

106TH CONGRESS
1ST SESSION

H. R. 1480

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1999

Mr. SHUSTER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers 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 1999”.

6 (b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
- Sec. 2. Secretary defined.

TITLE I—WATER RESOURCES PROJECTS

- Sec. 101. Project authorizations.
- Sec. 102. Small flood control projects.
- Sec. 103. Small bank stabilization projects.
- Sec. 104. Small navigation projects.
- Sec. 105. Small projects for improvement of the environment.
- Sec. 106. Small aquatic ecosystem restoration projects.

TITLE II—GENERAL PROVISIONS

- Sec. 201. Small flood control authority.
- Sec. 202. Use of non-Federal funds for compiling and disseminating information on floods and flood damages.
- Sec. 203. Contributions by States and political subdivisions.
- Sec. 204. Sediment decontamination technology.
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- Sec. 209. Everglades and south Florida ecosystem restoration.
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- Sec. 213. Watershed management, restoration, and development.
- Sec. 214. Flood mitigation and riverine restoration pilot program.
- Sec. 215. Shoreline management program.
- Sec. 216. Assistance for remediation, restoration, and reuse.
- Sec. 217. Shore damage mitigation.
- Sec. 218. Shore protection.
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- Sec. 220. Annual passes for recreation.
- Sec. 221. Cooperative agreements for environmental and recreational measures.
- Sec. 222. Nonstructural flood control projects.
- Sec. 223. Lakes program.
- Sec. 224. Construction of flood control projects by non-Federal interests.
- Sec. 225. Enhancement of fish and wildlife resources.
- Sec. 226. Sense of Congress; requirement regarding notice.
- Sec. 227. Periodic beach nourishment.
- Sec. 228. Environmental dredging.

TITLE III—PROJECT-RELATED PROVISIONS

- Sec. 301. Missouri River Levee System.
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- Sec. 303. Greers Ferry Lake, Arkansas.
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- Sec. 305. Loggy Bayou, Red River below Denison Dam, Arkansas, Louisiana, Oklahoma, and Texas.
- Sec. 306. Sacramento River, Glenn-Colusa, California.
- Sec. 307. San Lorenzo River, California.
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- Sec. 309. Delaware River mainstem and channel deepening, Delaware, New Jersey, and Pennsylvania.
- Sec. 310. Potomac River, Washington, District of Columbia.
- Sec. 311. Brevard County, Florida.
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- Sec. 313. Fort Pierce, Florida.
- Sec. 314. Nassau County, Florida.
- Sec. 315. Miami Harbor Channel, Florida.
- Sec. 316. Lake Michigan, Illinois.
- Sec. 317. Springfield, Illinois.
- Sec. 318. Little Calumet River, Indiana.
- Sec. 319. Ogden Dunes, Indiana.
- Sec. 320. Saint Joseph River, South Bend, Indiana.
- Sec. 321. White River, Indiana.
- Sec. 322. Lake Pontchartrain, Louisiana.
- Sec. 323. Larose to Golden Meadow, Louisiana.
- Sec. 324. Louisiana State Penitentiary Levee, Louisiana.
- Sec. 325. Twelve-mile Bayou, Caddo Parish, Louisiana.
- Sec. 326. West Bank of the Mississippi River (East of Harvey Canal), Louisiana.
- Sec. 327. Tolchester Channel, Baltimore Harbor and channels, Chesapeake Bay, Kent County, Maryland.
- Sec. 328. Sault Sainte Marie, Chippewa County, Michigan.
- Sec. 329. Jackson County, Mississippi.
- Sec. 330. Tunica Lake, Mississippi.
- Sec. 331. Bois Brule Drainage and Levee District, Missouri.
- Sec. 332. Meramec River Basin, Valley Park Levee, Missouri.
- Sec. 333. Missouri River mitigation project, Missouri, Kansas, Iowa, and Nebraska.
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- Sec. 356. Dallas Floodway Extension, Dallas, Texas.
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- Sec. 421. Mitchell's Cut Channel (Cane Fork Cut), Texas.
- Sec. 422. Mouth of Colorado River, Texas.
- Sec. 423. Kanawha River, Fayette County, West Virginia.
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- Sec. 425. Great Lakes region comprehensive study.
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TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Corps assumption of NRCS projects.
- Sec. 502. Construction assistance.
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- Sec. 504. Dam safety.
- Sec. 505. Great Lakes remedial action plans.
- Sec. 506. Sea Lamprey control measures in the Great Lakes.
- Sec. 507. Maintenance of navigation channels.
- Sec. 508. Measurement of Lake Michigan diversions.
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- Sec. 517. Environmental restoration.
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- Sec. 519. Dog River, Alabama.
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- Sec. 523. Augusta and Devalls Bluff, Arkansas.
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- Sec. 526. Chino Dairy Preserve, California.
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- Sec. 530. Santa Cruz Harbor, California.
- Sec. 531. Point Beach, Milford, Connecticut.
- Sec. 532. Lower St. Johns River Basin, Florida.
- Sec. 533. Shoreline protection and environmental restoration, Lake Allatoona, Georgia.
- Sec. 534. Mayo's Bar Lock and Dam, Coosa River, Rome, Georgia.
- Sec. 535. Comprehensive flood impact response modeling system, Coralville Reservoir and Iowa River Watershed, Iowa.
- Sec. 536. Additional construction assistance in Illinois.
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- Sec. 541. Welch Point, Elk River, Cecil County, and Chesapeake City, Maryland.
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- Sec. 543. Restoration projects for Maryland, Pennsylvania, and West Virginia.
- Sec. 544. Cape Cod Canal Railroad Bridge, Buzzards Bay, Massachusetts.
- Sec. 545. St. Louis, Missouri.
- Sec. 546. Beaver Branch of Big Timber Creek, New Jersey.
- Sec. 547. Lake Ontario and St. Lawrence River water levels, New York.
- Sec. 548. New York-New Jersey Harbor, New York and New Jersey.
- Sec. 549. Sea Gate Reach, Coney Island, New York, New York.
- Sec. 550. Woodlawn, New York.
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- Sec. 552. White Oak River, North Carolina.
- Sec. 553. Toussaint River, Carroll Township, Ottawa County, Ohio.
- Sec. 554. Sardis Reservoir, Oklahoma.
- Sec. 555. Waurika Lake, Oklahoma, water conveyance facilities.
- Sec. 556. Skinner Butte Park, Eugene, Oregon.
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- Sec. 566. Integrated water management planning, Texas.
- Sec. 567. Bolivar Peninsula, Jefferson, Chambers, and Galveston Counties, Texas.

- Sec. 568. Galveston Beach, Galveston County, Texas.
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 Sec. 570. Northern West Virginia.
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 Sec. 572. Mississippi River Commission.
 Sec. 573. Coastal aquatic habitat management.
 Sec. 574. Recreation user fees initiative.
 Sec. 575. Abandoned and inactive noncoal mine restoration.
 Sec. 576. Beneficial use of waste tire rubber.
 Sec. 577. Site designation.
 Sec. 578. Land conveyances.
 Sec. 579. Namings.
 Sec. 580. Folsom Dam and Reservoir additional storage and water supply studies.
 Sec. 581. Water resources development.
 Sec. 582. Allocation of appropriations.
 Sec. 583. Wallops Island, Virginia.

1 **SEC. 2. SECRETARY DEFINED.**

2 In this Act, the term “Secretary” means the Sec-
 3 retary of the Army.

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

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

7 (a) PROJECTS WITH CHIEF’S REPORTS.—The fol-
 8 lowing projects for water resources development and con-
 9 servation and other purposes are authorized to be carried
 10 out by the Secretary substantially in accordance with the
 11 plans, and subject to the conditions, described in the re-
 12 spective reports designated in this subsection:

13 (1) SAND POINT HARBOR, ALASKA.—The
 14 project for navigation, Sand Point Harbor, Alaska:
 15 Report of the Chief of Engineers dated October 13,
 16 1998, at a total cost of \$11,760,000, with an esti-

1 mated Federal cost of \$6,964,000 and an estimated
2 non-Federal cost of \$4,796,000.

3 (2) RIO SALADO, SALT RIVER, PHOENIX AND
4 TEMPE, ARIZONA.—The project for flood control and
5 environmental restoration, Rio Salado, Salt River,
6 Phoenix and Tempe, Arizona: Report of the Chief of
7 Engineers dated August 20, 1998, at a total cost of
8 \$88,048,000, with an estimated Federal cost of
9 \$56,355,000 and an estimated non-Federal cost of
10 \$31,693,000.

11 (3) TUCSON DRAINAGE AREA, ARIZONA.—The
12 project for flood control, Tucson drainage area, Ari-
13 zona: Report of the Chief of Engineers, dated May
14 20, 1998, at a total cost of \$29,900,000, with an es-
15 timated Federal cost of \$16,768,000 and an esti-
16 mated non-Federal cost of \$13,132,000.

17 (4) AMERICAN RIVER WATERSHED, CALI-
18 FORNIA.—

19 (A) IN GENERAL.—The Folsom Dam
20 Modification portion of the Folsom Modification
21 Plan described in the United States Army
22 Corps of Engineers Supplemental Information
23 Report for the American River Watershed
24 Project, California, dated March 1996, as modi-
25 fied by the report entitled “Folsom Dam Modi-

1 fication Report, New Outlets Plan,” dated
2 March 1998, prepared by the Sacramento Area
3 Flood Control Agency, at an estimated cost of
4 \$150,000,000, with an estimated Federal cost
5 of \$97,500,000 and an estimated non-Federal
6 cost of \$52,500,000. The Secretary shall coordi-
7 nate with the Secretary of the Interior with re-
8 spect to the design and construction of modi-
9 fications at Folsom Dam authorized by this
10 paragraph.

11 (B) REOPERATION MEASURES.—Upon
12 completion of the improvements to Folsom Dam
13 authorized by subparagraph (A), the variable
14 space allocated to flood control within the Res-
15 ervoir shall be reduced from the current oper-
16 ating range of 400,000-670,000 acre-feet to
17 400,000-600,000 acre-feet.

18 (C) COST OF FOLSOM RESERVOIR REOPER-
19 ATION MEASURES.—Section 101(a)(1)(D)(ii) of
20 the Water Resources Development Act of 1996
21 (110 Stat. 3662–3663) is amended by striking
22 “during” and all that follows through “there-
23 after”.

24 (D) MAKEUP OF WATER SHORTAGES
25 CAUSED BY FLOOD CONTROL OPERATION.—

1 (i) IN GENERAL.—The Secretary of
2 the Interior shall enter into, or modify,
3 such agreements with the Sacramento
4 Area Flood Control Agency regarding the
5 operation of Folsom Dam and reservoir as
6 may be necessary in order that, notwith-
7 standing any prior agreement or provision
8 of law, 100 percent of the water needed to
9 make up for any water shortage caused by
10 variable flood control operation during any
11 year at Folsom Dam and resulting in a
12 significant impact on recreation at Folsom
13 Reservoir shall be replaced, to the extent
14 the water is available for purchase, by the
15 Secretary of the Interior.

16 (ii) COST SHARING.—Seventy-five per-
17 cent of the costs of the replacement water
18 provided under clause (i) shall be paid for
19 on a non-reimbursable basis by the Sec-
20 retary of the Interior at Federal expense.
21 The remaining 25 percent of such costs
22 shall be provided by the Sacramento Area
23 Flood Control Agency.

24 (iii) LIMITATION.—To the extent that
25 any funds in excess of the non-Federal

1 share are provided by the Sacramento Area
2 Flood Control Agency, the Secretary shall
3 reimburse such non-Federal interests for
4 such excess funds. Costs for replacement
5 water may not exceed 125 percent of the
6 current average market price for raw
7 water, as determined by the Secretary of
8 the Interior.

9 (E) SIGNIFICANT IMPACT ON RECRE-
10 ATION.—For the purposes of this paragraph, a
11 significant impact on recreation is defined as
12 any impact that results in a lake elevation at
13 Folsom Reservoir below 435 feet above sea level
14 starting on May 15 and ending on September
15 15 of any given year.

16 (F) EVALUATION.—For purposes of this
17 paragraph, in evaluating the impacts on recre-
18 ation at Folsom Reservoir caused by the vari-
19 able flood control operation of Folsom Dam, the
20 Secretary shall take into consideration the ef-
21 fect of measures authorized by section 581(b)
22 of this Act.

23 (5) SOUTH SACRAMENTO COUNTY STREAMS,
24 CALIFORNIA.—The project for flood control, environ-
25 mental restoration and recreation, South Sac-

1 ramento County streams, California: Report of the
2 Chief of Engineers dated October 6, 1998, at a total
3 cost of \$65,500,000, with an estimated Federal cost
4 of \$41,200,000 and an estimated non-Federal cost
5 of \$24,300,000.

6 (6) UPPER GUADALUPE RIVER, CALIFORNIA.—
7 The project for flood control and recreation, Upper
8 Guadalupe River, California: Locally Preferred Plan
9 (known as the “Bypass Channel Plan”), Report of
10 the Chief of Engineers dated August 19, 1998, at a
11 total cost of \$140,285,000, with an estimated Fed-
12 eral cost of \$44,000,000 and an estimated non-Fed-
13 eral cost of \$96,285,000.

14 (7) YUBA RIVER BASIN, CALIFORNIA.—The
15 project for flood control, Yuba River Basin, Cali-
16 fornia: Report of the Chief of Engineers dated No-
17 vember 25, 1998, at a total cost of \$26,600,000,
18 with an estimated Federal cost of \$17,350,000 and
19 an estimated non-Federal cost of \$9,250,000.

20 (8) DELAWARE BAY COASTLINE, DELAWARE
21 AND NEW JERSEY-BROADKILL BEACH, DELAWARE.—
22 The project for hurricane and storm damage reduc-
23 tion, Delaware Bay coastline, Delaware and New
24 Jersey-Broadkill Beach, Delaware: Report of the
25 Chief of Engineers dated August 17, 1998, at a

1 total cost of \$9,049,000, with an estimated Federal
2 cost of \$5,674,000 and an estimated non-Federal
3 cost of \$3,375,000, and at an estimated average an-
4 nual cost of \$538,200 for periodic nourishment over
5 the 50-year life of the project, with an estimated an-
6 nual Federal cost of \$349,800 and an estimated an-
7 nual non-Federal cost of \$188,400.

8 (9) DELAWARE BAY COASTLINE, DELAWARE
9 AND NEW JERSEY-PORT MAHON, DELAWARE.—The
10 project for ecosystem restoration, Delaware Bay
11 coastline, Delaware and New Jersey-Port Mahon,
12 Delaware: Report of the Chief of Engineers dated
13 September 28, 1998, at a total cost of \$7,644,000,
14 with an estimated Federal cost of \$4,969,000 and
15 an estimated non-Federal cost of \$2,675,000, and at
16 an estimated average annual cost of \$234,000 for
17 periodic nourishment over the 50-year life of the
18 project, with an estimated annual Federal cost of
19 \$152,000 and an estimated annual non-Federal cost
20 of \$82,000.

21 (10) DELAWARE BAY COASTLINE, DELAWARE
22 AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH,
23 DELAWARE.—The project for navigation mitigation
24 and hurricane and storm damage reduction, Dela-
25 ware Bay coastline, Delaware and New Jersey-Roo-

1 sevelt Inlet-Lewes Beach, Delaware: Report of the
2 Chief of Engineers dated February 3, 1999, at a
3 total cost of \$3,393,000, with an estimated Federal
4 cost of \$2,620,000 and an estimated non-Federal
5 cost of \$773,000, and at an estimated average an-
6 nual cost of \$196,000 for periodic nourishment over
7 the 50-year life of the project, with an estimated an-
8 nual Federal cost of \$152,000 and an estimated an-
9 nual non-Federal cost of \$44,000.

10 (11) TAMPA HARBOR-BIG BEND CHANNEL,
11 FLORIDA.—The project for navigation, Tampa Har-
12 bor-Big Bend Channel, Florida: Report of the Chief
13 of Engineers dated October 13, 1998, at a total cost
14 of \$9,356,000, with an estimated Federal cost of
15 \$6,235,000 and an estimated non-Federal cost of
16 \$3,121,000.

17 (12) BRUNSWICK HARBOR, GEORGIA.—The
18 project for navigation, Brunswick Harbor, Georgia:
19 Report of the Chief of Engineers dated October 6,
20 1998, at a total cost of \$50,717,000, with an esti-
21 mate Federal cost of \$32,966,000 and an estimated
22 non-Federal cost of \$17,751,000.

23 (13) BEARGRASS CREEK, KENTUCKY.—The
24 project for flood control, Beargrass Creek, Ken-
25 tucky: Report of the Chief of Engineers, dated May

1 12, 1998, at a total cost of \$11,171,300, with an es-
2 timated Federal cost of \$7,261,500 and an esti-
3 mated non-Federal cost of \$3,909,800.

4 (14) AMITE RIVER AND TRIBUTARIES, LOU-
5 ISIANA.—The project for flood control, Amite River
6 and tributaries, Louisiana: Report of the Chief of
7 Engineers dated December 23, 1996, at a total cost
8 of \$112,900,000, with an estimated Federal cost of
9 \$84,675,000 and an estimated non-Federal cost of
10 \$28,225,000. Cost sharing for the project shall be
11 determined in accordance with section 103(a) of the
12 Water Resources Development Act of 1986 (33
13 U.S.C. 2213), as in effect on October 11, 1996.

14 (15) BALTIMORE HARBOR ANCHORAGES AND
15 CHANNELS, MARYLAND AND VIRGINIA.—The project
16 for navigation, Baltimore harbor anchorages and
17 channels, Maryland and Virginia: Report of the
18 Chief of Engineers, dated June 8, 1998, at a total
19 cost of \$28,430,000, with an estimated Federal cost
20 of \$19,000,000 and an estimated non-Federal cost
21 of \$9,430,000.

22 (16) RED RIVER LAKE AT CROOKSTON, MIN-
23 NESOTA.—The project for flood control, Red River
24 Lake at Crookston, Minnesota: Report of the Chief
25 of Engineers, dated April 20, 1998, at a total cost

1 of \$8,950,000, with an estimated Federal cost of
2 \$5,720,000 and an estimated non-Federal cost of
3 \$3,230,000.

4 (17) LOWER CAPE MAY MEADOWS, CAPE MAY
5 POINT, NEW JERSEY.—The project for navigation
6 mitigation, ecosystem restoration, and hurricane and
7 storm damage reduction, Lower Cape May Meadows,
8 Cape May Point, New Jersey: Report of the Chief
9 of Engineers dated April 5, 1999, at a total cost of
10 \$15,952,000, with an estimated Federal cost of
11 \$12,118,000 and an estimated non-Federal cost of
12 \$3,834,000, and at an estimated average annual
13 cost of \$1,114,000 for periodic nourishment over the
14 50-year life of the project, with an estimated annual
15 Federal cost of \$897,000 and an estimated annual
16 non-Federal cost of \$217,000.

17 (18) NEW JERSEY SHORE PROTECTION: TOWN-
18 SENDS INLET TO CAPE MAY INLET, NEW JERSEY.—
19 The project for hurricane and storm damage reduc-
20 tion and ecosystem restoration, New Jersey Shore
21 Protection: Townsends Inlet to Cape May Inlet, New
22 Jersey: Report of the Chief of Engineers dated Sep-
23 tember 28, 1998, at a total cost of \$56,503,000,
24 with an estimated Federal cost of \$36,727,000 and
25 an estimated non-Federal cost of \$19,776,000, and

1 at an estimated average annual cost of \$2,000,000
2 for periodic nourishment over the 50-year life of the
3 project, with an estimated annual Federal cost of
4 \$1,300,000 and an estimated annual non-Federal
5 cost of \$700,000.

6 (19) GUANAJIBO RIVER, PUERTO RICO.—The
7 project for flood control, Guanajibo River, Puerto
8 Rico: Report of the Chief of Engineers, dated Feb-
9 ruary 27, 1996, at a total cost of \$27,031,000, with
10 an estimated Federal cost of \$20,273,250 and an es-
11 timated non-Federal cost of \$6,757,750. Cost shar-
12 ing for the project shall be determined in accordance
13 with section 103(a) of the Water Resources Develop-
14 ment Act 1986 (33 U.S.C. 2213) as in effect on Oc-
15 tober 11, 1986.

16 (20) RIO GRANDE DE MANATI, BARCELONETA,
17 PUERTO RICO.—The project for flood control, Rio
18 Grande De Manati, Barceloneta, Puerto Rico: Re-
19 port of the Chief of Engineers, dated January 22,
20 1999, at a total cost of \$13,491,000, with an esti-
21 mated Federal cost of \$8,785,000 and an estimated
22 non-Federal cost of \$4,706,000.

23 (21) RIO NIGUA AT SALINAS, PUERTO RICO.—
24 The project for flood control, Rio Nigua at Salinas,
25 Puerto Rico: Report of the Chief of Engineers, dated

1 April 15, 1997, at a total cost of \$13,702,000, with
2 an estimated Federal cost of \$7,645,000 and an es-
3 timated non-Federal cost of \$6,057,000.

4 (22) SALT CREEK, GRAHAM, TEXAS.—The
5 project for flood control, environmental restoration
6 and recreation, Salt Creek, Graham, Texas: Report
7 of the Chief of Engineers dated October 6, 1998, at
8 a total cost of \$10,080,000, with an estimated Fed-
9 eral cost of \$6,560,000 and an estimated non-Fed-
10 eral cost of \$3,520,000.

11 (b) PROJECTS SUBJECT TO REPORT.—The following
12 projects for water resources development and conservation
13 and other purposes are authorized to be carried out by
14 the Secretary substantially in accordance with the plans,
15 and subject to the conditions, recommended in a final re-
16 port of the Corps of Engineers, if the report is completed
17 not later than September 30, 1999.

18 (1) NOME, ALASKA.—The project for naviga-
19 tion, Nome, Alaska, at a total cost of \$24,608,000,
20 with an estimated Federal cost of \$19,660,000 and
21 an estimated non-Federal cost of \$4,948,000.

22 (2) SEWARD HARBOR, ALASKA.—The project
23 for navigation, Seward Harbor, Alaska, at a total
24 cost of \$12,240,000, with an estimated Federal cost

1 of \$4,364,000 and an estimated non-Federal cost of
2 \$7,876,000.

3 (3) HAMILTON AIRFIELD, CALIFORNIA.—The
4 project for wetlands restoration, Hamilton Airfield,
5 California, at a total cost of \$55,200,000, with an
6 estimated Federal cost of \$41,400,000 and an esti-
7 mated non-Federal cost of \$13,800,000.

8 (4) OAKLAND HARBOR, CALIFORNIA.—The
9 project for navigation, Oakland Harbor, California,
10 at a total cost of \$256,650,000, with an estimated
11 Federal cost of \$143,450,000 and an estimated non-
12 Federal cost of \$113,200,000.

13 (5) DELAWARE BAY COASTLINE, DELAWARE
14 AND NEW JERSEY: REEDS BEACH AND PIERCES
15 POINT, NEW JERSEY.—The project for shore protec-
16 tion and ecosystem restoration, Delaware Bay Coast-
17 line, Delaware and New Jersey: Reeds Beach and
18 Pierces Point, New Jersey, at a total cost of
19 \$4,057,000, with an estimated Federal cost of
20 \$2,637,000 and an estimated non-Federal cost of
21 \$1,420,000.

22 (6) DELAWARE BAY COASTLINE, DELAWARE
23 AND NEW JERSEY: VILLAS AND VICINITY, NEW JER-
24 SEY.—The project for shore protection and eco-
25 system restoration, Delaware Bay Coastline, Dela-

1 ware and New Jersey: Villas and Vicinity, New Jer-
2 sey, at a total cost of \$7,520,000, with an estimated
3 Federal cost of \$4,888,000 and an estimated non-
4 Federal cost of \$2,632,000.

5 (7) DELAWARE COAST FROM CAPE HENELOPEN
6 TO FENWICK ISLAND, BETHANY BEACH/SOUTH
7 BETHANY BEACH, DELAWARE.—The project for hur-
8 ricane and storm damage reduction, Delaware Coast
9 from Cape Henelopen to Fenwick Island, Bethany
10 Beach/South Bethany Beach, Delaware, at a total
11 cost of \$22,205,000, with an estimated Federal cost
12 of \$14,433,000 and an estimated non-Federal cost
13 of \$7,772,000, and at an estimated average annual
14 cost of \$1,584,000 for periodic nourishment over the
15 50-year life of the project, with an estimated annual
16 Federal cost of \$1,030,000 and an estimated annual
17 non-Federal cost of \$554,000.

18 (8) JACKSONVILLE HARBOR, FLORIDA.—

19 (A) IN GENERAL.—The project for naviga-
20 tion, Jacksonville Harbor, Florida, at a total
21 cost of \$26,116,000, with an estimated Federal
22 cost of \$9,129,000 and an estimated non-Fed-
23 eral cost of \$16,987,000.

24 (B) SPECIAL RULE.—Notwithstanding sub-
25 paragraph (A), the Secretary may construct the

1 project to a depth of 40 feet if the non-Federal
2 interest agrees to pay any additional costs
3 above those for the recommended plan.

4 (9) LITTLE TALBOT ISLAND, DUVAL COUNTY,
5 FLORIDA.—The project for hurricane and storm
6 damage prevention, Little Talbot Island, Duval
7 County, Florida, at a total cost of \$5,915,000, with
8 an estimated Federal cost of \$3,839,000 and an es-
9 timated non-Federal cost of \$2,076,000.

10 (10) PONCE DE LEON INLET, FLORIDA.—The
11 project for navigation and related purposes, Ponce
12 de Leon Inlet, Volusia County, Florida, at a total
13 cost of \$5,454,000, with an estimated Federal cost
14 of \$2,988,000 and an estimated non-Federal cost of
15 \$2,466,000.

16 (11) SAVANNAH HARBOR EXPANSION, GEOR-
17 GIA.—

18 (A) IN GENERAL.—Subject to subpara-
19 graph (B), the project for navigation, Savannah
20 Harbor expansion, Georgia, including imple-
21 mentation of the mitigation plan, with such
22 modifications as the Secretary deems appro-
23 priate, at a total cost of \$230,174,000 (of
24 which amount a portion is authorized for imple-
25 mentation of the mitigation plan), with an esti-

1 mated Federal cost of \$145,160,000 and an es-
2 timated non-Federal cost of \$85,014,000.

3 (B) CONDITIONS.—The project authorized
4 by subparagraph (A) may be carried out only
5 after—

6 (i) the Secretary, in consultation with
7 affected Federal, State, regional, and local
8 entities, has reviewed and approved an en-
9 vironmental impact statement for the
10 project that includes—

11 (I) an analysis of the impacts of
12 project depth alternatives ranging
13 from 42 feet through 48 feet; and

14 (II) a selected plan for navigation
15 and an associated mitigation plan as
16 required by section 906(a) of the
17 Water Resources Development Act of
18 1986 (33 U.S.C. 2283); and

19 (ii) the Secretary of the Interior, the
20 Secretary of Commerce, the Administrator
21 of the Environmental Protection Agency,
22 and the Secretary have approved the se-
23 lected plan and have determined that the
24 mitigation plan adequately addresses the

1 potential environmental impacts of the
2 project.

3 (C) MITIGATION REQUIREMENTS.—The
4 mitigation plan shall be implemented in advance
5 of or concurrently with construction of the
6 project.

7 (12) DES PLAINES RIVER, ILLINOIS.—The
8 project for flood control, Des Plaines River, Illinois,
9 at a total cost of \$44,300,000 with an estimated
10 Federal cost of \$28,800,000 and an estimated non-
11 Federal cost of \$15,500,000.

12 (13) NEW JERSEY SHORE PROTECTION, BRIG-
13 ANTINE INLET TO GREAT EGG HARBOR, BRIGANTINE
14 ISLAND, NEW JERSEY.—The project for hurricane
15 and storm damage reduction, New Jersey shore pro-
16 tection, Brigantine Inlet to Great Egg Harbor, Brig-
17 antine Island, New Jersey, at a total cost of
18 \$4,970,000, with an estimated Federal cost of
19 \$3,230,000 and an estimated non-Federal cost of
20 \$1,740,000, and at an estimated average annual
21 cost of \$465,000 for periodic nourishment over the
22 50-year life of the project, with an estimated annual
23 Federal cost of \$302,000 and an estimated annual
24 non-Federal cost of \$163,000.

1 (14) COLUMBIA RIVER CHANNEL, OREGON AND
2 WASHINGTON.—The project for navigation, Colum-
3 bia River Channel, Oregon and Washington, at a
4 total cost of \$183,623,000 with an estimated Fed-
5 eral cost \$106,132,000 and an estimated non-Fed-
6 eral cost of \$77,491,000.

7 (15) JOHNSON CREEK, ARLINGTON, TEXAS.—
8 The locally preferred project for flood control, John-
9 son Creek, Arlington, Texas, at a total cost of
10 \$20,300,000, with an estimated Federal cost of
11 \$12,000,000 and an estimated non-Federal cost of
12 \$8,300,000.

13 (16) HOWARD HANSON DAM, WASHINGTON.—
14 The project for water supply and ecosystem restora-
15 tion, Howard Hanson Dam, Washington, at a total
16 cost of \$75,600,000, with an estimated Federal cost
17 of \$36,900,000 and an estimated non-Federal cost
18 of \$38,700,000.

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

20 (a) IN GENERAL.—The Secretary shall conduct a
21 study for each of the following projects and, after comple-
22 tion of such study, shall carry out the project under sec-
23 tion 205 of the Flood Control Act of 1948 (33 U.S.C.
24 701s):

1 (1) LANCASTER, CALIFORNIA.—Project for
2 flood control, Lancaster, California, westside
3 stormwater retention facility.

4 (2) GATEWAY TRIANGLE AREA, FLORIDA.—
5 Project for flood control, Gateway Triangle area,
6 Collier County, Florida.

7 (3) PLANT CITY, FLORIDA.—Project for flood
8 control, Plant City, Florida.

9 (4) STONE ISLAND, LAKE MONROE, FLORIDA.—
10 Project for flood control, Stone Island, Lake Mon-
11 roe, Florida.

12 (5) OHIO RIVER, ILLINOIS.—Project for flood
13 control, Ohio River, Illinois.

14 (6) REPAUPO CREEK, NEW JERSEY.—Project
15 for flood control, Repaupo Creek, New Jersey.

16 (7) OWASCO LAKE SEAWALL, NEW YORK.—
17 Project for flood control, Owasco Lake seawall, New
18 York.

19 (8) PORT CLINTON, OHIO.—Project for flood
20 control, Port Clinton, Ohio.

21 (9) NORTH CANADIAN RIVER, OKLAHOMA.—
22 Project for flood control, North Canadian River,
23 Oklahoma.

1 (10) ABINGTON TOWNSHIP, PENNSYLVANIA.—
2 Project for flood control, Baeder and Wanamaker
3 Roads, Abington Township, Pennsylvania.

4 (11) PORT INDIAN, WEST NORRITON TOWNSHIP,
5 MONTGOMERY COUNTY, PENNSYLVANIA.—Project for
6 flood control, Port Indian, West Norriton Township,
7 Montgomery County, Pennsylvania.

8 (12) PORT PROVIDENCE, UPPER PROVIDENCE
9 TOWNSHIP, PENNSYLVANIA.—Project for flood con-
10 trol, Port Providence, Upper Providence Township,
11 Pennsylvania.

12 (13) SPRINGFIELD TOWNSHIP, MONTGOMERY
13 COUNTY, PENNSYLVANIA.—Project for flood control,
14 Springfield Township, Montgomery County, Pennsyl-
15 vania.

16 (14) FIRST CREEK, KNOXVILLE, TENNESSEE.—
17 Project for flood control, First Creek, Knoxville,
18 Tennessee.

19 (15) METRO CENTER LEVEE, CUMBERLAND
20 RIVER, NASHVILLE, TENNESSEE.—Project for flood
21 control, Metro Center Levee, Cumberland River,
22 Nashville, Tennessee.

23 (b) FESTUS AND CRYSTAL CITY, MISSOURI.—

24 (1) MAXIMUM FEDERAL EXPENDITURE.—The
25 maximum amount of Federal funds that may be ex-

1 pended for the project for flood control, Festus and
2 Crystal City, Missouri, shall be \$10,000,000.

3 (2) REVISION OF PROJECT COOPERATION
4 AGREEMENT.—The Secretary shall revise the project
5 cooperation agreement for the project referred to in
6 paragraph (1) to take into account the change in the
7 Federal participation in such project pursuant to
8 paragraph (1).

9 (3) COST SHARING.—Nothing in this section
10 shall be construed to affect any cost-sharing require-
11 ment applicable to the project referred to in para-
12 graph (1) under the Water Resources Development
13 Act of 1986.

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

15 The Secretary shall conduct a study for each of the
16 following projects and, after completion of such study,
17 shall carry out the project under section 14 of the Flood
18 Control Act of 1946 (33 U.S.C. 701r):

19 (1) SAINT JOSEPH RIVER, INDIANA.—Project
20 for streambank erosion control, Saint Joseph River,
21 Indiana.

22 (2) BIG TIMBER CREEK, NEW JERSEY.—Project
23 for streambank erosion control, Big Timber Creek,
24 New Jersey.

1 (3) LAKE SHORE ROAD, ATHOL SPRINGS, NEW
2 YORK.—Project for streambank erosion control,
3 Lake Shore Road, Athol Springs, New York.

