

104TH CONGRESS
2D SESSION

H. R. 3592

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 1996

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

A BILL

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

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

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

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

6 (b) TABLE OF CONTENTS.—

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1 **SEC. 2. DEFINITION.**

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

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

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

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

13 (1) SANTA BARBARA HARBOR, CALIFORNIA.—

14 The project for navigation, Santa Barbara Harbor,
15 California: Report of the Chief of Engineers, dated
16 April 26, 1994, at a total cost of \$5,840,000, with
17 an estimated Federal cost of \$4,670,000 and an es-
18 timated non-Federal cost of \$1,170,000.

19 (2) SAN LORENZO RIVER, SANTA CRUZ, CALI-
20 FORNIA.—The project for flood control, San Lorenzo
21 River, Santa Cruz, California: Report of the Chief of
22 Engineers, dated June 30, 1994, at a total cost of
23 \$16,900,000, with an estimated Federal cost of

1 \$8,570,000 and an estimated non-Federal cost of
2 \$8,330,000.

3 (3) MARIN COUNTY SHORELINE, SAN RAFAEL,
4 CALIFORNIA.—The project for storm damage reduc-
5 tion, Marin County shoreline, San Rafael, California:
6 Report of the Chief of Engineers, dated January 28,
7 1994, at a total cost of \$28,300,000, with an esti-
8 mated Federal cost of \$18,400,000 and an esti-
9 mated non-Federal cost of \$9,900,000.

10 (4) HUMBOLDT HARBOR AND BAY, CALIFOR-
11 NIA.—The project for navigation, Humboldt Harbor
12 and Bay, California: Report of the Chief of Engi-
13 neers, dated October 30, 1995, at a total cost of
14 \$15,180,000, with an estimated Federal cost of
15 \$10,000,000 and an estimated non-Federal cost of
16 \$5,180,000.

17 (5) ANACOSTIA RIVER AND TRIBUTARIES, DIS-
18 TRICT OF COLUMBIA AND MARYLAND.—The project
19 for environmental restoration, Anacostia River and
20 Tributaries, District of Columbia and Maryland: Re-
21 port of the Chief of Engineers, dated November 15,
22 1994, at a total cost of \$17,144,000, with an esti-
23 mated Federal cost of \$12,858,000 and an esti-
24 mated non-Federal cost of \$4,286,000.

1 (6) ATLANTIC INTRACOASTAL WATERWAY, ST.
2 JOHNS COUNTY, FLORIDA.—The project for naviga-
3 tion, Atlantic Intracoastal Waterway, St. Johns
4 County, Florida: Report of the Chief of Engineers,
5 dated June 24, 1994, at a total Federal cost of
6 \$15,881,000. Operation, maintenance, repair, re-
7 placement, and rehabilitation shall be a non-Federal
8 responsibility and the non-Federal interest must as-
9 sume ownership of the bridge.

10 (7) LAKE MICHIGAN, ILLINOIS.—The project
11 for storm damage reduction and shoreline erosion
12 protection, Lake Michigan, Illinois, from Wilmette,
13 Illinois, to the Illinois-Indiana State line: Report of
14 the Chief of Engineers, dated April 14, 1994, at a
15 total cost of \$204,000,000, with an estimated Fed-
16 eral cost of \$110,000,000 and an estimated non-
17 Federal cost of \$94,000,000. The project shall in-
18 clude the breakwater near the South Water Filtra-
19 tion Plant described in the report as a separate ele-
20 ment of the project, at a total cost of \$11,470,000,
21 with an estimated Federal cost of \$7,460,000 and
22 an estimated non-Federal cost of \$4,010,000.

23 (8) KENTUCKY LOCK AND DAM, TENNESSEE
24 RIVER, KENTUCKY.—The project for navigation,
25 Kentucky Lock and Dam, Tennessee River, Ken-

1 tucky: Report of the Chief of Engineers, dated June
2 1, 1992, at a total cost of \$393,200,000. The costs
3 of construction of the project are to be paid $\frac{1}{2}$ from
4 amounts appropriated from the general fund of the
5 Treasury and $\frac{1}{2}$ from amounts appropriated from
6 the Inland Waterways Trust Fund.

7 (9) POND CREEK, JEFFERSON COUNTY, KEN-
8 TUCKY.—The project for flood control, Pond Creek,
9 Jefferson County, Kentucky: Report of the Chief of
10 Engineers, dated June 28, 1994, at a total cost of
11 \$16,080,000, with an estimated Federal cost of
12 \$10,993,000 and an estimated non-Federal cost of
13 \$5,087,000.

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

1 (11) PORT FOURCHON, LAFOURCHE PARISH,
2 LOUISIANA.—A project for navigation, Belle Pass
3 and Bayou Lafourche, Louisiana: Report of the
4 Chief of Engineers, dated April 7, 1995, at a total
5 cost of \$4,440,000, with an estimated Federal cost
6 of \$2,300,000 and an estimated non-Federal cost of
7 \$2,140,000.

8 (12) WEST BANK OF THE MISSISSIPPI RIVER,
9 NEW ORLEANS (EAST OF HARVEY CANAL), LOUISI-
10 ANA.—The project for hurricane damage reduction,
11 West Bank of the Mississippi River in the vicinity of
12 New Orleans (East of Harvey Canal), Louisiana:
13 Report of the Chief of Engineers, dated May 1,
14 1995, at a total cost of \$126,000,000, with an esti-
15 mated Federal cost of \$82,200,000 and an esti-
16 mated non-Federal cost of \$43,800,000.

17 (13) WOOD RIVER, GRAND ISLAND, NE-
18 BRASKA.—The project for flood control, Wood River,
19 Grand Island, Nebraska: Report of the Chief of En-
20 gineers, dated May 3, 1994, at a total cost of
21 \$11,800,000, with an estimated Federal cost of
22 \$6,040,000 and an estimated non-Federal cost of
23 \$5,760,000.

24 (14) LONG BEACH ISLAND, NEW YORK.—The
25 project for storm damage reduction, Long Beach Is-

1 land, New York: Report of the Chief of Engineers,
2 dated April 5, 1996, at a total cost of \$72,090,000,
3 with an estimated Federal cost of \$46,858,000 and
4 an estimated non-Federal cost of \$25,232,000.

5 (15) WILMINGTON HARBOR, CAPE FEAR RIVER,
6 NORTH CAROLINA.—The project for navigation, Wil-
7 mington Harbor, Cape Fear and Northeast Cape
8 Fear Rivers, North Carolina: Report of the Chief of
9 Engineers, dated June 24, 1994, at a total cost of
10 \$23,953,000, with an estimated Federal cost of
11 \$15,032,000 and an estimated non-Federal cost of
12 \$8,921,000.

13 (16) DUCK CREEK, CINCINNATI, OHIO.—The
14 project for flood control, Duck Creek, Cincinnati,
15 Ohio: Report of the Chief of Engineers, dated June
16 28, 1994, at a total cost of \$15,947,000, with an es-
17 timated Federal cost of \$11,960,000 and an esti-
18 mated non-Federal cost of \$3,987,000.

19 (17) WILLAMETTE RIVER TEMPERATURE CON-
20 TROL, MCKENZIE SUBBASIN, OREGON.—The project
21 for environmental restoration, Willamette River
22 Temperature Control, McKenzie Subbasin, Oregon:
23 Report of the Chief of Engineers, dated February 1,
24 1996, at a total cost of \$38,000,000, with an esti-
25 mated Federal cost of \$38,000,000.

1 (18) RIO GRANDE DE ARECIBO, PUERTO
2 RICO.—The project for flood control, Rio Grande de
3 Arecibo, Puerto Rico: Report of the Chief of Engi-
4 neers, dated April 5, 1994, at a total cost of
5 \$19,951,000, with an estimated Federal cost of
6 \$10,557,000 and an estimated non-Federal cost of
7 \$9,394,000.

8 (19) BIG SIOUX RIVER AND SKUNK CREEK,
9 SIOUX FALLS, SOUTH DAKOTA.—The project for
10 flood control, Big Sioux River and Skunk Creek,
11 Sioux Falls, South Dakota: Report of the Chief of
12 Engineers, dated June 30, 1994, at a total cost of
13 \$34,600,000, with an estimated Federal cost of
14 \$25,900,000 and an estimated non-Federal cost of
15 \$8,700,000.

16 (20) WATERTOWN, SOUTH DAKOTA.—The
17 project for flood control, Watertown and Vicinity,
18 South Dakota: Report of the Chief of Engineers,
19 dated August 31, 1994, at a total cost of
20 \$18,000,000, with an estimated Federal cost of
21 \$13,200,000 and an estimated non-Federal cost of
22 \$4,800,000.

23 (21) HOUSTON-GALVESTON NAVIGATION CHAN-
24 NELS, TEXAS.—The project for navigation and envi-
25 ronmental restoration, Houston-Galveston Naviga-

1 tion Channels, Texas: Report of the Chief of Engi-
2 neers, dated May 9, 1996, at a total initial construc-
3 tion cost of \$292,797,000, with an estimated Fed-
4 eral cost of \$210,891,000 and an estimated non-
5 Federal cost of \$81,906,000. The project shall in-
6 clude deferred construction of additional environ-
7 mental restoration features over the life of the
8 project, at a total average annual cost of \$786,000,
9 with an estimated Federal cost of \$590,000 and an
10 estimated non-Federal cost of \$196,000. The con-
11 struction of berthing areas and the removal of pipe-
12 lines and other obstructions that are necessary for
13 the project shall be accomplished at non-Federal ex-
14 pense. Non-Federal interests shall receive credit to-
15 ward cash contributions required during construc-
16 tion and subsequent to construction for design and
17 construction management work that is performed by
18 non-Federal interests and that the Secretary deter-
19 mines is necessary to implement the project.

20 (22) MARMET LOCK, KANAWHA RIVER, WEST
21 VIRGINIA.—The project for navigation, Marmet
22 Lock, Kanawha River, West Virginia: Report of the
23 Chief of Engineers, dated June 24, 1994, at a total
24 cost of \$229,581,000. The costs of construction of
25 the project are to be paid $\frac{1}{2}$ from amounts appro-

1 appropriated from the general fund of the Treasury and
2 ½ from amounts appropriated from the Inland Wa-
3 terways Trust Fund. In conducting any real estate
4 acquisition activities with respect to the project, the
5 Secretary shall give priority consideration to those
6 individuals who would be directly affected by any
7 physical displacement due to project design and shall
8 consider the financial circumstances of such individ-
9 uals. The Secretary shall proceed with real estate ac-
10 acquisition in connection with the project expedi-
11 tiously.

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

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

18 (1) WARES CREEK, MANATEE COUNTY, FLOR-
19 IDA.—Project for flood control, Wares Creek, Mana-
20 tee County, Florida; except that the maximum
21 amount of Federal funds that may be allotted for
22 the project shall be \$10,385,000.

23 (2) BIRDS, LAWRENCE COUNTY, ILLINOIS.—
24 Project for flood control, Birds, Lawrence County,
25 Illinois.

1 (3) BRIDGEPORT, LAWRENCE COUNTY, ILLI-
2 NOIS.—Project for flood control, Bridgeport, Law-
3 rence County, Illinois.

4 (4) EMBARRAS RIVER, VILLA GROVE, ILLI-
5 NOIS.—Project for flood control, Embarras River,
6 Villa Grove, Illinois.

7 (5) FRANKFORT, WILL COUNTY, ILLINOIS.—
8 Project for flood control, Frankfort, Will County, Il-
9 linois.

10 (6) SUMNER, LAWRENCE COUNTY, ILLINOIS.—
11 Project for flood control, Sumner, Lawrence County,
12 Illinois.

13 (7) VERMILLION RIVER, DEMANADE PARK, LA-
14 FAYETTE, LOUISIANA.—Project for nonstructural
15 flood control, Vermillion River, Demanade Park, La-
16 fayette, Louisiana. In carrying out the study and the
17 project (if any) under this paragraph, the Secretary
18 shall use relevant information from the Lafayette
19 Parish feasibility study and expedite completion of
20 the study under this paragraph.

21 (8) VERMILLION RIVER, QUAIL HOLLOW SUB-
22 DIVISION, LAFAYETTE, LOUISIANA.—Project for non-
23 structural flood control, Vermillion River, Quail Hol-
24 low Subdivision, Lafayette, Louisiana. In carrying
25 out the study and the project (if any) under this

1 paragraph, the Secretary shall use relevant informa-
2 tion from the Lafayette Parish feasibility study and
3 expedite completion of the study under this para-
4 graph.

5 (9) KAWKAWLIN RIVER, BAY COUNTY, MICHIGAN.—Project for flood control, Kawkawlin River,
6 Bay County, Michigan.

8 (10) WHITNEY DRAIN, ARENAC COUNTY, MICHIGAN.—Project for flood control, Whitney Drain,
9 Arenac County, Michigan.

11 (11) FESTUS AND CRYSTAL CITY, MISSOURI.—
12 Project for flood control, Festus and Crystal City,
13 Missouri. In carrying out the study and the project
14 (if any) under this paragraph, the Secretary shall
15 use relevant information from the existing reconnais-
16 sance study and shall expedite completion of the
17 study under this paragraph.

18 (12) KIMMSWICK, MISSOURI.—Project for flood
19 control, Kimmswick, Missouri. In carrying out the
20 study and the project (if any) under this paragraph,
21 the Secretary shall use relevant information from
22 the existing reconnaissance study and shall expedite
23 completion of the study under this paragraph.

1 (13) BUFFALO CREEK, ERIE COUNTY, NEW
2 YORK.—Project for flood control, Buffalo Creek,
3 Erie County, New York.

4 (14) CAZENOVIA CREEK, ERIE COUNTY, NEW
5 YORK.—Project for flood control, Cazenovia Creek,
6 Erie County, New York.

7 (15) CHEEKTOWAGA, ERIE COUNTY, NEW
8 YORK.—Project for flood control, Cheektowaga, Erie
9 County, New York.

10 (16) FULMER CREEK, VILLAGE OF MOHAWK,
11 NEW YORK.—Project for flood control, Fulmer
12 Creek, Village of Mohawk, New York.

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

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

19 (19) STEELE CREEK, VILLAGE OF ILION, NEW
20 YORK.—Project for flood control, Steele Creek, Vil-
21 lage of Ilion, New York.

22 (20) WILLAMETTE RIVER, OREGON.—Project
23 for nonstructural flood control, Willamette River,
24 Oregon, including floodplain and ecosystem restora-
25 tion.

1 (21) WILLS CREEK, HYNDMAN, PENNSYLVANIA.—Project for flood control, Wills Creek, Borough of Hyndman, Pennsylvania. The Secretary shall reevaluate the project taking into consideration recent flooding and shall use relevant information from previous studies to expedite the project. In evaluating and implementing the project, the Secretary shall allow non-Federal interests to participate in financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

14 (22) NEABSCO CREEK WATERSHED, VIRGINIA.—Project for flood control, Neabsco Creek Watershed, Prince William County, Virginia. In evaluating and implementing the project, the Secretary shall allow 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 that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

24 (23) GREENBRIER RIVER BASIN, WEST VIRGINIA.—Project for flood control, consisting of an

1 early flood warning system, Greenbrier River Basin,
2 West Virginia.

3 (b) COST ALLOCATIONS.—

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

10 (2) LOST CREEK, COLUMBUS, NEBRASKA.—The
11 maximum amount of Federal funds that may be al-
12 lotted under such section 205 for the project for
13 flood control, Lost Creek, Columbus, Nebraska, shall
14 be \$5,500,000.

15 (3) REVISION OF PROJECT COOPERATION
16 AGREEMENT.—The Secretary shall revise the project
17 cooperation agreement for the projects referred to in
18 paragraphs (1) and (2) in order to take into account
19 the change in the Federal participation in such
20 projects pursuant to such paragraphs.

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

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

2 The Secretary shall conduct a study for each of the
3 following projects and, if the Secretary determines that
4 the project is feasible, shall carry out the project under
5 section 14 of the Flood Control Act of 1946 (33 U.S.C.
6 701r):

7 (1) ALLEGHENY RIVER AT OIL CITY, PENN-
8 SYLVANIA.—Project for bank stabilization to address
9 erosion problems affecting the pipeline crossing the
10 Allegheny River at Oil City, Pennsylvania, including
11 measures to address erosion affecting the pipeline in
12 the bed of the Allegheny River and its adjacent
13 banks.

14 (2) CUMBERLAND RIVER, NASHVILLE, TEN-
15 NESSEE.—Project for bank stabilization, Cum-
16 berland River, Nashville, Tennessee.

17 (3) TENNESSEE RIVER, HAMILTON COUNTY,
18 TENNESSEE.—Project for bank stabilization, Ten-
19 nessee River, Hamilton County, Tennessee; except
20 that the maximum amount of Federal funds that
21 may be allotted for the project shall be \$7,500,000.

22 **SEC. 104. SMALL NAVIGATION PROJECTS.**

23 The Secretary shall conduct a study for each of the
24 following projects and, if the Secretary determines that
25 the project is feasible, shall carry out the project under

1 section 107 of the River and Harbor Act of 1960 (33
2 U.S.C. 577):

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

7 (2) GRAND MARAIS HARBOR BREAKWATER,
8 MICHIGAN.—Project for navigation, Grand Marais
9 Harbor breakwater, Michigan.

10 (3) DULUTH, MINNESOTA.—Project for naviga-
11 tion, Duluth, Minnesota.

12 (4) TACONITE, MINNESOTA.—Project for navi-
13 gation, Taconite, Minnesota.

14 (5) TWO HARBORS, MINNESOTA.—Project for
15 navigation, Two Harbors, Minnesota.

16 (6) CARUTHERSVILLE HARBOR, PEMISCOT
17 COUNTY, MISSOURI.—Project for navigation,
18 Caruthersville Harbor, Pemiscot County, Missouri,
19 including enlargement of the existing harbor and
20 bank stabilization measures.

21 (7) NEW MADRID COUNTY HARBOR, MIS-
22 SOURI.—Project for navigation, New Madrid County
23 Harbor, Missouri, including enlargement of the ex-
24 isting harbor and bank stabilization measures.

1 (8) BROOKLYN, NEW YORK.—Project for navi-
2 gation, Brooklyn, New York, including restoration of
3 the pier and related navigation support structures,
4 at the Sixty-Ninth Street Pier.

5 (9) BUFFALO INNER HARBOR, BUFFALO, NEW
6 YORK.—Project for navigation, Buffalo Inner Har-
7 bor, Buffalo, New York.

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

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

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

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

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

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

5 (b) COST SHARING AGREEMENT.—In carrying out
6 the project authorized by subsection (a)(1), the Secretary
7 shall enter into an agreement with the property owner to
8 determine allocation of the project costs.

9 **SEC. 106. SMALL SNAGGING AND SEDIMENT REMOVAL**
10 **PROJECT, MISSISSIPPI RIVER, LITTLE FALLS,**
11 **MINNESOTA.**

12 The Secretary shall conduct a study for a project for
13 snagging and sediment removal, Mississippi River, Little
14 Falls, Minnesota, and, if the Secretary determines that the
15 project is feasible, shall carry out the project under section
16 3 of the River and Harbor Act of March 2, 1945 (33
17 U.S.C. 603a; 59 Stat. 23).

18 **SEC. 107. SMALL PROJECTS FOR IMPROVEMENT OF THE**
19 **ENVIRONMENT.**

20 The Secretary shall conduct a study for each of the
21 following projects and, if the Secretary determines that
22 the project is appropriate, shall carry out the project
23 under section 1135(a) of the Water Resources Develop-
24 ment Act of 1986 (33 U.S.C. 2309(a)):

1 (1) UPPER TRUCKEE RIVER, EL DORADO COUN-
2 TY, CALIFORNIA.—Project for environmental restora-
3 tion, Upper Truckee River, El Dorado County, Cali-
4 fornia, including measures for restoration of de-
5 graded wetlands and wildlife enhancement.

6 (2) UPPER JORDAN RIVER, SALT LAKE COUNTY,
7 UTAH.—Project for channel restoration and environ-
8 mental improvement, Upper Jordan River, Salt Lake
9 County, Utah.

10 **TITLE II—GENERALLY**
11 **APPLICABLE PROVISIONS**

12 **SEC. 201. COST SHARING FOR DREDGED MATERIAL DIS-**
13 **POSAL AREAS.**

14 (a) CONSTRUCTION.—Section 101(a) of the Water
15 Resources Development Act of 1986 (33 U.S.C. 2211(a);
16 100 Stat. 4082–4083) is amended—

17 (1) by striking the last sentence of paragraph
18 (2) and inserting the following: “The value of lands,
19 easements, rights-of-way, and relocations provided
20 under paragraph (3) and the costs of relocations
21 borne by the non-Federal interests under paragraph
22 (4) shall be credited toward the payment required
23 under this paragraph.”;

24 (2) in paragraph (3)—

1 (A) by inserting “and” after “rights-of-
2 way,”;

3 (B) by striking “, and dredged material
4 disposal areas”; and

5 (C) by inserting “, including any lands,
6 easements, rights-of-way, and relocations (other
7 than utility relocations accomplished under
8 paragraph (4)) that are necessary for dredged
9 material disposal facilities” before the period at
10 the end of such paragraph; and

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

12 “(5) DREDGED MATERIAL DISPOSAL FACILITIES
13 FOR PROJECT CONSTRUCTION.—For purposes of this
14 subsection, the term ‘general navigation features’ in-
15 cludes constructed land-based and aquatic dredged
16 material disposal facilities that are necessary for the
17 disposal of dredged material and for project con-
18 struction.”.

19 (b) OPERATION AND MAINTENANCE.—Section
20 101(b) of such Act (33 U.S.C. 2211(b); 100 Stat. 4083)
21 is amended—

22 (1) by inserting “(1) IN GENERAL.—” before
23 “The Federal”;

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

4 (3) by striking “pursuant to this Act” and in-
5 serting “by the Secretary pursuant to this Act or
6 any other law approved after the date of the enact-
7 ment of this Act”; and

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

9 “(2) DREDGED MATERIAL DISPOSAL FACILI-
10 TIES.—The Federal share of the cost of constructing
11 land-based and aquatic dredged material disposal fa-
12 cilities that are necessary for the disposal of dredged
13 material required for the operation and maintenance
14 of a project and for which a contract for construc-
15 tion has not been awarded on or before the date of
16 the enactment of this paragraph shall be determined
17 in accordance with subsection (a). The Federal share
18 of operating and maintaining such facilities shall be
19 determined in accordance with paragraph (1).”.

20 (c) AGREEMENT.—Section 101(e)(1) of such Act (33
21 U.S.C. 2211(e)(1); 100 Stat. 4083) is amended by strik-
22 ing “and to provide dredged material disposal areas and
23 perform” and inserting “including those necessary for
24 dredged material disposal facilities, and to perform”.

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

5 “(f) CONSIDERATION OF FUNDING REQUIREMENTS
6 AND EQUITABLE APPORTIONMENT.—The Secretary shall
7 ensure, to the extent practicable, that funding necessary
8 for operation and maintenance dredging of commercial
9 navigation harbors is provided before Federal funds are
10 obligated for payment of the Federal share of costs associ-
11 ated with construction of dredged material disposal facili-
12 ties in accordance with subsections (a) and (b) and that
13 funds expended for such construction are equitably appor-
14 tioned in accordance with regional needs.”.

15 (e) ELIGIBLE OPERATIONS AND MAINTENANCE DE-
16 FINED.—Section 214(2)(A) of such Act (33 U.S.C. 2241;
17 100 Stat. 4108) is amended—

- 18 (1) by inserting “Federal” after “means all”;
19 (2) by inserting “(i)” after “including”; and
20 (3) by inserting before the period at the end the
21 following: “(ii) the construction of dredged material
22 disposal facilities that are necessary for the oper-
23 ation and maintenance of any harbor or inland har-
24 bor; (iii) dredging and disposing of contaminated
25 sediments which are in or which affect the mainte-

1 nance of Federal navigation channels; (iv) mitigating
2 for impacts resulting from Federal navigation oper-
3 ation and maintenance activities; and (v) operating
4 and maintaining dredged material disposal facili-
5 ties”.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—Section
7 210 of such Act (33 U.S.C. 2238; 100 Stat. 4106) is
8 amended—

9 (1) by striking “(a) TRUST FUND.—”;

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

11 and

12 (3) by striking subsection (b).

13 **SEC. 202. FLOOD CONTROL POLICY.**

14 (a) FLOOD CONTROL COST SHARING.—

15 (1) INCREASED NON-FEDERAL CONTRIBU-
16 TIONS.—Subsections (a) and (b) of section 103 of
17 the Water Resources Development Act of 1986 (33
18 U.S.C. 2213(a) and (b)) are each amended by strik-
19 ing “25 percent” each place it appears and inserting
20 “35 percent”.

21 (2) APPLICABILITY.—The amendments made
22 by paragraph (1) shall apply to projects authorized
23 after the date of the enactment of this Act.

24 (b) ABILITY TO PAY.—

1 (1) IN GENERAL.—Section 103(m) of such Act
2 (33 U.S.C. 2213(m)) is amended to read as follows:

3 “(m) ABILITY TO PAY.—

4 “(1) IN GENERAL.—Any cost-sharing agree-
5 ment under this section for flood control or agricul-
6 tural water supply shall be subject to the ability of
7 a non-Federal interest to pay.

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

17 “(3) REVISION OF PROCEDURES.—In revising
18 procedures pursuant to paragraph (1), the Sec-
19 retary—

20 “(A) shall consider—

21 “(i) per capita income data for the
22 county or counties in which the project is
23 to be located; and

24 “(ii) the per capita non-Federal cost
25 of construction of the project for the coun-

1 ty or counties in which the project is to be
2 located;

3 “(B) shall not consider criteria (other than
4 criteria described in subparagraph (A)) in effect
5 on the day before the date of the enactment of
6 the Water Resources Development Act of 1996;
7 and

8 “(C) may consider additional criteria relat-
9 ing to the non-Federal interest’s financial abil-
10 ity to carry out its cost-sharing responsibilities,
11 to the extent that the application of such cri-
12 teria does not eliminate areas from eligibility
13 for a reduction in the non-Federal share as de-
14 termined under subparagraph (A).

15 “(4) NON-FEDERAL SHARE.—Notwithstanding
16 section 103(a), the Secretary shall reduce or elimi-
17 nate the requirement that a non-Federal interest
18 make a cash contribution for any project that is de-
19 termined to be eligible for a reduction in the non-
20 Federal share under procedures in effect under
21 paragraphs (1), (2), and (3).”.

22 (2) APPLICABILITY.—

23 (A) GENERALLY.—Subject to subpara-
24 graph (C), the amendment made by paragraph
25 (1) shall apply to any project, or separable ele-

1 ment thereof, with respect to which the Sec-
2 retary and the non-Federal interest have not
3 entered into a project cooperation agreement on
4 or before the date of the enactment of this Act.

