HOUSE OF REPRESENTATIVES—*Thursday, October 19, 2000*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. OSE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 19, 2000.

I hereby appoint the Honorable DOUG OSE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord, students do not like testing; the sick dread examination; all of us try to avoid chastisement and criticism. Lord, be our strength in times of trial.

You teach us, Lord, to look upon all suffering with the eyes of faith. Isaiah's suffering servant speaks to the Jew. Jesus' cross interprets life for the Christian. All religions hold up champions who persevere in the name of wisdom, love, or justice.

Be with the Members of the House of Representatives as they strive to bring finality to their work as the 106th Congress. Prepare them as the people of this Nation move closer to the day of election. May all of us, as believing people, seek first and foremost Your judgment and Your judgment alone. For You live and reign now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. MCNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. MCNULTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 4132. An act to reauthorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984.

H. Con. Res. 404. Concurrent resolution calling for the immediate release of Mr. Edmond Pope from prison in the Russian Federation for humanitarian reasons, and for other purposes.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1550. An act to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes.

The message also announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1639. An act to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002.

S. Con. Res. 146. Concurrent resolution condemning the assassination of Father John Kaiser and others in Kenya, and calling for a thorough investigation to be conducted in those cases, a report on the progress made in such an investigation to be submitted to Congress by December 15, 2000, and a final report on such an investigation to be made public, and for other purposes.

WATER RESOURCES DEVELOPMENT ACT OF 2000

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 639 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 639

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes. The bill shall be considered as read for amendment. The amendment in the nature of a substitute printed in the Congressional Record and numbered 2 pursuant to clause 8 of rule XVIII shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit with or without instructions.

SEC. 2. If the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment to S. 2796 and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Texas (Mr. FROST) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

H. Res. 639 provides for consideration of S. 2796, better known as the Water Resources Development Act of 2000. This closed rule waives all points of order against consideration of the bill. It provides for 1 hour of debate equally divided and controlled by the chairman and ranking member of the Committee on Transportation.

Further, the rule provides that the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 2 shall be considered as adopted. The rule provides for one motion to recommit with or without instructions.

Finally, the rule provides that, should the Senate bill, as amended, pass the House, it then shall be in order to move that the House insist on its amendment to S. 2796 and request a conference with the Senate.

I believe it is a very fair rule under the circumstances.

Mr. Speaker, as we know, the clock on the 106th Congress is running out, and we do need to move quickly. In view of the strong bipartisan support this bill enjoys and the constraints associated with the calendar, I believe this is a very sensible way to proceed today and, as I have said, extremely fair under the circumstances. I definitely encourage my colleagues to support this rule so we can get on with this very important legislation.

The WRDA bill is a critically important piece of environmental legislation. Of particular note is that this year's WRDA bill contains an initial authorization for a plan to restore the Florida Everglades, unquestionably a

unique national treasure of which we are very proud. The Everglades Restoration Project represents the largest, most comprehensive environmental restoration ever attempted.

Florida Governor Jeb Bush recently termed the Everglades restoration effort ''perhaps the defining environmental issue of this new century.'' Governor Bush is absolutely correct.

It should be noted that the State of Florida has already set aside funds from its budget to meet its entire cost share of the restoration effort for the next 10 years, an unprecedented step and an unmistakable display of commitment. I am proud of the State of Florida for taking that step.

The Everglades has always been a nonpartisan effort. Every Member of the Florida delegation has been united in support of this treasure. Our delegation has been especially well led on the Everglades issue by the gentleman from Florida (Mr. SHAW), the chairman of the Florida delegation and the extremely capable man who has kept us in an effective fighting team from Florida to bring attention to this.

The Clinton administration has also done quite an excellent job here and deserves praise. I said this was a bipartisan effort. Even so, I must say now that I have been somewhat disturbed at recent efforts to drag the Everglades into presidential politics. It does not belong there. I hope Vice President GORE will reverse course and recognize what all of us do, that the Everglades is far too important to be manipulated for short-term political gain.

Mr. Speaker, earlier this year, after months of negotiations, the Senate crafted an initial authorization plan embodied in their version of the WRDA bill. The Senate's plan was widely supported by all stakeholders involved, quite a feat.

When the House began its work on its version of the WRDA bill, we were cautioned not to tamper with the delicate balance of the Senate Everglades proposal. While in the end, the Senate Transportation Committee did make a number of changes to the Senate bill, changes everyone enthusiastically supports and acknowledges improve on the Senate product. So I am extremely grateful for the hard work and the very responsible stewardship of the Everglades authorization by the gentleman from Pennsylvania (Chairman SHUSTER) and his Committee on Transportation and Infrastructure.

Mr. Speaker, the challenge we have always faced is to put together a restoration plan that will get it right, undoing years of neglect and misunderstanding that have brought the Florida Everglades to the brink of disaster. In my view, the Everglades provisions in the WRDA bill will do just that, putting us now on solid footing for the next 10 years.

The Everglades is a national treasure, and the House action today to implement a comprehensive plan to restore it is, indeed, historic, as Governor Bush has said.

I hope all of my colleagues will support the water resources bill and the restoration of the Everglades. Furthermore, I strongly urge support of this rule so we can get on with this important debate.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule expedites moving the Senate bill S. 2796 to conference and thus one step closer to being passed by the Congress and sent to the President before the adjournment of the 106th Congress. While this is a closed rule, it is supported by the majority of the Democratic Members of the Committee on Transportation and Infrastructure; and for that reason, I will support it.

The rule provides that the text of an amendment in the nature of a substitute to S. 2796, which was developed by the chairman and ranking member of the Committee on Transportation and Infrastructure, shall be considered as adopted. The substitute contains authorizations for important water resources projects. It provides Army Corps of Engineers policy and procedure reforms and the first increment of the important comprehensive restoration of the Everglades plan, which I know is of special importance to the gentleman from Florida (Mr. GOSS).

The rule also provides for 1 hour of general debate and for one motion to recommit with or without instructions.

I should note, Mr. Speaker, this rule is not without controversy. The Committee on Rules did not make in order several amendments offered by other Members, including two offered by the gentleman from South Carolina (Mr. SANFORD) and one by the gentleman from Wisconsin (Mr. KIND) and one by the gentleman from Oregon (Mr. BLUMENAUER). While all of these amendments may be worthy of consideration, I believe, given the late hour of this Congress, these issues might best be left to the next Congress so as to expedite the consideration of the important projects contained in the substitute.

Mr. Speaker, I urge support for the rule and the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Florida (Mr. FOLEY), who has participated in every way in this arrangement for a number of years and is, indeed, one of the leaders and champions of the Everglades.

Mr. FOLEY. Mr. Speaker, I appreciate certainly the leadership of the gentleman from Florida (Mr. GOSS), serving our west coast and working so consistently on protecting our great natural treasure and national treasure, the Everglades.

Mr. Speaker, I rise today in strong support of this bipartisan legislation and urge all of my colleagues to support it. The Everglades, as I just said, is a national treasure of benefit to the entire country, and I applaud the leadership for scheduling this important bill for consideration.

The legislation before us today represents a historic partnership reached between all stakeholders in this debate. Agricultural interests, the administration, utilities, environmentalists, the State of Florida, our Native American Indian tribes came together in an unprecedented show of cooperation to work out the agreement before us today. It truly represents a balanced approach reached with equal input from all these stakeholders in the public and one that we can all support.

The Everglades ecosystem has been in steady decline over the past 50 years. In fact, back in the 1930s people ran for public office saying, if you elect me governor, we will drain that swamp and make room for development. How wrong they were, and how right we are to start anew to correct the problems.

The population in south Florida has grown rapidly, and with the growth come problems of water supply, flood control, and species and habitat protection. This agreement will allow the Army Corps to help provide for water needs of this population while protecting and preserving the needs of the ecosystem.

Congress must pass this legislation this year. The Senate has acted. It is now our turn in the House to send this bill speedily to the President for signature.

The Water Resource Development Acts of 1992 and 1996 gave the Army Corps of Engineers the authority to review the problems within the Everglades and to recommend solutions from which evolve the Comprehensive Everglades Restoration Plan, or CERP. Those recommendations form the basis for this legislation and will incorporate a number of restoration projects already under way.

The legislation before us today calls for a series of water system improvements over 30 years, the cost of which will be shared equally between the Federal Government and the State of Florida.

We have today a great opportunity to save a national treasure, protect the environment, and ensure water quality and safety for the residents of Florida. I urge my colleagues to join together in this historic opportunity and thank the gentleman from Florida (Mr. SHAW), thank former Governor Chiles, Governor Jeb Bush, Senator CONNIE MACK, Senator BOB GRAHAM, and all the Members of the Florida delegation who have put aside partisanship at this

rare and unique opportunity to join together to commit the Federal Government in a partnership with the State government in restoring the Everglades to the pristine wilderness and wonderment that it is and hope at the end of the week that we will all, again, join together at the White House for signature of this very, very important environmental restoration effort.

Again, I want to single out the gentleman from Florida (Mr. SHAW), as was mentioned by the gentleman from Florida (Mr. GOSS). He, as chairman from the delegation, has remained persistent, vigilant to see that this is accomplished.

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Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's yielding me this time. While I am prepared to support the rule and the underlying bill, I am disappointed that our proposed amendments were not ruled in order. While more progress is possible on this bill, at this late date in this session it may well be unrealistic, and there is, in fact, much to celebrate.

The inclusion in the legislation of almost $8 billion to save the Florida Everglades is symbolic of our changing attitudes towards water resource management. It is also important to remember that we are simply paying to undo our own bad decisions. This Congress told the Corps of Engineers to drain the swamp in 1948, and drain it they did, all too well, without comprehensive planning and environmental assessment of its impact. We must do what we can to make sure that we do not repeat those mistakes of the past.

Akin to the Everglades, the Columbia Slough, in my district, was cut off from the Columbia River by a Corps project decades ago and today it is stagnant and heavily polluted. This legislation directs the Corps to work with the City of Portland to fix the problems associated with the old Corps project. I am pleased that the bill incorporates my proposal for $40 million in funding to protect and restore the lower Columbia River and Tillamook estuaries, critical nurseries for endangered salmon.

While there are some reform measures included in the bill, I would hope that we can continue going further. I have enjoyed working with the gentleman from Wisconsin (Mr. KIND) on legislation which would increase the Corps' transparency and accountability that would guaranty more citizen participation and lead to a better balance between economic and environmental considerations. This is an effort that I will continue to pursue.

One particular area of Corps reform that I think we in this body need to look at very carefully is the contentious beach nourishment program. In too many cases, the program is washing taxpayer dollars out to sea while actually hurting the environment. One simple change that we tried to make in order would require communities with beaches to at least pay full costs for any prospective Corps beach nourishment project if there is no public access.

But the major reform of the Corps of Engineers is to be found on the floor of this Congress. We need to be more careful of what we authorize, what we require, and how all the complex pieces of our waterways fit together. This bill can help start the process. I support the rule and the underlying bill.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SHAW), the chairman of the Florida delegation; and I would simply say that the gentleman from Florida (Mr. SHAW) has a very long history of careful and persistent work in dealing with all parties interested in the Everglades, both as a Florida resident, at the local government level, as a businessman and interested citizen, in every way, shape, and form. For people who care about the Everglades, it would be useful for them to give thanks to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me this time and for his kind remarks.

Mr. Speaker, this is an extraordinary time, and I think this is an extraordinary moment. We are in now what is sometimes called the ''goofy season,'' the period of time when I think partisan politics reaches its peak, and sometimes in not very constructive ways. But today is an extraordinary day. And today we have bipartisan and true leadership on display here in the House regarding this bill that we are able to consider, a Water Resources Development Act containing historic provisions to restore America's Everglades, which has always been referred to as Florida's Everglades, but it is America's Everglades. We all recognize the importance of this legacy, not only on the lands and water but for the people who live in Florida and visit this national treasure, and we want to make sure that it is there for all future generations.

How we got to this point is what is so remarkable, and it is the reason that we are bringing up a closed rule for debate as time grows short in the waning days of this 106th Congress. Normally, the minority party abhors closed rules. I know that, because I did in the 14 years that I served in the Republican minority. But today we have a bipartisan agreement on a bill and a process that helps us streamline the consideration of this important landmark legislation.

Another passion of mine, besides the number of the intricacies of tax and budget policy, has been the environment. In fact, I served on the Committee on Public Works earlier in my House career. I have authored several bills on the environment, but none makes me more proud to have my name on it than the comprehensive Everglades restoration bill. And working with my colleagues in the Florida delegation, such as the gentleman from Florida (Mr. GOSS) and I see the gentlewoman from Florida (Mrs. MEEK) on the other side of the aisle, who has been a great crusader for the Everglades, we have seen all of the Florida delegation gather together in support of this landmark legislation.

But our work is not over. We have little time left, but we have much left to do. The tremendous effort that got us to this point of near unanimous consensus is threatened by the clock. We must pass water resources development legislation containing Everglades restoration today. We need time to work out project differences with the Senate, not only on the Everglades portion but on other portions of this bill.

In that regard, Mr. Speaker, I would like to compliment both of Florida's Senators, Senator BOB GRAHAM and Senator CONNIE MACK, as well as Senator BOB SMITH, the chairman of the committee, for the wonderful work that they have done in bringing this together; and I might also say the administration, which was extraordinarily cooperative with all in structuring this bill.

Organizations, from the environmental community, agricultural, business, Native American tribes, both the Miccosukee and the Seminoles, recreational users, the State, local and Federal governments, all have had a hand in crafting the Everglades legislation. And the delicate balance achieved in the other Chamber has been enhanced by the work done here in this House. I must compliment the gentleman from Minnesota (Mr. OBERSTAR) and our chairman, the gentleman from Pennsylvania (Mr. SHUSTER), for seeing that this comes through and that this is done. As we know, there were some differences early on; but they worked to get them straightened out and that has brought us to where we are today.

This bill is the product of constant and consistent hours of negotiation between the interested parties to reach a consensus on the key points of this legislation. I am honored that those serving in the other Chamber allowed me this rare opportunity to be a part of the crafting of their bill prior to my introducing the companion bill in this House, H.R. 5121. This helped us save precious time in arriving at a compatible bill in the House and the Senate, and avoiding major divisions in the few remaining days of this session. Now the House must put this legislation to a vote so that we can resolve the remaining differences in the other parts of the WRDA bill that the Senate has already passed.

I also want to recognize the tremendous efforts of our previous governor, Governor Childs, and of course our existing governor, Jeb Bush, who has been so active in bringing this about. I was with him in Fort Lauderdale yesterday, and that is all he wanted to talk about was the status of this bill and where we are going.

So we are seeing a rare moment in the closing days of this Congress; both great political parties coming together and doing the right thing. I urge passage of this resolution and passage of the bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I rise in support of this bill, but I think that it is important for people to understand what is going on here.

The leadership in the Republican Party has got us in a slow dance here. The gentleman from Texas (Mr. DELAY) has gone out and said that he does not intend to negotiate with the President of the United States about education or anything else. So today, a little later, we will work on a continuing resolution. This continuing resolution takes us until next Wednesday. That is 13 days before the election. Now, we slowly waltz out of here with Everglades in our arms and everybody goes home tonight sometime and goes to campaigning. And we will show up next Wednesday, and we will have another continuing resolution for another week so that we are here 6 days before the election.

Because the leadership of the Republican Party does not want to negotiate with the President, these bills are going to be vetoed. We are never going to see the Health and Human Services budget out here because it has education at the center of it and the Republican Party does not want to do anything about education. They do not want to deal with the President because they know his proposal is right, and so we are softly being slow danced out of here.

Now, some people may like that. They may think that they can go home and, if they have got the Everglades in their arms they can get reelected. They can say, well, I did this. But if we do not deal with issues like the balanced budget amendments give-backs, that issue is still there. Our hospitals are out there waiting to figure out what is going to happen.

The President has said the bill that is on the table is going to be vetoed because it is wrong and it is bad public policy. But the Republican leadership does not care. If they did, they would bring it out here, get the veto, then sit down and start negotiating. But they do not want to do that. They want it as a campaign issue. The same is true with education. They want to wait and sort of slow dance education out of here and then say that they would have given us all this for education, but the President would not do it.

So I would say that people today ought to vote ''no'' on the continuing resolution.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume just to relieve any confusion there might be. This is actually the rule on the WRDA bill. There will be an opportunity to talk about the continuing resolution later. It is the normal routine business in the House. And we will be doing 1-minutes later in the day for matters of appropriate discussion under 1-minutes as well.

Mr. FROST. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SHUSTER. Mr. Speaker, pursuant to the rule, I call up the Senate bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, and ask for its unanimous consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to House Resolution 639, the Senate bill is considered as having been read for amendment.

The text of S. 2796 is as follows:

S. 2796

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.
Sec. 102. Small shore protection projects.
Sec. 103. Small navigation projects.
Sec. 104. Removal of snags and clearing and straightening of channels in navigable waters.
Sec. 105. Small bank stabilization projects.
Sec. 106. Small flood control projects.
Sec. 107. Small projects for improvement of the quality of the environment.
Sec. 108. Beneficial uses of dredged material.
Sec. 109. Small aquatic ecosystem restoration projects.
Sec. 110. Flood mitigation and riverine restoration.
Sec. 111. Disposal of dredged material on beaches.

TITLE II—GENERAL PROVISIONS

Sec. 201. Cooperation agreements with counties.
Sec. 202. Watershed and river basin assessments.
Sec. 203. Tribal partnership program.
Sec. 204. Ability to pay.
Sec. 205. Property protection program.
Sec. 206. National Recreation Reservation Service.
Sec. 207. Operation and maintenance of hydroelectric facilities.
Sec. 208. Interagency and international support.
Sec. 209. Reburial and conveyance authority.
Sec. 210. Approval of construction of dams and dikes.
Sec. 211. Project deauthorization authority.
Sec. 212. Floodplain management requirements.
Sec. 213. Environmental dredging.
Sec. 214. Regulatory analysis and management systems data.
Sec. 215. Performance of specialized or technical services.
Sec. 216. Hydroelectric power project funding.
Sec. 217. Assistance programs.
Sec. 218. Funding to process permits.
Sec. 219. Program to market dredged material.
Sec. 220. National Academy of Sciences studies.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Tennessee-Tombigbee Waterway Wildlife Mitigation Project, Alabama and Mississippi.
Sec. 302. Boydsville, Arkansas.
Sec. 303. White River Basin, Arkansas and Missouri.
Sec. 304. Petaluma, California.
Sec. 305. Gasparilla and Estero Islands, Florida.
Sec. 306. Illinois River basin restoration, Illinois.
Sec. 307. Upper Des Plaines River and tributaries, Illinois.
Sec. 308. Atchafalaya Basin, Louisiana.
Sec. 309. Red River Waterway, Louisiana.
Sec. 310. Narraguagus River, Milbridge, Maine.
Sec. 311. William Jennings Randolph Lake, Maryland.
Sec. 312. Breckenridge, Minnesota.
Sec. 313. Missouri River Valley, Missouri.
Sec. 314. New Madrid County, Missouri.
Sec. 315. Pemiscot County Harbor, Missouri.
Sec. 316. Pike County, Missouri.
Sec. 317. Fort Peck fish hatchery, Montana.
Sec. 318. Sagamore Creek, New Hampshire.
Sec. 319. Passaic River Basin flood management, New Jersey.
Sec. 320. Rockaway Inlet to Norton Point, New York.
Sec. 321. John Day Pool, Oregon and Washington.
Sec. 322. Fox Point hurricane barrier, Providence, Rhode Island.
Sec. 323. Charleston Harbor, South Carolina.
Sec. 324. Savannah River, South Carolina.
Sec. 325. Houston-Galveston Navigation Channels, Texas.
Sec. 326. Joe Pool Lake, Trinity River basin, Texas.
Sec. 327. Lake Champlain watershed, Vermont and New York.
Sec. 328. Mount St. Helens, Washington.
Sec. 329. Puget Sound and adjacent waters restoration, Washington.
Sec. 330. Fox River System, Wisconsin.
Sec. 331. Chesapeake Bay oyster restoration.
Sec. 332. Great Lakes dredging levels adjustment.
Sec. 333. Great Lakes fishery and ecosystem restoration.

Sec. 334. Great Lakes remedial action plans and sediment remediation.
Sec. 335. Great Lakes tributary model.
Sec. 336. Treatment of dredged material from Long Island Sound.
Sec. 337. New England water resources and ecosystem restoration.
Sec. 338. Project deauthorizations.
Sec. 339. Bogue Banks, Carteret County, North Carolina.

TITLE IV—STUDIES

Sec. 401. Baldwin County, Alabama.
Sec. 402. Bono, Arkansas.
Sec. 403. Cache Creek Basin, California.
Sec. 404. Estudillo Canal watershed, California.
Sec. 405. Laguna Creek watershed, California.
Sec. 406. Oceanside, California.
Sec. 407. San Jacinto watershed, California.
Sec. 408. Choctawhatchee River, Florida.
Sec. 409. Egmont Key, Florida.
Sec. 410. Fernandina Harbor, Florida.
Sec. 411. Upper Ocklawaha River and Apopka/Palatlakaha River basins, Florida.
Sec. 412. Boise River, Idaho.
Sec. 413. Wood River, Idaho.
Sec. 414. Chicago, Illinois.
Sec. 415. Boeuf and Black, Louisiana.
Sec. 416. Port of Iberia, Louisiana.
Sec. 417. South Louisiana.
Sec. 418. St. John the Baptist Parish, Louisiana.
Sec. 419. Portland Harbor, Maine.
Sec. 420. Portsmouth Harbor and Piscataqua River, Maine and New Hampshire.
Sec. 421. Searsport Harbor, Maine.
Sec. 422. Merrimack River basin, Massachusetts and New Hampshire.
Sec. 423. Port of Gulfport, Mississippi.
Sec. 424. Upland disposal sites in New Hampshire.
Sec. 425. Southwest Valley, Albuquerque, New Mexico.
Sec. 426. Cuyahoga River, Ohio.
Sec. 427. Duck Creek Watershed, Ohio.
Sec. 428. Fremont, Ohio.
Sec. 429. Grand Lake, Oklahoma.
Sec. 430. Dredged material disposal site, Rhode Island.
Sec. 431. Chickamauga Lock and Dam, Tennessee.
Sec. 432. Germantown, Tennessee.
Sec. 433. Horn Lake Creek and Tributaries, Tennessee and Mississippi.
Sec. 434. Cedar Bayou, Texas.
Sec. 435. Houston Ship Channel, Texas.
Sec. 436. San Antonio Channel, Texas.
Sec. 437. Vermont dams remediation.
Sec. 438. White River watershed below Mud Mountain Dam, Washington.
Sec. 439. Willapa Bay, Washington.
Sec. 440. Upper Mississippi River basin sediment and nutrient study.
Sec. 441. Cliff Walk in Newport, Rhode Island.
Sec. 442. Quonset Point Channel reconnaissance study.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Visitors centers.
Sec. 502. CALFED Bay-Delta Program assistance, California.
Sec. 503. Lake Sidney Lanier, Georgia, home preservation.
Sec. 504. Conveyance of lighthouse, Ontonagon, Michigan.
Sec. 505. Land conveyance, Candy Lake, Oklahoma.
Sec. 506. Land conveyance, Richard B. Russell Dam and Lake, South Carolina.
Sec. 507. Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota terrestrial wildlife habitat restoration.
Sec. 508. Export of water from Great Lakes.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION PLAN

Sec. 601. Comprehensive Everglades Restoration Plan.
Sec. 602. Sense of the Senate concerning Homestead Air Force Base.

TITLE VII—MISSOURI RIVER PROTECTION AND IMPROVEMENT

Sec. 701. Short title.
Sec. 702. Findings and purposes.
Sec. 703. Definitions.
Sec. 704. Missouri River Trust.
Sec. 705. Missouri River Task Force.
Sec. 706. Administration.
Sec. 707. Authorization of appropriations.

TITLE VIII—WILDLIFE REFUGE ENHANCEMENT

Sec. 801. Short title.
Sec. 802. Purpose.
Sec. 803. Definitions.
Sec. 804. Conveyance of cabin sites.
Sec. 805. Rights of nonparticipating lessees.
Sec. 806. Conveyance to third parties.
Sec. 807. Use of proceeds.
Sec. 808. Administrative costs.
Sec. 809. Termination of wildlife designation.
Sec. 810. Authorization of appropriations.

TITLE IX—MISSOURI RIVER RESTORATION

Sec. 901. Short title.
Sec. 902. Findings and purposes.
Sec. 903. Definitions.
Sec. 904. Missouri River Trust.
Sec. 905. Missouri River Task Force.
Sec. 906. Administration.
Sec. 907. Authorization of appropriations.

SEC. 2. DEFINITION OF SECRETARY.

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

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATIONS.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this subsection:

(1) BARNEGAT INLET TO LITTLE EGG INLET, NEW JERSEY.—The project for shore protection, Barnegat Inlet to Little Egg Inlet, New Jersey, at a total cost of $51,203,000, with an estimated Federal cost of $33,282,000 and an estimated non-Federal cost of $17,921,000, and at an estimated average annual cost of $1,751,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,138,000 and an estimated annual non-Federal cost of $613,000.

(2) NEW YORK-NEW JERSEY HARBOR.—The project for navigation, New York-New Jersey Harbor: Report of the Chief of Engineers dated May 2, 2000, at a total cost of $1,781,234,000, with an estimated Federal cost of $743,954,000 and an estimated non-Federal cost of $1,037,280,000.

(b) PROJECTS SUBJECT TO A FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, recommended in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than December 31, 2000:

(1) FALSE PASS HARBOR, ALASKA.—The project for navigation, False Pass Harbor, Alaska, at a total cost of $15,164,000, with an estimated Federal cost of $8,238,000 and an estimated non-Federal cost of $6,926,000.

(2) UNALASKA HARBOR, ALASKA.—The project for navigation, Unalaska Harbor, Alaska, at a total cost of $20,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,000,000.

(3) RIO DE FLAG, ARIZONA.—The project for flood damage reduction, Rio de Flag, Arizona, at a total cost of $24,072,000, with an estimated Federal cost of $15,576,000 and an estimated non-Federal cost of $8,496,000.

(4) TRES RIOS, ARIZONA.—The project for environmental restoration, Tres Rios, Arizona, at a total cost of $99,320,000, with an estimated Federal cost of $62,755,000 and an estimated non-Federal cost of $36,565,000.

(5) LOS ANGELES HARBOR, CALIFORNIA.—The project for navigation, Los Angeles Harbor, California, at a total cost of $153,313,000, with an estimated Federal cost of $43,735,000 and an estimated non-Federal cost of $109,578,000.

(6) MURRIETA CREEK, CALIFORNIA.—The project for flood control, Murrieta Creek, California, at a total cost of $90,865,000, with an estimated Federal cost of $25,555,000 and an estimated non-Federal cost of $65,310,000.

