply, Yadkinville, North Carolina.

Section 4060. Lake Erie, Ohio

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for wind power generation at confined disposal facilities along Lake Erie, Ohio.

Section 4061. Ohio River, Ohio

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction on the Ohio River within the counties of Mahoning, Columbiana, Jefferson, Belmont, Noble, Monroe, Washington, Athens, Meigs, Gallia, Lawrence and Scioto, Ohio.

Section 4062. Ecosystem restoration and fish passage improvements, Oregon

This section directs the Secretary to conduct a study to determine the feasibility of undertaking ecosystem restoration and fish passage improvements on rivers in Oregon, and authorizes up to $5,000,000 for pilot projects.

Section 4063. Walla Walla River Basin, Oregon

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, Walla Walla River Basin, Oregon. This section authorizes payment of the non-Federal share in the form of in-kind services and materials and directs the Secretary to provide credit for the cost of planning and design work performed by the non-Federal interest, if an integral part of the project.

Section 4064. Chartiers Creek watershed, Pennsylvania

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Chartiers Creek watershed, Pennsylvania.

Section 4065. Kinzua Dam and Allegheny Reservoir, Pennsylvania

This section directs the Secretary to study the project for flood control, Kinzua Dam and Allegheny Reservoir, Warren, Pennsylvania, to review operations of and identify modifications to the project to expand recreational opportunities.

Section 4066. Western Pennsylvania flood damage reduction

This section directs the Secretary to conduct a study of structural and non-structural flood damage reduction, stream bank protection, storm water management, channel clearing and modification, and watershed coordination measures in the Mahoning River basin, the Allegheny River basin, and the Upper Ohio River basin in Pennsylvania, to provide flood protection for the communities in western Pennsylvania.

Section 4067. Williamsport, Pennsylvania

This section directs the Secretary to conduct a study to investigate measures to rehabilitate the project for flood control, Williamsport, Pennsylvania.

Section 4068. Yardley Borough, Pennsylvania

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction at Yardley Borough, Pennsylvania, including the alternative of raising River Road.

Section 4069. Rio Valenciano, Juncos, Puerto Rico

This section directs the Secretary to conduct a study to reevaluate the project for flood damage reduction and water supply, Rio Valenciano, Juncos, Puerto Rico, to determine the feasibility of carrying out the project. This section authorizes credit toward the non-Federal share of the cost of the project, the cost of integral work carried out by the non-Federal interest, if integral to the project.

Section 4070. Crooked Creek, Bennettsville, South Carolina

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply, Crooked Creek, Bennettsville, South Carolina.

Section 4071. Broad River, York County, South Carolina

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply, Broad River, York County, South Carolina.

Section 4072. Chattanooga, Tennessee

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Chattanooga Creek, Dobbs Branch, Chattanooga, Tennessee.

Section 4073. Cleveland, Tennessee

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Cleveland, Tennessee.

Section 4074. Cumberland River, Nashville, Tennessee

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for recreation, riverbank protection, and environmental protection of the Cumberland River and riparian habitats in the city of Nashville and Davidson County, Tennessee.

Section 4075. Lewis, Lawrence, and Wayne Counties, Tennessee

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply for Lewis, Lawrence and Wayne counties, Tennessee.

Section 4076. Wolf River and Nonconnah Creek, Memphis, Tennessee

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction along Wolf River and Nonconnah Creek, in the vicinity of Memphis, Tennessee, to include repair, replacement, rehabilitation, and restoration of the pumping stations at: Cypress Creek, Nonconnah Creek, Ensley, Marble Bayou, and Bayou Gayoso.

Section 4077. Abilene, Texas

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply, Abilene, Texas.

Section 4078. Coastal Texas ecosystem protection and restoration, Texas

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, hurricane and storm damage reduction, and ecosystem restoration in the coastal areas of Texas.

Section 4079. Johnson Creek, Arlington, Texas

This section directs the Secretary to reevaluate the project for flood damage reduction, environmental restoration, and recreation to develop alternatives to the separable environmental restoration element of the project, and to conduct a study to determine the feasibility of additional flood damage reduction and erosion control measures within the boundaries of the project.

Section 4080. Port of Galveston, Texas

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for dredged material disposal for the Port of Galveston, Texas.

Section 4081. Grand County and Moab, Utah

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for water supply for Grand County and the city of Moab, Utah, including a review of the impact on the Spanish Valley Aquifer of current and future water supply demands.

Section 4082. Southwestern Utah

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Santa Clara River, within the counties of Washington, Iron, and Kane, Utah.

Section 4083. Chowan River Basin, Virginia and North Carolina

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, navigation, and erosion control, Chowan River basin, Virginia and North Carolina.

Section 4084. Elliott Bay Seawall, Seattle, Washington

This section modifies the study for the rehabilitation of the Elliott Bay Seawall to include a determination of the feasibility of reducing future damage from seismic activity. Authorizes the Secretary to accept excess contributions from the non-Federal interest to facilitate completion of the study and to authorize credit toward the non-Federal share of the cost of any project authorized as a result of the study, an amount equal to the value of any such contributions.

Section 4085. Monongahela River Basin, Northern West Virginia

This section directs the Secretary to conduct a study to determine the feasibility of carrying out aquatic ecosystem restoration and protection projects in the watersheds of the Monongahela River Basin within the counties of Hancock, Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood, Doddridge, Monongalia, Marion, Harrison,

Taylor, Barbour, Preston, Tucker, Mineral, Grant, Gilmer, Brooke, and Rithchie, West Virginia, particularly as related to abandoned mine drainage abatement.

Section 4086. Kenosha Harbor, Wisconsin

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for navigation, Kenosha Harbor, Wisconsin, including the extension of existing piers.

Section 4087. Wauwatosa, Wisconsin

This section directs the Secretary to conduct a study to determine the feasibility of carrying out a project for flood damage reduction and environmental restoration, Menomonee River and Underwood Creek, Wauwatosa, Wisconsin, and greater Milwaukee watersheds, Wisconsin.

Section 4088. Johnsonville Dam, Johnsonville, Wisconsin

This section directs the Secretary to conduct a study of the Johnsonville Dam, Johnsonville, Wisconsin, to determine if the structure prevents ice jams on the Sheboygan River.

TITLE V—MISCELLANEOUS PROVISIONS

Section 5001. Maintenance of navigation channels

This section authorizes the Secretary to maintain the following navigation channels, if feasible:

(1) Manatee Harbor basin, Florida;

(2) Bayou LaFourche Channel, Port Fourchon, Louisiana;

(3) Calcasieu River at Devil's Elbow, Louisiana;

(4) Pidgeon Industrial Harbor, Pidgeon Industrial Park, Memphis Harbor, Tennessee;

(5) Pix Bayou Navigation Channel, Chambers County, Texas; and

(6) Racine Harbor, Wisconsin.

Section 5002. Watershed Management

This section authorizes $15,000,000 for the Secretary to provide technical, planning, and design assistance to a non-Federal interest for carrying out watershed management, restoration, and development projects in the following watersheds:

(1) Big Creek watershed, Roswell, Georgia.

(2) Portions of the watersheds of the Chattahoochee, Etowah, Flint, Ocmulgee, and Oconee Rivers within the counties of Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Fulton, Forsyth, Gwinnett, Hall, Henry, Paulding, Rockdale, and Walton, Georgia.

(3) Kinkaid Lake, Jackson County, Illinois.

(4) Amite River basin, Louisiana.

(5) East Atchafalaya River basin, Iberville Parish and Pointe Coupee Parish, Louisiana.

(6) Red River watershed, Louisiana.

(7) Lower Platte River watershed, Nebraska.

(8) Rio Grande watershed, New Mexico.

(9) Taunton River basin, Massachusetts.

(10) Marlboro Township, New Jersey.

(11) Esopus, Plattekill, and Rondout Creeks, Greene, Sullivan, and Ulster counties, New York.
(12) Greenwood Lake watershed, New York and New Jersey.
(13) Long Island Sound watershed, New York.
(14) Ramapo River watershed, New York.
(15) Western Lake Erie basin, Ohio.
(16) Portions of the watersheds of the Beaver, Upper Ohio, Connoquenessing, Lower Allegheny, Kiskiminetas, Lower Monongahela, Youghiogheny, Shenango, and Mahoning Rivers in Beaver, Butler, Lawrence, and Mercer counties, Pennsylvania.
(17) Otter Creek watershed, Pennsylvania.
(18) Unami Creek, Milford Township, Pennsylvania.
(19) Sauk River basin, Washington.

Section 5003. Dam safety

This section authorizes $6,000,000 for the Secretary to provide assistance to enhance dam safety at the following locations:
(1) Fish Creek Dam, Blaine County, Idaho.
(2) Hamilton Dam, Flint River, Flint, Michigan.
(3) State Dam, Auburn, New York.
(4) Whaley Lake Dam, Pawling, New York.
(5) Ingham Spring Dam, Solebury Township, Pennsylvania.
(6) Leaser Lake Dam, Lehigh County, Pennsylvania.
(7) Stillwater Dam, Monroe County, Pennsylvania.
(8) Wissahickon Creek Dam, Montgomery County, Pennsylvania.
The assistance for State Dam, Auburn, New York shall be for rehabilitation in accordance with the report on State Dam Rehabilitation, Owasco Lake Outlet, New York, dated March 1999, if feasible.

Section 5004. Structural integrity evaluations

This section authorizes the Secretary to evaluate the structural integrity and effectiveness of projects for flood damage reduction and to prevent project failure at the following locations: Arkansas River Levees, Arkansas, and Nonconnah Creek, Tennessee.

Section 5005. Flood mitigation priority areas

This section amends the flood mitigation and riverine restoration program in section 212 of the Water Resources Development Act of 1999 to add the following to the list of priority areas for review by the Secretary: Ascension Parish, Louisiana; East Baton Rouge Parish, Louisiana; Iberville Parish, Louisiana; Livingston Parish, Louisiana; and Pointe Coupee Parish, Louisiana.

Section 5006. Additional assistance for authorized projects

This section amends section 219(e) of the Water Resources Development Act of 1992 to increase the authorization ceiling for specific projects to allow ongoing work to continue. Authorizes assistance made available under the rural enterprise zone program of the Department of Agriculture to be used toward payment of the non-Federal share of the cost of the project for East Arkansas Enterprise Community, Arkansas, if such assistance is authorized to be used for such purposes. In carrying out the project for the Colonias along the United States-Mexico Border, the Secretary may provide assist-

ance to projects in Webb, Zapata, Starr, and Hidalgo Counties, Texas.

Section 5007. Expedited completion of reports and construction for certain projects

This section directs the Secretary to expedite completion of reports and, if feasible, construction for the following projects being carried out under existing authorities:

(1) False River, Louisiana.
(2) Fulmer Creek, Village of Mohawk, New York.
(3) Moyer Creek, Village of Frankfort, New York.
(4) Steele Creek, Village of Ilion, New York.
(5) Oriskany Wildlife Management Area, Rome, New York.
(6) Whitney Point Lake, Otselic River, Whitney Point, New York.
(7) North River, Peabody, Massachusetts.
(8) Chenango Lake, Chenango County, New York.

Section 5008. Expedited completion of reports for certain projects

This section directs the Secretary to expedite completion of the reports and, if it is determined that a project is justified, proceed to project pre-construction, engineering, and design for the following:

(1) Project for water supply, Little Red River, Arkansas.
(2) Project for shoreline stabilization at Egmont Key, Florida.
(3) Project for ecosystem restoration, University Lake, Baton Rouge, Louisiana.
(4) Project for navigation, Sabine-Neches Waterway, Texas and Louisiana.

This section directs the Secretary to waive the non-Federal cost share allocated to that portion of the project for shoreline stabilization at Egmont Key, Florida, which protects federally owned property.

Section 5009. Southeastern water resources assessment

This section directs the Secretary to conduct an assessment of water resources needs of the Southeastern United States and authorizes cooperative agreements with State and local agencies, non-Federal and nonprofit entities, regional researchers, and other interested parties to carry out the assessment. The Tennessee Natural Resources Policy Center of the University of Tennessee has significant expertise in the water resources of the Southeastern United States. The Secretary may enter into a cooperative agreement with the University of Tennessee to carry out this section.

Section 5010. Upper Mississippi River environmental management program

This section amends the Upper Mississippi River Environmental Management Program to allow the non-Federal interest to provide the non-Federal share of the project in the form of in-kind services and materials, and to allow non-profit entities to serve as non-Federal sponsors, with the consent of the affected local government.

Section 5011. Missouri and Middle Mississippi Rivers enhancement project

This section amends the Missouri and Middle Mississippi River Enhancement Project to extend the authorization period through 2015.

Section 5012. Great Lakes fishery and ecosystem restoration

This section amends Section 506 of the Water Resources Development Act of 2000 to allow 100 percent of the non-Federal share to be provided in the form of in-kind contributions for the Great Lakes Fishery and Ecosystem Restoration program.

Section 5013. Great Lakes remedial action plans and sediment remediation

This section amends Section 401 of the Water Resources Development Act of 1990 to extend the authority of the Secretary to provide assistance for Great Lakes Remedial Action Plans and sediment remediation projects through 2012.

Section 5014. Great Lakes tributary model

This section amends Section 516 of the Water Resources Development Act of 1996 to extend the authorization of appropriations for the development of a Great Lakes tributary sediment transport model through 2012.

Section 5015. Great Lakes navigation

The Great Lakes contain 134 deep-draft harbors and six connecting channels within the Corps of Engineers' dredging responsibility, including 25 of the nation's largest ports. The total waterborne commerce on the Great Lakes equals nearly 7 percent of the nation's maritime commerce. Recent shortfalls in the Corps' dredging appropriation have delayed dredging at many Great Lakes ports and waterways. The low water levels that have plagued the Lakes since the late 1990s have only exacerbated the problem. As a result, the largest vessels in the Great Lakes fleet must forfeit nearly 270 tons of cargo for each 1-inch reduction in loaded draft. Ocean-going vessels in the international trade lose roughly 100 tons of cargo for each 1-inch loss of draft.

Section 5015 directs the Secretary, using available appropriated funds, to expedite the operation and maintenance, including dredging, of the navigation features of the Great Lakes and Connecting Channels for the purpose of supporting commercial navigation to authorized project depths.

Section 5016. Upper Mississippi River dispersal barrier project

This section authorizes appropriations of $4 million for the Secretary, in consultation with appropriate Federal and State agencies, to study, design, and carry out a project for preventing and reducing the dispersal of aquatic nuisance species, including the Asian carp, through the Upper Mississippi River system. Section 5016 directs the Secretary to complete the study, design, and construction of the project not later than six months after the date of enactment of this Act. Subsection 5016(b) requires the Secretary, at Federal expense, to investigate and identify environmentally sound methods for preventing and reducing the movement of nui-

sance species; study, design, and carry out the project at Lock and Dam 11, north of Dubuque, Iowa, using available technologies; monitor the project in conjunction with the U.S. Fish and Wildlife Service; and to operate and maintain the project.

Section 5017. Susquehanna, Delaware, and Potomac River Basins, Delaware, Maryland, Pennsylvania, and Virginia

This section authorizes the Division Engineer, North Atlantic Division, to serve as an ex officio member of the Susquehanna River Basin Compact and the Delaware River Basin Compact and authorizes the Secretary to provide funding to interstate compacts. Section 5017 also authorizes the Secretary to enter into separate agreements with the Delaware River Basin Commission, the Susquehanna River Basin Commission, and the Potomac Basin Commission to provide temporary water supply and storage at Corps dam facilities during a drought warning or drought emergency, at a cost to the Commission not to exceed the incremental operating costs associated with providing the storage.

Section 5018. Chesapeake Bay environmental restoration and protection program

This section amends the Chesapeake Bay Environmental Restoration and Protection Program to include restoration of submerged aquatic vegetation and to increase the authorization of appropriations to $50,000,000.

Section 5019. Hypoxia assessment

This section authorizes the Secretary to participate with Federal, State, and local agencies, non-Federal and nonprofit entities, regional researchers, and other interested parties to assess the causes of and efforts to reduce or eliminate hypoxia in the Gulf of Mexico. A consortium exists between Ohio State University and Louisiana State University to address these issues, which includes the Olentangy River Wetland Research Park located on the Ohio State University campus in Columbus, Ohio. The assistance provided under this section may be used to collaborate with researchers at the Olentangy River Wetland Research Park, including participation in a river monitoring network, and the development of wetland and river research tools.

Section 5020. Potomac River watershed assessment and tributary strategy evaluation and monitoring program

This section authorizes the Secretary to participate in the Potomac River Watershed Assessment and Tributary Strategy Evaluation and Monitoring Program to identify a series of resource management indicators to monitor the effectiveness of strategies and public policies that pertain to natural resource protection of the Potomac River watershed.

Section 5021. Lock and dam security

This section directs the Secretary to develop standards for the security of locks and dams, provide technical assistance on a reimbursable basis, and enter into cooperative agreements to carry out testing and certification activities. The National Safe Waterways and Seaports Alliance has the capability to conduct comprehensive

operational testing, vulnerability and risk assessments, security planning exercises, computer simulation modeling, and training. The Alliance also has expertise regarding barriers to prevent vessels from approaching too near a dam or other critical waterway infrastructure. The Secretary may enter into a cooperative agreement with the Alliance to carry out this section.

Section 5022. Rehabilitation

This section directs the Secretary to rehabilitate and improve the water-related and transportation infrastructure for the historic property in the Anacostia River Watershed, located in the District of Columbia, including measures to address wet weather conditions. This section authorizes the Secretary to accept funds provided for such project under any other Federal program.

Section 5023. Research and development program for Columbia and Snake River Salmon survival

This section modifies section 511 of the Water Resources Development Act of 1996 to authorize appropriations of $25 million for research and development activities to promote the survival of salmon, especially salmon in the Columbia and Snake River Basin, and $10 million for the Secretary shall carry out activities to reduce nesting populations of avian predators on dredge spoil islands in the Columbia River under the jurisdiction of the Secretary.

Section 5024. Auburn, Alabama

This section authorizes $5,000,000 for the Secretary to provide technical assistance relating to water supply for Auburn, Alabama.

Section 5025. Pinhook Creek, Huntsville, Alabama

This section directs the Secretary to design and construct the locally preferred plan for flood protection at Pinhook Creek, Huntsville, Alabama, and to utilize, to the extent practicable, the existing detailed project report for the project prepared under the authority of section 205 of the Flood Control Act of 1948. Section 5025 also allows the non-Federal interest to increase its participation in the project to the extent necessary to implement the project, and directs the Secretary to credit towards the non-Federal share the cost of work carried out before the partnership agreement, if the Secretary determines the work is integral to the project.

Section 5026. Alaska

This section amends section 570 of the Water Resources Development Act of 1999 to add environmental restoration as an authorized purpose, increase the authorization level, allow non-profits to serve as non-Federal interests with the consent of the local government, and allow 10 percent of appropriated funds to be used for administrative expenses. This authority may be used to provide assistance for any publicly owned project, as well as any project owned by a Native Corporation. In addition, this authority may be used to address environmental restoration, including drainage abatement of abandoned mines.

Section 5027. Barrow, Alaska

This section directs the Secretary to carry out a nonstructural project for coastal erosion and storm damage prevention and reduction at Barrow, Alaska, including the relocation of a stretch of eroding roadway.

Section 5028. Coffman Cove, Alaska

This section authorizes the Secretary to carry out the project for navigation, Coffman Cove, Alaska, at a total cost of $3,000,000.

Section 5029. Fire Island, Alaska

This section authorizes appropriations of $5 million for the Secretary to provide planning, design, and construction assistance to a non-Federal interest for the construction of a causeway between Port Campbell and Fire Island, Alaska.

Section 5030. Fort Yukon, Alaska

This section authorizes the Secretary to make repairs to the dike at Fort Yukon, Alaska, in accordance with the Corps of Engineers' standards.

Section 5031. Kotzebue Harbor, Alaska

This section authorizes the Secretary to carry out a project for navigation, Kotzebue Harbor, Kotzebue, Alaska, at a total cost of $2,200,000.

Section 5032. Lowell Creek Tunnel, Seward, Alaska

This section directs the Secretary to assume responsibility for the long-term maintenance and repair of the Lowell Creek Tunnel and authorizes a study to determine whether alternative methods of flood diversion in Lowell Canyon are feasible.

Section 5033. St. Herman and St. Paul Harbors, Kodiak, Alaska

This section authorizes $2,000,000 to fund the removal of rubble, sediment, and rock impeding the entrance to the St. Herman and St. Paul harbors at Kodiak, Alaska.

Section 5034. Tanana River, Alaska

This section directs the Secretary to carry out, on an emergency basis, the removal of the hazard to navigation on the Tanana River, Alaska, near the confluence of the Tanana and Chena rivers, as described in the January 3, 2005, Memorandum from the Commander, Seventeenth Coast Guard District, to the Army Corps of Engineers, Alaska District, Anchorage, Alaska. The Secretary has the authority to remove this hazard to navigation under the authority of section 20 of the Rivers and Harbors Act of 1899, and its implementing regulations at 33 C.F.R. Part 245, which define an obstruction to navigation as anything that restricts, endangers, or interferes with navigation.

Section 5035. Valdez, Alaska

This section authorizes the Secretary to construct a small boat harbor in Valdez, Alaska at a total cost of $20,000,000.

Section 5036. Whittier, Alaska

This section directs the Secretary to conduct a study, at Federal expense, to determine the feasibility of two navigation projects at Whittier, Alaska, a new boat harbor at the head of Whittier Bay, and expansion of the existing harbor at Whittier. If the Secretary determines a project is feasible, the Secretary is authorized to carry out the feasible project or projects. This section also directs the Secretary to allow the non-Federal interest to use funds provided under any other Federal program to pay the non-Federal share of the cost of a project, if the funds are authorized for such purposes.

Section 5037. Wrangell Harbor, Alaska

This section defines the general navigation features of the project for navigation, Wrangell Harbor, Alaska.

Section 5038. Augusta and Clarendon, Arkansas

This section authorizes the Secretary to perform operation, maintenance and rehabilitation of authorized and completed levees on the White River between Augusta and Clarendon, Arkansas. This section requires the Secretary to seek reimbursement from the Secretary of the Interior for the share of the cost of performing such maintenance and repair allocated to benefit a Federal wildlife refuge.

Section 5039. Des Arc Levee Protection, Arkansas

This section directs the Secretary to review the project for flood control, Des Arc, Arkansas, to determine whether bank and channel scour along the White River threatens the existing project and whether the scour is a result of design deficiency. This section authorizes the Secretary to carry out measures to eliminate the deficiency if the Secretary determines both conditions exist.

Section 5040. Loomis Landing, Arkansas

This section directs the Secretary to conduct a study to determine if shore damage in the vicinity of Loomis Landing, Arkansas, is the result of a Federal navigation project, and to mitigate damage that has occurred as a result of the Federal navigation project.

Section 5041. St. Francis River Basin, Arkansas and Missouri

This section directs the Secretary to conduct a study to determine if increased siltation and streambank erosion in the St. Francis River basin, Arkansas and Missouri, are the result of a Federal flood control project, and to mitigate such siltation or erosion to the extent that the Secretary determines that the siltation or erosion are the result of a Federal flood control project.

Section 5042. Cambria, California

This section amends section 219(f)(48) of the Water Resources Development Act of 1992 to direct the Secretary to provide credit toward the non-Federal share of the cost of the work performed by the non-Federal interest, not to exceed $3,000,000, if the work is an integral part of the project.

Section 5043. Contra Costa Canal, Oakley and Knightsen, California; Mallard Slough, Pittsburg, California

This section amends sections 512 and 514 of the Water Resources Development Act of 2000 to ensure that all planning, study, design, and construction of the flood damage reduction projects at Contra Costa Canal, Oakley and Knightsen, California, and Mallard Slough, Pittsburg, California are carried out by the office of the district engineer in San Francisco, California.

Section 5044. Dana Point Harbor, California

This section directs the Secretary to determine the causes of water quality degradation within Dana Point Harbor, California, and if the Secretary determines the degradation is a result of a Federal navigation project, to mitigate the degradation at Federal expense.

Section 5045. East San Joaquin County, California

This section amends section 219(f)(22) of the Water Resources Development Act of 1992 to direct the Secretary to provide credit toward the non-Federal share of the cost of the work performed by the non-Federal interest, if determined by the Secretary to be an integral part of the project, and to allow the non-Federal share to be provided in the form of in-kind contributions.

Section 5046. Eastern Santa Clara Basin, California

This section amends section 111 of Division B Public Law 106–554 to increase the authorization for the Secretary to participate in investigations relating to sites that are sources of perchlorate in groundwater in Santa Clarita, California, from $7,000,000 to $10,000,000.

Section 5047. Los Osos, California

This section amends section 219(c)(27) of the Water Resources Development Act of 1992 to modify the non-Federal interest that will participate in the project.

Section 5048. Pine Flat Dam and Reservoir, California

This section directs the Secretary to review the Kings River Fisheries Management Program Framework Agreement and authorizes appropriations of $20,000,000 for the Secretary to participate in the management program, if feasible, using data and environmental documentation from the Report of the Chief of Engineers, Pine Flat Dam and Reservoir, Fresno County, California, dated July 19, 2002. This section authorizes credit towards the non-Federal share of the cost of the project for work carried out by the non-Federal interest, if integral to the project.

Section 5049. Raymond Basin, Six Basins, Chino Basin, and San Gabriel Basin, California

This section authorizes appropriations of $5 million for the Secretary, in consultation with appropriate Federal, State, and local entities, to develop a comprehensive plan for the management of water resources in the Raymond Basin, Six Basins, Chino Basin, and the San Gabriel Basin, California, and to carry our demonstration projects identified in the plan.

Section 5050. San Francisco, California

This section authorizes appropriations of $25,000,000 for the Secretary to participate in efforts related to navigation-related facilities.

Section 5051. San Francisco, California, waterfront area

This section declares a portion of the San Francisco, California, waterfront to be nonnavigable.

Section 5052. San Pablo Bay, California, watershed and suisun march ecosystem restoration

This section directs the Secretary to complete work, as expeditiously as practicable, on the ongoing San Pablo Bay watershed study to determine the feasibility of carrying out projects to restore, preserve, and protect the San Pablo Bay watershed. This section authorizes the Secretary to conduct a separate study for similar activities in the Suisun Marsh, California. Upon completion of the reports, the Secretary is authorized to participate in the planning, design, or construction of critical restoration projects to protect the San Pablo and Suisun Bay Marsh watersheds. This section authorizes nonprofit organizations to serve as the non-Federal interest for projects carried out under this section, with the consent of the local government, authorizes credit for the project, and authorizes appropriations of $40 million for the Secretary to carry out this section.

Section 5053. Stockton, California

This section directs the Secretary to reevaluate the feasibility of the Lower Mosher Slough element and the levee extensions on the Upper Calaveras River element of the project for flood control, Stockton Metropolitan Area, California, to determine the eligibility of such elements for reimbursement under section 211 of the Water Resources Development Act of 1996. This section directs the Secretary to provide reimbursement if such elements of the project are feasible, notwithstanding any policies concerning frequency of flooding, size of the drainage area, or the amount of runoff.

Section 5054. Charles Hervey Townshend Breakwater, New Haven Harbor, Connecticut

This section redesignates a breakwater in New Haven Harbor, Connecticut, as the "Charles Hervey Townshend Breakwater."

Section 5055. Florida Keys water quality improvements

This section authorizes the Secretary to credit toward the non-Federal share, the cost of project work carried out prior to the execution of the partnership agreement if the Secretary determines that the work is integral to the project.

Section 5056. Lake Worth, Florida

This section authorizes the Secretary to carry out necessary repairs for the Lake Worth bulkhead replacement project, West Palm Beach, Florida, at a total cost of $9,000,000.

Section 5057. Riley Creek Recreation Area, Idaho

This section authorizes the Secretary to carry out the Riley Creek Recreation Area Master Plan for the Corps of Engineers project at Albeni Falls Dam, Bonner County, Idaho.

Section 5058. Reconstruction of Illinois flood protection projects

This section authorizes $30,000,000 for the Secretary to participate in the reconstruction of certain levees on the Mississippi River if the Secretary determines that the levees were properly operated and maintained.