5 (B) AMENDMENT OF COOPERATION
6 AGREEMENT.—If requested by the non-Federal
7 interest, the Secretary shall amend a project co-
8 operation agreement executed on or before the
9 date of the enactment of this Act to reflect the
10 application of the amendment made by para-
11 graph (1) for any project for which a contract
12 for construction has not been awarded on or be-
13 fore such date of enactment.

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

22 (c) FLOOD PLAIN MANAGEMENT PLANS.—

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

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

2 “(a) COMPLIANCE WITH FLOOD PLAIN MANAGE-
3 MENT AND INSURANCE PROGRAMS.—Before construction
4 of any project for local flood protection or any project for
5 hurricane or storm damage reduction and involving Fed-
6 eral assistance from the Secretary, the non-Federal inter-
7 est shall agree to participate in and comply with applicable
8 Federal flood plain management and flood insurance pro-
9 grams.

10 “(b) FLOOD PLAIN MANAGEMENT PLANS.—Within 1
11 year after the date of signing a project cooperation agree-
12 ment for construction of a project to which subsection (a)
13 applies, the non-Federal interest shall prepare a flood
14 plain management plan designed to reduce the impacts of
15 future flood events in the project area. Such plan shall
16 be implemented by the non-Federal interest not later than
17 1 year after completion of construction of the project.

18 “(c) GUIDELINES.—

19 “(1) IN GENERAL.—Within 6 months after the
20 date of the enactment of this subsection, the Sec-
21 retary shall develop guidelines for preparation of
22 flood plain management plans by non-Federal inter-
23 ests under subsection (b). Such guidelines shall ad-
24 dress potential measures, practices and policies to
25 reduce loss of life, injuries, damages to property and
26 facilities, public expenditures, and other adverse im-

1 pacts associated with flooding and to preserve and
2 enhance natural flood plain values.

3 “(2) LIMITATION ON STATUTORY CONSTRU-
4 TION.—Nothing in this subsection shall be construed
5 to confer any regulatory authority upon the Sec-
6 retary.

7 “(d) TECHNICAL SUPPORT.—The Secretary is au-
8 thorized to provide technical support to a non-Federal in-
9 terest for a project to which subsection (a) applies for the
10 development and implementation of plans prepared under
11 subsection (b).”.

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

18 (d) NON-STRUCTURAL FLOOD CONTROL POLICY.—

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

1 (2) REPORT.—Not later than 1 year after the
2 date of the enactment of this Act, the Secretary
3 shall transmit to Congress a report on the findings
4 on the review conducted under this subsection, to-
5 gether with any recommendations for modifying ex-
6 isting law to remove any impediments identified
7 under such review.

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

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

18 (a) NON-FEDERAL SHARE.—Section 105(a)(1) of the
19 Water Resources Development Act of 1986 (33 U.S.C.
20 2215(a)(1)) is amended—

21 (1) in the first sentence, by striking “during
22 the period of such study”;

23 (2) by inserting after the first sentence the fol-
24 lowing: “During the period of the study, the non-
25 Federal share of the cost of the study shall be not

1 more than 50 percent of the estimate of the cost
2 of the study as contained in the feasibility cost-shar-
3 ing agreement. The cost estimate may be amended
4 only by mutual agreement of the Secretary and the
5 non-Federal interests. The non-Federal share of any
6 costs in excess of the cost estimate shall, except as
7 otherwise mutually agreed by the Secretary and the
8 non-Federal interests, be payable after the project
9 has been authorized for construction and on the date
10 on which the Secretary and non-Federal interests
11 enter into an agreement pursuant to section 101(e)
12 or 103(j). In the event the project which is the sub-
13 ject of the study is not authorized within the earlier
14 of 5 years of the date of the final report of the Chief
15 of Engineers concerning such study or 2 years of
16 the date of termination of the study, the non-Fed-
17 eral share of any such excess costs shall be paid to
18 the United States on the last day of such period.”;
19 and

20 (3) in the second sentence, by striking “such
21 non-Federal contribution” and inserting “the non-
22 Federal share required under this paragraph”.

23 (b) APPLICABILITY.—The amendments made by sub-
24 section (a) shall apply notwithstanding any feasibility cost-
25 sharing agreement entered into by the Secretary and non-

1 Federal interests. Upon request of the non-Federal inter-
2 est, the Secretary shall amend any feasibility cost-sharing
3 agreements in effect on the date of enactment of this Act
4 so as to conform the agreements with the amendments.

5 (c) LIMITATION ON STATUTORY CONSTRUCTION.—
6 Nothing in this section or any amendment made by this
7 section shall require the Secretary to reimburse the non-
8 Federal interests for funds previously contributed for a
9 study.

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

11 (a) REVIEW OF PROJECTS.—Section 1135(a) of the
12 Water Resources Development Act of 1986 (33 U.S.C.
13 2309a(a)) is amended—

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

15 (2) by inserting before the period at the end the
16 following: “and to determine if the operation of such
17 projects has contributed to the degradation of the
18 quality of the environment”.

19 (b) PROGRAM OF PROJECTS.—Section 1135(b) of
20 such Act is amended by striking the last 2 sentences of
21 subsection (b).

22 (c) RESTORATION OF ENVIRONMENTAL QUALITY.—
23 Section 1135 of such Act is further amended—

24 (1) by redesignating subsections (c), (d), and

25 (e) as subsections (e), (f), and (g), respectively;

1 (2) by inserting after subsection (b) the follow-
2 ing new subsections:

3 “(c) RESTORATION OF ENVIRONMENTAL QUALITY.—
4 If the Secretary determines that construction of a water
5 resource project by the Secretary or operation of a water
6 resources project constructed by the Secretary has contrib-
7 uted to the degradation of the quality of the environment,
8 the Secretary may undertake measures for restoration of
9 environmental quality and measures for enhancement of
10 environmental quality that are associated with the restora-
11 tion, either through modifications at the project site or
12 at other locations that have been affected by the construc-
13 tion or operation of the project, if such measures do not
14 conflict with the authorized project purposes.

15 “(d) NON-FEDERAL SHARE; LIMITATION ON MAXI-
16 MUM FEDERAL EXPENDITURE.—The non-Federal share
17 of the cost of any modifications or measures carried out
18 or undertaken pursuant to subsection (b) or (c) of this
19 section shall be 25 percent. Not more than 80 percent of
20 the non-Federal share may be in kind, including a facility,
21 supply, or service that is necessary to carry out the modi-
22 fication. No more than \$5,000,000 in Federal funds may
23 be expended on any single modification or measure carried
24 out or undertaken pursuant to this section.”; and

1 (3) in subsection (f), as so redesignated, by
2 striking “program conducted under subsection (b)”
3 and inserting “programs conducted under sub-
4 sections (b) and (c)”.

5 (d) DEFINITION.—Section 1135 of such Act is fur-
6 ther amended by adding at the end the following:

7 “(g) DEFINITION.—In this section the term ‘water
8 resources project constructed by the Secretary’ includes
9 a water resources project constructed or funded jointly by
10 the Secretary and the head of any other Federal agency
11 (including the Natural Resources Conservation Service).”.

12 **SEC. 205. ENVIRONMENTAL DREDGING.**

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

15 (1) in each of subsections (a), (b), and (c) by
16 inserting “and remediate” after “remove” each place
17 it appears;

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

20 (3) in subsection (b)(2) by striking
21 “\$10,000,000” and inserting “\$30,000,000”; and

22 (4) by striking subsection (f) and inserting the
23 following:

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

1 “(1) Brooklyn Waterfront, New York.

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

3 “(3) Ashtabula River, Ohio.

4 “(4) Mahoning River, Ohio.

5 “(5) Lower Fox River, Wisconsin.”.

6 **SEC. 206. AQUATIC ECOSYSTEM RESTORATION.**

7 (a) GENERAL AUTHORITY.—The Secretary is author-
8 ized to carry out aquatic ecosystem restoration and protec-
9 tion projects when the Secretary determines that such
10 projects will improve the quality of the environment and
11 are in the public interest and that the environmental and
12 economic benefits, both monetary and nonmonetary, of the
13 project to be undertaken pursuant to this section justify
14 the cost.

15 (b) COST SHARING.—Non-Federal interests shall
16 provide 50 percent of the cost of construction of any
17 project carried out under this section, including provision
18 of all lands, easements, rights-of-way, and necessary relo-
19 cations.

20 (c) AGREEMENTS.—Construction of a project under
21 this section shall be initiated only after a non-Federal in-
22 terest has entered into a binding agreement with the Sec-
23 retary to pay the non-Federal share of the costs of con-
24 struction required by this section and to pay 100 percent
25 of any operation, maintenance, and replacement and reha-

1 bilitation costs with respect to the project in accordance
2 with regulations prescribed by the Secretary.

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

6 (e) FUNDING.—There is authorized to be appro-
7 priated not to exceed \$25,000,000 annually to carry out
8 this section.

9 **SEC. 207. RECREATION POLICY AND USER FEES.**

10 (a) RECREATION POLICIES.—

11 (1) IN GENERAL.—The Secretary shall provide
12 increased emphasis on and opportunities for recre-
13 ation at water resources projects operated, main-
14 tained, or constructed by the Corps of Engineers.

15 (2) REPORT.—Not later than 2 years after the
16 date of the enactment of this Act, the Secretary
17 shall transmit to Congress a report on specific meas-
18 ures taken to implement this subsection.

19 (b) RECREATION USER FEES.—Section 210(b) of the
20 Flood Control Act of 1968 (16 U.S.C. 460d–3(b)) is
21 amended by adding at the end the following:

22 “(5) USE OF FEES COLLECTED AT FACILITY.—
23 Subject to advance appropriations, the Secretary of
24 the Army shall ensure that at least an amount equal
25 to the total amount of fees collected at any project

1 under this subsection in a fiscal year beginning after
2 September 30, 1996, are expended in the succeeding
3 fiscal year at such project for operation and mainte-
4 nance of recreational facilities at such project.”.

5 **SEC. 208. RECOVERY OF COSTS.**

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

17 **SEC. 209. COST SHARING OF ENVIRONMENTAL PROJECTS.**

18 (a) IN GENERAL.—Section 103(c) of the Water Re-
19 sources Development Act of 1986 (33 U.S.C. 2213(c)) is
20 amended—

21 (1) by striking “and” at the end of paragraph

22 (5);

23 (2) by striking the period at the end of para-
24 graph (6) and inserting “; and”; and

1 taining all necessary permits for such construction
2 if the non-Federal interest contracts with the Sec-
3 retary to furnish the United States funds for the
4 studies and design activities during the period that
5 the studies and design activities will be conducted.

6 (c) COMPLETION OF STUDIES AND DESIGN ACTIVI-
7 TIES.—In the case of any study or design documents for
8 a flood control project that were initiated before the date
9 of the enactment of this Act, the Secretary is authorized
10 to complete and transmit to the appropriate non-Federal
11 interests the study or design documents or, upon the re-
12 quest of such non-Federal interests, to terminate the
13 study or design activities and transmit the partially com-
14 pleted study or design documents to such non-Federal in-
15 terests for completion. Studies and design documents sub-
16 ject to this subsection shall be completed without regard
17 to the requirements of subsection (b).

18 (d) AUTHORITY TO CARRY OUT IMPROVEMENT.—

19 (1) IN GENERAL.—Any non-Federal interest
20 which has received from the Secretary pursuant to
21 subsection (b) or (c) a favorable recommendation to
22 carry out a flood control project or separable ele-
23 ment thereof based on the results of completed stud-
24 ies and design documents for the project or element,
25 may carry out the project or element if a final envi-

1 ronmental impact statement has been filed for the
2 project or element.

3 (2) PERMITS.—Any plan of improvement pro-
4 posed to be implemented in accordance with this
5 subsection shall be deemed to satisfy the require-
6 ments for obtaining the appropriate permits required
7 under the Secretary’s authority and such permits
8 shall be granted subject to the non-Federal interest’s
9 acceptance of the terms and conditions of such per-
10 mits if the Secretary determines that the applicable
11 regulatory criteria and procedures have been satis-
12 fied.

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

18 (e) REIMBURSEMENT.—

19 (1) GENERAL RULE.—Subject to appropriation
20 Acts, the Secretary is authorized to reimburse any
21 non-Federal interest an amount equal to the esti-
22 mate of the Federal share, without interest, of the
23 cost of any authorized flood control project, or sepa-
24 rable element thereof, constructed pursuant to this
25 section—

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

6 (B) if the Secretary finds, after a review of
7 studies and design documents prepared pursu-
8 ant to this section, that construction of the
9 project or separable element is economically jus-
10 tified and environmentally acceptable.

11 (2) MATTERS TO BE CONSIDERED IN REVIEW-
12 ING PLANS.—In reviewing plans under this sub-
13 section, the Secretary shall consider budgetary and
14 programmatic priorities and other factors that the
15 Secretary deems appropriate.

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

23 (4) LIMITATION ON REIMBURSEMENTS.—No re-
24 imbursement shall be made under this section unless
25 and until the Secretary has certified that the work

1 for which reimbursement is requested has been per-
2 formed in accordance with applicable permits and
3 approved plans.

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

10 (1) BRAYS BAYOU, TEXAS.—Flood control com-
11 ponents comprising the Brays Bayou element of the
12 project for flood control, Buffalo Bayou and Tribu-
13 taries, Texas, authorized by section 101(a)(21) of
14 the Water Resources Development Act of 1990 (104
15 Stat. 4610); except that the non-Federal interest
16 may design and construct an alternative to the di-
17 version component of such element.

18 (2) HUNTING BAYOU, TEXAS.—The Hunting
19 Bayou element of the project for flood control, Buf-
20 falo Bayou and Tributaries, Texas, authorized by
21 such section; except that the non-Federal interest
22 may design and construct an alternative to such ele-
23 ment.

1 (3) WHITE OAK BAYOU, TEXAS.—The project
2 for flood control, White Oak Bayou watershed,
3 Texas.

4 (g) TREATMENT OF FLOOD DAMAGE PREVENTION
5 MEASURES.—For the purposes of this section, flood dam-
6 age prevention measures at or in the vicinity of Morgan
7 City and Berwick, Louisiana, shall be treated as an au-
8 thorized element of the Atchafalaya Basin feature of the
9 project for flood control, Mississippi River and Tribu-
10 taries.

11 **SEC. 211. ENGINEERING AND ENVIRONMENTAL INNOVA-**
12 **TIONS OF NATIONAL SIGNIFICANCE.**

13 (a) SURVEYS, PLANS, AND STUDIES.—To encourage
14 innovative and environmentally sound engineering solu-
15 tions and innovative environmental solutions to problems
16 of national significance, the Secretary may undertake sur-
17 veys, plans, and studies and prepare reports which may
18 lead to work under existing civil works authorities or to
19 recommendations for authorizations.

20 (b) FUNDING.—

21 (1) AUTHORIZATION OF APPROPRIATIONS.—
22 There is authorized to be appropriated to carry out
23 this section \$3,000,000 for each fiscal year begin-
24 ning after September 30, 1996.

1 (2) FUNDING FROM OTHER SOURCES.—The
2 Secretary may accept and expend additional funds
3 from other Federal agencies, States, or non-Federal
4 entities for purposes of carrying out this section.

5 **SEC. 212. LEASE AUTHORITY.**

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

15 **SEC. 213. COLLABORATIVE RESEARCH AND DEVELOPMENT.**

16 (a) FUNDING FROM OTHER FEDERAL SOURCES.—
17 Section 7 of the Water Resources Development Act of
18 1988 (102 Stat. 4022–4023) is amended—

19 (1) in subsection (a) by inserting “civil works”
20 before “mission”; and

21 (2) by striking subsection (e) and inserting the
22 following:

23 “(e) FUNDING FROM OTHER FEDERAL SOURCES.—
24 The Secretary may accept and expend additional funds
25 from other Federal programs, including other Department

1 of Defense programs, to carry out the purposes of this
2 section.”.

3 (b) PRE-AGREEMENT TEMPORARY PROTECTION OF
4 TECHNOLOGY.—Such section 7 is further amended—

5 (1) by redesignating subsections (b), (c), (d),
6 and (e) as subsections (c), (d), (e), and (f), respec-
7 tively;

8 (2) by inserting after subsection (a) the follow-
9 ing new subsection:

10 “(b) PRE-AGREEMENT TEMPORARY PROTECTION OF
11 TECHNOLOGY.—

12 “(1) IN GENERAL.—If the Secretary determines
13 that information developed as a result of research
14 and development activities conducted by the Corps of
15 Engineers is likely to be subject to a cooperative re-
16 search and development agreement within 2 years of
17 its development and that such information would be
18 a trade secret or commercial or financial information
19 that would be privileged or confidential if the infor-
20 mation had been obtained from a non-Federal party
21 participating in a cooperative research and develop-
22 ment agreement under section 12 of the Stevenson-
23 Wydler Technology Innovation Act of 1980, the Sec-
24 retary may provide appropriate protection against
25 the dissemination of such information, including ex-

1 emption from subchapter II of chapter 5 of title 5,
2 United States Code, until the earlier of the date the
3 Secretary enters into such an agreement with re-
4 spect to such technology or the last day of the 2-
5 year period beginning on the date of such determina-
6 tion.

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

15 (3) in subsection (d), as so redesignated, by
16 striking “(b)” and inserting “(c)”.

17 **SEC. 214. DAM SAFETY PROGRAM.**

18 Section 13 of the Act entitled “An Act to authorize
19 the Secretary of the Army to undertake a national pro-
20 gram of inspection of dams”, approved August 8, 1972
21 (33 U.S.C. 467l; Public Law 92–367), is amended by
22 striking the second sentence and inserting the following:
23 “There is authorized to be appropriated \$500,000 for each
24 fiscal year for the purpose of carrying out this section.”.

1 **SEC. 215. MAINTENANCE, REHABILITATION, AND MOD-**
2 **ERNIZATION OF FACILITIES.**

3 In accomplishing the maintenance, rehabilitation, and
4 modernization of hydroelectric power generating facilities
5 at water resources projects under the jurisdiction of the
6 Department of the Army, the Secretary is authorized to
7 increase the efficiency of energy production and the capac-
8 ity of these facilities if, after consulting with other appro-
9 priate Federal and State agencies, the Secretary deter-
10 mines that such upgrading—

11 (1) is economically justified and financially fea-
12 sible;

13 (2) will not result in significant adverse effects
14 on the other purposes for which the project is au-
15 thorized;

16 (3) will not result in significant adverse envi-
17 ronmental impacts; and

18 (4) will not involve major structural or oper-
19 ation changes in the project.

20 **SEC. 216. LONG-TERM SEDIMENT MANAGEMENT STRATE-**
21 **GIES.**

22 (a) DEVELOPMENT.—The Secretary shall enter into
23 cooperative agreements with non-Federal sponsors of navi-
24 gation projects for development of long-term management
25 strategies for controlling sediments in such projects.

1 (b) CONTENTS OF STRATEGIES.—Each strategy de-
2 veloped under this section for a navigation project—

3 (1) shall include assessments of the following
4 with respect to the project: sediment rates and com-
5 position, sediment reduction options, dredging prac-
6 tices, long-term management of any dredged mate-
7 rial disposal facilities, remediation of such facilities,
8 and alternative disposal and reuse options;

9 (2) shall include a timetable for implementation
10 of the strategy; and

11 (3) shall incorporate, as much as possible, rel-
12 evant ongoing planning efforts, including remedial
13 action planning, dredged material management plan-
14 ning, harbor and waterfront development planning,
15 and watershed management planning.

16 (c) CONSULTATION.—In developing strategies under
17 this section, the Secretary shall consult with interested
18 Federal agencies, States, and Indian tribes and provide
19 an opportunity for public comment.

20 **SEC. 217. DREDGED MATERIAL DISPOSAL FACILITY PART-**
21 **NERSHIPS.**

22 (a) ADDITIONAL CAPACITY.—

23 (1) PROVIDED BY SECRETARY.—At the request
24 of a non-Federal project sponsor, the Secretary may
25 provide additional capacity at a dredged material

1 disposal facility constructed by the Department of
2 the Army beyond that which would be required for
3 project purposes if the non-Federal project sponsor
4 agrees to pay, during the period of construction, all
5 costs associated with the construction of the addi-
6 tional capacity.

7 (2) COST RECOVERY AUTHORITY.—The non-
8 Federal project sponsor may recover the costs as-
9 signed to the additional capacity through fees as-
10 sessed on 3rd parties whose dredged material is de-
11 posited in the facility and who enter into agreements
12 with the non-Federal sponsor for the use of such fa-
13 cility. The amount of such fees may be determined
14 by the non-Federal sponsor.

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

16 (1) IN GENERAL.—The Secretary—

17 (A) may permit the use of any dredged
18 material disposal facility under the jurisdiction
19 of, or managed by, the Secretary by a non-Fed-
20 eral interest if the Secretary determines that
21 such use will not reduce the availability of the
22 facility for project purposes; and

23 (B) may impose fees to recover capital, op-
24 eration, and maintenance costs associated with
25 such use.

1 (2) USE OF FEES.—Notwithstanding section
2 401(c) of the Federal Water Pollution Control Act
3 but subject to advance appropriations, any monies
4 received through collection of fees under this sub-
5 section shall be available to the Secretary, and shall
6 be used by the Secretary, for the operation and
7 maintenance of the disposal facility from which they
8 were collected.

9 **SEC. 218. OBSTRUCTION REMOVAL REQUIREMENT.**

10 (a) PENALTY.—Section 16 of the Act of March 3,
11 1899 (33 U.S.C. 411; 30 Stat. 1153), is amended—

12 (1) by striking “thirteen, fourteen, and fifteen”
13 and inserting “13, 14, 15, 19, and 20”; and

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

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

20 (1) by striking “expense” the first place it ap-
21 pears in subsection (a) and inserting “actual ex-
22 pense, including administrative expenses,”;

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

1 (3) by redesignating subsection (b) as sub-
2 section (c); and

3 (4) by inserting after subsection (a) the follow-
4 ing new subsection:

5 “(b) REMOVAL REQUIREMENT.—Within 24 hours
6 after the Secretary of the Department in which the Coast
7 Guard is operating issues an order to stop or delay naviga-
8 tion in any navigable waters of the United States because
9 of conditions related to the sinking or grounding of a ves-
10 sel, the owner or operator of the vessel, with the approval
11 of the Secretary of the Army, shall begin removal of the
12 vessel using the most expeditious removal method avail-
13 able or, if appropriate, secure the vessel pending removal
14 to allow navigation to resume. If the owner or operator
15 fails to begin removal or to secure the vessel pending re-
16 moval or fails to complete removal as soon as possible,
17 the Secretary of the Army shall remove or destroy the ves-
18 sel using the summary removal procedures under sub-
19 section (a) of this section.”.

20 **SEC. 219. SMALL PROJECT AUTHORIZATIONS.**

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

23 (1) by striking “\$12,500,000” and inserting
24 “\$15,000,000”; and

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

3 **SEC. 220. UNECONOMICAL COST-SHARING REQUIREMENTS.**

4 Section 221(a) of the Flood Control Act of 1970 (42
5 U.S.C. 1962d–5b) is amended by striking the period at
6 the end of the first sentence and inserting the following:
7 “; except that no such agreement shall be required if the
8 Secretary determines that the administrative costs associ-
9 ated with negotiating, executing, or administering the
10 agreement would exceed the amount of the contribution
11 required from the non-Federal interest and are less than
12 \$25,000.”.

13 **SEC. 221. PLANNING ASSISTANCE TO STATES.**

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

16 (1) in subsection (a) by inserting “, watersheds,
17 or ecosystems” after “basins”;

18 (2) in subsection (b)—

19 (A) by striking paragraph (2); and

20 (B) by redesignating paragraphs (3) and

21 (4) as paragraphs (2) and (3), respectively; and

22 (3) in subsection (c)—

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

24 “\$10,000,000”; and

1 (B) by striking “\$300,000” and inserting
2 “\$500,000”.

3 **SEC. 222. CORPS OF ENGINEERS’ EXPENSES.**

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

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

7 (2) by striking the 2d colon and all that follows
8 through “for this purpose”.

9 **SEC. 223. STATE AND FEDERAL AGENCY REVIEW PERIOD.**

10 The 1st section of the Act entitled “An Act authoriz-
11 ing the construction of certain public works on rivers and
12 harbors for flood control, and other purposes”, approved
13 December 22, 1944 (33 U.S.C. 701–1(a); 58 Stat. 888),
14 is amended—

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

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

19 **SEC. 224. LIMITATION ON REIMBURSEMENT OF NON-FED-
20 ERAL COSTS PER PROJECT.**

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

23 (1) by striking “\$3,000,000” and inserting
24 “\$5,000,000”; and

25 (2) by striking the final period.

1 **SEC. 225. AQUATIC PLANT CONTROL.**

2 (a) **ADDITIONAL CONTROLLED PLANTS.**—Section
3 104(a) of the River and Harbor Act of 1958 (33 U.S.C.
4 610(a)) is amended by inserting after “alligatorweed,” the
5 following: “melaleuca,”.

6 (b) **AUTHORIZATION.**—Section 104(b) of such Act
7 (33 U.S.C. 610(b)) is amended by striking “\$12,000,000”
8 and inserting “\$15,000,000”.

9 **SEC. 226. SEDIMENTS DECONTAMINATION TECHNOLOGY.**

10 (a) **PROJECT PURPOSE.**—Section 405(a) of the
11 Water Resources Development Act of 1992 (33 U.S.C.
12 2239 note; 106 Stat. 4863) is amended by adding at the
13 end the following:

14 “(3) **PROJECT PURPOSE.**—The purpose of the
15 project to be carried out under this section is to pro-
16 vide for the development of 1 or more sediment de-
17 contamination technologies on a pilot scale dem-
18 onstrating a capacity of at least 500,000 cubic yards
19 per year.”.

20 (b) **AUTHORIZATION OF APPROPRIATIONS.**—The first
21 sentence of section 405(c) of such Act is amended to read
22 as follows: “There is authorized to be appropriated to
23 carry out this section \$10,000,000 for fiscal years begin-
24 ning after September 30, 1996.”.

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

1 “(d) REPORTS.—Not later than September 30, 1998,
2 and periodically thereafter, the Administrator and the Sec-
3 retary shall transmit to Congress a report on the results
4 of the project to be carried out under this section, includ-
5 ing an assessment of the progress made in achieving the
6 intent of the program set forth in subsection (a)(3).”.

7 **SEC. 227. PROJECT DEAUTHORIZATIONS.**

8 (a) IN GENERAL.—Section 1001(b)(2) of the Water
9 Resources Development Act of 1986 (33 U.S.C.
10 579a(b)(2)) is amended—

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

13 (2) by inserting “planning, designing, or” be-
14 fore “construction” in the last sentence.

15 (b) TECHNICAL AMENDMENT.—Section 52 of the
16 Water Resources Development Act of 1988 (33 U.S.C.
17 579a note; 102 Stat. 4044) is amended—

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

19 (2) by redesignating subsections (b), (c), (d),
20 and (e) as subsections (a), (b), (c), and (d), respec-
21 tively.