(7) PINE FLAT DAM, CALIFORNIA.—The project for fish and wildlife restoration, Pine Flat Dam, California, at a total cost of $34,000,000, with an estimated Federal cost of $22,000,000 and an estimated non-Federal cost of $12,000,000.

(8) RANCHOS PALOS VERDES, CALIFORNIA.—The project for environmental restoration, Ranchos Palos Verdes, California, at a total cost of $18,100,000, with an estimated Federal cost of $11,800,000 and an estimated non-Federal cost of $6,300,000.

(9) SANTA BARBARA STREAMS, CALIFORNIA.—The project for flood damage reduction, Santa Barbara Streams, Lower Mission Creek, California, at a total cost of $18,300,000, with an estimated Federal cost of $9,200,000 and an estimated non-Federal cost of $9,100,000.

(10) UPPER NEWPORT BAY HARBOR, CALIFORNIA.—The project for environmental restoration, Upper Newport Bay Harbor, California, at a total cost of $32,475,000, with an estimated Federal cost of $21,109,000 and an estimated non-Federal cost of $11,366,000.

(11) WHITEWATER RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Whitewater River basin, California, at a total cost of $27,570,000, with an estimated Federal cost of $17,920,000 and an estimated non-Federal cost of $9,650,000.

(12) DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND, DELAWARE.—The project for shore protection, Delaware Coast from Cape Henlopen to Fenwick Island, Delaware, at a total cost of $5,633,000, with an estimated Federal cost of $3,661,000 and an estimated non-Federal cost of $1,972,000, and at an estimated average annual cost of $920,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $460,000 and an estimated annual non-Federal cost of $460,000.

(13) TAMPA HARBOR, FLORIDA.—Modification of the project for navigation, Tampa Harbor, Florida, authorized by section 4 of the Act of September 22, 1922 (42 Stat. 1042, chapter 427), to deepen the Port Sutton Channel, at a total cost of $6,000,000, with an estimated Federal cost of $4,000,000 and an estimated non-Federal cost of $2,000,000.

(14) JOHN T. MYERS LOCK AND DAM, INDIANA AND KENTUCKY.—The project for navigation, John T. Myers Lock and Dam, Ohio River,

Indiana and Kentucky, at a total cost of $182,000,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(15) GREENUP LOCK AND DAM, KENTUCKY.—The project for navigation, Greenup Lock and Dam, Ohio River, Kentucky, at a total cost of $175,500,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(16) MORGANZA, LOUISIANA, TO GULF OF MEXICO.—

(A) IN GENERAL.—The project for hurricane protection, Morganza, Louisiana, to the Gulf of Mexico, at a total cost of $550,000,000, with an estimated Federal cost of $358,000,000 and an estimated non-Federal cost of $192,000,000.

(B) CREDIT.—The non-Federal interests shall receive credit toward the non-Federal share of project costs for the costs of any work carried out by the non-Federal interests for interim flood protection after March 31, 1989, if the Secretary finds that the work is compatible with, and integral to, the project.

(17) CHESTERFIELD, MISSOURI.—The project to implement structural and nonstructural measures to prevent flood damage to Chesterfield, Missouri, and the surrounding area, at a total cost of $67,700,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $23,700,000.

(18) RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NEW JERSEY.—The project for shore protection, Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey, at a total cost of $32,064,000, with an estimated Federal cost of $20,842,000 and an estimated non-Federal cost of $11,222,000, and at an estimated average annual cost of $2,468,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,234,000 and an estimated annual non-Federal cost of $1,234,000.

(19) MEMPHIS, TENNESSEE.—The project for ecosystem restoration, Wolf River, Memphis, Tennessee, at a total cost of $10,933,000, with an estimated Federal cost of $7,106,000 and an estimated non-Federal cost of $3,827,000.

(20) JACKSON HOLE, WYOMING.—

(A) IN GENERAL.—The project for environmental restoration, Jackson Hole, Wyoming, at a total cost of $52,242,000, with an estimated Federal cost of $33,957,000 and an estimated non-Federal cost of $18,285,000.

(B) NON-FEDERAL SHARE.—

(i) IN GENERAL.—The non-Federal share of the costs of the project may be provided in cash or in the form of in-kind services or materials.

(ii) CREDIT.—The non-Federal interest shall receive credit toward the non-Federal share of project costs for design and construction work carried out by the non-Federal interest before the date of execution of a project cooperation agreement for the project, if the Secretary finds that the work is integral to the project.

(21) OHIO RIVER.—

(A) IN GENERAL.—The program for protection and restoration of fish and wildlife habitat in and along the main stem of the Ohio River, consisting of projects described in a comprehensive plan, at a total cost of $307,700,000, with an estimated Federal cost of $200,000,000 and an estimated non-Federal cost of $107,700,000.

(B) NON-FEDERAL SHARE.—

(i) IN GENERAL.—The non-Federal share of the costs of any project under the program may be provided in cash or in the form of in-kind services or materials.

(ii) CREDIT.—The non-Federal interest shall receive credit toward the non-Federal share of project costs for design and construction work carried out by the non-Federal interest before the date of execution of a project cooperation agreement for the project, if the Secretary finds that the work is integral to the project.

SEC. 102. SMALL SHORE PROTECTION PROJECTS.

The Secretary shall conduct a study for each of the following projects, and if the Secretary determines that a project is feasible, may carry out the project under section 3 of the Act of August 13, 1946 (33 U.S.C. 426g):

(1) LAKE PALOURDE, LOUISIANA.—Project for beach restoration and protection, Highway 70, Lake Palourde, St. Mary and St. Martin Parishes, Louisiana.

(2) ST. BERNARD, LOUISIANA.—Project for beach restoration and protection, Bayou Road, St. Bernard, Louisiana.

SEC. 103. SMALL NAVIGATION PROJECTS.

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

(1) CAPE CORAL SOUTH SPREADER WATERWAY, FLORIDA.—Project for navigation, Cape Coral South Spreader Waterway, Lee County, Florida.

(2) HOUMA NAVIGATION CANAL, LOUISIANA.—Project for navigation, Houma Navigation Canal, Terrebonne Parish, Louisiana.

(3) VIDALIA PORT, LOUISIANA.—Project for navigation, Vidalia Port, Louisiana.

SEC. 104. REMOVAL OF SNAGS AND CLEARING AND STRAIGHTENING OF CHANNELS IN NAVIGABLE WATERS.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 3 of the Act of March 2, 1945 (33 U.S.C. 604):

(1) BAYOU MANCHAC, LOUISIANA.—Project for removal of snags and clearing and straightening of channels for flood control, Bayou Manchac, Ascension Parish, Louisiana.

(2) BLACK BAYOU AND HIPPOLYTE COULEE, LOUISIANA.—Project for removal of snags and clearing and straightening of channels for flood control, Black Bayou and Hippolyte Coulee, Calcasieu Parish, Louisiana.

SEC. 105. SMALL BANK STABILIZATION PROJECTS.

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

(1) BAYOU DES GLAISES, LOUISIANA.—Project for emergency streambank protection, Bayou des Glaises (Lee Chatelain Road), Avoyelles Parish, Louisiana.

(2) BAYOU PLAQUEMINE, LOUISIANA.—Project for emergency streambank protection, Highway 77, Bayou Plaquemine, Iberville Parish, Louisiana.

(3) HAMMOND, LOUISIANA.—Project for emergency streambank protection, Fagan Drive Bridge, Hammond, Louisiana.

(4) IBERVILLE PARISH, LOUISIANA.—Project for emergency streambank protection, Iberville Parish, Louisiana.

(5) LAKE ARTHUR, LOUISIANA.—Project for emergency streambank protection, Parish Road 120 at Lake Arthur, Louisiana.

(6) LAKE CHARLES, LOUISIANA.—Project for emergency streambank protection, Pithon Coulee, Lake Charles, Calcasieu Parish, Louisiana.

(7) LOGGY BAYOU, LOUISIANA.—Project for emergency streambank protection, Loggy Bayou, Bienville Parish, Louisiana.

(8) SCOTLANDVILLE BLUFF, LOUISIANA.—Project for emergency streambank protection, Scotlandville Bluff, East Baton Rouge Parish, Louisiana.

SEC. 106. SMALL FLOOD CONTROL PROJECTS.

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

(1) WEISER RIVER, IDAHO.—Project for flood damage reduction, Weiser River, Idaho.

(2) BAYOU TETE L'OURS, LOUISIANA.—Project for flood control, Bayou Tete L'Ours, Louisiana.

(3) BOSSIER CITY, LOUISIANA.—Project for flood control, Red Chute Bayou levee, Bossier City, Louisiana.

(4) BRAITHWAITE PARK, LOUISIANA.—Project for flood control, Braithwaite Park, Louisiana.

(5) CANE BEND SUBDIVISION, LOUISIANA.—Project for flood control, Cane Bend Subdivision, Bossier Parish, Louisiana.

(6) CROWN POINT, LOUISIANA.—Project for flood control, Crown Point, Louisiana.

(7) DONALDSONVILLE CANALS, LOUISIANA.—Project for flood control, Donaldsonville Canals, Louisiana.

(8) GOOSE BAYOU, LOUISIANA.—Project for flood control, Goose Bayou, Louisiana.

(9) GUMBY DAM, LOUISIANA.—Project for flood control, Gumby Dam, Richland Parish, Louisiana.

(10) HOPE CANAL, LOUISIANA.—Project for flood control, Hope Canal, Louisiana.

(11) JEAN LAFITTE, LOUISIANA.—Project for flood control, Jean Lafitte, Louisiana.

(12) LOCKPORT TO LAROSE, LOUISIANA.—Project for flood control, Lockport to Larose, Louisiana.

(13) LOWER LAFITTE BASIN, LOUISIANA.—Project for flood control, Lower Lafitte Basin, Louisiana.

(14) OAKVILLE TO LAREUSSITE, LOUISIANA.—Project for flood control, Oakville to LaReussite, Louisiana.

(15) PAILET BASIN, LOUISIANA.—Project for flood control, Pailet Basin, Louisiana.

(16) POCHITOLAWA CREEK, LOUISIANA.—Project for flood control, Pochitolawa Creek, Louisiana.

(17) ROSETHORN BASIN, LOUISIANA.—Project for flood control, Rosethorn Basin, Louisiana.

(18) SHREVEPORT, LOUISIANA.—Project for flood control, Twelve Mile Bayou, Shreveport, Louisiana.

(19) STEPHENSVILLE, LOUISIANA.—Project for flood control, Stephensville, Louisiana.

(20) ST. JOHN THE BAPTIST PARISH, LOUISIANA.—Project for flood control, St. John the Baptist Parish, Louisiana.

(21) MAGBY CREEK AND VERNON BRANCH, MISSISSIPPI.—Project for flood control, Magby Creek and Vernon Branch, Lowndes County, Mississippi.

(22) FRITZ LANDING, TENNESSEE.—Project for flood control, Fritz Landing, Tennessee.

SEC. 107. SMALL PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

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

(1) BAYOU SAUVAGE NATIONAL WILDLIFE REFUGE, LOUISIANA.—Project for improvement of

the quality of the environment, Bayou Sauvage National Wildlife Refuge, Orleans Parish, Louisiana.

(2) GULF INTRACOASTAL WATERWAY, BAYOU PLAQUEMINE, LOUISIANA.—Project for improvement of the quality of the environment, Gulf Intracoastal Waterway, Bayou Plaquemine, Iberville Parish, Louisiana.

(3) GULF INTRACOASTAL WATERWAY, MILES 220 TO 222.5, LOUISIANA.—Project for improvement of the quality of the environment, Gulf Intracoastal Waterway, miles 220 to 222.5, Vermilion Parish, Louisiana.

(4) GULF INTRACOASTAL WATERWAY, WEEKS BAY, LOUISIANA.—Project for improvement of the quality of the environment, Gulf Intracoastal Waterway, Weeks Bay, Iberia Parish, Louisiana.

(5) LAKE FAUSSE POINT, LOUISIANA.—Project for improvement of the quality of the environment, Lake Fausse Point, Louisiana.

(6) LAKE PROVIDENCE, LOUISIANA.—Project for improvement of the quality of the environment, Old River, Lake Providence, Louisiana.

(7) NEW RIVER, LOUISIANA.—Project for improvement of the quality of the environment, New River, Ascension Parish, Louisiana.

(8) ERIE COUNTY, OHIO.—Project for improvement of the quality of the environment, Sheldon's Marsh State Nature Preserve, Erie County, Ohio.

(9) MUSHINGUM COUNTY, OHIO.—Project for improvement of the quality of the environment, Dillon Reservoir watershed, Licking River, Mushingum County, Ohio.

SEC. 108. BENEFICIAL USES OF DREDGED MATERIAL.

The Secretary may carry out the following projects under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326):

(1) HOUMA NAVIGATION CANAL, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes barrier island restoration at the Houma Navigation Canal, Terrebonne Parish, Louisiana.

(2) MISSISSIPPI RIVER GULF OUTLET, MILE -3 TO MILE -9, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes dredging of the Mississippi River Gulf Outlet, mile -3 to mile -9, St. Bernard Parish, Louisiana.

(3) MISSISSIPPI RIVER GULF OUTLET, MILE 11 TO MILE 4, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes dredging of the Mississippi River Gulf Outlet, mile 11 to mile 4, St. Bernard Parish, Louisiana.

(4) PLAQUEMINES PARISH, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes marsh creation at the contained submarine maintenance dredge sediment trap, Plaquemines Parish, Louisiana.

(5) OTTAWA COUNTY, OHIO.—Project to protect, restore, and create aquatic and related habitat using dredged material, East Harbor State Park, Ottawa County, Ohio.

SEC. 109. SMALL AQUATIC ECOSYSTEM RESTORATION PROJECTS.

(a) IN GENERAL.—The Secretary may carry out the following projects under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) BRAUD BAYOU, LOUISIANA.—Project for aquatic ecosystem restoration, Braud Bayou, Spanish Lake, Ascension Parish, Louisiana.

(2) BURAS MARINA, LOUISIANA.—Project for aquatic ecosystem restoration, Buras Marina, Buras, Plaquemines Parish, Louisiana.

(3) COMITE RIVER, LOUISIANA.—Project for aquatic ecosystem restoration, Comite River at Hooper Road, Louisiana.

(4) DEPARTMENT OF ENERGY 21-INCH PIPELINE CANAL, LOUISIANA.—Project for aquatic ecosystem restoration, Department of Energy 21-inch Pipeline Canal, St. Martin Parish, Louisiana.

(5) LAKE BORGNE, LOUISIANA.—Project for aquatic ecosystem restoration, southern shores of Lake Borgne, Louisiana.

(6) LAKE MARTIN, LOUISIANA.—Project for aquatic ecosystem restoration, Lake Martin, Louisiana.

(7) LULING, LOUISIANA.—Project for aquatic ecosystem restoration, Luling Oxidation Pond, St. Charles Parish, Louisiana.

(8) MANDEVILLE, LOUISIANA.—Project for aquatic ecosystem restoration, Mandeville, St. Tammany Parish, Louisiana.

(9) ST. JAMES, LOUISIANA.—Project for aquatic ecosystem restoration, St. James, Louisiana.

(10) MINES FALLS PARK, NEW HAMPSHIRE.—Project for aquatic ecosystem restoration, Mines Falls Park, New Hampshire.

(11) NORTH HAMPTON, NEW HAMPSHIRE.—Project for aquatic ecosystem restoration, Little River Salt Marsh, North Hampton, New Hampshire.

(12) HIGHLAND COUNTY, OHIO.—Project for aquatic ecosystem restoration, Rocky Fork Lake, Clear Creek floodplain, Highland County, Ohio.

(13) HOCKING COUNTY, OHIO.—Project for aquatic ecosystem restoration, Long Hollow Mine, Hocking County, Ohio.

(14) TUSCARAWAS COUNTY, OHIO.—Project for aquatic ecosystem restoration, Huff Run, Tuscarawas County, Ohio.

(15) CENTRAL AMAZON CREEK, OREGON.—Project for aquatic ecosystem restoration, Central Amazon Creek, Oregon.

(16) DELTA PONDS, OREGON.—Project for aquatic ecosystem restoration, Delta Ponds, Oregon.

(17) EUGENE MILLRACE, OREGON.—Project for aquatic ecosystem restoration, Eugene Millrace, Oregon.

(18) MEDFORD, OREGON.—Project for aquatic ecosystem restoration, Bear Creek watershed, Medford, Oregon.

(19) ROSLYN LAKE, OREGON.—Project for aquatic ecosystem restoration, Roslyn Lake, Oregon.

(b) SALMON RIVER, IDAHO.—

(1) CREDIT.—The non-Federal interests with respect to the proposed project for aquatic ecosystem restoration, Salmon River, Idaho, may receive credit toward the non-Federal share of project costs for work, consisting of surveys, studies, and development of technical data, that is carried out by the non-Federal interests in connection with the project, if the Secretary finds that the work is integral to the project.

(2) MAXIMUM AMOUNT OF CREDIT.—The amount of the credit under paragraph (1), together with other credit afforded, shall not exceed the non-Federal share of the cost of the project under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

SEC. 110. FLOOD MITIGATION AND RIVERINE RESTORATION.

Section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)) is amended—

(1) in paragraph (22), by striking ''and'' at the end;

(2) in paragraph (23), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(24) Perry Creek, Iowa.''.

SEC. 111. DISPOSAL OF DREDGED MATERIAL ON BEACHES.

Section 217 of the Water Resources Development Act of 1999 (113 Stat. 294) is amended by adding at the end the following:

''(f) FORT CANBY STATE PARK, BENSON BEACH, WASHINGTON.—The Secretary may design and construct a shore protection project at Fort Canby State Park, Benson Beach, Washington, including beneficial use of dredged material from Federal navigation projects as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).''.

TITLE II—GENERAL PROVISIONS

SEC. 201. COOPERATION AGREEMENTS WITH COUNTIES.

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

(1) by striking ''State legislative''; and

(2) by inserting before the period at the end the following: ''of the State or a body politic of the State''.

SEC. 202. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729 of the Water Resources Development Act of 1986 (100 Stat. 4164) is amended to read as follows:

''SEC. 729. WATERSHED AND RIVER BASIN ASSESSMENTS.

''(a) IN GENERAL.—The Secretary may assess the water resources needs of river basins and watersheds of the United States, including needs relating to—

''(1) ecosystem protection and restoration;

''(2) flood damage reduction;

''(3) navigation and ports;

''(4) watershed protection;

''(5) water supply; and

''(6) drought preparedness.

''(b) COOPERATION.—An assessment under subsection (a) shall be carried out in cooperation and coordination with—

''(1) the Secretary of the Interior;

''(2) the Secretary of Agriculture;

''(3) the Secretary of Commerce;

''(4) the Administrator of the Environmental Protection Agency; and

''(5) the heads of other appropriate agencies.

''(c) CONSULTATION.—In carrying out an assessment under subsection (a), the Secretary shall consult with Federal, tribal, State, interstate, and local governmental entities.

''(d) PRIORITY RIVER BASINS AND WATERSHEDS.—In selecting river basins and watersheds for assessment under this section, the Secretary shall give priority to—

''(1) the Delaware River basin; and

''(2) the Willamette River basin, Oregon.

''(e) ACCEPTANCE OF CONTRIBUTIONS.—In carrying out an assessment under subsection (a), the Secretary may accept contributions, in cash or in kind, from Federal, tribal, State, interstate, and local governmental entities to the extent that the Secretary determines that the contributions will facilitate completion of the assessment.

''(f) COST-SHARING REQUIREMENTS.—

''(1) NON-FEDERAL SHARE.—The non-Federal share of the costs of an assessment carried out under this section shall be 50 percent.

''(2) CREDIT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal interests may receive credit toward the non-Federal share required under paragraph (1) for the provision of services, materials, supplies, or other in-kind contributions.

''(B) MAXIMUM AMOUNT OF CREDIT.—Credit under subparagraph (A) shall not exceed an amount equal to 25 percent of the costs of the assessment.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.''.

SEC. 203. TRIBAL PARTNERSHIP PROGRAM.

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) PROGRAM.—

(1) IN GENERAL.—In cooperation with Indian tribes and the heads of other Federal agencies, the Secretary may study and determine the feasibility of carrying out water resources development projects that—

(A) will substantially benefit Indian tribes; and

(B) are located primarily within Indian country (as defined in section 1151 of title 18, United States Code) or in proximity to Alaska Native villages.

(2) MATTERS TO BE STUDIED.—A study conducted under paragraph (1) may address—

(A) projects for flood damage reduction, environmental restoration and protection, and preservation of cultural and natural resources; and

(B) such other projects as the Secretary, in cooperation with Indian tribes and the heads of other Federal agencies, determines to be appropriate.

(c) CONSULTATION AND COORDINATION WITH SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—In recognition of the unique role of the Secretary of the Interior concerning trust responsibilities with Indian tribes, and in recognition of mutual trust responsibilities, the Secretary shall consult with the Secretary of the Interior concerning studies conducted under subsection (b).

(2) INTEGRATION OF ACTIVITIES.—The Secretary shall—

(A) integrate civil works activities of the Department of the Army with activities of the Department of the Interior to avoid conflicts, duplications of effort, or unanticipated adverse effects on Indian tribes; and

(B) consider the authorities and programs of the Department of the Interior and other Federal agencies in any recommendations concerning carrying out projects studied under subsection (b).

(d) PRIORITY PROJECTS.—In selecting water resources development projects for study under this section, the Secretary shall give priority to the project for the Tribal Reservation of the Shoalwater Bay Indian Tribe on Willapa Bay, Washington, authorized by section 439(b).

(e) COST SHARING.—

(1) ABILITY TO PAY.—

(A) IN GENERAL.—Any cost-sharing agreement for a study under subsection (b) shall be subject to the ability of the non-Federal interest to pay.

(B) USE OF PROCEDURES.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with procedures established by the Secretary.

(2) CREDIT.—

(A) IN GENERAL.—Subject to subparagraph (B), in conducting studies of projects under subsection (b), the Secretary may provide credit to the non-Federal interest for the provision of services, studies, supplies, or other in-kind contributions to the extent that the Secretary determines that the services, studies, supplies, and other in-kind contributions will facilitate completion of the project.

(B) MAXIMUM AMOUNT OF CREDIT.—Credit under subparagraph (A) shall not exceed an amount equal to the non-Federal share of the costs of the study.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $5,000,000 for each of fiscal years 2002 through 2006, of which not more than $1,000,000 may be used with respect to any 1 Indian tribe.

SEC. 204. ABILITY TO PAY.

Section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—Any cost-sharing agreement under this section for a feasibility study, or for construction of an environmental protection and restoration project, a flood control project, a project for navigation, storm damage protection, shoreline erosion, hurricane protection, or recreation, or an agricultural water supply project, shall be subject to the ability of the non-Federal interest to pay.

''(2) CRITERIA AND PROCEDURES.—

''(A) IN GENERAL.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with—

''(i) during the period ending on the date on which revised criteria and procedures are promulgated under subparagraph (B), criteria and procedures in effect on the day before the date of enactment of this subparagraph; and

''(ii) after the date on which revised criteria and procedures are promulgated under subparagraph (B), the revised criteria and procedures promulgated under subparagraph (B).

''(B) REVISED CRITERIA AND PROCEDURES.—Not later than 18 months after the date of enactment of this subparagraph, in accordance with paragraph (3), the Secretary shall promulgate revised criteria and procedures governing the ability of a non-Federal interest to pay.''; and

(2) in paragraph (3)—

(A) in subparagraph (A)(ii), by adding ''and'' at the end; and

(B) by striking subparagraphs (B) and (C) and inserting the following:

''(B) may consider additional criteria relating to—

''(i) the financial ability of the non-Federal interest to carry out its cost-sharing responsibilities; or

''(ii) additional assistance that may be available from other Federal or State sources.''.

SEC. 205. PROPERTY PROTECTION PROGRAM.

(a) IN GENERAL.—The Secretary may carry out a program to reduce vandalism and destruction of property at water resources development projects under the jurisdiction of the Department of the Army.

(b) PROVISION OF REWARDS.—In carrying out the program, the Secretary may provide rewards (including cash rewards) to individuals who provide information or evidence leading to the arrest and prosecution of individuals causing damage to Federal property.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000 for each fiscal year.

SEC. 206. NATIONAL RECREATION RESERVATION SERVICE.

Notwithstanding section 611 of the Treasury and General Government Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–515), the Secretary may—

(1) participate in the National Recreation Reservation Service on an interagency basis; and

(2) pay the Department of the Army's share of the activities required to implement, operate, and maintain the Service.

SEC. 207. OPERATION AND MAINTENANCE OF HYDROELECTRIC FACILITIES.

Section 314 of the Water Resources Development Act of 1990 (33 U.S.C. 2321) is amended in the first sentence by inserting before the period at the end the following: ''in cases in which the activities require specialized training relating to hydroelectric power generation''.

SEC. 208. INTERAGENCY AND INTERNATIONAL SUPPORT.

Section 234(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)) is amended—

(1) in the first sentence, by striking ''$1,000,000'' and inserting ''$2,000,000''; and

(2) in the second sentence, by inserting ''out'' after ''carry''.

SEC. 209. REBURIAL AND CONVEYANCE AUTHORITY.

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) REBURIAL.—

(1) REBURIAL AREAS.—In consultation with affected Indian tribes, the Secretary may identify and set aside areas at civil works projects of the Department of the Army that may be used to rebury Native American remains that—

(A) have been discovered on project land; and

(B) have been rightfully claimed by a lineal descendant or Indian tribe in accordance with applicable Federal law.

(2) REBURIAL.—In consultation with and with the consent of the lineal descendant or the affected Indian tribe, the Secretary may recover and rebury, at full Federal expense, the remains at the areas identified and set aside under subsection (b)(1).

(c) CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), notwithstanding any other provision of law, the Secretary may convey to an Indian tribe for use as a cemetery an area at a civil works project that is identified and set aside by the Secretary under subsection (b)(1).

(2) RETENTION OF NECESSARY PROPERTY INTERESTS.—In carrying out paragraph (1), the Secretary shall retain any necessary right-of-way, easement, or other property interest that the Secretary determines to be necessary to carry out the authorized purposes of the project.

SEC. 210. APPROVAL OF CONSTRUCTION OF DAMS AND DIKES.