Section 5059. Illinois River Basin restoration

This section extends the authorization for restoration of the Illinois River Basin until 2010. This section modifies the existing authority that allows the non-Federal share to be met through in-kind services by specifying that such services must have taken place within five years of the project or activity begin carried out. This section also authorizes non-profit entities to serve as non-Federal interests, with the consent of the affected local government, and directs the Secretary to develop an Illinois River basin monitoring program. In developing and implementing the computerized inventory and analysis system for the project, the Secretary is directed to incorporate data provided by the State of Illinois from the Illinois River Decision Support System.

Section 5060. Kaskaskia River Basin, Illinois, restoration

This section authorizes the Secretary to develop a comprehensive plan for the purpose of restoring the Kaskaskia River Basin.

Section 5061. Floodplain mapping, Little Calumet River, Chicago, Illinois

This section directs the Secretary to provide assistance for a project to develop maps identifying flood inundation areas along the Little Calumet River, Chicago, Illinois.

Section 5062. Promontory Point, Lake Michigan, Illinois

This section authorizes the Secretary to conduct a third-party review of the Promontory Point section of the project authorized by Section 101(a)(12) of the Water Resources Development Act of 1996 to determine whether the existing project meets the standard for an historic property designation based original limestone step design.

Section 5063. Burns Waterway Harbor, Indiana

This section directs the Secretary to conduct a study of shoaling in the vicinity of Burns Waterway Harbor, Indiana, and if the shoaling is a result of the Federal navigation project, directs the Secretary to carry out a project to mitigate the shoaling.

Section 5064. Calumet Region, Indiana

This section amends section 219(f)(12) of the Water Resources Development Act of 1992 to increase the authorization of appropriations and to authorize credit for work carried out by the non-Federal interest, if integral to the project.

Section 5065. Paducah, Kentucky

This section directs the Secretary to complete the feasibility report for the rehabilitation of the project for flood damage reduction, Paducah, Kentucky, and if feasible, to carry out the project at a total cost of $3,000,000.

Section 5066. Southern and Eastern Kentucky

This section authorizes the Secretary to use 10 percent of appropriated amounts for administrative expenses.

Section 5067. Winchester, Kentucky

This section authorizes technical, planning, and design assistance for a wastewater infrastructure project, Winchester, Kentucky.

Section 5068. Baton Rouge, Louisiana

This section amends section 219(f)(21) of the Water Resources and Development Act of 1992 to increase the authorization of appropriations to $35,000,000.

Section 5069. Calcasieu Ship Channel, Louisiana

This section directs the Secretary to expedite completion of the dredged material management plan for the Calcasieu Ship Channel, Louisiana.

Section 5070. Cross Lake, Shreveport, Louisiana

This section authorizes the Secretary to accept funds from the Department of the Air Force, to construct a water intake facility in Shreveport, Louisiana, to benefit the community and the nearby Air Force facility.

Section 5071. West Baton Rouge Parish, Louisiana

This section modifies an ongoing study for waterfront and riverine preservation, restoration, and enhancement, Mississippi River, West Baton Rouge Parish, Louisiana, to modify the scope of the study and authorize credit for work carried out by the non-Federal interest before the date of the partnership agreement, if integral to the project. Amends section 517 of the Water Resources Development Act of 1999 to make a technical correction to the description of a project.

Section 5072. Charlestown, Maryland

This section authorizes the Secretary to carry out a project for non-structural flood control, Charlestown, Maryland, to include land acquisition from willing sellers, and authorizes appropriations of $2 million to carry out this section.

Section 5073. Anacostia River, District of Columbia, Maryland, and Virginia

This section directs the Secretary to develop a comprehensive plan for the restoration of the Anacostia River and its tributaries.

Section 5074. Delmarva Conservation Corridor, Maryland and Delaware

This section authorizes the Secretary to provide technical assistance to the Secretary of Agriculture in carrying out projects in the States of Maryland and Delaware under the Conservation Corridor Demonstration Program, and to coordinate and integrate activities of the Secretary of the Army with activities of the Secretary of Agriculture in such conservation corridor.

Section 5075. Massachusetts dredged material disposal sites

This section authorizes the Secretary to cooperate with the Commonwealth of Massachusetts in management and long-term monitoring of aquatic dredged material disposal sites within the Commonwealth and to accept funds from the Commonwealth to carry out such activities.

Section 5076. Ontonagon Harbor, Michigan

This section directs the Secretary to conduct a study of shore damage in the vicinity of the project for navigation, Ontonagon Harbor, Michigan, and if the Secretary determines the damage is the result of the navigation project, directs the Secretary to carry out a project to mitigate the damage.

Section 5077. Crookston, Minnesota

This section directs the Secretary to carry out an emergency streambank protection project in the vicinity of Highway 2, Crookston, Minnesota, at a total cost of $6,500,000, if feasible.

Section 5078. Garrison and Kathio Township, Minnesota

This section amends section 219(f)(61) of the Water Resources Development Act of 1992 to specify the entities eligible to receive assistance, to increase the authorization of appropriations, and to authorize the Secretary to use the contracting procedures developed under section 569 of the Water Resources Development Act of 1999 in carrying out this authority.

Section 5079. Itasca County, Minnesota

This section directs the Secretary to carry out the authorized project for flood damage reduction, Trout Lake and Canisteo Pit, Itasca County, Minnesota.

Section 5080. Minneapolis, Minnesota

This section directs the Secretary to convey by quitclaim deed on behalf of the United States to the City of Minneapolis, Minnesota, the War Department (Fort Snelling Interceptor) Tunnel.

Section 5081. Northeastern Minnesota

This section amends section 569 of the Water Resources Development Act of 1999 to change the geographic scope of the authorization, to authorize non-profit entities to serve as non-Federal sponsors, to increase the authorization of appropriations for the program to address a sanitary sewer overflow project in Duluth, Minnesota, and to allow 10 percent of amounts appropriated to be used for administrative expenses. This section also directs the Secretary to reimburse the non-Federal interest for the project in Biwabik,

Minnesota, that portion of the project costs that exceeds the non-Federal share of project costs.

Section 5082. Wild Rice River, Minnesota

This section directs the Secretary to expedite the general re-evaluation report authorized by section 438 of the Water Resources Development Act of 2000, for the project for flood protection, Wild Rice River, Minnesota, to develop alternatives to the Twin Valley Lake feature, and upon completion of the report, to construct the project at a total cost of $20,000,000.

Section 5083. Harrison, Hancock, and Jackson Counties, Mississippi

This section authorizes the Secretary to accept any portion of the non-Federal share of the cost of ecosystem restoration projects within Harrison, Hancock, and Jackson counties, Mississippi, in the form of in-kind contributions.

Section 5084. Mississippi River, Missouri, and Illinois

This section authorizes the Secretary to carry out environmental restoration activities at the project for the Mississippi River (Regulating Works), between the Ohio and Missouri Rivers, Missouri and Illinois, as part of operation and maintenance of the project.

Section 5085. St. Louis, Missouri

This section amends section 219(f)(32) of the Water Resources Development Act of 1992 to increase the authorization of appropriations to $35,000,000, and to modify the geographic scope of projects authorized to be carried out under this section.

Section 5086. Hackensack Meadowlands area, New Jersey

This section amends ecosystem management project program authorized under section 324 of the Water Resources Development Act of 1992 to change the non-Federal interest, expand the scope of the authorization, allow credit for in-kind services, and increase the authorization of appropriations to $35,000,000.

Section 5087. Atlantic Coast of New York

This section amends monitoring program authorized under section 404(a) of the Water Resources Development Act of 1992 to clarify the scope of the program, require annual reports, extend the authorization, and authorize appropriations of $800,000 for the construction of a tsunami warning system.

Section 5088. College Point, New York City, New York

This section authorizes the Secretary to give priority to environmental dredging in College Point, New York City, New York.

Section 5089. Flushing Bay and Creek, New York City, New York

This section directs the Secretary to provide credit for the cost of work performed by the non-Federal interest for ecosystem restoration for Flushing Bay and Creek, New York City, New York, if an integral part of the project.

Section 5090. Hudson River, New York

This section authorizes appropriations of $5 million for the Secretary to participate with the State of New York, New York City, and the Hudson River Park Trust, in carrying out activities to restore critical marine habitat, improve safety, and protect and rehabilitate critical infrastructure.

Section 5091. Mount Morris Dam, New York

This section authorizes the Secretary to make improvements to the access road for Mount Morris Dam, New York, to provide safe access to the Federal visitor's center.

Section 5092. John H. Kerr Dam and Reservoir, North Carolina

This section directs the Secretary to expedite a revised permanent contract for water supply storage at John H. Kerr Dam and Reservoir, North Carolina.

Section 5093. Stanly County, North Carolina

This section amends section 219(f)(64) of the Water Resources Development Act of 1992 to expand the scope of the authority.

Section 5094. Cincinnati, Ohio

This section authorizes appropriations of $25 million for the Secretary to carry out ecosystem restoration and recreational projects consistent with the Central Riverfront Park Master Plan, dated December 1999. This section authorizes credit for the cost of planning, design, and construction work carried out by the non-Federal interest before the partnership agreement if the Secretary determines the work is integral to the project.

Section 5095. Toussaint River, Ohio

This section authorizes the Secretary to transfer a dredge to the non-Federal interest at the project for navigation, Toussaint River, Ohio, and, upon transfer of the dredge and payment of the net present value of future dredging costs, releases the Secretary from responsibility for dredging the Toussaint River.

Section 5096. Eugene, Oregon

This section directs the Secretary to conduct a study of the feasibility of restoring the millrace in Eugene, Oregon, and, if feasible, carry out the restoration. This section directs the Secretary to include non-economic benefits when determining feasibility. This section authorizes appropriations of $20 million to carry out this section.

Section 5097. Fern Ridge Dam, Oregon

This section authorizes the Secretary to treat work carried out for emergency corrective action at Fern Ridge Dam, Oregon, as a dam safety project. This section authorizes the Secretary to recover the cost of work carried out in accordance with section 1203 of the Water Resources Development Act of 1986.

Section 5098. Allegheny County, Pennsylvania

This section amends Section 219(f)(66) of the Water Resources Development Act of 1992 by directing the Secretary to direct the

Secretary to provide credit for the cost of work performed by the non-Federal interest, if an integral part of the project.

Section 5099. Kehly Run Dam, Pennsylvania

This section amends section 504 of the Water Resources Development Act of 1999 to clarify that there are multiple dams on Kehly Run, Pennsylvania.

Section 5100. Lehigh River, Lehigh County, Pennsylvania

This section authorizes $500,000 for the Secretary to use existing water quality data to model the effects of the Francis E. Walter Dam, to determine is impact on water and related resources in and along the Lehigh River in Lehigh County, Pennsylvania.

Section 5101. Northeast Pennsylvania

This section amends section 219(f)(11) of the Water Resources Development Act of 1992 to modify the geographic scope of the authorization.

Section 5102. Upper Susquehanna River Basin, Pennsylvania and New York

This section amends the authorization for flood damage reduction and environmental restoration under section 567 of the Water Resources Development Act of 1996 to clarify the Secretary's authority to implement the program, to increase the authorization of appropriations, and to authorize pilot projects not to exceed $500,000. This section will clarify that the Corps may work directly with public and non-profit organizations with expertise in wetland and stream restoration, including non-profit organizations and local soil and water conservation districts. In implementing the strategy, priority is given to a project for ecosystem restoration, Cooperstown, New York, described in the Upper Susquehanna River Basin—Cooperstown Area Ecosystem Restoration Feasibility Study, dated December 2004. Finally, the amendment provides for credit against the non-Federal share of work done by local sponsors where such work is integral to the project and acceptance of in-kind services and materials provided by non-Federal interests.

Section 5103. Cano Martin Pena, San Juan, Puerto Rico

This section directs the Secretary to review a report prepared by the non-Federal interest concerning flood protection and environmental restoration for Cano Martin Pena, San Juan, Puerto Rico, and, if feasible, authorizes the Secretary to carry out the project at a total cost of $130,000,000. Because the non-Federal report was prepared by the Corps of Engineers under its authority to perform work for others, the review should be prompt and less expensive than a review of a study proposed by an outside entity.

Section 5104. Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and Terrestrial Wildlife Habitat Restoration, South Dakota

This section makes changes to the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund, Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe Trust Funds, and the State of South Dakota Terres-

trial Wildlife Restoration Trust Fund, authorized by section 602 of the Water Resources Development Act of 1999.

Section 5105. Fritz Landing, Tennessee

This section directs the Secretary to conduct a study of the Fritz Landing Agricultural Spur Levee, Tennessee, to determine the extent of levee modifications that would be required to bring the levee and associated drainage structures up to Federal standards, to design and construct such modifications, and to incorporate the levees into the project for flood control, Mississippi River and Tributaries.

Section 5106. J. Percy Priest Dam and Reservoir, Tennessee

This section directs the Secretary to construct a trail system at the J. Percy Priest Dam and Reservoir, Ohio River Basin, Tennessee.

Section 5107. Town Creek, Lenoir City, Tennessee

This section directs the Secretary to construct the project for flood damage reduction designated as Alternative 4 in the Town Creek, Lenoir City, Loudon County, Tennessee, in accordance with the feasibility report of the Nashville district engineer, dated November 2000.

Section 5108. Tennessee River partnership

This section authorizes the Secretary to enter into a partnership with a non-profit entity to remove debris from the Tennessee River in the vicinity of Knoxville, Tennessee, by providing the non-profit entity with a vessel for debris removal, at Federal expense, not to exceed $500,000.

Section 5109. Upper Mississippi Embayment, Tennessee, Arkansas, and Mississippi

This section authorizes appropriations of $5,000,000 for the Secretary to participate with non-Federal, non-profit entities to address issues related to groundwater as a sustainable resource through the Upper Mississippi Embayment, Tennessee, Arkansas, and Mississippi. The University of Memphis Groundwater Institute, has significant expertise in the Upper Mississippi River Embayment. Under this section, the Secretary may work with the University of Memphis to conduct a study of the feasibility of managing ground water as a sustainable resource throughout the Mississippi Embayment and to coordinate ground water and surface water protection programs.

Section 5110. Bosque River Watershed, Texas

This section directs the Secretary to develop a comprehensive plan for restoring, preserving, and protecting the Bosque River Watershed, Texas, and authorizes appropriations of $5,000,000 to develop the plan and implement projects to demonstrate practicable alternatives. This section authorizes the Secretary to work with public, non-profit entities in carrying out this section. Under this section, the Secretary may work with Texas A&M University to assist the Secretary under this authority.

Section 5111. Dallas Floodway, Dallas, Texas

This section directs the Secretary to review two locally-prepared plans for the project for flood damage reduction, Dallas Floodway, Dallas, Texas, and to carry out the plans, if technically sound and environmentally acceptable, at a total cost of $459,000,000. This section authorizes credit for work performed by the non-Federal interest, if integral to the project authorized by this section, and directs the Secretary to accept funds provided by the non-Federal interest in advance of the Federal share for planning, engineering, and design work, and to credit such funds against the non-Federal share of the cost of the project.

Section 5112. Harris County, Texas

This section amends section 575(a) of the Water Resources Development Act of 1996 to ensure that measures funded, in part, by the hazard mitigation grant program of the Federal Emergency Management Agency are considered measures taken by the non-Federal interest, for the purpose of evaluating the pre-project conditions. This section also adds the project for flood control, Upper White Oak Bayou, Texas, to the list of projects covered by this section.

Section 5113. Onion Creek, Texas

This section directs the Secretary to include costs and benefits associated with relocations occurring during the 2–year period of time before the feasibility study as project costs and benefits, and to provide credit toward the non-Federal share for the cost of relocations carried out before the date of the cooperation agreement, if integral to the project.

Section 5114. Eastern Shore and Southwest Virginia

This section amends Section 219(f)(10) of the Water Resources Development Act of 1992 to include environmental restoration as a project purpose and to direct the Secretary to provide credit toward the non-Federal share of the cost of the project for work that is integral to the project.

Section 5115. Dyke Marsh, Fairfax County, Virginia

This section authorizes the Secretary to accept funds from the National Park Service to restore Dyke Marsh, Fairfax County, Virginia.

Section 5116. Baker Bay and Ilwaco Harbor, Washington

This section directs the Secretary to conduct a study to determine if increased siltation is the result of a Federal navigation project and, if so, to mitigate the siltation in the Baker Bay and Ilwaco Harbor, Washington.

Section 5117. Hamilton Island campground, Washington

This section authorizes the Secretary to plan, design, and construct a campground for Bonneville Lock and Dam at Hamilton Island in Skamania County, Washington.

Section 5118. Puget Island, Washington

This section directs the Secretary to place dredged and other suitable material along portions of the Columbia River shoreline of

Puget Island, Washington, at a Federal cost not to exceed $1,000,000.

Section 5119. Willapa Bay, Washington

This section amends Section 545 of the Water Resources Development Act of 2000 to direct the Secretary to construct the project for coastal erosion protection, Willapa Bay, Washington, and to expand the authority to include ecosystem restoration.

Section 5120. West Virginia and Pennsylvania flood control

This section amends section 581 of the Water Resources Development Act of 1996 to expand the scope of the authority and to increase the authorization to $90,000,000.

Section 5121. Central West Virginia

This section amends section 571 of the Water Resources Development Act of 1999 to modify the geographic scope of the authorization, to allow non-profit entities to serve as non-Federal interests, and to allow 10 percent of appropriated amounts to be used for administrative expenses.

Section 5122. Southern West Virginia

This section amends section 340 of the Water Resources Development Act of 1992 to modify the geographic scope of the authorization, to allow non-profit entities to serve as non-Federal interests, and to allow 10 percent of appropriated amounts to be used for administrative expenses.

Section 5138. Construction of flood control projects by non-Federal interests

This section adds the following projects to the list of projects that may be constructed by non-Federal interests under Section 211(f) of the Water Resources Development Act of 1996:

(1) Perris, California;
(2) Thornton Reservoir, Cook County, Illinois;
(3) Larose to Golden Meadow, Louisiana;
(4) Buffalo Bayou, Texas; and
(5) Halls Bayou, Texas.

TITLE VI—FLORIDA EVERGLADES

Section 6001. Hillsboro and Okeechobee aquifer, Florida

Subsection (a) amends section 101(a)(16) of the Water Resources Development Act of 1999 to increase the authorization for the Hillsboro and Okeechobee aquifer storage and recovery project.

Subsection (b) amends section 601 of the Water Resources Development Act of 2000 to direct that the Hillsboro and Okeechobee aquifer storage and recovery project be treated as part the Comprehensive Everglades Restoration Plan, except that operation and maintenance shall remain a non-Federal responsibility.

Section 6002. Pilot projects

This section increases the authorization for the Caloosahatchee River (C–43) Basin aquifer storage and recovery pilot project, au-

thorized under section 601(b) of the Water Resources Development Act of 2000.

Section 6003. Maximum cost of projects

Subsection 6003(a) amends section 601(b) of the Water Resources Development Act of 2000 to ensure that section 902 of the Water Resources Development Act of 1986 applies to new Everglades projects authorized under section 601(d) of the Water Resources Development Act of 2000.

Subsection 6003(b) amends section 601(c) of the Water Resources Development Act of 2000 to ensure that section 902 of the Water Resources Development Act of 1986 applies additional modifications to the Central and Southern Florida project through future project implementation reports authorized under section 601(c) of the Water Resources Development Act of 2000.

Section 6004. Project authorization

This section amends section 601(d) of the Water Resources Development Act of 2000 to authorize three projects as part the Comprehensive Everglades Restoration Plan:

(1) The project for ecosystem restoration, Indian River Lagoon South, Florida, substantially in accordance with the Indian River Lagoon South, Florida: Report of the Chief of Engineers, dated August 6, 2004, at a total cost of $1,365,000,000, with an estimated Federal cost of $682,500,000 and an estimated non-Federal cost of $682,500,000. The Committee is aware that components of the Indian River Lagoon South, Florida, project for ecosystem restoration depend on the completion of other components of the Comprehensive Everglades Restoration Plan. The Secretary should sequence the construction of this project in a cost-effective manner.

(2) The project for environmental restoration, Picayune Strand, Florida, substantially in accordance with the Picayune Strand: Report of the Chief of Engineers, dated September 15, 2005, at a total cost of $375,330,000, with an estimated Federal cost of $187,665,000 and an estimated non-Federal cost of $187,665,000.

(3) The project for environmental restoration, Site 1 Impoundment, Florida, substantially in accordance with the Site 1 Impoundment: Report of the Chief of Engineers, dated December 19, 2006, at a total cost of 80,840,000, with an estimated Federal cost of $40,420,000 and a non-Federal cost of $40,420,000.

Section 6005. Credit

This section amends section 601(e) of the Water Resources Development Act of 2000 to authorize credit for work on Everglades restoration projects carried out before the date of a partnership agreement between the Secretary and the non-Federal sponsor, and to authorize the Secretary to enter into a written agreement with the non-Federal sponsor to specify conditions relating to design and construction of such work. The Committee is concerned about the practice of the non-Federal sponsor performing work on the project without a written agreement with the Corps, and then relying upon legislation to receive credit against the non-Federal share. Consistent with section 2009 of this bill, for future work to be considered eligible for credit, it must be performed under a written agreement with the Secretary.

Section 6006. Outreach and assistance

This section specifies that up to $3,000,000 a year may be expended on outreach and assistance authorized under section 601(k) of the Water Resources Development Act of 2000.

Section 6007. Critical restoration projects

This section increases the authorization for critical restoration projects for the Everglades authorized under section 528(b)(3) of the Water Resources Development Act of 1996.

Section 6008. Modified water deliveries

Section 6008 authorizes the Secretary to carry out a project to raise a portion of U.S. Highway 41 (Tamiami Trail), substantially in accordance with the Revised General Reevaluation Report/Second Supplemental Environmental Impact Statement for the Tamiami Trail Modifications, Modified Water Deliveries to Everglades National Park, dated August 2005, at a total cost of $144,131,000. Paragraph 6008(c)(1) directs that the costs to raise the Tamiami Trail be shared equally between the Secretary and the Secretary of the Interior.

Substantial portions of the Comprehensive Everglades Restoration Plan depend upon an operating modified water deliveries project to be effective; however, in order to institute an effective modified water deliveries project, a portion of the Tamiami Trail, located between Water Conservation Area 3B and the Everglades National Park, must be modified to increase the volume of water entering into the Park.

The Everglades National Park Protection and Expansion Act (Pub. L. 101–229) authorized the Secretary to undertake certain actions to improve water deliveries to the Everglades National Park and to take steps to restore natural hydrologic conditions to the extent practicable. The General Design Memorandum called for in Pub. L. 101–229 was completed in June 1992. Under the provisions of this memorandum and Environmental Impact Statement for Modified Water Deliveries to Everglades National Park, water would be transferred from Water Conservation Area 3B to the L–29 Canal (Tamiami Canal) and through the existing culvert system south under the Tamiami Trail into Northeast Shark River Slough. When the memorandum was completed in 1992, it was believed that existing culverts under the roadway would be adequate to convey the flow of water. Subsequent hydrological analyses, however, revealed that the head height in the L–29 Canal required for the culverts to convey the increased water could adversely affect the structure of Tamiami Trail and overtop low areas along the highway under certain conditions.

Alternative means for water conveyance were evaluated through the preparation of a General Reevaluation Report and Supplemental Environmental Impact Statement, the final version of which was coordinated with the public in December 2003. However, concerns regarding probable damage to Tamiami Trail were raised during and subsequent to the public and agency review of the final report, and the Final General Reevaluation Report was withdrawn without a signed Record of Decision.

In August 2005, the Jacksonville District of the Corps, in coordination with the South Florida Water Management District, re-

leased a Revised General Reevaluation Report/Second Supplemental Environmental Impact Statement for the Tamiami Trail Modifications, Modified Water Deliveries to Everglades National Park. This report recommended a tentatively selected plan that would raise three miles of the Tamiami Trail (Alternative 14, Two-Mile Bridge West and One-Mile Bridge East) to allow for increased water flows from Water Conservation Area 3B to the Everglades National Park.

The Two-Mile Bridge West and One-Mile Bridge East alternative, authorized by this section, consists of providing a conveyance opening through the Tamiami Trail by removing portions of the existing highway and embankment. Bridges would be constructed over the openings to replace the removed sections of road and maintain motor vehicle traffic across the openings. The eastern bridge would be located approximately one mile west of S–334 and extend to the west for approximately one mile. The western bridge would extend from just east of the Blue Shanty Canal to one-half mile east of the Osceola Camp.

Section 6009. Deauthorizations

This section deauthorizes the uncompleted portions of three projects that have been superseded by the Indian River Lagoon South, project for ecosystem restoration. The total cost of deauthorized projects is $240,389,000.

Section 6010. Regional engineering model for environmental restoration

This section authorizes appropriations of $10 million for the Secretary to complete the development and testing of the regional engineering model for environmental restoration (REMER) as expeditiously as practicable. Authorizes the Secretary to use REMER for the development of future water resources projects, including projects developed pursuant to section 601 of the Water Resources Development Act of 2000.

TITLE VII—LOUISIANA COASTAL AREA

Section 7001. Definitions

This section provides definitions for "coastal Louisiana ecosystem", "Governor", "Plan", and "Task Force".

Section 7002. Comprehensive plan

Subsection 7002(a) directs the Secretary, in coordination with the Governor of the State of Louisiana, to develop a comprehensive plan for protecting, preserving, and restoring the coastal Louisiana ecosystem.

Subsection 7002(b) directs the Secretary to integrate the comprehensive plan into the analysis and design of the ongoing long-term hurricane protection study authorized by title I of the Energy and Water Development Appropriations Act, 2006, and scheduled to be completed by November 2007.

Subsection 7002(c) requires the Secretary, in developing the comprehensive plan, to ensure the plan is consistent with the goals, analysis, and design of the comprehensive coastal protection master plan authorized by the State of Louisiana, including the max-

imum use of water and sediment diversions for coastal restoration purposes consistent with flood control and navigation purposes, a schedule for the design and implementation of large-scale water and sediment reintroduction projects, and the assessment of alterations in the operation of the Old River Control Structure consistent with flood control and navigation purposes.

Subsections 7002(d) and (e) establish specific components to be described in, and projects, programs, and existing plans that must be considered for integration into, the comprehensive plan. Subsection 7002(f) requires the Secretary to submit the comprehensive plan to Congress within one year of the date of enactment, and to provide updates and an assessment of progress made in implementing the plan at least every five years after the date of submission.

Section 7003. Louisiana coastal area

Subsection 7003(a) authorizes the Secretary to carry out a program for ecosystem restoration of the Louisiana Coastal Area, Louisiana, substantially in accordance with the Report of the Chief of Engineers, dated January 31, 2005.

Subsection 7003(b) establishes a list of priority considerations for the Secretary to utilize in carrying out the program for ecosystem restoration authorized under subsection 7003(a).

Section 7004. Coastal Louisiana Ecosystem Protection and Restoration Task Force

Subsection 7004 establishes a Coastal Louisiana Ecosystem Protection and Restoration Task Force ("Task Force"), comprised of the Secretary, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, the Secretary of Transportation, the Secretary of Energy, the Director of the Federal Emergency Management Agency, the Commandant of the Coast Guard, the Coastal Advisor to the Governor of Louisiana, the Secretary of the Louisiana Department of Natural Resources, and a representative of the Governor of Louisiana's Advisory Commission on Coastal Restoration and Conservation.

This section authorizes the Task Force to make recommendations to the Secretary regarding the policies, strategies, plans, programs, projects, and activities for addressing conservation, protection, restoration, and maintenance of the coastal Louisiana ecosystem; the financial participation of each agency represented; and the development of the comprehensive plan under section 7002(a). The Task Force is required to submit a biennial report to Congress that summarizes the activities of the Task Force.

Subsection 7004(e) authorizes the Task Force to establish working groups to assist the Task Force in carrying out its responsibilities, including to advise the Task Force on opportunities to integrate the planning, engineering, design, implementation, and performance of Corps projects in those areas in Louisiana for which a major disaster was declared by the President as a result of Hurricanes Katrina or Rita.

Section 7005. Project modifications

Section 7005 directs the Secretary to review, in cooperation with the respective non-Federal interest, each Federally-authorized water resource project in the coastal Louisiana ecosystem being carried out or completed as of the date of enactment of this Act to determine whether the project needs to be modified in light of the program for ecosystem restoration contained in the Report of the Chief for the Louisiana Coastal Area, Louisiana, authorized by section 7003.