22 **SEC. 228. SUPPORT OF ARMY CIVIL WORKS PROGRAM.**

23 (a) GENERAL AUTHORITY.—In carrying out research
24 and development in support of the civil works program of
25 the Department of the Army, the Secretary may utilize

1 contracts, cooperative research and development agree-
2 ments, cooperative agreements, and grants with non-Fed-
3 eral entities, including State and local governments, col-
4 leges and universities, consortia, professional and tech-
5 nical societies, public and private scientific and technical
6 foundations, research institutions, educational organiza-
7 tions, and non-profit organizations.

8 (b) SPECIAL RULES.—With respect to contracts for
9 research and development, the Secretary may include re-
10 quirements that have potential commercial application and
11 may also use such potential application as an evaluation
12 factor where appropriate.

13 **SEC. 229. BENEFITS TO NAVIGATION.**

14 In evaluating potential improvements to navigation
15 and the maintenance of navigation projects, the Secretary
16 shall consider, and include for purposes of project jus-
17 tification, economic benefits generated by cruise ships as
18 commercial navigation benefits.

19 **SEC. 230. LOSS OF LIFE PREVENTION.**

20 Section 904 of the Water Resources Development Act
21 of 1986 (33 U.S.C. 2281) is amended by inserting “in-
22 cluding the loss of life which may be associated with flood-
23 ing and coastal storm events,” after “costs,”.

1 **SEC. 231. SCENIC AND AESTHETIC CONSIDERATIONS.**

2 In conducting studies of potential water resources
3 projects, the Secretary shall consider measures to preserve
4 and enhance scenic and aesthetic qualities in the vicinity
5 of such projects.

6 **SEC. 232. REMOVAL OF STUDY PROHIBITIONS.**

7 Nothing in section 208 of the Urgent Supplemental
8 Appropriations Act, 1986 (100 Stat. 749), section 505 of
9 the Energy and Water Development Appropriations Act,
10 1993 (106 Stat. 1343), or any other provision of law shall
11 be deemed to limit the authority of the Secretary to under-
12 take studies for the purpose of investigating alternative
13 modes of financing hydroelectric power facilities under the
14 jurisdiction of the Department of the Army with funds ap-
15 propriated after the date of the enactment of this Act.

16 **SEC. 233. SENSE OF CONGRESS; REQUIREMENT REGARD-**
17 **ING NOTICE.**

18 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT
19 AND PRODUCTS.—It is the sense of Congress that, to the
20 greatest extent practicable, all equipment and products
21 purchased with funds made available under this Act
22 should be American-made.

23 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
24 providing financial assistance under this Act, the Sec-
25 retary, to the greatest extent practicable, shall provide to

1 each recipient of the assistance a notice describing the
 2 statement made in subsection (a).

3 **SEC. 234. RESERVOIR MANAGEMENT TECHNICAL ADVISORY**
 4 **COMMITTEE.**

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

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

8 (2) by striking “(b) PUBLIC PARTICIPA-
 9 TION.—”.

10 **SEC. 235. TECHNICAL CORRECTIONS.**

11 (a) SECTION 203 OF 1992 ACT.—Section 203(b) of
 12 the Water Resources Development Act of 1992 (106 Stat.
 13 4826) is amended by striking “(8662)” and inserting
 14 “(8862)”.

15 (b) SECTION 225 OF 1992 ACT.—Section 225(c) of
 16 the Water Resources Development Act of 1992 (106 Stat.
 17 4838) is amended by striking “(8662)” in the second sen-
 18 tence and inserting “(8862)”.

19 **TITLE III—PROJECT**
 20 **MODIFICATIONS**

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

22 The undesignated paragraph under the heading “MO-
 23 BILE HARBOR, ALABAMA” in section 201(a) of the Water
 24 Resources Development Act of 1986 (100 Stat. 4090) is
 25 amended by striking the first semicolon and all that fol-

1 lows and inserting a period and the following: “In dispos-
2 ing of dredged material from such project, the Secretary,
3 after compliance with applicable laws and after oppor-
4 tunity for public review and comment, may consider alter-
5 natives to disposal of such material in the Gulf of Mexico,
6 including environmentally acceptable alternatives for bene-
7 ficial uses of dredged material and environmental restora-
8 tion.”.

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

10 The project for flood control and other purposes,
11 Alamo Dam and Lake, Arizona, authorized by section 10
12 of the River and Harbor Act of December 22, 1944, (58
13 Stat. 900), is modified to authorize the Secretary to oper-
14 ate the Alamo Dam to provide fish and wildlife benefits
15 both upstream and downstream of the Dam. Such oper-
16 ation shall not reduce flood control and recreation benefits
17 provided by the project.

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

19 The project for flood control, Nogales Wash and trib-
20 utaries, Arizona, authorized by section 101(a)(4) of the
21 Water Resources Development Act of 1990 (104 Stat.
22 4606), is modified to direct the Secretary to permit the
23 non-Federal contribution for the project to be determined
24 in accordance with sections 103(k) and 103(m) of the
25 Water Resources Development Act of 1986 and to direct

1 the Secretary to enter into negotiations with non-Federal
2 interests pursuant to section 103(l) of such Act concerning
3 the timing of the initial payment of the non-Federal con-
4 tribution.

5 **SEC. 304. PHOENIX, ARIZONA.**

6 Section 321 of the Water Resources Development Act
7 of 1992 (106 Stat. 4848) is amended—

8 (1) by striking “control” and inserting “control,
9 ecosystem restoration,”; and

10 (2) by striking “\$6,500,000.” and inserting
11 “\$17,500,000. The non-Federal share for costs as-
12 signed to flood control measures to protect developed
13 areas adjacent to the project shall be consistent with
14 the cost sharing requirements of section 903(c) of
15 the Water Resources Development Act of 1986.”.

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

17 The project for flood control, San Francisco River,
18 Clifton, Arizona, authorized by section 101(a)(3) of the
19 Water Resources Development Act of 1990 (104 Stat.
20 4606), is modified to authorize the Secretary to construct
21 the project at a total cost of \$21,100,000, with an esti-
22 mated Federal cost of \$13,800,000 and an estimated non-
23 Federal cost of \$7,300,000.

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

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

12 **SEC. 307. LOS ANGELES AND LONG BEACH HARBORS, SAN**
13 **PEDRO BAY, CALIFORNIA.**

14 The navigation project for Los Angeles and Long
15 Beach Harbors, San Pedro Bay, California, authorized by
16 section 201(b) of the Water Resources Development Act
17 of 1986 (100 Stat. 4091), is modified to provide that, not-
18 withstanding section 101(a)(4) of such Act, the cost of
19 the relocation of the sewer outfall by the Port of Los An-
20 geles shall be credited toward the payment required from
21 the non-Federal interest by section 101(a)(2) of such Act.

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

23 The projects for navigation, Oakland Outer Harbor,
24 California, and Oakland Inner Harbor, California, author-
25 ized by section 202 of the Water Resources Development
26 Act of 1986 (100 Stat. 4092), are modified by combining

1 the 2 projects into 1 project, to be designated as the Oak-
2 land Harbor, California, project. The Oakland Harbor,
3 California, project shall be prosecuted by the Secretary
4 substantially in accordance with the plans and subject to
5 the conditions recommended in the reports designated in
6 such section 202, at a total cost of \$90,850,000, with an
7 estimated Federal cost of \$59,150,000 and an estimated
8 non-Federal cost of \$31,700,000. The non-Federal share
9 of project costs and any available credits toward the non-
10 Federal share shall be calculated on the basis of the total
11 cost of the combined project.

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

13 Section 4(e) of the Water Resources Development Act
14 of 1988 (102 Stat. 4016) is amended by adding at the
15 end the following sentence: “In addition, the Secretary
16 shall perform advance maintenance dredging in the
17 Queensway Bay Channel, California, at a total cost of
18 \$5,000,000.”.

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

20 The project for flood control of the San Luis Rey
21 River, California, authorized pursuant to section 201 of
22 the Flood Control Act of 1965 (42 U.S.C. 1962d-5; 79
23 Stat. 1073-1074), is modified to authorize the Secretary
24 to construct the project at a total cost not to exceed
25 \$81,600,000 with an estimated Federal cost of

1 \$61,100,000 and an estimated non-Federal cost of
2 \$20,500,000.

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

4 (a) RECONFIGURATION OF TURNING BASIN.—The
5 project for navigation, Thames River, Connecticut, author-
6 ized by the first section of the Act entitled “An Act au-
7 thorizing construction, repair, and preservation of certain
8 public works on rivers and harbors, and for other pur-
9 poses”, approved August 30, 1935 (49 Stat. 1029), is
10 modified to make the turning basin have the following
11 alignment: Starting at a point on the eastern limit of the
12 existing project, N251052.93, E783934.59, thence run-
13 ning north 5 degrees 25 minutes 21.3 seconds east 341.06
14 feet to a point, N251392.46, E783966.82, thence running
15 north 47 degrees 24 minutes 14.0 seconds west 268.72
16 feet to a point, N251574.34, E783769.00, thence running
17 north 88 degrees 41 minutes 52.2 seconds west 249.06
18 feet to a point, N251580.00, E783520.00, thence running
19 south 46 degrees 16 minutes 22.9 seconds west 318.28
20 feet to a point, N251360.00, E783290.00, thence running
21 south 19 degrees 01 minute 32.2 seconds east 306.76 feet
22 to a point, N251070.00, E783390.00, thence running
23 south 45 degrees 00 minutes 00 seconds east 155.56 feet
24 to a point, N250960.00, E783500.00 on the existing west-
25 ern limit.

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

5 (c) CONFORMING DEAUTHORIZATION.—Those por-
6 tions of the existing turning basin which are not included
7 in the reconfigured turning basin as described in sub-
8 section (a) shall no longer be authorized after the date
9 of the enactment of this Act.

10 **SEC. 312. POTOMAC RIVER, WASHINGTON, DISTRICT OF**
11 **COLUMBIA.**

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

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

23 The project for navigation, Canaveral Harbor, Flor-
24 ida, authorized by section 101(7) of the Water Resources
25 Development Act of 1992 (106 Stat. 4802), is modified

1 to authorize the Secretary to reclassify the removal and
2 replacement of stone protection on both sides of the chan-
3 nel as general navigation features. The Secretary shall re-
4 imburse any costs that are incurred by the non-Federal
5 sponsor in connection with the reclassified work and that
6 the Secretary determines to be in excess of the non-Fed-
7 eral share of costs for general navigation features. The
8 Federal and non-Federal shares of the cost of the reclassi-
9 fied work shall be determined in accordance with section
10 101 of the Water Resources Development Act of 1986.

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

12 The project for flood protection of West Palm Beach,
13 Florida (C-51), authorized by section 203 of the Flood
14 Control Act of 1962 (76 Stat. 1183), is modified to pro-
15 vide for the construction of an enlarged stormwater deten-
16 tion area, Storm Water Treatment Area 1 East, generally
17 in accordance with the plan of improvements described in
18 the February 15, 1994, report entitled “Everglades Pro-
19 tection Project, Palm Beach County, Florida, Conceptual
20 Design”, with such modifications as are approved by the
21 Secretary. The additional work authorized by this sub-
22 section shall be accomplished at Federal expense. Oper-
23 ation and maintenance of the stormwater detention area
24 shall be consistent with regulations prescribed by the Sec-
25 retary for the Central and Southern Florida project, and

1 all costs of such operation and maintenance shall be pro-
2 vided by non-Federal interests.

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

5 (a) IN GENERAL.—The project for Central and
6 Southern Florida, authorized by section 203 of the Flood
7 Control Act of 1948 (62 Stat. 1176) and modified by sec-
8 tion 203 of the Flood Control Act of 1968 (82 Stat. 740–
9 741), is modified to authorize the Secretary to implement
10 the recommended plan of improvement contained in a re-
11 port entitled “Central and Southern Florida Project, Final
12 Integrated General Reevaluation Report and Environ-
13 mental Impact Statement, Canal 111 (C-111), South
14 Dade County, Florida”, dated May 1994, including acqui-
15 sition by non-Federal interests of such portions of the
16 Frog Pond and Rocky Glades areas as are needed for the
17 project.

18 (b) COST SHARING.—

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

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

1 for the project. The amount paid by the Department
2 of the Interior shall be included as part of the Fed-
3 eral share of the cost of implementing the plan.

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

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

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

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

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

1 shore of Tybee Island located south of the extension of
2 9th Street.

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

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

17 **SEC. 319. CHICAGO, ILLINOIS.**

18 The project for flood control, Chicagoland Underflow
19 Plan, Illinois, authorized by section 3(a)(5) of the Water
20 Resources Development Act of 1988 (102 Stat. 4013), is
21 modified to limit the capacity of the reservoir project not
22 to exceed 11,000,000,000 gallons or 32,000 acre-feet, to
23 provide that the reservoir project may not be located north
24 of 55th Street or west of East Avenue in the vicinity of
25 McCook, Illinois, and to provide that the reservoir project

1 may only be constructed on the basis of a specific plan
2 that has been evaluated by the Secretary under the provi-
3 sions of the National Environmental Policy Act of 1969.

4 **SEC. 320. CHICAGO LOCK AND THOMAS J. O'BRIEN LOCK,**
5 **ILLINOIS.**

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

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

22 The project for navigation, Kaskaskia River, Illinois,
23 authorized by section 101 of the River and Harbor Act
24 of 1962 (76 Stat. 1175), is modified to add fish and wild-
25 life and habitat restoration as project purposes.

1 **SEC. 322. LOCKS AND DAM 26, ALTON, ILLINOIS AND MIS-**
2 **SOURI.**

3 Section 102(1) of the Water Resources Development
4 Act of 1990 (104 Stat. 4613) is amended by striking “that
5 requires no separable projects lands” and inserting “on
6 project lands and other contiguous nonproject lands, in-
7 cluding those lands referred to as the Alton Commons”.

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

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

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

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

1 **SEC. 325. ARKANSAS CITY, KANSAS.**

2 The project for flood control, Arkansas City, Kansas,
3 authorized by section 401(a) of the Water Resources De-
4 velopment Act of 1986 (100 Stat. 4116), is modified to
5 authorize the Secretary to construct the project at a total
6 cost of \$38,500,000, with an estimated Federal cost of
7 \$28,100,000 and an estimated non-Federal cost of
8 \$10,400,000.

9 **SEC. 326. HALSTEAD, KANSAS.**

10 The project for flood control, Halstead, Kansas, au-
11 thorized by section 401(a) of the Water Resources Devel-
12 opment Act of 1986 (100 Stat. 4116), is modified to au-
13 thorize the Secretary to carry out the project in accord-
14 ance with the report of the Corps of Engineers dated
15 March 19, 1993, at a total cost of \$11,100,000, with an
16 estimated Federal cost of \$8,325,000 and an estimated
17 non-Federal cost of \$2,775,000.

18 **SEC. 327. LEVISA AND TUG FORKS OF THE BIG SANDY**
19 **RIVER AND CUMBERLAND RIVER, KENTUCKY,**
20 **WEST VIRGINIA, AND VIRGINIA.**

21 The project for flood control, Levisa and Tug Forks
22 of the Big Sandy River and Cumberland River, Kentucky,
23 West Virginia, and Virginia, authorized by section 202(a)
24 of the Energy and Water Development Appropriation Act,
25 1981 (94 Stat. 1339), is modified to provide that the mini-
26 mum level of flood protection to be afforded by the project

1 shall be the level required to provide protection from a
2 100-year flood or from the flood of April 1977, whichever
3 level of protection is greater.

4 **SEC. 328. COMITE RIVER, LOUISIANA.**

5 The Comite River Diversion project for flood control,
6 authorized as part of the project for flood control, Amite
7 River and Tributaries, Louisiana, by section 101(11) of
8 the Water Resource Development Act of 1992 (106 Stat.
9 4802–4803), is modified to authorize the Secretary to con-
10 struct the project at a total cost of \$121,600,000, with
11 an estimated Federal cost of \$70,577,000 and an esti-
12 mated non-Federal cost of \$51,023,000.

13 **SEC. 329. GRAND ISLE AND VICINITY, LOUISIANA.**

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

20 **SEC. 330. LAKE PONTCHARTRAIN, LOUISIANA.**

21 The project for hurricane damage prevention and
22 flood control, Lake Pontchartrain, Louisiana, authorized
23 by section 204 of the Flood Control Act of 1965 (79 Stat.
24 1077), is modified to provide that St. Bernard Parish,
25 Louisiana, and the Lake Borgne Basin Levee District,

1 Louisiana, shall not be required to pay the unpaid balance,
2 including interest, of the non-Federal cost-share of the
3 project.

4 **SEC. 331. MISSISSIPPI DELTA REGION, LOUISIANA.**

5 The Mississippi Delta Region project, Louisiana, au-
6 thorized as part of the project for hurricane-flood protec-
7 tion project on Lake Pontchartrain, Louisiana, by section
8 204 of the Flood Control Act of 1965 (79 Stat. 1077),
9 is modified to direct the Secretary to provide a credit to
10 the State of Louisiana toward its non-Federal share of the
11 cost of the project. The credit shall be for the cost incurred
12 by the State in developing and relocating oyster beds to
13 offset the adverse impacts on active and productive oyster
14 beds in the Davis Pond project area but shall not exceed
15 \$7,500,000.

16 **SEC. 332. MISSISSIPPI RIVER OUTLETS, VENICE, LOUISI-**
17 **ANA.**

18 The project for navigation, Mississippi River Outlets,
19 Venice, Louisiana, authorized by section 101 of the River
20 and Harbor Act of 1968 (82 Stat. 731), is modified to
21 provide for the extension of the 16-foot deep by 250-foot
22 wide Baptiste Collette Bayou entrance channel to approxi-
23 mately Mile 8 of the Mississippi River-Gulf Outlet naviga-
24 tion channel, at a total estimated Federal cost of \$80,000.

1 **SEC. 333. RED RIVER WATERWAY, LOUISIANA.**

2 The project for mitigation of fish and wildlife losses,
3 Red River Waterway, Louisiana, authorized by section
4 601(a) of the Water Resources and Development Act of
5 1986 (100 Stat. 4142) and modified by section 102(p) of
6 the Water Resources and Development Act of 1990 (104
7 Stat. 4613), is further modified—

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

10 (2) to provide that lands that are purchased ad-
11 jacent to the Loggy Bayou Wildlife Management
12 Area may be located in Caddo Parish or Red River
13 Parish.

14 **SEC. 334. TOLCHESTER CHANNEL, MARYLAND.**

15 The project for navigation, Baltimore Harbor and
16 Channels, Maryland, authorized by section 101 of the
17 River and Harbor Act of 1958 (72 Stat. 297) is modified
18 to direct the Secretary—

19 (1) to expedite review of potential straightening
20 of the channel at the Tolchester Channel S-Turn;
21 and

22 (2) if determined to be feasible and necessary
23 for safe and efficient navigation, to implement such
24 straightening as part of project maintenance.

1 **SEC. 335. SAGINAW RIVER, MICHIGAN.**

2 The project for flood protection, Saginaw River,
3 Michigan, authorized by section 203 of the Flood Control
4 Act of 1958 (72 Stat. 311) is modified to include as part
5 of the project the design and construction of an inflatable
6 dam on the Flint River, Michigan, at a total cost of
7 \$500,000.

8 **SEC. 336. SAULT SAINTE MARIE, CHIPPEWA COUNTY,**
9 **MICHIGAN.**

10 (a) IN GENERAL.—The project for navigation, Sault
11 Sainte Marie, Chippewa County, Michigan, authorized by
12 section 1149 of the Water Resources Development Act of
13 1986 (100 Stat. 4254–4255), is modified as provided by
14 this subsection.

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

18 (1) That portion of the non-Federal share
19 which the Secretary determines is attributable to use
20 of the lock by vessels calling at Canadian ports shall
21 be paid by the United States.

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

25 (c) PAYMENT TERM OF ADDITIONAL PERCENT-
26 AGE.—The amount to be paid by non-Federal interests

1 pursuant to section 101(a) of the Water Resources Devel-
2 opment Act of 1986 (33 U.S.C. 2211(a)) and this sub-
3 section with respect to the project referred to in subsection
4 (a) may be paid over a period of 50 years or the expected
5 life of the project, whichever is shorter.

6 (d) GREAT LAKES STATES DEFINED.—For the pur-
7 poses of this section, the term “Great Lakes States”
8 means the States of Illinois, Indiana, Michigan, Min-
9 nesota, New York, Ohio, Pennsylvania, and Wisconsin.

10 **SEC. 337. STILLWATER, MINNESOTA.**

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

13 (1) by inserting after “riverfront,” the follow-
14 ing: “or expansion of such system if the Secretary
15 determines that the expansion is feasible,”;

16 (2) by striking “\$3,200,000” and inserting
17 “\$11,600,000”;

18 (3) by striking “\$2,400,000” and inserting
19 “\$8,700,000”; and

20 (4) by striking “\$800,000” and inserting
21 “\$2,900,000”.

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

23 The project for navigation, New Madrid Harbor, Mis-
24 souri, authorized pursuant to section 107 of the River and
25 Harbor Act of 1960 (33 U.S.C. 577) and modified by sec-

1 tion 102(n) of the Water Resources Development Act of
2 1992 (106 Stat. 4807), is further modified to direct the
3 Secretary to assume responsibility for maintenance of the
4 existing Federal channel referred to in such section 102(n)
5 in addition to maintaining New Madrid County Harbor.

6 **SEC. 339. CAPE GIRARDEAU, MISSOURI.**

7 The project for flood control, Cape Girardeau, Jack-
8 son Metropolitan Area, Missouri, authorized by section
9 401(a) of the Water Resources Development Act of 1986
10 (100 Stat. 4118–4119), is modified to authorize the Sec-
11 retary to construct the project, including implementation
12 of nonstructural measures, at a total cost of \$45,414,000,
13 with an estimated Federal cost of \$33,030,000 and an es-
14 timated non-Federal cost of \$12,384,000.

15 **SEC. 340. ST. JOHN'S BAYOU—NEW MADRID FLOODWAY,**
16 **MISSOURI.**

17 Notwithstanding any other provision of law, Federal
18 assistance made available under the rural enterprise zone
19 program of the Department of Agriculture may be used
20 toward payment of the non-Federal share of the costs of
21 the project for flood control, St. John's Bayou and New
22 Madrid Floodway, Missouri, authorized by section 401(a)
23 of the Water Resources Development Act of 1986 (100
24 Stat. 4118).

1 **SEC. 341. JOSEPH G. MINISH PASSAIC RIVER PARK, NEW**
2 **JERSEY.**

3 Section 101(a)(18)(B) of the Water Resources Devel-
4 opment Act of 1990 (104 Stat. 4608) is amended by strik-
5 ing “\$25,000,000” and inserting “\$75,000,000”.

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

7 Section 1148 of the Water Resources Development
8 Act of 1986 (100 Stat. 4254) is amended to read as fol-
9 lows:

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

11 “(a) ACQUISITION OF LANDS.—The Secretary is au-
12 thorized to acquire from willing sellers lands on which resi-
13 dential structures are located and which are subject to fre-
14 quent and recurring flood damage, as identified in the
15 supplemental floodway report of the Corps of Engineers,
16 Passaic River Buyout Study, September 1995, at an esti-
17 mated total cost of \$194,000,000.

18 “(b) RETENTION OF LANDS FOR FLOOD PROTEC-
19 TION.—Lands acquired by the Secretary under this sec-
20 tion shall be retained by the Secretary for future use in
21 conjunction with flood protection and flood management
22 in the Passaic River Basin.

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

1 “(d) APPLICABILITY OF BENEFIT-COST RATIO WAIV-
2 ER AUTHORITY.—In evaluating and implementing the
3 project under this section, the Secretary shall allow the
4 non-Federal interest to participate in financing of the
5 project in accordance with section 903(c) of this Act, to
6 the extent that the Secretary’s evaluation indicates that
7 applying such section is necessary to implement the
8 project.”.

9 **SEC. 343. MOLLY ANN’S BROOK, NEW JERSEY.**

10 The project for flood control, Molly Ann’s Brook,
11 New Jersey, authorized by section 401(a) of the Water
12 Resources Development Act of 1986 (100 Stat. 4119), is
13 modified to authorize the Secretary to carry out the
14 project in accordance with the report of the Corps of Engi-
15 neers dated April 3, 1996, at a total cost of \$40,100,000,
16 with an estimated Federal cost of \$22,600,000 and an es-
17 timated non-Federal cost of \$17,500,000.

18 **SEC. 344. RAMAPO AND MAHWAH RIVERS, NEW JERSEY AND**
19 **NEW YORK.**

20 The project for flood control, Ramapo and Mahwah
21 Rivers, New Jersey and New York, authorized by section
22 401(a) of the Water Resources Development Act of 1986
23 (100 Stat. 4120), is modified to authorize the Secretary
24 to carry out the project in accordance with the report of
25 the Corps of Engineers dated June 30, 1994, at a total

1 cost of \$11,300,000, with an estimated Federal cost of
2 \$8,500,000 and an estimated non-Federal cost of
3 \$2,800,000.

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

5 The project for navigation, Arthur Kill, New York
6 and New Jersey, authorized by section 202(b) of the
7 Water Resources Development Act of 1986 (100 Stat.
8 4098), is modified to authorize the Secretary to carry out
9 the project at a total cost of \$83,000,000.

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

11 The project for navigation, Jones Inlet, New York,
12 authorized by section 2 of the Act entitled “An Act au-
13 thorizing construction, repair, and preservation of certain
14 public works on rivers and harbors, and for other pur-
15 poses”, approved March 2, 1945 (59 Stat. 13), is modified
16 to direct the Secretary to place uncontaminated dredged
17 material on beach areas downdrift from the federally
18 maintained channel for the purpose of mitigating the
19 interruption of littoral system natural processes caused by
20 the jetty and continued dredging of the federally main-
21 tained channel.

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

23 The project for navigation, Kill Van Kull, New York
24 and New Jersey, authorized by section 202(a) of the
25 Water Resources Development Act of 1986 (100 Stat.

1 4095), is modified to authorize the Secretary to carry out
2 the project at a total cost of \$750,000,000.

3 **SEC. 348. WILMINGTON HARBOR-NORTHEAST CAPE FEAR**
4 **RIVER, NORTH CAROLINA.**

5 The project for navigation, Wilmington Harbor-
6 Northeast Cape Fear River, North Carolina, authorized
7 by section 202(a) of the Water Resources Development
8 Act of 1986 (100 Stat. 4095), is modified to authorize
9 the Secretary to construct the project substantially in ac-
10 cordance with the General Design Memorandum dated
11 April 1990 and the General Design Memorandum Supple-
12 ment dated February 1994, at a total cost of \$52,041,000,
13 with an estimated Federal cost of \$25,729,000 and an es-
14 timated non-Federal cost of \$26,312,000.