Section 9 of the Act of March 3, 1899 (33 U.S.C. 401), is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''It shall'';

(2) by striking ''However, such structures'' and inserting the following:

''(b) WATERWAYS WITHIN A SINGLE STATE.—Notwithstanding subsection (a), structures described in subsection (a)'';

(3) by striking ''When plans'' and inserting the following:

''(c) MODIFICATION OF PLANS.—When plans'';

(4) by striking ''The approval'' and inserting the following:

''(d) APPLICABILITY.—

''(1) BRIDGES AND CAUSEWAYS.—The approval''; and

(5) in subsection (d) (as designated by paragraph (4)), by adding at the end the following:

''(2) DAMS AND DIKES.—

''(A) IN GENERAL.—The approval required by this section of the location and plans, or any modification of plans, of any dam or

dike, applies only to a dam or dike that, if constructed, would completely span a waterway used to transport interstate or foreign commerce, in such a manner that actual, existing interstate or foreign commerce could be adversely affected.

''(B) OTHER DAMS AND DIKES.—Any dam or dike (other than a dam or dike described in subparagraph (A)) that is proposed to be built in any other navigable water of the United States—

''(i) shall be subject to section 10; and

''(ii) shall not be subject to the approval requirements of this section.''.

SEC. 211. PROJECT DEAUTHORIZATION AUTHORITY.

Section 1001 of the Water Resources Development Act of 1986 (33 U.S.C. 579a) is amended to read as follows:

''SEC. 1001. PROJECT DEAUTHORIZATIONS.

''(a) DEFINITIONS.—In this section:

''(1) CONSTRUCTION.—The term 'construction', with respect to a project or separable element, means—

''(A) in the case of—

''(i) a nonstructural flood control project, the acquisition of land, an easement, or a right-of-way primarily to relocate a structure; and

''(ii) in the case of any other nonstructural measure, the performance of physical work under a construction contract;

''(B) in the case of an environmental protection and restoration project—

''(i) the acquisition of land, an easement, or a right-of-way primarily to facilitate the restoration of wetland or a similar habitat; or

''(ii) the performance of physical work under a construction contract to modify an existing project facility or to construct a new environmental protection and restoration measure; and

''(C) in the case of any other water resources project, the performance of physical work under a construction contract.

''(2) PHYSICAL WORK UNDER A CONSTRUCTION CONTRACT.—The term 'physical work under a construction contract' does not include any activity related to project planning, engineering and design, relocation, or the acquisition of land, an easement, or a right-of-way.

''(b) PROJECTS NEVER UNDER CONSTRUCTION.—

''(1) LIST OF PROJECTS.—The Secretary shall annually submit to Congress a list of projects and separable elements of projects that—

''(A) are authorized for construction; and

''(B) for which no Federal funds were obligated for construction during the 4 full fiscal years preceding the date of submission of the list.

''(2) DEAUTHORIZATION.—Any water resources project, or separable element of a water resources project, authorized for construction shall be deauthorized effective at the end of the 7-year period beginning on the date of the most recent authorization or reauthorization of the project or separable element unless Federal funds have been obligated for preconstruction engineering and design or for construction of the project or separable element by the end of that period.

''(c) PROJECTS FOR WHICH CONSTRUCTION HAS BEEN SUSPENDED.—

''(1) LIST OF PROJECTS.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress a list of projects and separable elements of projects—

''(i) that are authorized for construction;

''(ii) for which Federal funds have been obligated for construction of the project or separable element; and

''(iii) for which no Federal funds have been obligated for construction of the project or separable element during the 2 full fiscal years preceding the date of submission of the list.

''(B) PROJECTS WITH INITIAL PLACEMENT OF FILL.—The Secretary shall not include on a list submitted under subparagraph (A) any shore protection project with respect to which there has been, before the date of submission of the list, any placement of fill unless the Secretary determines that the project no longer has a willing and financially capable non-Federal interest.

''(2) DEAUTHORIZATION.—Any water resources project, or separable element of a water resources project, for which Federal funds have been obligated for construction shall be deauthorized effective at the end of any 5-fiscal year period during which Federal funds specifically identified for construction of the project or separable element (in an Act of Congress or in the accompanying legislative report language) have not been obligated for construction.

''(d) CONGRESSIONAL NOTIFICATIONS.—Upon submission of the lists under subsections (b)(1) and (c)(1), the Secretary shall notify each Senator in whose State, and each Member of the House of Representatives in whose district, the affected project or separable element is or would be located.

''(e) FINAL DEAUTHORIZATION LIST.—The Secretary shall publish annually in the Federal Register a list of all projects and separable elements deauthorized under subsection (b)(2) or (c)(2).

''(f) EFFECTIVE DATE.—Subsections (b)(2) and (c)(2) take effect 1 year after the date of enactment of this subsection.''.

SEC. 212. FLOODPLAIN MANAGEMENT REQUIREMENTS.

(a) IN GENERAL.—Section 402(c) of the Water Resources Development Act of 1986 (33 U.S.C. 701b–12(c)) is amended—

(1) in the first sentence of paragraph (1), by striking ''Within 6 months after the date of the enactment of this subsection, the'' and inserting ''The'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by striking ''Such guidelines shall address'' and inserting the following:

''(2) REQUIRED ELEMENTS.—The guidelines developed under paragraph (1) shall—

''(A) address''; and

(4) in paragraph (2) (as designated by paragraph (3))—

(A) by inserting ''that non-Federal interests shall adopt and enforce'' after ''policies'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(B) require non-Federal interests to take measures to preserve the level of flood protection provided by a project to which subsection (a) applies.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to any project or separable element of a project with respect to which the Secretary and the non-Federal interest have not entered a project cooperation agreement on or before the date of enactment of this Act.

(c) TECHNICAL AMENDMENTS.—Section 402(b) of the Water Resources Development Act of 1986 (33 U.S.C. 701b–12(b)) is amended—

(1) in the subsection heading, by striking ''FLOOD PLAIN'' and inserting ''FLOODPLAIN''; and

(2) in the first sentence, by striking ''flood plain'' and inserting ''floodplain''.

SEC. 213. ENVIRONMENTAL DREDGING.

Section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272) is amended by adding at the end the following:

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

SEC. 214. REGULATORY ANALYSIS AND MANAGEMENT SYSTEMS DATA.

(a) IN GENERAL.—Beginning October 1, 2000, the Secretary, acting through the Chief of Engineers, shall publish, on the Army Corps of Engineers' Regulatory Program website, quarterly reports that include all Regulatory Analysis and Management Systems (RAMS) data.

(b) DATA.—Such RAMS data shall include—

(1) the date on which an individual or nationwide permit application under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is first received by the Corps;

(2) the date on which the application is considered complete;

(3) the date on which the Corps either grants (with or without conditions) or denies the permit; and

(4) if the application is not considered complete when first received by the Corps, a description of the reason the application was not considered complete.

SEC. 215. PERFORMANCE OF SPECIALIZED OR TECHNICAL SERVICES.

(a) DEFINITION OF STATE.—In this section, the term ''State'' has the meaning given the term in section 6501 of title 31, United States Code.

(b) AUTHORITY.—The Corps of Engineers may provide specialized or technical services to a Federal agency (other than a Department of Defense agency), State, or local government of the United States under section 6505 of title 31, United States Code, only if the chief executive of the requesting entity submits to the Secretary—

(1) a written request describing the scope of the services to be performed and agreeing to reimburse the Corps for all costs associated with the performance of the services; and

(2) a certification that includes adequate facts to establish that the services requested are not reasonably and quickly available through ordinary business channels.

(c) CORPS AGREEMENT TO PERFORM SERVICES.—The Secretary, after receiving a request described in subsection (b) to provide specialized or technical services, shall, before entering into an agreement to perform the services—

(1) ensure that the requirements of subsection (b) are met with regard to the request for services; and

(2) execute a certification that includes adequate facts to establish that the Corps is uniquely equipped to perform such services.

(d) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than the end of each calendar year, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report identifying any request submitted by a Federal agency (other than a Department of Defense agency), State, or local government of the United States to the Corps to provide specialized or technical services.

(2) CONTENTS OF REPORT.—The report shall include, with respect to each request described in paragraph (1)—

(A) a description of the scope of services requested;

(B) the certifications required under subsection (b) and (c);

(C) the status of the request;

(D) the estimated and final cost of the services;

(E) the status of reimbursement;

(F) a description of the scope of services performed; and

(G) copies of all certifications in support of the request.

SEC. 216. HYDROELECTRIC POWER PROJECT FUNDING.

Section 216 of the Water Resources Development Act of 1996 (33 U.S.C. 2321a) is amended—

(1) in subsection (a), by striking ''In carrying out'' and all that follows through ''(1) is'' and inserting the following: ''In carrying out the operation, maintenance, rehabilitation, and modernization of a hydroelectric power generating facility at a water resources project under the jurisdiction of the Department of the Army, the Secretary may, to the extent funds are made available in appropriations Acts or in accordance with subsection (c), take such actions as are necessary to optimize the efficiency of energy production or increase the capacity of the facility, or both, if, after consulting with the heads of other appropriate Federal and State agencies, the Secretary determines that such actions—

''(1) are'';

(2) in the first sentence of subsection (b), by striking ''the proposed uprating'' and inserting ''any proposed uprating'';

(3) by redesignating subsection (c) as subsection (e); and

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

''(c) USE OF FUNDS PROVIDED BY PREFERENCE CUSTOMERS.—In carrying out this section, the Secretary may accept and expend funds provided by preference customers under Federal law relating to the marketing of power.

''(d) APPLICATION.—This section does not apply to any facility of the Department of the Army that is authorized to be funded under section 2406 of the Energy Policy Act of 1992 (16 U.S.C. 839d–1).''.

SEC. 217. ASSISTANCE PROGRAMS.

(a) CONSERVATION AND RECREATION MANAGEMENT.—To further training and educational opportunities at water resources development projects under the jurisdiction of the Secretary, the Secretary may enter into cooperative agreements with non-Federal public and nonprofit entities for services relating to natural resources conservation or recreation management.

(b) RURAL COMMUNITY ASSISTANCE.—In carrying out studies and projects under the jurisdiction of the Secretary, the Secretary may enter into cooperative agreements with multistate regional private nonprofit rural community assistance entities for services, including water resource assessment, community participation, planning, development, and management activities.

(c) COOPERATIVE AGREEMENTS.—A cooperative agreement entered into under this section shall not be considered to be, or treated as being, a cooperative agreement to which chapter 63 of title 31, United States Code, applies.

SEC. 218. FUNDING TO PROCESS PERMITS.

(a) The Secretary, after public notice, may accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits under the jurisdiction of the Department of the Army.

(b) In carrying out this section, the Secretary shall ensure that the use of such funds as authorized in subsection (a) will result in improved efficiencies in permit evaluation and will not impact impartial decision-making in the permitting process.

SEC. 219. PROGRAM TO MARKET DREDGED MATERIAL.

(a) SHORT TITLE.—This section may be cited as the ''Dredged Material Reuse Act''.

(b) FINDING.—Congress finds that the Secretary of the Army should establish a program to reuse dredged material—

(1) to ensure the long-term viability of disposal capacity for dredged material; and

(2) to encourage the reuse of dredged material for environmental and economic purposes.

(c) DEFINITION.—In this Act, the term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(d) PROGRAM FOR REUSE OF DREDGED MATERIAL.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to allow the direct marketing of dredged material to public agencies and private entities.

(2) LIMITATIONS.—The Secretary shall not establish the program under subsection (a) unless a determination is made that such program is in the interest of the United States and is economically justified, equitable, and environmentally acceptable.

(3) REGIONAL RESPONSIBILITY.—The program described in subsection (a) may authorize each of the 8 division offices of the Corps of Engineers to market to public agencies and private entities any dredged material from projects under the jurisdiction of the regional office. Any revenues generated from any sale of dredged material to such entities shall be deposited in the United States Treasury.

(4) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for a period of 4 years, the Secretary shall submit to Congress a report on the program established under subsection (a).

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $2,000,000 for each fiscal year.

SEC. 220. NATIONAL ACADEMY OF SCIENCES STUDIES.

(a) DEFINITIONS.—In this section:

(1) ACADEMY.—The term ''Academy'' means the National Academy of Sciences.

(2) METHOD.—The term ''method'' means a method, model, assumption, or other pertinent planning tool used in conducting an economic or environmental analysis of a water resources project, including the formulation of a feasibility report.

(3) FEASIBILITY REPORT.—The term ''feasibility report'' means each feasibility report, and each associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project.

(4) WATER RESOURCES PROJECT.—The term ''water resources project'' means a project for navigation, a project for flood control, a project for hurricane and storm damage reduction, a project for emergency streambank and shore protection, a project for ecosystem restoration and protection, and a water resources project of any other type carried out by the Corps of Engineers.

(b) INDEPENDENT PEER REVIEW OF PROJECTS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall contract with the Academy to study, and make recommendations relating to, the independent peer review of feasibility reports.

(2) STUDY ELEMENTS.—In carrying out a contract under paragraph (1), the Academy shall study the practicality and efficacy of the independent peer review of the feasibility reports, including—

(A) the cost, time requirements, and other considerations relating to the implementation of independent peer review; and

(B) objective criteria that may be used to determine the most effective application of independent peer review to feasibility reports for each type of water resources project.

(3) ACADEMY REPORT.—Not later than 1 year after the date of a contract under paragraph (1), the Academy shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report that includes—

(A) the results of the study conducted under paragraphs (1) and (2); and

(B) in light of the results of the study, specific recommendations, if any, on a program for implementing independent peer review of feasibility reports.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $1,000,000, to remain available until expended.

(c) INDEPENDENT PEER REVIEW OF METHODS FOR PROJECT ANALYSIS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall contract with the Academy to conduct a study that includes—

(A) a review of state-of-the-art methods;

(B) a review of the methods currently used by the Secretary;

(C) a review of a sample of instances in which the Secretary has applied the methods identified under subparagraph (B) in the analysis of each type of water resources project; and

(D) a comparative evaluation of the basis and validity of state-of-the-art methods identified under subparagraph (A) and the methods identified under subparagraphs (B) and (C).

(2) ACADEMY REPORT.—Not later than 1 year after the date of a contract under paragraph (1), the Academy shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report that includes—

(A) the results of the study conducted under paragraph (1); and

(B) in light of the results of the study, specific recommendations for modifying any of the methods currently used by the Secretary for conducting economic and environmental analyses of water resources projects.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000, to remain available until expended.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION PROJECT, ALABAMA AND MISSISSIPPI.

(a) GENERAL.—The Tennessee-Tombigbee Waterway Wildlife Mitigation Project, Alabama and Mississippi, authorized by section 601(a) of Public Law 99–662 (100 Stat. 4138) is modified to authorize the Secretary to—

(1) remove the wildlife mitigation purpose designation from up to 3,000 acres of land as

necessary over the life of the project from lands originally acquired for water resource development projects included in the Mitigation Project in accordance with the Report of the Chief of Engineers dated August 31, 1985;

(2) sell or exchange such lands in accordance with subsection (c)(1) and under such conditions as the Secretary determines to be necessary to protect the interests of the United States, utilize such lands as the Secretary determines to be appropriate in connection with development, operation, maintenance, or modification of the water resource development projects, or grant such other interests as the Secretary may determine to be reasonable in the public interest; and

(3) acquire, in accordance with subsections (c) and (d), lands from willing sellers to offset the removal of any lands from the Mitigation Project for the purposes listed in subsection (a)(2) of this section.

(b) REMOVAL PROCESS.—From the date of enactment of this Act, the locations of these lands to be removed will be determined at appropriate time intervals at the discretion of the Secretary, in consultation with appropriate Federal and State fish and wildlife agencies, to facilitate the operation of the water resource development projects and to respond to regional needs related to the project. Removals under this subsection shall be restricted to Project Lands designated for mitigation and shall not include lands purchased exclusively for mitigation purposes (known as Separable Mitigation Lands). Parcel identification, removal, and sale may occur assuming acreage acquisitions pursuant to subsection (d) are at least equal to the total acreage of the lands removed.

(c) LANDS TO BE SOLD.—

(1) Lands to be sold or exchanged pursuant to subsection (a)(2) shall be made available for related uses consistent with other uses of the water resource development project lands (including port, industry, transportation, recreation, and other regional needs for the project).

(2) Any valuation of land sold or exchanged pursuant to this section shall be at fair market value as determined by the Secretary.

(3) The Secretary is authorized to accept monetary consideration and to use such funds without further appropriation to carry out subsection (a)(3). All monetary considerations made available to the Secretary under subsection (a)(2) from the sale of lands shall be used for and in support of acquisitions pursuant to subsection (d). The Secretary is further authorized for purposes of this section to purchase up to 1,000 acres from funds otherwise available.

(d) CRITERIA FOR LAND TO BE ACQUIRED.—The Secretary shall consult with the appropriate Federal and State fish and wildlife agencies in selecting the lands to be acquired pursuant to subsection (a)(3). In selecting the lands to be acquired, bottomland hardwood and associated habitats will receive primary consideration. The lands shall be adjacent to lands already in the Mitigation Project unless otherwise agreed to by the Secretary and the fish and wildlife agencies.

(e) DREDGED MATERIAL DISPOSAL SITES.—The Secretary shall utilize dredge material disposal areas in such a manner as to maximize their reuse by disposal and removal of dredged materials, in order to conserve undisturbed disposal areas for wildlife habitat to the maximum extent practicable. Where the habitat value loss due to reuse of disposal areas cannot be offset by the reduced need for other unused disposal sites, the Secretary shall determine, in consultation with Federal and State fish and wildlife agencies, and ensure full mitigation for any habitat value lost as a result of such reuse.

(f) OTHER MITIGATION LANDS.—The Secretary is also authorized to outgrant by lease, easement, license, or permit lands acquired for the Wildlife Mitigation Project pursuant to section 601(a) of Public Law 99–662, in consultation with Federal and State fish and wildlife agencies, when such outgrants are necessary to address transportation, utility, and related activities. The Secretary shall insure full mitigation for any wildlife habitat value lost as a result of such sale or outgrant. Habitat value replacement requirements shall be determined by the Secretary in consultation with the appropriate fish and wildlife agencies.

(g) REPEAL.—Section 102 of the Water Resources Development Act of 1992 (106 Stat. 4804) is amended by striking subsection (a).

SEC. 302. BOYDSVILLE, ARKANSAS.

The Secretary shall credit toward the non-Federal share of the costs of the study to determine the feasibility of the reservoir and associated improvements in the vicinity of Boydsville, Arkansas, authorized by section 402 of the Water Resources Development Act of 1999 (113 Stat. 322), not more than $250,000 of the costs of the relevant planning and engineering investigations carried out by State and local agencies, if the Secretary finds that the investigations are integral to the scope of the feasibility study.

SEC. 303. WHITE RIVER BASIN, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Subject to subsection (b), the project for flood control, power generation, and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by House Document 917, 76th Congress, 3d Session, and House Document 290, 77th Congress, 1st Session, approved August 18, 1941, and House Document 499, 83d Congress, 2d Session, approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to authorize the Secretary to provide minimum flows necessary to sustain tail water trout fisheries by reallocating the following recommended amounts of project storage:

(1) Beaver Lake, 1.5 feet.

(2) Table Rock, 2 feet.

(3) Bull Shoals Lake, 5 feet.

(4) Norfolk Lake, 3.5 feet.

(5) Greers Ferry Lake, 3 feet.

(b) REPORT.—

(1) IN GENERAL.—No funds may be obligated to carry out work on the modification under subsection (a) until the Chief of Engineers, through completion of a final report, determines that the work is technically sound, environmentally acceptable, and economically justified.

(2) TIMING.—Not later than January 1, 2002, the Secretary shall submit to Congress the final report referred to in paragraph (1).

(3) CONTENTS.—The report shall include determinations concerning whether—

(A) the modification under subsection (a) adversely affects other authorized project purposes; and

(B) Federal costs will be incurred in connection with the modification.

SEC. 304. PETALUMA, CALIFORNIA.

(a) IN GENERAL.—The Secretary may complete the project for flood damage reduction, Petaluma River, Petaluma, California, substantially in accordance with the Detailed Project Report approved March 1995, at a total cost of $32,226,000, with an estimated Federal cost of $20,647,000 and an estimated non-Federal cost of $11,579,000.

(b) IN-KIND SERVICES.—The non-Federal interest may provide its share of project costs in cash or in the form of in-kind services or materials.

(c) CREDIT.—The non-Federal interest shall receive credit toward the non-Federal share of project costs for design and construction work carried out by the non-Federal interest before the date of modification of the existing project cooperation agreement or execution of a new project cooperation agreement, if the Secretary determines that the work is integral to the project.

SEC. 305. GASPARILLA AND ESTERO ISLANDS, FLORIDA.

The project for shore protection, Gasparilla and Estero Island segments, Lee County, Florida, authorized under section 201 of the Flood Control Act of 1965 (79 Stat. 1073), by Senate Resolution dated December 17, 1970, and by House Resolution dated December 15, 1970, is modified to authorize the Secretary to enter into an agreement with the non-Federal interest to carry out the project in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1), if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 306. ILLINOIS RIVER BASIN RESTORATION, ILLINOIS.

(a) DEFINITION OF ILLINOIS RIVER BASIN.—In this section, the term ''Illinois River basin'' means the Illinois River, Illinois, its backwaters, side channels, and all tributaries, including their watersheds, draining into the Illinois River.

(b) COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—As expeditiously as practicable, the Secretary shall develop a proposed comprehensive plan for the purpose of restoring, preserving, and protecting the Illinois River basin.

(2) TECHNOLOGIES AND INNOVATIVE APPROACHES.—The comprehensive plan shall provide for the development of new technologies and innovative approaches—

(A) to enhance the Illinois River as a vital transportation corridor;

(B) to improve water quality within the entire Illinois River basin;

(C) to restore, enhance, and preserve habitat for plants and wildlife; and

(D) to increase economic opportunity for agriculture and business communities.

(3) SPECIFIC COMPONENTS.—The comprehensive plan shall include such features as are necessary to provide for—

(A) the development and implementation of a program for sediment removal technology, sediment characterization, sediment transport, and beneficial uses of sediment;

(B) the development and implementation of a program for the planning, conservation, evaluation, and construction of measures for fish and wildlife habitat conservation and rehabilitation, and stabilization and enhancement of land and water resources in the Illinois River basin;

(C) the development and implementation of a long-term resource monitoring program; and

(D) the development and implementation of a computerized inventory and analysis system.

(4) CONSULTATION.—The comprehensive plan shall be developed by the Secretary in consultation with appropriate Federal agencies and the State of Illinois.

(5) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this

Act, the Secretary shall submit to Congress a report containing the comprehensive plan.

(6) ADDITIONAL STUDIES AND ANALYSES.—After submission of the report under paragraph (5), the Secretary shall continue to conduct such studies and analyses related to the comprehensive plan as are necessary, consistent with this subsection.

(c) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—If the Secretary, in cooperation with appropriate Federal agencies and the State of Illinois, determines that a restoration project for the Illinois River basin will produce independent, immediate, and substantial restoration, preservation, and protection benefits, the Secretary shall proceed expeditiously with the implementation of the project.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects under this subsection $20,000,000.

(3) FEDERAL SHARE.—The Federal share of the cost of carrying out any project under this subsection shall not exceed $5,000,000.

(d) GENERAL PROVISIONS.—

(1) WATER QUALITY.—In carrying out projects and activities under this section, the Secretary shall take into account the protection of water quality by considering applicable State water quality standards.

(2) PUBLIC PARTICIPATION.—In developing the comprehensive plan under subsection (b) and carrying out projects under subsection (c), the Secretary shall implement procedures to facilitate public participation, including—

(A) providing advance notice of meetings;

(B) providing adequate opportunity for public input and comment;

(C) maintaining appropriate records; and

(D) making a record of the proceedings of meetings available for public inspection.

(e) COORDINATION.—The Secretary shall integrate and coordinate projects and activities carried out under this section with ongoing Federal and State programs, projects, and activities, including the following:

(1) Upper Mississippi River System-Environmental Management Program authorized under section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652).

(2) Upper Mississippi River Illinois Waterway System Study.

(3) Kankakee River Basin General Investigation.

(4) Peoria Riverfront Development General Investigation.

(5) Illinois River Ecosystem Restoration General Investigation.

(6) Conservation reserve program and other farm programs of the Department of Agriculture.

(7) Conservation Reserve Enhancement Program (State) and Conservation 2000, Ecosystem Program of the Illinois Department of Natural Resources.

(8) Conservation 2000 Conservation Practices Program and the Livestock Management Facilities Act administered by the Department of Agriculture of the State of Illinois.

(9) National Buffer Initiative of the Natural Resources Conservation Service.

(10) Nonpoint source grant program administered by the Environmental Protection Agency of the State of Illinois.

(f) JUSTIFICATION.—

(1) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out activities to restore, preserve, and protect the Illinois River basin under this section, the Secretary may determine that the activities—

(A) are justified by the environmental benefits derived by the Illinois River basin; and

(B) shall not need further economic justification if the Secretary determines that the activities are cost-effective.

(2) APPLICABILITY.—Paragraph (1) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the Illinois River basin.

(g) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of projects and activities carried out under this section shall be 35 percent.

(2) OPERATION, MAINTENANCE, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.

(3) IN-KIND SERVICES.—

(A) IN GENERAL.—The value of in-kind services provided by the non-Federal interest for a project or activity carried out under this section may be credited toward not more than 80 percent of the non-Federal share of the cost of the project or activity.

(B) ITEMS INCLUDED.—In-kind services shall include all State funds expended on programs and projects that accomplish the goals of this section, as determined by the Secretary, including the Illinois River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Illinois River basin.

(4) CREDIT.—

(A) VALUE OF LAND.—If the Secretary determines that land or an interest in land acquired by a non-Federal interest, regardless of the date of acquisition, is integral to a project or activity carried out under this section, the Secretary may credit the value of the land or interest in land toward the non-Federal share of the cost of the project or activity, as determined by the Secretary.

(B) WORK.—If the Secretary determines that any work completed by a non-Federal interest, regardless of the date of completion, is integral to a project or activity carried out under this section, the Secretary may credit the value of the work toward the non-Federal share of the cost of the project or activity, as determined by the Secretary.

SEC. 307. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS.

The Secretary shall credit toward the non-Federal share of the costs of the study to determine the feasibility of improvements to the upper Des Plaines River and tributaries, phase 2, Illinois and Wisconsin, authorized by section 419 of the Water Resources Development Act of 1999 (113 Stat. 324), the costs of work carried out by the non-Federal interests in Lake County, Illinois, before the date of execution of the feasibility study cost-sharing agreement, if—

(1) the Secretary and the non-Federal interests enter into a feasibility study cost-sharing agreement; and

(2) the Secretary finds that the work is integral to the scope of the feasibility study.

SEC. 308. ATCHAFALAYA BASIN, LOUISIANA.

(a) IN GENERAL.—Notwithstanding the Report of the Chief of Engineers, dated February 28, 1983, for the project for flood control, Atchafalaya Basin Floodway System, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142), which report refers to recreational development in the Lower Atchafalaya Basin Floodway, the Secretary—

(1) shall, in collaboration with the State of Louisiana, initiate construction of the visitors center, authorized as part of the project, at or near Lake End Park in Morgan City, Louisiana; and

(2) shall construct other recreational features, authorized as part of the project, within, and in the vicinity of, the Lower Atchafalaya Basin protection levees.