Section 7005 also directs the Secretary, after an opportunity for public notice and comment, to submit to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works a report describing potential modifications. This subsection authorizes appropriations of $10 million for the Secretary to carry out such modifications.

Section 7006. Construction

Section 7006 authorizes appropriations of $100 million for the Secretary to carry out a coastal Louisiana ecosystem program substantially in accordance with the Report of the Chief of Engineers for the Louisiana Coastal Area, Louisiana, dated January 31, 2005.

Section 7006(b) authorizes appropriations of $100 million for the Secretary to carry out demonstration projects substantially in accordance with the Report of the Chief for the Louisiana Coastal Area, Louisiana. The total maximum cost of an individual project under this subsection shall not exceed $25 million.

Section 7006(c) authorizes the Secretary to carry out the following projects substantially in accordance with the Report of the Chief of Engineers for the Louisiana Coastal Area, Louisiana, dated January 31, 2005:

(1) Mississippi River Gulf Outlet environmental restoration at a total cost of $105,300,000;

(2) Small diversion at Hope Canal at a total cost of $68,600,000;

(3) Barataria basin barrier shoreline restoration at a total cost of $242,600,000;

(4) Small Bayou Lafourche reintroduction at a total cost of $133,500,000; and

(5) Medium diversion at Myrtle Grove with dedicated dredging at a total cost of $278,300,000.

Paragraph 7006(c)(2) directs the Secretary to carry out such modifications to the ecosystem restoration features indentified in the Report of the Chief of Engineers for the Louisiana Coastal Area, Louisiana, as may be necessary to address the impacts of Hurricanes Katrina and Rita, and to ensure that such modifications are taken into account in carrying out the study of comprehensive hurricane protection authorized by title I of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2247).

Subsection 7006(d) authorizes appropriations of $100 million for the Secretary to carry out a program, within the coastal Louisiana ecosystem, for the beneficial reuse of material dredged from federally maintained waterways.

Subsection 7006(e) authorizes the Secretary to carry out a project for ecosystem restoration for the Chenier Plain, Louisiana, and the following projects referred to in the Report of the Chief of Engi-

neers for the Louisiana Coastal Area, Louisiana, if the Secretary determines that such projects are feasible:

(1) Land Bridge between Caillou Lake and the Gulf of Mexico at a total cost of $56,300,000;

(2) Gulf Shoreline at Point Au Fer Island at a total cost of $43,400,000;

(3) Modification of Caernarvon Diversion at a total cost of $20,700,000; and

(4) Modification of Davis Pond Diversion at a total cost of $64,200,000.

Paragraph 7006(e)(2) provides that no appropriations shall be made to construct any project under subsection 7006(e) unless a feasibility report on the project is provided to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works, and favorable resolutions have been approved by each committee.

Section 7007. Non-Federal cost share

Section 7007 authorizes credit for the project, and directs the Secretary to monitor the contributions of the non-Federal interest to ensure that, for each 5–year period, that the non-Federal interest keeps pace with the non-Federal share of the cost of studies and projects under this title.

This section also authorizes the non-Federal interest to use, and the Secretary to accept, funds provided under any other Federal program to satisfy, in whole or in part, the non-Federal share of the construction of any project carried out under this section, if such funds are authorized to be used to carry out such project.

Section 7008. Project justification

Section 7008 authorizes the Secretary to determine that any project or activity carried out under this title is justified by the environmental benefits derived by the coastal Louisiana ecosystem, and no further economic justification is required if the Secretary determines the project or activity is cost-effective.

Section 7009. Independent review

This section directs the Secretary to establish the Louisiana Water Resources Council which shall serve as the exclusive peer review panel for projects under this title as required by section 2037 of this Act.

Section 7010. Expedited reports

Section 7010 directs the Secretary to expedite the completion for the following reports, and if the Secretary determines that a project is justified in the completed report, proceed directly to preconstruction engineering and design:

(1) The projects identified in the study of comprehensive hurricane protection authorized by title I of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2447);

(2) A project for ecosystem restoration for the Chenier Plain, Louisiana;

(3) The project for Multipurpose Operation of Houma Navigation Lock;

(4) The project for Terrebonne Basin Barrier Shoreline Restoration;

(5) The project for Small Diversion at Convent/Blind River;

(6) The project for Amite River Diversion Canal Modification;

(7) The project for Medium Diversion at White's Ditch;

(8) The project to convey Atchafalaya River water to Northern Terrebonne Marshes;

(9) The projects identified in the Southwest Coastal Louisiana hurricane and storm damage reduction study authorized by the House Committee on Transportation and Infrastructure, dated December 7, 2005.

Section 7011. Reporting

Section 7011 directs the Secretary to report, not later than six years after the date of enactment, to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works on the projects authorized and undertaken under this title.

Section 7012. New Orleans and vicinity

Section 7012 authorizes the Secretary to carry out the following projects:

(1) Raise levee heights where necessary and otherwise enhance the Lake Pontchartrain and Vicinity Project and the West Bank and Vicinity Project to provide the levels of protection necessary to achieve the certification required for participation in the National Flood Insurance Program;

(2) Modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront at Lake Pontchartrain;

(3) Armor critical elements of the New Orleans hurricane and storm damage reduction system;

(4) Modify the Inner Harbor Navigation Canal to increase the reliability of the flood protection system for the City of New Orleans;

(5) Replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the New Orleans to Venice Hurricane Protection Project;

(6) Reinforce or replace flood walls in the existing Lake Pontchartrain and Vicinity Project and the existing West Bank and Vicinity Project to improve performance of the systems;

(7) Perform one time storm-proofing of interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events;

(8) Repair, replace, modify and improve non-Federal levees and associated protection measures in Terrebonne Parish; and

(9) Reduce the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands through measures to begin to reverse wetland losses in areas affected by navigation, oil and gas, and other channels and through modification of the Caernarvon Freshwater Diversion structure or its operations.

Section 7013. Mississippi River Gulf outlet

Section 7013 deauthorizes the navigation channel portion of the project, Mississippi River Gulf outlet ("MRGO"), that extends from the southern bank of Gulf Intracoastal Waterway to the Gulf of Mexico, and authorizes the Secretary to carry out a study and to implement a project to physically modify and close the deauthorized channel, subject to a favorable report of the Chief of Engineers. Nothing in this section affects the authority of the Corps of Engineers to carry out the Lake Pontchartrain and Vicinity, Louisiana Hurricane Protection Project, the Gulf Intracoastal Waterway Project, the Inner Harbor Navigation Canal Lock Replacement Project, or any hurricane protection, storm damage reduction, or ecosystem restoration measures being carried out in the vicinity of the deauthorized portion of the Mississippi River Gulf outlet.

TITLE VIII—UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM

Section 8001. Definitions

This section establishes definitions for the term "Plan" and "Upper Mississippi River and Illinois Waterway System."

Section 8002. Navigation improvements and restoration

This section authorizes the Secretary to undertake navigation improvements and ecosystem restoration substantially in accordance with the Plan.

Section 8003. Authorization of construction of navigation improvements

This section authorizes navigation improvements consisting of small scale and nonstructural measures and seven new 1,200 foot locks. This subsection also specifies that mitigation for these projects shall be concurrent with construction.

Section 8004. Ecosystem restoration authorization

This section authorizes environmental improvements including modifications to the operation of the Upper Mississippi River and Illinois Waterway System to improve the ecological integrity of the rivers, and ecosystem restoration projects in accordance with the Plan, establishes cost-sharing rules, and requires restoration goals, performance measures, measurable outcomes, and monitoring. Also requires reports to Congress regarding implementation of ecosystem restoration projects and the development of a ranking system for ecosystem restoration projects.

Section 8005. Comparable progress

This section requires a determination of whether projects are being carried out at a comparable rate and, if not, adjustment of annual funding requests.

ADDITIONAL MATTERS

The Committee is concerned about the failure, in recent years, to adequately maintain many shallow draft ports and inlets and certain inland waterways. The nation's navigation system is an inte-

grated transportation system. While individual components may receive different levels of use, much of the cargo that ends up at high-use ports and waterways first passes through low-use ports and waterways. The use of an individual port or waterway cannot be viewed in isolation. It must be viewed as part of the overall system. Moreover, uncertain funding makes reduced use of a port or a waterway become a self-fulfilling prophecy. This outcome is directly contrary to the policy objective, articulated by this Committee and by the Secretary of Transportation in testimony before this Committee, of increasing the use of waterways as an alternative to reduce congestion in other transportation modes. The Committee agrees with the assessment of the Senate Committee on Appropriations, expressed in Senate Report 109–84, that the de facto deauthorization of ports and waterways through lack of maintenance demonstrates a profound lack of respect for Congressional authorizing and oversight Committees.

The Committee has increasingly heard concerns from members of Congress regarding the backlog in the processing of permits under section 404 of the Clean Water Act. In particular, the Jacksonville District of the Corps of Engineers processes ⅛ of all the permits nationwide. The Committee directs the Chief of Engineers to examine the permitting workload and consider alternatives for better distribution of the workload. The Committee also directs the Chief of Engineers to work with States using current authorities to minimize the time required for the Corps to respond to permit applications.

The Committee has received several proposals to provide authorizations to address impacts to endangered species. The Committee believes that the Corps of Engineers does not need specific authorization to comply with the Endangered Species Act. In addition, mitigation of damages to fish and wildlife resulting from any water resources project is authorized under section 906(b) of the Water Resources Development Act of 1986.

The Committee is aware that Corps of Engineers has developed a nonstructural alternative to the project for flood control, Ste. Genevieve, Missouri, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4118) that would elevate up to 25 historic houses along North and South Gabouri Creeks. Section 73(a) of the Water Resources Development Act of 1974 (88 Stat. 32) authorizes the Corps of Engineers to consider nonstructural alternatives to prevent or reduce flood damages, including but not limited to floodproofing of structures. The Committee directs the Secretary to review and give full consideration to including the nonstructural alternative as a project component to maximize flood protection in Ste. Genevieve, Missouri, in a cost-effective, environmentally responsible matter.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 109th Congress, the House passed H.R. 2864, the Water Resources Development Act of 2006, by a vote of 406–14 on July 14, 2005. The Senate passed H.R. 2864, with an amendment, by voice vote on July 19, 2006. Unfortunately, the House and the Senate were unable to resolve their differences in Conference before the end of the 109tth Congress.

In the 109th Congress, the Subcommittee on Water Resources and Environment held two days of hearings on projects, programs, and policies of the Civil Works Programs of the Corps, on March 10, 2005, and March 16, 2005. During these hearings, testimony was received from Members of Congress and the Administration.

In the 110th Congress, on February 14, 2007, the Subcommittee held a hearing on the President's fiscal year 2008 budget request for the Corps of Engineers.

On March 13, 2007, Committee on Transportation and Infrastructure Chairman James L. Oberstar and Subcommittee on Water Resources and Environment Chairwoman Eddie Bernice Johnson introduced H.R. 1495, the "Water Resources Development Act of 2007".

On March 14, 2007, the Subcommittee on Water Resources and Environment marked up H.R. 1495, and recommended the bill favorably to the Full Committee by voice vote. On March 15, 2007, the Committee on Transportation and Infrastructure met in open session to consider H.R. 1495. The Committee adopted three amendments to the bill: a manager's amendment; an amendment regarding employing local residents to construct Corps projects; and an amendment regarding a Southwest Coastal Louisiana hurricane and storm damage reduction study. The Committee ordered H.R. 1495, as amended, favorably reported to the House by voice vote.

RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each roll call vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with consideration of H.R. 1495. A motion to order H.R. 1495, as amended, reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included below.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are the improvement of navigation, flood damage reduction, shoreline protection, dam safety, water supply, recreation, and environmental restoration and protection.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1495 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 29, 2007.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1495, the Water Resources Development Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Tyler Kruzich.

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

H.R. 1495—Water Resources Development Act of 2007

Summary: H.R. 1495 would authorize the Army Corps of Engineers (Corps) to conduct water resource studies and undertake specified projects and programs for flood control, inland navigation, shoreline protection, and environmental restoration. The bill would authorize the agency to conduct studies on water resource needs, to complete feasibility studies for specified projects, and to convey ownership of certain federal properties. Finally, the bill would extend, terminate, or modify existing authorizations for various water projects and would authorize new programs to develop water resources and protect the environment.

Assuming appropriation of the necessary amounts. including adjustments for increases in anticipated inflation, CBO estimates that implementing H.R. 1495 would cost about $6.7 billion over the 2008–2012 period and an additional $6.5 billion over the 10 years after 2012. (Some construction costs and operations and maintenance would continue or commence after those first 15 years.)

H.R. 1495 would convey parcels of land to various nonfederal entities and would allow the city of Paris, Texas, to make a lump-sum payment for its future water supply storage costs at Pat Mayse Lake in Texas. The bill also would allow the Corps to collect and spend fees collected for training courses and for processing certain permits issued by the Corps. CBO estimates that enacting those provisions would increase offsetting receipts (a credit against direct spending) by $6 million in 2008, by $9 million over the 2008–2012 period, and by $8 million over the 2008–2017 period. Enacting the bill would not affect revenues.

H.R. 1495 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). Federal participation in water resources projects and programs authorized by this bill would benefit state, local, and tribal governments, and any costs incurred by those governments to comply with the conditions of this federal assistance would be incurred voluntarily.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1495 is shown in the following table. The cost of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	1,654	1,619	1,527	1,445	1,375
Estimated Outlays	914	1,396	1,548	1,479	1,402
CHANGES IN DIRECT SPENDING: [a]					
Estimated Budget Authority	−6	−3	*	*	*
Estimated Outlays	−6	−3	*	*	*

[a] Changes in direct spending after 2012 would sum to less than $500,000 a year.
Note: * = less than $500,000.

Basis of estimate: For this estimate, CBO assumes that H.R. 1495 will be enacted before the start of fiscal year 2008 and that the necessary amounts will be appropriated for each fiscal year.

Spending subject to appropriation

H.R. 1495 would authorize new projects related to environmental restoration, shoreline protection, and navigation. The bill also would modify many existing Corps projects and programs by increasing the amounts authorized to be appropriated to construct or maintain them or by increasing the federal share of project costs. Assuming appropriation of the necessary funds, CBO estimates that implementing the bill would cost $6.7 billion over the 2008–2012 period and an additional $6.5 billion over the 10 years after 2012.

For newly authorized water projects specified in the bill, the Corps provided CBO with estimates of the annual budget authority needed to meet project design and construction schedules. CBO adjusted those estimates to reflect the impact of anticipated inflation during the time between project authorization and the appropriation of construction costs. Estimated outlays are based on historical spending rates for Corps projects.

Significant New Authorizations. H.R. 1495 would authorize the Corps to conduct water resource studies and undertake specified projects and programs for flood control, inland navigation, shoreline protection, and environmental restoration. For example, the bill would authorize the construction of enhanced navigation improvements for the Upper Mississippi River at an estimated federal cost of $1.8 billion and an ecosystem restoration project, also on the Upper Mississippi River, at an estimated federal cost of $1.6 billion. Another large project that would be authorized by this bill is the Indian River Lagoon project in the Florida Everglades at an estimated federal cost of $683 million. Construction of those projects would likely take more than 15 years.

Hurricane Damage. Several provisions in titles II and VII would authorize coastal restoration projects and water control infrastructure in Louisiana and Mississippi that are needed to correct hurricane damage. For example, the Morganza to the Gulf of Mexico Hurricane Protection Project would seek to reduce hurricane and flood damages across 1,700 square miles of coastal Louisiana at an estimated federal cost of $576 million. Other projects would improve flood protection infrastructure within New Orleans and its vicinity. The cost of those provisions would approach $3 billion. CBO expects that most of those projects would be built over the next five to 10 years. Improvements resulting from the completion of those projects could reduce the costs of damages from future storms and the amount of federal funds needed for recovery from such events.

Federal Share of Project Costs. Two provisions of H.R. 1495 concern the federal share of ongoing and future Corps projects. Most projects undertaken by the Corps are required to have a specific portion of costs covered by local interests, and the remaining costs are considered the federal share of the total project cost.

Section 2002 would authorize an increase in the federal share of the construction of some deepwater navigation projects from 40 percent to 65 percent and from 50 percent to 100 percent for maintenance and operations of such projects. The Corps is currently working on a few such projects around the county, the largest is in the New York and New Jersey Harbor area. Based on information from the Corps, CBO estimates that this provision would increase federal costs by about $400 million over the 2008–2012 period. This provision could add substantial federal costs to deepwater navigation projects that may be authorized in future years by future legislation.

Section 2009 would allow local interests that have provided in-kind contributions for the construction of water resources projects to have the value of such contributions credited toward the local share of the total construction cost of such projects. Under the bill, the Corps would be authorized to credit in-kind contributions of local participants on projects that were commenced on or after November 16, 1986. Based on information from the Corps, CBO expects that any credit toward in-kind contributions would not necessarily affect the federal share of total project costs.

Deauthorizations. H.R. 1495 would withdraw the authority for the Corps to build 10 projects authorized in previous legislation. Based on information from the Corps, however, CBO does not expect that the agency would begin any work under current law for most of those projects over the next five years (or possibly even much later). Some of those projects do not have a local sponsor to pay nonfederal costs, others do not pass certain tests for economic viability, and still others do not pass certain tests for environmental protection. Consequently, CBO estimates that cancelling the authority to build those project. would provide no significant savings over the next several years.

Direct spending

CBO estimates that enacting H.R. 1495 would decrease direct spending by $6 million in 2008, by $9 million over the 2008–2012

period, and by $8 million total over the 2008–2017 period. Components of this estimate are described below.

Various Land Conveyances. H.R. 1495 would authorize the conveyance at fair market value 650 acres of federal land at the Richard B. Russell Lake in South Carolina to the state. The bill also would authorize the conveyance at fair market value of 900 acres of federal land located in Grayson County, Texas, to the town of Denison, Texas. Based on information from the Corps, CBO estimates that the federal government would receive about $3 million in each of 2008 and 2009 from these sales.

The bill also would convey certain federal land in Arkansas, Missouri, Georgia, Kansas, Oregon, and Minnesota. CBO estimates that those conveyances would have no significant impact on the federal budget.

Pat Mayse Lake. Under the bill, a receipt of $3 million would result from a one-time payment to the federal government from the city of Paris, Texas, for its future water supply storage costs at Pat Mayse Lake in Texas. As a result of that payment, the federal government would forgo annual water supply storage cost payments after such payment. CBO estimates that the loss of those annual receipts would have a negligible impact on the federal budget over the 2008–2017 period.

Fees for Training and Processing Permits. Title II would allow the Corps to accept and spend fees collected in conjunction with its training courses. Title II also would make permanent the Corps' current authority to accept and spend funds contributed by private firms to expedite the evaluation of permit applications submitted to the Corps. CBO estimates that the Corp would collect and spend less than $500,000 during each year under those provisions and that the net budgetary impact would be negligible.

Intergovernmental and private-sector impact: H.R. 1495 contains no intergovernmental or private-sector mandates as defined in UMRA. Federal participation in water resources projects and programs authorized by this bill would benefit state, local, and tribal governments. Governments that choose to participate in those projects would incur costs to comply with the conditions of the federal assistance, including cost-sharing requirements, but such costs would be incurred voluntarily. In addition, some state and local governments participating in ongoing water resources projects would benefit from provisions in the bill that would alter existing cost-sharing obligations. Many of those provisions would make it easier for nonfederal participants to meet their obligations by giving them credit for expenses they have already incurred or by expanding the types of expenditures counted towards the nonfederal share.

Estimate prepared by: Federal Costs: Tyler Kruzich and Deborah Reis. Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branum. Impact on the Private Sector: Amy Petz.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits

as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives. The Committee has required Members of Congress to comply with all requirements of clause 9(d), 9(e), or 9(f) of rule XXI. The following table provides the list of such provisions included in the bill:

Section	Subject	Requested By
1001(01)	Haines, Alaska	Young, D.
1001(02)	Port Lions, Alaska	Young, D.
1001(03)	Rio Salado Oeste, Arizona	Pastor
1001(04)	Santa Cruz River, Paseo De Las Iglesias, Arizona	Farr
1001(05)	Tanque Verde Creek, Pima County, Arizona	Giffords
1001(05)	Tanque Verde Creek, Pima County, Arizona	Grijalva
1001(06)	Salt River (Va Shlyay' Akimel). Maricopa County	Mitchell
1001(07)	May Branch, Forth Smith	Boozman
1001(08)	Hamilton City, California	Herger
1001(09)	Imperial Beach, California	Davis, S.
1001(10)	Matilija Dam, Ventura County, California	Capps
1001(10)	Matilija Dam, Ventura County, California	Gallegly
1001(11)	Middle Creek, Lake County, California	Thompson
1001(12)	Napa River Salt Marsh Restoration, California	Tauscher
1001(12)	Napa River Salt Marsh Restoration, California	Miller, George
1001(12)	Napa River Salt Marsh Restoration, California	Woolsey
1001(12)	Napa River Salt Marsh Restoration, California	Thompson
1001(13)	Denver County Reach, South Platte River, Denver, Colorado	Tancredo
1001(14)	Miami Harbor, Miami Dade County, Florida	Ros-Lehtinen
1001(14)	Miami Harbor, Miami Dade County, Florida	Diaz-Balart, L.
1001(14)	Miami Harbor, Miami Dade County, Florida	Wasserman Schultz
1001(14)	Miami Harbor, Miami Dade County, Florida	Diaz-Balart, M.
1001(15)	East St. Louis and Vicinity, Illinois	Costello
1001(16)	Peoria Riverfront Development, Illinois	LaHood
1001(17)	Wood River Levee System Reconstruction, Madison County, Illinois	Costello
1001(18)	Des Moines and Racoon Rivers. Des Moines, Iowa	Boswell
1001(19)	Licking River Basin, Cythiana	Davis, G.
1001(20)	Bayou Sorrel Lock, Louisiana	Jindal
1001(20)	Bayou Sorrel Lock, Louisiana	Boustany
1001(20)	Bayou Sorrel Lock, Louisiana	Baker
1001(21)	Morganza, Louisiana to the Gulf of Mexico	Jindal
1001(21)	Morganza, Louisiana to the Gulf of Mexico	Melancon
1001(21)	Morganza, Louisiana to the Gulf of Mexico	Baker
1001(22)	Port of Iberia	Melancon
1001(22)	Port of Iberia	Jindal
1001(23)	Smith Island, Somerset County Maryland	Gilchrest
1001(24)	Roseau River, Roseau, Minnesota	Peterson, C.
1001(25)	Mississippi Coastal, Mississippi	Taylor
1001(26)	Kansas Citys Levees, Missouri and Kansas	Cleaver
1001(26)	Kansas Citys Levees, Missouri and Kansas	Moore, D.
1001(27)	Swope Park Industrial Area, Blue River, Kansas City, Missouri	Cleaver
1001(28)	Great Egg Harbor Inlet to Townsends Inlet, New Jersey	LoBiondo
1001(29)	Hudson Raritan Estuary, Liberty State Park	Sires

Section	Subject	Requested By
1001(30)	Manasquan Inlet to Barnegat Island, New Jersey	Saxton
1001(30)	Manasquan Inlet to Barnegat Island, New Jersey	Smith, C.
1001(31)	Raritan Bay and Sandy Hook Bay, Union Beach, New Jersey	Pallone
1001(32)	South River, Raritan River Basin, New Jersey	Andrews
1001(33)	Southwest Valley, Bernalillo County, New Mexico	Wilson, H.
1001(34)	Montauk Point, New York	Bishop, T.
1001(35)	Hocking River Basin	Space
1001(36)	Town of Bloomsberg, Columbia County, Pennsylvania	Kanjorski
1001(37)	Pawley's Island	Brown, H.
1001(38)	Corpus Christi Ship Channel, Corpus Cristi, Texas	Ortiz
1001(39)	Gulf Intracoastal Waterway, Matagorda Bay Re-route, Texas	Paul
1001(40)	Gulf Intracoastal Waterway, High Island to Brazos River, Texas	Paul
1001(41)	Lower Colorado River Basin Phase I, Texas	McCaul
1001(41)	Lower Colorado River Basin Phase I, Texas	Doggett
1001(42)	Atlantic Intracoastal Waterway Bridge Replacement, Deep Creek, Chesapeake	Forbes
1001(43)	Craney Island Eastward Expansion, Norfolk Harbor and Channels, Virginia	Scott, R.
1002(a)(01)	Haleyville, Alabama	Aderholt
1002(a)(02)	Weiss Lake Alabama	Rogers, Mike D.
1002(a)(03)	Little Colorado Levee	Renzi
1002(a)(04)	Cache River Basin, Grubbs	Berry
1002(a)(05)	Barrel Springs Wash, Palmdale, California	McKeon
1002(a)(06)	Borrego Springs, California	Hunter
1002(a)(07)	Colton, California	Baca
1002(a)(08)	Dunlap Stream, San Bernardino	Lewis, J.
1002(a)(09)	Hunts Canyon Wash	McKeon
1002(a)(10)	Ontario and Chino, California	Miller, Gary
1002(a)(10)	Ontario and Chino, California	Baca
1002(a)(11)	Santa Venetia	Woolsey
1002(a)(11)	Santa Venetia	Miller, George
1002(a)(11)	Santa Venetia	Tauscher
1002(a)(12)	Whittier, CA	Miller, Gary
1002(a)(13)	Wildwood Creek	Lewis, J.
1002(a)(14)	St. Francisville, Louisiana	Baker
1002(a)(15)	Salem, MA	Tierney
1002(a)(16)	Cass River, Michigan	Kildee
1002(a)(17)	Crow River, Rockford, Minnesota	Bachmann
1002(a)(18)	Marsh Creek, Minnesota	Peterson, C.
1002(a)(19)	South Branch of Wild Rice River, Borup	Peterson, C.
1002(a)(20)	Blacksnake Creek, St. Joseph, Missouri	Graves
1002(a)(21)	Acid Brook, Pompton Lakes, New Jersey	Pascrell
1002(a)(22)	Cannisteo River, Addison, New York	Kuhl
1002(a)(23)	Cohocton River, Campbell, New York	Kuhl

Section	Subject	Requested By
1002(a)(24)	Dry and Otter Creeks, Cortland	Arcuri
1002(a)(25)	East River, Silver Beach, New York	Crowley
1002(a)(26)	East Valley Creek, Andover	Kuhl
1002(a)(27)	Sunnyside Brook, Westchester County, New York	Engel
1002(a)(28)	Little Yankee Run	Ryan, T.
1002(a)(29)	Little Neshaminy Creek	Murphy, P.
1002(a)(30)	Southampton Creek Watershed	Murphy, P.
1002(a)(31)	Spring Creek, Lower Macungie Township, Lehigh County	Dent
1002(a)(32)	Yardley Aqueduct, Silver and Brock Creeks, Yardley, Pennsylvania	Murphy, P.
1002(a)(33)	Surfside Beach	Brown, H.
1002(a)(34)	Congelosi Ditch	Green, A.
1002(a)(35)	Dilley, Texas	Cuellar
1003(01)	St. Johns' Bluff Training Wall, Duval County, Florida	Crenshaw
1003(01)	St. Johns' Bluff Training Wall, Duval County, Florida	Brown, C.
1003(02)	Gulf Intracoastal Waterway, Iberville, Louisiana	Baker
1003(03)	Ouachita and Black Rivers, Arkansas and Louisiana	Jindal
1003(03)	Ouachita and Black Rivers, Arkansas and Louisiana	Ross
1003(04)	Piney Point Lighthouse	Hoyer
1003(05)	Pug Hole Lake	Oberstar
1003(06)	Middle Fork Grand River	Graves
1003(07)	Platte River, Platte City, Missouri	Graves
1003(08)	Rush Creek, Parkville	Graves
1003(09)	Dry and Otter Creeks, Cortland	Arcuri
1003(10)	Keuka Lake, Hammondsport	Kuhl
1003(11)	Kowawese Unique Area and Hudson River	Hall, J.
1003(12)	Owego Creek, Tioga County, New York	Arcuri
1003(13)	Howard Road Outfall, Shelby County	Blackburn
1003(14)	Mitch Farm Ditch and Lateral D, Shelby County, Tennessee	Blackburn
1003(15)	Wolf River Tributaries, Shelby County	Blackburn
1003(16)	Johnson Creek, Arlington	Barton
1003(17)	Wells River, Newbury	Welch
1004(a)(01)	Mississippi River Ship Channel	Jindal
1004(a)(01)	Mississippi River Ship Channel	Melancon
1004(a)(01)	Mississippi River Ship Channel	Baker
1004(a)(02)	East Basin, Cape Cod Canal, Sandwich, Massachusetts	Delahunt
1004(a)(03)	Lynn Harbor, Lynn, Massachusetts	Tierney
1004(a)(04)	Merrimack River, Haverhill, Massachusetts	Meehan
1004(a)(05)	Oak Bluffs Harbor, Oak Bluffs, Massachusetts	Delahunt
1004(a)(06)	Woods Hole Great Harbor, Falmouth, Massachusetts	Delahunt
1004(a)(07)	Au Sable River, Michigan	Stupak
1004(a)(08)	Traverse City Harbor, Traverse City, Michigan	Stupak
1004(a)(09)	Tower Harbor, Tower, Minnesota	Oberstar
1004(a)(10)	Olcott Harbor, Olcott, New York	Slaughter