4 (4) MARIST COLLEGE, POUGHKEEPSIE, NEW
5 YORK.—Project for streambank erosion control,
6 Marist College, Poughkeepsie, New York.

7 (5) MONROE COUNTY, OHIO.—Project for
8 streambank erosion control, Monroe County, Ohio.

9 (6) GREEN VALLEY, WEST VIRGINIA.—Project
10 for streambank erosion control, Green Valley, West
11 Virginia.

12 **SEC. 104. SMALL NAVIGATION PROJECTS.**

13 The Secretary shall conduct a study for each of the
14 following projects and, after completion of such study,
15 shall carry out the project under section 107 of the River
16 and Harbor Act of 1960 (33 U.S.C. 577):

17 (1) GRAND MARAIS, ARKANSAS.—Project for
18 navigation, Grand Marais, Arkansas.

19 (2) FIELDS LANDING CHANNEL, HUMBOLDT
20 HARBOR, CALIFORNIA.—Project for navigation,
21 Fields Landing Channel, Humboldt Harbor, Cali-
22 fornia.

23 (3) SAN MATEO (PILLAR POINT HARBOR), CALI-
24 FORNIA.—Project for navigation San Mateo (Pillar
25 Point Harbor), California.

1 (4) AGANA MARINA, GUAM.—Project for naviga-
2 tion, Agana Marina, Guam.

3 (5) AGAT MARINA, GUAM.—Project for naviga-
4 tion, Agat Marina, Guam.

5 (6) APRA HARBOR FUEL PIERS, GUAM.—Project
6 for navigation, Apra Harbor Fuel Piers, Guam.

7 (7) APRA HARBOR PIER F-6, GUAM.—Project
8 for navigation, Apra Harbor Pier F-6, Guam.

9 (8) APRA HARBOR SEAWALL, GUAM.—Project
10 for navigation including a seawall, Apra Harbor,
11 Guam.

12 (9) GUAM HARBOR, GUAM.—Project for naviga-
13 tion, Guam Harbor, Guam.

14 (10) ILLINOIS RIVER NEAR CHAUTAUQUA PARK,
15 ILLINOIS.—Project for navigation, Illinois River near
16 Chautauqua Park, Illinois.

17 (11) WHITING SHORELINE WATERFRONT,
18 WHITING, INDIANA.—Project for navigation, Whiting
19 Shoreline Waterfront, Whiting, Indiana.

20 (12) NARAGUAGUS RIVER, MACHIAS, MAINE.—
21 Project for navigation, Naraguagus River, Machias,
22 Maine.

23 (13) UNION RIVER, ELLSWORTH, MAINE.—
24 Project for navigation, Union River, Ellsworth,
25 Maine.

1 (14) FORTESCUE INLET, DELAWARE BAY, NEW
2 JERSEY.—Project for navigation for Fortescue Inlet,
3 Delaware Bay, New Jersey.

4 (15) BUFFALO AND LASALLE PARK, NEW
5 YORK.—Project for navigation, Buffalo and LaSalle
6 Park, New York.

7 (16) STURGEON POINT, NEW YORK.—Project
8 for navigation, Sturgeon Point, New York.

9 **SEC. 105. SMALL PROJECTS FOR IMPROVEMENT OF THE**
10 **ENVIRONMENT.**

11 (a) IN GENERAL.—The Secretary shall conduct a
12 study for each of the following projects and, after comple-
13 tion of such study, shall carry out the project under sec-
14 tion 1135 of the Water Resources Development Act of
15 1986 (33 U.S.C. 2309a):

16 (1) ILLINOIS RIVER IN THE VICINITY OF HA-
17 VANA, ILLINOIS.—Project for the improvement of
18 the environment, Illinois River in the vicinity of Ha-
19 vana, Illinois.

20 (2) KNITTING MILL CREEK, VIRGINIA.—Project
21 for the improvement of the environment, Knitting
22 Mill Creek, Virginia.

23 (b) PINE FLAT DAM, KINGS RIVER, CALIFORNIA.—
24 The Secretary shall carry out under section 1135(a) of
25 the Water Resources Development Act of 1986 (33 U.S.C.

1 2309a(a)) a project to construct a turbine bypass at Pine
2 Flat Dam, Kings River, California, in accordance with the
3 Project Modification Report and Environmental Assess-
4 ment dated September 1996.

5 **SEC. 106. SMALL AQUATIC ECOSYSTEM RESTORATION**
6 **PROJECTS.**

7 The Secretary shall conduct a study for each of the
8 following projects and, after completion of such study,
9 shall carry out the project under section 206 of the Water
10 Resources Development Act of 1996 (33 U.S.C. 2330):

11 (1) CONTRA COSTA COUNTY, BAY DELTA, CALI-
12 FORNIA.—Project for aquatic ecosystem restoration,
13 Contra Costa County, Bay Delta, California.

14 (2) INDIAN RIVER, FLORIDA.—Project for
15 aquatic ecosystem restoration and lagoon restora-
16 tion, Indian River, Florida.

17 (3) LITTLE WEKIVA RIVER, FLORIDA.—Project
18 for aquatic ecosystem restoration and erosion con-
19 trol, Little Wekiva River, Florida.

20 (4) COOK COUNTY, ILLINOIS.—Project for
21 aquatic ecosystem restoration and lagoon restoration
22 and protection, Cook County, Illinois.

23 (5) GRAND BATTURE ISLAND, MISSISSIPPI.—
24 Project for aquatic ecosystem restoration, Grand
25 Batture Island, Mississippi.

1 (6) HANCOCK, HARRISON, AND JACKSON COUN-
2 TIES, MISSISSIPPI.—Project for aquatic ecosystem
3 restoration and reef restoration along the Gulf
4 Coast, Hancock, Harrison, and Jackson Counties,
5 Mississippi.

6 (7) MISSISSIPPI RIVER AND RIVER DES PERES,
7 ST. LOUIS, MISSOURI.—Project for aquatic ecosystem
8 restoration and recreation, Mississippi River and
9 River Des Peres, St. Louis, Missouri.

10 (8) HUDSON RIVER, NEW YORK.—Project for
11 aquatic ecosystem restoration, Hudson River, New
12 York.

13 (9) ONEIDA LAKE, NEW YORK.—Project for
14 aquatic ecosystem restoration, Oneida Lake, Oneida
15 County, New York.

16 (10) OTSEGO LAKE, NEW YORK.—Project for
17 aquatic ecosystem restoration, Otsego Lake, Otsego
18 County, New York.

19 (11) NORTH FORK OF YELLOW CREEK, OHIO.—
20 Project for aquatic ecosystem restoration, North
21 Fork of Yellow Creek, Ohio.

22 (12) WHEELING CREEK WATERSHED, OHIO.—
23 Project for aquatic ecosystem restoration, Wheeling
24 Creek watershed, Ohio.

1 (13) SPRINGFIELD MILLRACE, OREGON.—
2 Project for aquatic ecosystem restoration, Spring-
3 field Millrace, Oregon.

4 (14) UPPER AMAZON CREEK, OREGON.—Project
5 for aquatic ecosystem restoration, Upper Amazon
6 Creek, Oregon.

7 (15) LAKE ONTELAUNEE RESERVOIR, BERKS
8 COUNTY, PENNSYLVANIA.—Project for aquatic eco-
9 system restoration and distilling pond facilities,
10 Lake Ontelaunee Reservoir, Berks County, Pennsyl-
11 vania.

12 (16) BLACKSTONE RIVER BASIN, RHODE IS-
13 LAND AND MASSACHUSETTS.—Project for aquatic
14 ecosystem restoration and fish passage facilities,
15 Blackstone River Basin, Rhode Island and Massa-
16 chusetts.

17 **TITLE II—GENERAL PROVISIONS**

18 **SEC. 201. SMALL FLOOD CONTROL AUTHORITY.**

19 Section 205 of the Flood Control Act of 1948 (33
20 U.S.C. 701s) is amended—

21 (1) by striking “construction of small projects”
22 and inserting “implementation of small structural
23 and nonstructural projects”; and

24 (2) by striking “\$5,000,000” and inserting
25 “\$7,000,000”.

1 **SEC. 202. USE OF NON-FEDERAL FUNDS FOR COMPILING**
2 **AND DISSEMINATING INFORMATION ON**
3 **FLOODS AND FLOOD DAMAGES.**

4 The last sentence of section 206(b) of the Flood Con-
5 trol Act of 1960 (33 U.S.C. 709a(b)) is amended by in-
6 serting before the period the following: “; except that this
7 limitation on fees shall not apply to funds voluntarily con-
8 tributed by such entities for the purpose of expanding the
9 scope of the services requested by such entities”.

10 **SEC. 203. CONTRIBUTIONS BY STATES AND POLITICAL SUB-**
11 **DIVISIONS.**

12 Section 5 of the Flood Control Act of June 22, 1936
13 (33 U.S.C. 701h), is amended by inserting “or environ-
14 mental restoration” after “flood control”.

15 **SEC. 204. SEDIMENT DECONTAMINATION TECHNOLOGY.**

16 Section 405 of the Water Resources Development Act
17 of 1992 (33 U.S.C. 2239 note; 106 Stat. 4863) is
18 amended—

19 (1) by adding at the end of subsection (a) the
20 following:

21 “(4) PRACTICAL END-USE PRODUCTS.—Tech-
22 nologies selected for demonstration at the pilot scale
23 shall be intended to result in practical end-use prod-
24 ucts.

25 “(5) ASSISTANCE BY THE SECRETARY.—The
26 Secretary shall assist the project to ensure expedi-

1 tious completion by providing sufficient quantities of
2 contaminated dredged material to conduct the full-
3 scale demonstrations to stated capacity.”;

4 (2) in subsection (c) by striking the first sen-
5 tence and inserting the following: “There is author-
6 ized to be appropriated to carry out this section
7 \$22,000,000 to complete technology testing, tech-
8 nology commercialization, and the development of
9 full scale processing facilities within the New York/
10 New Jersey Harbor.”; and

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

12 “(e) SUPPORT.—In carrying out the program under
13 this section, the Secretary is encouraged to utilize con-
14 tracts, cooperative agreements, and grants with colleges
15 and universities and other non-Federal entities.”.

16 **SEC. 205. CONTROL OF AQUATIC PLANTS.**

17 Section 104 of the River and Harbor Act of 1958
18 (33 U.S.C. 610) is amended—

19 (1) in subsection (a) by inserting “arundo,”
20 after “milfoil,”;

21 (2) in subsection (b) by striking “\$12,000,000”
22 and inserting “\$15,000,000.”; and

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

24 “(e) SUPPORT.—In carrying out this program, the
25 Secretary is encouraged to utilize contracts, cooperative

1 agreements, and grants with colleges and universities and
2 other non-Federal entities.”.

3 **SEC. 206. USE OF CONTINUING CONTRACTS REQUIRED FOR**
4 **CONSTRUCTION OF CERTAIN PROJECTS.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, the Secretary shall not implement a fully allo-
7 cated funding policy with respect to a water resources
8 project if initiation of construction has occurred but suffi-
9 cient funds are not available to complete the project. The
10 Secretary shall enter into continuing contracts for such
11 project.

12 (b) INITIATION OF CONSTRUCTION CLARIFIED.—For
13 the purposes of this section, initiation of construction for
14 a project occurs on the date of enactment of an Act that
15 appropriates funds for the project from 1 of the following
16 appropriation accounts:

17 (1) Construction, General.

18 (2) Operation and Maintenance, General.

19 (3) Flood Control, Mississippi River and Tribu-
20 taries.

21 **SEC. 207. SUPPORT OF ARMY CIVIL WORKS PROGRAM.**

22 The requirements of section 2361 of title 10, United
23 States Code, shall not apply to any contract, cooperative
24 research and development agreement, cooperative agree-
25 ment, or grant entered into under section 229 of the

1 Water Resources Development Act of 1996 (110 Stat.
2 3703) between the Secretary and Marshall University or
3 entered into under section 350 of this Act between the
4 Secretary and Juniata College.

5 **SEC. 208. WATER RESOURCES DEVELOPMENT STUDIES FOR**
6 **THE PACIFIC REGION.**

7 Section 444 of the Water Resources Development Act
8 of 1996 (110 Stat. 3747) is amended by striking “interest
9 of navigation” and inserting “interests of water resources
10 development, including navigation, flood damage reduc-
11 tion, and environmental restoration”.

12 **SEC. 209. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM**
13 **RESTORATION.**

14 (a) PROGRAM EXTENSION.—Section 528(b)(3) of the
15 Water Resources Development Act of 1996 (110 Stat.
16 3769) is amended—

17 (1) in subparagraph (B) by striking “1999”
18 and inserting “2000”; and

19 (2) in subparagraph (C)(i) by striking “1999”
20 and inserting “2003”.

21 (b) CREDIT.—Section 528(b)(3) of such Act is
22 amended by adding at the end the following:

23 “(D) CREDIT OF PAST AND FUTURE AC-
24 TIVITIES.—The Secretary may provide a credit
25 to the non-Federal interests toward the non-

1 Federal share of a project implemented under
2 subparagraph (A). The credit shall be for rea-
3 sonable costs of work performed by the non-
4 Federal interests if the Secretary determines
5 that the work substantially expedited comple-
6 tion of the project and is compatible with and
7 an integral part of the project, and the credit
8 is provided pursuant to a specific project co-
9 operation agreement.”.

10 (c) CALOOSAHATCHEE RIVER BASIN, FLORIDA.—
11 Section 528(e)(4) of such Act is amended by inserting be-
12 fore the period at the end of the first sentence the fol-
13 lowing: “if the Secretary determines that such land acqui-
14 sition is compatible with and an integral component of the
15 Everglades and South Florida ecosystem restoration, in-
16 cluding potential land acquisition in the Caloosahatchee
17 River basin or other areas”.

18 **SEC. 210. BENEFICIAL USES OF DREDGED MATERIAL.**

19 Section 204 of the Water Resources Development Act
20 of 1992 (106 Stat. 4826–4827) is amended—

21 (1) in subsection (c) by striking “cooperative
22 agreement in accordance with the requirements of
23 section 221 of the Flood Control Act of 1970” and
24 inserting “binding agreement with the Secretary”;
25 and

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

2 “(g) NON-FEDERAL INTERESTS.—Notwithstanding
3 section 221(b) of the Flood Control Act of 1968 (42
4 U.S.C. 1962d–5b(b)), the Secretary, after coordination
5 with the appropriate State and local government officials
6 having jurisdiction over an area in which a project under
7 this section will be carried out, may allow a nonprofit enti-
8 ty to serve as the non-Federal interest for the project.”.

9 **SEC. 211. HARBOR COST SHARING.**

10 (a) IN GENERAL.—Sections 101 and 214 of the
11 Water Resources Development Act of 1986 (33 U.S.C.
12 2211 and 2241; P.L. 99–662) are amended by striking
13 “45 feet” each place it appears and inserting “53 feet”.

14 (b) APPLICABILITY.—The amendments made by sub-
15 section (a) shall only apply to a project, or separable ele-
16 ment thereof, on which a contract for physical construc-
17 tion has not been awarded before the date of enactment
18 of this Act.

19 **SEC. 212. AQUATIC ECOSYSTEM RESTORATION.**

20 Section 206 of the Water Resources Development Act
21 of 1996 (110 Stat. 3679–3680) is amended—

22 (1) by adding at the end of subsection (b) the
23 following: “Before October 1, 2003, the Federal
24 share may be provided in the form of grants or re-
25 imbursements of project costs.”; and

1 (2) by adding at the end of subsection (c) the
2 following: “Notwithstanding section 221(b) of the
3 Flood Control Act of 1970 (42 U.S.C. 1962d–
4 5b(b)), the Secretary, after coordination with the ap-
5 propriate State and local government officials having
6 jurisdiction over an area in which a project under
7 this section will be carried out, may allow a non-
8 profit entity to serve as the non-Federal interest for
9 the project.”.

10 **SEC. 213. WATERSHED MANAGEMENT, RESTORATION, AND**
11 **DEVELOPMENT.**

12 (a) NONPROFIT ENTITY AS NON-FEDERAL INTER-
13 EST.—Section 503(a) of the Water Resources Develop-
14 ment Act of 1996 (110 Stat. 3756) is amended by adding
15 at the end the following: “Notwithstanding section 221(b)
16 of the Flood Control Act of 1970 (42 U.S.C. 1962d–
17 5b(b)), the Secretary, after coordination with the appro-
18 priate State and local government officials having jurisdic-
19 tion over an area in which a project under this section
20 will be carried out, may allow a nonprofit entity to serve
21 as the non-Federal interest for the project.”.

22 (b) PROJECT LOCATIONS.—Section 503(d) of such
23 Act is amended—

24 (1) in paragraph (7) by inserting before the pe-
25 riod at the end “, including Clear Lake”; and

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

2 “(14) Fresno Slough watershed, California.

3 “(15) Hayward Marsh, Southern San Francisco
4 Bay watershed, California.

5 “(16) Kaweah River watershed, California.

6 “(17) Malibu Creek watershed, California.

7 “(18) Illinois River watershed, Illinois.

8 “(19) Catawba River watershed, North Caro-
9 lina.

10 “(20) Cabin Creek basin, West Virginia.

11 “(21) Lower St. Johns River basin, Florida.”.

12 **SEC. 214. FLOOD MITIGATION AND RIVERINE RESTORA-**
13 **TION PILOT PROGRAM.**

14 (a) IN GENERAL.—The Secretary may undertake a
15 program for the purpose of conducting projects that re-
16 duce flood hazards and restore the natural functions and
17 values of rivers throughout the United States.

18 (b) STUDIES AND PROJECTS.—

19 (1) AUTHORITY.—In carrying out the program,
20 the Secretary may conduct studies to identify appro-
21 priate flood damage reduction, conservation, and
22 restoration measures and may design and implement
23 projects described in subsection (a).

24 (2) CONSULTATION AND COORDINATION.—The
25 studies and projects carried out under this section

1 shall be conducted, to the maximum extent prac-
2 ticable, in consultation and coordination with the
3 Federal Emergency Management Agency and other
4 appropriate Federal agencies, and in consultation
5 and coordination with appropriate State, tribal, and
6 local agencies.

7 (3) NONSTRUCTURAL APPROACHES.—The stud-
8 ies and projects shall emphasize, to the maximum
9 extent practicable and appropriate, nonstructural ap-
10 proaches to preventing or reducing flood damages.

11 (4) USE OF STATE, TRIBAL, AND LOCAL STUD-
12 IES AND PROJECTS.—The studies and projects shall
13 include consideration of and coordination with any
14 State, tribal, and local flood damage reduction or
15 riverine and wetland restoration studies and projects
16 that conserve, restore, and manage hydrologic and
17 hydraulic regimes and restore the natural functions
18 and values of floodplains.

19 (c) COST-SHARING REQUIREMENTS.—

20 (1) STUDIES.—Studies conducted under this
21 section shall be subject to cost sharing in accordance
22 with section 105 of the Water Resources Develop-
23 ment Act of 1986 (33 U.S.C. 2215).

24 (2) ENVIRONMENTAL RESTORATION AND NON-
25 STRUCTURAL FLOOD CONTROL PROJECTS.—The

1 non-Federal interests shall pay 35 percent of the
2 cost of any environmental restoration or non-
3 structural flood control project carried out under
4 this section. The non-Federal interests shall provide
5 all land, easements, rights-of-way, dredged material
6 disposal areas, and relocations necessary for such
7 projects. The value of such land, easements, rights-
8 of-way, dredged material disposal areas, and reloca-
9 tions shall be credited toward the payment required
10 under this paragraph.

11 (3) STRUCTURAL FLOOD CONTROL
12 PROJECTS.—Any structural flood control measures
13 carried out under this section shall be subject to cost
14 sharing in accordance with section 103(a) of the
15 Water Resources Development Act of 1986 (33
16 U.S.C. 2213(a)).

17 (4) OPERATION AND MAINTENANCE.—The non-
18 Federal interests shall be responsible for all costs as-
19 sociated with operating, maintaining, replacing, re-
20 pairing, and rehabilitating all projects carried out
21 under this section.

22 (d) PROJECT JUSTIFICATION.—

23 (1) IN GENERAL.—Notwithstanding any other
24 provision of law or requirement for economic jus-
25 tification established pursuant to section 209 of the

1 Flood Control Act of 1970 (42 U.S.C. 1962–2), the
2 Secretary may implement a project under this sec-
3 tion if the Secretary determines that the project—

4 (A) will significantly reduce potential flood
5 damages;

6 (B) will improve the quality of the environ-
7 ment; and

8 (C) is justified considering all costs and
9 beneficial outputs of the project.

10 (2) ESTABLISHMENT OF SELECTION AND RAT-
11 ING CRITERIA AND POLICIES.—Not later than 180
12 days after the date of enactment of this section, the
13 Secretary, in cooperation with State, tribal, and local
14 agencies, shall develop, and transmit to the Com-
15 mittee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on En-
17 vironment and Public Works of the Senate, criteria
18 for selecting and rating projects to be carried out
19 under this section and shall establish policies and
20 procedures for carrying out the studies and projects
21 undertaken under this section. Such criteria shall in-
22 clude, as a priority, the extent to which the appro-
23 priate State government supports the project.

24 (e) PRIORITY AREAS.—In carrying out this section,
25 the Secretary shall examine the potential for flood damage

1 reductions at appropriate locations, including the fol-
2 lowing:

3 (1) Upper Delaware River, New York.

4 (2) Willamette River floodplain, Oregon.

5 (3) Pima County, Arizona, at Paseo De Las
6 Iglesias and Rillito River.

7 (4) Los Angeles and San Gabriel Rivers, Cali-
8 fornia.

9 (5) Murrieta Creek, California.

10 (6) Napa County, California, at Yountville, St.
11 Helena, Calistoga, and American Canyon.

12 (7) Santa Clara basin, California, at Upper
13 Guadalupe River and tributaries, San Francisquito
14 Creek, and Upper Penitencia Creek.

15 (8) Pine Mount Creek, New Jersey.

16 (9) Chagrin River, Ohio.

17 (10) Blair County, Pennsylvania, at Altoona
18 and Frankstown Township.

19 (11) Lincoln Creek, Wisconsin.

20 (f) PROGRAM REVIEW.—

21 (1) IN GENERAL.—The program established
22 under this section shall be subject to an independent
23 review to evaluate the efficacy of the program in
24 achieving the dual goals of flood hazard mitigation
25 and riverine restoration.

1 (2) REPORT.—Not later than April 15, 2003,
2 the Secretary shall transmit to the Committee on
3 Transportation and Infrastructure of the House of
4 Representatives and the Committee on Environment
5 and Public Works of the Senate a report on the
6 findings of the review conducted under this sub-
7 section with any recommendations concerning con-
8 tinuation of the program.

9 (g) COST LIMITATIONS.—

10 (1) MAXIMUM FEDERAL COST PER PROJECT.—
11 No more than \$30,000,000 may be expended by the
12 United States on any single project under this sec-
13 tion.

14 (2) COMMITTEE RESOLUTION PROCEDURE.—

15 (A) LIMITATION ON APPROPRIATIONS.—No
16 appropriation shall be made to construct any
17 project under this section the total Federal cost
18 of construction of which exceeds \$15,000,000 if
19 the project has not been approved by resolu-
20 tions adopted by the Committee on Transpor-
21 tation and Infrastructure of the House of Rep-
22 resentatives and the Committee on Environ-
23 ment and Public Works of the Senate.

24 (B) REPORT.—For the purpose of securing
25 consideration of approval under this paragraph,

1 the Secretary shall transmit a report on the
2 proposed project, including all relevant data
3 and information on all costs.

4 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section—

6 (1) \$25,000,000 for fiscal year 2000;

7 (2) \$25,000,000 for fiscal year 2001 if
8 \$12,500,000 or more is appropriated to carry out
9 subsection (e) for fiscal year 2000;

10 (3) \$25,000,000 for fiscal year 2002 if
11 \$12,500,000 or more is appropriated to carry out
12 subsection (e) for fiscal year 2001; and

13 (4) \$25,000,000 for fiscal year 2003 if
14 \$12,500,000 or more is appropriated to carry out
15 subsection (e) for fiscal year 2002.

16 **SEC. 215. SHORELINE MANAGEMENT PROGRAM.**

17 (a) REVIEW.—The Secretary shall review the imple-
18 mentation of the Corps of Engineers' shoreline manage-
19 ment program, with particular attention to inconsistencies
20 in implementation among the divisions and districts of the
21 Corps of Engineers and complaints by or potential inequi-
22 ties regarding property owners in the Savannah District
23 including an accounting of the number and disposition of
24 complaints over the last 5 years in the District.

1 (b) REPORT.—As expeditiously as practicable after
2 the date of enactment of this Act, the Secretary shall
3 transmit to the Committee on Transportation and Infra-
4 structure of the House of Representatives and the Com-
5 mittee on Environment and Public Works of the Senate
6 a report describing the results of the review conducted
7 under subsection (a).

8 **SEC. 216. ASSISTANCE FOR REMEDIATION, RESTORATION,**
9 **AND REUSE.**

10 (a) IN GENERAL.—The Secretary may provide to
11 State and local governments assessment, planning, and
12 design assistance for remediation, environmental restora-
13 tion, or reuse of areas located within the boundaries of
14 such State or local governments where such remediation,
15 environmental restoration, or reuse will contribute to the
16 conservation of water and related resources of drainage
17 basins and watersheds within the United States.

18 (b) BENEFICIAL USE OF DREDGED MATERIAL.—In
19 providing assistance under subsection (a), the Secretary
20 shall encourage the beneficial use of dredged material,
21 consistent with the findings of the Secretary under section
22 204 of the Water Resources Development Act of 1992 (33
23 U.S.C. 2326).

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

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section
6 \$3,000,000 for each of fiscal years 2000 through 2004.

7 **SEC. 217. SHORE DAMAGE MITIGATION.**

8 (a) IN GENERAL.—Section 111 of the River and Har-
9 bor Act of 1968 (33 U.S.C. 426i; 100 Stat. 4199) is
10 amended by inserting after “navigation works” the fol-
11 lowing: “and shore damages attributable to the Atlantic
12 Intracoastal Waterway and the Gulf Intracoastal Water-
13 way”.

14 (b) PALM BEACH COUNTY, FLORIDA.—The project
15 for navigation, Palm Beach County, Florida, authorized
16 by section 2 of the River and Harbor Act of March 2,
17 1945 (59 Stat. 11), is modified to authorize the Secretary
18 to undertake beach nourishment as a dredged material
19 disposal option under the project.

20 (c) GALVESTON COUNTY, TEXAS.—The Secretary
21 may place dredged material from the Gulf Intracoastal
22 Waterway on the beaches along Rollover Pass, Galveston
23 County, Texas, to stabilize beach erosion.

1 **SEC. 218. SHORE PROTECTION.**

2 (a) NON-FEDERAL SHARE OF PERIODIC NOURISH-
3 MENT.—Section 103(d) of the Water Resources Develop-
4 ment Act of 1986 (100 Stat. 4085–5086) is amended—

5 (1) by inserting “(1) CONSTRUCTION.—” before
6 “Costs of constructing”;

7 (2) by inserting at the end the following:

8 “(2) PERIODIC NOURISHMENT.—

9 “(A) IN GENERAL.—Subject to subpara-
10 graph (B), the non-Federal share of costs of
11 periodic nourishment measures for shore protec-
12 tion or beach erosion control that are carried
13 out—

14 “(i) after January 1, 2001, shall be
15 40 percent;

16 “(ii) after January 1, 2002, shall be
17 45 percent; and

18 “(iii) after January 1, 2003, shall be
19 50 percent;

20 “(B) BENEFITS TO PRIVATELY OWNED
21 SHORES.—All costs assigned to benefits of peri-
22 odic nourishment measures to privately owned
23 shores (where use of such shores is limited to
24 private interests) or to prevention of losses of
25 private lands shall be borne by the non-Federal
26 interest and all costs assigned to the protection

1 of federally owned shores for such measures
2 shall be borne by the United States.”; and

3 (3) by indenting paragraph (1) (as designated
4 by subparagraph (A) of this paragraph) and aligning
5 such paragraph with paragraph (2) (as added by
6 subparagraph (B) of this paragraph).

7 (b) UTILIZATION OF SAND FROM OUTER CONTI-
8 NENTAL SHELF.—Section 8(k)(2)(B) of the Outer Conti-
9 nental Shelf Lands Act (43 U.S.C. 1337(k)(2)(B)) is
10 amended by striking “an agency of the Federal Govern-
11 ment” and inserting “a Federal, State, or local govern-
12 ment agency”.

13 (c) REPORT ON NATION’S SHORELINES.—

14 (1) IN GENERAL.—Not later than 3 years after
15 the date of enactment of this Act, the Secretary
16 shall report to Congress on the state of the Nation’s
17 shorelines.

18 (2) CONTENTS.—The report shall include—

19 (A) a description of the extent of, and eco-
20 nomic and environmental effects caused by, ero-
21 sion and accretion along the Nation’s shores
22 and the causes thereof;

23 (B) a description of resources committed
24 by local, State, and Federal governments to re-
25 store and renourish shorelines;

1 (C) a description of the systematic move-
2 ment of sand along the Nation's shores; and

3 (D) recommendations regarding (i) appro-
4 priate levels of Federal and non-Federal partici-
5 pation in shoreline protection, and (ii) utiliza-
6 tion of a systems approach to sand manage-
7 ment.

8 (3) UTILIZATION OF SPECIFIC LOCATION
9 DATA.—In developing the report, the Secretary shall
10 utilize data from specific locations on the Atlantic,
11 Pacific, Great Lakes, and Gulf of Mexico coasts.

12 (d) NATIONAL COASTAL DATA BANK.—

13 (1) ESTABLISHMENT OF DATA BANK.—Not
14 later than 2 years after the date of enactment of
15 this Act, the Secretary shall establish a national
16 coastal data bank containing data on the geophysical
17 and climatological characteristics of the Nation's
18 shorelines.

19 (2) CONTENT.—To the extent practical, the na-
20 tional coastal data bank shall include data regarding
21 current and predicted shoreline positions, informa-
22 tion on federally-authorized shore protection
23 projects, and data on the movement of sand along
24 the Nation's shores, including impediments to such
25 movement caused by natural and manmade features.

1 (3) ACCESS.—The national coastal data bank
2 shall be made readily accessible to the public.

3 **SEC. 219. FLOOD PREVENTION COORDINATION.**

4 Section 206 of the Flood Control Act of 1960 (33
5 U.S.C. 709a) is amended—

6 (1) by redesignating subsections (b) and (c) as
7 subsections (c) and (d), respectively; and

8 (2) by inserting after subsection (a) the fol-
9 lowing:

10 “(b) FLOOD PREVENTION COORDINATION.—The
11 Secretary shall coordinate with the Director of the Federal
12 Emergency Management Agency and the heads of other
13 Federal agencies to ensure that flood control projects and
14 plans are complementary and integrated to the extent
15 practicable and appropriate.”.

16 **SEC. 220. ANNUAL PASSES FOR RECREATION.**

17 Section 208(c)(4) of the Water Resources Develop-
18 ment Act of 1996 (16 U.S.C. 460d note; 110 Stat. 3680)
19 is amended by striking “1999, or the date of transmittal
20 of the report under paragraph (3)” and inserting “2003”.

21 **SEC. 221. COOPERATIVE AGREEMENTS FOR ENVIRON-
22 MENTAL AND RECREATIONAL MEASURES.**

23 (a) IN GENERAL.—The Secretary is authorized to
24 enter into cooperative agreements with non-Federal public
25 bodies and non-profit entities for the purpose of facili-

1 tating collaborative efforts involving environmental protec-
2 tion and restoration, natural resources conservation, and
3 recreation in connection with the development, operation,
4 and management of water resources projects under the ju-
5 risdiction of the Department of the Army.

6 (b) REPORT.—Not later than 18 months after the
7 date of enactment of this Act, the Secretary shall transmit
8 to the Committee on Transportation and Infrastructure
9 of the House of Representatives and the Committee on
10 Environment and Public Works of the Senate a report
11 that includes—

12 (1) a listing and general description of the co-
13 operative agreements entered into by the Secretary
14 with non-Federal public bodies and entities under
15 subsection (a);

16 (2) a determination of whether such agreements
17 are facilitating collaborative efforts; and

18 (3) a recommendation on whether such agree-
19 ments should be further encouraged.

20 **SEC. 222. NONSTRUCTURAL FLOOD CONTROL PROJECTS.**

21 (a) ANALYSIS OF BENEFITS.—Section 308 of the
22 Water Resources Development Act of 1990 (33 U.S.C.
23 2318; 104 Stat. 4638) is amended—

1 (1) in the heading to subsection (a) by inserting
2 “ELEMENTS EXCLUDED FROM” before “BENEFIT-
3 COST”;

4 (2) by redesignating subsections (b) through (e)
5 as subsections (c) through (f), respectively; and

6 (3) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) FLOOD DAMAGE REDUCTION BENEFITS.—In
9 calculating the benefits of a proposed project for non-
10 structural flood damage reduction, the Secretary shall cal-
11 culate benefits of nonstructural projects using methods
12 similar to structural projects, including similar treatment
13 in calculating the benefits from losses avoided from both
14 structural and nonstructural alternatives. In carrying out
15 this subsection, the Secretary should avoid double count-
16 ing of benefits.”.