(b) AUTHORITIES.—The Secretary shall carry out subsection (a) in accordance with—

(1) the feasibility study for the Atchafalaya Basin Floodway System, Louisiana, dated January 1982; and

(2) the recreation cost-sharing requirements under section 103(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(c)).

SEC. 309. RED RIVER WATERWAY, LOUISIANA.

The project for mitigation of fish and wildlife losses, Red River Waterway, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142) and modified by section 4(h) of the Water Resources Development Act of 1988 (102 Stat. 4016), section 102(p) of the Water Resources Development Act of 1990 (104 Stat. 4613), and section 301(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3710), is further modified to authorize the purchase of mitigation land from willing sellers in any of the parishes that comprise the Red River Waterway District, consisting of Avoyelles, Bossier, Caddo, Grant, Natchitoches, Rapides, and Red River Parishes.

SEC. 310. NARRAGUAGUS RIVER, MILBRIDGE, MAINE.

(a) REDESIGNATION.—The project for navigation, Narraguagus River, Milbridge, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), is modified to redesignate as anchorage the portion of the 11-foot channel described as follows: beginning at a point with coordinates N248,413.92, E668,000.24, thence running south 20 degrees 09 minutes 57.8 seconds east 1325.205 feet to a point N247,169.95, E668,457.09, thence running north 51 degrees 30 minutes 05.7 seconds west 562.33 feet to a point N247,520.00, E668,017.00, thence running north 01 degrees 04 minutes 26.8 seconds west 894.077 feet to the point of origin.

(b) REAUTHORIZATION.—The Secretary shall maintain as anchorage the portions of the project for navigation, Narraguagus River, Milbridge, Maine, authorized by section 2 of the Act of June 14, 1880 (21 Stat. 195, chapter 211), that lie adjacent to and outside the limits of the 11-foot and 9-foot channels and that are described as follows:

(1) The area located east of the 11-foot channel beginning at a point with coordinates N248,060.52, E668,236.56, thence running south 36 degrees 20 minutes 52.3 seconds east 1567.242 feet to a point N246,798.21, E669,165.44, thence running north 51 degrees 30 minutes 06.2 seconds west 839.855 feet to a point N247,321.01, E668,508.15, thence running north 20 degrees 09 minutes 58.1 seconds west 787.801 feet to the point of origin.

(2) The area located west of the 9-foot channel beginning at a point with coordinates N249,673.29, E667,537.73, thence running south 20 degrees 09 minutes 57.8 seconds east 1341.616 feet to a point N248,413.92, E668,000.24, thence running south 01 degrees 04 minutes 26.8 seconds east 371.688 feet to a point N248,042.30, E668,007.21, thence running north 22 degrees 21 minutes 20.8 seconds west 474.096 feet to a point N248,480.76, E667,826.88, thence running north 79 degrees 09 minutes 31.6 seconds east 100.872 feet to a point N248,499.73, E667,925.95, thence running north 13 degrees 47 minutes 27.6 seconds west 95.126 feet to a point N248,592.12, E667,903.28, thence

running south 79 degrees 09 minutes 31.6 seconds west 115.330 feet to a point N248,570.42, E667,790.01, thence running north 22 degrees 21 minutes 20.8 seconds west 816.885 feet to a point N249,325.91, E667,479.30, thence running north 07 degrees 03 minutes 00.3 seconds west 305.680 feet to a point N249,629.28, E667,441.78, thence running north 65 degrees 21 minutes 33.8 seconds east 105.561 feet to the point of origin.

SEC. 311. WILLIAM JENNINGS RANDOLPH LAKE, MARYLAND.

The Secretary—

(1) may provide design and construction assistance for recreational facilities in the State of Maryland at the William Jennings Randolph Lake (Bloomington Dam), Maryland and West Virginia, project authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182); and

(2) shall require the non-Federal interest to provide 50 percent of the costs of designing and constructing the recreational facilities.

SEC. 312. BRECKENRIDGE, MINNESOTA.

(a) IN GENERAL.—The Secretary may complete the project for flood damage reduction, Breckenridge, Minnesota, substantially in accordance with the Detailed Project Report dated September 2000, at a total cost of $21,000,000, with an estimated Federal cost of $13,650,000 and an estimated non-Federal cost of $7,350,000.

(b) IN-KIND SERVICES.—The non-Federal interest may provide its share of project costs in cash or in the form of in-kind services or materials.

(c) CREDIT.—The non-Federal interest shall receive credit toward the non-Federal share of project costs for design and construction work carried out by the non-Federal interest before the date of modification of the existing project cooperation agreement or execution of a new project cooperation agreement, if the Secretary determines that the work is integral to the project.

SEC. 313. MISSOURI RIVER VALLEY, MISSOURI.

(a) SHORT TITLE.—This section may be cited as the ''Missouri River Valley Improvement Act''.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) Lewis and Clark were pioneering naturalists that recorded dozens of species previously unknown to science while ascending the Missouri River in 1804;

(B) the Missouri River, which is 2,321 miles long, drains ⅙ of the United States, is home to approximately 10,000,000 people in 10 States and 28 Native American tribes, and is a resource of incalculable value to the United States;

(C) the construction of dams, levees, and river training structures in the past 150 years has aided navigation, flood control, and water supply along the Missouri River, but has reduced habitat for native river fish and wildlife;

(D) river organizations, including the Missouri River Basin Association, support habitat restoration, riverfront revitalization, and improved operational flexibility so long as those efforts do not significantly interfere with uses of the Missouri River; and

(E) restoring a string of natural places by the year 2004 would aid native river fish and wildlife, reduce flood losses, enhance recreation and tourism, and celebrate the bicentennial of Lewis and Clark's voyage.

(2) PURPOSES.—The purposes of this section are—

(A) to protect, restore, and enhance the fish, wildlife, and plants, and the associated habitats on which they depend, of the Missouri River;

(B) to restore a string of natural places that aid native river fish and wildlife, reduce flood losses, and enhance recreation and tourism;

(C) to revitalize historic riverfronts to improve quality of life in riverside communities and attract recreation and tourism;

(D) to monitor the health of the Missouri River and measure biological, chemical, geological, and hydrological responses to changes in Missouri River management;

(E) to allow the Corps of Engineers increased authority to restore and protect fish and wildlife habitat on the Missouri River;

(F) to protect and replenish cottonwoods, and their associated riparian woodland communities, along the upper Missouri River; and

(G) to educate the public about the economic, environmental, and cultural importance of the Missouri River and the scientific and cultural discoveries of Lewis and Clark.

(c) DEFINITION OF MISSOURI RIVER.—In this section, the term ''Missouri River'' means the Missouri River and the adjacent floodplain that extends from the mouth of the Missouri River (RM 0) to the confluence of the Jefferson, Madison, and Gallatin Rivers (RM 2341) in the State of Montana.

(d) AUTHORITY TO PROTECT, ENHANCE, AND RESTORE FISH AND WILDLIFE HABITAT.—Section 9(b) of the Act of December 22, 1944 (58 Stat. 891, chapter 665), is amended—

(1) by striking ''(b) The general'' and inserting the following:

''(b) COMPREHENSIVE PLAN.—

''(1) IN GENERAL.—The general'';

(2) by striking ''paragraph'' and inserting ''subsection''; and

(3) by adding at the end the following:

''(2) FISH AND WILDLIFE HABITAT.—In addition to carrying out the duties under the comprehensive plan described in paragraph (1), the Chief of Engineers shall protect, enhance, and restore fish and wildlife habitat on the Missouri River to the extent consistent with other authorized project purposes.''.

(e) INTEGRATION OF ACTIVITIES.—

(1) IN GENERAL.—In carrying out this section and in accordance with paragraph (2), the Secretary shall provide for such activities as are necessary to protect and enhance fish and wildlife habitat without adversely affecting—

(A) the water-related needs of the Missouri River basin, including flood control, navigation, hydropower, water supply, and recreation; and

(B) private property rights.

(2) NEW AUTHORITY.—Nothing in this section confers any new regulatory authority on any Federal or non-Federal entity that carries out any activity under this section.

(f) MISSOURI RIVER MITIGATION PROJECT.—The matter under the heading ''MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA'' of section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143) is amended by adding at the end the following: ''There is authorized to be appropriated to carry out this paragraph $20,000,000 for each of fiscal years 2001 through 2010, contingent on the completion by December 31, 2000, of the study under this heading.''.

(g) UPPER MISSOURI RIVER AQUATIC AND RIPARIAN HABITAT MITIGATION PROGRAM.—

(1) IN GENERAL.—

(A) STUDY.—Not later than 2 years after the date of enactment of this Act, the Secretary, through an interagency agreement with the Director of the United States Fish and Wildlife Service and in accordance with the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901 et seq.), shall complete a study that—

(i) analyzes any adverse effects on aquatic and riparian-dependent fish and wildlife resulting from the operation of the Missouri River Mainstem Reservoir Project in the States of Nebraska, South Dakota, North Dakota, and Montana;

(ii) recommends measures appropriate to mitigate the adverse effects described in clause (i); and

(iii) develops baseline geologic and hydrologic data relating to aquatic and riparian habitat.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under subparagraph (A).

(2) PILOT PROGRAM.—The Secretary, in consultation with the Director of the United States Fish and Wildlife Service and the affected State fish and wildlife agencies, shall develop and administer a pilot mitigation program that—

(A) involves the experimental releases of warm water from the spillways at Fort Peck Dam during the appropriate spawning periods for native fish;

(B) involves the monitoring of the response of fish to and the effectiveness of the preservation of native fish and wildlife habitat of the releases described in subparagraph (A); and

(C) shall not adversely impact a use of the reservoir existing on the date on which the pilot program is implemented.

(3) RESERVOIR FISH LOSS STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the North Dakota Game and Fish Department and the South Dakota Department of Game, Fish and Parks, shall complete a study to analyze and recommend measures to avoid or reduce the loss of fish, including rainbow smelt, through Garrison Dam in North Dakota and Oahe Dam in South Dakota.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under subparagraph (A).

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary—

(A) to complete the study required under paragraph (3), $200,000; and

(B) to carry out the other provisions of this subsection, $1,000,000 for each of fiscal years 2001 through 2010.

(h) MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.—Section 514 of the Water Resources Development Act of 1999 (113 Stat. 342) is amended by striking subsection (g) and inserting the following:

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out activities under this section $5,000,000 for each of fiscal years 2001 through 2004.''.

SEC. 314. NEW MADRID COUNTY, MISSOURI.

(a) IN GENERAL.—The project for navigation, New Madrid County Harbor, New Madrid County, Missouri, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is authorized as described in the feasibility report for the project, including both phase 1 and phase 2 of the project.

(b) CREDIT.—

(1) IN GENERAL.—The Secretary shall provide credit to the non-Federal interests for the costs incurred by the non-Federal interests in carrying out construction work for

phase 1 of the project, if the Secretary finds that the construction work is integral to phase 2 of the project.

(2) MAXIMUM AMOUNT OF CREDIT.—The amount of the credit under paragraph (1) shall not exceed the required non-Federal share for the project.

SEC. 315. PEMISCOT COUNTY HARBOR, MISSOURI.

(a) CREDIT.—With respect to the project for navigation, Pemiscot County Harbor, Missouri, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), the Secretary shall provide credit to the Pemiscot County Port Authority, or an agent of the authority, for the costs incurred by the Authority or agent in carrying out construction work for the project after December 31, 1997, if the Secretary finds that the construction work is integral to the project.

(b) MAXIMUM AMOUNT OF CREDIT.—The amount of the credit under subsection (a) shall not exceed the required non-Federal share for the project, estimated as of the date of enactment of this Act to be $222,000.

SEC. 316. PIKE COUNTY, MISSOURI.

(a) IN GENERAL.—Subject to subsections (c) and (d), at such time as S.S.S., Inc. conveys all right, title, and interest in and to the parcel of land described in subsection (b)(1) to the United States, the Secretary shall convey all right, title, and interest of the United States in and to the parcel of land described in subsection (b)(2) to S.S.S., Inc.

(b) LAND DESCRIPTION.—The parcels of land referred to in subsection (a) are the following:

(1) NON-FEDERAL LAND.—8.99 acres with existing flowage easements, located in Pike County, Missouri, adjacent to land being acquired from Holnam, Inc. by the Corps of Engineers.

(2) FEDERAL LAND.—8.99 acres located in Pike County, Missouri, known as ''Government Tract Numbers FM–46 and FM–47'', administered by the Corps of Engineers.

(c) CONDITIONS.—The land exchange under subsection (a) shall be subject to the following conditions:

(1) DEEDS.—

(A) NON-FEDERAL LAND.—The conveyance of the parcel of land described in subsection (b)(1) to the Secretary shall be by a warranty deed acceptable to the Secretary.

(B) FEDERAL LAND.—The instrument of conveyance used to convey the parcel of land described in subsection (b)(2) to S.S.S., Inc. shall contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(2) REMOVAL OF IMPROVEMENTS.—

(A) IN GENERAL.—S.S.S., Inc. may remove, and the Secretary may require S.S.S., Inc. to remove, any improvements on the parcel of land described in subsection (b)(1).

(B) NO LIABILITY.—If S.S.S., Inc., voluntarily or under direction from the Secretary, removes an improvement on the parcel of land described in subsection (b)(1)—

(i) S.S.S., Inc. shall have no claim against the United States for liability; and

(ii) the United States shall not incur or be liable for any cost associated with the removal or relocation of the improvement.

(3) TIME LIMIT FOR LAND EXCHANGE.—Not later than 2 years after the date of enactment of this Act, the land exchange under subsection (a) shall be completed.

(4) LEGAL DESCRIPTION.—The Secretary shall provide legal descriptions of the parcels of land described in subsection (b), which shall be used in the instruments of conveyance of the parcels.

(5) ADMINISTRATIVE COSTS.—The Secretary shall require S.S.S., Inc. to pay reasonable administrative costs associated with the land exchange under subsection (a).

(d) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the parcel of land conveyed to S.S.S., Inc. by the Secretary under subsection (a) exceeds the appraised fair market value, as determined by the Secretary, of the parcel of land conveyed to the United States by S.S.S., Inc. under that subsection, S.S.S., Inc. shall pay to the United States, in cash or a cash equivalent, an amount equal to the difference between the 2 values.

SEC. 317. FORT PECK FISH HATCHERY, MONTANA.

(a) FINDINGS.—Congress finds that—

(1) Fort Peck Lake, Montana, is in need of a multispecies fish hatchery;

(2) the burden of carrying out efforts to raise and stock fish species in Fort Peck Lake has been disproportionately borne by the State of Montana despite the existence of a Federal project at Fort Peck Lake;

(3)(A) as of the date of enactment of this Act, eastern Montana has only 1 warm water fish hatchery, which is inadequate to meet the demands of the region; and

(B) a disease or infrastructure failure at that hatchery could imperil fish populations throughout the region;

(4) although the multipurpose project at Fort Peck, Montana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1034, chapter 831), was intended to include irrigation projects and other activities designed to promote economic growth, many of those projects were never completed, to the detriment of the local communities flooded by the Fort Peck Dam;

(5) the process of developing an environmental impact statement for the update of the Corps of Engineers Master Manual for the operation of the Missouri River recognized the need for greater support of recreation activities and other authorized purposes of the Fort Peck project;

(6)(A) although fish stocking is included among the authorized purposes of the Fort Peck project, the State of Montana has funded the stocking of Fort Peck Lake since 1947; and

(B) the obligation to fund the stocking constitutes an undue burden on the State; and

(7) a viable multispecies fishery would spur economic development in the region.

(b) PURPOSES.—The purposes of this section are—

(1) to authorize and provide funding for the design and construction of a multispecies fish hatchery at Fort Peck Lake, Montana; and

(2) to ensure stable operation and maintenance of the fish hatchery.

(c) DEFINITIONS.—In this section:

(1) FORT PECK LAKE.—The term ''Fort Peck Lake'' means the reservoir created by the damming of the upper Missouri River in northeastern Montana.

(2) HATCHERY PROJECT.—The term ''hatchery project'' means the project authorized by subsection (d).

(d) AUTHORIZATION.—The Secretary shall carry out a project at Fort Peck Lake, Montana, for the design and construction of a fish hatchery and such associated facilities as are necessary to sustain a multispecies fishery.

(e) COST SHARING.—

(1) DESIGN AND CONSTRUCTION.—

(A) FEDERAL SHARE.—The Federal share of the costs of design and construction of the hatchery project shall be 75 percent.

(B) FORM OF NON-FEDERAL SHARE.—

(i) IN GENERAL.—The non-Federal share of the costs of the hatchery project may be provided in the form of cash or in the form of land, easements, rights-of-way, services, roads, or any other form of in-kind contribution determined by the Secretary to be appropriate.

(ii) REQUIRED CREDITING.—The Secretary shall credit toward the non-Federal share of the costs of the hatchery project—

(I) the costs to the State of Montana of stocking Fort Peck Lake during the period beginning January 1, 1947; and

(II) the costs to the State of Montana and the counties having jurisdiction over land surrounding Fort Peck Lake of construction of local access roads to the lake.

(2) OPERATION, MAINTENANCE, REPAIR, AND REPLACEMENT.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the operation, maintenance, repair, and replacement of the hatchery project shall be a non-Federal responsibility.

(B) COSTS ASSOCIATED WITH THREATENED AND ENDANGERED SPECIES.—The costs of operation and maintenance associated with raising threatened or endangered species shall be a Federal responsibility.

(C) POWER.—The Secretary shall offer to the hatchery project low-cost project power for all hatchery operations.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

(A) $20,000,000; and

(B) such sums as are necessary to carry out subsection (e)(2)(B).

(2) AVAILABILITY OF FUNDS.—Sums made available under paragraph (1) shall remain available until expended.

SEC. 318. SAGAMORE CREEK, NEW HAMPSHIRE.

The Secretary shall carry out maintenance dredging of the Sagamore Creek Channel, New Hampshire.

SEC. 319. PASSAIC RIVER BASIN FLOOD MANAGEMENT, NEW JERSEY.

(a) IN GENERAL.—The project for flood control, Passaic River, New Jersey and New York, authorized by section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607), is modified to emphasize nonstructural approaches for flood control as alternatives to the construction of the Passaic River tunnel element, while maintaining the integrity of other separable mainstream project elements, wetland banks, and other independent projects that were authorized to be carried out in the Passaic River Basin before the date of enactment of this Act.

(b) REEVALUATION OF FLOODWAY STUDY.—The Secretary shall review the Passaic River Floodway Buyout Study, dated October 1995, to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(c) REEVALUATION OF 10-YEAR FLOODPLAIN STUDY.—The Secretary shall review the Passaic River Buyout Study of the 10-year floodplain beyond the floodway of the Central Passaic River Basin, dated September 1995, to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(d) PRESERVATION OF NATURAL STORAGE AREAS.—

(1) IN GENERAL.—The Secretary shall reevaluate the acquisition, from willing sellers, for flood protection purposes, of wetlands in the Central Passaic River Basin to supplement the wetland acquisition authorized by section 101(a)(18)(C)(vi) of the Water Resources Development Act of 1990 (104 Stat. 4609).

(2) PURCHASE.—If the Secretary determines that the acquisition of wetlands evaluated under paragraph (1) is economically justified, the Secretary shall purchase the wetlands, with the goal of purchasing not more than 8,200 acres.

(e) STREAMBANK EROSION CONTROL STUDY.—The Secretary shall review relevant reports and conduct a study to determine the feasibility of carrying out a project for environmental restoration, erosion control, and streambank restoration along the Passaic River, from Dundee Dam to Kearny Point, New Jersey.

(f) PASSAIC RIVER FLOOD MANAGEMENT TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary, in cooperation with the non-Federal interest, shall establish a task force, to be known as the ''Passaic River Flood Management Task Force'', to provide advice to the Secretary concerning all aspects of the Passaic River flood management project.

(2) MEMBERSHIP.—The task force shall be composed of 20 members, appointed as follows:

(A) APPOINTMENT BY SECRETARY.—The Secretary shall appoint 1 member to represent the Corps of Engineers and to provide technical advice to the task force.

(B) APPOINTMENTS BY GOVERNOR OF NEW JERSEY.—The Governor of New Jersey shall appoint 18 members to the task force, as follows:

(i) 2 representatives of the New Jersey legislature who are members of different political parties.

(ii) 1 representative of the State of New Jersey.

(iii) 1 representative of each of Bergen, Essex, Morris, and Passaic Counties, New Jersey.

(iv) 6 representatives of governments of municipalities affected by flooding within the Passaic River Basin.

(v) 1 representative of the Palisades Interstate Park Commission.

(vi) 1 representative of the North Jersey District Water Supply Commission.

(vii) 1 representative of each of—

(I) the Association of New Jersey Environmental Commissions;

(II) the Passaic River Coalition; and

(III) the Sierra Club.

(C) APPOINTMENT BY GOVERNOR OF NEW YORK.—The Governor of New York shall appoint 1 representative of the State of New York to the task force.

(3) MEETINGS.—

(A) REGULAR MEETINGS.—The task force shall hold regular meetings.

(B) OPEN MEETINGS.—The meetings of the task force shall be open to the public.

(4) ANNUAL REPORT.—The task force shall submit annually to the Secretary and to the non-Federal interest a report describing the achievements of the Passaic River flood management project in preventing flooding and any impediments to completion of the project.

(5) EXPENDITURE OF FUNDS.—The Secretary may use funds made available to carry out the Passaic River Basin flood management project to pay the administrative expenses of the task force.

(6) TERMINATION.—The task force shall terminate on the date on which the Passaic River flood management project is completed.

(g) ACQUISITION OF LANDS IN THE FLOODWAY.—Section 1148 of the Water Resources Development Act of 1986 (100 Stat. 4254; 110 Stat. 3718), is amended by adding at the end the following:

''(e) CONSISTENCY WITH NEW JERSEY BLUE ACRES PROGRAM.—The Secretary shall carry out this section in a manner that is consistent with the Blue Acres Program of the State of New Jersey.''.

(h) STUDY OF HIGHLANDS LAND CONSERVATION.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New Jersey, may study the feasibility of conserving land in the Highlands region of New Jersey and New York to provide additional flood protection for residents of the Passaic River Basin in accordance with section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332).

(i) RESTRICTION ON USE OF FUNDS.—The Secretary shall not obligate any funds to carry out design or construction of the tunnel element of the Passaic River flood control project, as authorized by section 101(a)(18)(A) of the Water Resources Development Act of 1990 (104 Stat. 4607).

(j) CONFORMING AMENDMENT.—Section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607) is amended in the paragraph heading by striking ''MAIN STEM,'' and inserting ''FLOOD MANAGEMENT PROJECT,''.

SEC. 320. ROCKAWAY INLET TO NORTON POINT, NEW YORK.

(a) IN GENERAL.—The project for shoreline protection, Atlantic Coast of New York City from Rockaway Inlet to Norton Point (Coney Island Area), New York, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4135) is modified to authorize the Secretary to construct T-groins to improve sand retention down drift of the West 37th Street groin, in the Sea Gate area of Coney Island, New York, as identified in the March 1998 report prepared for the Corps of Engineers, entitled ''Field Data Gathering Project Performance Analysis and Design Alternative Solutions to Improve Sandfill Retention'', at a total cost of $9,000,000, with an estimated Federal cost of $5,850,000 and an estimated non-Federal cost of $3,150,000.

(b) COST SHARING.—The non-Federal share of the costs of constructing the T-groins under subsection (a) shall be 35 percent.

SEC. 321. JOHN DAY POOL, OREGON AND WASHINGTON.

(a) EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.—With respect to the land described in each deed specified in subsection (b)—

(1) the reversionary interests and the use restrictions relating to port or industrial purposes are extinguished;

(2) the human habitation or other building structure use restriction is extinguished in each area where the elevation is above the standard project flood elevation; and

(3) the use of fill material to raise low areas above the standard project flood elevation is authorized, except in any low area constituting wetland for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) would be required.

(b) AFFECTED DEEDS.—Subsection (a) applies to deeds with the following county auditors' numbers:

(1) Auditor's Microfilm Numbers 229 and 16226 of Morrow County, Oregon, executed by the United States.

(2) The portion of the land conveyed in a deed executed by the United States and bearing Benton County, Washington, Auditor's File Number 601766, described as a tract of land lying in sec. 7, T. 5 N., R. 28 E., Willamette meridian, Benton County, Washington, being more particularly described by the following boundaries:

(A) Commencing at the point of intersection of the centerlines of Plymouth Street and Third Avenue in the First Addition to the Town of Plymouth (according to the duly recorded plat thereof).

(B) Thence west along the centerline of Third Avenue, a distance of 565 feet.

(C) Thence south 54° 10' west, to a point on the west line of Tract 18 of that Addition and the true point of beginning.

(D) Thence north, parallel with the west line of that sec. 7, to a point on the north line of that sec. 7.

(E) Thence west along the north line thereof to the northwest corner of that sec. 7.

(F) Thence south along the west line of that sec. 7 to a point on the ordinary high water line of the Columbia River.

(G) Thence northeast along that high water line to a point on the north and south coordinate line of the Oregon Coordinate System, North Zone, that coordinate line being east 2,291,000 feet.

(H) Thence north along that line to a point on the south line of First Avenue of that Addition.

(I) Thence west along First Avenue to a point on the southerly extension of the west line of T. 18.

(J) Thence north along that west line of T. 18 to the point of beginning.

SEC. 322. FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.

Section 352 of the Water Resources Development Act of 1999 (113 Stat. 310) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The''; and

(2) by adding at the end the following:

''(b) CREDIT TOWARD NON-FEDERAL SHARE.—The non-Federal interest shall receive credit toward the non-Federal share of project costs, or reimbursement, for the Federal share of the costs of repairs authorized under subsection (a) that are incurred by the non-Federal interest before the date of execution of the project cooperation agreement.''.

SEC. 323. CHARLESTON HARBOR, SOUTH CAROLINA.

(a) ESTUARY RESTORATION.—

(1) SUPPORT PLAN.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for activities of the Corps of Engineers to support the restoration of the ecosystem of the Charleston Harbor estuary, South Carolina.

(B) COOPERATION.—The Secretary shall develop the plan in cooperation with—

(i) the State of South Carolina; and

(ii) other affected Federal and non-Federal interests.

(2) PROJECTS.—The Secretary shall plan, design, and construct projects to support the restoration of the ecosystem of the Charleston Harbor estuary.

(3) EVALUATION PROGRAM.—

(A) IN GENERAL.—The Secretary shall develop a program to evaluate the success of the projects carried out under paragraph (2) in meeting ecosystem restoration goals.

(B) STUDIES.—Evaluations under subparagraph (A) shall be conducted in consultation with the appropriate Federal, State, and local agencies.