Section	Subject	Requested By
1005(01)	Ballona Creek, Los Angeles County, California	Harman
1005(02)	Ballona Lagoon Tide Gates, Marina Del Ray, California	Harman
1005(03)	Ft. George Inlet, Duval County, Florida	Brown, C.
1005(03)	Ft. George Inlet, Duval County, Florida	Crenshaw
1005(04)	Rathbun Lake, Iowa	Boswell
1005(05)	Smithville Lake, Missouri	Graves
1005(06)	Delaware Bay, NJ and DE (Oyster Restoration)	LoBiondo
1005(07)	Tioga-Hammond Lakes	Peterson,J
1006(a)(01)	Cypress Creek, Montgomery, Alabama	Rogers, Mike D.
1006(a)(02)	Black Lake	Young, D.
1006(a)(03)	Ben Lomond Dam	Eshoo
1006(a)(04)	Dockweiler Bluffs, Los Angeles County, California	Harman
1006(a)(05)	Salt River, California	Thompson
1006(a)(06)	Santa Rosa Creek, Santa Rosa, California	Tauscher
1006(a)(06)	Santa Rosa Creek, Santa Rosa, California	Woolsey
1006(a)(06)	Santa Rosa Creek, Santa Rosa, California	Miller, George
1006(a)(07)	Stockton Deep Water Ship Channel and Lower San Joaquin River, California	McNerney
1006(a)(08)	Sweetwater Reservoir, San Diego County	Filner
1006(a)(09)	Biscayne Bay	Ros-Lehtinen
1006(a)(10)	Clam Bayou and Dinkins Bayou, Sanibel Island, Florida	Mack
1006(a)(11)	Chattahoochee Fall Line, Georgia and Alabama	Rogers, Mike D.
1006(a)(11)	Chattahoochee Fall Line, Georgia and Alabama	Westmoreland
1006(a)(11)	Chattahoochee Fall Line, Georgia and Alabama	Bishop, S.
1006(a)(11)	Chattahoochee Fall Line, Georgia and Alabama	Gingrey
1006(a)(12)	Longwood Cove, Gainesville, Georgia	Deal
1006(a)(13)	City Park, University Lakes, Louisiana	Baker
1006(a)(14)	Mill Pond, Littleton, Massachusetts	Meehan
1006(a)(15)	Pine Tree Brook, Milton, Massachusetts	Lynch
1006(a)(16)	Rush Lake, Minnesota	Oberstar
1006(a)(17)	South Fork of the Crow River, Hutchinson, Minnesota	Peterson, C.
1006(a)(18)	St. Louis, Missouri	Carnahan
1006(a)(18)	St. Louis, Missouri	Clay
1006(a)(19)	Truckee River, Reno, Nevada	Heller
1006(a)(20)	Grover's Mill Pond, New Jersey	Holt
1006(a)(21)	Dugway Creek, Bratenahl, Ohio	Jones,S
1006(a)(22)	Johnson Creek, Gresham, Oregon	Blumenauer
1006(a)(23)	Beaver Creek, Beaver and Salem, Pennsylvania	Peterson,J
1006(a)(24)	Cementon Dam, Lehigh and Northampton County, Pennsylvania	Dent
1006(a)(25)	Saucon Creek, Northampton County, Pennsylvania	Dent
1006(a)(26)	Blackstone River, Rhode Island	Kennedy, P.
1006(a)(27)	Wilson Branch, Cheraw, South Carolina	Spratt
1006(a)(28)	White River, Bethel (National Fish Hatchery)	Welch
1007(01)	Nelson Lagoon	Young, D.

Section	Subject	Requested By
1007(02)	Sanibel Island Bayshore	Mack
1007(03)	Apra Harbor, Guam	Bordallo
1007(04)	Piti, Cabras Island, Guam	Bordallo
1007(05)	Narrows and Gravesend Bay, Upper New York Bay, Brooklyn, New York	Fossella
1007(06)	Delaware River, Philadelphia Naval Shipyard, Pennsylvania	Schwartz
1007(06)	Delaware River, Philadelphia Naval Shipyard, Pennsylvania	Brady
1007(07)	Port Aransas, Texas	Ortiz
1008	Kowawese Unique Area and Hudson River	Hall, J.
2016(k)(01)	Little Rock Slackwater Harbor, Arkansas	Snyder
2016(k)(02)	Egmont Key	Young, C.W.
2016(k)(02)	Egmont Key	Castor
2016(k)(03)	Calcasieu Ship Channel	Boustany
2016(k)(04)	Smith Point Pavilion and TWA Memorial, Brookhaven, New York	Bishop, T.
2016(k)(05)	Morehead City	Jones, W.
2016(k)(06)	Galveston Bay	Paul
2016(k)(07)	Benson Beach	Baird
2022(a)(06)	Tuscarawas River Basin, Ohio	Sutton
2022(a)(07)	Sauk River Basin, Snohomish and Skagit Counties, Washington	Larsen
2022(a)(08)	Niagara River Basin, New York	Slaughter
2022(a)(09)	Genesee River Basin, New York	Slaughter
2022(a)(10)	White River Basin, Arkansas and Missouri	Berry
2022(a)(10)	White River Basin, Arkansas and Missouri	Snyder
2026(20)	Kinkaid Lake	Costello
2026(21)	McCarter Pond, Borough of Fair Haven, New Jersey	Holt
2026(22)	Rogers Pond, Franklin Township	Holt
2026(23)	Greenwood Lake	Hall, J.
2026(24)	Lake Rodgers/City of Creedmoor	Miller, B.
2026(25)	Lake Luxembourg, Pennsylvania	Murphy, P.
2033(01)	St. John's Bayou and New Madrid Floodway, Missouri	Emerson
2033(02)	Lower Rio Grande Basin, Texas	Cuellar
2033(03)	West Virginia and Pennsylvania Flood Control (Ability to Pay)	Murtha
3001	Cook Inlet	Young, D.
3002	King Cove Harbor, Alaska	Young, D.
3003	Sitka, Alaska	Young, D.
3004	Tatitlek, Alaska	Young, D.
3005	Rio de Flag, Flagstaff, Arizona	Renzi
3006	Osceola Harbor, Arkansas	Berry
3007	Pine Mountain Dam, Arkansas	Boozman
3008	American and Sacramento Rivers, California	Matsui
3009	Compton Creek, California	Millender-McDonald
3010	Grayson Creek/Murderer's Creek, California	Miller, George

Section	Subject	Requested By
3010	Grayson Creek/Murderer's Creek, California	Tauscher
3011	Hamilton Airfield, California	Tauscher
3011	Hamilton Airfield, California	Miller, George
3012	John F. Baldwin Ship Channel and Stockton Ship Channel, California	McNerney
3013	Kaweah River, California	Nunes
3014	Larkspur Ferry Channel, California	Tauscher
3014	Larkspur Ferry Channel, California	Miller, George
3014	Larkspur Ferry Channel, California	Woolsey
3015	Llagas Creek, California	McNerney
3015	Llagas Creek, California	Lofgren
3015	Llagas Creek, California	Honda
3015	Llagas Creek, California	Eshoo
3016	Magpie Creek, California	Matsui
3017	Pacific Flyway Center, California	Thompson
3018	Pinole Creek, California	Miller, George
3018	Pinole Creek, California	Tauscher
3019	Prado Dam, California	Campbell
3019	Prado Dam, California	Sanchez, Loretta
3019	Prado Dam, California	Miller, Gary
3019	Prado Dam, California	Calvert
3020	Sacramento and American Rivers Flood Control, California	Matsui
3021	Sacramento Deepwater Ship Channel, California	Thompson
3022	Santa Cruz Harbor	Farr
3023	Seven Oaks Dam, California	Calvert
3024	Upper Guadalupe River, California	Honda
3024	Upper Guadalupe River, California	Eshoo
3024	Upper Guadalupe River, California	Lofgren
3025	Walnut Creek Channel, California	Miller, George
3025	Walnut Creek Channel, California	Tauscher
3026	Wildcat/San Pablo Creek/Phase One, California	Miller, George
3026	Wildcat/San Pablo Creek/Phase One, California	Tauscher
3027	Wildcat/San Pablo Creek/Phase Two, California	Tauscher
3027	Wildcat/San Pablo Creek/Phase Two, California	Miller, George
3028	Yuba River Basin Project, California	Herger
3029	South Platte River Basin, Colorado	Tancredo
3029	South Platte River Basin, Colorado	DeGette
3030	Intercoastal Waterway, Delaware River to Chesapeake Bay	Gilchrest
3031	Brevard County	Weldon, D.
3032	Broward County and Hillsboro Inlet, Florida	Klein
3033	Canaveral Harbor	Weldon, D.
3034	Gasparilla & Estero Islands	Mack
3035	Jacksonville Harbor, Florida	Brown, C.
3035	Jacksonville Harbor, Florida	Crenshaw

Section	Subject	Requested By
3036	Lido Key Beach, Sarasota, Florida	Buchanan
3037	Miami Harbor, Florida	Diaz-Balart, L.
3037	Miami Harbor, Florida	Diaz-Balart, M.
3037	Miami Harbor, Florida	Wasserman Schultz
3037	Miami Harbor, Florida	Diaz-Balart, L.
3037	Miami Harbor, Florida	Diaz-Balart, M.
3037	Miami Harbor, Florida	Wasserman Schultz
3038	Peanut Island	Klein
3039	Tampa Harbor-Big Bend Channel, Florida	Castor
3040	Tampa Harbor Cut B, Florida	Castor
3040	Tampa Harbor Cut B, Florida	Putnam
3041	Allatoona Lake	Price
3042	Latham River, Glynn County, Georgia	Kingston
3043	Dworshak Reservoir	Simpson
3044	Beardstown Community Boat Harbor, Beardstown, Illinois	LaHood
3045	Cache River Levee, Illinois	Shimkus
3046	Chicago River, Illinois	Davis, D.
3047	Chicago Sanitary & Ship Canal, Illinois	Gutierrez
3047	Chicago Sanitary & Ship Canal, Illinois	Stupak
3047	Chicago Sanitary & Ship Canal, Illinois	Dingell
3047	Chicago Sanitary & Ship Canal, Illinois	McCotter
3047	Chicago Sanitary & Ship Canal, Illinois	Biggert
3048	Emiquon, Illinois	Hare
3049	LaSalle, Illinois	Weller
3050	Spunky Bottoms Preserve, Illinois	LaHood
3051	Fort Wayne and Vicinity, Indiana	Souder
3052	Koontz Lake, Indiana	Donnelly
3053	White River, Indiana	Carson, J.
3054	Des Moines River and Greenbelt, Iowa	Boswell
3055	Prestonsburg, Kentucky	Rogers, H.
3056	Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed	Baker
3057	Atchafalaya Basin, Louisiana	Boustany
3058	Atchafalaya Basin Floodway System, Louisiana	Boustany
3059	Bayou Plaquemine, Louisiana	Baker
3060	J. Bennett Johnston Waterway, Mississippi River to Shreveport, Louisiana	Jindal
3060	J. Bennett Johnston Waterway, Mississippi River to Shreveport, Louisiana	McCrery
3061	Melville, Louisiana	Boustany
3062	Mississippi Delta Region, Louisiana	Melancon
3063	New Orleans to Venice, Louisiana	Melancon
3064	West Bank of the Mississippi River, Louisiana	Jindal
3064	West Bank of the Mississippi River, Louisiana	Melancon
3065	Camp Ellis, Saco, Maine	Allen

Section	Subject	Requested By
3066	Detroit River Shoreline, Detroit, Michigan	Kilpatrick
3067	St. Clair River and Lake St. Clair	Levin
3067	St. Clair River and Lake St. Clair	Miller, C.
3068	St. Joseph Harbor, Michigan	Upton
3069	Sault Saint Marie, Michigan	Stupak
3069	Sault Saint Marie, Michigan	Oberstar
3070	Ada, Minnesota	Peterson, C.
3071	Duluth Harbor, McQuade Road, Minnesota	Oberstar
3072	Grand Marais, Minnesota	Oberstar
3073	Grand Portage Harbor, Minnesota	Oberstar
3074	Granite Falls, Minnesota	Peterson, C.
3075	Knife River Harbor, Minnesota	Oberstar
3076	Red Lake River, Minnesota	Peterson, C.
3077	Silver Bay, Minnesota	Oberstar
3078	Taconite Harbor, Minnesota	Oberstar
3079	Two Harbors, Minnesota	Oberstar
3080	Deer Island, Harrison County, Mississippi	Taylor
3081	Pearl River Basin, Mississippi	Pickering
3082	Festus and Crystal City, Missouri	Carnahan
3083	L-15 Levee, Missouri	Akin
3084	Monarch-Chesterfield, Missouri	Akin
3085	River Des Peres, Missouri	Carnahan
3086	Antelope Creek, Nebraska	Fortenberry
3087	Sand Creek Watershed, Wahoo, Nebraska	Fortenberry
3088	Lower Cape May Meadows, Cape May Point, New Jersey	LoBiondo
3089	Passaic River Basin Flood Management, New Jersey	Frelinghuysen
3090	Buffalo Harbor, New York	Higgins
3091	Orchard Beach, Bronx	Serrano
3091	Orchard Beach, Bronx	Crowley
3092	Port of New York and New Jersey, New York and New Jersey	Sires
3093	New York State Canal System	Slaughter
3093	New York State Canal System	Higgins
3094	Lower Girard Lake Dam, Ohio	Ryan, T.
3095	Mahoning River, Ohio	Ryan, T.
3096	Delaware River, Pennsylvania, New Jersey, and Delaware	Saxton
3096	Delaware River, Pennsylvania, New Jersey, and Delaware	LoBiondo
3096	Delaware River, Pennsylvania, New Jersey, and Delaware	Castle
3096	Delaware River, Pennsylvania, New Jersey, and Delaware	Andrews, R.
3096	Delaware River, Pennsylvania, New Jersey, and Delaware	Schwartz
3097	Raystown Lake, Pennsylvania	Shuster
3098	Sheraden Park Stream & Chartiers Creek, Allegheny County	Doyle
3099	Solomon's Creek, Wilkes-Barre, Pennsylvania	Kanjorski
3100	South Central Pennsylvania	Murtha

Section	Subject	Requested By
3100	South Central Pennsylvania	Shuster
3101	Wyoming Valley, Pennsylvania	Kanjorski
3102	Cedar Bayou, Texas	Paul
3103	Freeport Harbor, Texas	Paul
3104	Lake Kemp, Texas	Thornberry
3105	Lower Rio Grande Basin, Texas	Hinojosa
3106	North Padre Island	Ortiz
3107	Pat Mayse Lake, Texas	Hall, R.
3108	Proctor Lake, Texas	Conaway
3109	San Antonio Channel, Texas	Gonzalez
3110	Lee, Russell, Scott, Smyth, Tazewell & Wise Counties	Boucher
3111	Tangier Island Seawall, Virginia	Drake
3112	Duwamish/Green, Washington	Reichert
3113	Yakima River, Port of Sunnyside, Washington	Hastings, D.
3114	Greenbrier River Basin, West Virginia	Rahall
3115	Lesage/Greenbottom Swamp, West Virginia	Rahall
3116	Northern West Virginia	Mollohan
3117	Manitowoc Harbor, Wisconsin	Petri
3118	Mississippi River Headwaters Reservoirs	Oberstar
3119(a)(01)	Continuation of Project Authorizations (Sacramento Deepwater Ship Channel)	Thompson
3119(a)(02)	Continuation of Project Authorizations (Agana River)	Bordallo
3119(a)(03)	Continuation of Project Authorizations (Fall River Harbor)	Frank
3119(a)(03)	Continuation of Project Authorizations (Fall River Harbor)	McGovern
3120(01)	Menominee Harbor, Michigan	Stupak
3120(02)	Manitowoc Harbor, Wisconsin	Petri
3120(03)	Hearding Island Inlet, Duluth Harbor, Minnesota	Oberstar
3121(a)(01)	Bridgeport Harbor, Connecticut	Shays
3121(a)(02)	Mystic River, Connecticut	Courtney
3121(a)(03)	New London Harbor (Anchorage Area)	Courtney
3121(a)(04)	Falmouth Harbor	Delahunt
3121(a)(05)	Island End River	Capuano
3121(a)(06)	City Waterway, Tacoma	Dicks
3121(a)(07)	Aunt Lydia's Cove, Chatham	Delahunt
3121(b)	Southport Harbor, Fairfield, Connecticut	Shays
3121(c)	Saco River, Maine	Allen
3121(d)	Union River	Michaud
3121(e)	Mystic River, MA	Markey
3122(a)	St. Francis Basin, Arkansas & Missouri	Berry
3122(b)	Milford, Kansas	Boyda
3122(c)	Pike County, Missouri	Hulshof
3122(d)	Boardman, Oregon	Walden
3122(e)	Lowell, Oregon	DeFazio
3122(f)	Lowell, Oregon	DeFazio

Section	Subject	Requested By
3122(g)	Richard B. Russell Lake, South Carolina	Barrett
3122(h)	Denison, Texas	Hall, R.
3123(a)	Idaho (Extinguinshment of Reversionary Interests and Use Restrictions)	Simpson
3123(b)	Old Hickory Lock and Dam, Cumberland River, Tennessee	Cooper
3123(c)	Port of Pasco	Hastings, D.
4001	John Glenn Great Lakes Basin Program	McCotter
4001	John Glenn Great Lakes Basin Program	Dingell
4002	Lake Erie Dredged Material Disposal Sites	Reynolds
4003	Southwestern United States Drought Study	Berkley
4004	Delaware River	Murphy, P.
4005	Knik Arm, Cook Inlet	Young, D.
4006	Kuskokwim River	Young, D.
4007	St. George Harbor	Young, D.
4008	Susitna River	Young, D.
4009	Town of Gila Bend	Grijalva
4010	Searcy County	Berry
4011	Elkhorn Slough Estuary	Farr
4012	Fresno, Kings, and Kern Counties	Costa
4013	Los Angeles River	Roybal-Allard
4014	Lytle Creek, Rialto	Baca
4015	Mokelumne River, San Joaquin County	McNerney
4016	Napa River, St. Helena	Thompson
4017	Orick (Redwood Creek Levee)	Thompson
4018	Rialto, Fontana and Colton Counties	Baca
4019	Sacramento River Bank	Herger
4020	San Diego County	Hunter
4021	San Francisco Bay, Sacramento-San Joaquin Delta	Miller, George
4021	San Francisco Bay, Sacramento-San Joaquin Delta	McNerney
4021	San Francisco Bay, Sacramento-San Joaquin Delta	Tauscher
4022	South San Francisco Bay Shoreline	Lofgren
4022	South San Francisco Bay Shoreline	Eshoo
4022	South San Francisco Bay Shoreline	Honda
4023	Twentynine Palms	Lewis, J.
4024	Yucca Valley	Lewis, J.
4025	Roaring Fork River, Basalt	Udall, M.
4026	Delaware and Christina River and Shellpot Creek, Wilmington	Castle
4027	Collier County Beaches	Mack
4028	Lower St. John's River	Crenshaw
4028	Lower St. John's River	Brown, C.
4029	Vanderbilt Beach Lagoon	Mack
4030	Meriwether County	Westmoreland
4031	Tybee Island	Kingston
4032	Boise River	Simpson

Section	Subject	Requested By
4033	Ballard's Island	Weller
4034	Salem	Hill
4035	Buckhorn Lake	Rogers, H.
4036	Dewey Lake	Rogers, H.
4037	Louisville	Yarmouth
4038	Fall River Harbor	McGovern
4039	Clinton River	Knollenberg
4040	Hamburg and Green Oak Townships	Rogers, M.
4041	Duluth-Superior Harbor	Oberstar
4042	Northeast Mississippi	Wicker
4043	St. Louis	Clay
4043	St. Louis	Carnahan
4044	Dredged Material Disposal	LoBiondo
4045	Bayonne	Sires
4046	Carteret	Sires
4047	Gloucester County	Andrews, R.
4048	Perth Amboy	Sires
4049	Batavia	Reynolds
4050	Big Sister Creek, Evans	Higgins
4051	Finger Lakes	Arcuri
4052	Lake Erie Shoreline, Buffalo	Higgins
4053	Newtown Creek	Velazquez
4054	Niagara River	Slaughter
4055	Shore Parkway Greenway, Brooklyn	Fossella
4056	Upper Delaware River Watershed	Hinchey
4057	Lincoln County	McHenry
4058	Wilkes County	Foxx
4059	Town of Yadkinville	Foxx
4060	Lake Erie	Kaptur
4061	Ohio River	Wilson, C.
4062	Ecosystem Restoration and Fish Passage Improvements, Oregon	DeFazio
4062	Ecosystem Restoration and Fish Passage Improvements, Oregon	Blumenauer
4063	Walla Walla River Basin	Walden
4064	Chartiers Creek Watershed	Murphy, T.
4065	Kinzua Dam & Alleghany Reservoir	Peterson,J
4066	Western PA & Eastern OH Flood Control	Murtha
4066	Western PA & Eastern OH Flood Control	Altmire
4067	Williamsport	Peterson,J
4068	Yardley Borough	Murphy, P.
4069	Rio Valenciano, Juncos	Fortuno
4070	Crooked Creek, Bennettsville	Spratt
4071	Broad River, York County	Spratt
4072	Chattanooga	Wamp

Section	Subject	Requested By
4073	Cleveland	Wamp
4074	Cumberland River, Nashville	Cooper
4075	Lewis, Lawrence and Wayne Counties	Blackburn
4076	Wolf River and Nonconnah Creek	Blackburn
4077	Abilene	Neugebauer
4078	Coastal Texas Ecosystem Protection and Restoration	Paul
4078	Coastal Texas Ecosystem Protection and Restoration	Ortiz
4079	Johnson Creek. Arlington	Barton
4080	Port of Galveston	Paul
4081	Grand County and Moab	Matheson
4082	Southwestern Utah	Matheson
4083	Chowan River Basin	Forbes
4083	Chowan River Basin	Butterfield
4084	Elliot Bay Seawall	McDermott
4084	Elliot Bay Seawall	Larsen
4085	Monongahela River Basin	Mollohan
4086	Kenosha Harbor	Ryan, P.
4087	Wauwatosa, WI	Moore, G.
4088	Johnsonville Dam	Petri
5001(a)(01)	Manatee Harbor Basin	Buchanan
5001(a)(01)	Manatee Harbor Basin	Castor
5001(a)(02)	Bayou LaFourche Channel, Port Fourchon	Melancon
5001(a)(03)	Calcasieu River at Devil's Elbow	Boustany
5001(a)(04)	Memphis Harbor, Pidgeon Industrial Area	Blackburn
5001(a)(05)	Pix Bayou Navigation Channel	Paul
5001(a)(06)	Racine Harbor	Ryan, P.
5002(d)(01)	Big Creek Watershed Management & Restoration	Price
5002(d)(02)	Georgia Watershed Assessment Plan	Price
5002(d)(02)	Georgia Watershed Assessment Plan	Scott
5002(d)(03)	Kinkaid Lake	Costello
5002(d)(04)	Amite River River Basin	Baker
5002(d)(05)	East Atchafalaya River Basin	Baker
5002(d)(06)	Red River Watershed	McCrery
5002(d)(07)	Lower Platte River Watershed	Fortenberry
5002(d)(08)	Rio Grande Environmental Management Program	Udall, T.
5002(d)(08)	Rio Grande Environmental Management Program	Pearce
5002(d)(09)	Taunton River Basin	Lynch
5002(d)(10)	Marlboro Township	Pallone
5002(d)(10)	Marlboro Township	Holt
5002(d)(11)	Esopus, Plattekill & Rondout Watersheds	Hinchey
5002(d)(12)	Greenwood Lake Watershed	Garrett
5002(d)(12)	Greenwood Lake Watershed	Hall, J.
5002(d)(13)	Long Island Sound Watershed	Bishop, T.
5002(d)(14)	Ramapo River Watershed	Hall, J.

Section	Subject	Requested By
5002(d)(15)	Western Lake Erie basin	Kaptur
5002(d)(16)	Western Pennsylvania Watershed	Altmire
5002(d)(17)	Otter Creek	Murphy, P.
5002(d)(18)	Unami Creek Watershed	Murphy, P.
5002(d)(19)	Sauk River Basin	Larsen
5003(a)(01)	Fish Creek Dam, Blaine County, Idaho	Simpson
5003(a)(02)	Hamilton Dam, Saginaw River, Flint	Kildee
5003(a)(03)	State Dam, Auburn	Arcuri
5003(a)(04)	Whaley Lake, Town of Pawling	Hall, J.
5003(a)(05)	Ingham Spring Dam, Solebury Township	Murphy, P.
5003(a)(06)	Leaser Lake Dam, Lehigh County	Dent
5003(a)(07)	Stillwater Dam, Monroe County	Dent
5003(a)(08)	Wissahickon Dam	Schwartz
5004(b)(01)	Arkansas River Levees	Snyder
5004(b)(02)	Nonconnah Creek	Blackburn
5005(a)(29)	Ascension Parish	Melancon
5005(a)(29)	Ascension	Baker
5005(a)(30)	East Baton Rouge	Baker
5005(a)(31)	Iberville	Baker
5005(a)(32)	Livingston	Baker
5005(a)(33)	Pointe Coupee	Baker
5006(a)(09)	Hidalgo County	Hinojosa
5006(a)(10)	Marana	Giffords
5006(a)(10)	Marana	Grijalva
5006(a)(11)	East Arkansas Enterprise Community	Berry
5006(a)(12)	Desert Hot Springs	Lewis, J.
5006(a)(13)	City of Huntington Beach	Rohrabacher
5006(a)(14)	City of Inglewood	Waters
5006(a)(15)	Los Osos	Capps
5006(a)(16)	Norwalk, CA	Napolitano
5006(a)(17)	Park City	Bishop, R.
5007(01)	False River	Baker
5007(02)	Fulmer Creek	Arcuri
5007(03)	Moyer Creek	Arcuri
5007(04)	Steele Creek	Arcuri
5007(05)	Oriskany Wildlife Management Area, Rome	Arcuri
5007(06)	Whitney Point	Arcuri
5007(07)	North River, Peabody	Tierney
5007(08)	Chenango Lake, Chenango County	Arcuri
5008(a)(01)	Little Red River Irrigation District	Snyder
5008(a)(02)	Egmont Key	Castor
5008(a)(03)	University Lakes, Baton Rouge (City Park)	Baker
5008(a)(04)	Sabine-Neches Waterway	Poe
5009	Southeastern Water Resources Assessment	Duncan

Section	Subject	Requested By
5010	Upper Mississippi River Environmental Management Program	LaHood
5011	Missouri & Middle Mississippi Rivers Enhancement	Clay
5011	Missouri & Middle Mississippi Rivers Enhancement	Carnahan
5011	Missouri & Middle Mississippi Rivers Enhancement	Graves
5012	Great Lakes Fishery & Ecosystem Restoration	McCotter
5012	Great Lakes Fishery & Ecosystem Restoration	Dingell
5013	Great Lakes Remedial Action Program	Dingell
5013	Great Lakes Remedial Action Program	McCotter
5014	Great Lakes Tributary Model	McCotter
5014	Great Lakes Tributary Model	Dingell
5015	Great Lakes Navigation	Oberstar
5016	Upper Mississippi River Dispersal Barrier Project	Oberstar
5017	Delaware, Susquehanna, and Potomac River Basin Commissions	Murphy, P.
5017	Delaware, Susquehanna, and Potomac River Basin Commissions	Holden
5017	Delaware, Susquehanna, and Potomac River Basin Commissions	Schwartz
5017	Delaware, Susquehanna, and Potomac River Basin Commissions	Hinchey
5017	Delaware, Susquehanna, and Potomac River Basin Commissions	Platts
5017	Delaware, Susquehanna, and Potomac River Basin Commissions	Arcuri
5017	Delaware, Susquehanna, and Potomac River Basin Commissions	Dent
5017(c)	Francis E. Walter Dam	Schwartz
5018	Chesapeake Bay Environmental Restoration and Protection Program	Sarbanes
5018	Chesapeake Bay Environmental Restoration and Protection Program	Hoyer
5018	Chesapeake Bay Environmental Restoration and Protection Program	Gilchrest
5019	Hypoxia Assessment	Pryce
5020	Potomac River Watershed Assessment and Tributary Strategy and Evaluation and Monitoring Program	Moran
5021	Lock and Dam Security	Duncan
5022	Rehabilitation	Oberstar
5023	Research and Development Program for Columbia and Snake River Salmon Survival	Blumenauer
5023	Research and Development Program for Columbia and Snake River Salmon Survival	Baird
5024	Auburn	Rogers, Mike D.
5025	Pinhook Creek, Huntsville	Cramer
5026	Alaska	Young, D.
5027	Barrow, AK	Young, D.
5028	Coffman Cove	Young, D.
5029	Fire Island	Young, D.