17 (b) REEVALUATION OF FLOOD CONTROL
18 PROJECTS.—At the request of a non-Federal interest for
19 a flood control project, the Secretary shall conduct a re-
20 evaluation of a previously authorized project to consider
21 nonstructural alternatives in light of the amendments
22 made by subsection (a).

23 (c) COST SHARING.—Section 103(b) of the Water
24 Resources Development Act of 1986 (33 U.S.C. 2213(b))
25 is amended by adding at the end the following: “At any

1 time during construction of the project, where the Sec-
2 retary determines that the costs of lands, easements,
3 rights-of-way, dredged material disposal areas, and reloca-
4 tions in combination with other costs contributed by the
5 non-Federal interests will exceed 35 percent, any addi-
6 tional costs for the project, but not to exceed 65 percent
7 of the total costs of the project, shall be a Federal respon-
8 sibility and shall be contributed during construction as
9 part of the Federal share.”.

10 **SEC. 223. LAKES PROGRAM.**

11 Section 602(a) of the Water Resources Development
12 Act of 1986 (110 Stat. 3758) is amended—

13 (1) by striking “and” at the end of paragraph
14 (15);

15 (2) by striking the period at the end of para-
16 graph (16) and inserting a semicolon; and

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

18 “(17) Clear Lake, Lake County, California, re-
19 moval of silt and aquatic growth and measures to
20 address excessive sedimentation and high nutrient
21 concentration; and

22 “(18) Osgood Pond, Milford, Hillsborough
23 County, New Hampshire, removal of silt and aquatic
24 growth and measures to address excessive sedi-
25 mentation.

1 “(19) Flints Pond, Hollis, Hillsborough County,
2 New Hampshire, removal of silt and aquatic growth
3 and measures to address excessive sedimentation.”.

4 **SEC. 224. CONSTRUCTION OF FLOOD CONTROL PROJECTS**
5 **BY NON-FEDERAL INTERESTS.**

6 (a) CONSTRUCTION BY NON-FEDERAL INTERESTS.—
7 Section 211(d)(1) of the Water Resources Development
8 Act of 1996 (33 U.S.C. 701b-13(d)(1)) is amended—

9 (1) by striking “(b) or”;

10 (2) by striking “Any non-Federal” and insert-
11 ing the following:

12 “(A) STUDIES AND DESIGN ACTIVITIES
13 UNDER SUBSECTION (B).—A non-Federal inter-
14 est may only carry out construction for which
15 studies and design documents are prepared
16 under subsection (b) if the Secretary approves
17 such construction. The Secretary shall approve
18 such construction unless the Secretary deter-
19 mines, in writing, that the design documents do
20 not meet standard practices for design meth-
21 odologies or that the project is not economically
22 justified or environmentally acceptable or does
23 not meet the requirements for obtaining the ap-
24 propriate permits required under the Sec-
25 retary’s authority. The Secretary shall not un-

1 reasonably withhold approval. Nothing in this
2 subparagraph may be construed to affect any
3 regulatory authority of the Secretary.

4 “(B) STUDIES AND DESIGN ACTIVITIES
5 UNDER SUBSECTION (C).—Any non-Federal”;
6 and

7 (3) by aligning the remainder of subparagraph
8 (B) (as designated by paragraph (2) of this sub-
9 section) with subparagraph (A) (as inserted by para-
10 graph (2) of this subsection).

11 (b) CONFORMING AMENDMENT.—Section 211(d)(2)
12 of such Act is amended by inserting “(other than para-
13 graph (1)(A))” after “this subsection”.

14 (c) REIMBURSEMENT.—

15 (1) IN GENERAL.—Section 211(e)(1) of such
16 Act is amended—

17 (A) in the matter preceding subparagraph
18 (1) by inserting after “constructed pursuant to
19 this section” the following: “and provide credit
20 for the non-Federal share of the project”;

21 (B) by striking “and” at the end of sub-
22 paragraph (A);

23 (C) by striking the period at the end of
24 subparagraph (B) and inserting “; and”; and

25 (D) by adding at the end the following:

1 “(C) if the construction work is reasonably
2 equivalent to Federal construction work.”.

3 (2) SPECIAL RULES.—Section 211(e)(2)(A) of
4 such Act is amended—

5 (A) by striking “subject to amounts being
6 made available in advance in appropriations
7 Acts” and inserting “subject to appropria-
8 tions”; and

9 (B) by inserting after “the cost of such
10 work” the following: “, or provide credit (de-
11 pending on the request of the non-Federal in-
12 terest) for the non-Federal share of such
13 work,”.

14 (3) SCHEDULE AND MANNER OF REIMBURSE-
15 MENTS.—Section 211(e) of such Act (33 U.S.C.
16 701b-13(e)) is amended by adding at the end the
17 following:

18 “(6) SCHEDULE AND MANNER OF REIMBURSE-
19 MENT.—

20 “(A) BUDGETING.—The Secretary shall
21 budget and request appropriations for reim-
22 bursements under this section on a schedule
23 that is consistent with a Federal construction
24 schedule.

1 “(B) COMMENCEMENT OF REIMBURSE-
2 MENTS.—Reimbursements under this section
3 may commence upon approval of a project by
4 the Secretary.

5 “(C) CREDIT.—At the request of a non-
6 Federal interest, the Secretary may reimburse
7 the non-Federal interest by providing credit to-
8 ward future non-Federal costs of the project.

9 “(D) SCHEDULING.—Nothing in this para-
10 graph shall affect the President’s discretion to
11 schedule new construction starts.”.

12 **SEC. 225. ENHANCEMENT OF FISH AND WILDLIFE RE-**
13 **SOURCES.**

14 Section 906(e) of the Water Resources Development
15 Act of 1986 (33 U.S.C. 2283(e)) is amended by inserting
16 after the second sentence the following: “Not more than
17 80 percent of the non-Federal share of such first costs
18 may be satisfied through in-kind contributions, including
19 facilities, supplies, and services that are necessary to carry
20 out the enhancement project.”.

21 **SEC. 226. SENSE OF CONGRESS; REQUIREMENT REGARD-**
22 **ING NOTICE.**

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

1 purchased with funds made available under this Act
2 should be American made.

3 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
4 providing financial assistance under this Act, the Sec-
5 retary, to the greatest extent practicable, shall provide to
6 each recipient of the assistance a notice describing the
7 statement made in subsection (a).

8 **SEC. 227. PERIODIC BEACH NOURISHMENT.**

9 (a) IN GENERAL.—Section 506(a) of the Water Re-
10 sources Development Act of 1996 (110 Stat. 3757) is
11 amended by adding at the end the following:

12 “(5) LEE COUNTY, FLORIDA.—Project for
13 shoreline protection, Lee County, Captiva Island
14 segment, Florida.”.

15 (b) PROJECTS.—Section 506(b)(3) of such Act (110
16 Stat. 3758) is amended by striking subparagraph (A) and
17 redesignating subparagraphs (B) through (D) as subpara-
18 graphs (A) through (C), respectively.

19 **SEC. 228. ENVIRONMENTAL DREDGING.**

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

22 (1) in subsection (b)(1) by striking “50” and
23 inserting “35”; and

1 (2) in subsection (d) by striking “non-Federal
2 responsibility” and inserting “shared as a cost of
3 construction”.

4 **TITLE III—PROJECT-RELATED** 5 **PROVISIONS**

6 **SEC. 301. MISSOURI RIVER LEVEE SYSTEM.**

7 The project for flood control, Missouri River Levee
8 System, authorized by section 10 of the Act entitled “An
9 Act authorizing the construction of certain public works
10 on rivers and harbors for flood control, and other pur-
11 poses”, approved December 22, 1944 (58 Stat. 897), is
12 modified to provide that project costs totaling \$2,616,000
13 expended on Units L-15, L-246, and L-385 out of the
14 Construction, General account of the Corps of Engineers
15 before the date of enactment of the Water Resources De-
16 velopment Act of 1986 (33 U.S.C. 2201 note) shall not
17 be treated as part of total project costs.

18 **SEC. 302. OUZINKIE HARBOR, ALASKA.**

19 (a) **MAXIMUM FEDERAL EXPENDITURE.**—The max-
20 imum amount of Federal funds that may be expended for
21 the project for navigation, Ouzinkie Harbor, Alaska, shall
22 be \$8,500,000.

23 (b) **REVISION OF PROJECT COOPERATION AGREE-**
24 **MENT.**—The Secretary shall revise the project cooperation
25 agreement for the project referred to in subsection (a) to

1 take into account the change in the Federal participation
2 in such project pursuant to subsection (a).

3 (c) COST SHARING.—Nothing in this section shall be
4 construed to affect any cost-sharing requirement applica-
5 ble to the project referred to in subsection (a) under the
6 Water Resources Development Act of 1986.

7 **SEC. 303. GREERS FERRY LAKE, ARKANSAS.**

8 The project for flood control, Greers Ferry Lake, Ar-
9 kansas, authorized by the Act entitled “An Act author-
10 izing the construction of certain public works on rivers and
11 harbors for flood control, and other purposes”, approved
12 June 28, 1938 (52 Stat. 1218), is modified to authorize
13 the Secretary to construct water intake facilities for the
14 benefit of Lonoke and White Counties, Arkansas.

15 **SEC. 304. TEN- AND FIFTEEN-MILE BAYOUS, ARKANSAS.**

16 The project for flood control, St. Francis River
17 Basin, Missouri and Arkansas, authorized by section 204
18 of the Flood Control Act of 1950 (64 Stat. 172), is modi-
19 fied to expand the project boundaries to include Ten- and
20 Fifteen-Mile Bayous near West Memphis, Arkansas. Not-
21 withstanding section 103(f) of the Water Resources Devel-
22 opment Act of 1986 (100 Stat. 4086), the flood control
23 work at Ten- and Fifteen-Mile Bayous shall not be consid-
24 ered separable elements of the St. Francis Basin project.

1 **SEC. 305. LOGGY BAYOU, RED RIVER BELOW DENISON DAM,**
2 **ARKANSAS, LOUISIANA, OKLAHOMA, AND**
3 **TEXAS.**

4 The project for flood control on the Red River Below
5 Denison Dam, Arkansas, Louisiana, Oklahoma, and
6 Texas, authorized by section 10 of the Flood Control Act
7 of 1946 (60 Stat. 647), is modified to direct the Secretary
8 to conduct a study to determine the feasibility of expand-
9 ing the project to include mile 0.0 to mile 7.8 of Loggy
10 Bayou between the Red River and Flat River. If the Sec-
11 retary determines as a result of the study that the project
12 should be expanded, the Secretary may assume responsi-
13 bility for operation and maintenance of the expanded
14 project.

15 **SEC. 306. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**
16 **FORNIA.**

17 (a) IN GENERAL.—The project for flood control, Sac-
18 ramento River, California, authorized by section 2 of the
19 Act entitled “An Act to provide for the control of the
20 floods of the Mississippi River and of the Sacramento
21 River, California, and for other purposes”, approved
22 March 1, 1917 (39 Stat. 949), and modified by section
23 102 of the Energy and Water Development Appropriations
24 Act, 1990 (103 Stat. 649), section 301(b)(3) of the Water
25 Resources Development Act of 1996 (110 Stat. 3110), and
26 title I of the Energy and Water Development Appropria-

1 tions Act, 1999 (112 Stat. 1841), is further modified to
2 authorize the Secretary—

3 (1) to carry out the portion of the project at
4 Glenn-Colusa, California, at a total cost of
5 \$26,000,000, with an estimated Federal cost of
6 \$20,000,000 and an estimated non-Federal cost of
7 \$6,000,000; and

8 (2) to carry out bank stabilization work in the
9 vicinity of the riverbed gradient facility, particularly
10 in the vicinity of River Mile 208.

11 (b) CREDIT.—The Secretary shall provide the non-
12 Federal interests for the project referred to in subsection
13 (a) a credit of up to \$4,000,000 toward the non-Federal
14 share of the project costs for the direct and indirect costs
15 incurred by the non-Federal sponsor in carrying out activi-
16 ties associated with environmental compliance for the
17 project. Such credit may be in the form of reimbursements
18 for costs which were incurred by the non-Federal interests
19 prior to an agreement with the Corps of Engineers, to in-
20 clude the value of lands, easements, rights-of-way, reloca-
21 tions, or dredged material disposal areas.

22 **SEC. 307. SAN LORENZO RIVER, CALIFORNIA.**

23 The project for flood control and habitat restoration,
24 San Lorenzo River, California, authorized by section
25 101(a)(5) of the Water Resources Development Act of

1 1996 (110 Stat. 3663), is modified to authorize the Sec-
2 retary to expand the boundaries of the project to include
3 bank stabilization for a 1,000-foot portion of the San
4 Lorenzo River.

5 **SEC. 308. TERMINUS DAM, KAWEAH RIVER, CALIFORNIA.**

6 (a) TRANSFER OF TITLE TO ADDITIONAL LAND.—

7 If the non-Federal interests for the project for flood con-
8 trol and water supply, Terminus Dam, Kaweah River,
9 California, authorized by section 101(b)(5) of the Water
10 Resources Development Act of 1996 (110 Stat. 3667),
11 transfers to the Secretary without consideration title to
12 perimeter lands acquired for the project by the non-Fed-
13 eral interests, the Secretary may accept the transfer of
14 such title.

15 (b) LANDS, EASEMENT, AND RIGHTS-OF-WAY.—

16 Nothing in this section shall be construed to change, mod-
17 ify, or otherwise affect the responsibility of the non-Fed-
18 eral interests to provide lands, easements, rights-of-way,
19 relocations, and dredged material disposal areas necessary
20 for the Terminus Dam project and to perform operation
21 and maintenance for the project.

22 (c) OPERATION AND MAINTENANCE.—Upon request

23 by the non-Federal interests, the Secretary shall carry out
24 operation, maintenance, repair, replacement, and rehabili-
25 tation of the project if the non-Federal interests enter into

1 a binding agreement with the Secretary to reimburse the
2 Secretary for 100 percent of the costs of such operation,
3 maintenance, repair, replacement, and rehabilitation.

4 (d) **HOLD HARMLESS.**—The non-Federal interests
5 shall hold the United States harmless for ownership, oper-
6 ation, and maintenance of lands and facilities of the Ter-
7 minus Dam project title to which is transferred to the Sec-
8 retary under this section.

9 **SEC. 309. DELAWARE RIVER MAINSTEM AND CHANNEL**
10 **DEEPENING, DELAWARE, NEW JERSEY, AND**
11 **PENNSYLVANIA.**

12 The project for navigation, Delaware River Mainstem
13 and Channel Deepening, Delaware, New Jersey and Penn-
14 sylvania, authorized by section 101(6) of the Water Re-
15 sources Development Act of 1992 (106 Stat. 4802), is
16 modified as follows:

17 (1) The Secretary is authorized to provide non-
18 Federal interests credit toward cash contributions
19 required for construction and subsequent to con-
20 struction for engineering and design and construc-
21 tion management work that is performed by non-
22 Federal interests and that the Secretary determines
23 is necessary to implement the project. Any such
24 credits extended shall reduce the Philadelphia Dis-

1 trict's private sector performance goals for engineer-
2 ing work by a like amount.

3 (2) The Secretary is authorized to provide to
4 non-Federal interests credit toward cash contribu-
5 tions required during construction and subsequent to
6 construction for the costs of construction carried out
7 by the non-Federal interest on behalf of the Sec-
8 retary and that the Secretary determines is nec-
9 essary to implement the project.

10 (3) The Secretary is authorized to enter into an
11 agreement with a non-Federal interest for the pay-
12 ment of disposal or tipping fees for dredged material
13 from a Federal project other than for the construc-
14 tion or operation and maintenance of the new deep-
15 ening project as described in the Limited Reevalua-
16 tion Report of May 1997, where the non-Federal in-
17 terest has supplied the corresponding disposal capac-
18 ity.

19 (4) The Secretary is authorized to enter into an
20 agreement with a non-Federal interest that will pro-
21 vide that the non-Federal interest may carry out or
22 cause to have carried out, on behalf of the Secretary,
23 a disposal area management program for dredged
24 material disposal areas necessary to construct, oper-
25 ate, and maintain the project and to authorize the

1 Secretary to reimburse the non-Federal interest for
2 the costs of the disposal area management program
3 activities carried out by the non-Federal interest.

4 **SEC. 310. POTOMAC RIVER, WASHINGTON, DISTRICT OF CO-**
5 **LUMBIA.**

6 The project for flood control authorized by section 5
7 of the Flood Control Act of June 22, 1936 (69 Stat.
8 1574), as modified by section 301(a)(4) of the Water Re-
9 sources Development Act of 1996 (110 Stat. 3707), is fur-
10 ther modified to authorize the Secretary to construct the
11 project at a Federal cost of \$5,965,000.

12 **SEC. 311. BREVARD COUNTY, FLORIDA.**

13 (a) STUDY.—The Secretary, in cooperation with the
14 non-Federal interest, shall conduct a study of any damage
15 to the project for shoreline protection, Brevard County,
16 Florida, authorized by section 101(b)(7) of the Water Re-
17 sources Development Act of 1996 (110 Stat. 3667), to de-
18 termine whether the damage is the result of a Federal
19 navigation project.

20 (b) CONDITIONS.—In conducting the study, the Sec-
21 retary shall utilize the services of an independent coastal
22 expert who shall consider all relevant studies completed
23 by the Corps of Engineers and the project's local sponsor.
24 The study shall be completed within 120 days of the date
25 of enactment of this Act.

1 (c) MITIGATION OF DAMAGES.—After completion of
2 the study, the Secretary shall mitigate any damage to the
3 shoreline protection project that is the result of a Federal
4 navigation project. The costs of the mitigation shall be al-
5 located to the Federal navigation project as operation and
6 maintenance.

7 **SEC. 312. BROWARD COUNTY AND HILLSBORO INLET,**
8 **FLORIDA.**

9 The project for shoreline protection, Broward County
10 and Hillsboro Inlet, Florida, authorized by section 301 of
11 the River and Harbor Act of 1965 (79 Stat. 1090), is
12 modified to authorize the Secretary to reimburse the non-
13 Federal interest for the Federal share of the cost of
14 preconstruction planning and design for the project upon
15 execution of a contract to construct the project if the Sec-
16 retary determines such work is compatible with and inte-
17 gral to the project.

18 **SEC. 313. FORT PIERCE, FLORIDA.**

19 (a) IN GENERAL.—The project for shore protection
20 and harbor mitigation, Fort Pierce, Florida, authorized by
21 section 301 of the River and Harbor Act of 1965 (79 Stat.
22 1092) and section 506(a)(2) of the Water Resources De-
23 velopment Act of 1996 (110 Stat. 3757), is modified to
24 incorporate an additional 1 mile into the project in accord-
25 ance with a final approved General Reevaluation Report,

1 at a total cost for initial nourishment for the entire project
2 of \$9,128,000, with an estimated Federal cost of
3 \$7,073,500 and an estimated non-Federal cost of
4 \$2,054,500.

5 (b) PERIOD NOURISHMENT.—Periodic nourishment
6 is authorized for the project in accordance with section
7 506(a)(2) of Water Resources Development Act of 1996
8 (110 Stat. 3757).

9 (c) REVISION OF THE PROJECT COOPERATION
10 AGREEMENT.—The Secretary shall revise the project co-
11 operation agreement for the project referred to in sub-
12 section (a) to take into account the change in Federal par-
13 ticipation in the project pursuant to subsection (a).

14 **SEC. 314. NASSAU COUNTY, FLORIDA.**

15 The project for beach erosion control, Nassau County
16 (Amelia Island), Florida, authorized by section 3(a)(3) of
17 the Water Resources Development Act of 1988 (102 Stat.
18 4013), is modified to authorize the Secretary to construct
19 the project at a total cost of \$17,000,000, with an esti-
20 mated Federal cost of \$13,300,000 and an estimated non-
21 Federal cost of \$3,700,000.

22 **SEC. 315. MIAMI HARBOR CHANNEL, FLORIDA.**

23 The project for navigation, Miami Harbor Channel,
24 Florida, authorized by section 101(a)(9) of the Water Re-
25 sources Development Act of 1990 (104 Stat. 4606), is

1 modified to include construction of artificial reefs and re-
2 lated environmental mitigation required by Federal, State,
3 and local environmental permitting agencies for the
4 project.

5 **SEC. 316. LAKE MICHIGAN, ILLINOIS.**

6 The project for storm damage reduction and shore-
7 line erosion protection, Lake Michigan, Illinois, from
8 Wilmette, Illinois, to the Illinois-Indiana State line, au-
9 thorized by section 101(a)(12) of the Water Resources De-
10 velopment Act of 1996 (110 Stat. 3664), is modified to
11 authorize the Secretary to provide a credit against the
12 non-Federal share of the cost of the project for costs in-
13 curred by the non-Federal interest—

14 (1) in constructing Reach 2D and Segment 8 of
15 Reach 4 of the project; and

16 (2) in reconstructing Solidarity Drive in Chi-
17 cago, Illinois, prior to entry into a project coopera-
18 tion agreement with the Secretary.

19 **SEC. 317. SPRINGFIELD, ILLINOIS.**

20 Section 417 of the Water Resources Development Act
21 of 1996 (110 Stat. 3743) is amended—

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

24 (2) by adding at the end the following:

1 “(b) COST SHARING.—The non-Federal share of as-
2 sistance provided under this section before, on, or after
3 the date of enactment of this subsection shall be 50 per-
4 cent.”.

5 **SEC. 318. LITTLE CALUMET RIVER, INDIANA.**

6 The project for flood control, Little Calumet River,
7 Indiana, authorized by section 401(a) of the Water Re-
8 sources Development Act of 1986 (100 Stat. 4115), is
9 modified to authorize the Secretary to construct the
10 project substantially in accordance with the report of the
11 Corps of Engineers, at a total cost of \$167,000,000, with
12 an estimated Federal cost of \$122,000,000 and an esti-
13 mated non-Federal cost of \$45,000,000.

14 **SEC. 319. OGDEN DUNES, INDIANA.**

15 (a) STUDY.—The Secretary shall conduct a study of
16 beach erosion in and around the town of Ogden Dunes,
17 Indiana, to determine whether the damage is the result
18 of a Federal navigation project.

19 (b) MITIGATION OF DAMAGES.—After completion of
20 the study, the Secretary shall mitigate any damage to the
21 beach and shoreline that is the result of a Federal naviga-
22 tion project. The cost of the mitigation shall be allocated
23 to the Federal navigation project as operation and mainte-
24 nance.

1 **SEC. 320. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA.**

2 (a) **MAXIMUM TOTAL EXPENDITURE.**—The max-
3 imum total expenditure for the project for streambank
4 erosion, recreation, and pedestrian access features, Saint
5 Joseph River, South Bend, Indiana, shall be \$7,800,000.

6 (b) **REVISION OF PROJECT COOPERATION AGREE-**
7 **MENT.**—The Secretary shall revise the project cooperation
8 agreement for the project referred to in subsection (a) to
9 take into account the change in the Federal participation
10 in such project pursuant to subsection (a).

11 (c) **COST SHARING.**—Nothing in this section shall be
12 construed to affect any cost-sharing requirement applica-
13 ble to the project referred to in subsection (a) under title
14 I of the Water Resources Development Act of 1986 (33
15 U.S.C. 2211 et seq.).

16 **SEC. 321. WHITE RIVER, INDIANA.**

17 The project for flood control, Indianapolis on West
18 Fork of the White River, Indiana, authorized by section
19 5 of the Act entitled “An Act authorizing the construction
20 of certain public works on rivers and harbors for flood con-
21 trol, and other purposes”, approved June 22, 1936 (49
22 Stat. 1586), and modified by section 323 of the Water
23 Resources Development Act of 1996 (110 Stat. 3716), is
24 further modified to authorize the Secretary to undertake
25 riverfront alterations as described in the Central Indianap-
26 olis Waterfront Concept Master Plan, dated February

1 1994, at a total cost of \$110,975,000, with an estimated
2 Federal cost of \$52,475,000 and an estimated non-Fed-
3 eral cost of \$58,500,000.

4 **SEC. 322. LAKE PONTCHARTRAIN, LOUISIANA.**

5 The project for hurricane-flood protection, Lake
6 Pontchartrain, Louisiana, authorized by section 204 of the
7 Flood Control Act of 1965 (79 Stat. 1077), is modified—

8 (1) to direct the Secretary to conduct a study
9 to determine the feasibility of constructing a pump
10 adjacent to each of the 4 proposed drainage struc-
11 tures for the Saint Charles Parish feature of the
12 project; and

13 (2) to authorize the Secretary to construct such
14 pumps upon completion of the study.

15 **SEC. 323. LAROSE TO GOLDEN MEADOW, LOUISIANA.**

16 The project for hurricane protection Larose to Gold-
17 en Meadow, Louisiana, authorized by section 204 of the
18 Flood Control Act of 1965 (79 Stat. 1077), is modified
19 to direct the Secretary to convert the Golden Meadow
20 floodgate into a navigation lock if the Secretary deter-
21 mines that the conversion is feasible.

22 **SEC. 324. LOUISIANA STATE PENITENTIARY LEVEE, LOU-**
23 **ISIANA.**

24 The Louisiana State Penitentiary Levee project, Lou-
25 isiana, authorized by section 401(a) of the Water Re-

1 sources Development Act of 1986 (100 Stat. 4117), is
2 modified to direct the Secretary to provide credit to the
3 non-Federal interest toward the non-Federal share of the
4 cost of the project. The credit shall be for cost of work
5 performed by the non-Federal interest prior to the execu-
6 tion of a project cooperation agreement as determined by
7 the Secretary to be compatible with and an integral part
8 of the project.

9 **SEC. 325. TWELVE-MILE BAYOU, CADDO PARISH, LOU-**
10 **ISIANA.**

11 The Secretary shall be responsible for maintenance
12 of the levee along Twelve-Mile Bayou from its junction
13 with the existing Red River Below Denison Dam Levee
14 approximately 26 miles upstream to its terminus at high
15 ground in the vicinity of Black Bayou, Caddo Parish, Lou-
16 isiana, if the Secretary determines that such maintenance
17 is economically justified and environmentally acceptable
18 and that the levee was constructed in accordance with ap-
19 propriate design and engineering standards.

20 **SEC. 326. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF**
21 **HARVEY CANAL), LOUISIANA.**

22 (a) IN GENERAL.—The project for flood control and
23 storm damage reduction, West Bank of the Mississippi
24 River (East of Harvey Canal), Louisiana, authorized by
25 section 401(b) of the Water Resources Development Act

1 of 1986 (100 Stat. 4128) and section 101(a)(17) of the
2 Water Resources Development Act of 1996 (110 Stat.
3 3665), is modified—

4 (1) to provide that any liability under the Com-
5 prehensive Environmental Response, Compensation,
6 and Liability Act of 1980 (42 U.S.C. 9601 et seq.)
7 from the construction of the project is a Federal re-
8 sponsibility; and

9 (2) to authorize the Secretary to carry out op-
10 eration and maintenance of that portion of the
11 project included in the report of the Chief of Engi-
12 neers, dated May 1, 1995, referred to as “Algiers
13 Channel”, if the non-Federal sponsor reimburses the
14 Secretary for the amount of such operation and
15 maintenance included in the report of the Chief of
16 Engineers.

17 (b) COMBINATION OF PROJECTS.—The Secretary
18 shall carry out work authorized as part of the Westwego
19 to Harvey Canal project, the East of Harvey cannal
20 project, and the Lake Cataouatche modifications as a sin-
21 gle project, to be known as the West Bank and vicinity,
22 New Orleans, Louisiana, hurricane protection project,
23 with a combined total cost of \$280,300,000.

1 **SEC. 327. TOLCHESTER CHANNEL, BALTIMORE HARBOR**
2 **AND CHANNELS, CHESAPEAKE BAY, KENT**
3 **COUNTY, MARYLAND.**

4 The project for navigation, Tolchester Channel,
5 Baltimore Harbor and Channels, Chesapeake Bay, Kent
6 County, Maryland, authorized by section 101 of the River
7 and Harbor Act of 1958 (72 Stat. 297), is modified to
8 authorize the Secretary to straighten the navigation chan-
9 nel in accordance with the District Engineer's Navigation
10 Assessment Report and Environmental Assessment, dated
11 April 30, 1997. This modification shall be carried out in
12 order to improve navigation safety.

13 **SEC. 328. SAULT SAINTE MARIE, CHIPPEWA COUNTY,**
14 **MICHIGAN.**

15 The project for navigation Sault Sainte Marie, Chip-
16 pewa County, Michigan, authorized by section 1149 of the
17 Water Resources Development Act of 1986 (100 Stat.
18 4254–4255) and modified by section 330 of the Water Re-
19 sources Development Act of 1996 (110 Stat. 3717–3718),
20 is further modified to provide that the amount to be paid
21 by non-Federal interests pursuant to section 101(a) of the
22 Water Resources Development Act of 1986 (33 U.S.C.
23 2211(a)) and subsection (a) of such section 330 shall not
24 include any interest payments.

1 **SEC. 329. JACKSON COUNTY, MISSISSIPPI.**

2 The project for environmental infrastructure, Jack-
3 son County, Mississippi, authorized by section 219(e)(5)
4 of the Water Resources Development Act of 1992 (106
5 Stat. 4835) and modified by section 504 of the Water Re-
6 sources Development Act of 1996 (110 Stat. 3757), is fur-
7 ther modified to direct the Secretary to provide a credit,
8 not to exceed \$5,000,000, against the non-Federal share
9 of the cost of the project for the costs incurred by the
10 Jackson County Board of Supervisors since February 8,
11 1994, in constructing the project if the Secretary deter-
12 mines that such costs are for work that the Secretary de-
13 termines is compatible with and integral to the project.

14 **SEC. 330. TUNICA LAKE, MISSISSIPPI.**

15 The project for flood control, Mississippi River Chan-
16 nel Improvement Project, Tunica Lake, Mississippi, au-
17 thorized by the Act entitled: “An Act for the control of
18 floods on the Mississippi River and its tributaries, and for
19 other purposes”, approved May 15, 1928 (45 Stat. 534–
20 538), is modified to include construction of a weir at the
21 Tunica Cutoff, Mississippi.

22 **SEC. 331. BOIS BRULE DRAINAGE AND LEVEE DISTRICT,**
23 **MISSOURI.**

24 (a) **MAXIMUM FEDERAL EXPENDITURE.**—The max-
25 imum amount of Federal funds that may be allocated for
26 the project for flood control, Bois Brule Drainage and

1 Levee District, Missouri, authorized pursuant to section
2 205 of the Flood Control Act of 1948 (33 U.S.C. 701s),
3 shall be \$8,000,000.

4 (b) REVISION OF THE PROJECT COOPERATION
5 AGREEMENT.—The Secretary shall revise the project co-
6 operation agreement for the project referred to in sub-
7 section (a) to take into account the change in Federal par-
8 ticipation in the project pursuant to subsection (a).

9 (c) COST SHARING.—Nothing in this section shall be
10 construed to affect any cost-sharing requirement applica-
11 ble to the project referred to in subsection (a) under title
12 I of the Water Resources Development Act of 1986 (33
13 U.S.C. 2211 et seq.).

14 **SEC. 332. MERAMEC RIVER BASIN, VALLEY PARK LEVEE,**
15 **MISSOURI.**

16 The project for flood control, Meramec River Basin,
17 Valley Park Levee, Missouri, authorized by section 2(h)
18 of an Act entitled “An Act to deauthorize several projects
19 within the jurisdiction of the Army Corps of Engineers”
20 (95 Stat. 1682–1683) and modified by section 1128 of
21 the Water Resources Development Act of 1986, (100 Stat.
22 4246), is further modified to authorize the Secretary to
23 construct the project at a maximum Federal expenditure
24 of \$35,000,000.

1 **SEC. 333. MISSOURI RIVER MITIGATION PROJECT, MIS-**
2 **SOURI, KANSAS, IOWA, AND NEBRASKA.**

3 (a) IN GENERAL.—The project for mitigation of fish
4 and wildlife losses, Missouri River Bank Stabilization and
5 Navigation Project, Missouri, Kansas, Iowa, and Ne-
6 braska, authorized by section 601 of the Water Resources
7 Development Act of 1986 (100 Stat. 4143), is modified
8 to increase by 118,650 acres the lands and interests in
9 lands to be acquired for the project.

10 (b) STUDY.—

11 (1) IN GENERAL.—The Secretary, in conjunc-
12 tion with the States of Nebraska, Iowa, Kansas, and
13 Missouri, shall conduct a study to determine the cost
14 of restoring, under the authority of the Missouri
15 River fish and wildlife mitigation project, a total of
16 118,650 acres of lost Missouri River habitat.

17 (2) REPORT.—The Secretary shall report to
18 Congress on the results of the study not later than
19 6 months after the date of enactment of this Act.

20 **SEC. 334. WOOD RIVER, GRAND ISLAND, NEBRASKA.**

21 The project for flood control, Wood River, Grand Is-
22 land, Nebraska, authorized by section 101(a)(19) of the
23 Water Resources Development Act of 1996 (110 Stat.
24 3665), is modified to authorize the Secretary to construct
25 the project substantially in accordance with the report of
26 the Corps of Engineers dated June 29, 1998, at a total

1 cost of \$17,039,000, with an estimated Federal cost of
2 \$9,730,000 and an estimated non-Federal cost of
3 \$7,309,000.