(b) COST SHARING.—

(1) DEVELOPMENT OF PLAN.—The Federal share of the cost of development of the plan under subsection (a)(1) shall be 65 percent.

(2) PROJECT PLANNING, DESIGN, CONSTRUCTION, AND EVALUATION.—The Federal share of the cost of planning, design, construction, and evaluation of a project under paragraphs (2) and (3) of subsection (a) shall be 65 percent.

(3) NON-FEDERAL SHARE.—

(A) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall receive credit for the value of any land, easement, right-of-way, relocation, or dredged material disposal area provided for carrying out a project under subsection (a)(2).

(B) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share in the form of services, materials, supplies, or other in-kind contributions.

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

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

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) DEVELOPMENT OF PLAN.—There is authorized to be appropriated to carry out subsection (a)(1) $300,000.

(2) OTHER ACTIVITIES.—There is authorized to be appropriated to carry out paragraphs (2) and (3) of subsection (a) $5,000,000 for each of fiscal years 2001 through 2004.

SEC. 324. SAVANNAH RIVER, SOUTH CAROLINA.

(a) DEFINITION OF NEW SAVANNAH BLUFF LOCK AND DAM.—In this section, the term ''New Savannah Bluff Lock and Dam'' means—

(1) the lock and dam at New Savannah Bluff, Savannah River, Georgia and South Carolina; and

(2) the appurtenant features to the lock and dam, including—

(A) the adjacent approximately 50-acre park and recreation area with improvements made under the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847) and the first section of the Act of August 30, 1935 (49 Stat. 1032, chapter 831); and

(B) other land that is part of the project and that the Secretary determines to be appropriate for conveyance under this section.

(b) REPAIR AND CONVEYANCE.—After execution of an agreement between the Secretary and the city of North Augusta and Aiken County, South Carolina, the Secretary—

(1) shall repair and rehabilitate the New Savannah Bluff Lock and Dam, at full Federal expense estimated at $5,300,000; and

(2) after repair and rehabilitation, may convey the New Savannah Bluff Lock and Dam, without consideration, to the city of North Augusta and Aiken County, South Carolina.

(c) TREATMENT OF NEW SAVANNAH BLUFF LOCK AND DAM.—The New Savannah Bluff Lock and Dam shall not be considered to be part of any Federal project after the conveyance under subsection (b).

(d) OPERATION AND MAINTENANCE.—

(1) BEFORE CONVEYANCE.—Before the conveyance under subsection (b), the Secretary shall continue to operate and maintain the New Savannah Bluff Lock and Dam.

(2) AFTER CONVEYANCE.—After the conveyance under subsection (b), operation and maintenance of all features of the project for navigation, Savannah River below Augusta, Georgia, described in subsection (a)(2)(A), other than the New Savannah Bluff Lock and Dam, shall continue to be a Federal responsibility.

SEC. 325. HOUSTON-GALVESTON NAVIGATION CHANNELS, TEXAS.

(a) IN GENERAL.—Subject to the completion, not later than December 31, 2000, of a favorable report by the Chief of Engineers, the project for navigation and environmental restoration, Houston-Galveston Navigation Channels, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1996 (110 Stat. 3666), is modified to authorize the Secretary to design and construct barge lanes adjacent to both sides of the Houston Ship Channel from Redfish Reef to Morgan Point, a distance of approximately 15 miles, to a depth of 12 feet, at a total cost of $34,000,000, with an estimated Federal cost of $30,600,000 and an estimated non-Federal cost of $3,400,000.

(b) COST SHARING.—The non-Federal interest shall pay a portion of the costs of construction of the barge lanes under subsection (a) in accordance with section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

(c) FEDERAL INTEREST.—If the modification under subsection (a) is in compliance with all applicable environmental requirements, the modification shall be considered to be in the Federal interest.

(d) NO AUTHORIZATION OF MAINTENANCE.—No maintenance is authorized to be carried out for the modification under subsection (a).

SEC. 326. JOE POOL LAKE, TRINITY RIVER BASIN, TEXAS.

(a) IN GENERAL.—The Secretary shall enter into an agreement with the city of Grand Prairie, Texas, under which the city agrees to assume all responsibilities of the Trinity River Authority of the State of Texas under Contract No. DACW63–76–C–0166, other than financial responsibilities, except the responsibility described in subsection (d).

(b) RESPONSIBILITIES OF TRINITY RIVER AUTHORITY.—The Trinity River Authority shall be relieved of all financial responsibilities under the contract described in subsection (a) as of the date on which the Secretary enters into the agreement with the city under that subsection.

(c) PAYMENTS BY CITY.—In consideration of the agreement entered into under subsection (a), the city shall pay the Federal Government $4,290,000 in 2 installments—

(1) 1 installment in the amount of $2,150,000, which shall be due and payable not later than December 1, 2000; and

(2) 1 installment in the amount of $2,140,000, which shall be due and payable not later than December 1, 2003.

(d) OPERATION AND MAINTENANCE COSTS.—The agreement entered into under subsection (a) shall include a provision requiring the city to assume responsibility for all costs associated with operation and maintenance of the recreation facilities included in the contract described in that subsection.

SEC. 327. LAKE CHAMPLAIN WATERSHED, VERMONT AND NEW YORK.

(a) DEFINITIONS.—In this section:

(1) CRITICAL RESTORATION PROJECT.—The term ''critical restoration project'' means a project that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits.

(2) LAKE CHAMPLAIN WATERSHED.—The term ''Lake Champlain watershed'' means—

(A) the land areas within Addison, Bennington, Caledonia, Chittenden, Franklin, Grand Isle, Lamoille, Orange, Orleans, Rutland, and Washington Counties in the State of Vermont; and

(B)(i) the land areas that drain into Lake Champlain and that are located within Essex, Clinton, Franklin, Warren, and Washington Counties in the State of New York; and

(ii) the near-shore areas of Lake Champlain within the counties referred to in clause (i).

(b) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary may participate in critical restoration projects in the Lake Champlain watershed.

(2) TYPES OF PROJECTS.—A critical restoration project shall be eligible for assistance under this section if the critical restoration project consists of—

(A) implementation of an intergovernmental agreement for coordinating regulatory and management responsibilities with respect to the Lake Champlain watershed;

(B) acceleration of whole farm planning to implement best management practices to maintain or enhance water quality and to promote agricultural land use in the Lake Champlain watershed;

(C) acceleration of whole community planning to promote intergovernmental cooperation in the regulation and management of activities consistent with the goal of maintaining or enhancing water quality in the Lake Champlain watershed;

(D) natural resource stewardship activities on public or private land to promote land uses that—

(i) preserve and enhance the economic and social character of the communities in the Lake Champlain watershed; and

(ii) protect and enhance water quality; or

(E) any other activity determined by the Secretary to be appropriate.

(c) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a critical restoration project under this section only if—

(1) the critical restoration project is publicly owned; or

(2) the non-Federal interest with respect to the critical restoration project demonstrates that the critical restoration project will provide a substantial public benefit in the form of water quality improvement.

(d) PROJECT SELECTION.—

(1) IN GENERAL.—In consultation with the Lake Champlain Basin Program and the heads of other appropriate Federal, State, tribal, and local agencies, the Secretary may—

(A) identify critical restoration projects in the Lake Champlain watershed; and

(B) carry out the critical restoration projects after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(2) CERTIFICATION.—

(A) IN GENERAL.—A critical restoration project shall be eligible for financial assistance under this section only if the State director for the critical restoration project certifies to the Secretary that the critical restoration project will contribute to the protection and enhancement of the quality or quantity of the water resources of the Lake Champlain watershed.

(B) SPECIAL CONSIDERATION.—In certifying critical restoration projects to the Secretary, State directors shall give special consideration to projects that implement plans, agreements, and measures that preserve and enhance the economic and social character of the communities in the Lake Champlain watershed.

(e) COST SHARING.—

(1) IN GENERAL.—Before providing assistance under this section with respect to a critical restoration project, the Secretary shall enter into a project cooperation agreement that shall require the non-Federal interest—

(A) to pay 35 percent of the total costs of the critical restoration project;

(B) to acquire any land, easements, rights-of-way, relocations, and dredged material disposal areas necessary to carry out the critical restoration project;

(C) to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the critical restoration project; and

(D) to hold the United States harmless from any claim or damage that may arise from carrying out the critical restoration project, except any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.

(2) NON-FEDERAL SHARE.—

(A) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work carried out by the non-Federal interest before the date of execution of a project cooperation agreement for the critical restoration project, if the Secretary finds that the design work is integral to the critical restoration project.

(B) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall receive credit for the value of any land, easement, right-of-way, relocation, or dredged material disposal area provided for carrying out the critical restoration project.

(C) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share in the form of services, materials, supplies, or other in-kind contributions.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of Federal or State law with respect to a critical restoration project carried out with assistance provided under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000, to remain available until expended.

SEC. 328. MOUNT ST. HELENS, WASHINGTON.

The project for sediment control, Mount St. Helens, Washington, authorized by the matter under the heading ''TRANSFER OF FEDERAL TOWNSITES'' in chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 318), is modified to authorize the Secretary to maintain, for Longview, Kelso, Lexington, and Castle Rock on the Cowlitz River, Washington, the flood protection levels specified in the October 1985 report entitled ''Mount St. Helens, Washington, Decision Document (Toutle, Cowlitz, and Columbia Rivers)'', published as House Document No. 135, 99th Congress, signed by the Chief of Engineers, and endorsed and submitted to Congress by the Acting Assistant Secretary of the Army.

SEC. 329. PUGET SOUND AND ADJACENT WATERS RESTORATION, WASHINGTON.

(a) DEFINITION OF CRITICAL RESTORATION PROJECT.—In this section, the term ''critical restoration project'' means a project that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits.

(b) CRITICAL RESTORATION PROJECTS.—The Secretary may participate in critical restoration projects in the area of Puget Sound, Washington, and adjacent waters, including—

(1) the watersheds that drain directly into Puget Sound;

(2) Admiralty Inlet;

(3) Hood Canal;

(4) Rosario Strait; and

(5) the Strait of Juan de Fuca to Cape Flattery.

(c) PROJECT SELECTION.—

(1) IN GENERAL.—The Secretary may identify critical restoration projects in the area described in subsection (b) based on—

(A) studies to determine the feasibility of carrying out the critical restoration projects; and

(B) analyses conducted before the date of enactment of this Act by non-Federal interests.

(2) CRITERIA AND PROCEDURES FOR REVIEW AND APPROVAL.—

(A) IN GENERAL.—In consultation with the Secretary of Commerce, the Secretary of the Interior, the Governor of the State of Washington, tribal governments, and the heads of other appropriate Federal, State, and local agencies, the Secretary may develop criteria and procedures for prioritizing critical restoration projects identified under paragraph (1).

(B) CONSISTENCY WITH FISH RESTORATION GOALS.—The criteria and procedures developed under subparagraph (A) shall be consistent with fish restoration goals of the National Marine Fisheries Service and the State of Washington.

(C) USE OF EXISTING STUDIES AND PLANS.—In carrying out subparagraph (A), the Secretary shall use, to the maximum extent practicable, studies and plans in existence on the date of enactment of this Act to identify project needs and priorities.

(3) LOCAL PARTICIPATION.—In prioritizing critical restoration projects for implementation under this section, the Secretary shall consult with, and give full consideration to the priorities of, public and private entities that are active in watershed planning and ecosystem restoration in Puget Sound watersheds, including—

(A) the Salmon Recovery Funding Board;

(B) the Northwest Straits Commission;

(C) the Hood Canal Coordinating Council;

(D) county watershed planning councils; and

(E) salmon enhancement groups.

(d) IMPLEMENTATION.—The Secretary may carry out critical restoration projects identified under subsection (c) after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(e) COST SHARING.—

(1) IN GENERAL.—Before carrying out any critical restoration project under this section, the Secretary shall enter into a binding agreement with the non-Federal interest that shall require the non-Federal interest—

(A) to pay 35 percent of the total costs of the critical restoration project;

(B) to acquire any land, easements, rights-of-way, relocations, and dredged material disposal areas necessary to carry out the critical restoration project;

(C) to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the critical restoration project; and

(D) to hold the United States harmless from any claim or damage that may arise from carrying out the critical restoration project, except any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.

(2) CREDIT.—

(A) IN GENERAL.—The non-Federal interest shall receive credit for the value of any land, easement, right-of-way, relocation, or dredged material disposal area provided for carrying out the critical restoration project.

(B) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share in the form of services, materials, supplies, or other in-kind contributions.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000, of which not more than $5,000,000 may be used to carry out any 1 critical restoration project.

SEC. 330. FOX RIVER SYSTEM, WISCONSIN.

Section 332(a) of the Water Resources Development Act of 1992 (106 Stat. 4852) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) PAYMENTS TO STATE.—The terms and conditions may include 1 or more payments to the State of Wisconsin to assist the State in paying the costs of repair and rehabilitation of the transferred locks and appurtenant features.''.

SEC. 331. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) in the second sentence, by striking ''$7,000,000'' and inserting ''$20,000,000''; and

(2) by striking paragraph (4) and inserting the following:

''(4) the construction of reefs and related clean shell substrate for fish habitat, including manmade 3-dimensional oyster reefs, in the Chesapeake Bay and its tributaries in Maryland and Virginia—

''(A) which reefs shall be preserved as permanent sanctuaries by the non-Federal interests, consistent with the recommendations of the scientific consensus document on Chesapeake Bay oyster restoration dated June 1999; and

''(B) for assistance in the construction of which reefs the Chief of Engineers shall solicit participation by and the services of commercial watermen.''.

SEC. 332. GREAT LAKES DREDGING LEVELS ADJUSTMENT.

(a) DEFINITION OF GREAT LAKE.—In this section, the term ''Great Lake'' means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

(b) DREDGING LEVELS.—In operating and maintaining Federal channels and harbors of, and the connecting channels between, the Great Lakes, the Secretary shall conduct such dredging as is necessary to ensure minimal operation depths consistent with the original authorized depths of the channels and harbors when water levels in the Great Lakes are, or are forecast to be, below the International Great Lakes Datum of 1985.

SEC. 333. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.

(a) FINDINGS.—Congress finds that—

(1) the Great Lakes comprise a nationally and internationally significant fishery and ecosystem;

(2) the Great Lakes fishery and ecosystem should be developed and enhanced in a coordinated manner; and

(3) the Great Lakes fishery and ecosystem provides a diversity of opportunities, experiences, and beneficial uses.

(b) DEFINITIONS.—In this section:

(1) GREAT LAKE.—

(A) IN GENERAL.—The term ''Great Lake'' means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

(B) INCLUSIONS.—The term ''Great Lake'' includes any connecting channel, historically connected tributary, and basin of a lake specified in subparagraph (A).

(2) GREAT LAKES COMMISSION.—The term ''Great Lakes Commission'' means The Great Lakes Commission established by the Great Lakes Basin Compact (82 Stat. 414).

(3) GREAT LAKES FISHERY COMMISSION.—The term ''Great Lakes Fishery Commission'' has the meaning given the term ''Commission'' in section 2 of the Great Lakes Fishery Act of 1956 (16 U.S.C. 931).

(4) GREAT LAKES STATE.—The term ''Great Lakes State'' means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.

(c) GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.—

(1) SUPPORT PLAN.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for activities of the Corps of Engineers that support the management of Great Lakes fisheries.

(B) USE OF EXISTING DOCUMENTS.—To the maximum extent practicable, the plan shall make use of and incorporate documents that relate to the Great Lakes and are in existence on the date of enactment of this Act, such as lakewide management plans and remedial action plans.

(C) COOPERATION.—The Secretary shall develop the plan in cooperation with—

(i) the signatories to the Joint Strategic Plan for Management of the Great Lakes Fisheries; and

(ii) other affected interests.

(2) PROJECTS.—The Secretary shall plan, design, and construct projects to support the restoration of the fishery, ecosystem, and beneficial uses of the Great Lakes.

(3) EVALUATION PROGRAM.—

(A) IN GENERAL.—The Secretary shall develop a program to evaluate the success of the projects carried out under paragraph (2) in meeting fishery and ecosystem restoration goals.

(B) STUDIES.—Evaluations under subparagraph (A) shall be conducted in consultation with the Great Lakes Fishery Commission and appropriate Federal, State, and local agencies.

(d) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary may enter into a cooperative agreement with the Great Lakes Commission or any other agency established to facilitate active State participation in management of the Great Lakes.

(e) RELATIONSHIP TO OTHER GREAT LAKES ACTIVITIES.—No activity under this section shall affect the date of completion of any other activity relating to the Great Lakes that is authorized under other law.

(f) COST SHARING.—

(1) DEVELOPMENT OF PLAN.—The Federal share of the cost of development of the plan under subsection (c)(1) shall be 65 percent.

(2) PROJECT PLANNING, DESIGN, CONSTRUCTION, AND EVALUATION.—The Federal share of the cost of planning, design, construction, and evaluation of a project under paragraph (2) or (3) of subsection (c) shall be 65 percent.

(3) NON-FEDERAL SHARE.—

(A) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall receive credit for the value of any land, easement, right-of-way, relocation, or dredged material disposal area provided for carrying out a project under subsection (c)(2).

(B) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share required under paragraphs (1) and (2) in the form of services, materials, supplies, or other in-kind contributions.

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

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

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) DEVELOPMENT OF PLAN.—There is authorized to be appropriated for development of the plan under subsection (c)(1) $300,000.

(2) OTHER ACTIVITIES.—There is authorized to be appropriated to carry out paragraphs (2) and (3) of subsection (c) $8,000,000 for each of fiscal years 2002 through 2006.

SEC. 334. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

Section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 104 Stat. 4644; 110 Stat. 3763; 113 Stat. 338) is amended—

(1) in subsection (a)(2)(A), by striking ''50 percent'' and inserting ''35 percent'';

(2) in subsection (b)—

(A) by striking paragraph (3);

(B) in the first sentence of paragraph (4), by striking ''50 percent'' and inserting ''35 percent''; and

(C) by redesignating paragraph (4) as paragraph (3); and

(3) in subsection (c), by striking ''$5,000,000 for each of fiscal years 1998 through 2000.'' and inserting ''$10,000,000 for each of fiscal years 2001 through 2010.''.

SEC. 335. GREAT LAKES TRIBUTARY MODEL.

Section 516 of the Water Resources Development Act of 1996 (33 U.S.C. 2326b) is amended—

(1) in subsection (e), by adding at the end the following:

''(3) COST SHARING.—The non-Federal share of the costs of developing a tributary sediment transport model under this subsection shall be 50 percent.''; and

(2) in subsection (g)—

(A) by striking ''There is authorized'' and inserting the following:

''(1) IN GENERAL.—There is authorized''; and

(B) by adding at the end the following:

''(2) GREAT LAKES TRIBUTARY MODEL.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out subsection (e) $5,000,000 for each of fiscal years 2001 through 2008.''.

SEC. 336. TREATMENT OF DREDGED MATERIAL FROM LONG ISLAND SOUND.

(a) IN GENERAL.—Not later than December 31, 2002, the Secretary shall carry out a demonstration project for the use of innovative sediment treatment technologies for the treatment of dredged material from Long Island Sound.

(b) PROJECT CONSIDERATIONS.—In carrying out subsection (a), the Secretary shall, to the maximum extent practicable—

(1) encourage partnerships between the public and private sectors;

(2) build on treatment technologies that have been used successfully in demonstration or full-scale projects (such as projects carried out in the State of New York, New Jersey, or Illinois), such as technologies described in—

(A) section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; 106 Stat. 4863); or

(B) section 503 of the Water Resources Development Act of 1999 (33 U.S.C. 2314 note; 113 Stat. 337);

(3) ensure that dredged material from Long Island Sound that is treated under the demonstration project is disposed of by beneficial reuse, by open water disposal, or at a licensed waste facility, as appropriate; and

(4) ensure that the demonstration project is consistent with the findings and requirements of any draft environmental impact statement on the designation of 1 or more dredged material disposal sites in Long Island Sound that is scheduled for completion in 2001.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000.

SEC. 337. NEW ENGLAND WATER RESOURCES AND ECOSYSTEM RESTORATION.

(a) DEFINITIONS.—In this section:

(1) CRITICAL RESTORATION PROJECT.—The term ''critical restoration project'' means a project that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits.

(2) NEW ENGLAND.—The term ''New England'' means all watersheds, estuaries, and related coastal areas in the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

(b) ASSESSMENT.—

(1) IN GENERAL.—The Secretary, in coordination with appropriate Federal, State, tribal, regional, and local agencies, shall perform an assessment of the condition of water resources and related ecosystems in New England to identify problems and needs for restoring, preserving, and protecting water resources, ecosystems, wildlife, and fisheries.

(2) MATTERS TO BE ADDRESSED.—The assessment shall include—

(A) development of criteria for identifying and prioritizing the most critical problems and needs; and

(B) a framework for development of watershed or regional restoration plans.

(3) USE OF EXISTING INFORMATION.—In performing the assessment, the Secretary shall, to the maximum extent practicable, use—

(A) information that is available on the date of enactment of this Act; and

(B) ongoing efforts of all participating agencies.

(4) CRITERIA; FRAMEWORK.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and make available for public review and comment—

(i) criteria for identifying and prioritizing critical problems and needs; and

(ii) a framework for development of watershed or regional restoration plans.

(B) USE OF RESOURCES.—In developing the criteria and framework, the Secretary shall

make full use of all available Federal, State, tribal, regional, and local resources.

(5) REPORT.—Not later than October 1, 2002, the Secretary shall submit to Congress a report on the assessment.

(c) RESTORATION PLANS.—

(1) IN GENERAL.—After the report is submitted under subsection (b)(5), the Secretary, in coordination with appropriate Federal, State, tribal, regional, and local agencies, shall—

(A) develop a comprehensive plan for restoring, preserving, and protecting the water resources and ecosystem in each watershed and region in New England; and

(B) submit the plan to Congress.

(2) CONTENTS.—Each restoration plan shall include—

(A) a feasibility report; and

(B) a programmatic environmental impact statement covering the proposed Federal action.

(d) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the restoration plans are submitted under subsection (c)(1)(B), the Secretary, in coordination with appropriate Federal, State, tribal, regional, and local agencies, shall identify critical restoration projects that will produce independent, immediate, and substantial restoration, preservation, and protection benefits.

(2) AGREEMENTS.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(3) PROJECT JUSTIFICATION.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out a critical restoration project under this subsection, the Secretary may determine that the project—

(A) is justified by the environmental benefits derived from the ecosystem; and

(B) shall not need further economic justification if the Secretary determines that the project is cost effective.

(4) TIME LIMITATION.—No critical restoration project may be initiated under this subsection after September 30, 2005.

(5) COST LIMITATION.—Not more than $5,000,000 in Federal funds may be used to carry out a critical restoration project under this subsection.

(e) COST SHARING.—

(1) ASSESSMENT.—

(A) IN GENERAL.—The non-Federal share of the cost of the assessment under subsection (b) shall be 25 percent.

(B) IN-KIND CONTRIBUTIONS.—The non-Federal share may be provided in the form of services, materials, or other in-kind contributions.

(2) RESTORATION PLANS.—

(A) IN GENERAL.—The non-Federal share of the cost of developing the restoration plans under subsection (c) shall be 35 percent.

(B) IN-KIND CONTRIBUTIONS.—Up to 50 percent of the non-Federal share may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—The non-Federal share of the cost of carrying out a critical restoration project under subsection (d) shall be 35 percent.

(B) IN-KIND CONTRIBUTIONS.—Up to 50 percent of the non-Federal share may be provided in the form of services, materials, or other in-kind contributions.

(C) REQUIRED NON-FEDERAL CONTRIBUTION.—For any critical restoration project, the non-Federal interest shall—

(i) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(ii) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(iii) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(D) CREDIT.—The non-Federal interest shall receive credit for the value of the land, easements, rights-of-way, dredged material disposal areas, and relocations provided under subparagraph (C).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) ASSESSMENT AND RESTORATION PLANS.—There is authorized to be appropriated to carry out subsections (b) and (c) $2,000,000 for each of fiscal years 2001 through 2005.

(2) CRITICAL RESTORATION PROJECTS.—There is authorized to be appropriated to carry out subsection (d) $30,000,000.

SEC. 338. PROJECT DEAUTHORIZATIONS.

The following projects or portions of projects are not authorized after the date of enactment of this Act:

(1) KENNEBUNK RIVER, KENNEBUNK AND KENNEBUNKPORT, MAINE.—The following portion of the project for navigation, Kennebunk River, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), is not authorized after the date of enactment of this Act: the portion of the northernmost 6-foot deep anchorage the boundaries of which begin at a point with coordinates N1904693.6500, E418084.2700, thence running south 01 degree 04 minutes 50.3 seconds 35 feet to a point with coordinates N190434.6562, E418084.9301, thence running south 15 degrees 53 minutes 45.5 seconds 416.962 feet to a point with coordinates N190033.6386, E418199.1325, thence running north 03 degrees 11 minutes 30.4 seconds 70 feet to a point with coordinates N190103.5300, E418203.0300, thence running north 17 degrees 58 minutes 18.3 seconds west 384.900 feet to the point of origin.

(2) WALLABOUT CHANNEL, BROOKLYN, NEW YORK.—

(A) IN GENERAL.—The northeastern portion of the project for navigation, Wallabout Channel, Brooklyn, New York, authorized by the Act of March 3, 1899 (30 Stat. 1124, chapter 425), beginning at a point N682,307.40, E638,918.10, thence running along the courses and distances described in subparagraph (B).

(B) COURSES AND DISTANCES.—The courses and distances referred to in subparagraph (A) are the following:

(i) South 85 degrees, 44 minutes, 13 seconds East 87.94 feet (coordinate: N682,300.86, E639,005.80).

(ii) North 74 degrees, 41 minutes, 30 seconds East 271.54 feet (coordinate: N682,372.55, E639,267.71).

(iii) South 4 degrees, 46 minutes, 02 seconds West 170.95 feet (coordinate: N682,202.20, E639,253.50).

(iv) South 4 degrees, 46 minutes, 02 seconds West 239.97 feet (coordinate: N681,963.06, E639,233.56).

(v) North 50 degrees, 48 minutes, 26 seconds West 305.48 feet (coordinate: N682,156.10, E638,996.80).

(vi) North 3 degrees, 33 minutes, 25 seconds East 145.04 feet (coordinate: N682,300.86, E639,005.80).

(3) NEW YORK AND NEW JERSEY CHANNELS, NEW YORK AND NEW JERSEY.—The portion of the project for navigation, New York and New Jersey Channels, New York and New Jersey, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1030, chapter 831), and modified by section 101 of the River and Harbor Act of 1950 (64 Stat. 164), consisting of a 35-foot-deep channel beginning at a point along the western limit of the authorized project, N644100.411, E2129256.91, thence running southeast about 38.25 feet to a point N644068.885, E2129278.565, thence running south about 1163.86 feet to a point N642912.127, E2129150.209, thence running southwest about 56.9 feet to a point N642864.09, E2129119.725, thence running north along the western limit of the project to the point of origin.