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

16 The project for flood control, Garrison Dam, North
17 Dakota, authorized by section 9 of the Flood Control Act
18 of December 22, 1944 (58 Stat. 891), is modified to au-
19 thorize the Secretary to acquire permanent flowage and
20 saturation easements over the lands in Williams County,
21 North Dakota, extending from the riverward margin of the
22 Buford-Trenton Irrigation District main canal to the
23 north bank of the Missouri River, beginning at the
24 Buford-Trenton Irrigation District pumping station lo-
25 cated in the northeast quarter of section 17, township 152

1 north, range 104 west, and continuing northeasterly down-
2 stream to the land referred to as the East Bottom, and
3 any other lands outside of the boundaries of the Buford-
4 Trenton Irrigation District which have been adversely af-
5 fected by rising ground water and surface flooding. Any
6 easement acquired by the Secretary pursuant to this sub-
7 section shall include the right, power, and privilege of the
8 Government to submerge, overflow, percolate, and satu-
9 rate the surface and subsurface of the land. The cost of
10 acquiring such easements shall not exceed 90 percent, or
11 be less than 75 percent, of the unaffected fee value of the
12 lands. The project is further modified to authorize the
13 Secretary to provide a lump sum payment of \$60,000 to
14 the Buford-Trenton Irrigation District for power require-
15 ments associated with operation of the drainage pumps
16 and to relinquish all right, title, and interest of the United
17 States to the drainage pumps located within the bound-
18 aries of the Irrigation District.

19 **SEC. 350. WISTER LAKE, OKLAHOMA.**

20 The flood control project for Wister Lake, LeFlore
21 County, Oklahoma, authorized by section 4 of the Flood
22 Control Act of June 28, 1938 (52 Stat. 1218), is modified
23 to increase the level of the conservation pool by 1 foot and
24 to adjust the seasonal pool operation to accommodate the
25 change in the conservation pool elevation.

1 **SEC. 351. BONNEVILLE LOCK AND DAM, COLUMBIA RIVER,**
2 **OREGON AND WASHINGTON.**

3 (a) IN GENERAL.—The project for Bonneville Lock
4 and Dam, Columbia River, Oregon and Washington, au-
5 thorized by the Act of August 20, 1937 (50 Stat. 731),
6 and modified by section 83 of the Water Resources Devel-
7 opment Act of 1974 (88 Stat. 35), is further modified to
8 authorize the Secretary to convey to the city of North
9 Bonneville, Washington, at no further cost to the city, all
10 right, title and interest of the United States in and to the
11 following:

12 (1) Any municipal facilities, utilities fixtures,
13 and equipment for the relocated city, and any re-
14 maining lands designated as open spaces or municipi-
15 pal lots not previously conveyed to the city, specifi-
16 cally, Lots M1 through M15, M16 (the “community
17 center lot”), M18, M19, M22, M24, S42 through
18 S45, and S52 through S60.

19 (2) The “school lot” described as Lot 2, block
20 5, on the plat of relocated North Bonneville.

21 (3) Parcels 2 and C, but only upon the comple-
22 tion of any environmental response actions required
23 under applicable law.

24 (4) That portion of Parcel B lying south of the
25 existing city boundary, west of the sewage treatment
26 plant, and north of the drainage ditch that is located

1 adjacent to the northerly limit of the Hamilton Is-
2 land landfill, provided the Secretary determines, at
3 the time of the proposed conveyance, that the Army
4 has taken all action necessary to protect human
5 health and the environment.

6 (5) Such portions of Parcel H which can be
7 conveyed without a requirement for further inves-
8 tigation, inventory or other action by the Depart-
9 ment of the Army under the provisions of the Na-
10 tional Historic Preservation Act.

11 (6) Such easements as the Secretary deems nec-
12 essary for—

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

15 (B) reasonable public access to the Colum-
16 bia River across those portions of Hamilton Is-
17 land that remain under the ownership of the
18 United States.

19 (b) TIME PERIOD FOR CONVEYANCES.—The convey-
20 ances referred to in subsections (a)(1), (a)(2), (a)(5), and
21 (a)(6)(A) shall be completed within 180 days after the
22 United States receives the release referred to in subsection
23 (d). All other conveyances shall be completed expedi-
24 tiously, subject to any conditions specified in the applica-
25 ble subsection.

1 (c) PURPOSE.—The purpose of the conveyances au-
2 thorized by subsection (a) is to resolve all outstanding is-
3 sues between the United States and the city of North Bon-
4 neville.

5 (d) ACKNOWLEDGEMENT OF PAYMENT; RELEASE OF
6 CLAIMS RELATING TO RELOCATION OF CITY.—As a pre-
7 requisite to the conveyances authorized by subsection (a),
8 the city of North Bonneville shall execute an acknowledge-
9 ment of payment of just compensation and shall execute
10 a release of any and all claims for relief of any kind
11 against the United States growing out of the relocation
12 of the city of North Bonneville, or any prior Federal legis-
13 lation relating thereto, and shall dismiss, with prejudice,
14 any pending litigation, if any, involving such matters.

15 (e) RELEASE BY ATTORNEY GENERAL.—Upon re-
16 ceipt of the city's acknowledgment and release referred to
17 in subsection (d), the Attorney General of the United
18 States shall dismiss any pending litigation, if any, arising
19 out of the relocation of the city of North Bonneville, and
20 execute a release of any and all rights to damages of any
21 kind under the February 20, 1987, judgment of the Unit-
22 ed States Claims Court, including any interest thereon.

23 (f) ACKNOWLEDGMENT OF ENTITLEMENTS; RE-
24 LEASE BY CITY OF CLAIMS.—Within 60 days after the
25 conveyances authorized by subsection (a) (other than

1 paragraph (6)(B)) have been completed, the city shall exe-
2 cute an acknowledgement that all entitlements under such
3 paragraph have been completed and shall execute a release
4 of any and all claims for relief of any kind against the
5 United States arising out of this subsection.

6 (g) EFFECTS ON CITY.—Beginning on the date of the
7 enactment of this Act, the city of North Bonneville, or
8 any successor in interest thereto, shall—

9 (1) be precluded from exercising any jurisdic-
10 tion over any lands owned in whole or in part by the
11 United States and administered by the United
12 States Army Corps of Engineers in connection with
13 the Bonneville project; and

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

17 **SEC. 352. COLUMBIA RIVER DREDGING, OREGON AND**
18 **WASHINGTON.**

19 The project for navigation, Lower Willamette and Co-
20 lumbia Rivers below Vancouver, Washington and Port-
21 land, Oregon, authorized by the first section of the River
22 and Harbor Appropriations Act of June 18, 1878 (20
23 Stat. 152), is modified to direct the Secretary—

24 (1) to conduct channel simulation and to carry
25 out improvements to the existing deep draft channel

1 between river miles 27 and 34, at a cost not to ex-
2 ceed \$2,400,000; and

3 (2) to conduct overdepth and advance mainte-
4 nance dredging that is necessary to maintain author-
5 ized channel dimensions.

6 **SEC. 353. LACKAWANNA RIVER AT SCRANTON, PENNSYLVA-**
7 **NIA.**

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

20 **SEC. 354. MUSSERS DAM, MIDDLE CREEK, SNYDER COUNTY,**
21 **PENNSYLVANIA.**

22 Section 209(e)(5) of the Water Resources Develop-
23 ment Act of 1992 (106 Stat. 4830) is amended by striking
24 "\$3,000,000" and inserting "\$5,000,000".

1 **SEC. 355. SAW MILL RUN, PENNSYLVANIA.**

2 The project for flood control, Saw Mill Run, Pitts-
3 burgh, Pennsylvania, authorized by section 401(a) of the
4 Water Resources Development Act of 1986 (100 Stat.
5 4124), is modified to authorize the Secretary to carry out
6 the project in accordance with the report of the Corps of
7 Engineers dated April 8, 1994, at a total cost of
8 \$12,780,000, with an estimated Federal cost of
9 \$9,585,000 and an estimated non-Federal cost of
10 \$3,195,000.

11 **SEC. 356. SCHUYLKILL RIVER, PENNSYLVANIA.**

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

22 **SEC. 357. SOUTH CENTRAL PENNSYLVANIA.**

23 Section 313(g)(1) of the Water Resources Develop-
24 ment Act of 1992 (106 Stat. 4846) is amended by striking
25 “\$50,000,000” and inserting “\$90,000,000”.

1 **SEC. 358. WYOMING VALLEY, PENNSYLVANIA.**

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

9 **SEC. 359. SAN JUAN HARBOR, PUERTO RICO.**

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

21 **SEC. 360. NARRAGANSETT, RHODE ISLAND.**

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

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

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

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

5 **SEC. 361. CHARLESTON HARBOR, SOUTH CAROLINA.**

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

13 **SEC. 362. DALLAS FLOODWAY EXTENSION, DALLAS, TEXAS.**

14 (a) IN GENERAL.—The project for flood control, Dal-
15 las Floodway Extension, Dallas, Texas, authorized by sec-
16 tion 301 of the River and Harbor Act of 1965 (79 Stat.
17 1091), is modified to provide that, notwithstanding the
18 last sentence of subsection (c) of section 104 of the Water
19 Resources Development Act of 1986, non-Federal inter-
20 ests may apply for crediting under such section 104,
21 against the non-Federal share of the cost of the project,
22 the cost of work performed by the non-Federal interests
23 in constructing flood protection works for Rochester Park
24 and the north section of the Central Wastewater Treat-
25 ment Plant.

1 (b) DETERMINATION OF AMOUNT.—The amount to
2 be credited under subsection (a) shall be determined by
3 the Secretary. In determining such amount, the Secretary
4 may permit crediting only for that portion of the work per-
5 formed by the non-Federal interests which is compatible
6 with the project referred to in subsection (a), including
7 any modification thereof, and which is required for con-
8 struction of such project.

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

14 **SEC. 363. UPPER JORDAN RIVER, UTAH.**

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

22 **SEC. 364. HAYSI LAKE, VIRGINIA.**

23 The Haysi Lake, Virginia, feature of the project for
24 flood control, Tug Fork of the Big Sandy River, Kentucky,
25 West Virginia, and Virginia, authorized by section 202(a)

1 of the Energy and Water Development Appropriation Act,
2 1981 (94 Stat. 1339), is modified—

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

5 (2) to direct the Secretary to construct the
6 Haysi Dam feature of the project substantially in
7 accordance with Plan A as set forth in the Draft
8 General Plan Supplement Report for the Levisa
9 Fork Basin, Virginia and Kentucky, dated May
10 1995; and

11 (3) to direct the Secretary to apply section
12 103(m) of the Water Resources Development Act of
13 1986 (100 Stat. 4087) to the construction of such
14 feature in the same manner as that section is ap-
15 plied to other projects or project features construed
16 pursuant to such section 202(a).

17 **SEC. 365. RUDEE INLET, VIRGINIA BEACH, VIRGINIA.**

18 The project for navigation and shoreline protection,
19 Rudee Inlet, Virginia Beach, Virginia, authorized by sec-
20 tion 601(a) of the Water Resources Development Act of
21 1986 (100 Stat. 4148), is modified to authorize the Sec-
22 retary to continue maintenance of the project for 50 years
23 beginning on the date of initial construction of the project.
24 The Federal share of the cost of such maintenance shall

1 be determined in accordance with title I of the Water Re-
2 sources Development Act of 1986.

3 **SEC. 366. VIRGINIA BEACH, VIRGINIA.**

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

16 **SEC. 367. EAST WATERWAY, WASHINGTON.**

17 The project for navigation, East and West water-
18 ways, Seattle Harbor, Washington, authorized by the first
19 section of the River and Harbor Appropriations Act of
20 March 2, 1919 (40 Stat. 1275), is modified to direct the
21 Secretary—

22 (1) to expedite review of potential deepening of
23 the channel in the East waterway from Elliott Bay
24 to Terminal 25 to a depth of up to 51 feet; and

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

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

6 **SEC. 368. BLUESTONE LAKE, WEST VIRGINIA.**

7 Section 102(ff) of the Water Resources Development
8 Act of 1992 (106 Stat. 4810) is amended by inserting “ex-
9 cept for that organic matter necessary to maintain and
10 enhance the biological resources of such waters and such
11 nonobtrusive items of debris as may not be economically
12 feasible to prevent being released through such project,”
13 after “project,” the first place it appears.

14 **SEC. 369. SOUTHERN WEST VIRGINIA.**

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

18 “(3) COST SHARING.—

19 “(A) IN GENERAL.—Total project costs
20 under each local cooperation agreement entered
21 into under this subsection shall be shared at 75
22 percent Federal and 25 percent non-Federal.
23 The non-Federal interest shall receive credit for
24 the reasonable costs of design work completed
25 by such interest prior to entering into a local

1 cooperation agreement with the Secretary for a
2 project. The credit for such design work shall
3 not exceed 6 percent of the total construction
4 costs of the project. The Federal share may be
5 in the form of grants or reimbursements of
6 project costs.

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

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

24 “(D) OPERATION AND MAINTENANCE.—
25 Operation and maintenance costs for projects

1 constructed with assistance provided under this
2 section shall be 100 percent non-Federal.”.

3 (b) **FUNDING.**—Section 340(g) of the Water Re-
4 sources Development Act of 1992 (106 Stat. 4856) is
5 amended by striking “\$5,000,000” and inserting
6 “\$25,000,000”.

7 **SEC. 370. KICKAPOO RIVER, WISCONSIN.**

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

14 (b) **TRANSFER OF PROPERTY.**—

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

21 (2) **TRANSFER TO SECRETARY OF THE INTE-**
22 **RIOR.**—Subject to the requirements of this sub-
23 section, on the date of the transfer under paragraph
24 (1), the Secretary shall transfer to the Secretary of
25 the Interior, without consideration, all right, title,

1 and interest of the United States in and to lands
2 that are culturally and religiously significant sites of
3 the Ho-Chunk Nation (a federally recognized Indian
4 tribe) and are located within the lands described in
5 paragraph (3). Such lands shall be specified in ac-
6 cordance with paragraph (4)(C) and may not exceed
7 a total of 1,200 acres.

8 (3) LAND DESCRIPTION.—The lands to be
9 transferred pursuant to paragraphs (1) and (2) are
10 the approximately 8,569 acres of land associated
11 with the LaFarge Dam and Lake portion of the
12 project referred to in subsection (a) in Vernon Coun-
13 ty, Wisconsin, in the following sections:

14 (A) Section 31, Township 14 North, Range
15 1 West of the 4th Principal Meridian.

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

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

23 (4) TERMS AND CONDITIONS.—

24 (A) HOLD HARMLESS; REIMBURSEMENT
25 OF UNITED STATES.—The transfer under para-

1 graph (1) shall be made on the condition that
2 the State of Wisconsin enters into a written
3 agreement with the Secretary to hold the
4 United States harmless from all claims arising
5 from or through the operation of the lands and
6 improvements subject to the transfer. If title to
7 the lands described in paragraph (3) is sold or
8 transferred by the State, then the State shall
9 reimburse the United States for the price origi-
10 nally paid by the United States for purchasing
11 such lands.

12 (B) IN GENERAL.—The Secretary shall
13 make the transfers under paragraphs (1) and
14 (2) only if on or before April 30, 1997, the
15 State of Wisconsin enters into and submits to
16 the Secretary a memorandum of understanding,
17 as specified in subparagraph (C), with the trib-
18 al organization (as defined by section 4(l) of the
19 Indian Self-Determination and Education As-
20 sistance Act (25 U.S.C. 450b(l)) of the Ho-
21 Chunk Nation.

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

1 (i) A description of sites and associ-
2 ated lands to be transferred to the Sec-
3 retary of the Interior under paragraph (2).

4 (ii) An agreement specifying that the
5 lands transferred under paragraphs (1)
6 and (2) shall be preserved in a natural
7 state and developed only to the extent nec-
8 essary, consistent with the Wisconsin State
9 law creating the Kickapoo Valley Govern-
10 ing Board (1993 Wisconsin State Act
11 349), to enhance outdoor recreational and
12 educational opportunities.

13 (iii) An agreement specifying the
14 terms and conditions of a plan for the
15 management of the lands to be transferred
16 under paragraphs (1) and (2).

17 (iv) A provision requiring a review of
18 the plan referred to in clause (iii) to be
19 conducted every 10 years under which the
20 State of Wisconsin, acting through the
21 Kickapoo Valley Governing Board, and the
22 Ho-Chunk Nation may agree to revisions
23 of the plan in order to address changed
24 circumstances on the lands transferred
25 under paragraph (2). Such provision may

1 include a plan for the transfer to the Sec-
2 retary of the Interior of any additional site
3 discovered to be culturally and religiously
4 significant to the Ho-Chunk Nation.

5 (5) ADMINISTRATION OF LANDS.—The lands
6 transferred to the Secretary of the Interior under
7 paragraph (2), and any lands transferred to the Sec-
8 retary of the Interior pursuant to the memorandum
9 of understanding entered into under paragraph (3),
10 shall be held in trust for, and added to and adminis-
11 tered as part of the reservation of, the Ho-Chunk
12 Nation.

13 (6) TRANSFER OF FLOWAGE EASEMENTS.—The
14 Secretary shall transfer to the owner of the servient
15 estate, without consideration, all right, title, and in-
16 terest of the United States in and to each flowage
17 easement acquired as part of the project referred to
18 in subsection (a) within Township 14 North, Range
19 2 West of the 4th Principal Meridian, Vernon Coun-
20 ty, Wisconsin.

21 (7) DEADLINES.—Not later than July 1, 1997,
22 the Secretary shall transmit to the State of Wiscon-
23 sin an offer to make the transfer under this para-
24 graph. Such offer shall provide for the transfer to be

1 made in the period beginning on November 1, 1997,
2 and ending on December 31, 1997.

3 (8) DEAUTHORIZATION.—The LaFarge Dam
4 and Lake portion of the project referred to in sub-
5 section (a) is not authorized after the date of the
6 transfer under this subsection.

7 (9) INTERIM MANAGEMENT AND MAINTEN-
8 NANCE.—The Secretary shall continue to manage
9 and maintain the LaFarge Dam and Lake portion
10 of the project referred to in subsection (a) until the
11 date of the transfer under this section.

12 (c) COMPLETION OF PROJECT FEATURES.—

13 (1) REQUIREMENT.—The Secretary shall un-
14 dertake the completion of the following features of
15 the project referred to in subsection (a):

16 (A) The continued relocation of State high-
17 way route 131 and county highway routes P
18 and F substantially in accordance with plans
19 contained in Design Memorandum No. 6, Relo-
20 cation-LaFarge Reservoir, dated June 1970; ex-
21 cept that the relocation shall generally follow
22 the existing road rights-of-way through the
23 Kickapoo Valley.

24 (B) Environmental cleanup and site res-
25 toration of abandoned wells, farm sites, and

1 safety modifications to the water control struc-
2 tures.

3 (C) Cultural resource activities to meet the
4 requirements of Federal law.

5 (2) PARTICIPATION BY STATE OF WISCONSIN.—

6 In undertaking the completion of the features de-
7 scribed in paragraph (1), the Secretary shall deter-
8 mine the requirements of the State of Wisconsin on
9 the location and design of each such feature.

10 (d) FUNDING.—There is authorized to be appro-
11 priated to carry out this section for fiscal years beginning
12 after September 30, 1996, \$17,000,000.

13 **SEC. 371. TETON COUNTY, WYOMING.**

14 Section 840 of the Water Resources Development Act
15 of 1986 (100 Stat. 4176) is amended—

16 (1) by striking “: Provided, That” and inserting
17 “; except that”;

18 (2) by striking “in cash or materials” and in-
19 sserting “, through providing in-kind services or cash
20 or materials,”; and

21 (3) by adding at the end the following: “In car-
22 rying out this section, the Secretary may enter into
23 agreements with the non-Federal sponsor permitting
24 the non-Federal sponsor to perform operation and

1 maintenance for the project on a cost-reimbursable
2 basis.”.

3 **TITLE IV—STUDIES**

4 **SEC. 401. CORPS CAPABILITY STUDY, ALASKA.**

5 The Secretary shall review the capability of the Corps
6 of Engineers to plan, design, construct, operate, and main-
7 tain rural sanitation projects for rural and Native villages
8 in Alaska. Not later than 18 months after the date of the
9 enactment of this Act, the Secretary shall transmit find-
10 ings and recommendations on the agency’s capability, to-
11 gether with recommendations on the advisability of assum-
12 ing such a mission.

13 **SEC. 402. MCDOWELL MOUNTAIN, ARIZONA.**

14 The Secretary shall credit the non-Federal share of
15 the cost of the feasibility study on the McDowell Mountain
16 project an amount equivalent to the cost of work per-
17 formed by the city of Scottsdale, Arizona, and accom-
18 plished prior to the city’s entering into an agreement with
19 the Secretary if the Secretary determines that the work
20 is necessary for the study.

21 **SEC. 403. NOGALES WASH AND TRIBUTARIES, ARIZONA.**

22 (a) STUDY.—The Secretary shall conduct a study of
23 the relationship of flooding in Nogales, Arizona, and
24 floodflows emanating from Mexico.

1 (b) REPORT.—The Secretary shall transmit to Con-
2 gress a report on the results of the study conducted under
3 subsection (a), together with recommendations concerning
4 the appropriate level of non-Federal participation in the
5 project for flood control, Nogales Wash and tributaries,
6 Arizona, authorized by section 101(a)(4) of the Water Re-
7 sources Development Act of 1990 (104 Stat. 4606).

8 **SEC. 404. GARDEN GROVE, CALIFORNIA.**

9 The Secretary shall conduct a study to assess the fea-
10 sibility of implementing improvements in the regional
11 flood control system within Garden Grove, California.

12 **SEC. 405. MUGU LAGOON, CALIFORNIA.**

13 (a) STUDY.—The Secretary shall conduct a study of
14 the environmental impacts associated with sediment trans-
15 port, flood flows, and upstream watershed land use prac-
16 tices on Mugu Lagoon, California. The study shall include
17 an evaluation of alternatives for the restoration of the es-
18 tuarine ecosystem functions and values associated with
19 Mugu Lagoon and the endangered and threatened species
20 inhabiting the area.

21 (b) CONSULTATION AND COORDINATION.—In con-
22 ducting the study, the Secretary shall consult with the
23 Secretary of the Navy and shall coordinate with State and
24 local resource agencies to assure that the study is compat-

1 ible with restoration efforts for the Calleguas Creek water-
2 shed.

3 (c) REPORT.—Not later than 24 months after the
4 date of the enactment of this Act, the Secretary shall
5 transmit to Congress a report on the results of the study.

6 **SEC. 406. SANTA YNEZ, CALIFORNIA.**

7 (a) PLANNING.—Not later than 1 year after the date
8 of the enactment of this Act, the Secretary shall prepare
9 a comprehensive river basin management plan addressing
10 the long term ecological, economic, and flood control needs
11 of the Santa Ynez River basin, California. In preparing
12 such plan, the Secretary shall consult the Santa Barbara
13 Flood Control District and other affected local govern-
14 mental entities.

15 (b) TECHNICAL ASSISTANCE.—The Secretary shall
16 provide technical assistance to the Santa Barbara Flood
17 Control District with respect to implementation of the
18 plan to be prepared under subsection (a).

19 **SEC. 407. YOLO BYPASS, SACRAMENTO-SAN JOAQUIN**
20 **DELTA, CALIFORNIA.**

21 The Secretary shall study the advisability of acquir-
22 ing land in the vicinity of the Yolo Bypass in the Sac-
23 ramento-San Joaquin Delta, California, for the purpose
24 of environmental mitigation for the flood control project

1 for Sacramento, California, and other water resources
2 projects in the area.

3 **SEC. 408. SPRINGFIELD, ILLINOIS.**

4 The Secretary shall provide technical, planning, and
5 design assistance to the city of Springfield, Illinois, in de-
6 veloping—

7 (1) an environmental impact statement for the
8 proposed development of a water supply reservoir,
9 including the preparation of necessary documenta-
10 tion in support of the environmental impact state-
11 ment; and

12 (2) an evaluation of technical, economic, and
13 environmental impacts of such development.

14 **SEC. 409. BEAUTY CREEK WATERSHED, VALPARAISO CITY,
15 PORTER COUNTY, INDIANA.**

16 The Secretary shall conduct a study to assess the fea-
17 sibility of implementing streambank erosion control meas-
18 ures and flood control measures within the Beauty Creek
19 watershed, Valparaiso City, Porter County, Indiana.

20 **SEC. 410. GRAND CALUMET RIVER, HAMMOND, INDIANA.**

21 (a) STUDY.—The Secretary shall conduct a study to
22 establish a methodology and schedule to restore the wet-
23 lands at Wolf Lake and George Lake in Hammond, Indi-
24 ana.

1 (b) REPORT.—Not later than 1 year after the date
2 of the enactment of this Act, the Secretary shall transmit
3 to Congress a report on the results of the study conducted
4 under subsection (a).

5 **SEC. 411. INDIANA HARBOR CANAL, EAST CHICAGO, LAKE**
6 **COUNTY, INDIANA.**

7 The Secretary shall conduct a study of the feasibility
8 of including environmental and recreational features, in-
9 cluding a vegetation buffer, as part of the project for navi-
10 gation, Indiana Harbor Canal, East Chicago, Lake Coun-
11 ty, Indiana, authorized by the first section of the Rivers
12 and Harbors Appropriations Act of June 25, 1910 (36
13 Stat. 657).

14 **SEC. 412. KOONTZ LAKE, INDIANA.**

15 The Secretary shall conduct a study of the feasibility
16 of implementing measures to restore Koontz Lake, Indi-
17 ana, including measures to remove silt, sediment, nutri-
18 ents, aquatic growth, and other noxious materials from
19 Koontz Lake, measures to improve public access facilities
20 to Koontz Lake, and measures to prevent or abate the de-
21 posit of sediments and nutrients in Koontz Lake.

22 **SEC. 413. LITTLE CALUMET RIVER, INDIANA.**

23 (a) STUDY.—The Secretary shall conduct a study of
24 the impact of the project for flood control, Little Calumet
25 River, Indiana, authorized by section 401(a) of the Water

1 Resources Development Act of 1986 (100 Stat. 4115), on
2 flooding and water quality in the vicinity of the Black Oak
3 area of Gary, Indiana.

4 (b) REPORT.—Not later than 1 year after the date
5 of the enactment of this Act, the Secretary shall transmit
6 to Congress a report on the results of the study conducted
7 under subsection (a), together with recommendations for
8 cost-effective remediation of impacts described in sub-
9 section (a).

10 (c) FEDERAL SHARE.—The Federal share of the cost
11 of the study to be conducted under subsection (a) shall
12 be 100 percent.

13 **SEC. 414. TIPPECANOE RIVER WATERSHED, INDIANA.**

14 (a) STUDY.—The Secretary shall conduct a study of
15 water quality and environmental restoration needs in the
16 Tippecanoe River watershed, Indiana, including measures
17 necessary to reduce siltation in Lake Shafer and Lake
18 Freeman.

19 (b) ASSISTANCE.—The Secretary shall provide tech-
20 nical, planning, and design assistance to the Shafer Free-
21 man Lakes Environmental Conservation Corporation in
22 addressing potential environmental restoration activities
23 determined as a result of the study conducted under sub-
24 section (a).