4 **SEC. 335. ABSECON ISLAND, NEW JERSEY.**

5 The project for storm damage reduction and shore-
6 line protection, Brigantine Inlet to Great Egg Harbor
7 Inlet, Absecon Island, New Jersey, authorized by section
8 101(b)(13) of the Water Resources Development Act of
9 1996 (110 Stat. 3668), is modified to provide that, if,
10 after October 12, 1996, the non-Federal interests carry
11 out any work associated with the project that is later rec-
12 ommended by the Chief of Engineers and approved by the
13 Secretary, the Secretary may credit the non-Federal inter-
14 ests toward the non-Federal share of the cost of the
15 project an amount equal to the Federal share of the cost
16 of such work, without interest.

17 **SEC. 336. NEW YORK HARBOR AND ADJACENT CHANNELS,**
18 **PORT JERSEY, NEW JERSEY**

19 The project for navigation, New York Harbor and
20 Adjacent Channels, New York and New Jersey, authorized
21 by section 202(b) of the Water Resources Development
22 Act of 1986 (100 Stat. 4098), is modified to authorize
23 the Secretary to construct that portion of the project that
24 is located between Military Ocean Terminal Bayonne and
25 Global Terminal in Bayonne, New Jersey, substantially in

1 accordance with the report of the Corps of Engineers, at
2 a total cost of \$103,267,000, with an estimated Federal
3 cost of \$76,909,000 and an estimated non-Federal cost
4 of \$26,358,000.

5 **SEC. 337. PASSAIC RIVER, NEW JERSEY.**

6 Section 101(a)(18)(B) of the Water Resources Devel-
7 opment Act of 1990 (104 Stat. 4608–4609) is amended
8 by inserting “, including an esplanade for safe pedestrian
9 access with an overall width of 600 feet” after “public ac-
10 cess to Route 21”.

11 **SEC. 338. SANDY HOOK TO BARNEGAT INLET, NEW JERSEY.**

12 The project for shoreline protection, Sandy Hook to
13 Barnegat Inlet, New Jersey, authorized by section 101 of
14 the River and Harbor Act of 1958 (72 Stat. 299), is
15 modified—

16 (1) to include the demolition of Long Branch
17 pier and extension of Ocean Grove pier; and

18 (2) to authorize the Secretary to reimburse the
19 non-Federal sponsor for the Federal share of costs
20 associated with the demolition of Long Branch pier
21 and the construction of the Ocean Grove pier.

22 **SEC. 339. ARTHUR KILL, NEW YORK AND NEW JERSEY.**

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

1 4098) and modified by section 301(b)(11) of the Water
2 Resources Development Act of 1996 (110 Stat. 3711), is
3 further modified to authorize the Secretary to construct
4 the portion of the project at Howland Hook Marine Ter-
5 minal substantially in accordance with the report of the
6 Corps of Engineers, dated September 30, 1998, at a total
7 cost of \$315,700,000, with an estimated Federal cost of
8 \$183,200,000 and an estimated non-Federal cost of
9 \$132,500,000.

10 **SEC. 340. NEW YORK CITY WATERSHED.**

11 Section 552(i) of the Water Resources Development
12 Act of 1996 (110 Stat. 3781) is amended by striking
13 “\$22,500,000” and inserting “\$42,500,000”.

14 **SEC. 341. NEW YORK STATE CANAL SYSTEM.**

15 Section 553(e) of the Water Resources Development
16 Act of 1996 (110 Stat. 3781) is amended by striking
17 “\$8,000,000” and inserting “\$18,000,000”.

18 **SEC. 342. FIRE ISLAND INLET TO MONTAUK POINT, NEW**
19 **YORK.**

20 The project for combined beach erosion control and
21 hurricane protection, Fire Island Inlet to Montauk Point,
22 Long Island, New York, authorized by the River and Har-
23 bor Act of 1960 (74 Stat. 483) and modified by the River
24 and Harbor Act of 1962, the Water Resources Develop-
25 ment Act of 1974, and the Water Resources Development

1 Act of 1986, is further modified to direct the Secretary,
2 in coordination with the heads of other Federal depart-
3 ments and agencies, to complete all procedures and re-
4 views expeditiously and to adopt and transmit to Congress
5 not later than June 30, 1999, a mutually acceptable shore
6 erosion plan for the Fire Island Inlet to Moriches Inlet
7 reach of the project.

8 **SEC. 343. BROKEN BOW LAKE, RED RIVER BASIN, OKLA-**
9 **HOMA.**

10 The project for flood control and water supply, Bro-
11 ken Bow Lake, Red River Basin, Oklahoma, authorized
12 by section 203 of the Flood Control Act of 1958 (72 Stat.
13 309) and modified by section 203 of the Flood Control
14 Act of 1962 (76 Stat. 1187), section 102(v) of the Water
15 Resources Development Act of 1992 (106 Stat. 4808), and
16 section 338 of the Water Resources Development Act of
17 1996 (110 Stat. 3720), is further modified to require the
18 Secretary to make seasonal adjustments to the top of the
19 conservation pool at the project as follows (if the Secretary
20 determines that the adjustments will be undertaken at no
21 cost to the United States and will adequately protect im-
22 pacted water and related resources):

23 (1) Maintain an elevation of 599.5 from No-
24 vember 1 through March 31.

1 (2) Increase elevation gradually from 599.5 to
2 602.5 during April and May.

3 (3) Maintain an elevation of 602.5 from June
4 1 to September 30.

5 (4) Decrease elevation gradually from 602.5 to
6 599.5 during October.

7 **SEC. 344. WILLAMETTE RIVER TEMPERATURE CONTROL,**
8 **MCKENZIE SUBBASIN, OREGON.**

9 (a) IN GENERAL.—The project for environmental
10 restoration, Willamette River Temperature Control,
11 McKenzie Subbasin, Oregon, authorized by section
12 101(a)(25) of the Water Resources Development Act of
13 1996 (110 Stat. 3665), is modified to authorize the Sec-
14 retary to construct the project substantially in accordance
15 with the Feature Memorandum dated July 31, 1998, at
16 a total cost of \$64,741,000.

17 (b) REPORT.—Not later than 90 days after the date
18 of enactment of this Act, the Secretary shall report to
19 Congress on the reasons for the cost growth of the Willam-
20 ette River project and outline the steps the Corps of Engi-
21 neers is taking to control project costs, including the appli-
22 cation of value engineering and other appropriate meas-
23 ures. In the report, the Secretary shall also include a cost
24 estimate for, and recommendations on the advisability of,
25 adding fish screens to the project.

1 **SEC. 345. AYLESWORTH CREEK RESERVOIR, PENNSYL-**
2 **VANIA.**

3 The project for flood control, Aylesworth Creek Res-
4 ervoir, Pennsylvania, authorized by section 203 of the
5 Flood Control Act of 1962 (76 Stat. 1182), is modified
6 to authorize the Secretary to transfer, in each of fiscal
7 years 1999 and 2000, \$50,000 to the Aylesworth Creek
8 Reservoir Park Authority for recreational facilities.

9 **SEC. 346. CURWENSVILLE LAKE, PENNSYLVANIA.**

10 Section 562 of the Water Resources Development Act
11 of 1996 (110 Stat. 3784) is amended by adding at the
12 end the following: “The Secretary shall provide design and
13 construction assistance for recreational facilities at
14 Curwensville Lake and, when appropriate, may require the
15 non-Federal interest to provide not more than 25 percent
16 of the cost of designing and constructing such facilities.
17 The Secretary may transfer, in each of fiscal years 1999
18 through 2003, \$100,000 to the Clearfield County Munic-
19 ipal Services and Recreation Authority for recreational fa-
20 cilities.”.

21 **SEC. 347. DELAWARE RIVER, PENNSYLVANIA AND DELA-**
22 **WARE.**

23 The project for navigation, Delaware River, Philadel-
24 phia to Wilmington, Pennsylvania and Delaware, author-
25 ized by section 3(a)(12) of the Water Resources Develop-
26 ment Act of 1988 (102 Stat. 4014), is modified to author-

1 ize the Secretary to extend the channel of the Delaware
2 River at Camden, New Jersey, to within 150 feet of the
3 existing bulkhead and to relocate the 40-foot deep Federal
4 navigation channel, eastward within Philadelphia Harbor,
5 from the Ben Franklin Bridge to the Walt Whitman
6 Bridge, into deep water.

7 **SEC. 348. MUSSERS DAM, PENNSYLVANIA.**

8 Section 209 of the Water Resources Development Act
9 of 1992 (106 Stat. 4830) is amended by striking sub-
10 section (e) and redesignating subsection (f) as subsection
11 (e).

12 **SEC. 349. NINE-MILE RUN, ALLEGHENY COUNTY, PENNSYLVANIA.**

13
14 The Nine-Mile Run project, Allegheny County, Penn-
15 sylvania, carried out pursuant to section 206 of the Water
16 Resources Development Act of 1996 (33 U.S.C. 2330; 110
17 Stat. 3679–3680), is modified to authorize the Secretary
18 to provide a credit toward the non-Federal share of the
19 project for costs incurred by the non-Federal interest in
20 preparing environmental and feasibility documentation for
21 the project before entering into an agreement with the
22 Corps of Engineers with respect to the project if the Sec-
23 retary determines such costs are for work that is compat-
24 ible with and integral to the project.

1 **SEC. 350. RAYSTOWN LAKE, PENNSYLVANIA.**

2 (a) RECREATION PARTNERSHIP INITIATIVE.—Sec-
3 tion 519(b) of the Water Resources Development Act of
4 1996 (110 Stat. 3765) is amended—

5 (1) by redesignating paragraph (3) as para-
6 graph (4); and

7 (2) by inserting after paragraph (2) the fol-
8 lowing:

9 “(3) ENGINEERING AND DESIGN SERVICES.—
10 The Secretary may perform, at full Federal expense,
11 engineering and design services for project infra-
12 structure expected to be associated with the develop-
13 ment of the site at Raystown Lake, Hesston, Penn-
14 sylvania.”.

15 (b) CONSTRUCTION ASSISTANCE.—

16 (1) IN GENERAL.—Consistent with the master
17 plan described in section 318 of the Water Re-
18 sources Development Act of 1992 (106 Stat. 4848),
19 the Secretary may provide a grant to Juniata Col-
20 lege for the construction of facilities and structures
21 at Raystown Lake, Pennsylvania, to interpret and
22 understand environmental conditions and trends. As
23 a condition of the receipt of such financial assist-
24 ance, officials at Juniata College shall coordinate
25 with the Baltimore District of the Army Corps of
26 Engineers.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated \$5,000,000
3 for fiscal years beginning after September 30, 1998,
4 to carry out this subsection.

5 **SEC. 351. SOUTH CENTRAL PENNSYLVANIA.**

6 Section 313(g)(1) of the Water Resources Develop-
7 ment Act of 1992 (106 Stat. 4846) is amended by striking
8 “\$80,000,000” and inserting “\$180,000,000”.

9 **SEC. 352. COOPER RIVER, CHARLESTON HARBOR, SOUTH**
10 **CAROLINA.**

11 The project for redirection, Cooper River, Charleston
12 Harbor, South Carolina, authorized by section 101 of the
13 River and Harbor Act of 1968 (82 Stat. 731) and modi-
14 fied by title I of the Energy and Water Development Ap-
15 propriations Act, 1992 (105 Stat. 516), is further modi-
16 fied to authorize the Secretary to pay to the State of
17 South Carolina not more than \$3,750,000 if the Secretary
18 and the State enter into a binding agreement for the State
19 to perform all future operation of, including associated
20 studies to assess the efficacy of, the St. Stephen, South
21 Carolina, fish lift. The agreement must specify the terms
22 and conditions under which payment will be made and the
23 rights of, and remedies available to, the Federal Govern-
24 ment to recover all or a portion of such payment in the
25 event the State suspends or terminates operation of the

1 fish lift or fails to operate the fish lift in a manner satis-
2 factory to the Secretary. Maintenance of the fish lift shall
3 remain a Federal responsibility.

4 **SEC. 353. BOWIE COUNTY LEVEE, TEXAS.**

5 The project for flood control, Red River Below
6 Denison Dam, Texas and Oklahoma, authorized by section
7 10 of the Flood Control Act of 1946 (60 Stat. 647), is
8 modified to direct the Secretary to implement the Bowie
9 County Levee feature of the project in accordance with
10 the plan defined as Alternative B in the draft document
11 entitled “Bowie County Local Flood Protection, Red
12 River, Texas Project Design Memorandum No. 1, Bowie
13 County Levee”, dated April 1997. In evaluating and im-
14 plementing this modification, the Secretary shall allow the
15 non-Federal interest to participate in the financing of the
16 project in accordance with section 903(c) of the Water Re-
17 sources Development Act of 1986 (100 Stat. 4184) to the
18 extent that the Secretary’s evaluation indicates that apply-
19 ing such section is necessary to implement the project.

20 **SEC. 354. CLEAR CREEK, TEXAS.**

21 Section 575 of the Water Resources Development Act
22 of 1996 (110 Stat. 3789) is amended by adding at the
23 end the following:

24 “(c) CLEAR CREEK, TEXAS.—In any evaluation of
25 economic benefits and costs for the project for flood con-

1 trol, Clear Creek, Texas, authorized by section 203 of the
2 Flood Control Act of 1968 (82 Stat. 742) that occurs after
3 the date of enactment of this subsection, the Secretary
4 shall include the costs and benefits of nonstructural meas-
5 ures undertaken, including any buyout or relocation ac-
6 tions, of non-Federal interests within the drainage area
7 of such project before the date of the evaluation in the
8 determination of conditions existing before the construc-
9 tion of the project.”.

10 **SEC. 355. CYPRESS CREEK, TEXAS.**

11 (a) IN GENERAL.—The project for flood control, Cy-
12 press Creek, Texas, authorized by section 3(a)(13) of the
13 Water Resources Development Act of 1988 (102 Stat.
14 4014), is modified to authorize the Secretary to carry out
15 a nonstructural flood control project at a total cost of
16 \$5,000,000.

17 (b) REIMBURSEMENT FOR WORK.—The Secretary
18 may reimburse the non-Federal interest for the Cypress
19 Creek project for work done by the non-Federal interest
20 on the nonstructural flood control project in an amount
21 equal to the estimate of the Federal share, without inter-
22 est, of the cost of such work—

23 (1) if, after authorization and before initiation
24 of construction of such nonstructural project, the
25 Secretary approves the plans for construction of

1 such nonstructural project by the non-Federal inter-
2 est; and

3 (2) if the Secretary finds, after a review of
4 studies and design documents prepared to carry out
5 such nonstructural project, that construction of such
6 nonstructural project is economically justified and
7 environmentally acceptable.

8 **SEC. 356. DALLAS FLOODWAY EXTENSION, DALLAS, TEXAS.**

9 The project for flood control, Dallas Floodway Exten-
10 sion, Dallas, Texas, authorized by section 301 of the River
11 and Harbor Act of 1965 (79 Stat. 1091) and modified
12 by section 351 of the Water Resources Development Act
13 of 1996 (110 Stat. 3724), is further modified—

14 (1) to add environmental restoration and recre-
15 ation as project purposes; and

16 (2) to authorize the Secretary to construct the
17 project substantially in accordance with the Chain of
18 Wetlands Plan in the report of the Corps of Engi-
19 neers at a total cost of \$123,200,000, with an esti-
20 mated Federal cost of \$80,000,000 and an esti-
21 mated non-Federal cost of \$43,200,000.

22 **SEC. 357. UPPER JORDAN RIVER, UTAH.**

23 The project for flood control, Upper Jordan River,
24 Utah, authorized by section 101(a)(23) of the Water Re-
25 sources Development Act of 1990 (104 Stat. 4610) and

1 modified by section 301(a)(14) of the Water Resources
2 Development Act of 1996 (110 Stat. 3709), is further
3 modified to direct the Secretary to carry out the locally
4 preferred project, entitled “Upper Jordan River Flood
5 Control Project, Salt Lake County, Utah—Supplemental
6 Information” and identified in the document of Salt Lake
7 County, Utah, dated July 30, 1998, at a total cost of
8 \$12,870,000, with an estimated Federal cost of
9 \$8,580,000 and an estimated non-Federal cost of
10 \$4,290,000.

11 **SEC. 358. ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.**

12 Notwithstanding any other provision of law, after the
13 date of enactment of this Act, the city of Chesapeake, Vir-
14 ginia, shall not be obligated to make the annual cash con-
15 tribution required under paragraph 1(9) of the Local Co-
16 operation Agreement dated December 12, 1978, between
17 the Government and the city for the project for navigation,
18 southern branch of Elizabeth River, Chesapeake, Virginia.

19 **SEC. 359. BLUESTONE LAKE, OHIO RIVER BASIN, WEST VIR-**
20 **GINIA.**

21 Section 102(ff) of the Water Resources Development
22 Act of 1992 (106 Stat. 4810) is amended by striking
23 “take such measures as are technologically feasible” and
24 inserting “implement Plan C/G, as defined in the Evalua-

1 tion Report of the District Engineer, dated December
2 1996,”.

3 **SEC. 360. GREENBRIER BASIN, WEST VIRGINIA.**

4 Section 579(c) of the Water Resources Development
5 Act of 1996 (110 Stat. 3790) is amended by striking
6 “\$12,000,000” and inserting “\$73,000,000.”

7 **SEC. 361. MOOREFIELD, WEST VIRGINIA.**

8 The project for flood control, Moorefield, West Vir-
9 ginia, authorized by section 101(a)(25) of the Water Re-
10 sources Development Act of 1990 (104 Stat. 4610-4611),
11 is modified to provide that the non-Federal interest shall
12 not be required to pay the unpaid balance, including inter-
13 est, of the non-Federal share of the cost of the project.

14 **SEC. 362. WEST VIRGINIA AND PENNSYLVANIA FLOOD CON-**
15 **TROL.**

16 Section 581(a) of the Water Resources Development
17 Act of 1996 (110 Stat. 3790) is amended to read as fol-
18 lows:

19 “(a) IN GENERAL.—The Secretary may design and
20 construct—

21 “(1) flood control measures in the Cheat and
22 Tygart River basins, West Virginia, at a level of pro-
23 tection that is sufficient to prevent any future losses
24 to these communities from flooding such as occurred

1 in January 1996 but no less than a 100-year level
2 of protection; and

3 “(2) structural and nonstructural flood control,
4 streambank protection, stormwater management,
5 and channel clearing and modification measures in
6 the Lower Allegheny, Lower Monongahela, West
7 Branch Susquehanna, and Juniata River basins,
8 Pennsylvania, at a level of protection that is suffi-
9 cient to prevent any future losses to communities in
10 these basins from flooding such as occurred in Janu-
11 ary 1996, but no less than a 100-year level of flood
12 protection with respect to those measures that incor-
13 porate levees or floodwalls.”.

14 **SEC. 363. PROJECT REAUTHORIZATIONS.**

15 (a) LEE CREEK, ARKANSAS AND OKLAHOMA.—The
16 project for flood protection on Lee Creek, Arkansas and
17 Oklahoma, authorized by section 204 of the Flood Control
18 Act of 1965 (79 Stat. 1078) and deauthorized pursuant
19 to section 1001(b)(1) of the Water Resources Develop-
20 ment Act of 1986 (33 U.S.C. 579a(b)(1)), is authorized
21 to be carried out by the Secretary.

22 (b) INDIAN RIVER COUNTY, FLORIDA.—The project
23 for shore protection, Indian River County, Florida, au-
24 thorized by section 501 of the Water Resources and Devel-
25 opment Act of 1986 (100 Stat. 4134) and deauthorized

1 pursuant to section 1001(b)(1) of the Water Resources
2 Development Act of 1986 (33 U.S.C. 579a(b)(1)), is au-
3 thorized to be carried out by the Secretary.

4 (c) LIDO KEY, FLORIDA.—The project for shore pro-
5 tection, Lido Key, Florida, authorized by section 101 of
6 the River and Harbor Act of 1970 (84 Stat. 1819) and
7 deauthorized pursuant to section 1001(b)(2) of the Water
8 Resources Development Act of 1986 (33 U.S.C.
9 579a(b)(2)), is authorized to be carried out by the Sec-
10 retary.

11 (d) ST. AUGUSTINE, ST. JOHNS COUNTY, FLOR-
12 IDA.—

13 (1) IN GENERAL.—The project for shore protec-
14 tion and storm damage reduction, St. Augustine, St.
15 Johns County, Florida, authorized by section 501 of
16 the Water Resources Development Act of 1986 and
17 deauthorized pursuant to section 1001(a) of such
18 Act (33 U.S.C. 579a(a)), is authorized to include
19 navigation mitigation as a project purpose and to be
20 carried out by the Secretary substantially in accord-
21 ance with the General Reevaluation Report dated
22 November 18, 1998, at a total cost of \$16,086,000,
23 with an estimated Federal cost of \$12,949,000 and
24 an estimated non-Federal cost of \$3,137,000.

1 (2) PERIODIC NOURISHMENT.—The Secretary
2 is authorized to carry out periodic nourishment for
3 the project for a 50-year period at an estimated av-
4 erage annual cost of \$1,251,000, with an estimated
5 annual Federal cost of \$1,007,000 and an estimated
6 annual non-Federal cost of \$244,000.

7 (e) SAGINAW RIVER, MICHIGAN (VASSAR).—The
8 project for flood protection, Saginaw River, Michigan
9 (Vassar), authorized by section 203 of the Flood Control
10 Act of 1958 (72 Stat. 311) and deauthorized pursuant to
11 section 1001(b)(2) of the Water Resources Development
12 Act of 1986 (33 U.S.C. 579a(b)(2)), is authorized to be
13 carried out by the Secretary.

14 (f) SAGINAW RIVER, MICHIGAN (SHIAWASSEE
15 FLATS).—The project for flood control, Saginaw River,
16 Michigan (Shiawassee Flats), authorized by section 203
17 of the Flood Control Act of 1958 (72 Stat. 311) and de-
18 authorized pursuant to section 1001(b)(2) of the Water
19 Resources Development Act of 1986 (33 U.S.C.
20 579a(b)(2)), is authorized to be carried out by the Sec-
21 retary.

22 (g) PARK RIVER, GRAFTON, NORTH DAKOTA.—The
23 project for flood control, Park River, Grafton, North Da-
24 kota, authorized by section 401(a) of the Water Resources
25 Development Act of 1986 (100 Stat. 4121) and deauthor-

1 ized pursuant to section 1001(a) of such Act (33 U.S.C.
2 579a(a)), is authorized to be carried out by the Secretary.

3 (h) MEMPHIS HARBOR, MEMPHIS, TENNESSEE.—

4 The project for navigation, Memphis Harbor, Memphis,
5 Tennessee, authorized by section 601(a) of the Water Re-
6 sources Development Act of 1986 (100 Stat. 4145) and
7 deauthorized pursuant to 1001(a) of such Act (33 U.S.C.
8 579a(a)), is authorized to be carried out by the Secretary.

9 **SEC. 364. PROJECT DEAUTHORIZATIONS.**

10 (a) IN GENERAL.—The following projects or portions
11 of projects are not authorized after the date of enactment
12 of this Act:

13 (1) BRIDGEPORT HARBOR, CONNECTICUT.—

14 That portion of the project for navigation, Bridge-
15 port Harbor, Connecticut, authorized by section 101
16 of the River and Harbor Act of 1958 (72 Stat. 297),
17 consisting of a 2.4-acre anchorage area, 9 feet deep,
18 and an adjacent 0.6-acre anchorage, 6 feet deep, lo-
19 cated on the west side of Johnsons River.

20 (2) CLINTON HARBOR, CONNECTICUT.—That

21 portion of the project for navigation, Clinton Har-
22 bor, Connecticut, authorized by the Rivers and Har-
23 bors Act of 1945, House Document 240, 76th Con-
24 gress, 1st Session, lying upstream of a line des-

1 ignated by the 2 points N158,592.12, E660,193.92
2 and N158,444.58, E660,220.95.

3 (3) BASS HARBOR, MAINE.—The following por-
4 tions of the project for navigation, Bass Harbor,
5 Maine, authorized on May 7, 1962, under section
6 107 of the River and Harbor Act of 1960 (33
7 U.S.C. 577):

8 (A) Beginning at a bend in the project,
9 N149040.00, E538505.00, thence running eas-
10 terly about 50.00 feet along the northern limit
11 of the project to a point N149061.55,
12 E538550.11, thence running southerly about
13 642.08 feet to a point, N14877.64,
14 E538817.18, thence running southwesterly
15 about 156.27 feet to a point on the westerly
16 limit of the project, N148348.50, E538737.02,
17 thence running northerly about 149.00 feet
18 along the westerly limit of the project to a bend
19 in the project, N148489.22, E538768.09,
20 thence running northwesterly about 610.39 feet
21 along the westerly limit of the project to the
22 point of origin.

23 (B) Beginning at a point on the westerly
24 limit of the project, N148118.55, E538689.05,
25 thence running southeasterly about 91.92 feet

1 to a point, N148041.43, E538739.07, thence
2 running southerly about 65.00 feet to a point,
3 N147977.86, E538725.51, thence running
4 southwesterly about 91.92 feet to a point on the
5 westerly limit of the project, N147927.84,
6 E538648.39, thence running northerly about
7 195.00 feet along the westerly limit of the
8 project to the point of origin.

9 (4) BOOTHBAY HARBOR, MAINE.—The project
10 for navigation, Boothbay Harbor, Maine, authorized
11 by the River and Harbor Act of 1912 (37 Stat.
12 201).

13 (5) BUCKSPORT HARBOR, MAINE.—That por-
14 tion of the project for navigation, Bucksport Harbor,
15 Maine, authorized by the River and Harbor Act of
16 1902, consisting of a 16-foot deep channel beginning
17 at a point N268.748.16, E423.390.76, thence run-
18 ning north 47 degrees 02 minutes 23 seconds east
19 51.76 feet to a point N268.783.44, E423.428.64,
20 thence running north 67 degrees 54 minutes 32 sec-
21 onds west 1513.94 feet to a point N269.352.81,
22 E422.025.84, thence running south 47 degrees 02
23 minutes 23 seconds west 126.15 feet to a point
24 N269.266.84, E421.933.52, thence running south

1 70 degrees 24 minutes 28 seconds east 1546.79 feet
2 to the point of origin.

3 (6) EAST BOOTHBAY HARBOR, MAINE.—The
4 project for navigation, East Boothbay Harbor,
5 Maine, authorized by the first section of the Act en-
6 titled, “An Act making appropriations for the con-
7 struction, repair, and preservation of certain public
8 works on rivers and harbors, and for other pur-
9 poses”, approved June 25, 1910 (36 Stat. 631).

10 (7) GREEN HARBOR, MASSACHUSETTS.—That
11 portion of the project for navigation, Green Harbor,
12 Massachusetts, undertaken pursuant to section 107
13 of the River and Harbor Act of 1960 (33 U.S.C.
14 577), consisting of the 6-foot deep channel beginning
15 at a point along the west limit of the existing
16 project, North 395990.43, East 831079.16, thence
17 running northwesterly about 752.85 feet to a point,
18 North 396722.80, East 830904.76, thence running
19 northwesterly about 222.79 feet to a point along the
20 west limit of the existing project, North 396844.34,
21 East 830718.04, thence running southwesterly about
22 33.72 feet along the west limit of the existing
23 project to a point, North 396810.80, East
24 830714.57, thence running southeasterly about
25 195.42 feet along the west limit of the existing

1 project to a point, North 396704.19, East
2 830878.35, thence running about 544.66 feet along
3 the west limit of the existing project to a point,
4 North 396174.35, East 831004.52, thence running
5 southeasterly about 198.49 feet along the west limit
6 of the existing project to the point of beginning.

7 (8) NEW BEDFORD AND FAIRHAVEN HARBOR,
8 MASSACHUSETTS.—The following portions of the
9 project for navigation, New Bedford and Fairhaven
10 Harbor, Massachusetts:

11 (A) A portion of the 25-foot spur channel
12 leading to the west of Fish Island, authorized
13 by the River and Harbor Act of 3 March 1909,
14 beginning at a point with coordinates
15 N232,173.77, E758,791.32, thence running
16 south 27 degrees 36 minutes 52.8 seconds west
17 38.2 feet to a point N232,139.91, E758,773.61,
18 thence running south 87 degrees 35 minutes
19 31.6 seconds west 196.84 feet to a point
20 N232,131.64, E758,576.94, thence running
21 north 47 degrees 47 minutes 48.4 seconds west
22 502.72 feet to a point N232,469.35,
23 E758,204.54, thence running north 10 degrees
24 10 minutes 20.3 seconds west 438.88 feet to a
25 point N232,901.33, E758,127.03, thence run-

1 ning north 79 degrees 49 minutes 43.1 seconds
2 east 121.69 feet to a point N232,922.82,
3 E758,246.81, thence running south 04 degrees
4 29 minutes 17.6 seconds east 52.52 feet to a
5 point N232,870.46, E758,250.92, thence run-
6 ning south 23 degrees 56 minutes 11.2 seconds
7 east 49.15 feet to a point N323,825.54,
8 E758,270.86, thence running south 79 degrees
9 49 minutes 27.0 seconds west 88.19 feet to a
10 point N232,809.96, E758,184.06, thence run-
11 ning south 10 degrees 10 minutes 25.7 seconds
12 east 314.83 feet to a point N232,500.08,
13 E758,239.67, thence running south 56 degrees
14 33 minutes 56.1 seconds east 583.07 feet to a
15 point N232,178.82, E758,726.25, thence run-
16 ning south 85 degrees 33 minutes 16.0 seconds
17 east to the point of origin.

18 (B) A portion of the 30-foot maneu-
19 vering basin, authorized by the River and Har-
20 bor Act of 3 July 1930, beginning at a point
21 with coordinates N232,139.91, E758,773.61,
22 thence running north 81 degrees 49 minutes
23 30.1 seconds east 160.76 feet to a point
24 N232,162.77, E758.932.74, thence running
25 north 85 degrees 33 minutes 16.0 seconds west

1 141.85 feet to a point N232,173.77,
2 E758,791.32, thence running south 27 degrees
3 36 minutes 52.8 seconds west to the point of
4 origin.

5 (b) ANCHORAGE AREA, CLINTON HARBOR, CON-
6 NECTICUT.—That portion of the Clinton Harbor, Con-
7 necticut, navigation project referred to in subsection
8 (a)(2) beginning at a point beginning: N158,444.58,
9 E660,220.95, thence running north 79 degrees 37 min-
10 utes 14 seconds east 833.31 feet to a point N158,594.72,
11 E661,040.67, thence running south 80 degrees 51 min-
12 utes 53 seconds east 181.21 feet to a point N158,565.95,
13 E661,219.58, thence running north 57 degrees 38 min-
14 utes 04 seconds west 126.02 feet to a point N158,633.41,
15 E660,113.14, thence running south 79 degrees 37 min-
16 utes 14 seconds west 911.61 feet to a point N158,469.17,
17 E660,216.44, thence running south 10 degrees 22 min-
18 utes 46 seconds east 25 feet returning to a point
19 N158,444.58, E660,220.95 is redesignated as an anchor-
20 age area.

21 (c) ANCHORAGE AREA, GREEN HARBOR, MASSACHU-
22 SETTS.—The portion of the Green Harbor, Massachusetts,
23 navigation project referred to in subsection (a)(7) con-
24 sisting of a 6-foot deep channel that lies northerly of a
25 line whose coordinates are North 394825.00, East

1 831660.00 and North 394779.28, East 831570.64 is re-
2 designated as an anchorage area.

3 **SEC. 365. AMERICAN AND SACRAMENTO RIVERS, CALI-**
4 **FORNIA.**

5 (a) IN GENERAL.—The project for flood damage re-
6 duction, American and Sacramento Rivers, California, au-
7 thorized by section 101(a)(1) of the Water Resources De-
8 velopment Act of 1996 (110 Stat. 3662–3663), is modified
9 to direct the Secretary to include the following improve-
10 ments as part of the overall project:

11 (1) Raising the left bank of the non-Federal
12 levee upstream of the Mayhew Drain for a distance
13 of 4,500 feet by an average of 2.5 feet.

14 (2) Raising the right bank of the American
15 River levee from 1,500 feet upstream to 4,000 feet
16 downstream of the Howe Avenue bridge by an aver-
17 age of 1 feet.

18 (3) Modifying the south levee of the Natomas
19 Cross Canal for a distance of 5 miles to ensure that
20 the south levee is consistent with the level of protec-
21 tion provided by the authorized levee along the east
22 bank of the Sacramento River.

23 (4) Modifying the north levee of the Natomas
24 Cross Canal for a distance of 5 miles to ensure that

1 the height of the levee is equivalent to the height of
2 the south levee as authorized by paragraph (3).

3 (5) Installing gates to the existing Mayhew
4 Drain culvert and pumps to prevent backup of flood-
5 water on the Folsom Boulevard side of the gates.

6 (6) Installation of a slurry wall in the north
7 levee of the American River from the east levee of
8 the Natomas east Main Drain upstream for a dis-
9 tance of approximately 1.2 miles.

10 (7) Installation of a slurry wall in the north
11 levee of the American River from 300 feet west of
12 Jacob Lane north for a distance of approximately 1
13 mile to the end of the existing levee.

14 (b) COST LIMITATIONS.—Section 101(a)(1)(A) of the
15 Water Resources Development Act of 1996 (110 Stat.
16 3662) is amended by striking “at a total cost of” and all
17 that follows through “\$14,225,000,” and inserting the fol-
18 lowing: “at a total cost of \$91,900,000, with an estimated
19 Federal cost of \$68,925,000 and an estimated non-Fed-
20 eral cost of \$22,975,000,”.