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5030	Fort Yukon	Young, D.
5031	Kotzebue Harbor	Young, D.
5032	Lowell Creek Tunnel, Seward	Young, D.
5033	St. Herman and St. Paul Harbors	Young, D.
5034	Tanana River	Young, D.
5035	Valdez	Young, D.
5036	Whittier	Young, D.
5037	Wrangell Harbor	Young, D.
5038	Augusta and Clarendon	Berry
5039	Des Arc Levee Protection	Berry
5040	Loomis Landing	Berry
5041	St. Francis Basin	Berry
5042	Cambria	Capps
5043	Contra Costa Canal	Tauscher
5043	Contra Costa Canal	Miller, George
5043	Contra Costa Canal	McNerney
5044	Dana Point Harbor	Campbell
5045	East San Joaquin County	McNerney
5046	Eastern Santa Clara River Basin	McKeon
5047	Los Osos	Capps
5048	Pine Flat Dam Fish & Wildlife Habitat	Nunes
5048	Pine Flat Dam Fish & Wildlife Habitat	Costa
5048	Pine Flat Dam Fish & Wildlife Habitat	Radanovich
5049	Raymond Basin, Six Basin, Chino Basin, and San Gabriel Basin	Dreier
5049	Raymond Basin, Six Basin, Chino Basin, and San Gabriel Basin	Schiff
5050	San Francisco, California	Pelosi
5051	San Francisco, California, Waterfront Area	Pelosi
5052	San Pablo Bay Watershed	Miller, George
5052	San Pablo Bay Watershed	Tauscher
5052	San Pablo Bay Watershed	Thompson
5053	Stockton	Cardoza
5053	Stockton	McNerney
5054	Charles Hervey Townshend Breakwater	DeLauro
5055	Florida Keys Water Quality Improvement	Ros-Lehtinen
5056	Lake Worth	Klein
5057	Riley Creek Recreation Area	Simpson
5058	Reconstruction of Illinois Flood Protection Projects	Costello
5058	Reconstruction of Illinois Flood Protection Projects	Shimkus
5059	Illinois River Basin Restoration	LaHood
5060	Kaskaskia River Basin	Shimkus
5060	Kaskaskia River Basin	Costello
5061	Floodplain Mapping, Little Calumet River	Jackson
5062	Promontory Point	Jackson

Section	Subject	Requested By
5063	Burns Waterway Harbor	Visclosky
5064	Calumet Region	Visclosky
5065	Paducah	Whitfield
5066	Southern & Eastern Kentucky	Rogers, H.
5067	Winchester	Chandler
5068	Baton Rouge	Baker
5069	Calcasieu Ship Channel	Boustany
5070	Cross Lake, Shreveport	McCrery
5071	West Baton Rouge Parish	Baker
5072	Charlestown	Gilchrest
5073	Anacostia River	Hoyer
5073	Anacostia River	Norton
5074	Delmarva Conservation Corridor	Gilchrest
5074	Delmarva Conservation Corridor	Castle
5075	Massachusetts Dredged Material Disposal Sites	Delahunt
5076	Ontonagon Harbor	Stupak
5077	Crookston	Peterson, C.
5078	Garrison and Kathio Township	Oberstar
5079	Itasca County	Oberstar
5080	Minneapolis	Ellison
5081	Northeastern Minnesota	Oberstar
5082	Wild Rice River	Peterson, C.
5083	Harrison, Hancock & Jackson Counties	Taylor
5084	Middle Mississippi River	Costello
5085	St. Louis	Carnahan
5086	Hackensack Meadowlands area	Rothman
5087	Atlantic Coast of New York	Bishop, T.
5088	College Point, New York City	Crowley
5089	Flushing Bay and Creek	Crowley
5090	Hudson River	Nadler
5091	Mount Morris Dam	Reynolds
5092	John H. Kerr Dam and Reservoir	Butterfield
5093	Stanly County	Hayes
5094	Cincinnati	Chabot
5094	Cincinnati	Schmidt
5095	Toussaint River	Kaptur
5096	Eugene, Oregon	DeFazio
5097	Fern Ridge Dam	DeFazio
5098	Allegheny County	Doyle
5099	Kehly Run Dams No	Holden
5100	Lehigh River, Lehigh County	Dent
5101	Northeastern Pennsylvania	Carney
5102	Upper Susquehanna River Basin	Hinchey
5102	Upper Susquehanna River Basin Program	Arcuri

Section	Subject	Requested By
5103	Cano Martin Pena, San Juan	Fortuno
5104	Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and Terrestrial Wildlife Habitat Restoration	Herseth
5105	Fritz Landing	Tanner
5106	J. Percy Priest Dam	Gordon
5107	Town Creek, Lenoir City	Duncan
5108	Tennessee River Partnership	Duncan
5109	Upper Mississippi Embayment	Blackburn
5109	Upper Mississippi Embayment	Cohen
5109	Upper Mississippi Embayment	Berry
5110	Bosque River Watershed	Edwards
5111	Dallas Floodway	E.B. Johnson
5111	Dallas Floodway	Sessions
5112	Harris County	Culberson
5113	Onion Creek	Doggett
5114	Eastern Shore and Southwest Virginia	Boucher
5115	Dyke Marsh	Moran
5116	Baker Bay and Ilwaco Harbor	Baird
5117	Hamilton Island	Baird
5118	Puget Island	Baird
5119	Willapa Bay	Baird
5120	West Virginia and Pennsylvania Flood Control	Murtha
5120	West Virginia and Pennsylvania Flood Control	Doyle
5120	West Virginia and Pennsylvania Flood Control	Mollohan
5121	Central West Virginia	Capito
5122	Southern West Virginia	Rahall
5123(12)	City of Perris, California	Issa
5123(13)	Thornton Reservoir	Rush
5123(13)	Thornton Reservoir	Jackson
5123(13)	Thornton Reservoir	Kirk
5123(14)	Larose to Golden Meadow	Melancon
5123(15)	Buffalo Bayou	Culberson
5123(16)	Halls Bayou	Green, G.
6001	Hillsboro & Okeechobee Aquifer	Diaz-Balart, M.
6001	Hillsboro & Okeechobee Aquifer	Klein
6001	Hillsboro & Okeechobee Aquifer	Mahoney
6001	Hillsboro & Okeechobee Aquifer	Hastings, A.
6002	Pilot Project (C-43)	Diaz-Balart, M.
6003	Maximum Cost	Hastings, A.
6004(a)	Indian River Lagoon	Mahoney
6004(b)	Picayune Strand	Diaz-Balart, M.
6004(b)	Picayune Strand	Mahoney
6005	Credit	Diaz-Balart, M.
6005	Credit	Mahoney

Section	Subject	Requested By
6005	Credit	Hastings, A.
6007	Critical Restoration Projects	Diaz-Balart, M.
6007	Critical Restoration Projects	Mahoney
6007	Critical Restoration Projects	Hastings, A.
6008	Tamiami Trail	Diaz-Balart, M.
6010	Regional Engineering Model For Environmental Restoration	Oberstar
Title VII	Louisiana Coastal Area	Jindal
Title VII	Louisiana Coastal Area	Baker
Title VII	Louisiana Coastal Area	Boustany
Title VII	Louisiana Coastal Area	Melancon
Title VIII	Upper Mississippi & Illinois Rivers	Graves
Title VIII	Upper Mississippi & Illinois Rivers	LaHood
Title VIII	Upper Mississippi & Illinois Rivers	Hulshof
Title VIII	Upper Mississippi & Illinois Rivers	Costello

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act. (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1994 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local or tribal law. The Committee states that H.R. 1495 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act. (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WATER RESOURCES DEVELOPMENT ACT OF 1986

* * * * * * *

TITLE I—COST SHARING

SEC. 101. HARBORS.

(a) CONSTRUCTION.—

(1) PAYMENTS DURING CONSTRUCTION.—The non-Federal interests for a navigation project for a harbor or inland harbor, or any separable element thereof, on which a contract for physical construction has not been awarded before the date of enactment of this Act shall pay, during the period of construction

of the project, the following costs associated with general navigation features:

(A) * * *

(B) 25 percent of the cost of construction of the portion of the project which has a depth is excess of 20 feet but not in excess of [45 feet] *53 feet*; plus

(C) 50 percent of the cost of construction of the portion of the project which has a depth in excess of [45 feet] *53 feet*.

* * * * * * *

(b) OPERATION AND MAINTENANCE.—

(1) IN GENERAL.—The Federal share of the cost of operation and maintenance of each navigation project for a harbor or inland harbor constructed by the Secretary pursuant to this Act or any other law approved after the date of the enactment of this Act shall be 100 percent, except that in the case of a deep-draft harbor, the non-Federal interests shall be responsible for an amount equal to 50 percent of the excess of the cost of the operation and maintenance of such project over the cost which the Secretary determines would be incurred for operation and maintenance of such project if such project had a depth of [45 feet] *53 feet*.

* * * * * * *

SEC. 103. FLOOD CONTROL AND OTHER PURPOSES.

(a) * * *

* * * * * * *

(m) ABILITY TO PAY.—

(1) * * *

(2) CRITERIA AND PROCEDURES.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with criteria and procedures in effect under paragraph (3) on the day before the date of enactment of the Water Resources Development Act of 2000; except that such criteria and procedures shall be revised, and new criteria and procedures shall be developed, not later than [180 days after such date of enactment] *September 30, 2007* to reflect the requirements of such paragraph (3).

* * * * * * *

(n) NON-FEDERAL CONTRIBUTIONS.—

(1) PROHIBITION ON SOLICITATION OF EXCESS CONTRIBUTIONS.—The Secretary may not—

(A) solicit contributions from non-Federal interests for costs of constructing authorized water resources projects or measures in excess of the non-Federal share assigned to the appropriate project purposes listed in subsections (a), (b), and (c); or

(B) condition Federal participation in such projects or measures on the receipt of such contributions.

(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to affect the Secretary's authority under section 903(c).

* * * * * * *

SEC. 105. FEASIBILITY STUDIES; PLANNING, ENGINEERING, AND DESIGN.

(a) FEASIBILITY STUDIES.—

(1) * * *

* * * * * * *

(3) DETAILED PROJECT REPORTS.—The requirements of this subsection that apply to a feasibility study also shall apply to a study that results in a detailed project report, except that—

(A) the first $100,000 of the costs of a study that results in a detailed project report shall be a Federal expense; and

(B) paragraph (1)(C)(ii) shall not apply to such a study.

(b) PLANNING AND ENGINEERING.—The Secretary shall not initiate any planning or engineering [authorized by this Act] for a water resources project until appropriate non-Federal interests agree, by contract, to contribute 50 percent of the cost of the planning and engineering during the period of the planning and engineering. Costs of planning and engineering of projects for which non-Federal interests contributed 50 percent of the cost of the feasibility study shall be treated as costs of construction.

* * * * * * *

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) DETAILED PROJECT REPORT.—The term "detailed project report" means a report for a project not specifically authorized by Congress in law or otherwise that determines the feasibility of the project with a level of detail appropriate to the scope and complexity of the recommended solution and sufficient to proceed directly to the preparation of contract plans and specifications. The term includes any associated environmental impact statement and mitigation plan. For a project for which the Federal cost does not exceed $1,000,000, the term includes a planning and design analysis document.

(2) FEASIBILITY STUDY.—The term "feasibility study" means a study that results in a feasibility report under section 905, and any associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project. The term includes a study that results in a project implementation report prepared under title VI of the Water Resources Development Act of 2000 (114 Stat. 2680–2694), a general reevaluation report, and a limited reevaluation report.

* * * * * * *

TITLE II—HARBOR DEVELOPMENT

* * * * * * *

SEC. 214. DEFINITIONS.

For purposes of this title—

(1) DEEP-DRAFT HARBOR.—The term "deep-draft harbor" means a harbor which is authorized to be constructed to a depth of more than [45 feet] *53 feet* (other than a project which is authorized by section 202 of this title).

* * * * * * *

(3) GENERAL CARGO HARBOR.—The term "general cargo harbor" means a harbor for which a project is authorized by sec-

tion 202 of this title and any other harbor which is authorized to be constructed to a depth of more than 20 feet but not more than [45 feet] *53 feet*;

* * * * * * *

TITLE VI—WATER RESOURCES CONSERVATION AND DEVELOPMENT

* * * * * * *

SEC. 602. LAKES PROGRAM.

(a) Subject to section 903(a) of this Act, the Secretary shall carry out programs for the removal of silt, aquatic growth, and other material in the following lakes:

(1) * * *

* * * * * * *

(18) Flints Pond, Hollis, Hillsborough County, New Hampshire, removal of silt and aquatic growth and measures to address excessive sedimentation; [and]

(19) Osgood Pond, Milford, Hillsborough County, New Hampshire, removal of silt and aquatic growth and measures to address excessive sedimentation[.]*;*

(20) Kinkaid Lake, Jackson County, Illinois, removal of silt and aquatic growth and measures to address excessive sedimentation;

(21) McCarter Pond, Borough of Fairhaven, New Jersey, removal of silt and measures to address water quality;

(22) Rogers Pond, Franklin Township, New Jersey, removal of silt and restoration of structural integrity;

(23) Greenwood Lake, New York and New Jersey, removal of silt and aquatic growth;

(24) Lake Rodgers, Creedmoor, North Carolina, removal of silt and excessive nutrients and restoration of structural integrity; and

(25) Lake Luxembourg, Pennsylvania.

* * * * * * *

TITLE VII—WATER RESOURCES STUDIES

* * * * * * *

SEC. 729. WATERSHED AND RIVER BASIN ASSESSMENTS.

(a) * * *

* * * * * * *

(d) PRIORITY RIVER BASINS AND WATERSHEDS.—In selecting river basins and watersheds for assessment under this section, the Secretary shall give priority to—

(1) * * *

* * * * * * *

(4) the Susquehanna River basin; [and]

(5) the Willamette River basin[.]*;*

(6) Tuscarawas River Basin, Ohio;

(7) Sauk River Basin, Snohomish and Skagit Counties, Washington;

(8) Niagara River Basin, New York;

(9) Genesee River Basin, New York; and
(10) White River Basin, Arkansas and Missouri.

* * * * * * *

(f) COST-SHARING REQUIREMENTS.—

[(1) NON-FEDERAL SHARE.—The non-Federal share of the costs of an assessment carried out under this section shall be 50 percent.]

(1) NON-FEDERAL SHARE.—The non-Federal share of the costs of an assessment carried out under this section on or after December 11, 2000, shall be 25 percent.

* * * * * * *

[(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.]

* * * * * * *

TITLE VIII—PROJECT MODIFICATIONS

* * * * * * *

SEC. 808. SOUTH PLATTE RIVER BASIN, COLORADO.

The project for flood control and other purposes on the SouthPlatte River Basin in Colorado, authorized by the Flood Control Actof 1950 (64 Stat. 175) is modified to authorize the Secretary, uponrequest of and in coordination with the Colorado Department ofNatural Resources and upon the Chief of Engineers' finding offeasibility and economic justification, to reassign a portion of thestorage space in the Chatfield Lake project to joint flood control conservation purposes, including storage for municipal and industrial water supply, [agriculture,] *agriculture, environmental restoration,* and recreation and fishery habitat protection and enhancement. Appropriate non-Federal interests shall agree to repay the cost allocated to such storage in accordance with the provisions of the Water Supply Act of 1958, the Federal Water Project Recreation Act, and such other Federal laws as the Secretary determines appropriate.

* * * * * * *

TITLE IX—GENERAL PROVISIONS

* * * * * * *

SEC. 905. FEASIBILITY REPORTS.

[(a) In the case of any]

(a) PREPARATION OF REPORTS.—

(1) IN GENERAL.—In the case of any water resources project-related study authorized to be undertaken by [the Secretary, the Secretary shall] *the Secretary that results in recommendations concerning a project or the operation of a project and that requires specific authorization by Congress in law or otherwise, the Secretary shall perform a reconnaissance study and* prepare a feasibility report, subject to section 105 of this Act. [Such feasibility report]

(2) CONTENTS OF FEASIBILITY REPORTS.—A feasibility report shall describe, with reasonable certainty, the economic, environmental, and social benefits and detriments of the rec-

ommended plan and alternative plans considered by the Secretary and the engineering features (including hydrologic and geologic information), the public acceptability, and the purposes, scope, and scale of the recommended plan. [The feasibility report] *A feasibility report* shall also include the views of other Federal agencies and non-Federal agencies with regard to the recommended plan, a description of a nonstructural alternative to the recommended plan when such plan does not have significant nonstructural features, and a description of the Federal and non-Federal participation in such plan, and shall demonstrate that States, other non-Federal interests, and Federal agencies have been consulted in the development of the recommended plan. [This subsection shall not apply to (1) any study with respect to which a report has been submitted to Congress before the date of enactment of this Act, (2) any study for a project, which project is authorized for construction by this Act and is not subject to section 903(b), (3) any study for a project which is authorized under any of the following sections: section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), section 2 of the Flood Control Act of August 28, 1946 (33 U.S.C. 701r), section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946 (33 U.S.C. 426g), and section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i), and (4) general studies not intended to lead to recommendation of a specific water resources project.]

(3) APPLICABILITY.—This subsection shall not apply to—

(A) any study with respect to which a report has been submitted to Congress before the date of enactment of this Act;

(B) any study for a project, which project is authorized for construction by this Act and is not subject to section 903(b);

(C) any study for a project which does not require specific authorization by Congress in law or otherwise; and

(D) general studies not intended to lead to recommendation of a specific water resources project.

(4) FEASIBILITY REPORT DEFINED.—In this subsection, the term "feasibility report" means each feasibility report, and any associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project. The term includes a project implementation report prepared under title VI of the Water Resources Development Act of 2000 (114 Stat. 2680–2694), a general reevaluation report, and a limited reevaluation report.

(b) *RECONNAISSANCE STUDIES.*—Before initiating any feasibility study under subsection (a) of this section after the date of enactment of this Act, the Secretary shall first perform, at Federal expense, a reconnaissance study of the water resources problem in order to identify potential solutions to such problem in sufficient detail to enable the Secretary to determine whether or not planning to develop a project should proceed to the preparation of a feasibility report. Such reconnaissance study shall include a prelimi-

nary analysis of the Federal interest, costs, benefits, and environmental impacts of such project, and an estimate of the costs of preparing the feasibility report. The duration of a reconnaissance study shall normally be no more than twelve months, but in all cases is to be limited to eighteen months.

(c) PROJECTS NOT SPECIFICALLY AUTHORIZED BY CONGRESS.—In the case of any water resources project-related study authorized to be undertaken by the Secretary without specific authorization by Congress in law or otherwise, the Secretary shall prepare a detailed project report.

[(c)**]** *(d) INDIAN TRIBES.*—For purposes of studies undertaken pursuant to this section, the Secretary is authorized to consider benefits which may accrue to Indian tribes as a result of a project resulting from such a study.

[(d)**]** *(e) STANDARD AND UNIFORM PROCEDURES AND PRACTICES.*—The Secretary shall undertake such measures as are necessary to ensure that standard and uniform procedures and practices are followed by each district office (and each division office for any area in which there is no district office) of the United States Army Corps of Engineers in the preparation of feasibility reports on water resources projects.

[(e)**]** *(f)* ENHANCED PUBLIC PARTICIPATION.—

(1) * * *

* * * * * * *

SEC. 906. FISH AND WILDLIFE MITIGATION.

(a) * * *

* * * * * * *

(d) MITIGATION PLANS AS PART OF PROJECT PROPOSALS.—

(1) * * *

* * * * * * *

(3) CONTENTS.—A mitigation plan shall include—

(A) a description of the physical action to be undertaken to achieve the mitigation objectives within the watershed in which such losses occur and, in any case in which mitigation must take place outside the watershed, a justification detailing the rationale for undertaking the mitigation outside of the watershed;

(B) a description of the lands or interests in lands to be acquired for mitigation and the basis for a determination that such lands are available for acquisition;

(C) the type, amount, and characteristics of the habitat being restored;

(D) success criteria for mitigation based on replacement of lost functions and values of the habitat, including hydrologic and vegetative characteristics; and

(E) a plan for any necessary monitoring to determine the success of the mitigation, including the cost and duration of any monitoring and, to the extent practicable, the entities responsible for any monitoring.

(4) RESPONSIBILITY FOR MONITORING.—In any case in which it is not practicable to identify in a mitigation plan for a water resources project, the entity responsible for monitoring at the time of a final report of the Chief of Engineers or other final

decision document for the project, such entity shall be identified in the partnership agreement entered into with the non-Federal interest.

* * * * * * *

SECTION 912. SECTION 221 AGREEMENTS.

(a) * * *

(b)(1) * * *

(2) Whenever on the basis of any information available to the Secretary, the Secretary finds that any non-Federal interest is not providing cooperation required under subsection (a), the Secretary [shall] *may* issue an order requiring such non-Federal interest to provide such cooperation. [After notice and opportunity for a hearing, if the Secretary finds that any person is violating an order issued under this section, such person shall be subject to a civil penalty not to exceed $10,000 per day of such violation, except that the total amount of civil penalties for any violation shall not exceed $50,000.]

* * * * * * *

(4) The Secretary may request the Attorney General to bring a civil action for appropriate relief, including permanent or temporary injunction, for *payment of damages or, for* any violation of an order issued under this section, [to collect a civil penalty imposed under this section,] to recover any cost incurred by the Secretary in undertaking performance of any item of cooperation under section 221(d) of the Flood Control Act of 1970, or to collect interest for which a non-Federal interest is liable under paragraph (3). Any action under this subsection may be brought in the district court of the United States for the district in which the defendant is located or resides, or is doing business, and such court shall have jurisdiction to restrain such violation, to require compliance, to require payment of [any civil penalty imposed under this section,] *any damages,* and to require payment of any costs incurred by the Secretary in undertaking performance of any such item.

* * * * * * *

TITLE X—PROJECT DEAUTHORIZATION

SEC. 1001. (a) * * *

(b)(1) * * *

(2) Notwithstanding section 3003 of Public Law 104–66 (31 U.S.C. 1113 note; 109 Stat. 734), every [two years] *year* after the transmittal of the list under paragraph (1), the Secretary shall transmit to Congress a list of projects or separable elements of projects which have been authorized, but have received no obligations during the [7] *5* full fiscal years preceding the transmittal of such list. Upon submission of such list to Congress, the Secretary shall notify each Senator in whose State, and each Member of the House of Representatives in whose district, a project (including any part thereof) on such list would be located. A project or separable element included in such list is not authorized after the date which is 30 months after the date the list is so transmitted

if funds have not been obligated for the planning, design, or construction of such project or element during such 30-month period.

* * * * * * *

TITLE XI—MISCELLANEOUS PROGRAMS AND PROJECTS

* * * * * * *

SEC. 1103. UPPER MISSISSIPPI RIVER PLAN.

(a) * * *

* * * * * * *

(e) PROGRAM AUTHORITY.—

(1) * * *

* * * * * * *

(7)(A) Notwithstanding the provisions of subsection (a)(2) of this section, the costs of each project carried out pursuant to paragraph (1)(A)(i) of this subsection shall be allocated between the Secretary and the appropriate non-Federal sponsor in accordance with the provisions of section 906(e) of this Act; except that the costs of operation and maintenance of projects located on Federal lands or lands owned or operated by a State or local government shall be borne by the Federal, State, or local agency that is responsible for management activities for fish and wildlife on such lands and, in the case of any project requiring non-Federal cost sharing, the non-Federal share of the cost of the project shall be 35 percent. *The non-Federal interest may provide the non-Federal share of the cost of the project in the form of in-kind services and materials.*

* * * * * * *

(C) Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal interest may include for any project undertaken under this section, a nonprofit entity with the consent of the affected local government.

* * * * * * *

SEC. 1135. PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.

(a) * * *

* * * * * * *

(h) There is authorized to be appropriated not to exceed **[**$25,000,000**]** *$30,000,000* annually to carry out this section.

* * * * * * *

SEC. 1149. SAULT SAINTE MARIE. MICHIGAN.

[Subject to section 903(b) of this Act, the Secretary is authorized and directed to construct a second lock 1,294 feet in length, 115 feet in width, and 32 feet in depth, adjacent to the existing lock at Sault Sainte Marie, Michigan, in accordance with the report of the Board of Engineers for Rivers and Harbors, dated May 19, 1986, at a total cost of $227,428,000. The Federal and non-Federal shares of such project shall be determined in accordance with section 101, with the method of payment to be determined in accordance with the report of the Chief of Engineers.**]**

The Secretary shall construct at Federal expense a second lock, of a width not less than 110 feet and a length not less than 1,200 feet, adjacent to the existing lock at Sault Sainte Marie, Michigan, generally in accordance with the report of the Board of Engineers for Rivers and Harbors, dated May 19, 1986, and the limited reevaluation report dated February 2004 at a total cost of $341,714,000.

* * * * * * *

[SEC. 1156. COST SHARING PROVISIONS FOR THE TERRITORIES.

[The Secretary shall waive local cost-sharing requirements up to $200,000 for all studies and projects in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, and the Trust Territory of the Pacific Islands.]

SEC. 1156. COST-SHARING PROVISIONS FOR CERTAIN AREAS.

The Secretary shall waive local cost-sharing requirements up to $500,000 for all studies and projects—

(1) in the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands;

(2) in Indian country (as defined in section 1151 of title 18, United States Code, and including lands that are within the jurisdictional area of an Oklahoma Indian tribe, as determined by the Secretary of the Interior, and are recognized by the Secretary of the Interior as eligible for trust land status under part 151 of title 25, Code of Federal Regulations); or

(3) on land in the State of Alaska owned by an Alaska Native Regional Corporation or an Alaska Native Village Corporation (as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) or the Metlakatla Indian community.

* * * * * * *

WATER RESOURCES DEVELOPMENT ACT OF 2000

* * * * * * *

TITLE II—GENERAL PROVISIONS

* * * * * * *

SEC. 203. TRIBAL PARTNERSHIP PROGRAM.

(a) * * *

(b) PROGRAM.—

(1) IN GENERAL.—In cooperation with Indian tribes and the heads of other Federal agencies, the Secretary may study and determine the feasibility of carrying out water resources development projects that—

(A) * * *

(B) are located primarily within Indian country (as defined in section 1151 of title 18, United States Code*, and including lands that are within the jurisdictional area of an Oklahoma Indian tribe, as determined by the Secretary of the Interior, and are recognized by the Secretary of the Interior as eligible for trust land status under part 151 of*

title 25, Code of Federal Regulations) or in proximity to Alaska Native villages.

* * * * * * *

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $5,000,000 for each of fiscal years 2002 through [2006] *2012*, of which not more than $1,000,000 may be used with respect to any 1 Indian tribe.

* * * * * * *

SEC. 214. FUNDING TO PROCESS PERMITS.