(4) WARWICK COVE, RHODE ISLAND.—The portion of the project for navigation, Warwick Cove, Rhode Island, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), which is located within the 5-acre, 6-foot anchorage area west of the channel: beginning at a point with coordinates N221,150.027, E528,960.028, thence running southerly about 257.39 feet to a point with coordinates N220,892.638, E528,960.028, thence running northwesterly about 346.41 feet to a point with coordinates N221,025.270, E528,885.780, thence running northeasterly about 145.18 feet to the point of origin.

SEC. 339. BOGUE BANKS, CARTERET COUNTY, NORTH CAROLINA.

(a) DEFINITION OF BEACHES.—In this section, the term ''beaches'' means the following beaches located in Carteret County, North Carolina:

(1) Atlantic Beach.

(2) Pine Knoll Shores Beach.

(3) Salter Path Beach.

(4) Indian Beach.

(5) Emerald Isle Beach.

(b) RENOURISHMENT STUDY.—The Secretary shall expedite completion of a study under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j) on the expedited renourishment, through sharing of the costs of deposition of sand and other material used for beach renourishment, of the beaches of Bogue Banks in Carteret County, North Carolina.

TITLE IV—STUDIES

SEC. 401. BALDWIN COUNTY, ALABAMA.

The Secretary shall conduct a study to determine the feasibility of carrying out beach erosion control, storm damage reduction, and other measures along the shores of Baldwin County, Alabama.

SEC. 402. BONO, ARKANSAS.

The Secretary shall conduct a study to determine the feasibility of, and need for, a reservoir and associated improvements to provide for flood control, recreation, water quality, and fish and wildlife in the vicinity of Bono, Arkansas.

SEC. 403. CACHE CREEK BASIN, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4112), to authorize construction of features to mitigate impacts of the project on the storm drainage system of the city of Woodland, California, that have been caused by construction of a new south levee of the Cache Creek Settling Basin.

(b) REQUIRED ELEMENTS.—The study shall include consideration of—

(1) an outlet works through the Yolo Bypass capable of receiving up to 1,600 cubic feet per second of storm drainage from the city of Woodland and Yolo County;

(2) a low-flow cross-channel across the Yolo Bypass, including all appurtenant features, that is sufficient to route storm flows of 1,600 cubic feet per second between the old

and new south levees of the Cache Creek Settling Basin, across the Yolo Bypass, and into the Tule Canal; and

(3) such other features as the Secretary determines to be appropriate.

SEC. 404. ESTUDILLO CANAL WATERSHED, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of constructing flood control measures in the Estudillo Canal watershed, San Leandro, Calfornia.

SEC. 405. LAGUNA CREEK WATERSHED, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of constructing flood control measures in the Laguna Creek watershed, Fremont, California, to provide a 100-year level of flood protection.

SEC. 406. OCEANSIDE, CALIFORNIA.

Not later than 32 months after the date of enactment of this Act, the Secretary shall conduct a special study, at full Federal expense, of plans—

(1) to mitigate for the erosion and other impacts resulting from the construction of Camp Pendleton Harbor, Oceanside, California, as a wartime measure; and

(2) to restore beach conditions along the affected public and private shores to the conditions that existed before the construction of Camp Pendleton Harbor.

SEC. 407. SAN JACINTO WATERSHED, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a watershed study for the San Jacinto watershed, California.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $250,000.

SEC. 408. CHOCTAWHATCHEE RIVER, FLORIDA.

The Secretary shall conduct a reconnaissance study to determine the Federal interest in dredging the mouth of the Choctawhatchee River, Florida, to remove the sand plug.

SEC. 409. EGMONT KEY, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of stabilizing the historic fortifications and beach areas of Egmont Key, Florida, that are threatened by erosion.

SEC. 410. FERNANDINA HARBOR, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of realigning the access channel in the vicinity of the Fernandina Beach Municipal Marina as part of project for navigation, Fernandina, Florida, authorized by the first section of the Act of June 14, 1880 (21 Stat. 186, chapter 211).

SEC. 411. UPPER OCKLAWAHA RIVER AND APOPKA/PALATLAKAHA RIVER BASINS, FLORIDA.

(a) IN GENERAL.—The Secretary shall conduct a restudy of flooding and water quality issues in—

(1) the upper Ocklawaha River basin, south of the Silver River; and

(2) the Apopka River and Palatlakaha River basins.

(b) REQUIRED ELEMENTS.—In carrying out subsection (a), the Secretary shall review the report of the Chief of Engineers on the Four River Basins, Florida, project, published as House Document No. 585, 87th Congress, and other pertinent reports to determine the feasibility of measures relating to comprehensive watershed planning for water conservation, flood control, environmental restoration and protection, and other issues relating to water resources in the river basins described in subsection (a).

SEC. 412. BOISE RIVER, IDAHO.

The Secretary shall conduct a study to determine the feasibility of carrying out multi-objective flood control activities along the Boise River, Idaho.

SEC. 413. WOOD RIVER, IDAHO.

The Secretary shall conduct a study to determine the feasibility of carrying out multi-objective flood control and flood mitigation planning projects along the Wood River in Blaine County, Idaho.

SEC. 414. CHICAGO, ILLINOIS.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for water-related urban improvements, including infrastructure development and improvements, in Chicago, Illinois.

(b) SITES.—Under subsection (a), the Secretary shall study—

(1) the USX/Southworks site;

(2) Calumet Lake and River;

(3) the Canal Origins Heritage Corridor; and

(4) Ping Tom Park.

(c) USE OF INFORMATION; CONSULTATION.—In carrying out this section, the Secretary shall use available information from, and consult with, appropriate Federal, State, and local agencies.

SEC. 415. BOEUF AND BLACK, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of deepening the navigation channel of the Atchafalaya River and Bayous Chene, Boeuf and Black, Louisiana, from 20 feet to 35 feet.

SEC. 416. PORT OF IBERIA, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of constructing navigation improvements for ingress and egress between the Port of Iberia, Louisiana, and the Gulf of Mexico, including channel widening and deepening.

SEC. 417. SOUTH LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of constructing projects for hurricane protection in the coastal area of the State of Louisiana between Morgan City and the Pearl River.

SEC. 418. ST. JOHN THE BAPTIST PARISH, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of constructing urban flood control measures on the east bank of the Mississippi River in St. John the Baptist Parish, Louisiana.

SEC. 419. PORTLAND HARBOR, MAINE.

The Secretary shall conduct a study to determine the adequacy of the channel depth at Portland Harbor, Maine.

SEC. 420. PORTSMOUTH HARBOR AND PISCATAQUA RIVER, MAINE AND NEW HAMPSHIRE.

The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Portsmouth Harbor and Piscataqua River, Maine and New Hampshire, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173) and modified by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4095), to increase the authorized width of turning basins in the Piscataqua River to 1,000 feet.

SEC. 421. SEARSPORT HARBOR, MAINE.

The Secretary shall conduct a study to determine the adequacy of the channel depth at Searsport Harbor, Maine.

SEC. 422. MERRIMACK RIVER BASIN, MASSACHUSETTS AND NEW HAMPSHIRE.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the water resources needs of the Merrimack River basin, Massachusetts and New Hampshire, in the manner described in section 729 of the Water Resources Development Act of 1986 (100 Stat. 4164).

(b) CONSIDERATION OF OTHER STUDIES.—In carrying out this section, the Secretary may take into consideration any studies conducted by the University of New Hampshire on environmental restoration of the Merrimack River System.

SEC. 423. PORT OF GULFPORT, MISSISSIPPI.

The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Gulfport Harbor, Mississippi, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4094) and modified by section 4(n) of the Water Resources Development Act of 1988 (102 Stat. 4017)—

(1) to widen the channel from 300 feet to 450 feet; and

(2) to deepen the South Harbor channel from 36 feet to 42 feet and the North Harbor channel from 32 feet to 36 feet.

SEC. 424. UPLAND DISPOSAL SITES IN NEW HAMPSHIRE.

In conjunction with the State of New Hampshire, the Secretary shall conduct a study to identify and evaluate potential upland disposal sites for dredged material originating from harbor areas located within the State.

SEC. 425. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO.

Section 433 of the Water Resources Development Act of 1999 (113 Stat. 327) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The''; and

(2) by adding at the end the following:

''(b) EVALUATION OF FLOOD DAMAGE REDUCTION MEASURES.—In conducting the study, the Secretary shall evaluate flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies of the Corps of Engineers concerning the frequency of flooding, the drainage area, and the amount of runoff.''.

SEC. 426. CUYAHOGA RIVER, OHIO.

Section 438 of the Water Resources Development Act of 1996 (110 Stat. 3746) is amended to read as follows:

''SEC. 438. CUYAHOGA RIVER, OHIO.

''(a) IN GENERAL.—The Secretary shall—

''(1) conduct a study to evaluate the structural integrity of the bulkhead system located on the Federal navigation channel along the Cuyahoga River near Cleveland, Ohio; and

''(2) provide to the non-Federal interest design analysis, plans and specifications, and cost estimates for repair or replacement of the bulkhead system.

''(b) COST SHARING.—The non-Federal share of the cost of the study shall be 35 percent.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000.''.

SEC. 427. DUCK CREEK WATERSHED, OHIO.

The Secretary shall conduct a study to determine the feasibility of carrying out flood control, environmental restoration, and aquatic ecosystem restoration measures in the Duck Creek watershed, Ohio.

SEC. 428. FREMONT, OHIO.

In consultation with appropriate Federal, State, and local agencies, the Secretary shall conduct a study to determine the feasibility of carrying out projects for water supply and environmental restoration at the Ballville Dam, on the Sandusky River at Fremont, Ohio.

SEC. 429. GRAND LAKE, OKLAHOMA.

(a) EVALUATION.—The Secretary shall—

(1) evaluate the backwater effects specifically due to flood control operations on land around Grand Lake, Oklahoma; and

(2) not later than 180 days after the date of enactment of this Act, submit to Congress a report on whether Federal actions have been a significant cause of the backwater effects.

(b) FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of—

(A) addressing the backwater effects of the operation of the Pensacola Dam, Grand/Neosho River basin; and

(B) purchasing easements for any land that has been adversely affected by backwater flooding in the Grand/Neosho River basin.

(2) COST SHARING.—If the Secretary determines under subsection (a)(2) that Federal actions have been a significant cause of the backwater effects, the Federal share of the costs of the feasibility study under paragraph (1) shall be 100 percent.

SEC. 430. DREDGED MATERIAL DISPOSAL SITE, RHODE ISLAND.

In consultation with the Administrator of the Environmental Protection Agency, the Secretary shall conduct a study to determine the feasibility of designating a permanent site in the State of Rhode Island for the disposal of dredged material.

SEC. 431. CHICKAMAUGA LOCK AND DAM, TENNESSEE.

(a) IN GENERAL.—The Secretary shall use $200,000, from funds transferred from the Tennessee Valley Authority, to prepare a report of the Chief of Engineers for a replacement lock at Chickamauga Lock and Dam, Tennessee.

(b) FUNDING.—As soon as practicable after the date of enactment of this Act, the Tennessee Valley Authority shall transfer the funds described in subsection (a) to the Secretary.

SEC. 432. GERMANTOWN, TENNESSEE.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood control and related purposes along Miller Farms Ditch, Howard Road Drainage, and Wolf River Lateral D, Germantown, Tennessee.

(b) JUSTIFICATION ANALYSIS.—The Secretary shall include environmental and water quality benefits in the justification analysis for the project.

(c) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the costs of the feasibility study under subsection (a) shall not exceed 25 percent.

(2) NON-FEDERAL SHARE.—The Secretary—

(A) shall credit toward the non-Federal share of the costs of the feasibility study the value of the in-kind services provided by the non-Federal interests relating to the planning, engineering, and design of the project, whether carried out before or after execution of the feasibility study cost-sharing agreement; and

(B) for the purposes of subparagraph (A), shall consider the feasibility study to be conducted as part of the Memphis Metro Tennessee and Mississippi study authorized by resolution of the Committee on Transportation and Infrastructure, dated March 7, 1996.

SEC. 433. HORN LAKE CREEK AND TRIBUTARIES, TENNESSEE AND MISSISSIPPI.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Horn Lake Creek and Tributaries, Tennessee and Mississippi, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), to provide a high level of urban flood protection to development along Horn Lake Creek.

(b) REQUIRED ELEMENT.—The study shall include a limited reevaluation of the project to determine the appropriate design, as desired by the non-Federal interests.

SEC. 434. CEDAR BAYOU, TEXAS.

The Secretary shall conduct a study to determine the feasibility of constructing a 12-foot-deep and 125-foot-wide channel from the Houston Ship Channel to Cedar Bayou, mile marker 11, Texas.

SEC. 435. HOUSTON SHIP CHANNEL, TEXAS.

The Secretary shall conduct a study to determine the feasibility of constructing barge lanes adjacent to both sides of the Houston Ship Channel from Bolivar Roads to Morgan Point, Texas, to a depth of 12 feet.

SEC. 436. SAN ANTONIO CHANNEL, TEXAS.

The Secretary shall conduct a study to determine the feasibility of modifying the project for San Antonio Channel improvement, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259), and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921), to add environmental restoration and recreation as project purposes.

SEC. 437. VERMONT DAMS REMEDIATION.

(a) IN GENERAL.—The Secretary shall—

(1) conduct a study to evaluate the structural integrity and need for modification or removal of each dam located in the State of Vermont and described in subsection (b); and

(2) provide to the non-Federal interest design analysis, plans and specifications, and cost estimates for repair, restoration, modification, and removal of each dam described in subsection (b).

(b) DAMS TO BE EVALUATED.—The dams referred to in subsection (a) are the following:

(1) East Barre Dam, Barre Town.

(2) Wrightsville Dam, Middlesex-Montpelier.

(3) Lake Sadawga Dam, Whitingham.

(4) Dufresne Pond Dam, Manchester.

(5) Knapp Brook Site 1 Dam, Cavendish.

(6) Lake Bomoseen Dam, Castleton.

(7) Little Hosmer Dam, Craftsbury.

(8) Colby Pond Dam, Plymouth.

(9) Silver Lake Dam, Barnard.

(10) Gale Meadows Dam, Londonderry.

(c) COST SHARING.—The non-Federal share of the cost of the study under subsection (a) shall be 35 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000.

SEC. 438. WHITE RIVER WATERSHED BELOW MUD MOUNTAIN DAM, WASHINGTON.

(a) REVIEW.—The Secretary shall review the report of the Chief of Engineers on the Upper Puyallup River, Washington, dated 1936, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1591, chapter 688), the Puget Sound and adjacent waters report authorized by section 209 of the Flood Control Act of 1962 (76 Stat. 1197), and other pertinent reports, to determine whether modifications to the recommendations contained in the reports are advisable to provide improvements to the water resources and watershed of the White River watershed downstream of Mud Mountain Dam, Washington.

(b) ISSUES.—In conducting the review under subsection (a), the Secretary shall review, with respect to the Lake Tapps community and other parts of the watershed—

(1) constructed and natural environs;

(2) capital improvements;

(3) water resource infrastructure;

(4) ecosystem restoration;

(5) flood control;

(6) fish passage;

(7) collaboration by, and the interests of, regional stakeholders;

(8) recreational and socioeconomic interests; and

(9) other issues determined by the Secretary.

SEC. 439. WILLAPA BAY, WASHINGTON.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of providing coastal erosion protection for the Tribal Reservation of the Shoalwater Bay Indian Tribe on Willapa Bay, Washington.

(b) PROJECT.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any requirement for economic justification), the Secretary may construct and maintain a project to provide coastal erosion protection for the Tribal Reservation of the Shoalwater Bay Indian Tribe on Willapa Bay, Washington, at full Federal expense, if the Secretary determines that the project—

(A) is a cost-effective means of providing erosion protection;

(B) is environmentally acceptable and technically feasible; and

(C) will improve the economic and social conditions of the Shoalwater Bay Indian Tribe.

(2) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—As a condition of the project described in paragraph (1), the Shoalwater Bay Indian Tribe shall provide land, easements, rights-of-way, and dredged material disposal areas necessary for the implementation of the project.

SEC. 440. UPPER MISSISSIPPI RIVER BASIN SEDIMENT AND NUTRIENT STUDY.

(a) IN GENERAL.—The Secretary, in conjunction with the Secretary of Agriculture and the Secretary of the Interior, shall conduct a study to—

(1) identify and evaluate significant sources of sediment and nutrients in the upper Mississippi River basin;

(2) quantify the processes affecting mobilization, transport, and fate of those sediments and nutrients on land and in water; and

(3) quantify the transport of those sediments and nutrients to the upper Mississippi River and the tributaries of the upper Mississippi River.

(b) STUDY COMPONENTS.—

(1) COMPUTER MODELING.—In carrying out the study under this section, the Secretary shall develop computer models of the upper Mississippi River basin, at the subwatershed and basin scales, to—

(A) identify and quantify sources of sediment and nutrients; and

(B) examine the effectiveness of alternative management measures.

(2) RESEARCH.—In carrying out the study under this section, the Secretary shall conduct research to improve the understanding of—

(A) fate processes and processes affecting sediment and nutrient transport, with emphasis on nitrogen and phosphorus cycling and dynamics;

(B) the influences on sediment and nutrient losses of soil type, slope, climate, vegetation cover, and modifications to the stream drainage network; and

(C) river hydrodynamics, in relation to sediment and nutrient transformations, retention, and transport.

(c) USE OF INFORMATION.—On request of a relevant Federal agency, the Secretary may provide information for use in applying sediment and nutrient reduction programs associated with land-use improvements and land management practices.

(d) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress

a preliminary report that outlines work being conducted on the study components described in subsection (b).

(2) FINAL REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under this section, including any findings and recommendations of the study.

(e) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2001 through 2005.

(2) FEDERAL SHARE.—The Federal share of the cost of carrying out this section shall be 50 percent.

SEC. 441. CLIFF WALK IN NEWPORT, RHODE ISLAND.

The Secretary shall conduct a study to determine the project deficiencies and identify the necessary measures to restore the project for Cliff Walk in Newport, Rhode Island to meet its authorized purpose.

SEC. 442. QUONSET POINT CHANNEL RECONNAISSANCE STUDY.

The Secretary shall conduct a reconnaissance study to determine the Federal interest in dredging the Quonset Point navigation channel in Narragansett Bay, Rhode Island.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. VISITORS CENTERS.

(a) JOHN PAUL HAMMERSCHMIDT VISITORS CENTER, ARKANSAS.—Section 103(e) of the Water Resources Development Act of 1992 (106 Stat. 4813) is amended by striking ''Arkansas River, Arkansas.'' and inserting ''at Fort Smith, Arkansas, on land provided by the city of Fort Smith.''.

(b) LOWER MISSISSIPPI RIVER MUSEUM AND RIVERFRONT INTERPRETIVE SITE, MISSISSIPPI.—Section 103(c)(2) of the Water Resources Development Act of 1992 (106 Stat. 4811) is amended in the first sentence by striking ''in the vicinity of the Mississippi River Bridge in Vicksburg, Mississippi.'' and inserting ''between the Mississippi River Bridge and the waterfront in downtown Vicksburg, Mississippi.''.

SEC. 502. CALFED BAY-DELTA PROGRAM ASSISTANCE, CALIFORNIA.

(a) IN GENERAL.—The Secretary—

(1) may participate with the appropriate Federal and State agencies in the planning and management activities associated with the CALFED Bay-Delta Program referred to in the California Bay-Delta Environmental Enhancement and Water Security Act (division E of Public Law 104–208; 110 Stat. 3009–748); and

(2) shall, to the maximum extent practicable and in accordance with applicable law, integrate the activities of the Corps of Engineers in the San Joaquin and Sacramento River basins with the long-term goals of the CALFED Bay-Delta Program.

(b) COOPERATIVE ACTIVITIES.—In participating in the CALFED Bay-Delta Program under subsection (a), the Secretary may—

(1) accept and expend funds from other Federal agencies and from non-Federal public, private, and nonprofit entities to carry out ecosystem restoration projects and activities associated with the CALFED Bay-Delta Program; and

(2) in carrying out the projects and activities, enter into contracts, cooperative research and development agreements, and cooperative agreements with Federal and non-Federal private, public, and nonprofit entities.

(c) AREA COVERED BY PROGRAM.—For the purposes of this section, the area covered by the CALFED Bay-Delta Program shall be the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and its watershed (known as the ''Bay-Delta Estuary''), as identified in the Framework Agreement Between the Governor's Water Policy Council of the State of California and the Federal Ecosystem Directorate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2002 through 2005.

SEC. 503. LAKE SIDNEY LANIER, GEORGIA, HOME PRESERVATION.

(a) DEFINITIONS.—In this section:

(1) EASEMENT PROHIBITION.—The term ''easement prohibition'' means the rights acquired by the United States in the flowage easements to prohibit structures for human habitation.

(2) ELIGIBLE PROPERTY OWNER.—The term ''eligible property owner'' means a person that owns a structure for human habitation that was constructed before January 1, 2000, and is located on fee land or in violation of the flowage easement.

(3) FEE LAND.—The term ''fee land'' means the land acquired in fee title by the United States for the Lake.

(4) FLOWAGE EASEMENT.—The term ''flowage easement'' means an interest in land that the United States acquired that provides the right to flood, to the elevation of 1,085 feet above mean sea level (among other rights), land surrounding the Lake.

(5) LAKE.—The term ''Lake'' means the Lake Sidney Lanier, Georgia, project of the Corps of Engineers authorized by the first section of the Act of July 24, 1946 (60 Stat. 635, chapter 595).

(b) ESTABLISHMENT OF PROGRAM.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish, and provide public notice of, a program—

(1) to convey to eligible property owners the right to maintain existing structures for human habitation on fee land; or

(2) to release eligible property owners from the easement prohibition as it applies to existing structures for human habitation on the flowage easements (if the floor elevation of the human habitation area is above the elevation of 1,085 feet above mean sea level).

(c) REGULATIONS.—To carry out subsection (b), the Secretary shall promulgate regulations that—

(1) require the Corps of Engineers to suspend any activities to require eligible property owners to remove structures for human habitation that encroach on fee land or flowage easements;

(2) provide that a person that owns a structure for human habitation on land adjacent to the Lake shall have a period of 1 year after the date of enactment of this Act—

(A) to request that the Corps of Engineers resurvey the property of the person to determine if the person is an eligible property owner under this section; and

(B) to pay the costs of the resurvey to the Secretary for deposit in the Corps of Engineers account in accordance with section 2695 of title 10, United States Code;

(3) provide that when a determination is made, through a private survey or through a boundary line maintenance survey conducted by the Federal Government, that a structure for human habitation is located on the fee land or a flowage easement—

(A) the Corps of Engineers shall immediately notify the property owner by certified mail; and

(B) the property owner shall have a period of 90 days from receipt of the notice in which to establish that the structure was constructed prior to January 1, 2000, and that the property owner is an eligible property owner under this section;

(4) provide that any private survey shall be subject to review and approval by the Corps of Engineers to ensure that the private survey conforms to the boundary line established by the Federal Government;

(5) require the Corps of Engineers to offer to an eligible property owner a conveyance or release that—

(A) on fee land, conveys by quitclaim deed the minimum land required to maintain the human habitation structure, reserving the right to flood to the elevation of 1,085 feet above mean sea level, if applicable;

(B) in a flowage easement, releases by quitclaim deed the easement prohibition;

(C) provides that—

(i) the existing structure shall not be extended further onto fee land or into the flowage easement; and

(ii) additional structures for human habitation shall not be placed on fee land or in a flowage easement; and

(D) provides that—

(i)(I) the United States shall not be liable or responsible for damage to property or injury to persons caused by operation of the Lake; and

(II) no claim to compensation shall accrue from the exercise of the flowage easement rights; and

(ii) the waiver described in clause (i) of any and all claims against the United States shall be a covenant running with the land and shall be fully binding on heirs, successors, assigns, and purchasers of the property subject to the waiver; and

(6) provide that the eligible property owner shall—

(A) agree to an offer under paragraph (5) not later than 90 days after the offer is made by the Corps of Engineers; or

(B) comply with the real property rights of the United States and remove the structure for human habitation and any other unauthorized real or personal property.

(d) OPTION TO PURCHASE INSURANCE.—Nothing in this section precludes a property owner from purchasing flood insurance to which the property owner may be eligible.

(e) PRIOR ENCROACHMENT RESOLUTIONS.—Nothing in this section affects any resolution, before the date of enactment of this Act, of an encroachment at the Lake, whether the resolution was effected through sale, exchange, voluntary removal, or alteration or removal through litigation.

(f) PRIOR REAL PROPERTY RIGHTS.—Nothing in this section—

(1) takes away, diminishes, or eliminates any other real property rights acquired by the United States at the Lake; or

(2) affects the ability of the United States to require the removal of any and all encroachments that are constructed or placed on United States real property or flowage easements at the Lake after December 31, 1999.

SEC. 504. CONVEYANCE OF LIGHTHOUSE, ONTONAGON, MICHIGAN.

(a) IN GENERAL.—The Secretary may convey to the Ontonagon County Historical Society, at full Federal expense—

(1) the lighthouse at Ontonagon, Michigan; and

(2) the land underlying and adjacent to the lighthouse (including any improvements on the land) that is under the jurisdiction of the Secretary.

(b) MAP.—The Secretary shall—

(1) determine—

(A) the extent of the land conveyance under this section; and

(B) the exact acreage and legal description of the land to be conveyed under this section; and

(2) prepare a map that clearly identifies any land to be conveyed.

(c) CONDITIONS.—The Secretary may—

(1) obtain all necessary easements and rights-of-way; and

(2) impose such terms, conditions, reservations, and restrictions on the conveyance; as the Secretary determines to be necessary to protect the public interest.

(d) ENVIRONMENTAL RESPONSE.—To the extent required under any applicable law, the Secretary shall be responsible for any necessary environmental response required as a result of the prior Federal use or ownership of the land and improvements conveyed under this section.

(e) RESPONSIBILITIES AFTER CONVEYANCE.—After the conveyance of land under this section, the Ontonagon County Historical Society shall be responsible for any additional operation, maintenance, repair, rehabilitation, or replacement costs associated with—

(1) the lighthouse; or

(2) the conveyed land and improvements.

(f) APPLICABILITY OF ENVIRONMENTAL LAW.—Nothing in this section affects the potential liability of any person under any applicable environmental law.

SEC. 505. LAND CONVEYANCE, CANDY LAKE, OKLAHOMA.