21 (c) COST SHARING.—For purposes of section 103 of
22 the Water Resources Development Act of 1986 (33 U.S.C.
23 2213), the modifications authorized by this section shall
24 be subject to the same cost sharing in effect for the project
25 for flood damage reduction, American and Sacramento

1 Rivers, California, authorized by section 101(a)(1) of the
2 Water Resources Development Act of 1996 (110 Stat.
3 3662).

4 **SEC. 366. MARTIN, KENTUCKY.**

5 The project for flood control, Martin, Kentucky, au-
6 thorized by section 202(a) of the Energy and Water Devel-
7 opment Appropriations Act, 1981 (94 Stat. 1339) is modi-
8 fied to authorize the Secretary to take all necessary meas-
9 ures to prevent future losses that would occur from a flood
10 equal in magnitude to a 100-year frequency event.

11 **TITLE IV—STUDIES**

12 **SEC. 401. UPPER MISSISSIPPI AND ILLINOIS RIVERS LEV-**
13 **EES AND STREAMBANKS PROTECTION.**

14 The Secretary shall conduct a study of erosion dam-
15 age to levees and infrastructure on the upper Mississippi
16 and Illinois Rivers and the impact of increased barge and
17 pleasure craft traffic on deterioration of levees and other
18 flood control structures on such rivers.

19 **SEC. 402. UPPER MISSISSIPPI RIVER COMPREHENSIVE**
20 **PLAN.**

21 (a) DEVELOPMENT.—The Secretary shall develop a
22 plan to address water and related land resources problems
23 and opportunities in the Upper Mississippi and Illinois
24 River Basins, extending from Cairo, Illinois, to the head-
25 waters of the Mississippi River, in the interest of systemic

1 flood damage reduction by means of a mixture of struc-
2 tural and nonstructural flood control and floodplain man-
3 agement strategies, continued maintenance of the naviga-
4 tion project, management of bank caving and erosion, wa-
5 tershed nutrient and sediment management, habitat man-
6 agement, recreation needs, and other related purposes.

7 (b) CONTENTS.—The plan shall contain rec-
8 ommendations on future management plans and actions
9 to be carried out by the responsible Federal and non-Fed-
10 eral entities and shall specifically address recommenda-
11 tions to authorize construction of a systemic flood control
12 project in accordance with a plan for the Upper Mis-
13 sissippi River. The plan shall include recommendations for
14 Federal action where appropriate and recommendations
15 for follow-on studies for problem areas for which data or
16 current technology does not allow immediate solutions.

17 (c) CONSULTATION AND USE OF EXISTING DATA.—
18 The Secretary shall consult with appropriate State and
19 Federal agencies and shall make maximum use of existing
20 data and ongoing programs and efforts of States and Fed-
21 eral agencies in developing the plan.

22 (d) COST SHARING.—Development of the plan under
23 this section shall be at Federal expense. Feasibility studies
24 resulting from development of such plan shall be subject

1 to cost sharing under section 105 of the Water Resources
2 Development Act of 1986 (33 U.S.C. 2215).

3 (e) REPORT.—The Secretary shall submit a report
4 that includes the comprehensive plan to the Committee on
5 Transportation and Infrastructure of the House of Rep-
6 resentatives and the Committee on Environment and Pub-
7 lic Works of the Senate not later than 3 years after the
8 date of enactment of this Act.

9 **SEC. 403. EL DORADO, UNION COUNTY, ARKANSAS.**

10 The Secretary shall conduct a study to determine the
11 feasibility of improvements to regional water supplies for
12 El Dorado, Union County, Arkansas.

13 **SEC. 404. SWEETWATER RESERVOIR, SAN DIEGO COUNTY,**
14 **CALIFORNIA.**

15 The Secretary shall conduct a study of the potential
16 water quality problems and pollution abatement measures
17 in the watershed in and around Sweetwater Reservoir, San
18 Diego County, California.

19 **SEC. 405. WHITEWATER RIVER BASIN, CALIFORNIA.**

20 The Secretary shall undertake and complete a feasi-
21 bility study for flood damage reduction in the Whitewater
22 River basin, California, and, based upon the results of
23 such study, give priority consideration to including the
24 recommended project, including the Salton Sea wetlands
25 restoration project, in the flood mitigation and riverine

1 restoration pilot program authorized in section 214 of this
2 Act.

3 **SEC. 406. LITTLE ECONLACKHATCHEE RIVER BASIN, FLOR-**

4 **IDA.**

5 The Secretary shall conduct a study of pollution
6 abatement measures in the Little Econlackhatchee River
7 basin, Florida.

8 **SEC. 407. PORT EVERGLADES INLET, FLORIDA.**

9 The Secretary shall conduct a study to determine the
10 feasibility of carrying out a sand bypass project at Port
11 Everglades Inlet, Florida.

12 **SEC. 408. UPPER DES PLAINES RIVER AND TRIBUTARIES,**

13 **ILLINOIS AND WISCONSIN.**

14 (a) IN GENERAL.—The Secretary is directed to con-
15 duct a study of the upper Des Plaines River and tribu-
16 taries, Illinois and Wisconsin, upstream of the confluence
17 with Salt Creek at Riverside, Illinois, to determine the fea-
18 sibility of improvements in the interests of flood damage
19 reduction, environmental restoration and protection, water
20 quality, recreation, and related purposes.

21 (b) SPECIAL RULE.—In conducting the study, the
22 Secretary may not exclude from consideration and evalua-
23 tion flood damage reduction measures based on restrictive
24 policies regarding the frequency of flooding, drainage area,
25 and amount of runoff.

1 **SEC. 409. CAMERON PARISH WEST OF CALCASIEU RIVER,**
2 **LOUISIANA.**

3 The Secretary shall conduct a study to determine the
4 feasibility of carrying out a project for storm damage re-
5 duction and environmental restoration, Cameron Parish
6 west of Calcasieu River, Louisiana.

7 **SEC. 410. GRAND ISLE AND VICINITY, LOUISIANA.**

8 In carrying out a study of the storm damage reduc-
9 tion benefits to Grand Isle and vicinity, Louisiana, the
10 Secretary shall include benefits that a storm damage re-
11 duction project for Grand Isle and vicinity, Louisiana, may
12 have on the mainland coast of Louisiana as project bene-
13 fits attributable to the Grand Isle project.

14 **SEC. 411. LAKE PONTCHARTRAIN SEAWALL, LOUISIANA.**

15 (a) IN GENERAL.—The Secretary shall complete a
16 post-authorization change report on the project for hurri-
17 cane-flood protection, Lake Pontchartrain, Louisiana, and
18 vicinity, authorized by section 204 of the Flood Control
19 Act of 1965 (79 Stat. 1077), to incorporate and accom-
20 plish structural modifications to the seawall fronting pro-
21 tection along the south shore of Lake Pontchartrain from
22 the New Basin Canal on the west to the Inner harbor
23 Navigation Canal on the east.

24 (b) REPORT.—The Secretary shall ensure expeditious
25 completion of the post-authorization change report re-

1 quired by subsection (a) not later than 180 days after the
2 date of enactment of this section.

3 **SEC. 412. WESTPORT, MASSACHUSETTS.**

4 The Secretary shall conduct a study to determine the
5 feasibility of carrying out a navigation project for the town
6 of Westport, Massachusetts, and the possible beneficial
7 uses of dredged material for shoreline protection and
8 storm damage reduction in the area. In determining the
9 benefits of the project, the Secretary shall include the ben-
10 efits derived from using dredged material for shoreline
11 protection and storm damage reduction.

12 **SEC. 413. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEX-**
13 **ICO.**

14 The Secretary shall undertake and complete a feasi-
15 bility study for flood damage reduction in the Southwest
16 Valley, Albuquerque, New Mexico, and, based upon the re-
17 sults of such study, give priority consideration to including
18 the recommended project in the flood mitigation and
19 riverine restoration pilot program authorized in section
20 214 of this Act.

21 **SEC. 414. CAYUGA CREEK, NEW YORK.**

22 The Secretary shall conduct a study to determine the
23 feasibility of carrying out a project for flood control for
24 Cayuga Creek, New York.

1 **SEC. 415. ARCOLA CREEK WATERSHED, MADISON, OHIO.**

2 The Secretary shall conduct a study to determine the
3 feasibility of a project to provide environmental restoration
4 and protection for the Arcola Creek watershed, Madison,
5 Ohio.

6 **SEC. 416. WESTERN LAKE ERIE BASIN, OHIO, INDIANA, AND**
7 **MICHIGAN.**

8 (a) **IN GENERAL.**—The Secretary shall conduct a
9 study to develop measures to improve flood control, navi-
10 gation, water quality, recreation, and fish and wildlife
11 habitat in a comprehensive manner in the western Lake
12 Erie basin, Ohio, Indiana, and Michigan, including water-
13 sheds of the Maumee, Ottawa, and Portage Rivers.

14 (b) **COOPERATION.**—In carrying out the study, the
15 Secretary shall cooperate with interested Federal, State,
16 and local agencies and nongovernmental organizations and
17 consider all relevant programs of such agencies.

18 (c) **REPORT.**—Not later than 1 year after the date
19 of enactment of this Act, the Secretary shall submit to
20 Congress a report on the results of the study, including
21 findings and recommendations.

22 **SEC. 417. SCHUYLKILL RIVER, NORRISTOWN, PENNSYL-**
23 **VANIA.**

24 The Secretary shall conduct a study to determine the
25 feasibility of carrying out a project for flood control for

1 Schuylkill River, Norristown, Pennsylvania, including im-
2 provement to existing stormwater drainage systems.

3 **SEC. 418. LAKES MARION AND MOULTRIE, SOUTH CARO-**
4 **LINA.**

5 The Secretary shall conduct a study to determine the
6 feasibility of carrying out a project for Lakes Marion and
7 Moultrie to provide water supply, treatment, and distribu-
8 tion to Calhoun, Clarendon, Colleton, Dorchester, Orange-
9 burg, and Sumter Counties, South Carolina.

10 **SEC. 419. DAY COUNTY, SOUTH DAKOTA.**

11 The Secretary shall conduct an investigation of flood-
12 ing and other water resources problems between the
13 James River and Big Sioux watersheds in South Dakota
14 and an assessment of flood damage reduction needs of the
15 area.

16 **SEC. 420. CORPUS CHRISTI, TEXAS.**

17 The Secretary shall include, as part of the study au-
18 thorized in a resolution of the Committee on Public Works
19 and Transportation of the House of Representatives,
20 dated August 1, 1990, a review of two 175-foot-wide barge
21 shelves on either side of the navigation channel at the Port
22 of Corpus Christi, Texas.

1 **SEC. 421. MITCHELL'S CUT CHANNEL (CANEY FORK CUT),**
2 **TEXAS.**

3 The Secretary shall conduct a study to determine the
4 feasibility of carrying out a project for navigation, Mitch-
5 ell's Cut Channel (Caney Fork Cut), Texas.

6 **SEC. 422. MOUTH OF COLORADO RIVER, TEXAS.**

7 The Secretary shall conduct a study to determine the
8 feasibility of carrying out a project for navigation at the
9 mouth of the Colorado River, Texas, to provide a min-
10 imum draft navigation channel extending from the Colo-
11 rado River through Parkers Cut (also known as "Tiger
12 Island Cut"), or an acceptable alternative, to Matagorda
13 Bay.

14 **SEC. 423. KANAWHA RIVER, FAYETTE COUNTY, WEST VIR-**
15 **GINIA.**

16 The Secretary shall conduct a study to determine the
17 feasibility of developing a public port along the Kanawha
18 River in Fayette County, West Virginia, at a site known
19 as "Longacre".

20 **SEC. 424. WEST VIRGINIA PORTS.**

21 The Secretary shall conduct a study to determine the
22 feasibility of expanding public port development in West
23 Virginia along the Ohio River and navigable portion of the
24 Kanawha River from its mouth to river mile 91.0.

1 **SEC. 425. GREAT LAKES REGION COMPREHENSIVE STUDY.**

2 (a) STUDY.—The Secretary shall conduct a com-
3 prehensive study of the Great Lakes region to ensure the
4 future use, management, and protection of water and re-
5 lated resources of the Great Lakes basin. Such study shall
6 include a comprehensive management plan specifically for
7 St. Clair River and Lake St. Clair.

8 (b) REPORT.—Not later than 4 years after the date
9 of enactment of this Act, the Secretary shall submit to
10 the Committee on Transportation and Infrastructure of
11 the House of Representatives and the Committee on Envi-
12 ronment and Public Works of the Senate a report that
13 includes the strategic plan for Corps of Engineers pro-
14 grams in the Great Lakes basin and details of proposed
15 Corps of Engineers environmental, navigation, and flood
16 damage reduction projects in the region.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to carry out this section
19 \$1,200,000 for fiscal years 2000 through 2003.

20 **SEC. 426. NUTRIENT LOADING RESULTING FROM DREDGED**
21 **MATERIAL DISPOSAL.**

22 (a) STUDY.—The Secretary shall conduct a study of
23 nutrient loading that occurs as a result of discharges of
24 dredged material into open-water sites in the Chesapeake
25 Bay.

1 (b) REPORT.—Not later than 18 months after the
2 date of enactment of this Act, the Secretary shall transmit
3 to Congress a report on the results of the study.

4 **TITLE V—MISCELLANEOUS**
5 **PROVISIONS**

6 **SEC. 501. CORPS ASSUMPTION OF NRCS PROJECTS.**

7 (a) LLAGAS CREEK, CALIFORNIA.—The Secretary is
8 authorized to complete the remaining reaches of the Nat-
9 ural Resources Conservation Service’s flood control project
10 at Llagas Creek, California, undertaken pursuant to sec-
11 tion 5 of the Watershed Protection and Flood Prevention
12 Act (16 U.S.C. 1005), substantially in accordance with the
13 Natural Resources Conservation Service watershed plan
14 for Llagas Creek, Department of Agriculture, and in ac-
15 cordance with the requirements of local cooperation as
16 specified in section 4 of such Act, at a total cost of
17 \$45,000,000, with an estimated Federal cost of
18 \$21,800,000 and an estimated non-Federal cost of
19 \$23,200,000.

20 (b) THORNTON RESERVOIR, COOK COUNTY, ILLI-
21 NOIS.—

22 (1) IN GENERAL.—The Thornton Reservoir
23 project, an element of the project for flood control,
24 Chicagoland Underflow Plan, Illinois, authorized by
25 section 3(a)(5) of the Water Resources Development

1 Act of 1988 (102 Stat. 4013), is modified to author-
2 ize the Secretary to include additional permanent
3 flood control storage attributable to the Natural Re-
4 sources Conservation Service Thornton Reservoir
5 (Structure 84), Little Calumet River Watershed, Illi-
6 nois, approved under the Watershed Protection and
7 Flood Prevention Act (16 U.S.C. 1001 et seq.).

8 (2) COST SHARING.—Costs for the Thornton
9 Reservoir project shall be shared in accordance with
10 section 103 of the Water Resources Development
11 Act of 1986 (33 U.S.C. 2213).

12 (3) TRANSITIONAL STORAGE.—The Secretary of
13 Agriculture may cooperate with non-Federal inter-
14 ests to provide, on a transitional basis, flood control
15 storage for the Natural Resources Conservation
16 Service Thornton Reservoir (Structure 84) in the
17 west lobe of the Thornton quarry in advance of
18 Corps' construction.

19 (4) CREDITING.—The Secretary may credit
20 against the non-Federal share of the Thornton Res-
21 ervoir project all design, lands, easements, rights-of-
22 way (as of the date of authorization), and construc-
23 tion costs incurred by the non-Federal interests be-
24 fore the signing of the project cooperation agree-
25 ment.

1 (5) REEVALUATION REPORT.—The Secretary
2 shall determine the credits authorized by paragraph
3 (4) that are integral to the Thornton Reservoir
4 project and the current total project costs based on
5 a limited reevaluation report.

6 **SEC. 502. CONSTRUCTION ASSISTANCE.**

7 Section 219(e) of the Water Resources Development
8 Act of 1992 (106 Stat. 4836–4837) is amended by strik-
9 ing paragraphs (5) and (6) and inserting the following:

10 “(5) \$25,000,000 for the project described in
11 subsection (c)(2);

12 “(6) \$20,000,000 for the project described in
13 subsection (c)(9);

14 “(7) \$30,000,000 for the project described in
15 subsection (c)(16); and

16 “(8) \$30,000,000 for the project described in
17 subsection (c)(17).”.

18 **SEC. 503. CONTAMINATED SEDIMENT DREDGING TECH-**
19 **NOLOGY.**

20 (a) CONTAMINATED SEDIMENT DREDGING
21 PROJECT.—

22 (1) REVIEW.—The Secretary shall conduct a re-
23 view of innovative dredging technologies designed to
24 minimize or eliminate contamination of a water col-
25 umn upon removal of contaminated sediments. The

1 Secretary shall complete such review by June 1,
2 2001.

3 (2) TESTING.—After completion of the review
4 under paragraph (1), the Secretary shall select the
5 technology of those reviewed that the Secretary de-
6 termines will increase the effectiveness of removing
7 contaminated sediments and significantly reduce
8 contamination of the water column. Not later than
9 December 31, 2001, the Secretary shall enter into
10 an agreement with a public or private entity to test
11 such technology in the vicinity of Peoria Lakes, Illi-
12 nois.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out this section
15 \$2,000,000.

16 **SEC. 504. DAM SAFETY.**

17 (a) ASSISTANCE.—The Secretary is authorized to
18 provide assistance to enhance dam safety at the following
19 locations:

20 (1) Healdsburg Veteran's Memorial Dam, Cali-
21 fornia

22 (2) Deep River Dam, Lake Station, Indiana

23 (3) Felix Dam, Pennsylvania

24 (4) Kehly Run Dam, Pennsylvania

25 (5) Owl Creek Reservoir, Pennsylvania

1 (6) Sweet Arrow Lake Dam, Pennsylvania

2 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
3 authorized to be appropriated \$6,000,000 to carry out this
4 section.

5 **SEC. 505. GREAT LAKES REMEDIAL ACTION PLANS.**

6 Section 401(a)(2) of the Water Resources Develop-
7 ment Act of 1990 (110 Stat. 3763) is amended by adding
8 at the end the following: “Nonprofit public or private enti-
9 ties may contribute all or a portion of the non-Federal
10 share.”.

11 **SEC. 506. SEA LAMPREY CONTROL MEASURES IN THE**
12 **GREAT LAKES.**

13 (a) IN GENERAL.—In conjunction with the Great
14 Lakes Fishery Commission, the Secretary is authorized to
15 undertake a program for the control of sea lampreys in
16 and around waters of the Great Lakes. The program un-
17 dertaken pursuant to this section may include projects
18 which consist of either structural or nonstructural meas-
19 ures or a combination thereof.

20 (b) COST SHARING.—Projects carried out under this
21 section on lands owned by the United States shall be car-
22 ried out at full Federal expense. The non-Federal share
23 of the cost of any such project undertaken on lands not
24 in Federal ownership shall be 35 percent.

1 (c) NON-FEDERAL INTERESTS.—Notwithstanding
2 section 221(b) of the Flood Control Act of 1970 (42
3 U.S.C. 1962d–5b(b)), the Secretary, after coordination
4 with the appropriate State and local government officials
5 having jurisdiction over an area in which a project under
6 this section will be carried out, may allow a nonprofit enti-
7 ty to serve as the non-Federal interest for the project.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to carry out this section
10 \$2,000,000 for each of fiscal years 2000 through 2005.

11 **SEC. 507. MAINTENANCE OF NAVIGATION CHANNELS.**

12 Section 509(a) of the Water Resources Development
13 Act of 1996 (110 Stat. 3759) is amended by adding at
14 the end the following:

15 “(12) Acadiana Navigation Channel, Louisiana.

16 “(13) Contraband Bayou, Louisiana, as part of
17 the Calcasieu River and Pass Ship Channel.

18 “(14) Lake Wallula Navigation Channel, Wash-
19 ington.

20 “(15) Wadley Pass (also known as McGriff
21 Pass), Suwanee River, Florida.”.

22 **SEC. 508. MEASUREMENT OF LAKE MICHIGAN DIVERSIONS.**

23 Section 1142(b) of the Water Resources Development
24 Act of 1986 (42 U.S.C. 1962d–20 note; 100 Stat. 4253)

1 is amended by striking “\$250,000” and inserting
2 “\$1,250,000”.

3 **SEC. 509. UPPER MISSISSIPPI RIVER ENVIRONMENTAL**
4 **MANAGEMENT PROGRAM.**

5 (a) **AUTHORIZED ACTIVITIES.**—Section 1103(e)(1) of
6 the Water Resources Development Act of 1986 (33 U.S.C.
7 652(e)(1)) is amended—

8 (1) by inserting “and” at the end of subpara-
9 graph (A);

10 (2) in subparagraph (B) by striking “long-term
11 resource monitoring program; and” and inserting
12 “long-term resource monitoring, computerized data
13 inventory and analysis, and applied research pro-
14 gram.”; and

15 (3) by striking subparagraph (C) and inserting
16 the following:

17 “In carrying out subparagraph (A), the Secretary shall es-
18 tablish an independent technical advisory committee to re-
19 view projects, monitoring plans, and habitat and natural
20 resource needs assessments.”.

21 (b) **REPORTS.**—Section 1103(e)(2) of such Act (33
22 U.S.C. 652(e)(2)) is amended to read as follows:

23 “(2) **REPORTS.**—Not later than December 31,
24 2004, and not later than December 31st of every
25 sixth year thereafter, the Secretary, in consultation

1 with the Secretary of the Interior and the States of
2 Illinois, Iowa, Minnesota, Missouri, and Wisconsin,
3 shall transmit to Congress a report that—

4 “(A) contains an evaluation of the pro-
5 grams described in paragraph (1);

6 “(B) describes the accomplishments of
7 each of such programs;

8 “(C) provides updates of a systemic habi-
9 tat needs assessment; and

10 “(D) identifies any needed adjustments in
11 the authorization.”.

12 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
13 1103(e) of such Act (33 U.S.C. 652(e)) is amended—

14 (1) in paragraph (3) by striking “not to ex-
15 ceed” and all that follows before the period at the
16 end and inserting “\$22,750,000 for fiscal year 1999
17 and each fiscal year thereafter”;

18 (2) in paragraph (4) by striking “not to ex-
19 ceed” and all that follows before the period at the
20 end and inserting “\$10,420,000” for fiscal year
21 1999 and each fiscal year thereafter”; and

22 (3) by striking paragraph (5) and inserting the
23 following:

24 “(5) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1 paragraph (1)(A) \$350,000 for each of fiscal years
2 1999 through 2009.”.

3 (d) TRANSFER OF AMOUNTS.—Section 1103(e)(6) of
4 such Act is amended to read as follows:

5 “(6) TRANSFER OF AMOUNTS.—For fiscal year
6 1999, and each fiscal year thereafter, the Secretary,
7 in consultation with the Secretary of the Interior
8 and the States of Illinois, Iowa, Minnesota, Missouri,
9 and Wisconsin, may transfer not to exceed 20 per-
10 cent of the amounts appropriated to carry out sub-
11 paragraph (A) or (B) of paragraph (1) to the
12 amounts appropriated to carry out the other of such
13 subparagraphs.”.

14 (e) HABITAT NEEDS ASSESSMENT.—Section
15 1103(h)(2) of such Act (33 U.S.C. 652(h)(2)) is amended
16 by adding at the end the following: “The Secretary shall
17 complete the on-going habitat needs assessment conducted
18 under this paragraph not later than September 30, 2000,
19 and shall include in each report required by subsection
20 (e)(2) the most recent habitat needs assessment conducted
21 under this paragraph.”.

22 (f) CONFORMING AMENDMENTS.—Section 1103 of
23 such Act (33 U.S.C. 652) is amended—

1 (1) in subsection (e)(7) by striking “paragraphs
2 (1)(B) and (1)(C)” and inserting “paragraph
3 (1)(B)”; and

4 (2) in subsection (f)(2)—

5 (A) by striking “(2)(A)” and inserting
6 “(2)”; and

7 (B) by striking subparagraph (B).

8 **SEC. 510. ATLANTIC COAST OF NEW YORK MONITORING.**

9 Section 404(c) of the Water Resources Development
10 Act of 1992 (106 Stat. 4863) is amended by striking
11 “1993, 1994, 1995, 1996, and 1997” and inserting “1993
12 through 2003”.

13 **SEC. 511. WATER CONTROL MANAGEMENT.**

14 (a) IN GENERAL.—In evaluating potential improve-
15 ments for water control management activities and con-
16 solidation of water control management centers, the Sec-
17 retary may consider a regionalized water control manage-
18 ment plan but may not implement such a plan until the
19 date on which a report is transmitted under subsection
20 (b).

21 (b) REPORT.—Not later than 180 days after the date
22 of enactment of this Act, the Secretary shall transmit to
23 the Committee on Transportation and Infrastructure and
24 the Committee on Appropriations of the House of Rep-
25 resentatives and the Committee on Environment and Pub-

1 lie Works and the Committee on Appropriations of the
2 Senate a report containing the following:

3 (1) A description of the primary objectives of
4 streamlining water control management activities.

5 (2) A description of the benefits provided by
6 streamlining water control management activities
7 through consolidation of centers for such activities.

8 (3) A determination of whether or not benefits
9 to users of regional water control management cen-
10 ters will be retained in each district office of the
11 Corps of Engineers that does not have a regional
12 center.

13 (4) A determination of whether or not users of
14 such regional centers will receive a higher level of
15 benefits from streamlining water management con-
16 trol management activities.

17 (5) A list of the Members of Congress who rep-
18 resent a district that currently includes a water con-
19 trol management center that is to be eliminated
20 under a proposed regionalized plan.

21 **SEC. 512. BENEFICIAL USE OF DREDGED MATERIAL.**

22 The Secretary is authorized to carry out the following
23 projects under section 204 of the Water Resources Devel-
24 opment Act of 1992 (33 U.S.C. 2326):

1 (1) BODEGA BAY, CALIFORNIA.—A project to
2 make beneficial use of dredged materials from a
3 Federal navigation project in Bodega Bay, Cali-
4 fornia.

5 (2) SABINE REFUGE, LOUISIANA.—A project to
6 make beneficial use of dredged materials from Fed-
7 eral navigation projects in the vicinity of Sabine Ref-
8 uge, Louisiana.

9 (3) HANCOCK, HARRISON, AND JACKSON COUN-
10 TIES, MISSISSIPPI.—A project to make beneficial use
11 of dredged material from a Federal navigation
12 project in Hancock, Harrison, and Jackson Coun-
13 ties, Mississippi.

14 (4) ROSE CITY MARSH, ORANGE COUNTY,
15 TEXAS.—A project to make beneficial use of dredged
16 material from a Federal navigation project in Rose
17 City Marsh, Orange County, Texas.

18 (5) BESSIE HEIGHTS MARSH, ORANGE COUNTY,
19 TEXAS.—A project to make beneficial use of dredged
20 material from a Federal navigation project in Bessie
21 Heights Marsh, Orange County, Texas.

22 **SEC. 513. DESIGN AND CONSTRUCTION ASSISTANCE.**

23 Section 507(2) of the Water Resources Development
24 Act of 1996 (110 Stat. 3758) is amended to read as fol-
25 lows:

1 “(2) Expansion and improvement of Long Pine
2 Run Dam and associated water infrastructure in ac-
3 cordance with the requirements of subsections (b)
4 through (e) of section 313 of the Water Resources
5 Development Act of 1992 (106 Stat. 4845) at a
6 total cost of \$20,000,000.”.

7 **SEC. 514. LOWER MISSOURI RIVER AQUATIC RESTORATION**
8 **PROJECTS.**

9 (a) **IN GENERAL.**—Not later than 1 year after funds
10 are made available for such purposes, the Secretary shall
11 complete a comprehensive report—

12 (1) identifying a general implementation strat-
13 egy and overall plan for environmental restoration
14 and protection along the Lower Missouri River be-
15 tween Gavins Point Dam and the confluence of the
16 Missouri and Mississippi Rivers; and

17 (2) recommending individual environmental res-
18 toration projects that can be considered by the Sec-
19 retary for implementation under section 206 of the
20 Water Resources Development Act of 1996 (33
21 U.S.C. 2330; 110 Stat. 3679–3680).

22 (b) **SCOPE OF PROJECTS.**—Any environmental res-
23 toration projects recommended under subsection (a) shall
24 provide for such activities and measures as the Secretary
25 determines to be necessary to protect and restore fish and

1 wildlife habitat without adversely affecting private prop-
2 erty rights or water related needs of the region sur-
3 rounding the Missouri River, including flood control, navi-
4 gation, and enhancement of water supply, and shall in-
5 clude some or all of the following components:

6 (1) Modification and improvement of navigation
7 training structures to protect and restore fish and
8 wildlife habitat.

9 (2) Modification and creation of side channels
10 to protect and restore fish and wildlife habitat.

11 (3) Restoration and creation of fish and wildlife
12 habitat.

13 (4) Physical and biological monitoring for eval-
14 uating the success of the projects.

15 (c) COORDINATION.—To the maximum extent prac-
16 ticable, the Secretary shall integrate projects carried out
17 in accordance with this section with other Federal, tribal,
18 and State restoration activities.

19 (d) COST SHARING.—The report under subsection (a)
20 shall be undertaken at full Federal expense.

21 **SEC. 515. AQUATIC RESOURCES RESTORATION IN THE**
22 **NORTHWEST.**

23 (a) IN GENERAL.—In cooperation with other Federal
24 agencies, the Secretary is authorized to develop and imple-
25 ment projects for fish screens, fish passage devices, and

1 other similar measures agreed to by non-Federal interests
2 and relevant Federal agencies to mitigate adverse impacts
3 associated with irrigation system water diversions by local
4 governmental entities in the States of Oregon, Wash-
5 ington, Montana, and Idaho.

6 (b) PROCEDURE AND PARTICIPATION.—

7 (1) CONSULTATION REQUIREMENT; USE OF EX-
8 ISTING DATA.—In providing assistance under sub-
9 section (a), the Secretary shall consult with other
10 Federal, State, and local agencies and make max-
11 imum use of data and studies in existence on the
12 date of enactment of this Act.

13 (2) PARTICIPATION BY NON-FEDERAL INTER-
14 ESTS.—Participation by non-Federal interests in
15 projects under this section shall be voluntary. The
16 Secretary shall not take any action under this sec-
17 tion that will result in a non-Federal interest being
18 held financially responsible for an action under a
19 project unless the non-Federal interest has volun-
20 tarily agreed to participate in the project.

21 (c) COST SHARING.—Projects carried out under this
22 section on lands owned by the United States shall be car-
23 ried out at full Federal expense. The non-Federal share
24 of the cost of any such project undertaken on lands not
25 in Federal ownership shall be 35 percent.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$10,000,000 for fiscal years beginning after September
4 30, 1999.

5 **SEC. 516. INNOVATIVE TECHNOLOGIES FOR WATERSHED**
6 **RESTORATION.**

7 The Secretary shall use, and encourage the use of,
8 innovative treatment technologies, including membrane
9 technologies, for watershed and environmental restoration
10 and protection projects involving water quality.

11 **SEC. 517. ENVIRONMENTAL RESTORATION.**

12 (a) ATLANTA, GEORGIA.—Section 219(c)(2) of the
13 Water Resources Development Act of 1992 (106 Stat.
14 4835) is amended by inserting before the period “and wa-
15 tershed restoration and development in the regional At-
16 lanta watershed, including Big Creek and Rock Creek”.

17 (b) PATERSON AND PASSAIC VALLEY, NEW JER-
18 SEY.—Section 219(c)(9) of such Act (106 Stat. 4836) is
19 amended to read as follows:

20 “(9) PATERSON, PASSAIC COUNTY, AND PAS-
21 SAIC VALLEY, NEW JERSEY.—Drainage facilities to
22 alleviate flooding problems on Getty Avenue in the
23 vicinity of St. Joseph’s Hospital for the City of
24 Paterson, New Jersey, and Passaic County, New
25 Jersey, and innovative facilities to manage and treat

1 additional flows in the Passaic Valley, Passaic River
2 basin, New Jersey.”.

3 **SEC. 518. EXPEDITED CONSIDERATION OF CERTAIN**
4 **PROJECTS.**

5 The Secretary shall expedite completion of the re-
6 ports for the following projects and proceed directly to
7 project planning, engineering, and design:

8 (1) Arroyo Pasajero, San Joaquin River basin,
9 California, project for flood control.

10 (2) Success Dam, Tule River, California,
11 project for flood control and water supply.

12 (3) Alafia Channel, Tampa Harbor, Florida,
13 project for navigation.

14 **SEC. 519. DOG RIVER, ALABAMA.**

15 (a) IN GENERAL.—The Secretary is authorized to es-
16 tablish, in cooperation with non-Federal interests, a pilot
17 project to restore natural water depths in the Dog River,
18 Alabama, between its mouth and the Interstate Route 10
19 crossing, and in the downstream portion of its principal
20 tributaries.

21 (b) FORM OF ASSISTANCE.—Assistance provided
22 under subsection (a) shall be in the form of design and
23 construction of water-related resource protection and de-
24 velopment projects affecting the Dog River, including envi-
25 ronmental restoration and recreational navigation.

1 (c) NON-FEDERAL SHARE.—The non-Federal share
2 of the cost of the project carried out with assistance under
3 this section shall be 90 percent.