1 **SEC. 415. CALCASIEU SHIP CHANNEL, HACKBERRY, LOUISI-**
2 **ANA.**

3 The Secretary shall conduct a study to determine the
4 need for improved navigation and related support service
5 structures in the vicinity of the Calcasieu Ship Channel,
6 Hackberry, Louisiana.

7 **SEC. 416. HURON RIVER, MICHIGAN.**

8 The Secretary shall conduct a study to determine the
9 need for channel improvements and associated modifica-
10 tions for the purpose of providing a harbor of refuge at
11 Huron River, Michigan.

12 **SEC. 417. RIVER DES PERES, SAINT LOUIS COUNTY, MIS-**
13 **SOURI.**

14 The Secretary shall conduct a study to determine the
15 feasibility of potential flood control measures for the River
16 Des Peres to protect the Carondelet and Germania neigh-
17 borhoods in St. Louis, Missouri. In conducting the study,
18 the Secretary shall consider potential storm water runoff
19 and related improvements and shall cooperate with the
20 Metropolitan Saint Louis Sewer District.

21 **SEC. 418. SACO RIVER, NEW HAMPSHIRE.**

22 The Secretary shall conduct a study of flood control
23 problems along the Saco River in Hart's Location, New
24 Hampshire, for the purpose of evaluating retaining walls,
25 berms, and other structures with a view to potential solu-
26 tions involving repair or replacement of existing structures

1 and shall consider other alternatives for flood damage re-
2 duction.

3 **SEC. 419. BUFFALO RIVER GREENWAY, NEW YORK.**

4 The Secretary shall conduct a study of a potential
5 greenway trail project along the Buffalo River between the
6 park system of the city of Buffalo, New York, and Lake
7 Erie. Such study shall include preparation of an inte-
8 grated plan of development that takes into consideration
9 the adjacent parks, nature preserves, bikeways, and relat-
10 ed recreational facilities.

11 **SEC. 420. PORT OF NEW YORK-NEW JERSEY SEDIMENT**
12 **STUDY.**

13 (a) **STUDY OF MEASURES TO REDUCE SEDIMENT**
14 **DEPOSITION.**—The Secretary shall conduct a study of
15 measures that could reduce sediment deposition in the vi-
16 cinity of the Port of New York-New Jersey for the purpose
17 of reducing the volumes to be dredged for navigation
18 projects in the Port.

19 (b) **DREDGED MATERIAL DISPOSAL STUDY.**—The
20 Secretary shall conduct a study to determine the feasibility
21 of constructing and operating an underwater confined
22 dredged material disposal site in the Port of New York-
23 New Jersey which could accommodate as much as 250,000
24 cubic yards of dredged materials for the purpose of dem-
25 onstrating the feasibility of an underwater confined dis-

1 posal pit as an environmentally suitable method of con-
2 taining certain sediments.

3 (c) REPORT.—The Secretary shall transmit to Con-
4 gress a report on the results of the studies conducted
5 under this section, together with any recommendations of
6 the Secretary concerning reduction of sediment deposition
7 referred to in subsection (a).

8 **SEC. 421. PORT OF NEW YORK-NEW JERSEY NAVIGATION**
9 **STUDY.**

10 The Secretary shall conduct a comprehensive study
11 of navigation needs at the Port of New York-New Jersey
12 to address improvements, including deepening of existing
13 channels, that are required to provide economically effi-
14 cient and environmentally sound navigation to meet cur-
15 rent and future requirements.

16 **SEC. 422. CHAGRIN RIVER, OHIO.**

17 The Secretary shall conduct a study of flooding prob-
18 lems along the Chagrin River in Eastlake, Ohio. In con-
19 ducting such study, the Secretary shall evaluate potential
20 solutions to flooding from all sources, including that re-
21 sulting from ice jams, and shall evaluate the feasibility of
22 a sedimentation collection pit and other potential meas-
23 ures to reduce flooding.

1 **SEC. 423. CHARLESTON, SOUTH CAROLINA, ESTUARY.**

2 The Secretary is authorized to conduct a study of the
3 Charleston estuary area located in Charleston, Berkeley,
4 and Dorchester Counties, South Carolina, for the purpose
5 of evaluating environmental conditions in the tidal reaches
6 of the Ashley, Cooper, Stono, and Wando Rivers and the
7 lower portions of Charleston Harbor.

8 **SEC. 424. MUSTANG ISLAND, CORPUS CHRISTI, TEXAS.**

9 The Secretary shall conduct a study of navigation
10 along the south-central coast of Texas near Corpus Christi
11 for the purpose of determining the feasibility of construct-
12 ing and maintaining the Packery Channel on the southern
13 portion of Mustang Island.

14 **SEC. 425. PRINCE WILLIAM COUNTY, VIRGINIA.**

15 The Secretary shall conduct a study of flooding, ero-
16 sion, and other water resources problems in Prince Wil-
17 liam County, Virginia, including an assessment of wet-
18 lands protection, erosion control, and flood damage reduc-
19 tion needs of the County.

20 **SEC. 426. PACIFIC REGION.**

21 (a) **STUDY.**—The Secretary is authorized to conduct
22 studies in the interest of navigation in that part of the
23 Pacific region that includes American Samoa, Guam, and
24 the Commonwealth of the Northern Mariana Islands.

25 (b) **COST SHARING.**—The cost sharing provisions of
26 section 105 of the Water Resources Development Act of

1 1986 (33 U.S.C. 2215; 100 Stat. 4088–4089) shall apply
2 to studies under this section.

3 **TITLE V—MISCELLANEOUS**
4 **PROVISIONS**

5 **SEC. 501. PROJECT DEAUTHORIZATIONS.**

6 (a) IN GENERAL.—The following projects are not au-
7 thorized after the date of the enactment of this Act:

8 (1) BRANFORD HARBOR, CONNECTICUT.—The
9 following portion of the project for navigation, Bran-
10 ford River, Connecticut, authorized by the first sec-
11 tion of the Rivers and Harbors Appropriations Act
12 of June 13, 1902 (32 Stat. 333): Starting at a point
13 on the Federal channel line whose coordinates are
14 N156181.32, E581572.38, running south 70 degrees
15 11 minutes 8 seconds west a distance of 171.58 feet
16 to another point on the Federal channel line whose
17 coordinates are N156123.18, E581410.96.

18 (2) BRIDGEPORT HARBOR, CONNECTICUT.—The
19 following portion of the project for navigation,
20 Bridgeport Harbor, Connecticut, authorized by sec-
21 tion 101 of the River and Harbor Act of 1958 (72
22 Stat. 297): A 2.4-acre anchorage area, 9 feet deep,
23 and an adjacent 0.6-acre anchorage, 6 feet deep, lo-
24 cated on the west side of Johnsons River.

1 (3) GUILFORD HARBOR, CONNECTICUT.—The
2 following portion of the project for navigation, Guil-
3 ford Harbor, Connecticut, authorized by section 2 of
4 the Act entitled “An Act authorizing construction,
5 repair, and preservation of certain public works on
6 rivers and harbors, and for other purposes”, ap-
7 proved March 2, 1945 (50 Stat. 13): Starting at a
8 point where the Sluice Creek Channel intersects with
9 the main entrance channel, N159194.63,
10 E623201.07, thence running north 24 degrees 58
11 minutes 15.2 seconds west 478.40 feet to a point
12 N159628.31, E622999.11, thence running north 20
13 degrees 18 minutes 31.7 seconds west 351.53 feet to
14 a point N159957.99, E622877.10, thence running
15 north 69 degrees 41 minutes 37.9 seconds east
16 55.000 feet to a point N159977.08, E622928.69,
17 thence turning and running south 20 degrees 18
18 minutes 31.0 seconds east 349.35 feet to a point
19 N159649.45, E623049.94, thence turning and run-
20 ning south 24 degrees 58 minutes 11.1 seconds east
21 341.36 feet to a point N159340.00, E623194.04,
22 thence turning and running south 90 degrees 0 min-
23 utes 0 seconds east 78.86 feet to a point
24 N159340.00, E623272.90.

1 (4) JOHNSONS RIVER CHANNEL, BRIDGEPORT
2 HARBOR, CONNECTICUT.—The following portion of
3 the project for navigation, Johnsons River Channel,
4 Bridgeport Harbor, Connecticut, authorized by the
5 first section of the Rivers and Harbors Act of July
6 24, 1946 (60 Stat. 634): Northerly of a line across
7 the Federal channel. The coordinates of such line
8 are N 123318.35, E 486301.68 and N 123257.15,
9 E 486380.77.

10 (5) MYSTIC RIVER, CONNECTICUT.—The follow-
11 ing portion of the project for improving the Mystic
12 River, Connecticut, authorized by the River and
13 Harbor Act approved March 4, 1913 (37 Stat. 802):
14 Beginning in the 15-foot deep channel at coordinates
15 north 190860.82, east 814416.20, thence running
16 southeast about 52.01 feet to the coordinates north
17 190809.47, east 814424.49, thence running south-
18 west about 34.02 feet to coordinates north
19 190780.46, east 814406.70, thence running north
20 about 80.91 feet to the point of beginning.

21 (6) NORWALK HARBOR, CONNECTICUT.—

22 (A) DEAUTHORIZATION.—The portion of
23 the project for navigation, Norwalk Harbor,
24 Connecticut, authorized by the River and Har-
25 bor Act of March 2, 1919 (40 Stat. 1276), that

1 lies northerly of a line across the Federal chan-
2 nel having coordinates N104199.72,
3 E417774.12 and N104155.59, E417628.96,
4 and those portions of the 6-foot deep East Nor-
5 walk Channel and Anchorage, authorized by
6 section 2 of the Act entitled “An Act authoriz-
7 ing the construction, repair, and preservation of
8 certain public works on rivers and harbors, and
9 for other purposes”, approved March 2, 1945
10 (59 Stat. 13), not included in the description of
11 the realignment of the project contained in sub-
12 paragraph (B).

13 (B) REALIGNMENT DESCRIPTION.—The re-
14 aligned 6-foot deep East Norwalk Channel and
15 Anchorage is described as follows: starting at a
16 point on the East Norwalk Channel,
17 N95743.02, E419581.37, thence running
18 northwesterly about 463.96 feet to a point
19 N96197.93, E419490.18, thence running
20 northwesterly about 549.32 feet to a point
21 N96608.49, E419125.23, thence running
22 northwesterly about 384.06 feet to a point
23 N96965.94, E418984.75, thence running
24 northwesterly about 407.26 feet to a point
25 N97353.87, E418860.78, thence running west-

1 erly about 58.26 feet to a point N97336.26,
2 E418805.24, thence running northwesterly
3 about 70.99 feet to a point N97390.30,
4 E418759.21, thence running westerly about
5 71.78 feet to a point on the anchorage limit
6 N97405.26, E418689.01, thence running
7 southerly along the western limits of the exist-
8 ing Federal anchorage until reaching a point
9 N95893.74, E419449.17, thence running in a
10 southwesterly direction about 78.74 feet to a
11 point on the East Norwalk Channel N95815.62,
12 E419439.33.

13 (C) REDESIGNATION.—All of the realigned
14 channel shall be redesignated as anchorage,
15 with the exception of that portion of the chan-
16 nel which narrows to a width of 100 feet and
17 terminates at a line whose coordinates are
18 N96456.81, E419260.06, and N96390.37,
19 E419185.32, which shall remain as a channel.

20 (7) SOUTHPORT HARBOR, CONNECTICUT.—

21 (A) DEAUTHORIZATION PORTION OF
22 PROJECT.—The following portions of the
23 project for navigation, Southport Harbor, Con-
24 necticut, authorized by the first section of the

1 Rivers and Harbors Act of August 30, 1935
2 (49 Stat. 1029):

3 (i) The 6-foot deep anchorage located
4 at the head of the project.

5 (ii) The portion of the 9-foot deep
6 channel beginning at a bend in the channel
7 whose coordinates are north 109131.16,
8 east 452653.32 running thence in a north-
9 easterly direction about 943.01 feet to a
10 point whose coordinates are north
11 109635.22, east 453450.31 running thence
12 in a southeasterly direction about 22.66
13 feet to a point whose coordinates are north
14 109617.15, east 453463.98 running thence
15 in a southwesterly direction about 945.18
16 feet to the point of beginning.

17 (B) REMAINDER.—The remaining portion
18 of the project referred to in subparagraph (A)
19 northerly of a line whose coordinates are north
20 108699.15, east 452768.36 and north
21 108655.66, east 452858.73 shall be redesign-
22 nated as an anchorage.

23 (8) STONY CREEK, BRANFORD, CONNECTI-
24 CUT.—The following portion of the project for navi-
25 gation, Stony Creek, Connecticut, authorized under

1 section 107 of the River and Harbor Act of 1960
2 (33 U.S.C. 577): The 6-foot maneuvering basin
3 starting at a point N157031.91, E599030.79,
4 thence running northeasterly about 221.16 feet to a
5 point N157191.06, E599184.37, thence running
6 northerly about 162.60 feet to a point N157353.56,
7 E599189.99, thence running southwesterly about
8 358.90 feet to the point of origin.

9 (9) YORK HARBOR, MAINE.—That portion of
10 the project for navigation, York Harbor, Maine, au-
11 thorized by section 101 of the River and Harbor Act
12 of 1960 (74 Stat. 480), located in the 8-foot deep
13 anchorage area beginning at coordinates N
14 109340.19, E 372066.93, thence running north 65
15 degrees 12 minutes 10.5 seconds E 423.27 feet to
16 a point N 109517.71, E372451.17, thence running
17 north 28 degrees 42 minutes 58.3 seconds west
18 11.68 feet to a point N 109527.95, E 372445.56,
19 thence running south 63 degrees 37 minutes 24.6
20 seconds west 422.63 feet returning to the point of
21 beginning and that portion in the 8-foot deep an-
22 chorage area beginning at coordinates N 108557.24,
23 E 371645.88, thence running south 60 degrees 41
24 minutes 17.2 seconds east 484.51 feet to a point N
25 108320.04, E 372068.36, thence running north 29

1 degrees 12 minutes 53.3 seconds east 15.28 feet to
2 a point N 108333.38, E 372075.82, thence running
3 north 62 degrees 29 minutes 42.1 seconds west
4 484.73 feet returning to the point of beginning.

5 (10) CHELSEA RIVER, BOSTON HARBOR, MASSA-
6 CHUSETTS.—The following portion of the project for
7 navigation, Boston Harbor, Massachusetts, author-
8 ized by section 101 of the River and Harbor Act of
9 1962 (76 Stat. 1173), consisting of a 35-foot deep
10 channel in the Chelsea River: Beginning at a point
11 on the northern limit of the existing project
12 N505357.84, E724519.19, thence running north-
13 easterly about 384.19 feet along the northern limit
14 of the existing project to a bend on the northern
15 limit of the existing project N505526.87,
16 E724864.20, thence running southeasterly about
17 368.00 feet along the northern limit of the existing
18 project to another point N505404.77, E725211.35,
19 thence running westerly about 594.53 feet to a point
20 N505376.12, E724617.51, thence running south-
21 westerly about 100.00 feet to the point of origin.

22 (11) COHASSET HARBOR, COHASSET, MASSA-
23 CHUSETTS.—The following portions of the project
24 for navigation, Cohasset Harbor, Massachusetts, au-

1 thorized under section 107 of the River and Harbor
2 Act of 1960 (33 U.S.C. 577):

3 (A) The portion starting at a point
4 N453510.15, E792664.63, thence running
5 south 53 degrees 07 minutes 05.4 seconds west
6 307.00 feet to a point N453325.90,
7 E792419.07, thence running north 57 degrees
8 56 minutes 36.8 seconds west 201.00 feet to a
9 point N453432.58, E792248.72, thence run-
10 ning south 88 degrees 57 minutes 25.6 seconds
11 west 50.00 feet to a point N453431.67,
12 E792198.73, thence running north 01 degree
13 02 minutes 52.3 seconds west 66.71 feet to a
14 point N453498.37, E792197.51, thence run-
15 ning north 69 degrees 12 minutes 52.3 seconds
16 east 332.32 feet to a point N453616.30,
17 E792508.20, thence running south 55 degrees
18 50 minutes 24.1 seconds east 189.05 feet to the
19 point of origin.

20 (B) The portion starting at a point
21 N452886.64, E791287.83, thence running
22 south 00 degrees 00 minutes 00.0 seconds west
23 56.04 feet to a point N452830.60, E791287.83,
24 thence running north 90 degrees 00 minutes
25 00.0 seconds west 101.92 feet to a point,

1 N452830.60, E791185.91, thence running
2 north 52 degrees 12 minutes 49.7 seconds east
3 89.42 feet to a point, N452885.39,
4 E791256.58, thence running north 87 degrees
5 42 minutes 33.8 seconds east 31.28 feet to the
6 point of origin.

7 (C) The portion starting at a point,
8 N452261.08, E792040.24, thence running
9 north 89 degrees 07 minutes 19.5 seconds east
10 118.78 feet to a point, N452262.90,
11 E792159.01, thence running south 43 degrees
12 39 minutes 06.8 seconds west 40.27 feet to a
13 point, N452233.76, E792131.21, thence run-
14 ning north 74 degrees 33 minutes 29.1 seconds
15 west 94.42 feet to a point, N452258.90,
16 E792040.20, thence running north 01 degree
17 03 minutes 04.3 seconds east 2.18 feet to the
18 point of origin.

19 (12) FALMOUTH, MASSACHUSETTS.—

20 (A) DEAUTHORIZATIONS.—The following
21 portions of the project for navigation, Falmouth
22 Harbor, Massachusetts, authorized by section
23 101 of the River and Harbor Act of 1948 (62
24 Stat. 1172):

1 (i) The portion commencing at a point
2 north 199286.37 east 844394.81 a line
3 running north 73 degrees 09 minutes 29
4 seconds east 440.34 feet to a point north
5 199413.99 east 844816.36, thence turning
6 and running north 43 degrees 09 minutes
7 34.5 seconds east 119.99 feet to a point
8 north 199501.52 east 844898.44, thence
9 turning and running south 66 degrees 52
10 minutes 03.5 seconds east 547.66 feet re-
11 turning to a point north 199286.41 east
12 844394.91.

13 (ii) The portion commencing at a
14 point north 199647.41 east 845035.25 a
15 line running north 43 degrees 09 minutes
16 33.1 seconds east 767.15 feet to a point
17 north 200207.01 east 845560.00, thence
18 turning and running north 11 degrees 04
19 minutes 24.3 seconds west 380.08 feet to
20 a point north 200580.01 east 845487.00,
21 thence turning and running north 22 de-
22 grees 05 minutes 50.8 seconds east
23 1332.36 feet to a point north 201814.50
24 east 845988.21, thence turning and run-
25 ning north 02 degrees 54 minutes 15.7

1 seconds east 15.0 feet to a point north
2 201829.48 east 845988.97, thence turning
3 and running south 24 degrees 56 minutes
4 42.3 seconds west 1410.29 feet returning
5 to the point north 200550.75 east
6 845394.18.

7 (B) REDESIGNATION.—The portion of the
8 project for navigation Falmouth, Massachu-
9 setts, referred to in subparagraph (A) upstream
10 of a line designated by the 2 points north
11 199463.18 east 844496.40 and north
12 199350.36 east 844544.60 is redesignated as
13 an anchorage area.

14 (13) MYSTIC RIVER, MASSACHUSETTS.—The
15 following portion of the project for navigation, Mys-
16 tic River, Massachusetts, authorized by section 101
17 of the River and Harbor Act of 1950 (64 Stat. 164):
18 The 35-foot deep channel beginning at a point on
19 the northern limit of the existing project,
20 N506243.78, E717600.27, thence running easterly
21 about 1000.00 feet along the northern limit of the
22 existing project to a point, N506083.42,
23 E718587.33, thence running southerly about 40.00
24 feet to a point, N506043.94, E718580.91, thence
25 running westerly about 1000.00 feet to a point,

1 N506204.29, E717593.85, thence running northerly
2 about 40.00 feet to the point of origin.

3 (14) WEYMOUTH-FORE AND TOWN RIVERS,
4 MASSACHUSETTS.—The following portions of the
5 project for navigation, Weymouth-Fore and Town
6 Rivers, Boston Harbor, Massachusetts, authorized
7 by section 301 of the River and Harbor Act of 1965
8 (79 Stat. 1089):

9 (A) The 35-foot deep channel beginning at
10 a bend on the southern limit of the existing
11 project, N457394.01, E741109.74, thence run-
12 ning westerly about 405.25 feet to a point,
13 N457334.64, E740708.86, thence running
14 southwesterly about 462.60 feet to another
15 bend in the southern limit of the existing
16 project, N457132.00, E740293.00, thence run-
17 ning northeasterly about 857.74 feet along the
18 southern limit of the existing project to the
19 point of origin.

20 (B) The 15 and 35-foot deep channels be-
21 ginning at a point on the southern limit of the
22 existing project, N457163.41, E739903.49,
23 thence running northerly about 111.99 feet to
24 a point, N457275.37, E739900.76, thence run-
25 ning westerly about 692.37 feet to a point

1 N457303.40, E739208.96, thence running
2 southwesterly about 190.01 feet to another
3 point on the southern limit of the existing
4 project, N457233.17, E739032.41, thence run-
5 ning easterly about 873.87 feet along the south-
6 ern limit of the existing project to the point of
7 origin.

8 (15) OSWEGATCHIE RIVER, OGDENSBURG NEW
9 YORK.—The portion of the Federal channel of the
10 project for navigation, Ogdensburg Harbor, New
11 York, authorized by the first section of the Rivers
12 and Harbors Appropriations Act of June 25, 1910
13 (36 Stat. 635), as modified by the first section of
14 the Rivers and Harbors Act of August 30, 1935 (49
15 Stat. 1037), which is in the Oswegatchie River in
16 Ogdensburg, New York, from the southernmost
17 alignment of the Route 68 bridge upstream to the
18 northernmost alignment of the Lake Street bridge.

19 (16) APPONAUG COVE, WARWICK, RHODE IS-
20 LAND.—The following portion of the project for
21 navigation, Apponaug Cove, Rhode Island, author-
22 ized under section 101 of the River and Harbor Act
23 of 1960 (74 Stat. 480): The 6-foot channel bounded
24 by coordinates N223269.93, E513089.12;

1 N223348.31, E512799.54; N223251.78,
2 E512773.41; and N223178.0, E513046.0.

3 (17) PORT WASHINGTON HARBOR, WISCON-
4 SIN.—The following portion of the navigation project
5 for Port Washington Harbor, Wisconsin, authorized
6 by the Rivers and Harbors Appropriations Act of
7 July 11, 1870 (16 Stat. 223): Beginning at the
8 northwest corner of project at Channel Pt. No. 36,
9 of the Federal Navigation Project, Port Washington
10 Harbor, Ozaukee County, Wisconsin, at coordinates
11 N513529.68, E2535215.64, thence 188 degrees 31
12 minutes 59 seconds, a distance of 178.32 feet,
13 thence 196 degrees 47 minutes 17 seconds, a dis-
14 tance of 574.80 feet, thence 270 degrees 58 minutes
15 25 seconds, a distance of 465.50 feet, thence 178
16 degrees 56 minutes 17 seconds, a distance of 130.05
17 feet, thence 87 degrees 17 minutes 05 seconds, a
18 distance of 510.22 feet, thence 104 degrees 58 min-
19 utes 31 seconds, a distance of 178.33 feet, thence
20 115 degrees 47 minutes 55 seconds, a distance of
21 244.15 feet, thence 25 degrees 12 minutes 08 sec-
22 onds, a distance of 310.00 feet, thence 294 degrees
23 46 minutes 50 seconds, a distance of 390.20 feet,
24 thence 16 degrees 56 minutes 16 seconds, a distance
25 of 570.90 feet, thence 266 degrees 01 minutes 25

1 seconds, a distance of 190.78 feet to Channel Pt.
2 No. 36, point of beginning.

3 **SEC. 502. PROJECT REAUTHORIZATIONS.**

4 (a) GRAND PRAIRIE REGION AND BAYOU METO
5 BASIN, ARKANSAS.—The project for flood control, Grand
6 Prairie Region and Bayou Meto Basin, Arkansas, author-
7 ized by section 204 of the Flood Control Act of 1950 (64
8 Stat. 174) and deauthorized pursuant to section
9 1001(b)(1) of the Water Resources Development Act of
10 1986 (33 U.S.C. 579a(b)(1)), is authorized to be carried
11 out by the Secretary.

12 (b) WHITE RIVER, ARKANSAS.—The project for navi-
13 gation, White River Navigation to Batesville, Arkansas,
14 authorized by section 601(a) of the Water Resources De-
15 velopment Act of 1986 (100 Stat. 4139) and deauthorized
16 by section 52(b) of the Water Resources Development Act
17 of 1988 (102 Stat. 4045), is authorized to be carried out
18 by the Secretary.

19 (c) DES PLAINES RIVER, ILLINOIS.—The project for
20 wetlands research, Des Plaines River, Illinois, authorized
21 by section 45 of the Water Resources Development Act
22 of 1988 (102 Stat. 4041) and deauthorized pursuant to
23 section 1001 of the Water Resources Development Act of
24 1986 (33 U.S.C. 579a(b)), is authorized to be carried out
25 by the Secretary.

1 (d) ALPENA HARBOR, MICHIGAN.—The project for
2 navigation, Alpena Harbor, Michigan, authorized by sec-
3 tion 301 of the River and Harbor Act of 1965 (79 Stat.
4 1090) and deauthorized pursuant to section 1001 of the
5 Water Resources Development Act of 1986 (33 U.S.C.
6 579a(b)), is authorized to be carried out by the Secretary.

7 (e) ONTONAGON HARBOR, ONTONAGON COUNTY,
8 MICHIGAN.—The project for navigation, Ontonagon Har-
9 bor, Ontonagon County, Michigan, authorized by section
10 101 of the River and Harbor Act of 1962 (76 Stat. 1176)
11 and deauthorized pursuant to section 1001 of the Water
12 Resources Development Act of 1986 (33 U.S.C. 579a(b)),
13 is authorized to be carried out by the Secretary.

14 (f) KNIFE RIVER HARBOR, MINNESOTA.—The
15 project for navigation, Knife River Harbor, Minnesota, au-
16 thorized by section 100 of the Water Resources Develop-
17 ment Act of 1974 (88 Stat. 41) and deauthorized pursu-
18 ant to section 1001 of the Water Resources Development
19 Act of 1986 (33 U.S.C. 579a(b)), is authorized to be car-
20 ried out by the Secretary.

21 (g) CLIFFWOOD BEACH, NEW JERSEY.—The project
22 for hurricane-flood protection and beach erosion control
23 on Raritan Bay and Sandy Hook Bay, New Jersey, au-
24 thorized by section 203 of the Flood Control Act of 1962
25 (76 Stat. 118) and deauthorized pursuant to section 1001

1 of the Water Resources Development Act of 1986 (33
2 U.S.C. 579a(b)), is authorized to be carried out by the
3 Secretary.