Section 563(c) of the Water Resources Development Act of 1999 (113 Stat. 357) is amended—

(1) in paragraph (1)(B), by striking ''a deceased'' and inserting ''an''; and

(2) by adding at the end the following:

''(4) COSTS OF NEPA COMPLIANCE.—The Federal Government shall assume the costs of any Federal action under this subsection that is carried out for the purpose of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

''(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.''.

SEC. 506. LAND CONVEYANCE, RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.

Section 563 of the Water Resources Development Act of 1999 (113 Stat. 355) is amended by striking subsection (i) and inserting the following:

''(i) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—

''(1) IN GENERAL.—The Secretary shall convey to the State of South Carolina all right, title, and interest of the United States in and to the parcels of land described in paragraph (2)(A) that are being managed, as of August 17, 1999, by the South Carolina Department of Natural Resources for fish and wildlife mitigation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by section 203 of the Flood Control Act of 1966 (80 Stat. 1420).

''(2) LAND DESCRIPTION.—

''(A) IN GENERAL.—The parcels of land to be conveyed are described in Exhibits A, F, and H of Army Lease No. DACW21–1–93–0910 and associated supplemental agreements.

''(B) SURVEY.—The exact acreage and legal description of the land shall be determined by a survey satisfactory to the Secretary, with the cost of the survey borne by the State.

''(3) COSTS OF CONVEYANCE.—The State shall be responsible for all costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

''(4) PERPETUAL STATUS.—

''(A) IN GENERAL.—All land conveyed under this subsection shall be retained in public ownership and shall be managed in perpetuity for fish and wildlife mitigation purposes in accordance with a plan approved by the Secretary.

''(B) REVERSION.—If any parcel of land is not managed for fish and wildlife mitigation purposes in accordance with the plan, title to the parcel shall revert to the United States.

''(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this subsection as the Secretary considers appropriate to protect the interests of the United States.

''(6) FISH AND WILDLIFE MITIGATION AGREEMENT.—

''(A) IN GENERAL.—The Secretary shall pay the State of South Carolina $4,850,000, subject to the Secretary and the State entering into a binding agreement for the State to manage for fish and wildlife mitigation purposes in perpetuity the parcels of land conveyed under this subsection.

''(B) FAILURE OF PERFORMANCE.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State fails to manage any parcel in a manner satisfactory to the Secretary.''.

SEC. 507. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) TERRESTRIAL WILDLIFE HABITAT RESTORATION.—Section 602 of the Water Resources Development Act of 1999 (113 Stat. 385) is amended—

(1) in subsection (a)(4)(C)(i), by striking subclause (I) and inserting the following:

''(I) fund, from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program and through grants to the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe—

''(aa) the terrestrial wildlife habitat restoration programs being carried out as of August 17, 1999, on Oahe and Big Bend project land at a level that does not exceed the greatest amount of funding that was provided for the programs during a previous fiscal year; and

''(bb) the carrying out of plans developed under this section; and''; and

(2) in subsection (b)(4)(B), by striking ''section 604(d)(3)(A)(iii)'' and inserting ''section 604(d)(3)(A)''.

(b) SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.—Section 603 of the Water Resources Development Act of 1999 (113 Stat. 388) is amended—

(1) in subsection (c)(2), by striking ''The'' and inserting ''In consultation with the State of South Dakota, the''; and

(2) in subsection (d)—

(A) in paragraph (2), by inserting ''Department of Game, Fish and Parks of the'' before ''State of''; and

(B) in paragraph (3)(A)(ii)—

(i) in subclause (I), by striking ''transferred'' and inserting ''transferred, or to be transferred,''; and

(ii) by striking subclause (II) and inserting the following:

''(II) fund all costs associated with the lease, ownership, management, operation, administration, maintenance, or development of recreation areas and other land that are transferred, or to be transferred, to the State of South Dakota by the Secretary;''.

(c) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 604 of the Water Resources Development Act of 1999 (113 Stat. 389) is amended—

(1) in subsection (c)(2), by striking ''The'' and inserting ''In consultation with the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe, the''; and

(2) in subsection (d)—

(A) in paragraph (2), by inserting ''as tribal funds'' after ''for use''; and

(B) in paragraph (3)(A)(ii)—

(i) in subclause (I), by striking ''transferred'' and inserting ''transferred, or to be transferred,''; and

(ii) by striking subclause (II) and inserting the following:

''(II) fund all costs associated with the lease, ownership, management, operation, administration, maintenance, or development of recreation areas and other land that are transferred, or to be transferred, to the respective affected Indian Tribe by the Secretary;''.

(d) TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.—Section 605 of the Water Resources Development Act of 1999 (113 Stat. 390) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''in perpetuity'' and inserting ''for the life of the Mni Wiconi project'';

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) DEADLINE FOR TRANSFER OF RECREATION AREAS.—Under subparagraph (A), the Secretary shall transfer recreation areas not later than January 1, 2002.'';

(2) in subsection (c)—

(A) by redesignating paragraph (1) as paragraph (1)(A);

(B) by redesignating paragraphs (2) through (4) as subparagraphs (B) through (D), respectively, of paragraph (1);

(C) in paragraph (1)—

(i) in subparagraph (C), (as redesignated by subparagraph (B)), by inserting ''and'' after the semicolon; and

(ii) in subparagraph (D) (as redesignated by subparagraph (B)), by striking ''and'' and inserting ''or''; and

(D) by redesignating paragraph (5) as paragraph (2);

(3) in subsection (d), by striking paragraph (2) and inserting the following:

''(2) STRUCTURES.—

''(A) IN GENERAL.—The map shall identify all land and structures to be retained as necessary for continuation of the operation, maintenance, repair, replacement, rehabilitation, and structural integrity of the dams and related flood control and hydropower structures.

''(B) LEASE OF RECREATION AREAS.—

''(i) IN GENERAL.—The Secretary shall lease to the State of South Dakota in perpetuity all or part of the following recreation areas, within the boundaries determined under clause (ii), that are adjacent to land received by the State of South Dakota under this title:

''(I) OAHE DAM AND LAKE.—

''(aa) Downstream Recreation Area.

''(bb) West Shore Recreation Area.

''(cc) East Shore Recreation Area.

''(dd) Tailrace Recreation Area.

''(II) FORT RANDALL DAM AND LAKE FRANCIS CASE.—

''(aa) Randall Creek Recreation Area.

''(bb) South Shore Recreation Area.

''(cc) Spillway Recreation Area.

''(III) GAVINS POINT DAM AND LEWIS AND CLARK LAKE.—Pierson Ranch Recreation Area.

''(ii) LEASE BOUNDARIES.—The Secretary shall determine the boundaries of the recreation areas in consultation with the State of South Dakota.'';

(4) in subsection (f)(1), by striking ''Federal law'' and inserting ''a Federal law specified in section 607(a)(6) or any other Federal law'';

(5) in subsection (g), by striking paragraph (3) and inserting the following:

''(3) EASEMENTS AND ACCESS.—

''(A) IN GENERAL.—Not later than 180 days after a request by the State of South Dakota, the Secretary shall provide to the State of South Dakota easements and access on land and water below the level of the exclusive flood pool outside Indian reservations in the State of South Dakota for recreational and other purposes (including for boat docks, boat ramps, and related structures).

''(B) NO EFFECT ON MISSION.—The easements and access referred to in subparagraph (A) shall not prevent the Corps from carrying out its mission under the Act entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes', approved December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 887)).'';

(6) in subsection (h), by striking ''of this Act'' and inserting ''of law''; and

(7) by adding at the end the following:

''(j) CLEANUP OF LAND AND RECREATION AREAS.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary shall clean up each open dump and hazardous waste site identified by the Secretary and located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Cleanup activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.

''(k) CULTURAL RESOURCES ADVISORY COMMISSION.—

''(1) IN GENERAL.—The State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe may establish an advisory commission to be known as the 'Cultural Resources Advisory Commission' (referred to in this subsection as the 'Commission').

''(2) MEMBERSHIP.—The Commission shall be composed of—

''(A) 1 member representing the State of South Dakota;

''(B) 1 member representing the Cheyenne River Sioux Tribe;

''(C) 1 member representing the Lower Brule Sioux Tribe; and

''(D) upon unanimous vote of the members of the Commission described in subparagraphs (A) through (C), a member representing a federally recognized Indian Tribe located in the State of North Dakota or South Dakota that is historically or traditionally affiliated with the Missouri River Basin in South Dakota.

''(3) DUTY.—The duty of the Commission shall be to provide advice on the identification, protection, and preservation of cultural resources on the land and recreation areas described in subsections (b) and (c) of this section and subsections (b) and (c) of section 606.

''(4) RESPONSIBILITIES, POWERS, AND ADMINISTRATION.—The Governor of the State of South Dakota, the Chairman of the Cheyenne River Sioux Tribe, and the Chairman of the Lower Brule Sioux Tribe are encouraged to unanimously enter into a formal written agreement, not later than 1 year after the date of enactment of this subsection, to establish the role, responsibilities, powers, and administration of the Commission.

''(l) INVENTORY AND STABILIZATION OF CULTURAL AND HISTORIC SITES.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary, through contracts entered into with the State of South Dakota, the affected Indian Tribes, and other Indian Tribes in the States of North Dakota and South Dakota, shall inventory and stabilize each cultural site and historic site located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Inventory and stabilization activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.''.

(e) TRANSFER OF CORPS OF ENGINEERS LAND FOR AFFECTED INDIAN TRIBES.—Section 606 of the Water Resources Development Act of 1999 (113 Stat. 393) is amended—

(1) in subsection (a)(1), by striking ''The Secretary'' and inserting ''Not later than January 1, 2002, the Secretary'';

(2) in subsection (b)(1), by striking ''Big Bend and Oahe'' and inserting ''Oahe, Big Bend, and Fort Randall'';

(3) in subsection (d), by striking paragraph (2) and inserting the following:

''(2) STRUCTURES.—

''(A) IN GENERAL.—The map shall identify all land and structures to be retained as necessary for continuation of the operation, maintenance, repair, replacement, rehabilitation, and structural integrity of the dams and related flood control and hydropower structures.

''(B) LEASE OF RECREATION AREAS.—

''(i) IN GENERAL.—The Secretary shall lease to the Lower Brule Sioux Tribe in perpetuity all or part of the following recreation areas at Big Bend Dam and Lake Sharpe:

''(I) Left Tailrace Recreation Area.

''(II) Right Tailrace Recreation Area.

''(III) Good Soldier Creek Recreation Area.

''(ii) LEASE BOUNDARIES.—The Secretary shall determine the boundaries of the recreation areas in consultation with the Lower Brule Sioux Tribe.'';

(4) in subsection (f)—

(A) in paragraph (1), by striking ''Federal law'' and inserting ''a Federal law specified in section 607(a)(6) or any other Federal law'';

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) EASEMENTS AND ACCESS.—

''(i) IN GENERAL.—Not later than 180 days after a request by an affected Indian Tribe, the Secretary shall provide to the affected Indian Tribe easements and access on land and water below the level of the exclusive flood pool inside the Indian reservation of the affected Indian Tribe for recreational and other purposes (including for boat docks, boat ramps, and related structures).

''(ii) NO EFFECT ON MISSION.—The easements and access referred to in clause (i) shall not prevent the Corps from carrying out its mission under the Act entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes', approved December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 887)).'';

(C) in paragraph (3)(B), by inserting before the period at the end the following: ''that were administered by the Corps of Engineers as of the date of the land transfer.''; and

(5) by adding at the end the following:

''(h) CLEANUP OF LAND AND RECREATION AREAS.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary shall clean up each open dump and hazardous waste site identified by the Secretary and located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Cleanup activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.

''(i) INVENTORY AND STABILIZATION OF CULTURAL AND HISTORIC SITES.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary, in consultation with the Cultural Resources Advisory Commission established under section 605(k) and through contracts entered into with the State of South Dakota, the affected Indian Tribes, and other Indian Tribes in the States of North Dakota and South Dakota, shall inventory and stabilize each cultural site and historic site located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Inventory and stabilization activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.

''(j) SEDIMENT CONTAMINATION.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary shall—

''(A) complete a study of sediment contamination in the Cheyenne River; and

''(B) take appropriate remedial action to eliminate any public health and environmental risk posed by the contaminated sediment.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out paragraph (1).''.

(f) BUDGET CONSIDERATIONS.—Section 607 of the Water Resources Development Act of 1999 (113 Stat. 395) is amended by adding at the end the following:

''(d) BUDGET CONSIDERATIONS.—

''(1) IN GENERAL.—In developing an annual budget to carry out this title, the Corps of Engineers shall consult with the State of South Dakota and the affected Indian Tribes.

''(2) INCLUSIONS; AVAILABILITY.—The budget referred to in paragraph (1) shall—

''(A) be detailed;

''(B) include all necessary tasks and associated costs; and

''(C) be made available to the State of South Dakota and the affected Indian Tribes at the time at which the Corps of Engineers submits the budget to Congress.''.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 609 of the Water Resources Development Act of 1999 (113 Stat. 396) is amended by striking subsection (a) and inserting the following:

''(a) SECRETARY.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary for each fiscal year such sums as are necessary—

''(A) to pay the administrative expenses incurred by the Secretary in carrying out this title;

''(B) to fund the implementation of terrestrial wildlife habitat restoration plans under section 602(a);

''(C) to fund activities described in sections 603(d)(3) and 604(d)(3) with respect to land and recreation areas transferred, or to be transferred, to an affected Indian Tribe or the State of South Dakota under section 605 or 606; and

''(D) to fund the annual expenses (not to exceed the Federal cost as of August 17, 1999) of operating recreation areas transferred, or to be transferred, under sections 605(c) and 606(c) to, or leased by, the State of South Dakota or an affected Indian Tribe, until such time as the trust funds under sections 603 and 604 are fully capitalized.

''(2) ALLOCATIONS.—

''(A) IN GENERAL.—For each fiscal year, the Secretary shall allocate the amounts made available under subparagraphs (B), (C), and (D) of paragraph (1) as follows:

''(i) $1,000,000 (or, if a lesser amount is so made available for the fiscal year, the lesser amount) shall be allocated equally among the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe, for use in accordance with paragraph (1).

''(ii) Any amounts remaining after the allocation under clause (i) shall be allocated as follows:

''(I) 65 percent to the State of South Dakota.

''(II) 26 percent to the Cheyenne River Sioux Tribe.

''(III) 9 percent to the Lower Brule Sioux Tribe.

''(B) USE OF ALLOCATIONS.—Amounts allocated under subparagraph (A) may be used at the option of the recipient for any purpose described in subparagraph (B), (C), or (D) of paragraph (1).''.

(h) CLARIFICATION OF REFERENCES TO INDIAN TRIBES.—

(1) DEFINITIONS.—Section 601 of the Water Resources Development Act of 1999 (113 Stat. 385) is amended by striking paragraph (1) and inserting the following:

''(1) AFFECTED INDIAN TRIBE.—The term 'affected Indian Tribe' means each of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe.''.

(2) TERRESTRIAL WILDLIFE HABITAT RESTORATION.—Section 602(b)(4)(B) of the Water Resources Development Act of 1999 (113 Stat. 388) is amended by striking ''the Tribe'' and inserting ''the affected Indian Tribe''.

(3) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 604(d)(3)(A) of the Water Resources Development Act of 1999 (113 Stat. 390) is amended by striking ''the respective Tribe'' each place it appears and inserting ''the respective affected Indian Tribe''.

(4) TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.—Section 605 of the Water Resources Development Act of 1999 (113 Stat. 390) is amended—

(A) in subsection (b)(3), by striking ''an Indian Tribe'' and inserting ''any Indian Tribe''; and

(B) in subsection (c)(1)(B) (as redesignated by subsection (d)(2)(B)), by striking ''an Indian Tribe'' and inserting ''any Indian Tribe''.

(5) TRANSFER OF CORPS OF ENGINEERS LAND FOR AFFECTED INDIAN TRIBES.—Section 606 of the Water Resources Development Act of 1999 (113 Stat. 393) is amended—

(A) in the section heading, by striking ''**INDIAN TRIBES**'' and inserting ''**AFFECTED INDIAN TRIBES**'';

(B) in paragraphs (1) and (4) of subsection (a), by striking ''the Indian Tribes'' each place it appears and inserting ''the affected Indian Tribes'';

(C) in subsection (c)(2), by striking ''an Indian Tribe'' and inserting ''any Indian Tribe'';

(D) in subsection (f)(2)(B)(i)—

(i) by striking ''the respective tribes'' and inserting ''the respective affected Indian Tribes''; and

(ii) by striking ''the respective Tribe's'' and inserting ''the respective affected Indian Tribe's''; and

(E) in subsection (g), by striking ''an Indian Tribe'' and inserting ''any Indian Tribe''.

(6) ADMINISTRATION.—Section 607(a) of the Water Resources Development Act of 1999 (113 Stat. 395) is amended by striking ''an Indian Tribe'' each place it appears and inserting ''any Indian Tribe''.

SEC. 508. EXPORT OF WATER FROM GREAT LAKES.

(a) ADDITIONAL FINDING.—Section 1109(b) of the Water Resources Development Act of 1986 (42 U.S.C. 1962d–20(b)) is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), and by inserting after paragraph (1) the following:

''(2) to encourage the Great Lakes States, in consultation with the Provinces of Ontario and Quebec, to develop and implement a mechanism that provides a common conservation standard embodying the principles of water conservation and resource improvement for making decisions concerning the withdrawal and use of water from the Great Lakes Basin;''.

(b) APPROVAL OF GOVERNORS FOR EXPORT OF WATER.—Section 1109(d) of the Water Resources Development Act of 1986 (42 U.S.C. 1962d–20(d)) is amended by—

(1) inserting ''or exported'' after ''diverted''; and

(2) inserting ''or export'' after ''diversion''.

(c) SENSE OF THE CONGRESS.—It is the Sense of the Congress that the Secretary of State should work with the Canadian Government to encourage and support the Provinces in the development and implementation of a mechanism and standard concerning the withdrawal and use of water from the Great Lakes Basin consistent with those mechanisms and standards developed by the Great Lakes States.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION PLAN

SEC. 601. COMPREHENSIVE EVERGLADES RESTORATION PLAN.

(a) DEFINITIONS.—In this section:

(1) CENTRAL AND SOUTHERN FLORIDA PROJECT.—

(A) IN GENERAL.—The term ''Central and Southern Florida Project'' means the project for Central and Southern Florida authorized under the heading ''CENTRAL AND SOUTHERN FLORIDA'' in section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(B) INCLUSION.—The term ''Central and Southern Florida Project'' includes any modification to the project authorized by this section or any other provision of law.

(2) GOVERNOR.—The term ''Governor'' means the Governor of the State of Florida.

(3) NATURAL SYSTEM.—

(A) IN GENERAL.—The term ''natural system'' means all land and water managed by the Federal Government or the State within the South Florida ecosystem.

(B) INCLUSIONS.—The term ''natural system'' includes—

(i) water conservation areas;

(ii) sovereign submerged land;

(iii) Everglades National Park;

(iv) Biscayne National Park;

(v) Big Cypress National Preserve;

(vi) other Federal or State (including a political subdivision of a State) land that is designated and managed for conservation purposes; and

(vii) any tribal land that is designated and managed for conservation purposes, as approved by the tribe.

(4) PLAN.—The term ''Plan'' means the Comprehensive Everglades Restoration Plan contained in the ''Final Integrated Feasibility Report and Programmatic Environmental Impact Statement'', dated April 1, 1999, as modified by this section.

(5) SOUTH FLORIDA ECOSYSTEM.—

(A) IN GENERAL.—The term ''South Florida ecosystem'' means the area consisting of the land and water within the boundary of the South Florida Water Management District in effect on July 1, 1999.

(B) INCLUSIONS.—The term ''South Florida ecosystem'' includes—

(i) the Everglades;

(ii) the Florida Keys; and

(iii) the contiguous near-shore coastal water of South Florida.

(6) STATE.—The term ''State'' means the State of Florida.

(b) COMPREHENSIVE EVERGLADES RESTORATION PLAN.—

(1) APPROVAL.—

(A) IN GENERAL.—Except as modified by this section, the Plan is approved as a framework for modifications and operational changes to the Central and Southern Florida Project that are needed to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, and the improvement of the environment of the South Florida ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(B) INTEGRATION.—In carrying out the Plan, the Secretary shall integrate the activities described in subparagraph (A) with ongoing Federal and State projects and activities in accordance with section 528(c) of the Water Resources Development Act of 1996 (110 Stat. 3769). Unless specifically provided herein, nothing in this section shall be construed to modify any existing cost share or responsibility for projects as listed in subsection (c) or (e) of section 528 of the Water Resources Development Act of 1996 (110 Stat. 3769).

(2) SPECIFIC AUTHORIZATIONS.—

(A) IN GENERAL.—

(i) PROJECTS.—The Secretary shall carry out the projects included in the Plan in accordance with subparagraphs (B), (C), (D) and (E).

(ii) CONSIDERATIONS.—In carrying out activities described in the Plan, the Secretary shall—

(I) take into account the protection of water quality by considering applicable State water quality standards; and

(II) include such features as the Secretary determines are necessary to ensure that all ground water and surface water discharges from any project feature authorized by this subsection will meet all applicable water quality standards and applicable water quality permitting requirements.

(iii) REVIEW AND COMMENT.—In developing the projects authorized under subparagraph (B), the Secretary shall provide for public review and comment in accordance with applicable Federal law.

(B) PILOT PROJECTS.—The following pilot projects are authorized for implementation, after review and approval by the Secretary, at a total cost of $69,000,000, with an estimated Federal cost of $34,500,000 and an estimated non-Federal cost of $34,500,000:

(i) Caloosahatchee River (C–43) Basin ASR, at a total cost of $6,000,000, with an estimated Federal cost of $3,000,000 and an estimated non-Federal cost of $3,000,000.

(ii) Lake Belt In-Ground Reservoir Technology, at a total cost of $23,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $11,500,000.

(iii) L–31N Seepage Management, at a total cost of $10,000,000, with an estimated Federal cost of $5,000,000 and an estimated non-Federal cost of $5,000,000.

(iv) Wastewater Reuse Technology, at a total cost of $30,000,000, with an estimated Federal cost of $15,000,000 and an estimated non-Federal cost of $15,000,000.

(C) INITIAL PROJECTS.—The following projects are authorized for implementation, after review and approval by the Secretary, subject to the conditions stated in subparagraph (D), at a total cost of $1,100,918,000, with an estimated Federal cost of $550,459,000 and an estimated non-Federal cost of $550,459,000:

(i) C–44 Basin Storage Reservoir, at a total cost of $112,562,000, with an estimated Federal cost of $56,281,000 and an estimated non-Federal cost of $56,281,000.

(ii) Everglades Agricultural Area Storage Reservoirs—Phase I, at a total cost of $233,408,000, with an estimated Federal cost of $116,704,000 and an estimated non-Federal cost of $116,704,000.

(iii) Site 1 Impoundment, at a total cost of $38,535,000, with an estimated Federal cost of $19,267,500 and an estimated non-Federal cost of $19,267,500.

(iv) Water Conservation Areas 3A/3B Levee Seepage Management, at a total cost of $100,335,000, with an estimated Federal cost of $50,167,500 and an estimated non-Federal cost of $50,167,500.

(v) C–11 Impoundment and Stormwater Treatment Area, at a total cost of $124,837,000, with an estimated Federal cost of $62,418,500 and an estimated non-Federal cost of $62,418,500.

(vi) C–9 Impoundment and Stormwater Treatment Area, at a total cost of $89,146,000, with an estimated Federal cost of $44,573,000 and an estimated non-Federal cost of $44,573,000.

(vii) Taylor Creek/Nubbin Slough Storage and Treatment Area, at a total cost of $104,027,000, with an estimated Federal cost of $52,013,500 and an estimated non-Federal cost of $52,013,500.

(viii) Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within Water Conservation Area 3, at a total cost of $26,946,000, with an estimated Federal cost of $13,473,000 and an estimated non-Federal cost of $13,473,000.

(ix) North New River Improvements, at a total cost of $77,087,000, with an estimated Federal cost of $38,543,500 and an estimated non-Federal cost of $38,543,500.

(x) C–111 Spreader Canal, at a total cost of $94,035,000, with an estimated Federal cost of $47,017,500 and an estimated non-Federal cost of $47,017,500.

(xi) Adaptive Assessment and Monitoring Program, at a total cost of $100,000,000, with an estimated Federal cost of $50,000,000 and an estimated non-Federal cost of $50,000,000.

(D) CONDITIONS.—

(i) PROJECT IMPLEMENTATION REPORTS.—Before implementation of a project described in any of clauses (i) through (x) of subparagraph (C), the Secretary shall review and approve for the project a project implementation report prepared in accordance with subsections (f) and (h).

(ii) SUBMISSION OF REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the project implementation report required by subsections (f) and (h) for each project under this paragraph (including all relevant data and information on all costs).

(iii) FUNDING CONTINGENT ON APPROVAL.—No appropriation shall be made to construct any project under this paragraph if the project implementation report for the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(iv) MODIFIED WATER DELIVERY.—No appropriation shall be made to construct the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement Project (including component AA, Additional S–345 Structures; component QQ Phase 1, Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within WCA 3; component QQ Phase 2, WCA 3 Decompartmentalization and Sheetflow Enhancement; and component SS, North New River Improvements) or the Central Lakebelt Storage Project (including components S and EEE, Central Lake Belt Storage Area) until the completion of the project to improve water deliveries to Everglades National Park authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8).

(E) MAXIMUM COST OF PROJECTS.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to each project feature authorized under this subsection.

(c) ADDITIONAL PROGRAM AUTHORITY.—

(1) IN GENERAL.—To expedite implementation of the Plan, the Secretary may implement modifications to the Central and Southern Florida Project that—

(A) are described in the Plan; and

(B) will produce a substantial benefit to the restoration, preservation and protection of the South Florida ecosystem.

(2) PROJECT IMPLEMENTATION REPORTS.—Before implementation of any project feature authorized under this subsection, the Secretary shall review and approve for the project feature a project implementation report prepared in accordance with subsections (f) and (h).

(3) FUNDING.—

(A) INDIVIDUAL PROJECT FUNDING.—

(i) FEDERAL COST.—The total Federal cost of each project carried out under this subsection shall not exceed $12,500,000.

(ii) OVERALL COST.—The total cost of each project carried out under this subsection shall not exceed $25,000,000.

(B) AGGREGATE COST.—The total cost of all projects carried out under this subsection shall not exceed $206,000,000, with an estimated Federal cost of $103,000,000 and an estimated non-Federal cost of $103,000,000.

(d) AUTHORIZATION OF FUTURE PROJECTS.—

(1) IN GENERAL.—Except for a project authorized by subsection (b) or (c), any project included in the Plan shall require a specific authorization by Congress.