4 (d) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—
5 The non-Federal sponsor provide all lands, easements,
6 rights of way, relocations, and dredged material disposal
7 areas including retaining dikes required for the project.

8 (e) OPERATION MAINTENANCE.—The non-Federal
9 share of the cost of operation, maintenance, repair, re-
10 placement, or rehabilitation of the project carried out with
11 assistance under this section shall be 100 percent.

12 (f) CREDIT TOWARD NON-FEDERAL SHARE.—The
13 value of the lands, easements, rights of way, relocations,
14 and dredged material disposal areas, including retaining
15 dikes, provided by the non-Federal sponsor shall be cred-
16 ited toward the non-Federal share.

17 **SEC. 520. ELBA, ALABAMA.**

18 The Secretary is authorized to repair and rehabilitate
19 a levee in the city of Elba, Alabama at a total cost of
20 \$12,900,000.

21 **SEC. 521. GENEVA, ALABAMA.**

22 The Secretary is authorized to repair and rehabilitate
23 a levee in the city of Geneva, Alabama at a total cost of
24 \$16,600,000.

1 **SEC. 522. NAVAJO RESERVATION, ARIZONA, NEW MEXICO,**
2 **AND UTAH.**

3 (a) IN GENERAL.—In cooperation with other appro-
4 priate Federal and local agencies, the Secretary shall un-
5 dertake a survey of, and provide technical, planning, and
6 design assistance for, watershed management, restoration,
7 and development on the Navajo Indian Reservation, Ari-
8 zona, New Mexico, and Utah.

9 (b) COST SHARING.—The Federal share of the cost
10 of activities carried out under this section shall be 75 per-
11 cent. Funds made available under the Indian Self-Deter-
12 mination and Education Assistance Act (25 U.S.C. 450
13 et seq.) may be used by the Navajo Nation in meeting
14 the non-Federal share of the cost of such activities.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out this section
17 \$12,000,000 for fiscal years beginning after September
18 30, 1999.

19 **SEC. 523. AUGUSTA AND DEVALLS BLUFF, ARKANSAS.**

20 (a) IN GENERAL.—The Secretary is authorized to
21 perform operations, maintenance, and rehabilitation on 37
22 miles of levees in and around Augusta and Devalls Bluff,
23 Arkansas.

24 (b) REIMBURSEMENT.—After performing the oper-
25 ations, maintenance, and rehabilitation under subsection
26 (a), the Secretary shall seek reimbursement from the Sec-

1 retary of the Interior of an amount equal to the costs allo-
2 cated to benefits to a Federal wildlife refuge of such oper-
3 ations, maintenance, and rehabilitation.

4 **SEC. 524. BEAVER LAKE, ARKANSAS.**

5 (a) WATER SUPPLY STORAGE REALLOCATION.—The
6 Secretary shall reallocate approximately 31,000 additional
7 acre-feet at Beaver Lake, Arkansas, to water supply stor-
8 age at no additional cost to the Beaver Water District or
9 the Carroll-Boone Water District above the amount that
10 has already been contracted for. At no time may the bot-
11 tom of the conservation pool be at an elevation that is
12 less than 1,076 feet NGVD.

13 (b) CONTRACT PRICING.—The contract price for ad-
14 ditional storage for the Carroll-Boone Water District be-
15 yond that which is provided for in subsection (a) shall be
16 based on the original construction cost of Beaver Lake and
17 adjusted to the 1998 price level net of inflation between
18 the date of initiation of construction and the date of enact-
19 ment of this Act.

20 **SEC. 525. BEAVER LAKE TROUT PRODUCTION FACILITY, AR-**
21 **KANSAS.**

22 (a) EXPEDITED CONSTRUCTION.—The Secretary
23 shall construct, under the authority of section 105 of the
24 Water Resources Development Act of 1976 (90 Stat.
25 2921) and section 1135 of the Water Resources Develop-

1 ment Act of 1986 (100 Stat. 4251–4252), the Beaver
2 Lake trout hatchery as expeditiously as possible, but in
3 no event later than September 30, 2002.

4 (b) MITIGATION PLAN.—Not later than 2 years after
5 the date of enactment of this Act, the Secretary, in con-
6 junction with the State of Arkansas, shall prepare a plan
7 for the mitigation of effects of the Beaver Dam project
8 on Beaver Lake. Such plan shall provide for construction
9 of the Beaver Lake trout production facility and related
10 facilities.

11 **SEC. 526. CHINO DAIRY PRESERVE, CALIFORNIA.**

12 (a) TECHNICAL ASSISTANCE.—The Secretary, in co-
13 ordination with the heads of other Federal agencies, shall
14 provide technical assistance to State and local agencies in
15 the study, design, and implementation of measures for
16 flood damage reduction and environmental restoration and
17 protection in the Santa Ana River watershed, California,
18 with particular emphasis on structural and nonstructural
19 measures in the vicinity of the Chino Dairy Preserve.

20 (b) COMPREHENSIVE STUDY.—The Secretary shall
21 conduct a feasibility study to determine the most cost-ef-
22 fective plan for flood damage reduction and environmental
23 restoration and protection in the vicinity of the Chino
24 Dairy Preserve, Santa Ana River watershed, Orange
25 County and San Bernardino County, California.

1 **SEC. 527. NOVATO, CALIFORNIA.**

2 The Secretary shall carry out a project for flood con-
3 trol under section 205 of the Flood Control Act of 1948
4 (33 U.S.C. 701s) at Rush Creek, Novato, California.

5 **SEC. 528. ORANGE AND SAN DIEGO COUNTIES, CALIFORNIA.**

6 The Secretary, in cooperation with local governments,
7 may prepare special area management plans in Orange
8 and San Diego Counties, California, to demonstrate the
9 effectiveness of using such plans to provide information
10 regarding aquatic resources. The Secretary may use such
11 plans in making regulatory decisions and issue permits
12 consistent with such plans.

13 **SEC. 529. SALTON SEA, CALIFORNIA.**

14 (a) TECHNICAL ASSISTANCE.—The Secretary, in co-
15 ordination with other Federal agencies, shall provide tech-
16 nical assistance to Federal, State, and local agencies in
17 the study, design, and implementation of measures for the
18 environmental restoration and protection of the Salton
19 Sea, California.

20 (b) STUDY.—The Secretary, in coordination with
21 other Federal, State, and local agencies, shall conduct a
22 study to determine the most effective plan for the Corps
23 of Engineers to assist in the environmental restoration
24 and protection of the Salton Sea, California.

1 **SEC. 530. SANTA CRUZ HARBOR, CALIFORNIA.**

2 The Secretary is authorized to modify the cooperative
3 agreement with the Santa Cruz Port District, California,
4 to reflect unanticipated additional dredging effort and to
5 extend such agreement for 10 years.

6 **SEC. 531. POINT BEACH, MILFORD, CONNECTICUT.**

7 (a) **MAXIMUM FEDERAL EXPENDITURE.**—The max-
8 imum amount of Federal funds that may be expended for
9 the project for hurricane and storm damage reduction,
10 Point Beach, Milford, Connecticut, shall be \$3,000,000.

11 (b) **REVISION OF PROJECT COOPERATION AGREE-**
12 **MENT.**—The Secretary shall revise the project cooperation
13 agreement for the project referred to in subsection (a) to
14 take into account the change in the Federal participation
15 in such project.

16 (c) **COST SHARING.**—Nothing in this section shall be
17 construed to affect any cost-sharing requirement applica-
18 ble to the project referred to in subsection (a) under sec-
19 tion 101 of the Water Resources Development Act of 1986
20 (31 U.S.C. 2211).

21 **SEC. 532. LOWER ST. JOHNS RIVER BASIN, FLORIDA.**

22 (a) **COMPUTER MODEL.**—

23 (1) **IN GENERAL.**—The Secretary may apply
24 the computer model developed under the St. Johns
25 River basin feasibility study to assist non-Federal in-

1 terests in developing strategies for improving water
2 quality in the Lower St. Johns River basin, Florida.

3 (2) COST SHARING.—The non-Federal share of
4 the cost of assistance provided under this subsection
5 shall be 50 percent.

6 (b) TOPOGRAPHIC SURVEY.—The Secretary is au-
7 thorized to provide 1-foot contour topographic survey
8 maps of the Lower St. Johns River basin, Florida, to non-
9 Federal interests for analyzing environmental data and es-
10 tablishing benchmarks for subbasins.

11 **SEC. 533. SHORELINE PROTECTION AND ENVIRONMENTAL**
12 **RESTORATION, LAKE ALLATOONA, GEORGIA.**

13 (a) IN GENERAL.—The Secretary, in cooperation
14 with the Administrator of the Environmental Protection
15 Agency, is authorized to carry out the following water-re-
16 lated environmental restoration and resource protection
17 activities to restore Lake Allatoona and the Etowah River
18 in Georgia:

19 (1) LAKE ALLATOONA/ETOWAH RIVER SHORE-
20 LINE RESTORATION DESIGN.—Develop pre-construc-
21 tion design measures to alleviate shoreline erosion
22 and sedimentation problems.

23 (2) LITTLE RIVER ENVIRONMENTAL RESTORA-
24 TION.—Conduct a feasibility study to evaluate envi-
25 ronmental problems and recommending environ-

1 mental infrastructure restoration measures for the
2 Little River within Lake Allatoona, Georgia.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated for fiscal years beginning
5 after September 30, 1999—

6 (1) \$850,000 to carry out subsection (a)(1);

7 and

8 (2) \$250,000 to carry out subsection (a)(2).

9 **SEC. 534. MAYO'S BAR LOCK AND DAM, COOSA RIVER,**
10 **ROME, GEORGIA.**

11 The Secretary is authorized to provide technical as-
12 sistance, including planning, engineering, and design as-
13 sistance, for the reconstruction of the Mayo's Bar Lock
14 and Dam, Coosa River, Rome, Georgia. The non-Federal
15 share of assistance under this section shall be 50 percent.

16 **SEC. 535. COMPREHENSIVE FLOOD IMPACT RESPONSE**
17 **MODELING SYSTEM, CORALVILLE RES-**
18 **ERVOIR AND IOWA RIVER WATERSHED, IOWA.**

19 (a) IN GENERAL.—The Secretary, in cooperation
20 with the University of Iowa, shall conduct a study and
21 develop a Comprehensive Flood Impact Response Mod-
22 eling System for Coralville Reservoir and the Iowa River
23 watershed, Iowa.

24 (b) CONTENTS OF STUDY.—The study shall
25 include—

1 **SEC. 537. KANOPOLIS LAKE, KANSAS.**

2 (a) WATER STORAGE.—The Secretary shall offer to
3 the State of Kansas the right to purchase water storage
4 in Kanopolis Lake, Kansas, at a price calculated in ac-
5 cordance with and in a manner consistent with the terms
6 of the memorandum of understanding entitled “Memo-
7 randum of Understanding Between the State of Kansas
8 and the U.S. Department of the Army Concerning the
9 Purchase of Municipal and Industrial Water Supply Stor-
10 age”, dated December 11, 1985.

11 (b) EFFECTIVE DATE.—For the purposes of this sec-
12 tion, the effective date of that memorandum of under-
13 standing shall be deemed to be the date of enactment of
14 this Act.

15 **SEC. 538. SOUTHERN AND EASTERN KENTUCKY.**

16 Section 531(h) of the Water Resources Development
17 Act of 1996 (110 Stat. 3774) is amended by striking
18 “\$10,000,000” and inserting “\$25,000,000”.

19 **SEC. 539. SOUTHEAST LOUISIANA.**

20 Section 533(c) of the Water Resources Development
21 Act of 1996 (110 Stat. 3775) is amended by striking
22 “\$100,000,000” and inserting “\$200,000,000”.

23 **SEC. 540. SNUG HARBOR, MARYLAND.**

24 (a) IN GENERAL.—The Secretary, in coordination
25 with the Director of the Federal Emergency Management
26 Agency, is authorized—

1 (1) to provide technical assistance to the resi-
2 dents of Snug Harbor, in the vicinity of Berlin,
3 Maryland, for purposes of flood damage reduction;

4 (2) to conduct a study of a project for non-
5 structural measures for flood damage reduction in
6 the vicinity of Snug Harbor, Maryland, taking into
7 account the relationship of both the Ocean City Inlet
8 and Assateague Island to the flooding; and

9 (3) after completion of the study, to carry out
10 the project under the authority of section 205 of the
11 Flood Control Act of 1948 (33 U.S.C. 701s).

12 (b) FEMA ASSISTANCE.—The Director, in coordina-
13 tion with the Secretary and under the authorities of the
14 Robert T. Stafford Disaster Relief and Emergency Assist-
15 ance Act (42 U.S.C. 5121 note), may provide technical
16 assistance and nonstructural measures for flood damage
17 mitigation in the vicinity of Snug Harbor, Maryland.

18 (c) FEDERAL SHARE.—The Federal share of the cost
19 of assistance under this section shall not exceed
20 \$3,000,000. The non-Federal share of such cost shall be
21 determined in accordance with the Water Resources De-
22 velopment Act of 1986 or the Robert T. Stafford Disaster
23 Relief and Emergency Assistance Act, as appropriate.

1 **SEC. 541. WELCH POINT, ELK RIVER, CECIL COUNTY, AND**
2 **CHESAPEAKE CITY, MARYLAND.**

3 (a) SPILLAGE OF DREDGED MATERIALS.—The Sec-
4 retary shall carry out a study to determine if the spillage
5 of dredged materials that were removed as part of the
6 project for navigation, Inland Waterway from Delaware
7 River to Chesapeake Bay, Delaware and Maryland, au-
8 thorized by the first section of the Act of August 30, 1935
9 (49 Stat. 1030), is a significant impediment to vessels
10 transiting the Elk River near Welch Point, Maryland. If
11 the Secretary determines that the spillage is an impedi-
12 ment to navigation, the Secretary may conduct such
13 dredging as may be required to permit navigation on the
14 river.

15 (b) DAMAGE TO WATER SUPPLY.—The Secretary
16 shall carry out a study to determine if additional com-
17 pensation is required to fully compensate the city of
18 Chesapeake, Maryland, for damage to the city's water sup-
19 ply resulting from dredging of the Chesapeake and Dela-
20 ware Canal project. If the Secretary determines that such
21 additional compensation is required, the Secretary may
22 provide the compensation to the city of Chesapeake.

23 **SEC. 542. WEST VIEW SHORES, CECIL COUNTY, MARYLAND.**

24 Not later than 1 year after the date of enactment
25 of this Act, the Secretary shall carry out an investigation
26 of the contamination of the well system in West View

1 Shores, Cecil County, Maryland. If the Secretary deter-
2 mines that the disposal site from any Federal navigation
3 project has contributed to the contamination of the wells,
4 the Secretary may provide alternative water supplies, in-
5 cluding replacement of wells, at full Federal expense.

6 **SEC. 543. RESTORATION PROJECTS FOR MARYLAND, PENN-**
7 **SYLVANIA, AND WEST VIRGINIA.**

8 Section 539 of the Water Resources Development Act
9 of 1996 (110 Stat. 3776–3777) is amended—

10 (1) in subsection (a)(1) by striking “technical”;

11 (2) in subsection (a)(1) by inserting “(or in the
12 case of projects located on lands owned by the
13 United States, to Federal interests)” after “inter-
14 ests”;

15 (3) in subsection (a)(3) by inserting “or in con-
16 junction” after “consultation”; and

17 (4) by inserting at the end of subsection (d) the
18 following: “Funds authorized to be appropriated to
19 carry out section 340 of the Water Resources Devel-
20 opment Act of 1992 (106 Stat. 4856) are authorized
21 for projects undertaken under subsection
22 (a)(1)(B).”.

1 **SEC. 544. CAPE COD CANAL RAILROAD BRIDGE, BUZZARDS**
2 **BAY, MASSACHUSETTS.**

3 (a) ALTERNATIVE TRANSPORTATION.—The Sec-
4 retary is authorized to provide up to \$300,000 for alter-
5 native transportation that may arise as a result of the op-
6 eration, maintenance, repair, and rehabilitation of the
7 Cape Cod Canal Railroad Bridge.

8 (b) OPERATION AND MAINTENANCE CONTRACT RE-
9 NEGOTIATION.—Not later than 60 days after the date of
10 enactment of this Act, the Secretary shall enter into nego-
11 tiation with the owner of the railroad right-of-way for the
12 Cape Cod Canal Railroad Bridge for the purpose of estab-
13 lishing the rights and responsibilities for the operation and
14 maintenance of the Bridge. The Secretary is authorized
15 to include in any new contract the termination of the prior
16 contract numbered ER-W175-ENG-1.

17 **SEC. 545. ST. LOUIS, MISSOURI.**

18 (a) DEMONSTRATION PROJECT.—The Secretary, in
19 consultation with local officials, shall conduct a dem-
20 onstration project to improve water quality in the vicinity
21 of St. Louis, Missouri.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated \$1,700,000 to carry out this
24 section.

1 **SEC. 546. BEAVER BRANCH OF BIG TIMBER CREEK, NEW**
2 **JERSEY.**

3 Upon request of the State of New Jersey or a political
4 subdivision thereof, the Secretary may compile and dis-
5 seminate information on floods and flood damages, includ-
6 ing identification of areas subject to inundation by floods,
7 and provide technical assistance regarding floodplain man-
8 agement for Beaver Branch of Big Timber Creek, New
9 Jersey.

10 **SEC. 547. LAKE ONTARIO AND ST. LAWRENCE RIVER WATER**
11 **LEVELS, NEW YORK.**

12 Upon request, the Secretary shall provide technical
13 assistance to the International Joint Commission and the
14 St. Lawrence River Board of Control in undertaking stud-
15 ies on the effects of fluctuating water levels on the natural
16 environment, recreational boating, property flooding, and
17 erosion along the shorelines of Lake Ontario and the St.
18 Lawrence River in New York. The Commission and Board
19 are encouraged to conduct such studies in a comprehensive
20 and thorough manner before implementing any change to
21 water regulation Plan 1958–D.

22 **SEC. 548. NEW YORK-NEW JERSEY HARBOR, NEW YORK AND**
23 **NEW JERSEY.**

24 The Secretary may enter into cooperative agreements
25 with non-Federal interests to investigate, develop, and
26 support measures for sediment management and reduction

1 of contaminant sources which affect navigation in the Port
2 of New York-New Jersey and the environmental condi-
3 tions of the New York-New Jersey Harbor estuary. Such
4 investigation shall include an analysis of the economic and
5 environmental benefits and costs of potential sediment
6 management and contaminant reduction measures.

7 **SEC. 549. SEA GATE REACH, CONEY ISLAND, NEW YORK,**
8 **NEW YORK.**

9 The Secretary is authorized to construct a project for
10 shoreline protection which includes a beachfill with revet-
11 ment and T-groin for the Sea Gate Reach on Coney Is-
12 land, New York, as identified in the March 1998 report
13 prepared for the Corps of Engineers, New York District,
14 entitled “Field Data Gathering, Project Performance
15 Analysis and Design Alternative Solutions to Improve
16 Sandfill Retention”, at a total cost of \$9,000,000, with
17 an estimated Federal cost of \$5,850,000 and an estimated
18 non-Federal cost of \$3,150,000.

19 **SEC. 550. WOODLAWN, NEW YORK.**

20 (a) IN GENERAL.—The Secretary shall provide plan-
21 ning, design, and other technical assistance to non-Federal
22 interests for identifying and mitigating sources of con-
23 tamination at Woodlawn Beach in Woodlawn, New York.

1 (b) COST SHARING.—The non-Federal share of the
2 cost of assistance provided under this section shall be 50
3 percent.

4 **SEC. 551. FLOODPLAIN MAPPING, NEW YORK.**

5 (a) IN GENERAL.—The Secretary shall provide as-
6 sistance for a project to develop maps identifying 100- and
7 500-year flood inundation areas in the State of New York.

8 (b) REQUIREMENTS.—Maps developed under the
9 project shall include hydrologic and hydraulic information
10 and shall accurately show the flood inundation of each
11 property by flood risk in the floodplain. The maps shall
12 be produced in a high resolution format and shall be made
13 available to all flood prone areas in the State of New York
14 in an electronic format.

15 (c) PARTICIPATION OF FEMA.—The Secretary and
16 the non-Federal sponsor of the project shall work with the
17 Director of the Federal Emergency Management Agency
18 to ensure the validity of the maps developed under the
19 project for flood insurance purposes.

20 (d) FORMS OF ASSISTANCE.—In carrying out the
21 project, the Secretary may enter into contracts or coopera-
22 tive agreements with the non-Federal sponsor or provide
23 reimbursements of project costs.

24 (e) FEDERAL SHARE.—The Federal share of the cost
25 of the project shall be 75 percent.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$12,000,000 for fiscal years beginning after September
4 30, 1998.

5 **SEC. 552. WHITE OAK RIVER, NORTH CAROLINA.**

6 The Secretary shall conduct a study to determine if
7 water quality deterioration and sedimentation of the White
8 Oak River, North Carolina, are the result of the Atlantic
9 Intracoastal Waterway navigation project. If the Secretary
10 determines that the water quality deterioration and sedi-
11 mentation are the result of the project, the Secretary shall
12 take appropriate measures to mitigate the deterioration
13 and sedimentation.

14 **SEC. 553. TOUSSAINT RIVER, CARROLL TOWNSHIP, OTTAWA**
15 **COUNTY, OHIO.**

16 The Secretary is authorized to provide technical as-
17 sistance for the removal of military ordnance from the
18 Toussaint River, Carroll Township, Ottawa County, Ohio.

19 **SEC. 554. SARDIS RESERVOIR, OKLAHOMA.**

20 (a) IN GENERAL.—The Secretary shall accept from
21 the State of Oklahoma or an agent of the State an
22 amount, as determined under subsection (b), as prepay-
23 ment of 100 percent of the water supply cost obligation
24 of the State under Contract No. DACW56-74-JC-0314
25 for water supply storage at Sardis Reservoir, Oklahoma.

1 (b) DETERMINATION OF AMOUNT.—The amount to
2 be paid by the State of Oklahoma under subsection (a)
3 shall be subject to adjustment in accordance with accepted
4 discount purchase methods for Federal Government prop-
5 erties as determined by an independent accounting firm
6 designated by the Director of the Office of Management
7 and Budget. The cost of such determination shall be paid
8 for by the State of Oklahoma or an agent of the State.

9 (c) EFFECT.—Nothing in this section affects any of
10 the rights or obligations of the parties to the contract re-
11 ferred to in subsection (a).

12 **SEC. 555. WAURIKA LAKE, OKLAHOMA, WATER CONVEY-**
13 **ANCE FACILITIES.**

14 The requirement for the Waurika Project Master
15 Conservancy District to repay the \$2,900,000 in costs (in-
16 cluding interest) resulting from the October 1991 settle-
17 ment of the claim before the United States Claims Court
18 related to construction of the water conveyance facilities
19 authorized by the first section of Public Law 88–253 (77
20 Stat. 841) is waived.

21 **SEC. 556. SKINNER BUTTE PARK, EUGENE, OREGON.**

22 (a) STUDY.—The Secretary shall conduct a study of
23 the south bank of the Willamette River, in the area of
24 Skinner Butte Park from Ferry Street Bridge to the Val-
25 ley River footbridge, to determine the feasibility of car-

1 rying out a project to stabilize the river bank, and to re-
2 store and enhance riverine habitat, using a combination
3 of structural and bioengineering techniques.

4 (b) CONSTRUCTION.—If, upon completion of the
5 study, the Secretary determines that the project is fea-
6 sible, the Secretary shall participate with non-Federal in-
7 terests in the construction of the project.

8 (c) COST SHARE.—The non-Federal share of the cost
9 of the project shall be 35 percent.

10 (d) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—
11 The non-Federal interest shall provide lands, easements,
12 rights-of-way, relocations, and dredged material disposal
13 areas necessary for construction of the project. The value
14 of such items shall be credited toward the non-Federal
15 share of the cost of the project.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$1,000,000 for fiscal years beginning after September 30,
19 1999.

20 **SEC. 557. WILLAMETTE RIVER BASIN, OREGON.**

21 The Secretary, Director of the Federal Emergency
22 Management Agency, Administrator of the Environmental
23 Protection Agency, and heads of other appropriate Fed-
24 eral agencies shall, using existing authorities, assist the
25 State of Oregon in developing and implementing a com-

1 prehensive basin-wide strategy in the Willamette River
2 basin of Oregon for coordinated and integrated manage-
3 ment of land and water resources to improve water qual-
4 ity, reduce flood hazards, ensure sustainable economic ac-
5 tivity, and restore habitat for native fish and wildlife. The
6 heads of such Federal agencies may provide technical as-
7 sistance, staff and financial support for development of
8 the basin-wide management strategy. The heads of Fed-
9 eral agencies shall seek to exercise flexibility in adminis-
10 trative actions and allocation of funding to reduce barriers
11 to efficient and effective implementing of the strategy.

12 **SEC. 558. BRADFORD AND SULLIVAN COUNTIES, PENNSYLVANIA.**
13

14 The Secretary is authorized to provide assistance for
15 water-related environmental infrastructure and resource
16 protection and development projects in Bradford and Sul-
17 livan Counties, Pennsylvania, using the funds and authori-
18 ties provided in title I of the Energy and Water Develop-
19 ment Appropriations Act, 1999 (Public Law 105-245)
20 under the heading “CONSTRUCTION, GENERAL” (112
21 Stat. 1840) for similar projects in Lackawanna,
22 Lycoming, Susquehanna, Wyoming, Pike, and Monroe
23 Counties, Pennsylvania.

1 **SEC. 559. ERIE HARBOR, PENNSYLVANIA.**

2 The Secretary may reimburse the appropriate non-
3 Federal interest not more than \$78,366 for architect and
4 engineering costs incurred in connection with the Erie
5 Harbor basin navigation project, Pennsylvania.

6 **SEC. 560. POINT MARION LOCK AND DAM, PENNSYLVANIA.**

7 The project for navigation, Point Marion Lock and
8 Dam, Borough of Point Marion, Pennsylvania, as author-
9 ized by section 301(a) of the Water Resources Develop-
10 ment Act of 1986 (100 Stat. 4110), is modified to direct
11 the Secretary, in the operation and maintenance of the
12 project, to mitigate damages to the shoreline, at a total
13 cost of \$2,000,000. The cost of the mitigation shall be
14 allocated as an operation and maintenance cost of a Fed-
15 eral navigation project.

16 **SEC. 561. SEVEN POINTS' HARBOR, PENNSYLVANIA.**

17 (a) IN GENERAL.—The Secretary is authorized, at
18 full Federal expense, to construct a breakwater-dock com-
19 bination at the entrance to Seven Points' Harbor, Penn-
20 sylvania.

21 (b) OPERATION AND MAINTENANCE COSTS.—All op-
22 eration and maintenance costs associated with the facility
23 constructed under this section shall be the responsibility
24 of the lessee of the marina complex at Seven Points' Har-
25 bor.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated \$850,000 to carry out this
3 section.

4 **SEC. 562. SOUTHEASTERN PENNSYLVANIA.**

5 Section 566(b) of the Water Resources Development
6 Act of 1996 (110 Stat. 3786) is amended by inserting “en-
7 vironmental restoration,” after “water supply and related
8 facilities,”.

9 **SEC. 563. UPPER SUSQUEHANNA-LACKAWANNA WATER-**
10 **SHED RESTORATION INITIATIVE.**

11 (a) IN GENERAL.—The Secretary, in cooperation
12 with appropriate Federal, State, and local agencies and
13 nongovernmental institutions, is authorized to prepare a
14 watershed plan for the Upper Susquehanna-Lackawanna
15 Watershed (USGS Cataloguing Unit 02050107). The plan
16 shall utilize geographic information system and shall in-
17 clude a comprehensive environmental assessment of the
18 watershed’s ecosystem, a comprehensive flood plain man-
19 agement plan, a flood plain protection plan, water resource
20 and environmental restoration projects, water quality im-
21 provement, and other appropriate infrastructure and
22 measures.

23 (b) NON-FEDERAL SHARE.—The non-Federal share
24 of the cost of preparation of the plan under this section
25 shall be 50 percent. Services and materials instead of cash

1 may be credited toward the non-Federal share of the cost
2 of the plan.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$5,000,000 for fiscal years beginning after September 30,
6 1999.

7 **SEC. 564. AGUADILLA HARBOR, PUERTO RICO.**

8 The Secretary shall conduct a study to determine if
9 erosion and additional storm damage risks that exist in
10 the vicinity of Aguadilla Harbor, Puerto Rico, are the re-
11 sult of a Federal navigation project. If the Secretary de-
12 termines that such erosion and additional storm damage
13 risks are the result of the project, the Secretary shall take
14 appropriate measures to mitigate the erosion and storm
15 damage.

16 **SEC. 565. OAHE DAM TO LAKE SHARPE, SOUTH DAKOTA,**
17 **STUDY.**

18 Section 441 of the Water Resources Development Act
19 of 1996 (110 Stat. 3747) is amended—

20 (1) by inserting “(a) INVESTIGATION.—” before
21 “The Secretary”; and

22 (2) by adding at the end the following:

23 “(b) REPORT.—Not later than September 30, 2000,
24 the Secretary shall transmit to Congress a report on the
25 results of the investigation under this section. The report

1 shall include the examination of financing options for reg-
2 ular maintenance and preservation of the lake. The report
3 shall be prepared in coordination and cooperation with the
4 Natural Resources Conservation Service, other Federal
5 agencies, and State and local officials.”.

6 **SEC. 566. INTEGRATED WATER MANAGEMENT PLANNING,**
7 **TEXAS.**

8 (a) IN GENERAL.—The Secretary, in cooperation
9 with other Federal agencies and the State of Texas, shall
10 provide technical, planning, and design assistance to non-
11 Federal interests in developing integrated water manage-
12 ment plans and projects that will serve the cities, counties,
13 water agencies, and participating planning regions under
14 the jurisdiction of the State of Texas.

15 (b) PURPOSES OF ASSISTANCE.—Assistance provided
16 under subsection (a) shall be in support of non-Federal
17 planning and projects for the following purposes:

18 (1) Plan and develop integrated, near- and
19 long-term water management plans that address the
20 planning region’s water supply, water conservation,
21 and water quality needs.

22 (2) Study and develop strategies and plans that
23 restore, preserve, and protect the State’s and plan-
24 ning region’s natural ecosystems.

1 project, the Secretary shall allow the non-Federal interest
2 to participate in the financing of the project in accordance
3 with section 903(c) of the Water Resources Development
4 Act of 1986 (100 Stat. 4184), notwithstanding any limita-
5 tion on the purpose of projects to which such section ap-
6 plies, to the extent that the Secretary's evaluation indi-
7 cates that applying such section is necessary to implement
8 the project.

9 **SEC. 568. GALVESTON BEACH, GALVESTON COUNTY, TEXAS.**

10 The Secretary is authorized to design and construct
11 a shore protection project between the Galveston South
12 Jetty and San Luis Pass, Galveston County, Texas, using
13 innovative nourishment techniques, including beneficial
14 use of dredged material from Federal navigation projects.

15 **SEC. 569. PACKERY CHANNEL, CORPUS CHRISTI, TEXAS.**

16 (a) IN GENERAL.—The Secretary shall construct a
17 navigation and storm protection project at Packery Chan-
18 nel, Mustang Island, Texas, consisting of construction of
19 a channel and a channel jetty and placement of sand along
20 the length of the seawall.

21 (b) ECOLOGICAL AND RECREATIONAL BENEFITS.—

22 In evaluating the project, the Secretary shall include the
23 ecological and recreational benefits of reopening the
24 Packery Channel.

1 (c) APPLICABILITY OF BENEFIT-COST RATIO WAIV-
2 ER AUTHORITY.—In evaluating and implementing the
3 project, the Secretary shall allow the non-Federal interest
4 to participate in the financing of the project in accordance
5 with section 903(c) of the Water Resources Development
6 Act of 1986 (100 Stat. 4184), notwithstanding any limita-
7 tion on the purpose of projects to which such section ap-
8 plies, to the extent that the Secretary’s evaluation indi-
9 cates that applying such section is necessary to implement
10 the project.

11 **SEC. 570. NORTHERN WEST VIRGINIA.**

12 The projects described in the following reports are
13 authorized to be carried out by the Secretary substantially
14 in accordance with the plans, and subject to the condi-
15 tions, recommended in such reports:

16 (1) PARKERSBURG, WEST VIRGINIA.—Report of
17 the Corps of Engineers entitled “Parkersburg/Vi-
18 enna Riverfront Park Feasibility Study”, dated June
19 1998, at a total cost of \$8,400,000, with an esti-
20 mated Federal cost of \$4,200,000, and an estimated
21 non-Federal cost of \$4,200,000.

22 (2) WEIRTON, WEST VIRGINIA.—Report of the
23 Corps of Engineers entitled “Feasibility Master Plan
24 for Weirton Port and Industrial Center, West Vir-
25 ginia Public Port Authority”, dated December 1997,

1 at a total cost of \$18,000,000, with an estimated
2 Federal cost of \$9,000,000, and an estimated non-
3 Federal cost of \$9,000,000.

4 (3) ERICKSON/WOOD COUNTY, WEST VIR-
5 GINIA.—Report of the Corps of Engineers entitled
6 “Feasibility Master Plan for Erickson/Wood County
7 Port District, West Virginia Public Port Authority”,
8 dated July 7, 1997, at a total cost of \$28,000,000,
9 with an estimated Federal cost of \$14,000,000, and
10 an estimated non-Federal cost of \$14,000,000.