4 **SEC. 503. CONTINUATION OF AUTHORIZATION OF CERTAIN**
5 **PROJECTS.**

6 (a) GENERAL RULE.—Notwithstanding section 1001
7 of the Water Resources Development Act of 1986 (33
8 U.S.C. 579a), the following projects shall remain author-
9 ized to be carried out by the Secretary:

10 (1) CEDAR RIVER HARBOR, MICHIGAN.—The
11 project for navigation, Cedar River Harbor, Michi-
12 gan, authorized by section 301 of the River and
13 Harbor Act of 1965 (79 Stat. 1090).

14 (2) CROSS VILLAGE HARBOR, MICHIGAN.—The
15 project for navigation, Cross Village Harbor, Michi-
16 gan, authorized by section 101 of the River and
17 Harbor Act of 1966 (80 Stat. 1405).

18 (b) LIMITATION.—A project described in subsection
19 (a) shall not be authorized for construction after the last
20 day of the 5-year period that begins on the date of the
21 enactment of this Act unless, during such period, funds
22 have been obligated for the construction (including plan-
23 ning and design) of the project.

1 **SEC. 504. LAND CONVEYANCES.**

2 (a) OAKLAND INNER HARBOR TIDAL CANAL PROP-
3 ERTY, CALIFORNIA.—Section 205 of the Water Resources
4 Development Act of 1990 (104 Stat. 4633) is amended—

5 (1) by inserting after paragraph (2) the follow-
6 ing new paragraph:

7 “(3) To adjacent land owners, the United
8 States title to all or portions of that part of the
9 Oakland Inner Harbor Tidal Canal which are lo-
10 cated within the boundaries of the city in which such
11 land rests. Such conveyance shall be at fair market
12 value.”;

13 (2) by inserting after “right-of-way” the follow-
14 ing: “or other rights deemed necessary by the Sec-
15 retary”; and

16 (3) by adding at the end the following: “The
17 conveyances and processes involved will be at no cost
18 to the United States.”.

19 (b) MARIEMONT, OHIO.—

20 (1) IN GENERAL.—The Secretary shall convey
21 to the village of Mariemont, Ohio, for a sum of
22 \$85,000 all right, title, and interest of the United
23 States in and to a parcel of land (including improve-
24 ments thereto) under the jurisdiction of the Corps of
25 Engineers and known as the “Ohio River Division

1 Laboratory”, as such parcel is described in para-
2 graph (4).

3 (2) TERMS AND CONDITIONS.—The conveyance
4 under paragraph (1) shall be subject to such terms
5 and conditions as the Secretary considers necessary
6 and appropriate to protect the interests of the Unit-
7 ed States.

8 (3) PROCEEDS.—All proceeds from the convey-
9 ance under paragraph (1) shall be deposited in the
10 general fund of the Treasury of the United States
11 and credited as miscellaneous receipts.

12 (4) PROPERTY DESCRIPTION.—The parcel of
13 land referred to in paragraph (1) is the parcel situ-
14 ated in the State of Ohio, County of Hamilton,
15 Township 4, Fractional Range 2, Miami Purchase,
16 Columbia Township, Section 15, being parts of Lots
17 5 and 6 of the subdivision of the dower tract of the
18 estate of Joseph Ferris as recorded in Plat Book 4,
19 Page 112, of the Plat Records of Hamilton County,
20 Ohio, Recorder’s Office, and more particularly de-
21 scribed as follows:

22 Beginning at an iron pin set to mark the
23 intersection of the easterly line of Lot 5 of said
24 subdivision of said dower tract with the north-
25 erly line of the right-of-way of the Norfolk and

1 Western Railway Company as shown in Plat
2 Book 27, Page 182, Hamilton County, Ohio,
3 Surveyor's Office, thence with said northerly
4 right-of-way line;

5 South 70 degrees 10 minutes 13 seconds
6 west 258.52 feet to a point; thence leaving the
7 northerly right-of-way of the Norfolk and West-
8 ern Railway Company;

9 North 18 degrees 22 minutes 02 seconds
10 west 302.31 feet to a point in the south line of
11 Mariemont Avenue; thence along said south
12 line;

13 North 72 degrees 34 minutes 35 seconds
14 east 167.50 feet to a point; thence leaving the
15 south line of Mariemont Avenue;

16 North 17 degrees 25 minutes 25 seconds
17 west 49.00 feet to a point; thence

18 North 72 degrees 34 minutes 35 seconds
19 east 100.00 feet to a point; thence

20 South 17 degrees 25 minutes 25 seconds
21 east 49.00 feet to a point; thence

22 North 72 degrees 34 minutes 35 seconds
23 east 238.90 feet to a point; thence

24 South 00 degrees 52 minutes 07 seconds
25 east 297.02 feet to a point in the northerly line

1 of the Norfolk and Western Railway Company;
2 thence with said northerly right-of-way;

3 South 70 degrees 10 minutes 13 seconds
4 west 159.63 feet to a point of beginning, con-
5 taining 3.22 acres, more or less.

6 (c) EUFAULA LAKE, OKLAHOMA.—

7 (1) IN GENERAL.—The Secretary shall convey
8 to the city of Eufaula, Oklahoma, all right, title, and
9 interest of the United States in and to a parcel of
10 land consisting of approximately 12.5 acres located
11 at the Eufaula Lake project.

12 (2) CONSIDERATION.—Consideration for the
13 conveyance under paragraph (1) shall be the fair
14 market value of the parcel (as determined by the
15 Secretary) and payment of all costs of the United
16 States in making the conveyance, including the costs
17 of—

18 (A) the survey required under paragraph
19 (4);

20 (B) any other necessary survey or survey
21 monumentation;

22 (C) compliance with the National Environ-
23 mental Policy Act of 1969 (42 U.S.C. 4321 et
24 seq.); and

1 (D) any coordination necessary with re-
2 spect to requirements relating to endangered
3 species, cultural resources, and clean air (in-
4 cluding the costs of agency consultation and
5 public hearings).

6 (3) LAND SURVEYS.—The exact acreage and
7 description of the parcel to be conveyed under para-
8 graph (1) shall be determined by such surveys as the
9 Secretary considers necessary, which shall be carried
10 out to the satisfaction of the Secretary.

11 (4) ENVIRONMENTAL BASELINE SURVEY.—
12 Prior to making the conveyance under paragraph
13 (1), the Secretary shall conduct an environmental
14 baseline survey to determine the levels of any con-
15 tamination (as of the date of the survey) for which
16 the United States would be responsible under the
17 Comprehensive Environmental Response, Compensa-
18 tion, and Liability Act of 1980 (42 U.S.C. 9601 et
19 seq.) and any other applicable law.

20 (5) CONDITIONS CONCERNING RIGHTS AND
21 EASEMENT.—The conveyance under paragraph (1)
22 shall be subject to existing rights and to retention by
23 the United States of a flowage easement over all
24 portions of the parcel that lie at or below the flow-
25 age easement contour for the Eufaula Lake project.

1 (6) OTHER TERMS AND CONDITIONS.—The con-
2 conveyance under paragraph (1) shall be subject to such
3 other terms and conditions as the Secretary consid-
4 ers necessary and appropriate to protect the inter-
5 ests of the United States.

6 (d) BOARDMAN, OREGON.—

7 (1) IN GENERAL.—The Secretary shall convey
8 to the city of Boardman, Oregon, all right, title, and
9 interest of the United States in and to a parcel of
10 land consisting of approximately 141 acres acquired
11 as part of the John Day Lock and Dam project in
12 the vicinity of such city currently under lease to the
13 Boardman Park and Recreation District.

14 (2) CONSIDERATION.—

15 (A) PARK AND RECREATION PROP-
16 erties.—Properties to be conveyed under this
17 subsection that will be retained in public owner-
18 ship and used for public park and recreation
19 purposes shall be conveyed without consider-
20 ation. If any such property is no longer used for
21 public park and recreation purposes, then title
22 to such property shall revert to the Secretary.

23 (B) OTHER PROPERTIES.—Properties to
24 be conveyed under this subsection and not de-

1 scribed in subparagraph (A) shall be conveyed
2 at fair market value.

3 (3) CONDITIONS CONCERNING RIGHTS AND
4 EASEMENT.—The conveyance of properties under
5 this subsection shall be subject to existing first
6 rights of refusal regarding acquisition of such prop-
7 erties and to retention of a flowage easement over
8 portions of the properties that the Secretary deter-
9 mines to be necessary for operation of the project.

10 (4) OTHER TERMS AND CONDITIONS.—The con-
11 veyance of properties under this subsection shall be
12 subject to such other terms and conditions as the
13 Secretary considers necessary and appropriate to
14 protect the interests of the United States.

15 (e) TRI-CITIES AREA, WASHINGTON.—

16 (1) GENERAL AUTHORITY.—As soon as prac-
17 ticable after the date of the enactment of this Act,
18 the Secretary shall make the conveyances to the
19 local governments referred to in paragraph (2) of all
20 right, title, and interest of the United States in and
21 to the property described in paragraph (2).

22 (2) PROPERTY DESCRIPTIONS.—

23 (A) BENTON COUNTY.—The property to be
24 conveyed pursuant to paragraph (1) to Benton
25 County, Washington, is the property in such

1 county which is designated “Area D” on Ex-
2 hibit A to Army Lease No. DACW-68-1-81-
3 43.

4 (B) FRANKLIN COUNTY, WASHINGTON.—

5 The property to be conveyed pursuant to para-
6 graph (1) to Franklin County, Washington,
7 is—

8 (i) the 105.01 acres of property leased
9 pursuant to Army Lease No. DACW-68-
10 1-77-20 as executed by Franklin County,
11 Washington, on April 7, 1977;

12 (ii) the 35 acres of property leased
13 pursuant to Supplemental Agreement No.
14 1 to Army Lease No. DACW-68-1-77-20;

15 (iii) the 20 acres of property com-
16 monly known as “Richland Bend” which is
17 designated by the shaded portion of Lot 1,
18 Section 11, and the shaded portion of Lot
19 1, Section 12, Township 9 North, Range
20 28 East, W.M. on Exhibit D to Supple-
21 mental Agreement No. 2 to Army Lease
22 No. DACW-68-1-77-20;

23 (iv) the 7.05 acres of property com-
24 monly known as “Taylor Flat” which is
25 designated by the shaded portion of Lot 1,

1 Section 13, Township 11 North, Range 28
2 East, W.M. on Exhibit D to Supplemental
3 Agreement No. 2 to Army Lease No.
4 DACW-68-1-77-20;

5 (v) the 14.69 acres of property com-
6 monly known as “Byers Landing” which is
7 designated by the shaded portion of Lots 2
8 and 3, Section 2, Township 10 North,
9 Range 28 East, W.M. on Exhibit D to
10 Supplemental Agreement No. 2 to Army
11 Lease No. DACW-68-1-77-20; and

12 (vi) all levees within Franklin County,
13 Washington, as of the date of the enact-
14 ment of this Act, and the property upon
15 which the levees are situated.

16 (C) CITY OF KENNEWICK, WASHINGTON.—

17 The property to be conveyed pursuant to para-
18 graph (1) to the city of Kennewick, Washing-
19 ton, is the property within the city which is sub-
20 ject to the Municipal Sublease Agreement en-
21 tered into on April 6, 1989, between Benton
22 County, Washington, and the cities of
23 Kennewick and Richland, Washington.

24 (D) CITY OF RICHLAND, WASHINGTON.—

25 The property to be conveyed pursuant to para-

1 graph (1), to the city of Richland, Washington,
2 is the property within the city which is subject
3 to the Municipal Sublease Agreement entered
4 into on April 6, 1989, between Benton County,
5 Washington, and the Cities of Kennewick and
6 Richland, Washington.

7 (E) CITY OF PASCO, WASHINGTON.—The
8 property to be conveyed pursuant to paragraph
9 (1), to the city of Pasco, Washington, is—

10 (i) the property within the city of
11 Pasco, Washington, which is leased pursu-
12 ant to Army Lease No. DACW-68-1-77-
13 10; and

14 (ii) all levees within such city, as of
15 the date of the enactment of this Act, and
16 the property upon which the levees are sit-
17 uated.

18 (F) PORT OF PASCO, WASHINGTON.—The
19 property to be conveyed pursuant to paragraph
20 (1) to the Port of Pasco, Washington, is—

21 (i) the property owned by the United
22 States which is south of the Burlington
23 Northern Railroad tracks in Lots 1 and 2,
24 Section 20, Township 9 North, Range 31
25 East, W.M.; and

1 (ii) the property owned by the United
2 States which is south of the Burlington
3 Northern Railroad tracks in Lots 1, 2, 3,
4 and 4, in each of Sections 21, 22, and 23,
5 Township 9 North, Range 31 East, W.M.

6 (G) ADDITIONAL PROPERTIES.—In addi-
7 tion to properties described in subparagraphs
8 (A) through (F), the Secretary may convey to
9 a local government referred to in subparagraphs
10 (A) through (F) such properties under the ju-
11 risdiction of the Secretary in the Tri-Cities area
12 as the Secretary and the local government agree
13 are appropriate for conveyance.

14 (3) TERMS AND CONDITIONS.—

15 (A) IN GENERAL.—The conveyances under
16 paragraph (1) shall be subject to such terms
17 and conditions as the Secretary considers nec-
18 essary and appropriate to protect the interests
19 of the United States.

20 (B) SPECIAL RULES FOR FRANKLIN COUN-
21 TY.—The property described in paragraph
22 (2)(B)(vi) shall be conveyed only after Franklin
23 County, Washington, has entered into a written
24 agreement with the Secretary which provides
25 that the United States shall continue to operate

1 and maintain the flood control drainage areas
2 and pump stations on the property conveyed
3 and that the United States shall be provided all
4 easements and rights necessary to carry out
5 that agreement.

6 (C) SPECIAL RULE FOR CITY OF PASCO.—

7 The property described in paragraph (2)(E)(ii)
8 shall be conveyed only after the city of Pasco,
9 Washington, has entered into a written agree-
10 ment with the Secretary which provides that the
11 United States shall continue to operate and
12 maintain the flood control drainage areas and
13 pump stations on the property conveyed and
14 that the United States shall be provided all
15 easements and rights necessary to carry out
16 that agreement.

17 (D) CONSIDERATION.—

18 (i) PARK AND RECREATION PROP-
19 erties.—Properties to be conveyed under
20 this subsection that will be retained in
21 public ownership and used for public park
22 and recreation purposes shall be conveyed
23 without consideration. If any such property
24 is no longer used for public park and

1 recreation purposes, then title to such
2 property shall revert to the Secretary.

3 (ii) OTHER PROPERTIES.—Properties
4 to be conveyed under this subsection and
5 not described in clause (i) shall be con-
6 veyed at fair market value.

7 (4) LAKE WALLULA LEVEES.—

8 (A) DETERMINATION OF MINIMUM SAFE
9 HEIGHT.—

10 (i) CONTRACT.—Within 30 days after
11 the date of the enactment of this Act, the
12 Secretary shall contract with a private en-
13 tity agreed to under clause (ii) to deter-
14 mine, within 6 months after such date of
15 enactment, the minimum safe height for
16 the levees of the project for flood control,
17 Lake Wallula, Washington. The Secretary
18 shall have final approval of the minimum
19 safe height.

20 (ii) AGREEMENT OF LOCAL OFFI-
21 CIALS.—A contract shall be entered into
22 under clause (i) only with a private entity
23 agreed to by the Secretary, appropriate
24 representatives of Franklin County, Wash-

1 ington, and appropriate representatives of
2 the city of Pasco, Washington.

3 (B) **AUTHORITY.**—A local government may
4 reduce, at its cost, the height of any levee of
5 the project for flood control, Lake Wallula,
6 Washington, within the boundaries of such local
7 government to a height not lower than the min-
8 imum safe height determined pursuant to sub-
9 paragraph (A).

10 **SEC. 505. NAMINGS.**

11 (a) **MILT BRANDT VISITORS CENTER, CALIFOR-**
12 **NIA.**—

13 (1) **DESIGNATION.**—The visitors center at
14 Warm Springs Dam, California, authorized by sec-
15 tion 203 of the Flood Control Act of 1962 (76 Stat.
16 1192), shall be known and designated as the “Milt
17 Brandt Visitors Center”.

18 (2) **LEGAL REFERENCES.**—Any reference in a
19 law, map, regulation, document, paper, or other
20 record of the United States to the visitors center re-
21 ferred to in paragraph (1) shall be deemed to be a
22 reference to the “Milt Brandt Visitors Center”.

23 (b) **CARR CREEK LAKE, KENTUCKY.**—

24 (1) **DESIGNATION.**—Carr Fork Lake in Knott
25 County, Kentucky, authorized by section 203 of the

1 Flood Control Act of 1962 (76 Stat. 1188), shall be
2 known and designated as the “Carr Creek Lake”.

3 (2) LEGAL REFERENCES.—Any reference in a
4 law, map, regulation, document, paper, or other
5 record of the United States to the lake referred to
6 in paragraph (1) shall be deemed to be a reference
7 to the “Carr Creek Lake”.

8 (c) WILLIAM H. NATCHER BRIDGE, MACEO, KEN-
9 TUCKY, AND ROCKPORT, INDIANA.—

10 (1) DESIGNATION.—The bridge on United
11 States Route 231 which crosses the Ohio River be-
12 tween Maceo, Kentucky, and Rockport, Indiana,
13 shall be known and designated as the “William H.
14 Natcher Bridge”.

15 (2) LEGAL REFERENCES.—Any reference in a
16 law, map, regulation, document, paper, or other
17 record of the United States to the bridge referred to
18 in paragraph (1) shall be deemed to be a reference
19 to the “William H. Natcher Bridge”.

20 (d) JOHN T. MYERS LOCK AND DAM, INDIANA AND
21 KENTUCKY.—

22 (1) DESIGNATION.—Uniontown Lock and Dam,
23 on the Ohio River, Indiana and Kentucky, shall be
24 known and designated as the “John T. Myers Lock
25 and Dam”.

1 (2) LEGAL REFERENCES.—Any reference in a
2 law, map, regulation, document, paper, or other
3 record of the United States to the lock and dam re-
4 ferred to in paragraph (1) shall be deemed to be a
5 reference to the “John T. Myers Lock and Dam”.

6 (e) J. EDWARD ROUSH LAKE, INDIANA.—

7 (1) REDESIGNATION.—The lake on the Wabash
8 River in Huntington and Wells Counties, Indiana,
9 authorized by section 203 of the Flood Control Act
10 of 1958 (72 Stat. 312), and known as Huntington
11 Lake, shall be known and designated as the “J. Ed-
12 ward Roush Lake”.

13 (2) LEGAL REFERENCES.—Any reference in a
14 law, map, regulation, document, paper, or other
15 record of the United States to the lake referred to
16 in paragraph (1) shall be deemed to be a reference
17 to the “J. Edward Roush Lake”.

18 (f) RUSSELL B. LONG LOCK AND DAM, RED RIVER
19 WATERWAY, LOUISIANA.—

20 (1) DESIGNATION.—Lock and Dam 4 of the
21 Red River Waterway, Louisiana, shall be known and
22 designated as the “Russell B. Long Lock and
23 Dam”.

24 (2) LEGAL REFERENCES.—A reference in any
25 law, map, regulation, document, paper, or other

1 record of the United States to the lock and dam re-
2 ferred to in paragraph (1) shall be deemed to be a
3 reference to the “Russell B. Long Lock and Dam”.

4 **SEC. 506. WATERSHED MANAGEMENT, RESTORATION, AND**
5 **DEVELOPMENT.**

6 (a) IN GENERAL.—The Secretary is authorized to
7 provide technical, planning, and design assistance to non-
8 Federal interests for carrying out watershed management,
9 restoration, and development projects at the locations de-
10 scribed in subsection (d).

11 (b) SPECIFIC MEASURES.—Assistance provided pur-
12 suant to subsection (a) may be in support of non-Federal
13 projects for the following purposes:

14 (1) Management and restoration of water qual-
15 ity.

16 (2) Control and remediation of toxic sediments.

17 (3) Restoration of degraded streams, rivers,
18 wetlands, and other waterbodies to their natural
19 condition as a means to control flooding, excessive
20 erosion, and sedimentation.

21 (4) Protection and restoration of watersheds,
22 including urban watersheds.

23 (5) Demonstration of technologies for non-
24 structural measures to reduce destructive impact of
25 flooding.

1 (c) NON-FEDERAL SHARE.—The non-Federal share
2 of the cost of assistance provided under this section shall
3 be 50 percent.

4 (d) PROJECT LOCATIONS.—The Secretary may pro-
5 vide assistance under subsection (a) for projects at the fol-
6 lowing locations:

7 (1) Gila River and Tributaries Santa Cruz
8 River, Arizona.

9 (2) Rio Salado, Salt River, Phoenix and Tempe,
10 Arizona.

11 (3) Colusa basin, California.

12 (4) Los Angeles River watershed, California.

13 (5) Russian River watershed, California.

14 (6) Sacramento River watershed, California.

15 (7) Nancy Creek, Utoy Creek, and North
16 Peachtree Creek and South Peachtree Creek basin,
17 Georgia.

18 (8) Lower Platte River watershed, Nebraska.

19 (9) Juniata River watershed, Pennsylvania, in-
20 cluding Raystown Lake.

21 (10) Upper Potomac River watershed, Grant
22 and Mineral Counties, West Virginia.

23 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this section

1 \$25,000,000 for fiscal years beginning after September
2 30, 1996.

3 **SEC. 507. LAKES PROGRAM.**

4 Section 602(a) of the Water Resources Development
5 Act of 1986 (100 Stat. 4148–4149) is amended—

6 (1) by striking “and” at the end of paragraph
7 (10);

8 (2) by striking the period at the end of para-
9 graph (11) and inserting a semicolon; and

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

11 “(12) Goodyear Lake, Otsego County, New
12 York, removal of silt and aquatic growth;

13 “(13) Otsego Lake, Otsego County, New York,
14 removal of silt and aquatic growth and measures to
15 address high nutrient concentration;

16 “(14) Oneida Lake, Oneida County, New York,
17 removal of silt and aquatic growth;

18 “(15) Skaneateles and Owasco Lakes, New
19 York, removal of silt and aquatic growth and preven-
20 tion of sediment deposit; and

21 “(16) Twin Lakes, Paris, Illinois, removal of
22 silt and excess aquatic vegetation, including meas-
23 ures to address excessive sedimentation, high nutri-
24 ent concentration, and shoreline erosion.”.

1 **SEC. 508. MAINTENANCE OF NAVIGATION CHANNELS.**

2 (a) IN GENERAL.—Upon request of the non-Federal
3 interest, the Secretary shall be responsible for mainte-
4 nance of the following navigation channels constructed or
5 improved by non-Federal interests if the Secretary deter-
6 mines that such maintenance is economically justified and
7 environmentally acceptable and that the channel was con-
8 structed in accordance with applicable permits and appro-
9 priate engineering and design standards:

10 (1) Humboldt Harbor and Bay, Fields Landing
11 Channel, California.

12 (2) Mare Island Strait, California; except that,
13 for purposes of this section, the navigation channel
14 shall be deemed to have been constructed or im-
15 proved by non-Federal interests.

16 (3) Mississippi River Ship Channel, Chalmette
17 Slip, Louisiana.

18 (4) Greenville Inner Harbor Channel, Mis-
19 sissippi.

20 (5) Providence Harbor Shipping Channel,
21 Rhode Island.

22 (6) Mantagorda Ship Channel, Point Comfort
23 Turning Basin, Texas.

24 (7) Corpus Christi Ship Channel, Rincon Canal,
25 Texas.

1 (8) Brazos Island Harbor, Texas, connecting
2 channel to Mexico.

3 (9) Blair Waterway, Tacoma Harbor, Washing-
4 ton.

5 (b) COMPLETION OF ASSESSMENT.—Within 6
6 months of receipt of a request from the non-Federal inter-
7 est for Federal assumption of maintenance of a channel
8 listed in subsection (a), the Secretary shall make a deter-
9 mination as provided in subsection (a) and advise the non-
10 Federal interest of the Secretary's determination.

11 **SEC. 509. GREAT LAKES REMEDIAL ACTION PLANS AND**
12 **SEDIMENT REMEDIATION.**

13 Section 401 of the Water Resources Development Act
14 of 1990 (104 Stat. 4644) is amended to read as follows:

15 **“SEC. 401. GREAT LAKES REMEDIAL ACTION PLANS AND**
16 **SEDIMENT REMEDIATION.**

17 “(a) GREAT LAKES REMEDIAL ACTION PLANS.—

18 “(1) IN GENERAL.—The Secretary is authorized
19 to provide technical, planning, and engineering as-
20 sistance to State and local governments and non-
21 governmental entities designated by the State or
22 local government in the development and implemen-
23 tation of remedial action plans for areas of concern
24 in the Great Lakes identified under the Great Lakes
25 Water Quality Agreement of 1978.

1 “(2) NON-FEDERAL SHARE.—Non-Federal in-
2 terests shall contribute, in cash or by providing in-
3 kind contributions, 50 percent of costs of activities
4 for which assistance is provided under paragraph
5 (1).

6 “(b) SEDIMENT REMEDIATION DEMONSTRATION
7 PROJECTS.—

8 “(1) IN GENERAL.—The Secretary, in consulta-
9 tion with the Administrator of the Environmental
10 Protection Agency (acting through the Great Lakes
11 National Program Office), may conduct pilot- and
12 full-scale demonstration projects of promising tech-
13 niques to remediate contaminated sediments in
14 freshwater coastal regions in the Great Lakes basin.
15 The Secretary must conduct no fewer than 3 full-
16 scale demonstration projects under this subsection.

17 “(2) SITE SELECTION FOR DEMONSTRATION
18 PROJECTS.—In selecting the sites for the technology
19 demonstration projects, the Secretary shall give pri-
20 ority consideration to Saginaw Bay, Michigan, She-
21 boygan Harbor, Wisconsin, Grand Calumet River,
22 Indiana, Ashtabula River, Ohio, Buffalo River, New
23 York, and Duluth/Superior Harbor, Minnesota.

24 “(3) DEADLINE FOR IDENTIFICATIONS.—With-
25 in 18 months after the date of the enactment of this

1 subsection, the Secretary shall identify the sites and
2 technologies to be demonstrated and complete each
3 such full-scale demonstration project within 3 years
4 after such date of enactment.

5 “(4) NON-FEDERAL SHARE.—Non-Federal in-
6 terests shall contribute 50 percent of costs of
7 projects under this subsection. Such costs may be
8 paid in cash or by providing in-kind contributions.

9 “(5) AUTHORIZATIONS.—There is authorized to
10 be appropriated to the Secretary to carry out this
11 section \$5,000,000 for each of fiscal years 1997
12 through 2000.”.

13 **SEC. 510. GREAT LAKES DREDGED MATERIAL TESTING AND**
14 **EVALUATION MANUAL.**

15 The Secretary, in cooperation with the Administrator
16 of the Environmental Protection Agency, shall provide
17 technical assistance to non-Federal interests on testing
18 procedures contained in the Great Lakes Dredged Mate-
19 rial Testing and Evaluation Manual developed pursuant
20 to section 230.2(c) of title 40, Code of Federal Regula-
21 tions.