(a) * * *

* * * * * * *

(c) DURATION OF AUTHORITY.—The authority provided under this section shall be in effect from October 1, 2000, through December 31, [2008] *2010*.

* * * * * * *

TITLE III—PROJECT-RELATED PROVISIONS

* * * * * * *

SEC. 315. ATCHAFALAYA BASIN, LOUISIANA.

(a) IN GENERAL.—Notwithstanding the report of the Chief of Engineers, dated February 28, 1983, for the project for flood control, Atchafalaya Basin Floodway System, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142), which report refers to recreational development in the Lower Atchafalaya Basin Floodway, the Secretary—

[(1) shall initiate, in collaboration with the State of Louisiana, construction of the visitors center, authorized as part of the project, at or near Lake End Park in Morgan City, Louisiana; and]

(1) is authorized to study, design, construct, operate, and maintain, at Federal expense, a Type A Regional Visitor Center in the vicinity of Morgan City, Louisiana, in consultation with the State of Louisiana, to provide information to the public on the Atchafalaya River system and other associated waterways that have influenced surrounding communities, and national and local water resources development of the Army Corps of Engineers in South Central Louisiana; and

(2) shall construct other recreational features, authorized as part of the project, within, and in the vicinity of, the Lower Atchafalaya Basin protection levees *and may include the town of Melville, Louisiana, as one of the alternative sites*.

(b) AUTHORITIES.—The Secretary shall carry out subsection [(a)] *(a)(2)* in accordance with—

(1) * * *

* * * * * * *

(c) DONATIONS.—In carrying out subsection (a)(1), the Mississippi River Commission is authorized to accept the donation of cash,

funds, lands, materials, and services from non-Federal governmental entities and nonprofit corporations.

* * * * * * *

TITLE V—MISCELLANEOUS PROVISIONS

* * * * * * *

SEC. 506. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.

(a) * * *

* * * * * * *

(f) COST SHARING.—

(1) * * *

* * * * * * *

(3) NON-FEDERAL SHARE.—

(A) * * *

(B) FORM.—The non-Federal interest may provide up to [50 percent] *100 percent* of the non-Federal share required under paragraphs (1) and (2) in the form of services, materials, supplies, or other in-kind contributions.

* * * * * * *

SEC. 512. CONTRA COSTA CANAL, OAKLEY AND KNIGHTSEN, CALIFORNIA.

The Secretary shall carry out a project for flood damage reduction under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) at the Contra Costa Canal, Oakley and Knightsen, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified. *All planning, study, design, and construction on the project shall be carried out by the office of the district engineer, San Francisco, California.*

* * * * * * *

SEC. 514. MALLARD SLOUGH, PITTSBURG, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Mallard Slough, Pittsburg, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified. *All planning, study, design, and construction on the project shall be carried out by the office of the district engineer, San Francisco, California.*

* * * * * * *

SEC. 519. ILLINOIS RIVER BASIN RESTORATION.

(a) * * *

* * * * * * *

(c) CRITICAL RESTORATION PROJECTS.—

(1) * * *

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects under this subsection $100,000,000 for fiscal years 2001 through [2004] *2010*.

* * * * * * *

(g) COST SHARING.—

(1) * * *

* * * * * * *

(3) IN-KIND SERVICES.—The Secretary may credit the value of in-kind services provided by the non-Federal interest for a project or activity carried out under this section toward not more than 80 percent of the non-Federal share of the cost of the project or activity *if such services are provided not more than 5 years before the date of initiation of the project or activity*. In-kind services shall include all State funds expended on programs and projects that accomplish the goals of this section, as determined by the Secretary. The programs and projects may include the Illinois River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Illinois River basin.

* * * * * * *

(h) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity, with the consent of the affected local government.

(i) MONITORING.—The Secretary shall develop an Illinois river basin monitoring program to support the plan referred to in subsection (b). Data collected under the monitoring program shall incorporate data provided by the State of Illinois and shall be publicly accessible through electronic means.

* * * * * * *

SEC. 545. WILLAPA BAY, WASHINGTON.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of providing coastal erosion protection *and ecosystem restoration* for the tribal reservation of the Shoalwater Bay Tribe on Willapa Bay, Washington.

(b) PROJECT.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any requirement for economic justification), the Secretary [may construct] *shall construct* and maintain a project to provide coastal erosion protection *and ecosystem restoration* for the tribal reservation of the Shoalwater Bay Tribe on Willapa Bay, Washington, at Federal expense, if the Secretary determines that the project—

(A) is a cost-effective means of providing erosion protection *and ecosystem restoration*;

* * * * * * *

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

SEC. 601. COMPREHENSIVE EVERGLADES RESTORATION PLAN.

(a) * * *

(b) COMPREHENSIVE EVERGLADES RESTORATION PLAN.—

(1) * * *

(2) SPECIFIC AUTHORIZATIONS.—

(A) IN GENERAL.—

(i) PROJECTS.—The Secretary shall carry out the projects included in the Plan in accordance with subparagraphs (B), (C), (D), and (E). *The project for aquifer storage and recovery, Hillsboro and Okeechobee Aquifer, Florida, authorized by section 101(a)(16) of the Water Resources Development Act of 1999 (113 Stat. 276), shall be treated for purposes of this section as being in the Plan, except that operation and maintenance costs of the project shall remain a non-Federal responsibility.*

* * * * * * *

(iii) REVIEW AND COMMENT.—In developing the projects authorized under subparagraph (B) *and the project for aquifer storage and recovery, Hillsboro and Okeechobee Aquifer*, the Secretary shall provide for public review and comment in accordance with applicable Federal law.

(B) PILOT PROJECTS.—The following pilot projects are authorized for implementation, after review and approval by the Secretary, at a total cost of **[**$69,000,000**]** *$71,200,000*, with an estimated Federal cost of **[**$34,500,000**]** *$35,600,000* and an estimated non-Federal cost of **[**$34,500,000**]** *$35,600,000*:

(i) Caloosahatchee River (C–43) Basin ASR, at a total cost of **[**$6,000,000**]** *$8,200,000*, with an estimated Federal cost of **[**$3,000,000**]** *$4,100,000* and an estimated non-Federal cost of **[**$3,000,000**]** *$4,100,000*.

* * * * * * *

(E) MAXIMUM COST OF PROJECTS.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to each project feature authorized under this subsection *and section (d)*.

(c) ADDITIONAL PROGRAM AUTHORITY.—

(1) * * *

* * * * * * *

(3) FUNDING.—

(A) * * *

* * * * * * *

(C) MAXIMUM COST OF PROGRAM AUTHORITY.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to the individual project funding limits in subparagraph (A) and the aggregate cost limits in subparagraph (B).

(d) AUTHORIZATION OF FUTURE PROJECTS.—

(1) * * *

* * * * * * *

(3) PROJECT AUTHORIZATION.—The following project for water resources development and conservation and other purposes is authorized to be carried out by the Secretary substantially in

accordance with the plans, and subject to the conditions, described in the report designated in this paragraph:

(A) INDIAN RIVER LAGOON SOUTH, FLORIDA.—The project for ecosystem restoration, water supply, flood damage reduction, and protection of water quality, Indian River Lagoon South, Florida: Report of the Chief of Engineers dated August 6, 2004, at a total cost of $1,365,000,000, with an estimated Federal cost of $682,500,000 and an estimated non-Federal cost of $682,500,000.

(B) PICAYUNE STRAND, FLORIDA.—The project for environmental restoration, Picayune Strand, Florida: Report of the Chief of Engineers dated September 15, 2005, at a total cost of $375,330,000, with an estimated Federal cost of $187,665,000 and an estimated non-Federal cost of $187,665,000.

(C) SITE 1 IMPOUNDMENT, FLORIDA.—The project for environmental restoration, Site 1 Impoundment, Florida: Report of the Chief of Engineers dated December 19, 2006, at a total cost of $80,840,000, with an estimated Federal cost of $40,420,000 and an estimated non-Federal cost of $40,420,000.

(e) COST SHARING.—

(1) * * *

* * * * * * *

(5) CREDIT.—

(A) * * *e project.

(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan if—

(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor; ⟦or⟧

(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor; *or*

(III) the credit is provided for work carried out before the date of the partnership agreement between the Secretary and the non-Federal sponsor, as defined in an agreement between the Secretary and the non-Federal sponsor providing for such credit;

(ii) the ⟦design agreement or the project cooperation⟧ agreement prescribes the terms and conditions of the credit*, including in the case of credit provided under clause (i)(III) conditions relating to design and construction*; and

* * * * * * *

(k) OUTREACH AND ASSISTANCE.—

(1) * * *

* * * * * * *

(3) MAXIMUM EXPENDITURES.—The Secretary may expend up to $3,000,000 per fiscal year for fiscal years beginning after September 30, 2004, to carry out this subsection.

* * * * * * *

ACT OF AUGUST 13, 1946

AN ACT Authorizing Federal participation in the cost of protecting the shores of publicly owned property.

* * * * * * *

SEC. 3. The Secretary is hereby authorized to undertake construction of small shore and beach restoration and protection projects not specifically authorized by Congress, which otherwise comply with section 1 of this Act, when he finds that such work is advisable, and he is further authorized to allot from any appropriations hereafter made for civil works, not to exceed $30,000,000 for any one fiscal year for the Federal share of the costs of construction of such projects: *Provided*, That not more than [$3,000,000] *$5,000,000* shall be allotted for this purpose for any single project and the total amount allotted shall be sufficient to complete the Federal participation in the project under this section including periodic nourishment as provided for under section 1(c) of this Act: *Provided further*, That the provisions of local cooperation specified in section 1 of this Act shall apply: *And provided further*, That the work shall be complete in itself and shall not commit the United States to any additional improvement to insure its successful operation, except for participation in periodic beach nourishment in accordance with section 1(c) of this Act, and as may result from the normal procedure applying to projects authorized after submission of survey reports.

* * * * * * *

SEC. 5. NATIONAL SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT OF EROSION CONTROL PROGRAM.—The Secretary shall establish and conduct a national shoreline erosion control development and demonstration program for a period of [7 years] *10 years* beginning on the date that funds are made available to carry out this section.

(b) REQUIREMENTS.—

(1) IN GENERAL.—The erosion control program shall include provisions for—

(A) projects consisting of planning, designing, and constructing prototype engineered and vegetative shoreline erosion control devices and methods during the first [3 years] *6 years* of the erosion control program;

* * * * * * *

(3) COST SHARING.—The Secretary may enter into a cost sharing agreement with a non-Federal interest to carry out a project, or a phase of a project, under the erosion control program in cooperation with the non-Federal interest.

(4) REMOVAL OF PROJECTS.—The Secretary may pay all or a portion of the costs of removing a project, or an element of a project, constructed under the erosion control program if the Secretary determines during the term of the program that the project or element is detrimental to the environment, private property, or public safety.

[(3)**]** *(5)* * * *

* * * * * * *

[(4)**]** *(6)* * * *

* * * * * * *

(e) FUNDING.—

(1) * * *

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated **[**$25,000,000**]** *$31,000,000* to carry out this section.

* * * * * * *

WATER RESOURCES DEVELOPMENT ACT OF 1996

* * * * * * *

TITLE II—GENERAL PROVISIONS

* * * * * * *

SEC. 206. AQUATIC ECOSYSTEM RESTORATION.

(a) * * *

* * * * * * *

(e) FUNDING.—There is authorized to be appropriated to carry out this section **[**$25,000,000**]** *$40,000,000* for each fiscal year.

* * * * * * *

SEC. 211. CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTERESTS.

(a) * * *

* * * * * * *

(f) SPECIFIC PROJECTS.—For the purpose of demonstrating the potential advantages and effectiveness of non-Federal implementation of flood control projects, the Secretary shall enter into agreements pursuant to this section with non-Federal interests for development of the following flood control projects by such interests:

(1) * * *

* * * * * * *

(12) PERRIS, CALIFORNIA.—The project for flood control, Perris, California.

(13) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—An element of the project for flood control, Chicagoland Underflow Plan, Illinois.

(14) LAROSE TO GOLDEN MEADOW, LOUISIANA.—The project for flood control, Larose to Golden Meadow, Louisiana.

(15) BUFFALO BAYOU, TEXAS.—A project for flood control, Buffalo Bayou, Texas, to provide an alternative to the project authorized by the first section of the River and Harbor Act of June 20, 1938 (52 Stat. 804) and modified by section 3a of the Flood Control Act of August 11, 1939 (53 Stat. 1414).

(16) HALLS BAYOU, TEXAS.—A project for flood control, Halls Bayou, Texas, to provide an alternative to the project for flood control, Buffalo Bayou and tributaries, Texas, authorized by section 101(a)(21) of the Water Resources Development Act of 1990 (104 Stat. 4610).

* * * * * * *

SEC. 217. DREDGED MATERIAL DISPOSAL FACILITY PARTNERSHIPS.

(a) * * *

* * * * * * *

(c) DREDGED MATERIAL FACILITY.—

(1) IN GENERAL.—The Secretary may enter into a partnership agreement under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) with one or more non-Federal interests with respect to a water resources project, or group of water resources projects within a geographic region, if appropriate, for the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility (including any facility used to demonstrate potential beneficial uses of dredged material, which may include effective sediment contaminant reduction technologies) using funds provided in whole or in part by the Federal Government.

(2) PERFORMANCE.—One or more of the parties to a partnership agreement under this subsection may perform the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility.

(3) MULTIPLE PROJECTS.—If a facility to which this subsection applies serves to manage dredged material from multiple water resources projects located in the geographic region of the facility, the Secretary may combine portions of such projects with appropriate combined costsharing between the various projects in a partnership agreement for the facility under this subsection.

(4) SPECIFIED FEDERAL FUNDING SOURCES AND COST SHARING.—

(A) SPECIFIED FEDERAL FUNDING.—A partnership agreement with respect to a facility under this subsection shall specify—

(i) the Federal funding sources and combined costsharing when applicable to multiple water resources projects; and

(ii) the responsibilities and risks of each of the parties relating to present and future dredged material managed by the facility.

(B) MANAGEMENT OF SEDIMENTS.—

(i) IN GENERAL.—A partnership agreement under this subsection may include the management of sediments from the maintenance dredging of Federal water re-

sources projects that do not have partnership agreements.

(ii) PAYMENTS.—A partnership agreement under this subsection may allow the non-Federal interest to receive reimbursable payments from the Federal Government for commitments made by the non-Federal interest for disposal or placement capacity at dredged material processing, treatment, contaminant reduction, or disposal facilities.

(C) CREDIT.—A partnership agreement under this subsection may allow costs incurred by the non-Federal interest before execution of the partnership agreement to be credited in accordance with section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)).

(5) CREDIT.—

(A) EFFECT ON EXISTING AGREEMENTS.—Nothing in this subsection supersedes or modifies an agreement in effect on the date of enactment of this paragraph between the Federal Government and any non-Federal interest for the cost-sharing, construction, and operation and maintenance of a water resources project.

(B) CREDIT FOR FUNDS.—Subject to the approval of the Secretary and in accordance with law (including regulations and policies) in effect on the date of enactment of this paragraph, a non-Federal interest for a water resources project may receive credit for funds provided for the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility to the extent the facility is used to manage dredged material from the project.

(C) NON-FEDERAL INTEREST RESPONSIBILITIES.—A non-Federal interest entering into a partnership agreement under this subsection for a facility shall—

(i) be responsible for providing all necessary lands, easements, rights-of-way, and relocations associated with the facility; and

(ii) receive credit toward the non-Federal share of the cost of the project with respect to which the agreement is being entered into for those items.

[(c)**]** *(d)* PUBLIC-PRIVATE PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary may carry out a program to evaluate and implement opportunities for public-private partnerships in the design, construction, management, or operation *and maintenance* of dredged material *processing, treatment, contaminant reduction, or* disposal facilities in connection with construction or maintenance of Federal navigation projects. If a non-Federal interest is a sponsor of the project, the Secretary shall consult with the non-Federal interest in carrying out the program with respect to the project.

(2) PRIVATE FINANCING.—

(A) AGREEMENTS.—In carrying out this subsection, the Secretary may enter into an agreement with a non-Federal interest with respect to a project, a private entity, or both for the acquisition, design, construction, management, or operation *and maintenance* of a dredged material *proc-*

essing, treatment, contaminant reduction, or disposal facility (including any facility used to demonstrate potential beneficial uses of dredged material) using funds provided in whole or in part by the private entity.

* * * * * * *

TITLE III—PROJECT-RELATED PROVISIONS

* * * * * * *

[SEC. 330. SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICHIGAN.

[(a) IN GENERAL.—The project for navigation, Sault Sainte Marie, Chippewa County, Michigan, authorized by section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254–4255), is modified as follows:

[(1) PAYMENT OF NON-FEDERAL SHARE.—The non-Federal share of the cost of the project shall be paid as follows:

[(A) That portion of the non-Federal share that the Secretary determines is attributable to use of the lock by vessels calling at Canadian ports shall be paid by the United States.

[(B) The remaining portion of the non-Federal share shall be paid by the Great Lakes States pursuant to an agreement entered into by such States.

[(2) PAYMENT TERM OF ADDITIONAL PERCENTAGE.—The amount to be paid by non-Federal interests pursuant to section 101(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)) and this subsection with respect to the project may be paid over a period of 50 years or the expected life of the project, whichever is shorter.

[(b) GREAT LAKES STATES DEFINED.—In this section, the term "Great Lakes States" means the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.]

* * * * * * *

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. LAND CONVEYANCES.

(a)

* * * * * * *

(g) BOARDMAN, OREGON.—

(1) IN GENERAL.—The Secretary shall convey to the [city of Boardman,] *the Boardman Park and Recreation District, Boardman,* Oregon, all right, title, and interest of the United States in and to a parcel of land consisting of approximately 141 acres acquired as part of the John Day Lock and Dam project in the vicinity of [such city] *the city of Boardman* currently under lease to the Boardman Park and Recreation District.

* * * * * * *

SEC. 507. DESIGN AND CONSTRUCTION ASSISTANCE.

The Secretary shall provide design and construction assistance to non-Federal interests for each of the following projects if the Secretary determines that the project is feasible:

(1) Repair and rehabilitation of the Lower Girard Lake Dam, Girard, Ohio, at an estimated total cost of **[**$2,500,000**]** *$6,000,000*.

* * * * * * *

SEC. 510. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

(a) ESTABLISHMENT.—

(1) * * *

(2) FORM.—The assistance shall be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects affecting the Chesapeake Bay estuary, including projects for sediment and erosion control, protection of eroding shorelines, protection of essential public works, wastewater treatment and related facilities, water supply and related facilities**[**, and beneficial uses of dredged material**]***, beneficial uses of dredged material, and restoration of submerged aquatic vegetation*, and other related projects that may enhance the living resources of the estuary.

* * * * * * *

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section **[**$10,000,000**]** *$50,000,000*.

* * * * * * *

SEC. 511. RESEARCH AND DEVELOPMENT PROGRAM TO IMPROVE SALMON SURVIVAL.

(a) SALMON SURVIVAL ACTIVITIES.—

(1) * * *

* * * * * * *

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated **[**$10,000,000**]** *$25,000,000* to carry out research and development activities under paragraph (3).

* * * * * * *

(c) MANAGEMENT OF PREDATION ON COLUMBIA/SNAKE RIVER SYSTEM NATIVE FISHES.—

(1) * * *

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated **[**$1,000,000**]** *$10,000,000* to carry out research and development activities under this subsection.

* * * * * * *

SEC. 516. SEDIMENT MANAGEMENT.

(a) * * *

* * * * * * *

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) * * *

(2) GREAT LAKES TRIBUTARY MODEL.—In addition to amounts made available under paragraph (1), there is authorized to be

appropriated to carry out subsection (e) $5,000,000 for each of fiscal years 2002 [through 2006] *through 2012*.

* * * * * * *

SEC. 528. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION.

(a) * * *

(b) RESTORATION ACTIVITIES.—

(1) * * *

* * * * * * *

(3) CRITICAL RESTORATION PROJECTS.—

(A) * * *

* * * * * * *

(C) AUTHORIZATION OF APPROPRIATIONS.—

(i) IN GENERAL.—There is authorized to be appropriated to the Department of the Army to pay the Federal share of the cost of carrying out projects under subparagraph (A) [$75,000,000 for the period consisting of fiscal years 1997 through 2003] *$95,000,000*.

(ii) FEDERAL SHARE.—The Federal share of the cost of carrying out any 1 project under subparagraph (A) shall be not more than [$25,000,000] *$30,000,000*.

* * * * * * *

SEC. 531. SOUTHERN AND EASTERN KENTUCKY.

(a) * * *

* * * * * * *

(i) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

* * * * * * *

SEC. 553. NEW YORK STATE CANAL SYSTEM.

(a) * * *

* * * * * * *

[(c) NEW YORK STATE CANAL SYSTEM DEFINED.—In this section, the term "New York State Canal System" means the Erie, Oswego, Champlain, and Cayuga-Seneca Canals.]

(c) NEW YORK STATE CANAL SYSTEM DEFINED.—In this section, the term "New York State Canal System" means the 524 miles of navigable canal that comprise the New York State Canal System, including the Erie, Cayuga-Seneca, Oswego, and Champlain Canals and the historic alignments of these canals, including the cities of Albany, Rochester, and Buffalo.

* * * * * * *

SEC. 554. ORCHARD BEACH, BRONX, NEW YORK.

The Secretary shall conduct a study for a project for shoreline protection, Orchard Beach, Bronx, New York, and, if the Secretary determines that the project is feasible, may carry out the project,

at a [maximum Federal cost of $5,200,000] *total cost of $20,000,000.*

* * * * * * *

SEC. 567. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

(a) STUDY AND STRATEGY DEVELOPMENT.—The Secretary, in cooperation with the Secretary of Agriculture, the State of Pennsylvania, and the State of New York, shall conduct a study, and develop *and carry out* a strategy, for using wetland restoration, soil and water conservation practices, and nonstructural measures to reduce flood damage, improve water quality, and create wildlife habitat in the following portions of the Upper Susquehanna River basin:

(1) * * *

(2) The Susquehanna River watershed upstream of the Chemung River, New York, at an estimated Federal cost of [$10,000,000.] *$20,000,000, of which the Secretary may utilize not more than $5,000,000 to design and construct feasible pilot projects during the development of the strategy to demonstrate alternative approaches for the strategy. The total cost for any single pilot project may not exceed $500,000. The Secretary shall evaluate the results of the pilot projects and consider the results in the development of the strategy.*

* * * * * * *

(c) [COOPERATION] *COOPERATIVE* Agreements.—In conducting the study and developing *and carrying out* the strategy under this section, the Secretary shall enter into [cooperation] *cost-sharing and cooperative* agreements to provide financial assistance to appropriate Federal, State, and local government agencies and appropriate nonprofit, nongovernmental organizations with expertise in wetland restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

(d) IMPLEMENTATION OF STRATEGY.—

(1) IN GENERAL.—The Secretary shall undertake development and implementation of the strategy under this section in cooperation with local landowners and local government officials. Projects to [implement] *carry out* the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of [implementing] *carrying out* recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Susquehanna River basin ecosystem.

(2) PRIORITY PROJECT.—In carrying out projects to implement the strategy, the Secretary shall give priority to the project for ecosystem restoration, Cooperstown, New York, described in the Upper Susquehanna River Basin—Cooperstown Area Ecosystem Restoration Feasibility Study, dated December 2004, prepared by the Corps of Engineers and the New York State Department of Environmental Conservation.

(e) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of a project under this section—

(1) the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) the cost of in-kind services and materials provided for the project by the non-Federal interest.

SEC. 575. HARRIS COUNTY, TEXAS.

(a) IN GENERAL.—During any evaluation of economic benefits and costs for projects set forth in subsection (b) that occurs after the date of the enactment of this Act, the Secretary shall not consider flood control works constructed or nonstructural actions by non-Federal interests within the drainage area of such projects prior to the date of such evaluation in the determination of conditions existing prior to construction of the project or nonstructural actions*, whether or not such works or actions are partially funded under the hazard mitigation grant program of the Federal Emergency Management Agency*.

(b) SPECIFIC PROJECTS.—The projects to which subsection (a) apply are—

(1) * * *

* * * * * * *

(3) the project for flood control, Cypress Creek, Texas, authorized by section 3(a)(13) of the Water Resources Development Act of 1988 (102 Stat. 4014); **[**and**]**

(4) the project for flood control, Clear Creek, Texas, authorized by section 203 of the Flood Control Act of 1968 (82 Stat. 742)**[**.**]***; and*

(5) the project for flood control, Upper White Oak Bayou, Texas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4125).

* * * * * * *

SEC. 577. TANGIER ISLAND, VIRGINIA.

(a) IN GENERAL.—The Secretary shall design and construct a breakwater at the North Channel on Tangier Island, Virginia, **[**at a total cost of $1,200,000, with an estimated Federal cost of $900,000 and an estimated non-Federal cost of $300,000.**]** *at a total cost of $3,000,000, with an estimated Federal cost of $2,500,000 and an estimated non-Federal cost of $750,000.*

* * * * * * *

SEC. 579. GREENBRIER RIVER BASIN, WEST VIRGINIA, FLOOD PROTECTION.

(a) * * *

* * * * * * *

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section **[**$47,000,000**]** *$99,000,000*.

* * * * * * *

SEC. 581. WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL.

(a) IN GENERAL.—The Secretary may design and construct—

(1) [flood control measures] *structural and nonstructural flood control, streambank protection, stormwater management, and channel clearing and modification measures* in the Cheat and Tygart River basins, West Virginia, at a level of protection that is sufficient to prevent any future losses to communities in the basins from flooding such as occurred in January 1996, but not less than a 100-year level of protection *with respect to measures that incorporate levees or floodwalls*; and

* * * * * * *

(b) PRIORITY COMMUNITIES.—In carrying out this section, the Secretary shall give priority to the communities of—

(1) * * *

* * * * * * *

(5) Patton, Barnesboro, Coalport, and Spangler, Pennsylvania, in the West Branch Susquehanna River Basin; [and]

(6) Bedford, Linds Crossings, and Logan Township in the Juniata River Basin[.]*;*

(7) Etna, Pennsylvania, in the Pine Creek watershed; and

(8) Millvale, Pennsylvania, in the Girty's Run River basin.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section [$12,000,000] *$90,000,000*.

* * * * * * *

SECTION 205 OF THE FLOOD CONTROL ACT OF 1948

SEC 205. The Secretary of the Army is hereby authorized to allot from any appropriations heretofore or hereafter made for flood control, not to exceed [$50,000,000] *$60,000,000* for any one fiscal year, implementation of small structural and nonstructural projects for flood control and related purposes not specifically authorized by Congress, which come within the provisions of section 1 of the Flood Control Act of June 22, 1936, when in the opinion of the Chief of Engineers such work is advisable. The amount allotted for a project shall be sufficient to complete Federal participation in the project. Not more than $7,000,000 shall be allotted under this section for a project at any single locality. The provisions of local cooperation specified in section 3 of the Flood Control Act of June 22, 1936, as amended, shall apply. The work shall be complete in itself and not commit the United States to any additional improvement to insure its successful operation, except as may result from the normal procedure applying to projects authorized after submission of preliminary examination and survey reports.

SECTION 221 OF THE FLOOD CONTROL ACT OF 1970

[SEC. 221. (a) After the date of enactment of this Act, the construction of any water resources project, or an acceptable separable element thereof, by the Secretary of the Army, acting through the Chief of Engineers, or by a non-Federal interest where such interest will be reimbursed for such construction under the provisions of section 215 of the Flood Control Act of 1968 or under any other provision of law, shall not be commenced until each non-Federal in-

terest has entered into a written agreement with the Secretary of the Army to furnish its required cooperation for the project or the appropriate element of the project, as the case may be; except that no such agreement shall be required if the Secretary determines that the administrative costs associated with negotiating, executing, or administering the agreement would exceed the amount of the contribution required from the non-Federal interest and are less than $25,000. In any such agreement entered into by a State, or a body politic of the State which derives its powers from the State constitution, or a governmental entity created by the State legislature, the agreement may reflect that it does not obligate future appropriations for such performance and payment when obligating future appropriations would be inconsistent with constitutional or statutory limitations of the State or a political subdivision of the State.

[(b) A non-Federal interest shall be a legally constituted public body with full authority and capability to perform the terms of its agreement and to pay damages, if necessary, in the event of failure to perform.]