11 (4) MONONGAHELA RIVER, WEST VIRGINIA.—
12 Monongahela River, West Virginia, Comprehensive
13 Study Reconnaissance Report, dated September
14 1995, consisting of the following elements:

15 (A) Morgantown Riverfront Park, Morgan-
16 town, West Virginia, at a total cost of
17 \$1,600,000, with an estimated Federal cost of
18 \$800,000 and an estimated non-Federal cost of
19 \$800,000.

20 (B) Caperton Rail to Trail, Monongahela
21 County, West Virginia, at a total cost of
22 \$4,425,000, with an estimated Federal cost of
23 \$2,212,500 and an estimated non-Federal cost
24 of \$2,212,500.

1 (C) Palatine Park, Fairmont, West Vir-
2 ginia, at a total cost of \$1,750,000, with an es-
3 timated Federal cost of \$875,000 and an esti-
4 mated non-Federal cost of \$875,000.

5 **SEC. 571. URBANIZED PEAK FLOOD MANAGEMENT RE-**
6 **SEARCH.**

7 (a) IN GENERAL.—The Secretary shall develop and
8 implement a research program to evaluate opportunities
9 to manage peak flood flows in urbanized watersheds lo-
10 cated in the State of New Jersey.

11 (b) SCOPE OF RESEARCH.—The research program
12 authorized by subsection (a) shall be accomplished
13 through the New York District. The research shall specifi-
14 cally include the following:

15 (1) Identification of key factors in urbanized
16 watersheds that are under development and impact
17 peak flows in the watersheds and downstream of the
18 watersheds.

19 (2) Development of peak flow management
20 models for 4 to 6 watersheds in urbanized areas lo-
21 cated with widely differing geology, areas, shapes,
22 and soil types that can be used to determine optimal
23 flow reduction factors for individual watersheds.

24 (3) Utilization of such management models to
25 determine relationships between flow and reduction

1 factors and change in imperviousness, soil types,
2 shape of the drainage basin, and other pertinent pa-
3 rameters from existing to ultimate conditions in wa-
4 tersheds under consideration for development.

5 (4) Development and validation of an inexpen-
6 sive accurate model to establish flood reduction fac-
7 tors based on runoff curve numbers, change in im-
8 perviousness, the shape of the basin, and other perti-
9 nent factors.

10 (c) REPORT TO CONGRESS.—The Secretary shall
11 evaluate policy changes in the planning process for flood
12 control projects based on the results of the research au-
13 thorized by this section and transmit to Congress a report
14 not later than 3 years after the date of enactment of this
15 Act.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carryout this section
18 \$3,000,000 for fiscal years beginning after September 30,
19 1999.

20 (e) FLOW REDUCTION FACTORS DEFINED.—In this
21 section, the term “flow reduction factors” means the ratio
22 of estimated allowable peak flows of stormwater after pro-
23 jected development when compared to pre-existing condi-
24 tions.

1 **SEC. 572. MISSISSIPPI RIVER COMMISSION.**

2 Section 8 of the Flood Control Act of May 15, 1928
3 (Public Law 391, 70th Congress), is amended by striking
4 “\$7,500” and inserting “\$21,500.”

5 **SEC. 573. COASTAL AQUATIC HABITAT MANAGEMENT.**

6 (a) IN GENERAL.—The Secretary may cooperate with
7 the Secretaries of Agriculture and the Interior, the Admin-
8 istrators of the Environmental Protection Agency and the
9 National Oceanic and Atmospheric Administration, other
10 appropriate Federal, State, and local agencies, and af-
11 fected private entities, in the development of a manage-
12 ment strategy to address problems associated with toxic
13 microorganisms and the resulting degradation of eco-
14 systems in the tidal and nontidal wetlands and waters of
15 the United States for the States along the Atlantic Ocean.
16 As part of such management strategy, the Secretary may
17 provide planning, design, and other technical assistance to
18 each participating State in the development and imple-
19 mentation of nonregulatory measures to mitigate environ-
20 mental problems and restore aquatic resources.

21 (b) COST SHARING.—The Federal share of the cost
22 of measures undertaken under this section shall not exceed
23 65 percent.

24 (c) OPERATION AND MAINTENANCE.—The non-Fed-
25 eral share of operation and maintenance costs for projects

1 constructed with assistance provided under this section
2 shall be 100 percent.

3 (d) AUTHORIZATION OF APPROPRIATION.—There is
4 authorized to be appropriated to carry out this section
5 \$7,000,000 for fiscal years beginning after September 30,
6 1999.

7 **SEC. 574. RECREATION USER FEES INITIATIVE.**

8 (a) IN GENERAL.—During fiscal years 2000 through
9 2003, the Secretary may withhold from the special ac-
10 count established pursuant to section 4(i)(1)(A) of the
11 Land and Water Conservation Fund Act of 1965 (16
12 U.S.C. 460l–6a(i)(1)(A)), 100 percent of the amount of
13 receipts from fees collected at selected recreation sites
14 under the administrative jurisdiction of the Department
15 of the Army pursuant to section 4(b) of such Act (16
16 U.S.C. 460l–6a(b)). The amounts withheld shall be re-
17 tained by the Secretary and shall be available for expendi-
18 ture by the Secretary in accordance with the provisions
19 of this section.

20 (b) USE OF FUNDS.—In order to increase the quality
21 of the visitor experience at public recreational areas and
22 to enhance the protection of resources, the amounts with-
23 held pursuant to subsection (a) and available for expendi-
24 ture may only be used for backlogged repair and mainte-
25 nance projects (including projects relating to public health

1 and safety) and for interpretation, signage, habitat or fa-
2 cility enhancement, resource preservation, annual oper-
3 ation and maintenance, and law enforcement related to
4 public use.

5 (c) APPLICABILITY.—The Secretary shall implement
6 the authority under this section and evaluate the feasi-
7 bility of retaining recreation fees at projects and facilities
8 under the Secretary's jurisdiction at not more than 5
9 projects and facilities. In selecting projects and facilities
10 under this section, the Secretary should seek to achieve
11 geographic diversity. One of the projects and facilities se-
12 lected shall be the Mississippi River Headwaters Recre-
13 ation Areas, Minnesota.

14 (d) REPORT.—Not later than December 31, 2003,
15 the Secretary shall transmit to Congress a report on the
16 results of implementing this section, together with rec-
17 ommendations concerning whether the authority under
18 this section should be offered on a nationwide basis.

19 **SEC. 575. ABANDONED AND INACTIVE NONCOAL MINE RES-**
20 **TORATION.**

21 (a) IN GENERAL.—The Secretary is authorized to
22 provide technical, planning, and design assistance to Fed-
23 eral and non-Federal interests for carrying out projects
24 to address water quality problems caused by drainage and

1 related activities from abandoned and inactive noncoal
2 mines.

3 (b) SPECIFIC MEASURES.—Assistance provided
4 under subsection (a) may be in support of projects for the
5 following purposes:

6 (1) Management of drainage from abandoned
7 and inactive noncoal mines.

8 (2) Restoration and protection of streams, riv-
9 ers, wetlands, other waterbodies, and riparian areas
10 degraded by drainage from abandoned and inactive
11 noncoal mines.

12 (3) Demonstration of management practices
13 and innovative and alternative treatment tech-
14 nologies to minimize or eliminate adverse environ-
15 mental effects associated with drainage from aban-
16 doned and inactive noncoal mines.

17 (c) NON-FEDERAL SHARE.—The non-Federal share
18 of the cost of assistance under subsection (a) shall be 50
19 percent; except that the Federal share with respect to
20 projects located on lands owned by the United States shall
21 be 100 percent.

22 (d) EFFECT ON AUTHORITY OF THE SECRETARY OF
23 THE INTERIOR.—Nothing in this section shall be con-
24 strued as affecting the authority of the Secretary of the

1 Interior under title IV of the Surface Mining Control and
2 Reclamation Act of 1977 (30 U.S.C. 1231 et seq.).

3 (e) TECHNOLOGY DATABASE FOR RECLAMATION OF
4 ABANDONED MINES.—The Secretary is authorized to pro-
5 vide assistance to non-Federal and non-profit entities to
6 develop, manage, and maintain a database of conventional
7 and innovative, cost-effective technologies for reclamation
8 of abandoned and inactive noncoal mine sites. Such assist-
9 ance shall be provided through the rehabilitation of aban-
10 doned mine sites program, managed by the Sacramento
11 District Office of the Corps of Engineers.

12 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$5,000,000.

15 **SEC. 576. BENEFICIAL USE OF WASTE TIRE RUBBER.**

16 (a) IN GENERAL.—The Secretary is authorized to
17 conduct pilot projects to encourage the beneficial use of
18 waste tire rubber, including crumb rubber, recycled from
19 tires. Such beneficial use may include marine pilings, un-
20 derwater framing, floating docks with built-in flotation,
21 utility poles, and other uses associated with transportation
22 and infrastructure projects receiving Federal funds. The
23 Secretary shall, when appropriate, encourage the use of
24 waste tire rubber, including crumb rubber, in such feder-
25 ally funded projects.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$5,000,000 for fiscal years beginning after September 30,
4 1998.

5 **SEC. 577. SITE DESIGNATION.**

6 Section 102(c)(4) of the Marine Protection, Re-
7 search, and Sanctuaries Act of 1972 (33 U.S.C.
8 1412(c)(4)) is amended by striking “January 1, 2000”
9 and inserting “January 1, 2005”.

10 **SEC. 578. LAND CONVEYANCES.**

11 (a) EXCHANGE OF LAND IN PIKE COUNTY, MIS-
12 SOURI.—

13 (1) EXCHANGE OF LAND.—Subject to para-
14 graphs (3) and (4), at such time as Holnam Inc.
15 conveys all right, title, and interest in and to the
16 land described in paragraph (2)(A) to the United
17 States, the Secretary shall convey all right, title, and
18 interest in the land described in paragraph (2)(B) to
19 Holnam Inc.

20 (2) DESCRIPTION OF LANDS.—The lands re-
21 ferred to in paragraph (1) are the following:

22 (A) NON-FEDERAL LAND.—152.45 acres
23 with existing flowage easements situated in
24 Pike County, Missouri, described a portion of
25 Government Tract Number FM–9 and all of

1 Government Tract Numbers FM-11, FM-10,
2 FM-12, FM-13, and FM-16, owned and ad-
3 ministered by the Holnam Inc.

4 (B) FEDERAL LAND.—152.61 acres situ-
5 ated in Pike County, Missouri, known as Gov-
6 ernment Tract Numbers FM-17 and a portion
7 of FM-18, administered by the Corps of Engi-
8 neers.

9 (3) CONDITIONS OF EXCHANGE.—The exchange
10 of land authorized by paragraph (1) shall be subject
11 to the following conditions:

12 (A) DEEDS.—

13 (i) FEDERAL LAND.—The instrument
14 of conveyance used to convey the land de-
15 scribed in paragraph (2)(B) to Holnam
16 Inc. shall contain such reservations, terms,
17 and conditions as the Secretary considers
18 necessary to allow the United States to op-
19 erate and maintain the Mississippi River 9-
20 Foot Navigation Project.

21 (ii) NON-FEDERAL LAND.—The con-
22 veyance of the land described in paragraph
23 (2)(A) to the Secretary shall be by a war-
24 ranty deed acceptable to the Secretary.

1 (B) REMOVAL OF IMPROVEMENTS.—
2 Holnam Inc. may remove any improvements on
3 the land described in paragraph (2)(A). The
4 Secretary may require Holnam Inc. to remove
5 any improvements on the land described in
6 paragraph (2)(A). In either case, Holnam Inc.
7 shall hold the United States harmless from li-
8 ability, and the United States shall not incur
9 cost associated with the removal or relocation of
10 any such improvements.

11 (C) TIME LIMIT FOR EXCHANGE.—The
12 land exchange authorized by paragraph (1)
13 shall be completed not later than 2 years after
14 the date of enactment of this Act.

15 (D) LEGAL DESCRIPTION.—The Secretary
16 shall provide the legal description of the land
17 described in paragraph (2). The legal descrip-
18 tion shall be used in the instruments of convey-
19 ance of the land.

20 (E) ADMINISTRATIVE COSTS.—The Sec-
21 retary shall require Holnam Inc. to pay reason-
22 able administrative costs associated with the ex-
23 change.

24 (4) VALUE OF PROPERTIES.—If the appraised
25 fair market value, as determined by the Secretary,

1 of the land conveyed to Holnam Inc. by the Sec-
2 retary under paragraph (1) exceeds the appraised
3 fair market value, as determined by the Secretary,
4 of the land conveyed to the United States by
5 Holnam Inc. under paragraph (1), Holnam Inc.
6 shall make a payment equal to the excess in cash or
7 a cash equivalent to the United States.

8 (b) CANDY LAKE PROJECT, OSAGE COUNTY, OKLA-
9 HOMA.—

10 (1) DEFINITIONS.—In this subsection, the fol-
11 lowing definitions apply:

12 (A) FAIR MARKET VALUE.—The term “fair
13 market value” means the amount for which a
14 willing buyer would purchase and a willing sell-
15 er would sell a parcel of land, as determined by
16 a qualified, independent land appraiser.

17 (B) PREVIOUS OWNER OF LAND.—The
18 term “previous owner of land” means a person
19 (including a corporation) that conveyed, or a
20 descendant of a deceased individual who con-
21 veyed, land to the Corps of Engineers for use
22 in the Candy Lake project in Osage County,
23 Oklahoma.

24 (2) LAND CONVEYANCES.—

1 (A) IN GENERAL.—The Secretary shall
2 convey, in accordance with this subsection, all
3 right, title, and interest of the United States in
4 and to the land acquired by the United States
5 for the Candy Lake project in Osage County,
6 Oklahoma.

7 (B) PREVIOUS OWNERS OF LAND.—

8 (i) IN GENERAL.—The Secretary shall
9 give a previous owner of land the first op-
10 tion to purchase the land described in sub-
11 paragraph (A).

12 (ii) APPLICATION.—

13 (I) IN GENERAL.—A previous
14 owner of land that desires to purchase
15 the land described in subparagraph
16 (A) that was owned by the previous
17 owner of land, or by the individual
18 from whom the previous owner of land
19 is descended, shall file an application
20 to purchase the land with the Sec-
21 retary not later than 180 days after
22 the official date of notice to the pre-
23 vious owner of land under paragraph
24 (3).

1 (II) FIRST TO FILE HAS FIRST
2 OPTION.—If more than 1 application
3 is filed to purchase a parcel of land
4 described in subparagraph (A), the
5 first option to purchase the parcel of
6 land shall be determined in the order
7 in which applications for the parcel of
8 land were filed.

9 (iii) IDENTIFICATION OF PREVIOUS
10 OWNERS OF LAND.—As soon as practicable
11 after the date of enactment of this Act, the
12 Secretary shall, to the extent practicable,
13 identify each previous owner of land.

14 (iv) CONSIDERATION.—Consideration
15 for land conveyed under this paragraph
16 shall be the fair market value of the land.

17 (C) DISPOSAL.—Any land described in
18 subparagraph (A) for which an application to
19 purchase the land has not been filed under sub-
20 paragraph (B)(ii) within the applicable time pe-
21 riod shall be disposed of in accordance with law.

22 (D) EXTINGUISHMENT OF EASEMENTS.—
23 All flowage easements acquired by the United
24 States for use in the Candy Lake project in
25 Osage County, Oklahoma, are extinguished.

1 (3) NOTICE.—

2 (A) IN GENERAL.—The Secretary shall
3 notify—

4 (i) each person identified as a pre-
5 vious owner of land under paragraph
6 (2)(B)(iii), not later than 90 days after
7 identification, by United States mail; and

8 (ii) the general public, not later than
9 90 days after the date of enactment of this
10 Act, by publication in the Federal Register.

11 (B) CONTENTS OF NOTICE.—Notice under
12 this paragraph shall include—

13 (i) a copy of this subsection;

14 (ii) information sufficient to sepa-
15 rately identify each parcel of land subject
16 to this subsection; and

17 (iii) specification of the fair market
18 value of each parcel of land subject to this
19 subsection.

20 (C) OFFICIAL DATE OF NOTICE.—The offi-
21 cial date of notice under this paragraph shall be
22 the later of—

23 (i) the date on which actual notice is
24 mailed; or

1 (ii) the date of publication of the no-
2 tice in the Federal Register.

3 (c) LAKE HUGO, OKLAHOMA, AREA LAND CONVEY-
4 ANCE.—

5 (1) IN GENERAL.—As soon as practicable after
6 the date of enactment of this Act, the Secretary
7 shall convey at fair market value to Choctaw County
8 Industrial Authority, Oklahoma, the property de-
9 scribed in paragraph (2).

10 (2) DESCRIPTION.—The property to be con-
11 veyed under paragraph (1) is—

12 (A) that portion of land at Lake Hugo,
13 Oklahoma, above elevation 445.2 located in the
14 $N^{1/2}$ of the $NW^{1/4}$ of Section 24, R 18 E, T 6
15 S, and the $S^{1/2}$ of the $SW^{1/4}$ of Section 13, R
16 18 E, T 6 S bounded to the south by a line 50
17 north on the centerline of Road B of Sawyer
18 Bluff Public Use Area and to the north by the
19 $1/2$ quarter section line forming the south
20 boundary of Wilson Point Public Use Area; and

21 (B) a parcel of property at Lake Hugo,
22 Oklahoma, commencing at the NE corner of the
23 $SE^{1/4}$ $SW^{1/4}$ of Section 13, R 18 E, T 6 S, 100
24 feet north, then east approximately $1/2$ mile to

1 the county line road between Section 13, R 18
2 E, T 6 S, and Section 18, R 19 E, T 6 S.

3 (3) TERMS AND CONDITIONS.—The conveyances
4 under this subsection shall be subject to such terms
5 and conditions, including payment of reasonable ad-
6 ministrative costs and compliance with applicable
7 Federal floodplain management and flood insurance
8 programs, as the Secretary considers necessary and
9 appropriate to protect the interests of the United
10 States.

11 (d) CONVEYANCE OF PROPERTY IN MARSHALL
12 COUNTY, OKLAHOMA.—

13 (1) IN GENERAL.—The Secretary shall convey
14 to the State of Oklahoma all right, title, and interest
15 of the United States to real property located in Mar-
16 shall County, Oklahoma, and included in the Lake
17 Texoma (Denison Dam), Oklahoma and Texas,
18 project consisting of approximately 1,580 acres and
19 leased to the State of Oklahoma for public park and
20 recreation purposes.

21 (2) CONSIDERATION.—Consideration for the
22 conveyance under paragraph (1) shall be the fair
23 market value of the real property, as determined by
24 the Secretary. All costs associated with the convey-

1 ance under paragraph (1) shall be paid by the State
2 of Oklahoma.

3 (3) DESCRIPTION.—The exact acreage and legal
4 description of the real property to be conveyed under
5 paragraph (1) shall be determined by a survey satis-
6 factory to the Secretary. The cost of the survey shall
7 be paid by the State of Oklahoma.

8 (4) ENVIRONMENTAL COMPLIANCE.—Before
9 making the conveyance under paragraph (1), the
10 Secretary shall—

11 (A) conduct an environmental baseline sur-
12 vey to determine if there are levels of contami-
13 nation for which the United States would be re-
14 sponsible under the Comprehensive Environ-
15 mental Response, Compensation, and Liability
16 Act of 1980 (42 U.S.C. 9601 et seq.); and

17 (B) ensure that the conveyance complies
18 with the National Environmental Policy Act of
19 1969 (42 U.S.C. 4321 et seq.).

20 (5) OTHER TERMS AND CONDITIONS.—The con-
21 veyance under paragraph (1) shall be subject to such
22 other terms and conditions as the Secretary con-
23 siders necessary and appropriate to protect the in-
24 terests of the United States, including reservation by
25 the United States of a flowage easement over all

1 portions of the real property to be conveyed that are
 2 at or below elevation 645.0 NGVD.

3 (e) SUMMERFIELD CEMETERY ASSOCIATION, OKLA-
 4 HOMA, LAND CONVEYANCE.—

5 (1) IN GENERAL.—As soon as practicable after
 6 the date of enactment of this Act, the Secretary
 7 shall transfer to the Summerfield Cemetery Associa-
 8 tion, Oklahoma, all right, title, and interest of the
 9 United State in and to the land described in para-
 10 graph (3) for use as a cemetery.

11 (2) REVERSION.—If the land to be transferred
 12 under this subsection ever cease to be used as a not-
 13 for-profit cemetery or for other public purposes the
 14 land shall revert to the United States.

15 (3) DESCRIPTION.—The land to be conveyed
 16 under this subsection is the approximately 10 acres
 17 of land located in Leflore County, Oklahoma, and
 18 described as follows:

19 INDIAN BASIN MERIDIAN

20 Section 23, Township 5 North, Range 23 East

21 SW SE SW NW

22 NW NE NW SW

23 N¹/₂ SW SW NW.

24 (4) CONSIDERATION.—The conveyance under
 25 this subsection shall be without consideration. All

1 costs associated with the conveyance shall be paid by
2 the Summerfield Cemetery Association, Oklahoma.

3 (5) OTHER TERMS AND CONDITIONS.—The con-
4 veyance under this subsection shall be subject to
5 such other terms and conditions as the Secretary
6 considers necessary and appropriate to protect the
7 interests of the United States.

8 (f) DEXTER, OREGON.—

9 (1) IN GENERAL.—The Secretary shall convey
10 to the Dexter Sanitary District all right, title, and
11 interest of the United States in and to a parcel of
12 land consisting of approximately 5 acres located at
13 Dexter Lake, Oregon, under lease to the Dexter
14 Sanitary District.

15 (2) CONSIDERATION.—Land to be conveyed
16 under this section shall be conveyed without consid-
17 eration. If the land is no longer held in public own-
18 ership or no longer used for wastewater treatment
19 purposes, title to the land shall revert to the Sec-
20 retary.

21 (3) TERMS AND CONDITIONS.—The conveyance
22 by the United States shall be subject to such terms
23 and conditions as the Secretary considers appro-
24 priate to protect the interests of the United States.

1 (4) DESCRIPTION.—The exact acreage and de-
2 scription of the land to be conveyed under paragraph
3 (1) shall be determined by such surveys as the Sec-
4 retary considers necessary. The cost of the surveys
5 shall be borne by the Dexter Sanitary District.

6 (g) RICHARD B. RUSSELL DAM AND LAKE, SOUTH
7 CAROLINA.—

8 (1) IN GENERAL.—Upon execution of an agree-
9 ment under paragraph (4) and subject to the re-
10 quirements of this subsection, the Secretary shall
11 convey, without consideration, to the State of South
12 Carolina all right, title, and interest of the United
13 States to the lands described in paragraph (2) that
14 are managed, as of the date of enactment of this
15 Act, by the South Carolina Department of Natural
16 Resources for fish and wildlife mitigation purposes
17 in connection with the Richard B. Russell Dam and
18 Lake, South Carolina, project.

19 (2) DESCRIPTION.—

20 (A) IN GENERAL.—Subject to subpara-
21 graph (B), the lands to be conveyed under
22 paragraph (1) are described in Exhibits A, F,
23 and H of Army Lease Number DACW21-1-
24 93-0910 and associated Supplemental Agree-
25 ments or are designated in red in Exhibit A of

1 Army License Number DACW21–3–85–1904;
2 except that all designated lands in the license
3 that are below elevation 346 feet mean sea level
4 or that are less than 300 feet measured hori-
5 zontally from the top of the power pool are ex-
6 cluded from the conveyance. Management of the
7 excluded lands shall continue in accordance
8 with the terms of Army License Number
9 DACW21–3–85–1904 until the Secretary and
10 the State enter into an agreement under para-
11 graph (4).

12 (B) SURVEY.—The exact acreage and legal
13 description of the lands to be conveyed under
14 paragraph (1) shall be determined by a survey
15 satisfactory to the Secretary, with the cost of
16 the survey to be paid by the State. The State
17 shall be responsible for all other costs, including
18 real estate transaction and environmental com-
19 pliance costs, associated with the conveyance.

20 (3) TERMS AND CONDITIONS.—

21 (A) MANAGEMENT OF LANDS.—All lands
22 that are conveyed under paragraph (1) shall be
23 retained in public ownership and shall be man-
24 aged in perpetuity for fish and wildlife mitiga-
25 tion purposes in accordance with a plan ap-

1 proved by the Secretary. If the lands are not
2 managed for such purposes in accordance with
3 the plan, title to the lands shall revert to the
4 United States. If the lands revert to the United
5 States under this subparagraph, the Secretary
6 shall manage the lands for such purposes.

7 (B) TERMS AND CONDITIONS.—The Sec-
8 retary may require such additional terms and
9 conditions in connection with the conveyance as
10 the Secretary considers appropriate to protect
11 the interests of the United States.

12 (4) PAYMENTS.—

13 (A) AGREEMENTS.—The Secretary is au-
14 thorized to pay to the State of South Carolina
15 not more than \$4,850,000 if the Secretary and
16 the State enter into a binding agreement for
17 the State to manage for fish and wildlife miti-
18 gation purposes, in perpetuity, the lands con-
19 veyed under this subsection and the lands not
20 covered by the conveyance that are designated
21 in red in Exhibit A of Army License Number
22 DACW21-3-85-1904.

23 (B) TERMS AND CONDITIONS.—The agree-
24 ment shall specify the terms and conditions
25 under which the payment will be made and the

1 rights of, and remedies available to, the Federal
2 Government to recover all or a portion of the
3 payment in the event the State fails to manage
4 the lands in a manner satisfactory to the Sec-
5 retary.

6 (h) CHARLESTON, SOUTH CAROLINA.—The Sec-
7 retary is authorized to convey the property of the Corps
8 of Engineers known as the “Equipment and Storage
9 Yard”, located on Meeting Street in Charleston, South
10 Carolina, in as-is condition for fair-market value with all
11 proceeds from the conveyance to be applied by the Corps
12 of Engineers, Charleston District, to offset a portion of
13 the costs of moving or leasing (or both) an office facility
14 in the city of Charleston.

15 (i) CLARKSTON, WASHINGTON.—

16 (1) IN GENERAL.—The Secretary shall convey
17 to the Port of Clarkston, Washington, all right, title,
18 and interest of the United States in and to a portion
19 of the land described in Army Lease Number
20 DACW68–1–97–22, consisting of approximately 31
21 acres, the exact boundaries of which shall be deter-
22 mined by the Secretary and the Port of Clarkston.

23 (2) ADDITIONAL LAND.—The Secretary may
24 convey to the Port of Clarkston, Washington, at fair
25 market value as determined by the Secretary, such

1 additional land located in the vicinity of Clarkston,
2 Washington, as the Secretary determines to be ex-
3 cess to the needs of the Columbia River Project and
4 appropriate for conveyance.

5 (3) TERMS AND CONDITIONS.—The conveyances
6 made under paragraphs (1) and (2) shall be subject
7 to such terms and conditions as the Secretary deter-
8 mines to be necessary to protect the interests of the
9 United States, including a requirement that the Port
10 of Clarkston pay all administrative costs associated
11 with the conveyances (including the cost of land sur-
12 veys and appraisals and costs associated with com-
13 pliance with applicable environmental laws, including
14 regulations).

15 (4) USE OF LAND.—The Port of Clarkston
16 shall be required to pay the fair market value, as de-
17 termined by the Secretary, of any land conveyed
18 pursuant to paragraph (1) that is not retained in
19 public ownership or is used for other than public
20 park or recreation purposes, except that the Sec-
21 retary shall have a right of reverter to reclaim pos-
22 session and title to any such land.

23 (j) LAND CONVEYANCE TO MATEWAN, WEST VIR-
24 GINIA.—

1 (1) IN GENERAL.—The United States shall con-
2 vey by quit claim deed to the Town of Matewan,
3 West Virginia, all right, title, and interest of the
4 United States in and to four parcels of land deemed
5 excess by the Secretary of the Army, acting through
6 the Chief of the U.S. Army Corps of Engineers, to
7 the structural project for flood control constructed
8 by the Corps of Engineers along the Tug Fork River
9 pursuant to section 202 of Public Law 96–367.

10 (2) PROPERTY DESCRIPTION.—The parcels of
11 land referred to in paragraph (1) are as follows:

12 (A) A certain parcel of land in the State
13 of West Virginia, Mingo County, Town of
14 Matewan, and being more particularly bounded
15 and described as follows:

16 Beginning at a point on the southerly
17 right-of-way line of a 40-foot-wide street
18 right-of-way (known as McCoy Alley), hav-
19 ing an approximate coordinate value of
20 N228,695, E1,662,397, in the line com-
21 mon to the land designated as U.S.A.
22 Tract No. 834, and the land designated as
23 U.S.A. Tract No. 837, said point being
24 South 51°52′ East 81.8 feet from an iron
25 pin and cap marked M–12 on the bound-

1 ary of the Matewan Area Structural
2 Project, on the north right-of-way line of
3 said street, at a corner common to des-
4 ignated U.S.A. Tracts Nos. 834 and 836;
5 thence, leaving the right-of-way of said
6 street, with the line common to the land of
7 said Tract No. 834, and the land of said
8 Tract No. 837.

9 South $14^{\circ}37'$ West 46 feet to the cor-
10 ner common to the land of said Tract No.
11 834, and the land of said Tract No. 837;
12 thence, leaving the land of said Tract No.
13 837, severing the lands of said Project.

14 South $14^{\circ}37'$ West 46 feet.

15 South $68^{\circ}07'$ East 239 feet.

16 North $26^{\circ}05'$ East 95 feet to a point
17 on the southerly right-of-way line of said
18 street; thence, with the right-of-way of said
19 street, continuing to sever the lands of said
20 Project.

21 South $63^{\circ}55'$ East 206 feet; thence,
22 leaving the right-of-way of said street, con-
23 tinuing to sever the lands of said Project.

24 South $26^{\circ}16'$ West 63 feet; thence,
25 with a curve to the left having a radius of

1 70 feet, a delta of $33^{\circ}58'$, an arc length of
2 41 feet, the chord bearing.

3 South $09^{\circ}17'$ West 41 feet; thence,
4 leaving said curve, continuing to sever the
5 lands of said Project.

6 South $07^{\circ}42'$ East 31 feet to a point
7 on the right-of-way line of the floodwall;
8 thence, with the right-of-way of said
9 floodwall, continuing to sever the lands of
10 said Project.

11 South $77^{\circ}04'$ West 71 feet.

12 North $77^{\circ}10'$ West 46 feet.

13 North $67^{\circ}07'$ West 254 feet.

14 North $67^{\circ}54'$ West 507 feet.

15 North $57^{\circ}49'$ West 66 feet to the
16 intersection of the right-of-way line of said
17 floodwall with the southerly right-of-way
18 line of said street; thence, leaving the
19 right-of-way of said floodwall and with the
20 southerly right-of-way of said street, con-
21 tinuing to sever the lands of said Project.

22 North $83^{\circ}01'$ East 171 feet.

23 North $89^{\circ}42'$ East 74 feet.

24 South $83^{\circ}39'$ East 168 feet.

25 South $83^{\circ}38'$ East 41 feet.

1 South 77°26' East 28 feet to the
2 point of beginning, containing 2.59 acres,
3 more or less. The bearings and coordinate
4 used herein are referenced to the West Vir-
5 ginia State Plane Coordinate System,
6 South Zone.

7 (B) A certain parcel of land in the State
8 of West Virginia, Mingo County, Town of
9 Matewan, and being more particularly bounded
10 and described as follows:

11 Beginning at an iron pin and cap des-
12 ignated Corner No. M2-2 on the southerly
13 right-of-way line of the Norfolk and West-
14 ern Railroad, having an approximate co-
15 ordinate value of N228,755 E1,661,242,
16 and being at the intersection of the right-
17 of-way line of the floodwall with the bound-
18 ary of the Matewan Area Structural
19 Project; thence, leaving the right-of-way of
20 said floodwall and with said Project bound-
21 ary, and the southerly right-of-way of said
22 Railroad.

23 North 59°45' East 34 feet.

24 North 69°50' East 44 feet.

25 North 58°11' East 79 feet.

1 North 66°13' East 102 feet.

2 North 69°43' East 98 feet.

3 North 77°39' East 18 feet.

4 North 72°39' East 13 feet to a point
5 at the intersection of said Project bound-
6 ary, and the southerly right-of-way of said
7 Railroad, with the westerly right-of-way
8 line of State Route 49/10; thence, leaving
9 said Project boundary, and the southerly
10 right-of-way of said Railroad, and with the
11 westerly right-of-way of said road.

12 South 03°21' East 100 feet to a point
13 at the intersection of the westerly right-of-
14 way of said road with the right-of-way of
15 said floodwall; thence, leaving the right-of-
16 way of said road, and with the right-of-way
17 line of said floodwall.

18 South 79°30' West 69 feet.

19 South 78°28' West 222 feet.

20 South 80°11' West 65 feet.

21 North 38°40' West 14 feet to the
22 point of beginning, containing 0.53 acre,
23 more or less. The bearings and coordinate
24 used herein are referenced to the West Vir-

1 ginia State Plane Coordinate System,
2 South Zone.