22 **SEC. 511. GREAT LAKES SEDIMENT REDUCTION.**

23 (a) GREAT LAKES TRIBUTARY SEDIMENT TRANS-
24 PORT MODEL.—For each major river system or set of
25 major river systems depositing sediment into a Great

1 Lakes federally authorized commercial harbor, channel
2 maintenance project site, or Area of Concern identified
3 under the Great Lakes Water Quality Agreement of 1978,
4 the Secretary, in consultation and coordination with the
5 Great Lakes States, shall develop a tributary sediment
6 transport model.

7 (b) REQUIREMENTS FOR MODELS.—In developing a
8 tributary sediment transport model under this section, the
9 Secretary shall—

10 (1) build upon data and monitoring information
11 generated in earlier studies and programs of the
12 Great Lakes and their tributaries; and

13 (2) complete models for 30 major river systems,
14 either individually or in combination as part of a set,
15 within the 5-year period beginning on the date of the
16 enactment of this Act.

17 **SEC. 512. GREAT LAKES CONFINED DISPOSAL FACILITIES.**

18 (a) ASSESSMENT.—The Secretary shall conduct an
19 assessment of the general conditions of confined disposal
20 facilities in the Great Lakes.

21 (b) REPORT.—Not later than 3 years after the date
22 of the enactment of this Act, the Secretary shall transmit
23 to Congress a report on the results of the assessment con-
24 ducted under subsection (a), including the following:

1 (1) A description of the cumulative effects of
2 confined disposal facilities in the Great Lakes.

3 (2) Recommendations for specific remediation
4 actions for each confined disposal facility in the
5 Great Lakes.

6 (3) An evaluation of, and recommendations for,
7 confined disposal facility management practices and
8 technologies to conserve capacity at such facilities
9 and to minimize adverse environmental effects at
10 such facilities throughout the Great Lakes system.

11 **SEC. 513. CHESAPEAKE BAY RESTORATION AND PROTEC-**
12 **TION PROGRAM.**

13 (a) **ESTABLISHMENT.**—The Secretary shall establish
14 a pilot program to provide to non-Federal interests in the
15 Chesapeake Bay watershed technical, planning, design,
16 and construction assistance for water-related environ-
17 mental infrastructure and resource protection and devel-
18 opment projects affecting the Chesapeake Bay, including
19 projects for sediment and erosion control, protection of
20 eroding shorelines, protection of essential public works,
21 wastewater treatment and related facilities, water supply
22 and related facilities, and beneficial uses of dredged mate-
23 rial, and other related projects.

24 (b) **PUBLIC OWNERSHIP REQUIREMENT.**—The Sec-
25 retary may provide assistance for a project under this sec-

1 tion only if the project is publicly owned and will be pub-
2 licly operated and maintained.

3 (c) COOPERATION AGREEMENT.—

4 (1) IN GENERAL.—Before providing assistance
5 under this section, the Secretary shall enter into a
6 project cooperation agreement pursuant to section
7 221 of the Flood Control Act of 1970 (84 Stat.
8 1818) with a non-Federal interest to provide for
9 technical, planning, design, and construction assist-
10 ance for the project.

11 (2) REQUIREMENTS.—Each agreement entered
12 into pursuant to this subsection shall provide for the
13 following:

14 (A) PLAN.—Development by the Secretary,
15 in consultation with appropriate Federal, State,
16 and local officials, of a plan, including appro-
17 priate engineering plans and specifications and
18 an estimate of expected benefits.

19 (B) LEGAL AND INSTITUTIONAL STRUC-
20 TURES.—Establishment of such legal and insti-
21 tutional structures as are necessary to ensure
22 the effective long-term operation and mainte-
23 nance of the project by the non-Federal inter-
24 est.

25 (d) COST SHARING.—

1 (1) FEDERAL SHARE.—Except as provided in
2 paragraph (2)(B), the Federal share of the total
3 project costs of each local cooperation agreement en-
4 tered into under this section shall be 75 percent.

5 (2) NON-FEDERAL SHARE.—

6 (A) PROVISION OF LANDS, EASEMENTS,
7 RIGHTS-OF-WAY, AND RELOCATIONS.—The non-
8 Federal interests for a project to which this sec-
9 tion applies shall provide the lands, easements,
10 rights-of-way, relocations, and dredged material
11 disposal areas necessary for the project.

12 (B) VALUE OF LANDS, EASEMENTS,
13 RIGHTS-OF-WAY, AND RELOCATIONS.—In deter-
14 mining the non-Federal contribution toward
15 carrying out a local cooperation agreement en-
16 tered into under this section, the Secretary
17 shall provide credit to a non-Federal interest
18 for the value of lands, easements, rights-of-way,
19 relocations, and dredged material disposal areas
20 provided by the non-Federal interest, except
21 that the amount of credit provided for a project
22 under this paragraph may not exceed 25 per-
23 cent of total project costs.

24 (C) OPERATION AND MAINTENANCE
25 COSTS.—The non-Federal share of the costs of

1 operation and maintenance of carrying out the
2 agreement under this section shall be 100 per-
3 cent.

4 (e) **APPLICABILITY OF OTHER FEDERAL AND STATE**
5 **LAWS AND AGREEMENTS.—**

6 (1) **IN GENERAL.**—Nothing in this section
7 waives, limits, or otherwise affects the applicability
8 of any provision of Federal or State law that would
9 otherwise apply to a project carried out with assist-
10 ance provided under this section.

11 (2) **COOPERATION.**—In carrying out this sec-
12 tion, the Secretary shall cooperate with the heads of
13 appropriate Federal agencies.

14 (f) **REPORT.**—Not later than December 31, 1998, the
15 Secretary shall transmit to Congress a report on the re-
16 sults of the program carried out under this section, to-
17 gether with a recommendation concerning whether or not
18 the program should be implemented on a national basis.

19 (g) **AUTHORIZATION OF APPROPRIATIONS.**—There
20 are authorized to be appropriated to carry out this section
21 \$15,000,000.

22 **SEC. 514. EXTENSION OF JURISDICTION OF MISSISSIPPI**
23 **RIVER COMMISSION.**

24 The jurisdiction of the Mississippi River Commission,
25 established by the first section of the Act of June 28, 1879

1 (33 U.S.C. 641; 21 Stat. 37), is extended to include all
2 of the area between the eastern side of the Bayou
3 Lafourche Ridge from Donaldsonville, Louisiana, to the
4 Gulf of Mexico and the west guide levee of the Mississippi
5 River from Donaldsonville, Louisiana, to the Gulf of Mex-
6 ico.

7 **SEC. 515. ALTERNATIVE TO ANNUAL PASSES.**

8 (a) IN GENERAL.—The Secretary shall evaluate the
9 feasibility of implementing an alternative to the \$25 an-
10 nual pass that the Secretary currently offers to users of
11 recreation facilities at water resources projects of the
12 Corps of Engineers.

13 (b) ANNUAL PASS.—The evaluation under subsection
14 (a) shall include the establishment of an annual pass
15 which costs \$10 or less for the use of recreation facilities
16 at Raystown Lake, Pennsylvania.

17 (c) REPORT.—Not later than December 31, 1998, the
18 Secretary shall transmit to Congress a report on the re-
19 sults of the project carried out under this section, together
20 with recommendations concerning whether annual passes
21 for individual projects should be offered on a nationwide
22 basis.

23 **SEC. 516. RECREATION PARTNERSHIP INITIATIVE.**

24 (a) IN GENERAL.—The Secretary shall promote Fed-
25 eral, non-Federal, and private sector cooperation in creat-

1 ing public recreation opportunities and developing the nec-
2 essary supporting infrastructure at water resources
3 projects of the Corps of Engineers.

4 (b) INFRASTRUCTURE IMPROVEMENTS.—

5 (1) RECREATION INFRASTRUCTURE IMPROVE-
6 MENTS.—In demonstrating the feasibility of the
7 public-private cooperative, the Secretary shall pro-
8 vide, at Federal expense, such infrastructure im-
9 provements as are necessary to support a potential
10 private recreational development at the Raystown
11 Lake Project, Pennsylvania, generally in accordance
12 with the Master Plan Update (1994) for the project.

13 (2) AGREEMENT.—The Secretary shall enter
14 into an agreement with an appropriate non-Federal
15 public entity to ensure that the infrastructure im-
16 provements constructed by the Secretary on non-
17 project lands pursuant to paragraph (1) are trans-
18 ferred to and operated and maintained by the non-
19 Federal public entity.

20 (3) AUTHORIZATION OF APPROPRIATIONS.—
21 There is authorized to be appropriated to carry out
22 this subsection \$4,500,000 for fiscal years beginning
23 after September 30, 1996.

24 (c) REPORT.—Not later than December 31, 1998, the
25 Secretary shall transmit to Congress a report on the re-

1 sults of the cooperative efforts carried out under this sec-
2 tion, including the improvements required by subsection
3 (b).

4 **SEC. 517. ENVIRONMENTAL INFRASTRUCTURE.**

5 Section 219 of the Water Resources Development Act
6 of 1992 (106 Stat. 4836–4837) is amended by adding at
7 the end the following new subsection:

8 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
9 is authorized to be appropriated for providing construction
10 assistance under this section—

11 “(1) \$10,000,000 for the project described in
12 subsection (c)(5);

13 “(2) \$2,000,000 for the project described in
14 subsection (c)(6);

15 “(3) \$10,000,000 for the project described in
16 subsection (c)(7);

17 “(4) \$11,000,000 for the project described in
18 subsection (c)(8);

19 “(5) \$20,000,000 for the project described in
20 subsection (c)(16); and

21 “(6) \$20,000,000 for the project described in
22 subsection (c)(17).”.

1 **SEC. 518. CORPS CAPABILITY TO CONSERVE FISH AND**
2 **WILDLIFE.**

3 Section 704(b) of the Water Resources Development
4 Act of 1986 (33 U.S.C. 2263(b); 100 Stat. 4157) is
5 amended—

6 (1) by striking “\$5,000,000”; and inserting
7 “\$10,000,000”; and

8 (2) in paragraph (4) by inserting “and Vir-
9 ginia” after “Maryland”.

10 **SEC. 519. PERIODIC BEACH NOURISHMENT.**

11 The Secretary shall carry out periodic beach nourish-
12 ment for each of the following projects for a period of 50
13 years beginning on the date of initiation of construction
14 of such project:

15 (1) BROWARD COUNTY, FLORIDA.—Project for
16 shoreline protection, segments II and III, Broward
17 County, Florida.

18 (2) FORT PIERCE, FLORIDA.—Project for shore-
19 line protection, Fort Pierce, Florida.

20 (3) LEE COUNTY, FLORIDA.—Project for shore-
21 line protection, Lee County, Captiva Island segment,
22 Florida.

23 (4) PALM BEACH COUNTY, FLORIDA.—Project
24 for shoreline protection, Jupiter/Carlin and Ocean
25 Ridge segments, Palm Beach County, Florida.

1 (5) PANAMA CITY BEACHES, FLORIDA.—Project
2 for shoreline protection, Panama City Beaches, Flor-
3 ida.

4 **SEC. 520. CONTROL OF AQUATIC PLANTS.**

5 The Secretary shall carry out under section 104(b)
6 of the River and Harbor Act of 1958 (33 U.S.C.
7 610(b))—

8 (1) a program to control aquatic plants in Lake
9 St. Claire, Michigan; and

10 (2) program to control aquatic plants in the
11 Schuylkill River, Philadelphia, Pennsylvania.

12 **SEC. 521. NEW ENGLAND DIVISION HEADQUARTERS FACIL-**
13 **ITY.**

14 (a) GENERAL AUTHORITY.—The Secretary may use
15 Plant Replacement and Improvement Program funds to
16 design and construct a new headquarters facility for the
17 New England Division of the United States Army Corps
18 of Engineers.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated for fiscal years beginning
21 after September 30, 1996, \$30,000,000 to carry out this
22 section.

23 **SEC. 522. LAKE SUPERIOR CENTER.**

24 (a) CONSTRUCTION.—The Secretary, in consultation
25 with the University of Minnesota-Duluth, shall construct

1 an educational facility to be used in connection with ef-
2 forts to educate the public to the economic, recreational,
3 biological, aesthetic and spiritual worth of Lake Superior
4 and other large bodies of fresh water in general.

5 (b) OPERATION AND MAINTENANCE.—After con-
6 struction, the Secretary shall transfer the facility con-
7 structed under this section to the University of Minnesota-
8 Duluth. The facility shall be operated and maintained by
9 the university.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated for fiscal years beginning
12 after September 30, 1996, \$10,000,000 for the construc-
13 tion of the facility under subsection (a).

14 **SEC. 523. EARTHQUAKE PREPAREDNESS CENTER OF EX-**
15 **PERTISE EXTENSION.**

16 The Secretary shall establish an extension of the
17 Earthquake Preparedness Center of Expertise for the
18 central United States at an existing district office of the
19 Corps of Engineers near the New Madrid fault.

20 **SEC. 524. QUARANTINE FACILITY.**

21 Section 108(c) of the Water Resources Development
22 Act of 1992 (106 Stat. 4816) is amended by striking
23 “\$1,000,000” and inserting “\$4,000,000”.

1 **SEC. 525. BENTON AND WASHINGTON COUNTIES, ARKAN-**
2 **SAS.**

3 Section 220 of the Water Resources Development Act
4 of 1992 (106 Stat. 4836–4837) is amended by adding at
5 the end the following new subsection:

6 “(c) USE OF FEDERAL FUNDS.—The Secretary may
7 make available to the non-Federal interests funds not to
8 exceed an amount equal to the Federal share of the total
9 project cost to be used by the non-Federal interests to un-
10 dertake the work directly or by contract.”.

11 **SEC. 526. CALAVERAS COUNTY, CALIFORNIA.**

12 The Secretary, in cooperation with Federal, State,
13 and local agencies, is authorized—

14 (1) to conduct investigations and surveys of the
15 watershed of the Lower Mokelumne River in
16 Calaveras County, California; and

17 (2) to provide technical, planning, and design
18 assistance for abatement and mitigation of degrada-
19 tion caused by abandoned mines and mining activity
20 in the vicinity of such river.

21 **SEC. 527. PRADO DAM SAFETY IMPROVEMENTS, CALIFOR-**
22 **NIA.**

23 The Secretary, in coordination with the State of Cali-
24 fornia, shall provide technical assistance to Orange Coun-
25 ty, California, in developing appropriate public safety and
26 access improvements associated with that portion of Cali-

1 ornia State Route 71 being relocated for the Prado Dam
2 feature of the project authorized as part of the project
3 for flood control, Santa Ana River Mainstem, California,
4 by section 401(a) of the Water Resources Development
5 Act of 1986 (100 Stat. 4113).

6 **SEC. 528. TAMPA, FLORIDA.**

7 The Secretary may enter into a cooperative agree-
8 ment under section 228 of this Act with the Museum of
9 Science and Industry, Tampa, Florida, to provide tech-
10 nical, planning, and design assistance to demonstrate the
11 water quality functions found in wetlands, at an estimated
12 total Federal cost of \$500,000.

13 **SEC. 529. WATERSHED MANAGEMENT PLAN FOR DEEP**
14 **RIVER BASIN, INDIANA.**

15 (a) DEVELOPMENT.—The Secretary, in consultation
16 with the Natural Resources Conservation Service of the
17 Department of Agriculture, shall develop a watershed
18 management plan for the Deep River Basin, Indiana,
19 which includes Deep River, Lake George, Turkey Creek,
20 and other related tributaries in Indiana.

21 (b) CONTENTS.—The plan to be developed by the
22 Secretary under subsection (a) shall address specific con-
23 cerns related to the Deep River Basin area, including sedi-
24 ment flow into Deep River, Turkey Creek, and other tribu-
25 taries; control of sediment quality in Lake George; flood-

1 ing problems; the safety of the Lake George Dam; and
2 watershed management.

3 **SEC. 530. SOUTHERN AND EASTERN KENTUCKY.**

4 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
5 shall establish a program for providing environmental as-
6 sistance to non-Federal interests in southern and eastern
7 Kentucky. Such assistance may be in the form of design
8 and construction assistance for water-related environ-
9 mental infrastructure and resource protection and devel-
10 opment projects in southern and eastern Kentucky, includ-
11 ing projects for wastewater treatment and related facili-
12 ties, water supply, storage, treatment, and distribution fa-
13 cilities, and surface water resource protection and develop-
14 ment.

15 (b) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
16 retary may provide assistance for a project under this sec-
17 tion only if the project is publicly owned.

18 (c) PROJECT COOPERATION AGREEMENTS.—

19 (1) IN GENERAL.—Before providing assistance
20 under this section, the Secretary shall enter into a
21 project cooperation agreement with a non-Federal
22 interest to provide for design and construction of the
23 project to be carried out with such assistance.

1 (2) REQUIREMENTS.—Each agreement entered
2 into under this subsection shall provide for the fol-
3 lowing:

4 (A) PLAN.—Development by the Secretary,
5 in consultation with appropriate Federal and
6 State officials, of a facilities development plan
7 or resource protection plan, including appro-
8 priate plans and specifications.

9 (B) LEGAL AND INSTITUTIONAL STRUC-
10 TURES.—Establishment of each such legal and
11 institutional structures as are necessary to as-
12 sure the effective long-term operation of the
13 project by the non-Federal interest.

14 (3) COST SHARING.—

15 (A) IN GENERAL.—Total project costs
16 under each agreement entered into under this
17 subsection shall be shared at 75 percent Fed-
18 eral and 25 percent non-Federal, except that
19 the non-Federal interest shall receive credit for
20 the reasonable costs of design work completed
21 by such interest before entry into the agreement
22 with the Secretary. The Federal share may be
23 in the form of grants or reimbursements of
24 project costs.

1 (B) CREDIT FOR CERTAIN FINANCING
2 COSTS.—In the event of delays in the reim-
3 bursement of the non-Federal share of a
4 project, the non-Federal interest shall receive
5 credit for reasonable interest and other associ-
6 ated financing costs necessary for such non-
7 Federal interest to provide the non-Federal
8 share of the project's cost.

9 (C) LANDS, EASEMENTS, AND RIGHTS-OF-
10 WAY.—The non-Federal interest shall receive
11 credit for lands, easements, rights-of-way, and
12 relocations provided by the non-Federal interest
13 toward its share of project costs, including for
14 costs associated with obtaining permits nec-
15 essary for the placement of such project on
16 publicly owned or controlled lands, but not to
17 exceed 25 percent of total project costs.

18 (D) OPERATION AND MAINTENANCE.—Op-
19 eration and maintenance costs shall be 100 per-
20 cent non-Federal.

21 (d) APPLICABILITY OF OTHER FEDERAL AND STATE
22 LAWS.—Nothing in this section shall be construed as
23 waiving, limiting, or otherwise affecting the applicability
24 of any provision of Federal or State law which would oth-

1 erwise apply to a project to be carried out with assistance
2 provided under this section.

3 (e) REPORT.—Not later than December 31, 1999, the
4 Secretary shall transmit to Congress a report on the re-
5 sults of the program carried out under this section, to-
6 gether with recommendations concerning whether or not
7 such program should be implemented on a national basis.

8 (f) SOUTHERN AND EASTERN KENTUCKY DE-
9 FINED.—For purposes of this section, the term “southern
10 and eastern Kentucky” means Morgan, Floyd, Pulaski,
11 Wayne, Laurel, Knox, Pike, Menifee, Perry, Harlan,
12 Breathitt, Martin, Jackson, Wolfe, Clay, Magoffin,
13 Owsley, Johnson, Leslie, Lawrence, Knott, Bell,
14 McCreary, Rockcastle, Whitley, Lee, and Letcher Coun-
15 ties, Kentucky.

16 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$10,000,000.

19 **SEC. 531. LOUISIANA COASTAL WETLANDS RESTORATION**
20 **PROJECTS.**

21 Section 303(f) of the Coastal Wetlands Planning,
22 Protection and Restoration Act (16 U.S.C. 3952(f); 104
23 Stat. 4782–4783) is amended—

24 (1) in paragraph (4) by striking “and (3)” and
25 inserting “(3), and (5)”; and

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

2 “(5) FEDERAL SHARE IN CALENDAR YEARS
3 1996 AND 1997.—Notwithstanding paragraphs (1)
4 and (2), amounts made available in accordance with
5 section 306 of this title to carry out coastal wetlands
6 restoration projects under this section in calendar
7 years 1996 and 1997 shall provide 90 percent of the
8 cost of such projects.”.

9 **SEC. 532. SOUTHEAST LOUISIANA.**

10 (a) FLOOD CONTROL.—The Secretary is directed to
11 proceed with engineering, design, and construction of
12 projects to provide for flood control and improvements to
13 rainfall drainage systems in Jefferson, Orleans, and St.
14 Tammany Parishes, Louisiana, in accordance with the fol-
15 lowing reports of the New Orleans District Engineer: Jef-
16 ferson and Orleans Parishes, Louisiana, Urban Flood
17 Control and Water Quality Management, July 1992;
18 Tangipahoa, Techefuncte, and Tickfaw Rivers, Louisiana,
19 June 1991; and Schneider Canal, Slidell, Louisiana, Hur-
20 ricane Protection, May 1990.

21 (b) COST SHARING.—The cost of any work performed
22 by the non-Federal interests subsequent to the reports re-
23 ferred to in subsection (a) and determined by the Sec-
24 retary to be a compatible and integral part of the projects

1 shall be credited toward the non-Federal share of the
2 projects.

3 (c) FUNDING.—There is authorized to be appro-
4 priated \$40,000,000 for the initiation and partial accom-
5 plishment of projects described in the reports referred to
6 in subsection (a).

7 **SEC. 533. RESTORATION PROJECTS FOR MARYLAND, PENN-**
8 **SYLVANIA, WEST VIRGINIA, AND KENTUCKY.**

9 The Secretary, in cooperation with Federal, State,
10 and local agencies, is authorized—

11 (1) to conduct investigations and surveys of the
12 watersheds of the North Branch of the Potomac
13 River, Maryland, Pennsylvania, and West Virginia;
14 New River, West Virginia; and Pond Creek, Ken-
15 tucky; and

16 (2) to provide technical, planning, and design
17 assistance for abatement and mitigation of surface
18 water quality degradation caused by abandoned
19 mines and mining activity in the vicinity of such riv-
20 ers and creek.

21 **SEC. 534. BENEFICIAL USE OF DREDGED MATERIAL, POP-**
22 **LAR ISLAND, MARYLAND.**

23 The Secretary shall carry out a project for the bene-
24 ficial use of dredged material at Poplar Island, Maryland,
25 pursuant to section 204 of the Water Resources Develop-

1 ment Act of 1992; except that the initial construction cost
2 of the project shall be \$70,000,000, with an estimated
3 Federal cost of \$52,500,000 and an estimated non-Fed-
4 eral cost of \$17,500,000.

5 **SEC. 535. EROSION CONTROL MEASURES, SMITH ISLAND,**
6 **MARYLAND.**

7 (a) IN GENERAL.—The Secretary shall implement
8 erosion control measures in the vicinity of Rhodes Point,
9 Smith Island, Maryland, at an estimated total Federal
10 cost of \$450,000.

11 (b) IMPLEMENTATION ON EMERGENCY BASIS.—The
12 project under subsection (a) shall be carried out on an
13 emergency basis in view of the national, historic, and cul-
14 tural value of the island and in order to protect the Fed-
15 eral investment in infrastructure facilities.

16 (c) COST SHARING.—Cost sharing applicable to hur-
17 ricane and storm damage reduction shall be applicable to
18 the project to be carried out under subsection (a).

19 **SEC. 536. BENEFICIAL USE OF DREDGED MATERIAL,**
20 **WORTON POINT, KENT COUNTY, MARYLAND.**

21 The Secretary shall carry out a project for the bene-
22 ficial use of dredged material at Worton Point, Kent
23 County, Maryland, pursuant to section 204 of the Water
24 Resources Development Act of 1992.

1 **SEC. 537. DULUTH, MINNESOTA, ALTERNATIVE TECH-**
2 **NOLOGY PROJECT.**

3 (a) **PROJECT AUTHORIZATION.**—The Secretary shall
4 develop and implement alternative methods for decon-
5 tamination and disposal of contaminated dredged material
6 at the Port of Duluth, Minnesota.

7 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There is
8 authorized to be appropriated for fiscal years beginning
9 after September 30, 1996, to carry out this section
10 \$1,000,000. Such sums shall remain available until ex-
11 pended.

12 **SEC. 538. REDWOOD RIVER BASIN, MINNESOTA.**

13 (a) **STUDY AND STRATEGY DEVELOPMENT.**—The
14 Secretary, in cooperation with the Secretary of Agriculture
15 and the State of Minnesota, shall conduct a study, and
16 develop a strategy, for using wetland restoration, soil and
17 water conservation practices, and nonstructural measures
18 to reduce flood damages, improve water quality, and cre-
19 ate wildlife habitat in the Redwood River basin and the
20 subbasins draining into the Minnesota River, at an esti-
21 mated Federal cost of \$4,000,000.

22 (b) **NON-FEDERAL SHARE.**—The non-Federal share
23 of the cost of the study and development of the strategy
24 shall be 25 percent and may be provided through in-kind
25 services and materials.

1 (c) COOPERATION AGREEMENT.—In conducting the
2 study and developing the strategy under this section, the
3 Secretary shall enter into cooperation agreements to pro-
4 vide financial assistance to appropriate Federal, State,
5 and local government agencies, including activities for the
6 implementation of wetland restoration projects and soil
7 and water conservation measures.

8 (d) IMPLEMENTATION.—The Secretary shall under-
9 take development and implementation of the strategy au-
10 thorized by this section in cooperation with local land-
11 owners and local government officials.

12 **SEC. 539. NATCHEZ BLUFFS, MISSISSIPPI.**

13 (a) IN GENERAL.—The Secretary shall carry out the
14 project for bluff stabilization, Natchez Bluffs, Natchez,
15 Mississippi, substantially in accordance with (1) the
16 Natchez Bluffs Study, dated September 1985, (2) the
17 Natchez Bluffs Study: Supplement I, dated June 1990,
18 and (3) the Natchez Bluffs Study: Supplement II, dated
19 December 1993, in the portions of the bluffs described in
20 subsection (b), at a total cost of \$17,200,000, with an esti-
21 mated Federal cost of \$12,900,000 and an estimated non-
22 Federal cost of \$4,300,000.

23 (b) DESCRIPTION OF PROJECT LOCATION.—The por-
24 tions of the Natchez Bluffs where the project is to be car-

1 ried out under subsection (a) are described in the studies
2 referred to in subsection (a) as—

- 3 (1) Clifton Avenue, area 3;
- 4 (2) the bluff above Silver Street, area 6;
- 5 (3) the bluff above Natchez Under-the-Hill,
6 area 7; and
- 7 (4) Madison Street to State Street, area 4.