SEC. 221. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.

(a) COOPERATION OF NON-FEDERAL INTEREST.—

(1) IN GENERAL.—After December 31, 1970, the construction of any water resources project, or an acceptable separable element thereof, by the Secretary of the Army, acting through the Chief of Engineers, or by a non-Federal interest where such interest will be reimbursed for such construction under any provision of law, shall not be commenced until each non-Federal interest has entered into a written partnership agreement with the Secretary (or, where appropriate, the district engineer for the district in which the project will be carried out) under which each party agrees to carry out its responsibilities and requirements for implementation or construction of the project or the appropriate element of the project, as the case may be; except that no such agreement shall be required if the Secretary determines that the administrative costs associated with negotiating, executing, or administering the agreement would exceed the amount of the contribution required from the non-Federal interest and are less than $25,000.

(2) LIQUIDATED DAMAGES.—A partnership agreement described in paragraph (1) may include a provision for liquidated damages in the event of a failure of one or more parties to perform.

(3) OBLIGATION OF FUTURE APPROPRIATIONS.—In any partnership agreement described in paragraph (1) and entered into by a State, or a body politic of the State which derives its powers from the State constitution, or a governmental entity created by the State legislature, the agreement may reflect that it does not obligate future appropriations for such performance and payment when obligating future appropriations would be inconsistent with constitutional or statutory limitations of the State or a political subdivision of the State.

(4) CREDIT FOR IN-KIND CONTRIBUTIONS.—

(A) IN GENERAL.—A partnership agreement described in paragraph (1) may provide with respect to a project that

the Secretary shall credit toward the non-Federal share of the cost of the project, including a project implemented without specific authorization in law, the value of in-kind contributions made by the non-Federal interest, including—

(i) the costs of planning (including data collection), design, management, mitigation, construction, and construction services that are provided by the non-Federal interest for implementation of the project;

(ii) the value of materials or services provided before execution of the partnership agreement, including efforts on constructed elements incorporated into the project; and

(iii) the value of materials and services provided after execution of the partnership agreement.

(B) CONDITION.—The Secretary shall credit an in-kind contribution under subparagraph (A) if the Secretary determines that the material or service provided as an in-kind contribution is integral to the project.

(C) WORK PERFORMED BEFORE PARTNERSHIP AGREEMENT.—In any case in which the non-Federal interest is to receive credit under subparagraph (A)(ii) for the cost of work carried out by the non-Federal interest and such work has not been carried out as of the date of enactment of this subparagraph, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work, and only work carried out following the execution of the agreement shall be eligible for credit.

(D) LIMITATIONS.—Credit authorized under this paragraph for a project—

(i) shall not exceed the non-Federal share of the cost of the project;

(ii) shall not alter any other requirement that a non-Federal interest provide lands, easements or rights-of-way, or areas for disposal of dredged material for the project;

(iii) shall not alter any requirement that a non-Federal interest pay a portion of the costs of construction of the project under sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211; 33 U.S.C. 2213); and

(iv) shall not exceed the actual and reasonable costs of the materials, services, or other things provided by the non-Federal interest, as determined by the Secretary.

(E) APPLICABILITY.—

(i) IN GENERAL.—This paragraph shall apply to water resources projects authorized after November 16, 1986, including projects initiated after November 16, 1986, without specific authorization in law.

(ii) LIMITATION.—In any case in which a specific provision of law provides for a non-Federal interest to receive credit toward the non-Federal share of the cost of a study for, or construction or operation and mainte-

nance of, a water resources project, the specific provision of law shall apply instead of this paragraph.

(b) DEFINITION OF NON-FEDERAL INTEREST.—The term "non-Federal interest" means a legally constituted public body (including a federally recognized Indian tribe), and a nonprofit entity with the consent of the affected local government, that has full authority and capability to perform the terms of its agreement and to pay damages, if necessary, in the event of failure to perform.

* * * * * * *

(e) DELEGATION OF AUTHORITY.—Not later than September 30, 2008, the Secretary shall issue policies and guidelines for partnership agreements that delegate to the district engineers, at a minimum—

(1) the authority to approve any policy in a partnership agreement that has appeared in an agreement previously approved by the Secretary;

(2) the authority to approve any policy in a partnership agreement the specific terms of which are dictated by law or by a final feasibility study, final environmental impact statement, or other final decision document for a water resources project;

(3) the authority to approve any partnership agreement that complies with the policies and guidelines issued by the Secretary; and

(4) the authority to sign any partnership agreement for any water resources project unless, within 30 days of the date of authorization of the project, the Secretary notifies the district engineer in which the project will be carried out that the Secretary wishes to retain the prerogative to sign the partnership agreement for that project.

(f) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this subsection, and every year thereafter, the Secretary shall submit to Congress a report detailing the following:

(1) The number of partnership agreements signed by district engineers and the number of partnership agreements signed by the Secretary.

(2) For any partnership agreement signed by the Secretary, an explanation of why delegation to the district engineer was not appropriate.

(g) PUBLIC AVAILABILITY.—Not later than 120 days after the date of enactment of this subsection, the Chief of Engineers shall—

(1) ensure that each district engineer has made available to the public, including on the Internet, all partnership agreements entered into under this section within the preceding 10 years and all partnership agreements for water resources projects currently being carried out in that district; and

(2) make each partnership agreement entered into after such date of enactment available to the public, including on the Internet, not later than 7 days after the date on which such agreement is entered into.

[(e)**]** *(h)* * * *

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WATER RESOURCES DEVELOPMENT ACT OF 1992

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TITLE II—GENERALLY APPLICABLE PROVISIONS

* * * * * * *

SEC. 204. BENEFICIAL USES OF DREDGED MATERIAL.

(a) * * *

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[(c) COOPERATIVE AGREEMENT.—Any project undertaken pursuant to this section shall be initiated only after non-Federal interests have entered into a binding agreement with the Secretary in which the non-Federal interests agree to—

[(1) provide 25 percent of the cost associated with construction of the project for the protection, restoration, and creation of aquatic and ecologically related habitats, including provision of all lands, easements, rights-of-way, and necessary relocations; and

[(2) pay 100 percent of the operation, maintenance, replacement, and rehabilitation costs associated with the project for the protection, restoration, and creation of aquatic and ecologically related habitats.

[(d) DETERMINATION OF CONSTRUCTION COSTS.—Costs associated with construction of a project for the protection, restoration, and creation of aquatic and ecologically related habitats shall be limited solely to construction costs which are in excess of those costs necessary to carry out the dredging for construction, operation, or maintenance of the authorized navigation project in the most cost effective way, consistent with economic, engineering, and environmental criteria.

[(e) SELECTION OF DREDGED MATERIAL DISPOSAL METHOD.—In developing and carrying out a project for navigation involving the disposal of dredged material, the Secretary may select, with the consent of the non-Federal interest, a disposal method that is not the least-cost option if the Secretary determines that the incremental costs of such disposal method are reasonable in relation to the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion. The Federal share of such incremental costs shall be determined in accordance with subsection (c).

[(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated not to exceed $15,000,000 annually to carry out this section. Such sums shall remain available until expended.

[(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.]

(c) IN GENERAL.—The Secretary may carry out projects to transport and place sediment obtained in connection with the construction, operation, or maintenance of an authorized water resources project at locations selected by a non-Federal entity for use in the

construction, repair, or rehabilitation of projects determined by the Secretary to be in the public interest and associated with navigation, flood damage reduction, hydroelectric power, municipal and industrial water supply, agricultural water supply, recreation, hurricane and storm damage reduction, aquatic plant control, and environmental protection and restoration.

(d) COOPERATIVE AGREEMENT.—Any project undertaken pursuant to this section shall be initiated only after non-Federal interests have entered into an agreement with the Secretary in which the non-Federal interests agree to pay the non-Federal share of the cost of construction of the project and 100 percent of the cost of operation, maintenance, replacement, and rehabilitation of the project in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(e) SPECIAL RULE.—Construction of a project under subsection (a) for one or more of the purposes of protection, restoration, or creation of aquatic and ecologically related habitat, the cost of which does not exceed $750,000 and which will be located in a disadvantaged community as determined by the Secretary, may be carried out at Federal expense.

(f) DETERMINATION OF CONSTRUCTION COSTS.—Costs associated with construction of a project under this section shall be limited solely to construction costs that are in excess of those costs necessary to carry out the dredging for construction, operation, or maintenance of the authorized water resources project in the most cos- effective way, consistent with economic, engineering, and environmental criteria.

(g) SELECTION OF SEDIMENT DISPOSAL METHOD.—In developing and carrying out a water resources project involving the disposal of sediment, the Secretary may select, with the consent of the non-Federal interest, a disposal method that is not the least cost option if the Secretary determines that the incremental costs of such disposal method are reasonable in relation to the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion. The Federal share of such incremental costs shall be determined in accordance with subsections (d) and (f).

(h) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $30,000,000 annually for projects under this section of which not more than $3,000,000 annually may be used for construction of projects described in subsection (e). Such sums shall remain available until expended.

(j) REGIONAL SEDIMENT MANAGEMENT PLANNING.—In consultation with appropriate State and Federal agencies, the Secretary may develop, at Federal expense, plans for regional management of sediment obtained in conjunction with the construction, operation, or maintenance of water resources projects, including potential beneficial uses of sediment for construction, repair, or rehabilitation of public projects for navigation, flood damage reduction, hydroelectric power, municipal and industrial water supply, agricultural water

supply, recreation, hurricane and storm damage reduction, aquatic plant control, and environmental protection and restoration.

(k) USE OF FUNDS.—

(1) NON-FEDERAL INTEREST.—The non-Federal interest for a project described in this section may use, and the Secretary shall accept, funds provided under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of such project if such funds are authorized to be used to carry out such project.

(2) OTHER FEDERAL AGENCIES.—The non-Federal share of the cost of construction of a project under this section may be met through contributions from a Federal agency made directly to the Secretary, with the consent of the affected local government, if such funds are authorized to be used to carry out such project. Before initiating a project to which this paragraph applies, the Secretary shall enter into an agreement with a non-Federal interest in which the non-Federal interest agrees to pay 100 percent of the cost of operation, maintenance, replacement, and rehabilitation of the project.

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SEC. 219. ENVIRONMENTAL INFRASTRUCTURE.

(a) * * *

* * * * * * *

(c) PROJECT DESCRIPTIONS.—The projects for which the Secretary is authorized to provide assistance under subsection (a) are as follows:

(1) * * *

* * * * * * *

[(27) LOS OSOS COMMUNITY SERVICE DISTRICT, CALIFORNIA.—Wastewater infrastructure, Los Osos Community Service District, California.]

(27) LOS OSOS, CALIFORNIA.—Wastewater infrastructure, Los Osos, California.

* * * * * * *

(41) WINCHESTER, KENTUCKY.—Wastewater infrastructure, Winchester, Kentucky.

* * * * * * *

(e) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION ASSISTANCE.—There are authorized to be appropriated for providing construction assistance under this section—

(1) * * *

* * * * * * *

(7) $30,000,000 for the project described in subsection (c)(16); [and]

(8) $30,000,000 for the project described in subsection (c)(17)[.]*;*

(9) $35,000,000 for the project described in subsection (c)(18);

(10) $27,000,000 for the project described in subsection (c)(19);

(11) $20,000,000 for the project described in subsection (c)(20);

(12) $35,000,000 for the project described in subsection (c)(23);

(13) $20,000,000 for the project described in subsection (c)(25);

(14) $20,000,000 for the project described in subsection (c)(26);

(15) $35,000,000 for the project described in subsection (c)(27);

(16) $20,000,000 for the project described in subsection (c)(28); and

(17) $30,000,000 for the project described in subsection (c)(40).

(f) ADDITIONAL ASSISTANCE.—The Secretary may provide assistance under subsection (a) and assistance for construction for the following:

(1) * * *

* * * * * * *

(10) EASTERN SHORE AND SOUTHWEST VIRGINIA.—[$20,000,000 for water supply and wastewater infrastructure]

(A) IN GENERAL.—$20,000,000 for water supply, wastewater infrastructure, and environmental restoration projects in the counties of Accomac, Northampton, Lee, Norton, Wise, Scott, Russell, Dickenson, Buchanan, and Tazewell, Virginia.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(11) NORTHEAST PENNSYLVANIA.—$20,000,000 for water related infrastructure in the counties of Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, Wayne, Sullivan, Bradford, [and Monroe] *Northumberland, Union, Snyder, Luzerne, and Monroe*, Pennsylvania, including assistance for the Mountoursville Regional Sewer Authority, Lycoming County, Pennsylvania.

(12) CALUMET REGION, INDIANA.—[$30,000,000]

(A) IN GENERAL.—$100,000,000 for water related infrastructure projects in the counties of Benton, Jasper, Lake, Newton, and Porter, Indiana.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

* * * * * * *

(21) BATON ROUGE, LOUISIANA.—[$20,000,000] *$35,000,000* for water related infrastructure for the parishes of East Baton Rouge, Ascension, and Livingston, Louisiana.

(22) EAST SAN JOAQUIN COUNTY, CALIFORNIA.—

(A) IN GENERAL.—$25,000,000 for ground water recharge and conjunctive use projects in Stockton East Water District, California.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project (i) the cost of design and construction work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and (ii) the cost of provided for the project by the non-Federal interest.

(C) IN-KIND CONTRIBUTIONS.—The non-Federal interest may provide any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.

* * * * * * *

(32) ST. LOUIS, MISSOURI.—[$15,000,000] *$35,000,000* for a [project] *projects* to eliminate or control combined sewer overflows in the city of St. Louis *and St. Louis County*, Missouri.

* * * * * * *

(48) CAMBRIA, CALIFORNIA.—

(A) IN GENERAL.—$10,300,000 for desalination infrastructure, Cambria, California.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project not to exceed $3,000,000 for the cost of planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

* * * * * * *

(61) GARRISON [AND KATHIO TOWNSHIP], *CROW WING COUNTY, MILLE LACS COUNTY, MILLE LACS INDIAN RESERVATION, AND KATHIO TOWNSHIP*, minnesota.—[$11,000,000] *$17,000,000* for a wastewater infrastructure project for the city of Garrison, *Crow Wing County, Mille Lacs County, Mille Lacs Indian Reservation (10 Stat. 1165),* and Kathio Township, Minnesota. *Such assistance shall be provided directly to the Garrison-Kathio-West Mille Lacs Lake Sanitary District, Minnesota, except for assistance provided directly to the Mille Lacs Band of Ojibwe at the discretion of the Secretary.*

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(64) STANLY COUNTY, NORTH CAROLINA.—$8,900,000 for *water and* wastewater infrastructure, Stanly County, North Carolina.

* * * * * * *

(66) ALLEGHENY COUNTY, PENNSYLVANIA.—

(A) IN GENERAL.—$20,000,000 for water-related environmental infrastructure, Allegheny County, Pennsylvania.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

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TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

SEC. 313. SOUTH CENTRAL PENNSYLVANIA ENVIRONMENTAL RESTORATION INFRASTRUCTURE AND RESOURCE PROTECTION DEVELOPMENT PILOT PROGRAM.

(a) * * *

* * * * * * *

(g) AUTHORIZATION AND ALLOCATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section [$180,000,000] *$200,000,000* for fiscal years beginning after September 30, 1992. Such sums shall remain available until expended.

* * * * * * *

(h) DEFINITIONS.—For purposes of this section, the following definitions apply:

(1) * * *

(2) SOUTH CENTRAL PENNSYLVANIA.—The term "south central Pennsylvania" means [Allegheny, Armstrong, Beford, Blair, Cambria, Clearfield, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Mifflin, Somerset, Snyder, Washington, and Westmoreland Counties] *Allegheny, Armstrong, Bedford, Blair, Cambria, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Somerset, Washington, and Westmoreland Counties*, Pennsylvania.

* * * * * * *

SEC. 324. HACKENSACK MEADOWLANDS AREA, NEW JERSEY.

(a) IN GENERAL.—The Secretary is authorized to provide [design] *planning, design,* and construction assistance to the [Hackensack Meadowlands Development Commission of the State of New Jersey for the development of the Phase I Environmental Improvement Program of the Special Area Management Plan for] *New Jersey Meadowlands Commission for the development of an environmental improvement program for* the Hackensack Meadowlands area, New Jersey.

(b) [REQUIRED] ELEMENTS.—The program to be developed under subsection (a) [shall] *may* include at a minimum the following areas:

[(1) Mitigation, enhancement, and acquisition of significant wetlands that contribute to the Meadowlands ecosystem.]

(1) Restoration and acquisitions of significant wetlands and aquatic habitat that contribute to the Meadowlands ecosystem.

(2) Development and implementation of a regional system to protect, preserve, and monitor wetlands *and aquatic habitat*.

* * * * * * *

[(7) Research and development for a water quality improvement program.]

(7) Research, development, and implementation for a water quality improvement program, including restoration of hydrology and tidal flows and remediation of hot spots and other sources of contaminants that degrade existing or planned sites.

(c) COST SHARING.—Total project costs under subsection (a) shall be shared at 75 percent Federal and 25 percent non-Federal. The non-Federal sponsor shall receive credit for lands, easements, rights-of-way, and relocations toward its share of project costs, but not to exceed 25 percent of total project costs. *The non-Federal sponsor may also provide in-kind services, not to exceed the non-Federal share of the total project cost, and may also receive credit for reasonable cost of design work completed prior to entering into the partnership agreement with the Secretary for a project to be carried out under the program developed under subsection (a).* Operation and maintenance cost shall be 100 percent non-Federal.

(d) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section **[**$5,000,000**]** *$35,000,000* for fiscal years beginning after September 30, 1992. Such sums shall remain available until expended.

[SEC. 325. LAND EXCHANGE, ALLATOONA LAKE, GEORGIA.

[(a) IN GENERAL.—The Secretary may initiate a program to exchange lands above 863 feet in elevation which are excess to the operational needs of Allatoona Lake, Georgia, for lands on the north side of Allatoona Lake which are needed for wildlife management and for protection of the water quality and overall environment of Allatoona Lake.

[(b) TERMS AND CONDITIONS.—Land exchanges under the program to be conducted under subsection (a) shall be subject to the following terms and conditions:

[(1) Lands acquired under the program must be contiguous to the lands in Federal Government ownership on the date of the enactment of this Act.

[(2) Lands acquired under the program shall be from willing sellers only.

[(3) The basis for all land exchanges under the program shall be a fair market appraisal so that lands exchanged are of equal value.**]**

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SEC. 340. SOUTHERN WEST VIRGINIA ENVIRONMENTAL RESTORATION INFRASTRUCTURE AND RESOURCE PROTECTION DEVELOPMENT PILOT PROGRAM.

(a) * * *

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(f) SOUTHERN WEST VIRGINIA DEFINED.—For purposes of this section, the term "Southern West Virginia" means Raleigh, Wayne, Cabell, Fayette, Lincoln, Summers, Wyoming, Webster, Mingo, McDowell, Logan, Boone, Mercer, Pocahontas, Greenbrier, *Nicholas,* and Monroe Counties, West Virginia.

* * * * * * *

(h) CORPS OF ENGINEERS.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal

interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

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TITLE IV—INFRASTRUCTURE TECHNOLOGY, RESEARCH AND DEVELOPMENT

* * * * * * *

SEC. 404. ATLANTIC COAST OF NEW YORK.

(a) DEVELOPMENT OF PROGRAM.—The Secretary is authorized and directed to develop a data collection and monitoring program of coastal [processes] *and related environmental processes* for the Atlantic Coast *(and associated back bays)* of New York, from Coney Island to Montauk Point, with a view toward providing information necessary to develop a program for addressing post storm actions*, environmental restoration or conservation measures for coastal and back bays,* and long-term shoreline erosion control. *The plan for collecting data and monitoring information included in such annual report shall be fully coordinated with and agreed to by appropriate agencies of the State of New York.*

(b) [INITIAL PLAN.—Not later than 12 months after the date of the enactment of this Act, the] *ANNUAL REPORTS.—The* Secretary shall provide an [initial plan for data collection and monitoring] *annual report of data collection and monitoring activities* to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives. [Such initial plan shall be fully coordinated with and agreed to by appropriate agencies of the State of New York.]

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $1,400,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997, [and an additional total of $2,500,000 for fiscal years thereafter] *$2,500,000 for fiscal years 2000 through 2004, and $7,500,000 for fiscal years beginning after September 30, 2004,* to carry out this section. Such sums shall remain available until expended.

(d) TSUNAMI WARNING SYSTEM.—There is authorized to be appropriated $800,000 for the Secretary to carry out a project for a tsunami warning system, Atlantic Coast of New York.

* * * * * * *

SECTION 145 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1976

[SEC. 145. The Secretary of the Army, acting through the Chief of Engineers, is authorized upon request of the State, to place on the beaches of such State beach-quality sand which has been dredged in construction and maintaining navigation inlets and channels adjacent to such beaches, if the Secretary deems such action to be in the public interest and upon payment by such State of 35 percent of the increased cost thereof above the cost required for alternative methods of disposing of such sand. At the request of the State, the Secretary may enter into an agreement with a political subdivision of the State to place sand on the beaches of the

political subdivision of the State under the same terms and conditions required in the first sentence of this section; except that the political subdivision shall be responsible for providing any payments required under such sentence in lieu of the State. In carrying out this section, the Secretary shall give consideration to the schedule of the State, or the schedule of the responsible political subdivision of the requesting State, for providing its share of funds for placing such sand on the beaches of the State or the political subdivision and shall, to the maximum extent practicable, accommodate such schedule.]

SECTION 309 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1992

(Public Law 102–154)

SEC. 309. Notwithstanding any other provision of law, in fiscal year 1992 and thereafter, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, *the Secretary of the Army,* and the Secretary of the Smithsonian Institution are authorized to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the presuppression, detection, and suppression of fires on any units within their jurisdiction.

SECTION 22 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1974

SEC. 22 [(a) The Secretary]

(a) FEDERAL STATE COOPERATION.—

(1) COMPREHENSIVE PLANS.—The Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with any State in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins, watersheds, or ecosystems located within the boundaries of such State and to submit to Congress reports and recommendations with respect to appropriate Federal participation in carrying out such plans.

(2) TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—At the request of a governmental agency or non-Federal interest, the Secretary may provide, at Federal expense, technical assistance to such agency or non-Federal interest in managing water resources.

(B) TYPES OF ASSISTANCE.—Technical assistance under this paragraph may include provision and integration of hydrologic, economic, and environmental data and analyses.

(b) FEES.—

(1) ESTABLISHMENT AND COLLECTION.—For the purpose of recovering 50 percent of the total cost of providing assistance pursuant to [this section] *subsection (a)(1)*, the Secretary of the Army is authorized to establish appropriate fees, as determined by the Secretary, and to collect such fees from States and other non-Federal public bodies to whom assistance is provided under [this section] *subsection (a)(1)*.

(2) PHASE-IN.—The Secretary shall phase in the cost sharing program under this subsection by recovering—

(A) approximately 10 percent of the total cost of providing assistance in fiscal year 1991;

(B) approximately 30 percent of the total cost in fiscal year 1992; and

(C) approximately 50 percent of the total cost in fiscal year 1993 and each succeeding fiscal year.

(3) IN-KIND SERVICES.—[Up to ½ of the] *The* non-Federal contribution for preparation of a plan subject to the cost sharing program under this subsection may be made by the provision of services, materials, supplies, or other in-kind services necessary to prepare the plan.

* * * * * * *

(c) *AUTHORIZATION OF APPROPRIATIONS.*—

(1) FEDERAL AND STATE COOPERATION.—There is authorized to be appropriated not to exceed $10,000,000 annually to carry out [the provisions of this section] *subsection (a)(1)* except that not more than [$500,000] *$1,000,000* shall be expended in any one year in any one State.

(2) TECHNICAL ASSISTANCE.—There is authorized to be appropriated $5,000,000 annually to carry out subsection (a)(2), of which not more than $2,000,000 annually may be used by the Secretary to enter into cooperative agreements with nonprofit organizations to provide assistance to rural and small communities.

(d) ANNUAL SUBMISSION OF PROPOSED ACTIVITIES.—Concurrent with the President's submission to Congress of the President's request for appropriations for the Civil Works Program for a fiscal year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the individual activities proposed for funding under subsection (a)(1) for that fiscal year.

[(d)] *(e)* For the purposes of this section, the term "State" means the several States of the United States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Marianas, and the Trust Territory of the Pacific Islands.

SECTION 4 OF THE ACT OF DECEMBER 22, 1944

AN ACT Authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes.

SEC. 4. The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to construct, maintain, and operate public park and recreational facilities at water resource development projects under the control of the Department of the Army, to permit the construction of such facilities by local interests (particularly those to be operated and maintained by such interests), and to permit the maintenance and operation of such facilities by local interests. The Secretary of the Army is also authorized to grant leases of lands, including structures or facilities thereon, at water resource development projects for such periods, and upon

such terms and for such purposes as he may deem reasonable in the public interest: *Provided,* That leases to nonprofit organizations for park or recreational purposes may be granted at reduced or nominal considerations in recognition of the public service to be rendered in utilizing the leased premises: *Provided further,* That preference shall be given to *federally recognized Indian tribes and* Federal, State, or local governmental agencies, and licenses or leases where appropriate, may be granted without monetary considerations, to such *Indian tribes or* agencies for the use of all or any portion of a project area for any public purpose, when the Secretary of the Army determines such action to be in the public interest, and for such periods of time and upon such conditions as he may find advisable: *And provided further,* That in any such lease or license to a *federally recognized Indian tribe* Federal, State, or local governmental agency which involves lands to be utilized for the development and conservation of fish and wildlife, forests, and other natural resources, the licensee or lessee may be authorized to cut timber and harvest crops as may be necessary to further such beneficial uses and to collect and utilize the proceeds of any sales of timber and crops in the development, conservation, maintenance, and utilization of such lands. Any balance of proceeds not so utilized shall be paid to the United States at such time or times as the Secretary of the Army may determine appropriate. The water areas of all such projects shall be open to public use generally for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such areas along the shores of such projects shall be maintained for general public use, when such is determined by the Secretary of the Army not to be contrary to the public interest, all under such rules and regulations as the Secretary of the Army may deem necessary, including but not limited to prohibitions of dumping and unauthorized disposal in any manner of refuse, garbage, rubbish, trash, debris, or litter of any kind at such water resource development projects, either into the waters of such projects or onto any land federally owned and administered by the Chief of Engineers. Any violation of such rules and regulations shall be punished by a fine of not more than $500 or imprisonment for not more than six months, or both. Any persons charged with the violation of such rules and regulations may be tried and sentenced in accordance with the provisions of section 3401 of title 18 of the United States Code. All persons designated by the Chief of Engineers for that purpose shall have the authority to issue a citation for violation of the regulations adopted by the Secretary of the Army, requiring the appearance of any person charged with violation to appear before the United States magistrate, within whose jurisdiction the water resource development project is located, for trial; and upon sworn information of any competent person any United States magistrate in the proper jurisdiction shall issue process for the arrest of any person charged with the violation of said regulations; but nothing herein contained shall be construed as preventing the arrest by any officer of the United States, without process, of any person taken in the act of violating said regulations. No use of any area to which this section applies shall be permitted which is inconsistent with the laws for the protection of fish and game of the State in which such area is situated. All moneys received by the United States for

leases or privileges shall be deposited in the Treasury of the United Sates as miscellaneous receipts.

SECTION 6009 OF THE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

[OFFSHORE OIL AND GAS FABRICATION PORTS

[SEC. 6009. In determining the economic justification for navigation projects involving offshore oil and gas fabrication ports, the Secretary of the Army, acting through the Chief of Engineers, is directed to measure and include in the National Economic Development calculation the value of future energy exploration and production fabrication contracts and transportation cost savings that would result from larger navigation channels.]

SECTION 118 OF THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

SEC. 118. COOK INLET, ALASKA. (a) ANCHORAGE HARBOR.—

(1) * * *

* * * * * * *

(3) TRANSITIONAL DREDGING.—Before completion of the project modification described in paragraph (1), the Secretary may conduct dredging to a depth of at least minus 35 feet mean lower low water in such locations as will allow maintenance of navigation and vessel access to the Port of Anchorage intermodal marine facility during modification of such facility. Such work shall be carried out by the Secretary *as part of the operation and maintenance of such project modification* in accordance with section 101 of the River and Harbor Act of 1958.