3 (C) A certain parcel of land in the State
4 of West Virginia, Mingo County, Town of
5 Matewan, and being more particularly bounded
6 and described as follows:

7 Beginning at a point on the southerly
8 right-of-way line of the Norfolk and West-
9 ern Railroad, having an approximate co-
10 ordinate value of N228,936 E1,661,672,
11 and being at the intersection of the eas-
12 terly right-of-way line of State Route 49/
13 10 with the boundary of the Matewan Area
14 Structural Project; thence, leaving the
15 right-of-way of said road, and with said
16 Project boundary, and the southerly right-
17 of-way of said Railroad.

18 North 77°49' East 89 feet to an iron
19 pin and cap designated as U.S.A. Corner
20 No. M-4.

21 North 79°30' East 74 feet to an iron
22 pin and cap designated as U.S.A. Corner
23 No. M-5-1; thence, leaving the southerly
24 right-of-way of said Railroad, and con-
25 tinuing with the boundary of said Project.

1 South 06°33' East 102 to an iron
2 pipe and cap designated U.S.A. Corner No.
3 M-6-1 on the northerly right-of-way line
4 of State Route 49/28; thence, leaving the
5 boundary of said Project, and with the
6 right-of-way of said road, severing the
7 lands of said Project.

8 North 80°59' West 171 feet to a point
9 at the intersection of the Northerly right-
10 of-way line of said State Route 49/28 with
11 the easterly right-of-way line of said State
12 Route 49/10; thence, leaving the right-of-
13 way of said State Route 49/28 and with
14 the right-of-way of said State Route 49/10.

15 North 03°21' West 42 feet to the
16 point of beginning, containing 0.27 acre,
17 more or less. The bearings and coordinate
18 used herein are referenced to the West Vir-
19 ginia State Plane Coordinate System,
20 South Zone.

21 (D) A certain parcel of land in the State
22 of West Virginia, Mingo County, Town of
23 Matewan, and being more particularly bounded
24 and described as follows:

1 Beginning at a point at the intersec-
2 tion of the easterly right-of-way line of
3 State Route 49/10 with the right-of-way
4 line of the floodwall, having an approxi-
5 mate coordinate value of N228,826
6 E1,661,679; thence, leaving the right-of-
7 way of said floodwall, and with the right-
8 of-way of said State Route 49/10.

9 North 03°21' West 23 feet to a point
10 at the intersection of the easterly right-of-
11 way line of said State Route 49/10 with
12 the southerly right-of-way line of State
13 Route 49/28; thence, leaving the right-of-
14 way of said State Route 49/10 and with
15 the right-of-way of said State Route 49/28.

16 South 80°59' East 168 feet.

17 North 82°28' East 45 feet to an iron
18 pin and cap designated as U.S.A. Corner
19 No. M-8-1 on the boundary of the West-
20 ern Area Structural Project; thence, leav-
21 ing the right-of-way of said State Route
22 49/28, and with said Project boundary.

23 South 08°28' East 88 feet to an iron
24 pin and cap designated as U.S.A. Corner
25 No. M-9-1 point on the northerly right-of-

1 way line of a street (known as McCoy
2 Alley); thence, leaving said Project bound-
3 ary and with the northerly right-of-way of
4 said street.

5 South 83°01′ West 38 feet to a point
6 on the right-of-way line of said floodwall;
7 thence, leaving the right-of-way of said
8 street, and with the right-of-way of said
9 floodwall.

10 North 57°49′ West 180 feet.

11 South 79°30′ West 34 feet to a point
12 of beginning, containing 0.24 acre, more or
13 less. The bearings and coordinate used
14 herein are referenced to the West Virginia
15 State Plane Coordinate System, South
16 Zone.

17 **SEC. 579. NAMINGS.**

18 (a) FRANCIS BLAND FLOODWAY DITCH, ARKAN-
19 SAS.—

20 (1) DESIGNATION.—8-Mile Creek in Paragould,
21 Arkansas, shall be known and designated as the
22 “Francis Bland Floodway Ditch”.

23 (2) LEGAL REFERENCE.—Any reference in a
24 law, map, regulation, document, paper, or other
25 record of the United States to the creek referred to

1 in paragraph (1) shall be deemed to be a reference
2 to the “Francis Bland Floodway Ditch”.

3 (b) LAWRENCE BLACKWELL MEMORIAL BRIDGE, AR-
4 KANSAS.—

5 (1) DESIGNATION.—The bridge over lock and
6 dam numbered 4 on the Arkansas River, Arkansas,
7 constructed as part of the project for navigation on
8 the Arkansas River and tributaries, shall be known
9 and designated as the “Lawrence Blackwell Memo-
10 rial Bridge”.

11 (2) LEGAL REFERENCE.—Any reference in a
12 law, map, regulation, document, paper, or other
13 record of the United States to the bridge referred to
14 in paragraph (1) shall be deemed to be a reference
15 to the “Lawrence Blackwell Memorial Bridge”.

16 **SEC. 580. FOLSOM DAM AND RESERVOIR ADDITIONAL**
17 **STORAGE AND WATER SUPPLY STUDIES.**

18 (a) FOLSOM FLOOD CONTROL STUDIES.—

19 (1) IN GENERAL.—The Secretary, in consulta-
20 tion with the State of California and local water re-
21 sources agencies, shall undertake a study of increas-
22 ing surcharge flood control storage at the Folsom
23 Dam and Reservoir by replacing the 8 spillway gates
24 and raising the dam and embankment by 6.5 feet or
25 the amount needed to achieve a 140-year level of

1 flood protection, whichever provides the greater level
2 of flood protection.

3 (2) DETERMINATION OF 140-YEAR LEVEL OF
4 FLOOD PROTECTION.—For the purposes of para-
5 graph (1), the 140-year level of flood protection shall
6 be determined in accordance with the hydrology ap-
7 proved by the Sacramento District of the United
8 States Army Corps of Engineers in its February 3,
9 1998, report entitled “American River, California,
10 Rain Flood Flow Frequency Analysis”.

11 (3) LIMITATIONS.—The modifications to the
12 Folsom Dam and Reservoir under this section may
13 not increase the conservation storage of the Folsom
14 Reservoir.

15 (4) REPORT.—Not later than April 15, 2001,
16 the Secretary shall transmit to Congress a report on
17 the results of the study under this subsection.

18 (b) FOLSOM WATER SUPPLY STUDIES.—

19 (1) IN GENERAL.—Following the completion of
20 the study under subsection (a), the Secretary of the
21 Interior, in consultation with the Secretary of the
22 Army, the State of California, local water resources
23 agencies, local elected officials and interested organi-
24 zations, shall undertake a study of the opportunities
25 to increase the available water supply storage at Fol-

1 som Dam and Reservoir resulting from any flood
2 control modifications to Folsom Dam recommended
3 under subsection (a).

4 (2) FOCUS OF STUDY.—The study shall focus
5 on opportunities to increase water supply storage
6 that can be accomplished while at the same time
7 protecting private property and recreational values
8 at Folsom Reservoir.

9 (c) IMPLEMENTATION.—Upon completion of the
10 study undertaken pursuant to subsection (a), the Sec-
11 retary shall proceed with the implementation of the max-
12 imum amount of surcharge flood control storage which
13 meets the criteria identified in subsection (a) if the Sec-
14 retary determines that the project—

15 (1) is technically feasible, environmentally ac-
16 ceptable, and economically justified and in accord-
17 ance with the economic and environmental principles
18 and guidelines for water and land resources; and

19 (2) includes measures which, to the maximum
20 extent practicable, mitigate any adverse impacts to
21 private property and recreation at Folsom Reservoir.

22 (d) ROAD RELOCATIONS.—

23 (1) PLANNING AND DESIGN.—Upon enactment
24 of this Act, the Secretary shall undertake detailed
25 planning and design of alternative transportation

1 improvements, including a bridge downstream of
2 Folsom Dam, that comply with current transpor-
3 tation design criteria to replace the Folsom Dam
4 Road, which is currently on top of the embankment
5 at Folsom Dam.

6 (2) CONSTRUCTION.—Subsequent to the Sec-
7 retary's determination to proceed with implementa-
8 tion of additional storage at Folsom Dam under sub-
9 section (a) and prior to construction of improve-
10 ments to Folsom Dam needed for such implementa-
11 tion, the Secretary, in consultation with the city of
12 Folsom and the Bureau of Reclamation, shall con-
13 struct the transportation improvements designed
14 under paragraph (1).

15 (3) COST SHARING.—The cost of planning, de-
16 sign, and construction of transportation improve-
17 ments under this subsection shall be treated as safe-
18 ty modifications and shall be subject to cost sharing
19 in accordance with section 1203 of the Water Re-
20 sources Development Act of 1986 (33 U.S.C. 467n).
21 All costs attributed to water and power users of the
22 Central Valley Project for such planning, design,
23 and construction shall be a Federal responsibility
24 and shall be nonreimbursable.

1 (4) SPECIAL RULE FOR COST-BENEFIT ANAL-
2 YSIS.—For purposes of evaluating the costs and ben-
3 efits of the transportation improvements authorized
4 by this subsection, the benefits of such improve-
5 ments shall be allocated to ensuring adequate safety
6 at Folsom Dam and shall be deemed to equal the
7 cost of such improvements.

8 **SEC. 581. WATER RESOURCES DEVELOPMENT.**

9 (a) PLACER COUNTY WATER AGENCY.—

10 (1) CONTRACT CLARIFICATION.—

11 (A) IN GENERAL.—The Secretary of the
12 Interior shall amend Contract No. 14–06–200–
13 5082A between the Bureau of Reclamation and
14 the Placer County Water Agency for the sole
15 purposes of—

16 (i) adding in accordance with Cali-
17 fornia State water law a point of diversion
18 on the Sacramento River for the diversion
19 of water pursuant to the contract;

20 (ii) modifying the contract to charge
21 the Placer County Water Agency only for
22 water actually delivered after December
23 31, 1997; and

24 (iii) reaffirming the obligation of the
25 Bureau of Reclamation to make available

1 to the Placer County Water Agency up to
2 117,000 acre-feet of water on the build-up
3 schedule set forth in such contract.

4 (B) DELIVERY OF WATER.—Upon amend-
5 ment of the contract under subparagraph (A),
6 the Secretary of the Interior shall deliver water
7 pursuant to the contract either from the Sac-
8 ramento River or from the American River with
9 the determination of which diversion or com-
10 bination of diversions to be utilized at any given
11 time or in any year to be made upon an oper-
12 ational determination based, first, on mini-
13 mizing any environmental harm associated with
14 the diversion of water under such contract and,
15 second, on reducing or moderating adverse ef-
16 fects on Central Valley Project contractors
17 below the Delta and shall, in addition, reduce to
18 insignificance the water supply impact, if any,
19 to water users in the Sacramento River water-
20 shed, including Central Valley Project contrac-
21 tors.

22 (C) LIMITATION.—The Secretary of the
23 Interior shall only deliver, pursuant to the con-
24 tract amended under subparagraph (A), in any
25 year, that amount of water actually needed by

1 Placer County Water Agency for use in its serv-
2 ice area after—

3 (i) considering all other sources of
4 water available to the Agency;

5 (ii) implementation of water conserva-
6 tion; and

7 (iii) to the extent feasible, implemen-
8 tation of programs to maximize conjunctive
9 use of surface and groundwater.

10 (D) COOPERATION.—The Secretary of the
11 Interior is further authorized to work coopera-
12 tively with other entities who operate water
13 storage facilities on the Sacramento and Amer-
14 ican Rivers and their tributaries to provide as
15 much of the water needed to be delivered under
16 the contract amended under subparagraph (A),
17 in any given year, through improved or modi-
18 fied voluntary operation and management of the
19 water storage facilities to assist in reducing,
20 moderating, or eliminating any adverse impacts
21 on water supply to other Central Valley Project
22 contractors.

23 (2) SACRAMENTO RIVER DIVERSION INFRA-
24 STRUCTURE.—

1 (A) DESIGN AND CONSTRUCTION.—The
2 Secretary of the Interior shall design and con-
3 struct facilities, including fish screens, for—

4 (i) the diversion and transportation of
5 up to 117,000 acre-feet of Central Valley
6 Project, California, water set forth in Con-
7 tract No. 14–06–200–5082A from a loca-
8 tion suitable to the Placer County Water
9 Agency on the Sacramento River between
10 the mouths of the Feather and the Amer-
11 ican Rivers to a point in western Placer
12 County, California, not less than one mile
13 east of the western boundary of Placer
14 County, at a continuous rate of not less
15 than 100 cubic feet per second;

16 (ii) the treatment of not less than 65
17 million gallons of water per day for domes-
18 tic use; and

19 (iii) the storage of not less than 20
20 million gallons of water.

21 (B) CONVEYANCE.—Upon completion of
22 construction of facilities under this paragraph,
23 ownership of the facilities shall be conveyed to
24 the Placer County Water Agency, together with
25 an easement over any related Federal property

1 that provides the Agency the right to access all
2 such facilities and appurtenances for the pur-
3 poses of operation, maintenance, repair, recon-
4 struction or replacement or enlargement, in per-
5 petuity.

6 (3) AMERICAN RIVER PUMP STATION.—

7 (A) DESIGN AND CONSTRUCTION.—The
8 Secretary of the Interior shall design, construct,
9 and expand existing facilities or install new fa-
10 cilities to provide for a permanent diversion in-
11 take, pumping station, electric facilities, electric
12 transmission lines, water conveyance facilities
13 access roads, and all ancillary facilities nec-
14 essary to allow the Placer County Water Agen-
15 cy to divert and pump a total flow of not less
16 than 200 cubic feet per second from the Amer-
17 ican River into that Agency's Auburn Ravine
18 Tunnel on a year-round basis.

19 (B) CONVEYANCE.—Upon completion of
20 construction of facilities under this paragraph,
21 ownership of the facilities shall be conveyed to
22 the Placer County Water Agency, together with
23 an easement over any related Federal property
24 that provides the Agency, the right to access all
25 of its pump station and tunnel facilities and ap-

1 purtenances for the purposes of operation,
2 maintenance, repair, reconstruction or replace-
3 ment enlargement and relocation, in perpetuity.

4 (4) MODIFICATIONS TO HELL HOLE DAM.—The
5 Secretary of the Interior shall design and construct
6 gates and other facilities at Hell Hole Dam and Res-
7 ervoir of the Placer County Water Agency in Placer
8 County, California, sufficient to enable the Agency
9 to operate this dam and reservoir to assist in the
10 provision of flood protection for the lands and inhab-
11 itants adjacent to the American River downstream
12 of Folsom Dam.

13 (5) COSTS.—The total costs of design and con-
14 struction under this subsection is \$133,000,000,
15 with an estimated Federal cost of \$86,450,000 and
16 an estimated non-Federal cost of \$46,550,000.

17 (b) EL DORADO IRRIGATION DISTRICT.—

18 (1) FOLSOM LAKE DIVERSION.—

19 (A) CONTRACT.—The Secretary of the In-
20 terior shall enter into a municipal and indus-
21 trial water supply contract with the El Dorado
22 Irrigation District, to provide not to exceed
23 35,000 acre-feet of water annually, for the pur-
24 pose of diverting water from Folsom Lake or

1 exchange water upstream on the American
2 River or its tributaries.

3 (B) COOPERATION.—The Secretary of the
4 Interior shall work cooperatively with the city of
5 Sacramento, the Sacramento Municipal Utility
6 District, and other entities who operate facili-
7 ties on the American River or elsewhere within
8 the Central Valley Project area to provide all or
9 part of the 35,000 acre-feet of water annually
10 under subparagraph (A) through improved or
11 modified voluntary operation and management
12 of existing water storage and conveyance facili-
13 ties on the American River or elsewhere within
14 the Central Valley Project area, or through par-
15 ticipation in feasible groundwater banking pro-
16 grams that may be available, in order to reduce
17 or moderate adverse impacts to other Central
18 Valley Project contractors.

19 (C) LIMITATION ON DELIVERY OF
20 WATER.—The Secretary of the Interior shall
21 only deliver water pursuant to the contract en-
22 tered into under this paragraph, in any year,
23 that amount of water actually needed by the El
24 Dorado Irrigation District and Georgetown Di-
25 vide Public Utility District in their respective

1 service area to be determined after considering
2 all other sources of water available to the dis-
3 tricts for this purpose, including the full utiliza-
4 tion of all other water entitlements and the im-
5 plementation of water conservation.

6 (D) ADDITIONAL AUTHORITY.—The
7 35,000 acre-feet of water to be provided under
8 the contract entered into under this paragraph
9 is in addition to the 15,000 acre-foot first phase
10 contracting authorized under section 206(b)(1)
11 of the Energy and Water Development Appro-
12 priations Act, 1991 (104 Stat. 2087–2088).
13 The 15,000 acre feet of water provided for in
14 such section may be consolidated into one con-
15 tract with the contract to provide 35,000 acre-
16 feet of water authorized under this paragraph.

17 (2) WARREN ACT CONTRACT.—Notwithstanding
18 the provisions of section 3404(a) of the Reclamation
19 Projects Authorization and Adjustment Act of 1992
20 (106 Stat. 4708), the Secretary of the Interior shall
21 enter into contracts under the Act of February 21,
22 1911, commonly known as the “Warren Act” (43
23 U.S.C. 523 et seq.; 36 Stat. 925), with the El Do-
24 rado Irrigation District or the El Dorado County
25 Water Agency for the storage and conveyance of

1 qualities of water that such districts, together or
2 independently, may obtain pursuant to permit or li-
3 cense from the State of California.

4 (3) IMPROVEMENTS TO FOLSOM LAKE DIVER-
5 SION INFRASTRUCTURE.—The Secretary of the Inte-
6 rior shall design and construct facilities needed to
7 retrofit the El Dorado County Irrigation District’s
8 current Folsom Lake diversion infrastructure in
9 order to provide for the diversion, treatment, pump-
10 ing and conveyance of not to exceed 50,000 acre-feet
11 of water annually as authorized by paragraph (1) of
12 this subsection and section 206(b)(1) of the Energy
13 and Water Development Appropriations Act, 1991
14 (104 Stat. 2087–2088).

15 (4) COSTS.—The total costs of design and con-
16 struction under paragraph (3) is \$21,561,500, with
17 an estimated Federal cost of \$14,014,975 and an es-
18 timated non-Federal cost of \$7,546,525.

19 (c) GEORGETOWN DIVIDE PUBLIC UTILITY DIS-
20 TRICT.—

21 (1) AMERICAN RIVER DIVERSION PROJECT.—
22 The Secretary of the Interior shall design and con-
23 struct facilities necessary to provide for the diver-
24 sion, transportation, treatment, and storage of not
25 less than 25 cubic feet per second and 7,500 acre-

1 feet annually from the American River for the
2 Georgetown Divide Public Utility District to obtain
3 benefit of the Energy and Water Development Ap-
4 propriations Act, 1991. Such facilities shall be pro-
5 vided through an expansion of the capacity of the
6 Placer County Water Agency American River Pump
7 Station facilities identified in subsection (a)(3) of
8 this section.

9 (2) LAND TRANSFER.—The Secretary of the In-
10 terior shall grant to the Georgetown Divide Public
11 Utility District real property rights sufficient to en-
12 able the Utility District to implement paragraph (1).

13 (3) COSTS.—The total costs of design and con-
14 struction under this subsection is \$10,000,000, with
15 an estimated Federal cost of \$6,500,000 and an es-
16 timated non-Federal cost of \$3,500,000.

17 (d) SAN JUAN WATER DISTRICT.—The Secretary of
18 the Interior shall provide, subject to advance appropria-
19 tions, \$1,950,000 to the San Juan Water District to fund
20 65 percent of the costs to study and identify alternatives
21 that would optimize conjunctive use opportunities within
22 Placer and Sacramento Counties, California, and to imple-
23 ment a pilot project necessary to analyze the technical and
24 administrative processes identified through such a study.

25 (e) FOLSOM RESERVOIR DIVERSIONS.—

1 (1) IMPROVEMENTS TO FOLSOM LAKE DIVER-
2 SION INFRASTRUCTURE.—The Secretary of the Inte-
3 rior shall design and construct improvements to fa-
4 cilities at Folsom Dam needed to divert, pump, and
5 transport additional water from Folsom Reservoir to
6 the city of Roseville, the San Juan Water District,
7 the city of Folsom, and the Placer County Water
8 Agency, including expansion of the Industrial Pump
9 Station.

10 (2) COSTS.—The total costs of design and con-
11 struction under this subsection is \$5,000,000, with
12 an estimated Federal cost of \$3,250,000 and an es-
13 timated non-Federal cost of \$1,750,000.

14 (f) SAN JOAQUIN COUNTY.—

15 (1) WET YEAR WATER DIVERSIONS.—

16 (A) IN GENERAL.—The Secretary of the
17 Interior shall contract with San Joaquin Coun-
18 ty, California, or any water agency or agencies
19 within San Joaquin County, for diversion of
20 water at the American River Nimbus diversion
21 facility and the wheeling of water through the
22 Folsom-South Canal for the purpose of assist-
23 ing in the development of recharge projects
24 within the East San Joaquin County Recharge
25 Project; except that the quantity of water di-

1 verted and conveyed by and through these fa-
2 cilities shall—

3 (i) be granted through a water rights
4 permit or license issued by the State of
5 California Water Resources Control Board;

6 (ii) be not greater than 500 cubic feet
7 per second;

8 (iii) be utilized solely as part of a con-
9 junctive use program to assist in alle-
10 viating groundwater overdraft in the east-
11 ern San Joaquin County groundwater
12 basin in which water is only diverted to un-
13 derground storage in years of water sur-
14 plus; and

15 (iv) be restricted to water that is—

16 (I) determined by the Secretary
17 of the Interior to be nonstorable or
18 necessary to be released for flood con-
19 trol; and

20 (II) determined by the State of
21 California Water Resources Control
22 Board to be in excess of the rights
23 and needs of other legal users of
24 water from the American River, in-

1 including Central Valley Project and
2 State Water Project contractors.

3 (B) LIMITATIONS.—The conveyance of
4 water through the facilities referred to in sub-
5 paragraph (A) shall not reduce the quantity of
6 water otherwise available to the Central Valley
7 Project and State Water Project. Water di-
8 verted by and through such facilities shall not
9 result in any adverse affect on obligations of
10 the Secretary of the Interior to meet instream
11 flows and water quality requirements on the
12 lower American River or the Delta. No water
13 subject to this provision shall be utilized to the
14 benefit of areas, agencies, or facilities outside of
15 San Joaquin or Sacramento Counties, Cali-
16 fornia.

17 (2) AUTHORIZATION OF PROJECT LOAN.—

18 (A) IN GENERAL.—In consultation with
19 local officials, the Secretary of the Interior shall
20 make available a 40-year Federal loan with no
21 interest in the amount of \$100,000,000 to the
22 appropriate agency or agencies within San Joa-
23 quin County, California, for purposes of car-
24 rying out all work required to complete the

1 project known as the East San Joaquin County
2 Recharge Project.

3 (B) LIMITATION.—No money authorized to
4 be appropriated to carry out this paragraph
5 shall be made available until such time as San
6 Joaquin County, California, shall have perfected
7 water rights permits or licenses from the Cali-
8 fornia State Water Resources Control Board
9 sufficient to carry out the purposes of the East
10 San Joaquin County Recharge Project.

11 (g) SOUTH SACRAMENTO COUNTY.—The Secretary
12 of the Interior shall make available 35,000 acre feet of
13 water for diversion from the American River through the
14 Folsom South Canal for South Sacramento County agri-
15 culture and water users (including the Clay Water Dis-
16 trict, Galt Irrigation District, and Omochumne-Hartnell
17 Water District). Such diversion shall occur in years when
18 the March through November unimpaired flow into Fol-
19 som Reservoir is greater than 1,600,000 acre feet as speci-
20 fied in the document entitled “Water Forum Action Plan”,
21 dated January 1999.

22 (h) WATER RESOURCE GRANTS.—

23 (1) MITIGATION FOR DIVERSIONS.—The Sec-
24 retary of the Interior shall provide, through grants
25 or other cooperative agreements to one or more of

1 the Placer County Water Agency, El Dorado Irriga-
2 tion District, El Dorado County Water Agency,
3 Georgetown Divide Public Utility District, city of
4 Roseville, city of Folsom, San Juan Water District
5 and its wholesale suppliers, the County of Sac-
6 ramento, and other agencies located north of the
7 confluence of the American and Sacramento Rivers
8 that divert or use water from the Sacramento River
9 and its tributaries, funds for the purpose of imple-
10 menting projects on the American River and tribu-
11 taries (or, where appropriate, on other rivers that
12 are or can be operationally integrated with the
13 American River) which will provide water supply
14 benefits to municipal jurisdictions and operational
15 and management flexibility within these areas of ori-
16 gin in a manner that reduces, moderates, or elimi-
17 nates the adverse impacts of diversions provided for
18 in or facilitated by this section on the Central Valley
19 Project.

20 (2) AUTHORIZATION OF APPROPRIATIONS.—

21 There is authorized to be appropriated to carry out
22 this subsection \$30,000,000.

23 (i) IMPLEMENTATION REQUIREMENTS.—

24 (1) COST EFFECTIVENESS FINDING.—The Sec-
25 retary of the Interior shall carry out an activity

1 under this section only if the Secretary of the Inte-
2 rior determines that the activity is cost effective.

3 (2) ENVIRONMENTAL COMPLIANCE.—Before
4 implementation of any activity under this section,
5 the Secretary of the Interior shall comply with the
6 provisions of the National Environmental Policy Act
7 of 1969, if applicable, with respect to such activity
8 by preparing a joint environmental impact statement
9 and environmental impact report under the Cali-
10 fornia Environmental Quality Act. The baseline for
11 evaluating both direct and cumulative impacts of
12 such activity shall consider the area of origin prior-
13 ities granted to interests within Placer, El Dorado,
14 and Sacramento Counties, California.

15 (3) USE OF FUNDS.—The Secretary of the In-
16 terior may use funds appropriated to carry out this
17 section for the implementation of this subsection.

18 (j) GRANTS AND REIMBURSEMENTS.—

19 (1) GRANTS.—The Federal share of the costs of
20 any activity under this section may be provided in
21 the form of grants to the non-Federal interest or di-
22 rect reimbursements to the non-Federal interest of
23 such costs.

24 (2) ADVANCE CONSTRUCTION REIMBURSE-
25 MENT.—Subject to the availability of appropriations,

1 the Secretary of the Interior may reimburse any
2 non-Federal interest an amount equal to the esti-
3 mate of the Federal share, without interest, of the
4 cost of any work (including work associated with
5 studies, planning, design, and construction) carried
6 out by a non-Federal interest otherwise made eligi-
7 ble for non-Federal assistance under this section.
8 Reimbursements for construction work by a non-
9 Federal interest on an eligible project in this section
10 may be made only—

11 (A) if, before initiation of construction of
12 the project, the Secretary of the Interior ap-
13 proves the plans for construction of such
14 project by the non-Federal interest;

15 (B) if, after a review of studies and design
16 documents prepared pursuant to this section,
17 the Secretary of the Interior finds that con-
18 struction of the project meets the requirements
19 in subsection (i); and

20 (C) if the Secretary of the Interior deter-
21 mines that the work for which reimbursement is
22 requested has been performed in accordance
23 with applicable permits and approved plans.

24 (k) NONREIMBURSEMENT OF FEDERAL COSTS.—
25 Notwithstanding any provision of Federal reclamation

1 laws (including the Act of June 17, 1902 (32 Stat. 388),
2 and all Acts amendatory thereof or supplemental thereto),
3 the Federal share of funds authorized and appropriated
4 to implement this section shall be considered a non-
5 reimbursable Federal expenditure.

6 (I) OTHER WATER SUPPLY STUDIES.—

7 (1) INCREASED WATER SUPPLY THROUGH AL-
8 TERATION OF RESERVOIR OPERATION.—

9 (A) IN GENERAL.—The Secretary of the
10 Interior shall contract with the State of Cali-
11 fornia to undertake a study to determine oppor-
12 tunities to increase the available water supply
13 by altering the operation of the reservoirs and
14 related facilities located on rivers that drain
15 into the Sacramento and San Joaquin Valleys
16 owned by the Federal Government, the State of
17 California, local governments, and private par-
18 ties.

19 (B) PROTECTION OF PROPERTY RIGHTS.—
20 The study shall be based on the protection of
21 existing property rights, recreational values, en-
22 vironmental values, and operational and con-
23 tractual constraints and obligations.

1 (C) ASSUMPTION.—The study shall as-
2 sume only voluntary reoperation of the facili-
3 ties.

4 (D) LIMITATION.—The completion of the
5 study shall not be a basis to delay or impact the
6 operation, relicensing, or transfer of ownership
7 of any reservoir, water project, or hydroelectric
8 facility.

9 (E) FUNDING.—There is authorized to be
10 appropriated to carry out this paragraph
11 \$3,000,000.

12 (2) INCREASED WATER SUPPLY STORAGE AT
13 RESERVOIRS DRAINING INTO CALIFORNIA CENTRAL
14 VALLEY.—

15 (A) IN GENERAL.—The Secretary of the
16 Interior shall undertake a study of the opportu-
17 nities to increase available water supply storage
18 at the Sites/Colusa Reservoir Project area, Cot-
19 tonwood Creek Reservoir Complex area, Yuba
20 River Dam area, and other potential reservoir
21 sites that drain into the California Central Val-
22 ley.

23 (B) PROTECTION OF PROPERTY RIGHTS.—
24 The study shall be based on the protection of
25 existing property rights and recreational values.

1 (C) COOPERATION.—The study shall be
2 completed in cooperation with other related
3 studies.

4 (D) FUNDING.—There is authorized to be
5 appropriated to carry out this paragraph
6 \$3,000,000.

7 (m) AMERICAN RIVER CONTRACT ADMINISTRA-
8 TION.—

9 (1) IN GENERAL.—In order to reduce or mod-
10 erate adverse impacts to other Central Valley
11 Project contractors resulting from new contracts
12 with a point of delivery on the American River, the
13 Secretary of the Interior shall administer Central
14 Valley Project water contracts on the American
15 River, at any given time or in any year, in coopera-
16 tion with the city of Sacramento, the Sacramento
17 Municipal Utility District, or other entities that op-
18 erate facilities on the American River or elsewhere
19 in the Central Valley Project area to provide Amer-
20 ican River water deliveries through improved or
21 modified voluntary operation and management of ex-
22 isting water storage and conveyance facilities, in-
23 cluding water transfers, on the American River or
24 elsewhere in the Central Valley Project area, or

1 through participation in feasible groundwater bank-
2 ing programs that may be available.

3 (2) LIMITATION ON DELIVERY OF WATER.—The
4 Secretary of the Interior shall only deliver water
5 pursuant to any contracts with a point of delivery on
6 the American River, in any year, that the Central
7 Valley Project water is actually needed by American
8 River Central Valley Project contractors in the re-
9 spective service areas of such contractors after con-
10 sidering all other sources of water available to such
11 contractors, including the full utilization of all other
12 water entitlements and the implementation of water
13 conservation by any such contractor, and only in the
14 amount actually needed.

15 **SEC. 582. ALLOCATION OF APPROPRIATIONS**

16 (a) EIS AND PLANNING STAGE.—Except as provided
17 in subsection (e), funds appropriated to carry out sections
18 580 and 581 of this Act for each of fiscal years 2000,
19 2001, 2002, and 2003 shall be allocated according to the
20 ratio of 60 percent for section 580 and 40 percent for sec-
21 tion 581.

22 (b) INTENSE FLOOD CONTROL CONSTRUCTION
23 PHASE.—Except as provided in subsection (e), funds ap-
24 propriated to carry out sections 580 and 581 of this Act
25 for each of fiscal years 2004, 2005, and 2006 shall be

1 allocated according to the ratio of 90 percent for section
2 580 and 10 percent for section 581.

3 (c) FLOOD CONTROL/WATER SUPPLY TRANSITIONAL
4 PHASE.—Except as provided in subsection (e), funds ap-
5 propriated to carry out sections 580 and 581 of this Act
6 for each of fiscal years 2007, 2008, 2009, and 2010 shall
7 be allocated according to the ratio of 75 percent for sec-
8 tion 580 and 25 percent for section 581.

9 (d) PROJECT COMPLETION PHASE.—For each fiscal
10 year following fiscal year 2010, funds appropriated to
11 carry out sections 580 and 581 of this Act shall be allo-
12 cated according to a ratio of 25 percent for section 580
13 and 75 percent for section 581. In the event that design
14 and construction activities under section 580 or 581 have
15 been completed, all funds appropriated to carry out such
16 sections shall be allocated to the remaining design and
17 construction activities authorized under such section.

18 (e) LIMITATION.—The allocation of appropriations
19 required under subsections (a) through (d) shall not take
20 effect for any fiscal year during which funds appropriated
21 to carry out section 580 or 581 may not be obligated due
22 to the failure to successfully complete any required feasi-
23 bility studies or environmental reviews or the refusal or
24 inability of a non-Federal interest to enter into a binding

1 local agreement to carry out the items of local cooperation
2 required pursuant to such section.

3 **SEC. 583. WALLOPS ISLAND, VIRGINIA.**

4 (a) EMERGENCY ACTION.—The Secretary shall take
5 emergency action to protect Wallops Island, Virginia, from
6 damaging coastal storms, by improving and extending the
7 existing seawall, replenishing and renourishing the beach,
8 and constructing protective dunes.

9 (b) REIMBURSEMENT.—The Secretary shall seek re-
10 imbursement from other Federal agencies whose resources
11 are protected by the emergency action taken under sub-
12 section (a).

13 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out this section
15 \$8,000,000.

○