8 **SEC. 540. SARDIS LAKE, MISSISSIPPI.**

9 The Secretary shall work cooperatively with the State
10 of Mississippi and the city of Sardis, Mississippi, to the
11 maximum extent practicable, in the management of exist-
12 ing and proposed leases of land consistent with the master
13 tourism and recreational plan for the economic develop-
14 ment of the Sardis Lake area prepared by the city.

15 **SEC. 541. COCHECO RIVER, NEW HAMPSHIRE.**

16 The Secretary is directed to provide technical assist-
17 ance to the city of Dover, New Hampshire, in resolving
18 encroachment issues related to maintenance dredging of
19 the project for navigation on the Cochecho River, New
20 Hampshire.

21 **SEC. 542. DURHAM, NEW HAMPSHIRE.**

22 The Secretary may enter into a cooperative agree-
23 ment under section 228 of this Act with the University
24 of New Hampshire to provide technical assistance for a

1 water treatment technology center addressing the needs
2 of small communities.

3 **SEC. 543. HACKENSACK MEADOWLANDS AREA, NEW JER-**
4 **SEY.**

5 Section 324(b)(1) of the Water Resources Develop-
6 ment Act of 1992 (106 Stat. 4849) is amended to read
7 as follows:

8 “(1) Mitigation, enhancement, and acquisition
9 of significant wetlands that contribute to the
10 Meadowlands ecosystem.”.

11 **SEC. 544. AUTHORIZATION OF DREDGE MATERIAL CON-**
12 **TAINMENT FACILITY FOR PORT OF NEW**
13 **YORK/NEW JERSEY.**

14 (a) IN GENERAL.—The Secretary is authorized to
15 construct, operate, and maintain a dredged material con-
16 tainment facility with a capacity commensurate with the
17 long-term dredged material disposal needs of port facilities
18 under the jurisdiction of the Port of New York/New Jer-
19 sey. The costs associated with feasibility studies, design,
20 engineering, and construction shall be shared with the
21 local sponsor in accordance with the provisions of section
22 101 of the Water Resources Development Act of 1986.

23 (b) BENEFICIAL USE.—After the facility to be con-
24 structed under subsection (a) has been filled to capacity

1 with dredged material, the Secretary shall maintain the
2 facility for the public benefit.

3 **SEC. 545. HUDSON RIVER HABITAT RESTORATION, NEW**
4 **YORK.**

5 (a) HABITAT RESTORATION PROJECT.—The Sec-
6 retary shall expedite the feasibility study of the Hudson
7 River Habitat Restoration, Hudson River Basin, New
8 York, and shall carry out no fewer than 4 projects for
9 habitat restoration, to the extent the Secretary determines
10 such work to be technically feasible. Such projects shall
11 be designed to—

12 (1) provide a pilot project to assess and im-
13 prove habitat value and environmental outputs of
14 recommended projects;

15 (2) provide a demonstration project to evaluate
16 various restoration techniques for effectiveness and
17 cost;

18 (3) fill an important local habitat need within
19 a specific portion of the study area; and

20 (4) take advantage of ongoing or planned ac-
21 tions by other agencies, local municipalities, or envi-
22 ronmental groups that would increase the effective-
23 ness or decrease the overall cost of implementing one
24 of the recommended restoration project sites.

1 (b) NON-FEDERAL SHARE.—Non-Federal interests
2 shall provide 25 percent of the cost on each project under-
3 taken under subsection (a). The non-Federal share may
4 be in the form of cash or in-kind contributions.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section
7 \$11,000,000.

8 **SEC. 546. NEW YORK BIGHT AND HARBOR STUDY.**

9 Section 326(f) of the Water Resources Development
10 Act of 1992 (106 Stat. 4851) is amended by striking
11 “\$1,000,000” and inserting “\$5,000,000”.

12 **SEC. 547. NEW YORK STATE CANAL SYSTEM.**

13 (a) IN GENERAL.—The Secretary is authorized to
14 make capital improvements to the New York State Canal
15 System.

16 (b) AGREEMENTS.—The Secretary shall, with the
17 consent of appropriate local and State entities, enter into
18 such arrangements, contracts, and leases with public and
19 private entities as may be necessary for the purposes of
20 rehabilitation, renovation, preservation, and maintenance
21 of the New York State Canal System and its related facili-
22 ties, including trailside facilities and other recreational
23 projects along the waterways of the canal system.

24 (c) NEW YORK STATE CANAL SYSTEM DEFINED.—
25 In this section, the term “New York State Canal System”

1 means the Erie, Oswego, Champlain, and Cayuga-Seneca
2 Canals.

3 (d) FEDERAL SHARE.—The Federal share of the cost
4 of capital improvements under this section shall be 50 per-
5 cent.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to carry out this section
8 \$5,000,000.

9 **SEC. 548. NEW YORK CITY WATERSHED.**

10 (a) ESTABLISHMENT.—

11 (1) IN GENERAL.—The Secretary shall establish
12 a program for providing environmental assistance to
13 non-Federal interests in the New York City Water-
14 shed.

15 (2) FORM.—Assistance provided under this sec-
16 tion may be in the form of design and construction
17 assistance for water-related environmental infra-
18 structure and resource protection and development
19 projects in the New York City Watershed, including
20 projects for water supply, storage, treatment, and
21 distribution facilities, and surface water resource
22 protection and development.

23 (b) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
24 retary may provide assistance for a project under this sec-
25 tion only if the project is publicly owned.

1 (c) ELIGIBLE PROJECTS.—

2 (1) CERTIFICATION.—A project shall be eligible
3 for financial assistance under this section only if the
4 State director for the project certifies to the Sec-
5 retary that the project will contribute to the protec-
6 tion and enhancement of the quality or quantity of
7 the New York City water supply.

8 (2) SPECIAL CONSIDERATION.—In certifying
9 projects to the Secretary, the State director shall
10 give special consideration to those projects imple-
11 menting plans, agreements, and measures which pre-
12 serve and enhance the economic and social character
13 of the watershed communities.

14 (3) PROJECT DESCRIPTIONS.—Projects eligible
15 for assistance under this section shall include the
16 following:

17 (A) Implementation of intergovernmental
18 agreements for coordinating regulatory and
19 management responsibilities.

20 (B) Acceleration of whole farm planning to
21 implement best management practices to main-
22 tain or enhance water quality and to promote
23 agricultural land use.

24 (C) Acceleration of whole community plan-
25 ning to promote intergovernmental cooperation

1 in the regulation and management of activities
2 consistent with the goal of maintaining or en-
3 hancing water quality.

4 (D) Natural resources stewardship on pub-
5 lic and private lands to promote land uses that
6 preserve and enhance the economic and social
7 character of the watershed communities and
8 protect and enhance water quality.

9 (d) COOPERATION AGREEMENTS.—Before providing
10 assistance under this section, the Secretary shall enter
11 into a project cooperation agreement with the State direc-
12 tor for the project to be carried out with such assistance.

13 (e) COST SHARING.—

14 (1) IN GENERAL.—Total project costs under
15 each agreement entered into under this section shall
16 be shared at 75 percent Federal and 25 percent non-
17 Federal. The non-Federal interest shall receive cred-
18 it for the reasonable costs of design work completed
19 by such interest prior to entering into the agreement
20 with the Secretary for a project. The Federal share
21 may be in the form of grants or reimbursements of
22 project costs.

23 (2) INTEREST.—In the event of delays in the
24 reimbursement of the non-Federal share of a
25 project, the non-Federal interest shall receive credit

1 for reasonable interest costs incurred to provide the
2 non-Federal share of a project's cost.

3 (3) LANDS, EASEMENTS, AND RIGHTS-OF-WAY
4 CREDIT.—The non-Federal interest shall receive
5 credit for lands, easements, rights-of-way, and relo-
6 cations provided by the non-Federal interest toward
7 its share of project costs, including direct costs asso-
8 ciated with obtaining permits necessary for the
9 placement of such project on public owned or con-
10 trolled lands, but not to exceed 25 percent of total
11 project costs.

12 (4) OPERATION AND MAINTENANCE.—Oper-
13 ation and maintenance costs for projects constructed
14 with assistance provided under this section shall be
15 100 percent non-Federal.

16 (f) APPLICABILITY OF OTHER FEDERAL AND STATE
17 LAWS.—Nothing in this section shall be construed to
18 waive, limit, or otherwise affect the applicability of any
19 provision of Federal or State law that would otherwise
20 apply to a project carried out with assistance provided
21 under this section.

22 (g) REPORT.—Not later than December 31, 2000,
23 the Secretary shall transmit to Congress a report on the
24 results of the program carried out under this section, to-

1 gether with recommendations concerning whether such
2 program should be implemented on a national basis.

3 (h) NEW YORK CITY WATERSHED DEFINED.—For
4 purposes of this section, the term “New York City Water-
5 shed” means the land area within the counties of Dela-
6 ware, Greene, Schoharie, Ulster, Sullivan, Westchester,
7 Putnam, and Dutchess which contributes water to the
8 water supply system of New York City.

9 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to carry out this section
11 \$25,000,000.

12 **SEC. 549. NORTHEASTERN OHIO.**

13 The Secretary is authorized to provide technical as-
14 sistance to local interests for planning the establishment
15 of a regional water authority in northeastern Ohio to ad-
16 dress the water problems of the region. The Federal share
17 of the costs of such planning shall not exceed 75 percent.

18 **SEC. 550. GRAND LAKE, OKLAHOMA.**

19 (a) STUDY.—Not later than 1 year after the date of
20 the enactment of this Act, the Secretary of the Army shall
21 carry out and complete a study of flood control in Grand/
22 Neosho Basin and tributaries in the vicinity of Pensacola
23 Dam in northeastern Oklahoma to determine the scope of
24 the backwater effects of operation of the dam and to iden-
25 tify any lands which the Secretary determines have been

1 adversely impacted by such operation or should have been
2 originally purchased as flowage easement for the project.

3 (b) ACQUISITION OF REAL PROPERTY.—Upon com-
4 pletion of the study and subject to advance appropriations,
5 the Secretary shall acquire from willing sellers such real
6 property interests in any lands identified in the study as
7 the Secretary determines are necessary to reduce the ad-
8 verse impacts identified in the study conducted under sub-
9 section (a).

10 (c) IMPLEMENTATION REPORTS.—The Secretary
11 shall transmit to Congress reports on the operation of the
12 Pensacola Dam, including data on and a description of
13 releases in anticipation of flooding (referred to as
14 preoccupancy releases), and the implementation of this
15 section. The first of such reports shall be transmitted not
16 later than 2 years after the date of the enactment of this
17 Act.

18 (d) AUTHORIZATION OF APPROPRIATIONS.—

19 (1) IN GENERAL.—There is authorized to be
20 appropriated to carry out this section \$25,000,000
21 for fiscal years beginning after September 30, 1996.

22 (2) MAXIMUM FUNDING FOR STUDY.—Of
23 amounts appropriated to carry out this section, not
24 to exceed \$1,500,000 shall be available for carrying
25 out the study under subsection (a).

1 **SEC. 551. BROAD TOP REGION OF PENNSYLVANIA.**

2 Section 304 of the Water Resources Development Act
3 of 1992 (106 Stat. 4840) is amended—

4 (1) by striking subsection (b) and inserting the
5 following:

6 “(b) COST SHARING.—The Federal share of the cost
7 of the activities conducted under the cooperative agree-
8 ment entered into under subsection (a) shall be 75 per-
9 cent. The non-Federal share of project costs may be pro-
10 vided in the form of design and construction services. Non-
11 Federal interests shall receive credit for the reasonable
12 costs of such services completed by such interests prior
13 to entering an agreement with the Secretary for a
14 project.”; and

15 (2) in subsection (c) by striking “\$5,500,000”
16 and inserting “\$11,000,000”.

17 **SEC. 552. HOPPER DREDGE MCFARLAND.**

18 (a) PROJECT AUTHORIZATION.—The Secretary shall
19 carry out a project at the Philadelphia Naval Shipyard,
20 Pennsylvania, to make modernization and efficiency im-
21 provements to the hopper dredge McFarland.

22 (b) REQUIREMENTS.—In carrying out the project
23 under subsection (a), the Secretary shall—

24 (1) determine whether the McFarland should be
25 returned to active service or the reserve fleet after
26 the project is completed; and

1 (2) establish minimum standards of dredging
2 service to be met in areas served by the McFarland
3 while the drydocking is taking place.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section
6 \$20,000,000 for fiscal years beginning after September
7 30, 1996.

8 **SEC. 553. PHILADELPHIA, PENNSYLVANIA.**

9 (a) WATER WORKS RESTORATION.—

10 (1) IN GENERAL.—The Secretary shall provide
11 planning, design, and construction assistance for the
12 protection and restoration of the Philadelphia, Penn-
13 sylvania Water Works.

14 (2) COORDINATION.—In providing assistance
15 under this subsection, the Secretary shall coordinate
16 with the Fairmount Park Commission and the Sec-
17 retary of the Interior.

18 (3) FUNDING.—There is authorized to be ap-
19 propriated to carry out this subsection \$1,000,000
20 for fiscal years beginning after September 30, 1996.

21 (b) COOPERATION AGREEMENT FOR SCHUYLKILL
22 NAVIGATION CANAL.—

23 (1) IN GENERAL.—The Secretary shall enter
24 into a cooperation agreement with the city of Phila-
25 delphia, Pennsylvania, to participate in the oper-

1 ation, maintenance, and rehabilitation of the Schuyl-
2 kill Navigation Canal at Manayunk.

3 (2) LIMITATION ON FEDERAL SHARE.—The
4 Federal share of the cost of the operation, mainte-
5 nance, and rehabilitation under paragraph (1) shall
6 not exceed \$300,000 annually.

7 (3) AREA INCLUDED.—For purposes of this
8 subsection, the Schuylkill Navigation Canal includes
9 the section approximately 10,000 feet long extending
10 between Lock and Fountain Streets, Philadelphia,
11 Pennsylvania.

12 (c) SCHUYLKILL RIVER PARK.—

13 (1) ASSISTANCE.—The Secretary is authorized
14 to provide technical, planning, design, and construc-
15 tion assistance for the Schuylkill River Park, Phila-
16 delphia, Pennsylvania.

17 (2) FUNDING.—There is authorized to be ap-
18 propriated \$2,700,000 to carry out this subsection.

19 (d) PENNYPACK PARK.—

20 (1) ASSISTANCE.—The Secretary is authorized
21 to provide technical, design, construction, and finan-
22 cial assistance for measures for the improvement
23 and restoration of aquatic habitats and aquatic re-
24 sources at Pennypack Park, Philadelphia, Penn-
25 sylvania.

1 (2) COOPERATION AGREEMENTS.—In providing
2 assistance under this subsection, the Secretary shall
3 enter into cooperation agreements with the city of
4 Philadelphia, acting through the Fairmount Park
5 Commission.

6 (3) FUNDING.—There is authorized to be ap-
7 propriated for fiscal years beginning after September
8 30, 1996, \$15,000,000 to carry out this subsection.

9 (e) FRANKFORD DAM.—

10 (1) COOPERATION AGREEMENTS.—The Sec-
11 retary shall enter into cooperation agreements with
12 the city of Philadelphia, Pennsylvania, acting
13 through the Fairmount Park Commission, to provide
14 assistance for the elimination of the Frankford
15 Dam, the replacement of the Rhawn Street Dam,
16 and modifications to the Roosevelt Dam and the
17 Verree Road Dam.

18 (2) FUNDING.—There is authorized to be ap-
19 propriated for fiscal years beginning after September
20 30, 1996, \$900,000, to carry out this subsection.

21 **SEC. 554. SEVEN POINTS VISITORS CENTER, RAYSTOWN**
22 **LAKE, PENNSYLVANIA.**

23 (a) IN GENERAL.—The Secretary shall construct a
24 visitors center and related public use facilities at the Seven
25 Points Recreation Area at Raystown Lake, Pennsylvania,

1 generally in accordance with the Master Plan Update
2 (1994) for the Raystown Lake Project.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$2,500,000.

6 **SEC. 555. SOUTHEASTERN PENNSYLVANIA.**

7 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
8 shall establish a pilot program for providing environmental
9 assistance to non-Federal interests in southeastern Penn-
10 sylvania. Such assistance may be in the form of design
11 and construction assistance for water-related environ-
12 mental infrastructure and resource protection and devel-
13 opment projects in southeastern Pennsylvania, including
14 projects for waste water treatment and related facilities,
15 water supply, storage, treatment, and distribution facili-
16 ties, and surface water resource protection and develop-
17 ment.

18 (b) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
19 retary may provide assistance for a project under this sec-
20 tion only if the project is publicly owned.

21 (c) LOCAL COOPERATION AGREEMENTS.—

22 (1) IN GENERAL.—Before providing assistance
23 under this section, the Secretary shall enter into a
24 local cooperation agreement with a non-Federal in-

1 terest to provide for design and construction of the
2 project to be carried out with such assistance.

3 (2) REQUIREMENTS.—Each local cooperation
4 agreement entered into under this subsection shall
5 provide for the following:

6 (A) PLAN.—Development by the Secretary,
7 in consultation with appropriate Federal and
8 State officials, of a facilities or resource protec-
9 tion and development plan, including appro-
10 priate engineering plans and specifications.

11 (B) LEGAL AND INSTITUTIONAL STRUC-
12 TURES.—Establishment of each such legal and
13 institutional structures as are necessary to as-
14 sure the effective long-term operation of the
15 project by the non-Federal interest.

16 (3) COST SHARING.—

17 (A) IN GENERAL.—Total project costs
18 under each local cooperation agreement entered
19 into under this subsection shall be shared at 75
20 percent Federal and 25 percent non-Federal.
21 The non-Federal interest shall receive credit for
22 the reasonable costs of design work completed
23 by such interest prior to entering into a local
24 cooperation agreement with the Secretary for a
25 project. The credit for such design work shall

1 not exceed 6 percent of the total construction
2 costs of the project. The Federal share may be
3 in the form of grants or reimbursements of
4 project costs.

5 (B) INTEREST.—In the event of delays in
6 the funding of the non-Federal share of a
7 project that is the subject of an agreement
8 under this section, the non-Federal interest
9 shall receive credit for reasonable interest in-
10 curred in providing the non-Federal share of a
11 project's cost.

12 (C) LANDS, EASEMENTS, AND RIGHTS-OF-
13 WAY CREDIT.—The non-Federal interest shall
14 receive credit for lands, easements, rights-of-
15 way, and relocations toward its share of project
16 costs, including all reasonable costs associated
17 with obtaining permits necessary for the con-
18 struction, operation, and maintenance of such
19 project on publicly owned or controlled lands,
20 but not to exceed 25 percent of total project
21 costs.

22 (D) OPERATION AND MAINTENANCE.—Op-
23 eration and maintenance costs for projects con-
24 structed with assistance provided under this
25 section shall be 100 percent non-Federal.

1 (d) APPLICABILITY OF OTHER FEDERAL AND STATE
2 LAWS.—Nothing in this section shall be construed as
3 waiving, limiting, or otherwise affecting the applicability
4 of any provision of Federal or State law which would oth-
5 erwise apply to a project to be carried out with assistance
6 provided under this section.

7 (e) REPORT.—Not later than December 31, 1998, the
8 Secretary shall transmit to Congress a report on the re-
9 sults of the pilot program carried out under this section,
10 together with recommendations concerning whether or not
11 such program should be implemented on a national basis.

12 (f) SOUTHEASTERN PENNSYLVANIA DEFINED.—For
13 purposes of this section, the term “Southeastern Penn-
14 sylvania” means Philadelphia, Bucks, Chester, Delaware,
15 and Montgomery Counties, Pennsylvania.

16 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$25,000,000 for fiscal years beginning after September
19 30, 1996. Such sums shall remain available until ex-
20 pended.

21 **SEC. 556. BLACKSTONE RIVER VALLEY, RHODE ISLAND AND**
22 **MASSACHUSETTS.**

23 (a) IN GENERAL.—The Secretary, in coordination
24 with Federal, State, and local interests, shall provide tech-
25 nical, planning, and design assistance in the development

1 and restoration of the Blackstone River Valley National
2 Heritage Corridor, Rhode Island, and Massachusetts.

3 (b) FEDERAL SHARE.—Funds made available under
4 this section for planning and design of a project may not
5 exceed 75 percent of the total cost of such planning and
6 design.

7 **SEC. 557. EAST RIDGE, TENNESSEE.**

8 The Secretary shall review the flood management
9 study for the East Ridge and Hamilton County area un-
10 dertaken by the Tennessee Valley Authority and, if the
11 Secretary determines that the project is feasible, shall
12 carry out the project, at an estimated total cost of
13 \$25,000,000.

14 **SEC. 558. MURFREESBORO, TENNESSEE.**

15 The Secretary shall carry out a project for environ-
16 mental enhancement, Murfreesboro, Tennessee, in accord-
17 ance with the Report and Environmental Assessment,
18 Black Fox, Murfree and Oaklands Spring Wetlands,
19 Murfreesboro, Rutherford County, Tennessee, dated Au-
20 gust 1994.

21 **SEC. 559. BUFFALO BAYOU, TEXAS.**

22 The non-Federal interest for the projects for flood
23 control, Buffalo Bayou Basin, Texas, authorized by sec-
24 tion 203 of the Flood Control Act of 1954 (68 Stat. 1258),
25 and Buffalo Bayou and tributaries, Texas, authorized by

1 section 101 of the Water Resources Development Act of
2 1990 (104 Stat. 4610), may be reimbursed by up to
3 \$5,000,000 or may receive a credit of up to \$5,000,000
4 against required non-Federal project cost-sharing con-
5 tributions for work performed by the non-Federal interest
6 at each of the following locations if such work is compat-
7 ible with the following authorized projects: White Oak
8 Bayou, Brays Bayou, Hunting Bayou, Garners Bayou,
9 and the Upper Reach on Greens Bayou.

10 **SEC. 560. HARRIS COUNTY, TEXAS.**

11 (a) IN GENERAL.—During any evaluation of eco-
12 nomic benefits and costs for projects set forth in sub-
13 section (b) that occurs after the date of the enactment
14 of this Act, the Secretary shall not consider flood control
15 works constructed by non-Federal interests within the
16 drainage area of such projects prior to the date of such
17 evaluation in the determination of conditions existing prior
18 to construction of the project.

19 (b) SPECIFIC PROJECTS.—The projects to which sub-
20 section (a) apply are—

21 (1) the project for flood control, Buffalo Bayou
22 and Tributaries, Texas, authorized by section 101(a)
23 of the Water Resources Development Act of 1990
24 (104 Stat. 4610);

1 (2) the project for flood control, Cypress Creek,
2 Texas, authorized by section 3(a)(13) of the Water
3 Resources Development Act of 1988 (102 Stat.
4 4014); and

5 (3) the project for flood control, Buffalo Bayou
6 Basin, authorized by section 203 of the Flood Con-
7 trol Act of 1954 (68 Stat. 1258).

8 **SEC. 561. PIERCE COUNTY, WASHINGTON.**

9 (a) **TECHNICAL ASSISTANCE.**—The Secretary shall
10 provide technical assistance to Pierce County, Washing-
11 ton, to address measures that are necessary to assure that
12 non-Federal levees are adequately maintained and satisfy
13 eligibility criteria for rehabilitation assistance under sec-
14 tion 5 of the Act entitled “An Act authorizing the con-
15 struction of certain public works on rivers and harbors for
16 flood control, and for other purposes”, approved August
17 18, 1941 (33 U.S.C. 701n; 55 Stat. 650). Such assistance
18 shall include a review of the requirements of the Puyallup
19 Tribe of Indians Settlement Act of 1989 (Public Law
20 101–41) and standards for project maintenance and vege-
21 tation management used by the Secretary to determine eli-
22 gibility for levee rehabilitation assistance with a view to-
23 ward amending such standards as needed to make non-
24 Federal levees eligible for assistance that may be nec-
25 essary as a result of future flooding.

1 (b) LEVEE REHABILITATION.—The Secretary shall
2 expedite a review to determine the extent to which require-
3 ments of the Puyallup Tribe of Indians Settlement Act
4 of 1989 limited the ability of non-Federal interests to ade-
5 quately maintain existing non-Federal levees that were
6 damaged by flooding in 1995 and 1996 and, to the extent
7 that such ability was limited by such Act, the Secretary
8 shall carry out the rehabilitation of such levees.

9 **SEC. 562. HUNTINGTON, WEST VIRGINIA.**

10 The Secretary may enter into a cooperative agree-
11 ment under section 228 of this Act with Marshall Univer-
12 sity, Huntington, West Virginia, to provide technical as-
13 sistance to the Center for Environmental, Geotechnical
14 and Applied Sciences.

15 **SEC. 563. LOWER MUD RIVER, MILTON, WEST VIRGINIA.**

16 The Secretary shall review the watershed plan and
17 the environmental impact statement prepared for the
18 Lower Mud River, Milton, West Virginia by the Natural
19 Resources Conservation Service pursuant to the Water-
20 shed Protection and Flood Prevention Act (16 U.S.C.
21 1001 et seq.) and, if the Secretary determines that the
22 project is feasible, shall carry out the project.

23 **SEC. 564. EVALUATION OF BEACH MATERIAL.**

24 (a) IN GENERAL.—The Secretary and the Secretary
25 of the Interior shall evaluate procedures and requirements

1 used in the selection and approval of materials to be used
2 in the restoration and nourishment of beaches. Such eval-
3 uation shall address the potential effects of changing exist-
4 ing procedures and requirements on the implementation
5 of beach restoration and nourishment projects and on the
6 aquatic environment.

7 (b) CONSULTATION.—In conducting the evaluation
8 under this section, the Secretaries shall consult with ap-
9 propriate State agencies.

10 (c) REPORT.—Not later than 6 months after the date
11 of the enactment of this Act, the Secretaries shall transmit
12 a report to Congress on their findings under this section.

13 **SEC. 565. OHIO RIVER GREENWAY.**

14 The Secretary is directed to expedite the completion
15 of the study for the Ohio River Greenway, Jeffersonville,
16 Clarksville, and New Albany, Indiana. Upon completion of
17 the study, if the Secretary determines that the project is
18 feasible, the Secretary shall participate with the non-Fed-
19 eral interests in the construction of the project. Total
20 project costs under this section shall be shared at 50 per-
21 cent Federal and 50 percent non-Federal. Non-Federal in-
22 terests shall be responsible for providing all lands, ease-
23 ments, rights-of-way, relocations, and dredged material
24 disposal areas necessary for the project. The non-Federal
25 interests shall receive credit for costs which the Secretary

1 determines are compatible with the study, design, and im-
2 plementation of the project.

3 **SEC. 566. SENSE OF CONGRESS REGARDING ST. LAWRENCE**

4 **SEAWAY TOLLS.**

5 It is the sense of Congress that the President should
6 engage in negotiations with the Government of Canada for
7 the purposes of—

8 (1) eliminating tolls along the St. Lawrence
9 Seaway system; and

10 (2) identifying ways to maximize the movement
11 of goods and commerce through the St. Lawrence
12 Seaway.

○