* * * * * * *

WATER RESOURCES DEVELOPMENT ACT OF 1999

* * * * * * *

TITLE I—WATER RESOURCES PROJECTS

* * * * * * *

SEC. 102. SMALL FLOOD CONTROL PROJECTS.

(a) * * *

(b) FESTUS AND CRYSTAL CITY, MISSOURI.—

(1) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Festus and Crystal City, Missouri, is [$10,000,000] *$12,000,000*.

* * * * * * *

TITLE II—GENERAL PROVISIONS

* * * * * * *

SEC. 212. FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM.

(a) * * *

* * * * * * *

(e) PRIORITY AREAS.—In carrying out this section, the Secretary shall examine appropriate locations, including—

(1) * * *

* * * * * * *

(23) Lincoln Creek, Wisconsin; [and]

* * * * * * *

(27) Susquehanna River watershed, Bradford County, Pennsylvania; [and]

(28) Clear Creek, Harris, Galveston, and Brazoria Counties, Texas[.]*;*

(29) Ascension Parish, Louisiana;

(30) East Baton Rouge Parish, Louisiana;

(31) Iberville Parish, Louisiana;

(32) Livingston Parish, Louisiana; and

(33) Pointe Coupee Parish, Louisiana.

* * * * * * *

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this [section—

[(A) $20,000,000 for fiscal year 2001;

[(B) $30,000,000 for fiscal year 2002; and

[(C) $50,000,000 for each of fiscal years 2003 through 2005] *section $20,000,000*.

* * * * * * *

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 310. BREVARD COUNTY, FLORIDA.

(a) * * *

* * * * * * *

(d) CREDIT.—After completion of the study, the Secretary shall credit toward the non-Federal share of the cost of the project for shore protection the cost of nourishment and renourishment associated with the project for shore protection incurred by the non-Federal interest to respond to damages to Brevard County beaches that are the result of a Federal navigation project, as determined in the final report for the study.

* * * * * * *

SEC. 328. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF HARVEY CANAL), LOUISIANA.

(a) IN GENERAL.—The project to prevent flood damage and for hurricane damage reduction, west bank of the Mississippi River (east of Harvey Canal), Louisiana, authorized by section 401(b) of the Water Resources Development Act of 1986 (100 Stat. 4128) and section 101(a)(17) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to direct the Secretary to continue Federal [operation and maintenance] *operation, maintenance, rehabilitation, repair, and replacement* of the portion of the project included in the report of the Chief of Engineers dated May 1, 1995, referred to as "[Algiers Channel] *Algiers Canal Levees*".

* * * * * * *

(c) COST SHARING.—The non-Federal share of the cost of the project shall be 35 percent.

* * * * * * *

[SEC. 330. SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICHIGAN.

[The project for navigation Sault Sainte Marie, Chippewa County, Michigan, authorized by section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254) and modified by section 330 of the Water Resources Development Act of 1996 (110 Stat. 3717), is further modified to provide that the amount to be paid by non-Federal interests under section 101(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)) and section 330(a) of the Water Resources Development Act of 1996 shall not include any interest payments.]

* * * * * * *

TITLE IV—STUDIES

* * * * * * *

[SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

[(a) PLAN.—The Secretary, in coordination with State and local governments and appropriate Federal and provincial authorities of Canada, shall develop a comprehensive management plan for St. Clair River and Lake St. Clair.

[(b) ELEMENTS.—The plan shall include the following elements:

[(1) Identification of the causes and sources of environmental degradation.

[(2) Continuous monitoring of organic, biological, metallic, and chemical contamination levels.

[(3) Timely dissemination of information of contamination levels to public authorities, other interested parties, and the public.

[(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes the plan developed under subsection (a) and recommendations for potential restoration measures.

[(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $400,000.]

SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) MANAGEMENT PLAN.—The term "management plan" means the management plan for the St. Clair River and Lake St. Clair, Michigan, that is in effect as of the date of enactment of the Water Resources Development Act of 2006.

(2) PARTNERSHIP.—The term "partnership" means the partnership established by the Secretary under subsection (b)(1).

(b) PARTNERSHIP.—

(1) IN GENERAL.—The Secretary shall establish and lead a partnership of appropriate Federal agencies (including the Environmental Protection Agency) and the State of Michigan (including political subdivisions of the State)—

(A) to promote cooperation among the Federal, State, and local governments and other involved parties in the management of the St. Clair River and Lake St. Clair watersheds; and

(B) develop and implement projects consistent with the management plan.

(2) COORDINATION WITH ACTIONS UNDER OTHER LAW.—

(A) IN GENERAL.—Actions taken under this section by the partnership shall be coordinated with actions to restore and conserve the St. Clair River and Lake St. Clair and watersheds taken under other provisions of Federal and State law.

(B) NO EFFECT ON OTHER LAW.—Nothing in this section alters, modifies, or affects any other provision of Federal or State law.

(c) IMPLEMENTATION OF ST. CLAIR RIVER AND LAKE ST. CLAIR MANAGEMENT PLAN.—

(1) IN GENERAL.—The Secretary shall—

(A) develop a St. Clair River and Lake St. Clair strategic implementation plan in accordance with the management plan;

(B) provide technical, planning, and engineering assistance to non-Federal interests for developing and implementing activities consistent with the management plan;

(C) plan, design, and implement projects consistent with the management plan; and

(D) provide, in coordination with the Administrator of the Environmental Protection Agency, financial and technical assistance, including grants, to the State of Michigan (including political subdivisions of the State) and interested nonprofit entities for the planning, design, and implementation of projects to restore, conserve, manage, and sustain the St. Clair River, Lake St. Clair, and associated watersheds.

(2) SPECIFIC MEASURES.—Financial and technical assistance provided under subparagraphs (B) and (C) of paragraph (1) may be used in support of non-Federal activities consistent with the management plan.

(d) SUPPLEMENTS TO MANAGEMENT PLAN AND STRATEGIC IMPLEMENTATION PLAN.—In consultation with the partnership and after providing an opportunity for public review and comment, the Secretary shall develop information to supplement—

(1) the management plan; and

(2) the strategic implementation plan developed under subsection (c)(1)(A).

(e) COST SHARING.—

(1) IN-KIND SERVICES.—The non-Federal share of the cost of technical assistance under subsection (c), the cost of planning, design, and construction of a project under subsection (c), and the cost of development of supplementary information under subsection (d) may be provided through the provision of in-kind services.

(2) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The Secretary shall credit the non-Federal sponsor for the value of any land, easements, rights-of-way, dredged material disposal areas, or relocations required in carrying out a project under subsection (c).

(3) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal interest for any project carried out under this section may include a nonprofit entity.

(4) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of projects carried out under this section shall be non-Federal responsibilities.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each fiscal year.

* * * * * * *

SEC. 455. JOHN GLENN GREAT LAKES BASIN PROGRAM.

(a) * * *

* * * * * * *

(g) IN-KIND CONTRIBUTIONS FOR STUDY.—The non-Federal interest may provide up to 100 percent of the non-Federal share required under subsection (f) in the form of in-kind services and materials.

* * * * * * *

TITLE V—MISCELLANEOUS PROVISIONS

* * * * * * *

SEC. 504. DAM SAFETY.

(a) ASSISTANCE.—The Secretary may provide assistance to enhance dam safety at the following locations:

(1) * * *

(2) Kehly Run [Dams] *Dams No. 1–5*, Pennsylvania.

* * * * * * *

SEC. 514. MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.

(a) * * *

* * * * * * *

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out

this section $30,000,000 for the period of fiscal years 2003 [and 2004] *through 2015*.

* * * * * * *

SEC. 517. EXPEDITED CONSIDERATION OF CERTAIN PROJECTS.

The Secretary shall expedite completion of the reports for the following projects and, if justified, proceed directly to project preconstruction, engineering, and design:

(1) * * *

* * * * * * *

[(5) Mississippi River, West Baton Rouge Parish, Louisiana, project for waterfront and riverine preservation, restoration, and enhancement modifications.]

(5) Mississippi River, West Baton Rouge, West Feliciana, and East Baton Rouge Parishes, Louisiana, project for waterfront and riverine preservation, restoration, and enhancement modifications.

* * * * * * *

SEC. 557. NORTHERN WEST VIRGINIA.

The projects described in the following reports are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, recommended in the reports, and subject to a [favorable] report of the Chief of Engineers:

(1) PARKERSBURG, WEST VIRGINIA.—Report of the Corps of Engineers entitled "Parkersburg/Vienna Riverfront Park Feasibility Study", dated June 1998, at a total cost of [$8,400,000] *$12,000,000*, with an estimated Federal cost of [$4,200,000] *$6,000,000*, and an estimated non-Federal cost of [$4,200,000] *$6,000,000*.

* * * * * * *

SEC. 569. NORTHEASTERN MINNESOTA.

(a) DEFINITION OF NORTHEASTERN MINNESOTA.—In this section, the term "northeastern Minnesota" means the counties of Cook, Lake, St. Louis, Koochiching, Itasca, Cass, Crow Wing, Aitkin, Carlton, Pine, Kanabec, Mille Lacs, Morrison, [Benton, Sherburne,] *Beltrami, Hubbard, Wadena,* Isanti, and Chisago, Minnesota.

* * * * * * *

(e) LOCAL COOPERATION AGREEMENT.—

(1) * * *

* * * * * * *

(3) COST SHARING.—

(A) * * *

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. [The credit for the design work shall not exceed 6 percent of the total construction costs of the project.]

* * * * * * *

[(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.]

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section [$40,000,000] *$54,000,000* for the period beginning with fiscal year 2000, to remain available until expended.

(i) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

SEC. 570. ALASKA.

(a) * * *

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Alaska, including projects for wastewater treatment and related facilities, water supply and related facilities, *environmental restoration,* and surface water resource protection and development.

* * * * * * *

(e) LOCAL COOPERATION AGREEMENTS.—

(1) * * *

* * * * * * *

(3) COST SHARING.—

(A) * * *

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. [The credit for the design work shall not exceed 6 percent of the total construction costs of the project.]

* * * * * * *

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section [$25,000,000] *$45,000,000* for the period beginning with fiscal year 2000, to remain available until expended.

(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

(j) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

SEC. 571. CENTRAL WEST VIRGINIA.

(a) DEFINITION OF CENTRAL WEST VIRGINIA.—In this section, the term "central West Virginia" means the counties of Mason, Jackson, Putnam, Kanawha, Roane, Wirt, Calhoun, Clay, [Nicholas,] Braxton, [Gilmer,] Lewis, Upshur, Randolph, Pendleton, Hardy, Hampshire, Morgan, Berkeley, and Jefferson, West Virginia.

* * * * * * *

(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

(j) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

* * * * * * *

TITLE VI—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION

* * * * * * *

SEC. 602. TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) TERRESTRIAL WILDLIFE HABITAT RESTORATION PLANS.—

(1) * * *

* * * * * * *

(4) FUNDING FOR CARRYING OUT PLANS.—

(A) STATE OF SOUTH DAKOTA.—

(i) NOTIFICATION.—On receipt of the plan for terrestrial wildlife habitat restoration submitted by the State of South Dakota, each of the committees referred to in paragraph (3) shall notify the Secretary *and the Secretary of the Treasury* of the receipt of the plan.

[(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary shall make available to the State of South Dakota funds from the South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund established under section 603, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the State and only after the Trust Fund is fully capitalized.]

(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the State of South Dakota funds from the State of South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund established under section 603, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the State of South Dakota after the State certifies to the Sec-

retary of the Treasury that the funds to be disbursed will be used in accordance with section 603(d)(3) and only after the Trust Fund is fully capitalized.

(B) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE.—

(i) * * *

[(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe funds from the Cheyenne River Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund, respectively, established under section 604, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, respectively, and only after the Trust Fund is fully capitalized.]

(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe funds from the Cheyenne River Sioux Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Terrestrial Wildlife Habitat Restoration Trust Fund, respectively, established under section 604, to be used to carry out the plans for terrestrial wildlife habitat restoration submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, respectively, to after the respective tribe certifies to the Secretary of the Treasury that the funds to be disbursed will be used in accordance with section 604(d)(3) and only after the Trust Fund is fully capitalized.

* * * * * * *

SEC. 603. SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.

(a) * * *

* * * * * * *

[(c) INVESTMENTS.—

[(1) IN GENERAL.—At the request of the Secretary, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) only in interest-bearing obligations of the United States or in obligations guaranteed by the United States as to both principal and interest.

[(2) INTEREST RATE.—In consultation with the State of South Dakota, the Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.]

(c) INVESTMENTS.—

(1) ELIGIBLE OBLIGATIONS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) and the interest earned

on those amounts only in interest-bearing obligations of the United States issued directly to the Fund.

(2) INVESTMENT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall invest the amounts in the Fund in accordance with the requirements of this paragraph.

(B) SEPARATE INVESTMENTS OF PRINCIPAL AND INTEREST.—

(i) PRINCIPAL ACCOUNT.—The amounts deposited in the Fund under subsection (b) shall be credited to an account within the Fund (referred to in this paragraph as the "principal account") and invested as provided in subparagraph (C).

(ii) INTEREST ACCOUNT.—The interest earned from investing amounts in the principal account of the Fund shall be transferred to a separate account within the Fund (referred to in this paragraph as the "interest account") and invested as provided in subparagraph (D).

(iii) CREDITING.—The interest earned from investing amounts in the interest account of the Fund shall be credited to the interest account.

(C) INVESTMENT OF PRINCIPAL ACCOUNT.—

(i) INITIAL INVESTMENT.—Each amount deposited in the principal account of the Fund shall be invested initially in eligible obligations having the shortest maturity then available until the date on which the amount is divided into 3 substantially equal portions and those portions are invested in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having a 2-year maturity, a 5-year maturity, and a 10-year maturity, respectively.

(ii) SUBSEQUENT INVESTMENT.—As each 2-year, 5-year, and 10-year eligible obligation matures, the principal of the maturing eligible obligation shall also be invested initially in the shortest-maturity eligible obligation then available until the principal is reinvested substantially equally in the eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having 2-year, 5-year, and 10-year maturities.

(iii) DISCONTINUANCE OF ISSUANCE OF OBLIGATIONS.—If the Department of the Treasury discontinues issuing to the public obligations having 2-year, 5-year, or 10-year maturities, the principal of any maturing eligible obligation shall be reinvested substantially equally in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations of the maturities longer than 1 year then available.

(D) INVESTMENT OF INTEREST ACCOUNT.—

(i) BEFORE FULL CAPITALIZATION.—Until the date on which the Fund is fully capitalized, amounts in the interest account of the Fund shall be invested in eligible obligations that are identical (except for transferability)

to publicly issued Treasury obligations that have maturities that coincide, to the maximum extent practicable, with the date on which the Fund is expected to be fully capitalized.

(ii) AFTER FULL CAPITALIZATION.—On and after the date on which the Fund is fully capitalized, amounts in the interest account of the Fund shall be invested and reinvested in eligible obligations having the shortest maturity then available until the amounts are withdrawn and transferred to fund the activities authorized under subsection (d)(3).

(E) PAR PURCHASE PRICE.—The price to be paid for eligible obligations purchased as investments of the principal account shall not exceed the par value of the obligations so that the amount of the principal account shall be preserved in perpetuity.

(F) HIGHEST YIELD.—Among eligible obligations having the same maturity and purchase price, the obligation to be purchased shall be the obligation having the highest yield.

(G) HOLDING TO MATURITY.—Eligible obligations purchased shall generally be held to their maturities.

(3) ANNUAL REVIEW OF INVESTMENT ACTIVITIES.—Not less frequently than once each calendar year, the Secretary of the Treasury shall review with the State of South Dakota the results of the investment activities and financial status of the Fund during the preceding 12-month period.

(4) AUDITS.—

(A) IN GENERAL.—The activities of the State of South Dakota (referred to in this subsection as the "State") in carrying out the plan of the State for terrestrial wildlife habitat restoration under section 602(a) shall be audited as part of the annual audit that the State is required to prepare under the Office of Management and Budget Circular A-133 (or a successor circulation).

(B) DETERMINATION BY AUDITORS.—An auditor that conducts an audit under subparagraph (A) shall—

(i) determine whether funds received by the State under this section during the period covered by the audit were used to carry out the plan of the State in accordance with this section; and

(ii) include the determination under clause (i) in the written findings of the audit.

(5) MODIFICATION OF INVESTMENT REQUIREMENTS.—

(A) IN GENERAL.—If the Secretary of the Treasury determines that meeting the requirements under paragraph (2) with respect to the investment of a Fund is not practicable, or would result in adverse consequences for the Fund, the Secretary shall modify the requirements, as the Secretary determines to be necessary.

(B) CONSULTATION.—Before modifying a requirement under subparagraph (A), the Secretary of the Treasury shall consult with the State regarding the proposed modification.

(d) PAYMENTS.—

(1) * * *

(2) WITHDRAWAL AND TRANSFER OF FUNDS.—Subject to section 602(a)(4)(A), the Secretary *of the Treasury* shall withdraw amounts credited as interest under paragraph (1) and transfer the amounts to the State of South Dakota for use as State funds in accordance with paragraph (3) after the Fund has been fully capitalized.

* * * * * * *

[(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury such sums as are necessary to pay the administrative expenses of the Fund.**]**

(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury to pay expenses associated with investing the Fund and auditing the uses of amounts withdrawn from the Fund—

(1) $500,000 for each of fiscal years 2006 and 2007; and

(2) such sums as are necessary for each subsequent fiscal year.

SEC. 604. CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.

(a) * * *

* * * * * * *

[(c) INVESTMENTS.—

[(1) IN GENERAL.—The Secretary of the Treasury shall invest the amounts deposited under subsection (b) only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

[(2) INTEREST RATE.—In consultation with the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe, the Secretary of the Treasury shall invest amounts in the Funds in obligations that carry the highest rate of interest among available obligations of the required maturity.**]**

(c) INVESTMENTS.—

(1) ELIGIBLE OBLIGATIONS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) and the interest earned on those amounts only in interest-bearing obligations of the United States issued directly to the Funds.

(2) INVESTMENT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall invest the amounts in each of the Funds in accordance with the requirements of this paragraph.

(B) SEPARATE INVESTMENTS OF PRINCIPAL AND INTEREST.—

(i) PRINCIPAL ACCOUNT.—The amounts deposited in each Fund under subsection (b) shall be credited to an account within the Fund (referred to in this paragraph as the "principal account") and invested as provided in subparagraph (C).

(ii) INTEREST ACCOUNT.—The interest earned from investing amounts in the principal account of each Fund shall be transferred to a separate account within the Fund (referred to in this paragraph as the "interest

account") and invested as provided in subparagraph (D).

(iii) CREDITING.—The interest earned from investing amounts in the interest account of each Fund shall be credited to the interest account.

(C) INVESTMENT OF PRINCIPAL ACCOUNT.—

(i) INITIAL INVESTMENT.—Each amount deposited in the principal account of each Fund shall be invested initially in eligible obligations having the shortest maturity then available until the date on which the amount is divided into 3 substantially equal portions and those portions are invested in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having a 2-year maturity, a 5-year maturity, and a 10-year maturity, respectively.

(ii) SUBSEQUENT INVESTMENT.—As each 2-year, 5-year, and 10-year eligible obligation matures, the principal of the maturing eligible obligation shall also be invested initially in the shortest-maturity eligible obligation then available until the principal is reinvested substantially equally in the eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having 2-year, 5-year, and 10-year maturities.

(iii) DISCONTINUATION OF ISSUANCE OF OBLIGATIONS.—If the Department of the Treasury discontinues issuing to the public obligations having 2-year, 5-year, or 10-year maturities, the principal of any maturing eligible obligation shall be reinvested substantially equally in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations of the maturities longer than 1 year then available.

(D) INVESTMENT OF THE INTEREST ACCOUNT.—

(i) BEFORE FULL CAPITALIZATION.—Until the date on which each Fund is fully capitalized, amounts in the interest account of the Fund shall be invested in eligible obligations that are identical (except for transferability) to publicly issued Treasury obligations that have maturities that coincide, to the maximum extent practicable, with the date on which the Fund is expected to be fully capitalized.

(ii) AFTER FULL CAPITALIZATION.—On and after the date on which each Fund is fully capitalized, amounts in the interest account of the Fund shall be invested and reinvested in eligible obligations having the shortest maturity then available until the amounts are withdrawn and transferred to fund the activities authorized under subsection (d)(3).

(E) PAR PURCHASE PRICE.—The price to be paid for eligible obligations purchased as investments of the principal account shall not exceed the par value of the obligations so that the amount of the principal account shall be preserved in perpetuity.

(F) HIGHEST YIELD.—Among eligible obligations having the same maturity and purchase price, the obligation to be purchased shall be the obligation having the highest yield.

(G) HOLDING TO MATURITY.—Eligible obligations purchased shall generally be held to their maturities.

(3) ANNUAL REVIEW OF INVESTMENT ACTIVITIES.—Not less frequently than once each calendar year, the Secretary of the Treasury shall review with the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe (referred to in this subsection as the "Tribes") the results of the investment activities and financial status of the Funds during the preceding 12-month period.

(4) AUDITS.—

(A) IN GENERAL.—The activities of the Tribes in carrying out the plans of the Tribes for terrestrial wildlife habitat restoration under section 602(a) shall be audited as part of the annual audit that the Tribes are required to prepare under the Office of Management and Budget Circular A-133 (or a successor circulation).

(B) DETERMINATION BY AUDITORS.—An auditor that conducts an audit under subparagraph (A) shall—

(i) determine whether funds received by the Tribes under this section during the period covered by the audit were used to carry out the plan of the appropriate Tribe in accordance with this section; and

(ii) include the determination under clause (i) in the written findings of the audit.

(5) MODIFICATION OF INVESTMENT REQUIREMENTS.—

(A) IN GENERAL.—If the Secretary of the Treasury determines that meeting the requirements under paragraph (2) with respect to the investment of a Fund is not practicable, or would result in adverse consequences for the Fund, the Secretary shall modify the requirements, as the Secretary determines to be necessary.

(B) CONSULTATION.—Before modifying a requirement under subparagraph (A), the Secretary of the Treasury shall consult with the Tribes regarding the proposed modification.

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[(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury such sums as are necessary to pay the administrative expenses of the Fund.]

(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury to pay expenses associated with investing the Funds and auditing the uses of amounts withdrawn from the Funds—

(1) $500,000 for each of fiscal years 2006 and 2007; and

(2) such sums as are necessary for each subsequent fiscal year.

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SECTION 345 OF THE DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005

[SEC. 345. The project for the Chicago Sanitary and Ship Canal Dispersal Barrier, Illinois, initiated under section 1135 of Public Law 99–662, is authorized at a total cost of $9,100,000 with a Federal cost of $6,825,000 and a non-Federal cost of $2,275,000.]

SEC. 345. CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, ILLINOIS.

There are authorized to be appropriated such sums as may be necessary to carry out the Barrier II project of the project for the Chicago Sanitary and Ship Canal Dispersal Barrier, Illinois, initiated pursuant to section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2294 note; 100 Stat. 4251).

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WATER RESOURCES DEVELOPMENT ACT OF 1990

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TITLE I—WATER RESOURCES PROJECTS

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SEC. 107. CONTINUATION OF AUTHORIZATION OF CERTAIN PROJECTS.

(a) GENERAL RULE.—Notwithstanding section 1001(b)(1) of the Water Resources Development Act of 1986, the following projects shall remain authorized to be carried out by the Secretary:

(1) * * *

* * * * * * *

[(8) SAULT SAINTE MARIE, MICHIGAN.—The second lock for Sault Sainte Marie, Michigan, authorized by section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254–55); except that the Secretary shall conduct, not later than 180 days after the date of the enactment of this Act and after providing an opportunity for notice and comment, an analysis of the projected total tonnage of commercial cargo which will be delivered by vessels using such lock to or from ports in Canada and the States of Minnesota, Wisconsin, Indiana, Illinois, Michigan, Ohio, Pennsylvania, and New York. Such analysis shall be based on the Secretary's estimate, using current traffic statistics.]

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TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

(a) * * *

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(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000 for each of fiscal years 2001 through [2006] *2012*.

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WATER RESOURCES DEVELOPMENT ACT OF 1988

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SEC. 21. MISSISSIPPI RIVER HEADWATERS RESERVOIRS.

(a) GENERAL RULE.—Notwithstanding any other provision of law, the Secretary is directed to maintain water levels in the Mississippi River headwaters reservoirs within the following operating limits: Winnibigoshish 1296.94 feet—1303.14 feet; Leech 1293.20 feet—1297.94 feet; Pokegama 1270.42 feet—[1276.42] *1278.42* feet; Sandy 1214.31 feet—[1218.31] *1221.31* feet; Pine 1227.32 feet—[1234.82] *1235.30* feet; and Gull 1192.75 feet—1194.75 feet. Such water levels shall be measured using the National Geodetic Vertical Datum.

[(b) EXCEPTION.—The Secretary may operate the headwaters reservoirs below the minimum or above the maximum water levels established in subsection (a) in accordance with a contingency plan which the Secretary develops after consulting with the Governor of Minnesota and affected landowners and commercial and recreational users. The Secretary shall transmit such plan to Congress within 6 months after the date of the enactment of this Act. The Secretary shall report to Congress at least 14 days prior to operating any such headwaters reservoir below the minimum or above the maximum water level limits specified in subsection (a).]

(b) EXCEPTION.—The Secretary may operate the headwaters reservoirs below the minimum or above the maximum water levels established in subsection (a) in accordance with water control regulation manuals (or revisions thereto) developed by the Secretary, after consultation with the Governor of Minnesota and affected tribal governments, landowners, and commercial and recreational users. The water control regulation manuals (and any revisions thereto) shall be effective when the Secretary transmits them to Congress. The Secretary shall report to Congress at least 14 days before operating any such headwaters reservoir below the minimum or above the maximum water level limits specified in subsection (a); except that notification is not required for operations necessary to prevent the loss of life or to ensure the safety of the dam or if the drawdown of lake levels is in anticipation of flood control operations.

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SEC. 30. LESAGE/GREENBOTTOM SWAMP, WEST VIRGINIA.

(a) * * *

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[(d) HISTORIC STRUCTURE.—The Secretary shall ensure the preservation and restoration of the structure known as the "Jenkins House" located within the Lesage/Greenbottom Swamp in accordance with standards for sites listed on the National Register of Historic Places.]

(d) HISTORIC STRUCTURE.—The Secretary shall ensure the preservation and restoration of the structure known as the "Jenkins House", and the reconstruction of associated buildings and landscape features of such structure located within the Lesage/Greenbottom Swamp in accordance with the Secretary of the Interior's standards for the treatment of historic properties. Amounts made available for expenditure for the project authorized by section 301(a) of the Water Resources Development Act of 1986 (100 Stat. 4110) shall be available for the purposes of this subsection.

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MISCELLANEOUS APPROPRIATIONS ACT, 2001

(Division B of H.R. 5666 as introduced on December 15, 2000 and enacted into law by section 1(a)(4) of Public Law 106–554)

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DIVISION B

TITLE I

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SEC. 109. FLORIDA KEYS WATER QUALITY IMPROVEMENTS. (a) * * *

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(e) NON-FEDERAL SHARE.—

(1) * * *

(2) CREDIT.—

(A) * * *

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(C) CREDIT FOR WORK PRIOR TO EXECUTION OF THE PARTNERSHIP AGREEMENT.—The Secretary shall credit toward the non-Federal share of the cost of the project—

(i) the cost of construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(ii) the cost of land acquisition carried out by the non-Federal interest for projects to be carried out under this section.

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(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section [$100,000,000] *$100,000,000, of which not more than $15,000,000 may be used to provide planning, design, and construction assistance to the Florida*

Keys Aqueduct Authority for a water treatment plant, Florida City, Florida. Such sums shall remain available until expended.

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SEC. 111. PERCHLORATE. (a) * * *

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(c) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this section, there is authorized to be appropriated to the Secretary **[**$25,000,000**]** *$28,000,000*, of which not to exceed $8,000,000 shall be available to carry out subsection (b)(1), not to exceed $3,000,000 shall be available to carry out subsection (b)(2), and not to exceed **[**$7,000,000**]** *$10,000,000* shall be available to carry out subsection (b)(3).

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