(2) SUBMISSION OF REPORT.—Before seeking congressional authorization for a project under paragraph (1), the Secretary shall submit to Congress—

(A) a description of the project; and

(B) a project implementation report for the project prepared in accordance with subsections (f) and (h).

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of carrying out a project authorized by subsection (b), (c), or (d) shall be 50 percent.

(2) NON-FEDERAL RESPONSIBILITIES.—The non-Federal sponsor with respect to a project described in subsection (b), (c), or (d), shall be—

(A) responsible for all land, easements, rights-of-way, and relocations necessary to implement the Plan; and

(B) afforded credit toward the non-Federal share of the cost of carrying out the project in accordance with paragraph (5)(A).

(3) FEDERAL ASSISTANCE.—

(A) IN GENERAL.—The non-Federal sponsor with respect to a project authorized by subsection (b), (c), or (d) may use Federal funds for the purchase of any land, easement, rights-of-way, or relocation that is necessary to carry out the project if any funds so used are credited toward the Federal share of the cost of the project.

(B) AGRICULTURE FUNDS.—Funds provided to the non-Federal sponsor under the Conservation Restoration and Enhancement Program (CREP) and the Wetlands Reserve Program (WRP) for projects in the Plan shall be credited toward the non-Federal share of the cost of the Plan if the Secretary of Agriculture certifies that the funds provided may be used for that purpose. Funds to be credited do not include funds provided under section 390 of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1022).

(4) OPERATION AND MAINTENANCE.—Notwithstanding section 528(e)(3) of the Water Resources Development Act of 1996 (110 Stat. 3770), the non-Federal sponsor shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities authorized under this section.

(5) CREDIT.—

(A) IN GENERAL.—Notwithstanding section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770), and regardless of the date of acquisition, the value of lands or interests in lands and incidental costs for land acquired by a non-Federal sponsor in accordance with a project implementation report for any project included in the Plan and authorized by Congress shall be—

(i) included in the total cost of the project; and

(ii) credited toward the non-Federal share of the cost of the project.

(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan, if—

(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor; or

(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor;

(ii) the design agreement or the project cooperation agreement prescribes the terms and conditions of the credit; and

(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.

(C) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects in accordance with subparagraph (D).

(D) PERIODIC MONITORING.—

(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each 5-year period, beginning with commencement of design of the Plan, the Secretary shall, for each project—

(I) monitor the non-Federal provision of cash, in-kind services, and land; and

(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for—

(I) the preconstruction engineering and design phase; and

(II) the construction phase.

(E) AUDITS.—Credit for land (including land value and incidental costs) or work provided under this subsection shall be subject to audit by the Secretary.

(f) EVALUATION OF PROJECTS.—

(1) IN GENERAL.—Before implementation of a project authorized by subsection (c) or (d) or any of clauses (i) through (x) of subsection (b)(2)(C), the Secretary, in cooperation with the non-Federal sponsor, shall, after notice and opportunity for public comment and in accordance with subsection (h), complete a project implementation report for the project.

(2) PROJECT JUSTIFICATION.—

(A) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out any activity authorized under this section or any other provision of law to restore, preserve, or protect the South Florida ecosystem, the Secretary may determine that—

(i) the activity is justified by the environmental benefits derived by the South Florida ecosystem; and

(ii) no further economic justification for the activity is required, if the Secretary determines that the activity is cost-effective.

(B) APPLICABILITY.—Subparagraph (A) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the natural system.

(g) EXCLUSIONS AND LIMITATIONS.—The following Plan components are not approved for implementation:

(1) WATER INCLUDED IN THE PLAN.—

(A) IN GENERAL.—Any project that is designed to implement the capture and use of the approximately 245,000 acre-feet of water described in section 7.7.2 of the Plan shall not be implemented until such time as—

(i) the project-specific feasibility study described in subparagraph (B) on the need for and physical delivery of the approximately 245,000 acre-feet of water, conducted by the Secretary, in cooperation with the non-Federal sponsor, is completed;

(ii) the project is favorably recommended in a final report of the Chief of Engineers; and

(iii) the project is authorized by Act of Congress.

(B) PROJECT-SPECIFIC FEASIBILITY STUDY.—The project-specific feasibility study referred to in subparagraph (A) shall include—

(i) a comprehensive analysis of the structural facilities proposed to deliver the approximately 245,000 acre-feet of water to the natural system;

(ii) an assessment of the requirements to divert and treat the water;

(iii) an assessment of delivery alternatives;

(iv) an assessment of the feasibility of delivering the water downstream while maintaining current levels of flood protection to affected property; and

(v) any other assessments that are determined by the Secretary to be necessary to complete the study.

(2) WASTEWATER REUSE.—

(A) IN GENERAL.—On completion and evaluation of the wastewater reuse pilot project described in subsection (b)(2)(B)(iv), the Secretary, in an appropriately timed 5-year report, shall describe the results of the evaluation of advanced wastewater reuse in meeting, in a cost-effective manner, the requirements of restoration of the natural system.

(B) SUBMISSION.—The Secretary shall submit to Congress the report described in subparagraph (A) before congressional authorization for advanced wastewater reuse is sought.

(3) PROJECTS APPROVED WITH LIMITATIONS.—The following projects in the Plan are approved for implementation with limitations:

(A) LOXAHATCHEE NATIONAL WILDLIFE REFUGE.—The Federal share for land acquisition in the project to enhance existing wetland systems along the Loxahatchee National Wildlife Refuge, including the Stazzulla tract, should be funded through the budget of the Department of the Interior.

(B) SOUTHERN CORKSCREW REGIONAL ECOSYSTEM.—The Southern Corkscrew regional ecosystem watershed addition should be accomplished outside the scope of the Plan.

(h) ASSURANCE OF PROJECT BENEFITS.—

(1) IN GENERAL.—The overarching objective of the Plan is the restoration, preservation, and protection of the South Florida Ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, the improvement of the environment of the South Florida Ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(2) AGREEMENT.—

(A) IN GENERAL.—In order to ensure that water generated by the Plan will be made available for the restoration of the natural system, no appropriations, except for any pilot project described in subsection (b)(2)(B), shall be made for the construction of a project contained in the Plan until the President and the Governor enter into a binding agreement under which the State shall ensure, by regulation or other appropriate means, that water made available by each project in the Plan shall not be permitted for a consumptive use or otherwise made unavailable by the State until such time as sufficient reservations of water for the restoration of the natural system are made under State law in accordance with the project implementation report for that project and consistent with the Plan.

(B) ENFORCEMENT.—

(i) IN GENERAL.—Any person or entity that is aggrieved by a failure of the United States or any other Federal Government instrumentality or agency, or the Governor or any other officer of a State instrumentality or agency, to comply with any provision of the agreement entered into under subparagraph (A) may bring a civil action in United States district court for an injunction directing the United States or any other Federal Government instrumentality or agency or the Governor or any other officer of a State instrumentality or agency, as the case may be, to comply with the agreement.

(ii) LIMITATIONS ON COMMENCEMENT OF CIVIL ACTION.—No civil action may be commenced under clause (i)—

(I) before the date that is 60 days after the Secretary receives written notice of a failure to comply with the agreement; or

(II) if the United States has commenced and is diligently prosecuting an action in a court of the United States or a State to redress a failure to comply with the agreement.

(C) TRUST RESPONSIBILITIES.—In carrying out his responsibilities under this subsection with respect to the restoration of the South Florida ecosystem, the Secretary of the Interior shall fulfill his obligations to the Indian tribes in South Florida under the Indian Trust Doctrine as well as other applicable legal obligations.

(3) PROGRAMMATIC REGULATIONS.—

(A) ISSUANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, after notice and opportunity for public comment—

(i) with the concurrence of—

(I) the Governor; and

(II) the Secretary of the Interior; and

(ii) in consultation with—

(I) the Seminole Tribe of Florida;

(II) the Miccosukee Tribe of Indians of Florida;

(III) the Administrator of the Environmental Protection Agency;

(IV) the Secretary of Commerce; and

(V) other Federal, State, and local agencies;

promulgate programmatic regulations to ensure that the goals and purposes of the Plan are achieved.

(B) CONCURRENCY STATEMENT.—The Secretary of the Interior and the Governor shall, not later than 180 days from the end of the public comment period on proposed programmatic regulations, provide the Secretary with a written statement of concurrence or nonconcurrence. A failure to provide a written statement of concurrence or nonconcurrence within such time frame will be deemed as meeting the concurrency requirements of subparagraph (A)(i). A copy of any concurrency or nonconcurrency statements shall be made a part of the administrative record and referenced in the final programmatic regulations. Any nonconcurrency statement shall specifically detail the reason or reasons for the nonconcurrence.

(C) CONTENT OF REGULATIONS.—Programmatic regulations promulgated under this paragraph shall establish a process—

(i) for the development of project implementation reports, project cooperation agreements, and operating manuals that ensure that the goals and objectives of the Plan are achieved;

(ii) to ensure that new information resulting from changed or unforeseen circumstances, new scientific or technical information or information that is developed through the principles of adaptive management contained in the Plan, or future authorized changes to the Plan are integrated into the implementation of the Plan; and

(iii) to ensure the protection of the natural system consistent with the goals and purposes of the Plan, including the establishment of interim goals to provide a means by which the restoration success of the Plan may be evaluated throughout the implementation process.

(D) SCHEDULE AND TRANSITION RULE.—

(i) IN GENERAL.—All project implementation reports approved before the date of promulgation of the programmatic regulations shall be consistent with the Plan.

(ii) PREAMBLE.—The preamble of the programmatic regulations shall include a statement concerning the consistency with the programmatic regulations of any project implementation reports that were approved before the date of promulgation of the regulations.

(E) REVIEW OF PROGRAMMATIC REGULATIONS.—Whenever necessary to attain Plan goals and purposes, but not less often than every 5 years, the Secretary, in accordance with subparagraph (A), shall review the programmatic regulations promulgated under this paragraph.

(4) PROJECT-SPECIFIC ASSURANCES.—

(A) PROJECT IMPLEMENTATION REPORTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop project implementation reports in accordance with section 10.3.1 of the Plan.

(ii) COORDINATION.—In developing a project implementation report, the Secretary and the non-Federal sponsor shall coordinate with appropriate Federal, State, tribal, and local governments.

(iii) REQUIREMENTS.—A project implementation report shall—

(I) be consistent with the Plan and the programmatic regulations promulgated under paragraph (3);

(II) describe how each of the requirements stated in paragraph (3)(B) is satisfied;

(III) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(IV) identify the appropriate quantity, timing, and distribution of water dedicated and managed for the natural system;

(V) identify the amount of water to be reserved or allocated for the natural system necessary to implement, under State law, subclauses (IV) and (VI);

(VI) comply with applicable water quality standards and applicable water quality permitting requirements under subsection (b)(2)(A)(ii);

(VII) be based on the best available science; and

(VIII) include an analysis concerning the cost-effectiveness and engineering feasibility of the project.

(B) PROJECT COOPERATION AGREEMENTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall execute project cooperation agreements in accordance with section 10 of the Plan.

(ii) CONDITION.—The Secretary shall not execute a project cooperation agreement until any reservation or allocation of water for the natural system identified in the project implementation report is executed under State law.

(C) OPERATING MANUALS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop and issue, for each project or group of projects, an operating manual that is consistent with the water reservation or allocation for the natural system described in the project implementation report and the project cooperation agreement for the project or group of projects.

(ii) MODIFICATIONS.—Any significant modification by the Secretary and the non-Federal sponsor to an operating manual after the operating manual is issued shall only be carried out subject to notice and opportunity for public comment.

(5) SAVINGS CLAUSE.—

(A) NO ELIMINATION OR TRANSFER.—Until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is available to replace the water to be lost as a result of implementation of the Plan, the Secretary and the non-Federal sponsor shall not eliminate or transfer existing legal sources of water, including those for—

(i) an agricultural or urban water supply;

(ii) allocation or entitlement to the Seminole Indian Tribe of Florida under section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e);

(iii) the Miccosukee Tribe of Indians of Florida;

(iv) water supply for Everglades National Park; or

(v) water supply for fish and wildlife.

(B) MAINTENANCE OF FLOOD PROTECTION.—Implementation of the Plan shall not reduce levels of service for flood protection that are—

(i) in existence on the date of enactment of this Act; and

(ii) in accordance with applicable law.

(C) NO EFFECT ON TRIBAL COMPACT.—Nothing in this section amends, alters, prevents, or otherwise abrogates rights of the Seminole Indian Tribe of Florida under the compact among the Seminole Tribe of Florida, the State, and the South Florida Water Management District, defining the scope and use of water rights of the Seminole Tribe of Florida, as codified by section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e).

(i) DISPUTE RESOLUTION.—

(1) IN GENERAL.—The Secretary and the Governor shall within 180 days from the date of enactment of this Act develop an agreement for resolving disputes between the Corps of Engineers and the State associated with the implementation of the Plan. Such agreement shall establish a mechanism for the timely and efficient resolution of disputes, including—

(A) a preference for the resolution of disputes between the Jacksonville District of the Corps of Engineers and the South Florida Water Management District;

(B) a mechanism for the Jacksonville District of the Corps of Engineers or the South Florida Water Management District to initiate the dispute resolution process for unresolved issues;

(C) the establishment of appropriate timeframes and intermediate steps for the elevation of disputes to the Governor and the Secretary; and

(D) a mechanism for the final resolution of disputes, within 180 days from the date that the dispute resolution process is initiated under subparagraph (B).

(2) CONDITION FOR REPORT APPROVAL.—The Secretary shall not approve a project implementation report under this section until the agreement established under this subsection has been executed.

(3) NO EFFECT ON LAW.—Nothing in the agreement established under this subsection shall alter or amend any existing Federal or State law, or the responsibility of any party to the agreement to comply with any Federal or State law.

(j) INDEPENDENT SCIENTIFIC REVIEW.—

(1) IN GENERAL.—The Secretary, the Secretary of the Interior, and the Governor, in consultation with the South Florida Ecosystem Restoration Task Force, shall establish an independent scientific review panel convened by a body, such as the National Academy of Sciences, to review the Plan's progress toward achieving the natural system restoration goals of the Plan.

(2) REPORT.—The panel described in paragraph (1) shall produce a biennial report to Congress, the Secretary, the Secretary of the Interior, and the Governor that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

(k) OUTREACH AND ASSISTANCE.—

(1) SMALL BUSINESS CONCERNS OWNED AND OPERATED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—In executing the Plan, the Secretary shall ensure that small business concerns owned and controlled by socially and economically disadvantaged individuals are provided opportunities to participate under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(2) COMMUNITY OUTREACH AND EDUCATION.—

(A) IN GENERAL.—The Secretary shall ensure that impacts on socially and economically disadvantaged individuals, including individuals with limited English proficiency, and communities are considered during implementation of the Plan, and that such individuals have opportunities to review and comment on its implementation.

(B) PROVISION OF OPPORTUNITIES.—The Secretary shall ensure, to the maximum extent practicable, that public outreach and educational opportunities are provided, during implementation of the Plan, to the individuals of South Florida, including individuals with limited English proficiency, and in particular for socially and economically disadvantaged communities.

(l) REPORT TO CONGRESS.—Beginning on October 1, 2005, and periodically thereafter until October 1, 2036, the Secretary and the Secretary of the Interior, in consultation with the Environmental Protection Agency, the Department of Commerce, and the State of Florida, shall jointly submit to Congress a report on the implementation of the Plan. Such reports shall be completed not less often than every 5 years. Such reports shall include a description of planning, design, and construction work completed, the amount of funds expended during the period covered by the report (including a detailed analysis of the funds expended for adaptive assessment under subsection (b)(2)(C)(xi)), and the work anticipated over the next 5-year period. In addition, each report shall include—

(1) the determination of each Secretary, and the Administrator of the Environmental Protection Agency, concerning the benefits to the natural system and the human environment achieved as of the date of the report and whether the completed projects of the Plan are being operated in a manner that is consistent with the requirements of subsection (h);

(2) progress toward interim goals established in accordance with subsection (h)(3)(B); and

(3) a review of the activities performed by the Secretary under subsection (k) as they relate to socially and economically disadvantaged individuals and individuals with limited English proficiency.

(m) SEVERABILITY.—If any provision or remedy provided by this section is found to be unconstitutional or unenforceable by any court of competent jurisdiction, any remaining provisions in this section shall remain valid and enforceable.

SEC. 602. SENSE OF THE SENATE CONCERNING HOMESTEAD AIR FORCE BASE.

(a) IN GENERAL.—(1) The Everglades is an American treasure and includes uniquely-important and diverse wildlife resources and recreational opportunities;

(2) the preservation of the pristine and natural character of the South Florida ecosystem is critical to the regional economy;

(3) as this legislation demonstrates, the Senate believes it to be a vital national mission to restore and preserve this ecosystem and accordingly is authorizing a significant Federal investment to do so;

(4) the Senate seeks to have the remaining property at the former Homestead Air Base conveyed and reused as expeditiously as possible, and several options for base reuse are being considered, including as a commercial airport; and

(5) the Senate is aware that the Homestead site is located in a sensitive environmental location, and that Biscayne National Park is only approximately 1.5 miles to the east, Everglades National Park approximately 8 miles to the west, and the Florida Keys National Marine Sanctuary approximately 10 miles to the south.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) development at the Homestead site could potentially cause significant air, water, and noise pollution and result in the degradation of adjacent national parks and other protected Federal resources;

(2) in their decisionmaking, the Federal agencies charged with determining the reuse of the remaining property at the Homestead base should carefully consider and weigh all available information concerning potential environmental impacts of various reuse options;

(3) the redevelopment of the former base should be consistent with restoration goals, provide desirable numbers of jobs and economic redevelopment for the community, and be consistent with other applicable laws;

(4) consistent with applicable laws, the Secretary of the Air Force should proceed as quickly as practicable to issue a final SEIS and Record of Decision so that reuse of the former air base can proceed expeditiously;

(5) following conveyance of the remaining surplus property, the Secretary, as part of his oversight for Everglades restoration, should cooperate with the entities to which the various parcels of surplus property were conveyed so that the planned use of those properties is implemented in such a manner as to remain consistent with the goals of the Everglades restoration plan; and

(6) by August 1, 2002, the Secretary should submit a report to the appropriate committees of Congress on actions taken and make any recommendations for consideration by Congress.

TITLE VII—MISSOURI RIVER PROTECTION AND IMPROVEMENT

SEC. 701. SHORT TITLE.

This title shall be known as the ''Missouri River Protection and Improvement Act of 2000''.

SEC. 702. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Missouri River is—

(A) an invaluable economic, environmental, recreational, and cultural resource to the people of the United States; and

(B) a critical source of water for drinking and irrigation;

(2) millions of people fish, hunt, and camp along the Missouri River each year;

(3) thousands of sites of spiritual importance to Native Americans line the shores of the Missouri River;

(4) the Missouri River provides critical wildlife habitat for threatened and endangered species;

(5) in 1944, Congress approved the Pick-Sloan program—

(A) to promote the general economic development of the United States;

(B) to provide for irrigation above Sioux City, Iowa;

(C) to protect urban and rural areas from devastating floods of the Missouri River; and

(D) for other purposes;

(6) the Garrison Dam was constructed on the Missouri River in North Dakota and the Oahe Dam was constructed in South Dakota under the Pick-Sloan program;

(7) the dams referred to in paragraph (6)—

(A) generate low-cost electricity for millions of people in the United States;

(B) provide revenue to the Treasury; and

(C) provide flood control that has prevented billions of dollars of damage;

(8) the Garrison and Oahe Dams have reduced the ability of the Missouri River to carry sediment downstream, resulting in the accumulation of sediment in the reservoirs known as Lake Sakakawea and Lake Oahe;

(9) the sediment depositions—

(A) cause shoreline flooding;

(B) destroy wildlife habitat;

(C) limit recreational opportunities;

(D) threaten the long-term ability of dams to provide hydropower and flood control under the Pick-Sloan program;

(E) reduce water quality; and

(F) threaten intakes for drinking water and irrigation; and

(10) to meet the objectives established by Congress for the Pick-Sloan program, it is necessary to establish a Missouri River Restoration Program—

(A) to improve conservation;

(B) to reduce the deposition of sediment; and

(C) to take other steps necessary for proper management of the Missouri River.

(b) PURPOSES.—The purposes of this title are—

(1) to reduce the siltation of the Missouri River in the State of North Dakota;

(2) to meet the objectives of the Pick-Sloan program by developing and implementing a long-term strategy—

(A) to improve conservation in the Missouri River watershed;

(B) to protect recreation on the Missouri River from sedimentation;

(C) to improve water quality in the Missouri River;

(D) to improve erosion control along the Missouri River; and

(E) to protect Indian and non-Indian historical and cultural sites along the Missouri River from erosion; and

(3) to meet the objectives described in paragraphs (1) and (2) by developing and financing new programs in accordance with the plan.

SEC. 703. DEFINITIONS.

In this title:

(1) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (58 Stat. 891, chapter 665).

(2) PLAN.—The term ''plan'' means the plan for the use of funds made available by this title that is required to be prepared under section 705(e).

(3) STATE.—The term ''State'' means the State of North Dakota.

(4) TASK FORCE.—The term ''Task Force'' means the North Dakota Missouri River Task Force established by section 705(a).

(5) TRUST.—The term ''Trust'' means the North Dakota Missouri River Trust established by section 704(a).

SEC. 704. MISSOURI RIVER TRUST.

(a) ESTABLISHMENT.—There is established a committee to be known as the North Dakota Missouri River Trust.

(b) MEMBERSHIP.—The Trust shall be composed of 16 members to be appointed by the Secretary, including—

(1) 12 members recommended by the Governor of North Dakota that—

(A) represent equally the various interests of the public; and

(B) include representatives of—

(i) the North Dakota Department of Health;

(ii) the North Dakota Department of Parks and Recreation;

(iii) the North Dakota Department of Game and Fish;

(iv) the North Dakota State Water Commission;

(v) the North Dakota Indian Affairs Commission;

(vi) agriculture groups;

(vii) environmental or conservation organizations;

(viii) the hydroelectric power industry;

(ix) recreation user groups;

(x) local governments; and

(xi) other appropriate interests;

(2) 4 members representing each of the 4 Indian tribes in the State of North Dakota.

SEC. 705. MISSOURI RIVER TASK FORCE.

(a) ESTABLISHMENT.—There is established the Missouri River Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary (or a designee), who shall serve as Chairperson;

(2) the Secretary of Agriculture (or a designee);

(3) the Secretary of Energy (or a designee);

(4) the Secretary of the Interior (or a designee); and

(5) the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet at least twice each year;

(2) vote on approval of the plan, with approval requiring votes in favor of the plan by a majority of the members;

(3) review projects to meet the goals of the plan; and

(4) recommend to the Secretary critical projects for implementation.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 18 months after the date on which funding authorized under this title becomes available, the Secretary shall submit to the other members of the Task Force a report on—

(A) the impact of the siltation of the Missouri River in the State, including the impact on—

(i) the Federal, State, and regional economies;

(ii) recreation;

(iii) hydropower generation;

(iv) fish and wildlife; and

(v) flood control;

(B) the status of Indian and non-Indian historical and cultural sites along the Missouri River;

(C) the extent of erosion along the Missouri River (including tributaries of the Missouri River) in the State; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with—

(A) the Secretary of Energy;

(B) the Secretary of the Interior;

(C) the Secretary of Agriculture;

(D) the State; and

(E) Indian tribes in the State.

(e) PLAN FOR USE OF FUNDS MADE AVAILABLE BY THIS TITLE.—

(1) IN GENERAL.—Not later than 3 years after the date on which funding authorized under this title becomes available, the Task Force shall prepare a plan for the use of funds made available under this title.

(2) CONTENTS OF PLAN.—The plan shall provide for the manner in which the Task Force shall develop and recommend critical restoration projects to promote—

(A) conservation practices in the Missouri River watershed;

(B) the general control and removal of sediment from the Missouri River;

(C) the protection of recreation on the Missouri River from sedimentation;

(D) the protection of Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

(E) erosion control along the Missouri River; or

(F) any combination of the activities described in subparagraphs (A) through (E).

(3) PLAN REVIEW AND REVISION.—

(A) IN GENERAL.—The Task Force shall make a copy of the plan available for public review and comment before the plan becomes final, in accordance with procedures established by the Task Force.

(B) REVISION OF PLAN.—

(i) IN GENERAL.—The Task Force may, on an annual basis, revise the plan.

(ii) PUBLIC REVIEW AND COMMENT.—In revising the plan, the Task Force shall provide the public the opportunity to review and comment on any proposed revision to the plan.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the plan is approved by the Task Force under subsection (c)(2), the Secretary, in coordination with the Task Force, shall identify critical restoration projects to carry out the plan.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with—

(A) section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b); and

(B) this section.

(3) INDIAN PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects under this title shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian tribe.

(g) COST SHARING.—

(1) ASSESSMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out the assessment under subsection (d) shall be 75 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out the assessment under subsection (d) may be provided in the form of services, materials, or other in-kind contributions.

(2) PLAN.—

(A) FEDERAL SHARE.—The Federal share of the cost of preparing the plan under subsection (e) shall be 75 percent.

(B) NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share of the cost of preparing the plan under subsection (e) may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any critical restoration project under subsection (f) that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a critical restoration project under subsection (f) for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, not to exceed $5,000,000 for any critical restoration project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a critical restoration project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any critical restoration project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—The non-Federal interest shall receive credit for all contributions provided under clause (ii)(I).

SEC. 706. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian tribe;

(2) any other right of an Indian tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian tribe;

(5) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.).

(d) USE OF FUNDS.—Funds transferred to the Trust may be used to pay the non-Federal share required under Federal programs.

SEC. 707. AUTHORIZATION OF APPROPRIATIONS.

(a) INITIAL FUNDING.—There is authorized to be appropriated to the Secretary to carry out this title $4,000,000 for each of fiscal years 2001 through 2004, to remain available until expended.

(b) EXISTING PROGRAMS.—The Secretary shall fund programs authorized under the Pick-Sloan program in existence on the date of enactment of this Act at levels that are not less than funding levels for those programs as of that date.

TITLE VIII—WILDLIFE REFUGE ENHANCEMENT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Charles M. Russell National Wildlife Refuge Enhancement Act of 2000''.

SEC. 802. PURPOSE.

The purpose of this title is to direct the Secretary, in consultation with the Secretary of the Interior, to convey cabin sites at Fort Peck Lake, Montana, and to acquire land with greater wildlife and other public value for the Charles M. Russell National Wildlife Refuge, to—

(1) better achieve the wildlife conservation purposes for which the Refuge was established;

(2) protect additional fish and wildlife habitat in and adjacent to the Refuge;

(3) enhance public opportunities for hunting, fishing, and other wildlife-dependent activities;

(4) improve management of the Refuge; and

(5) reduce Federal expenditures associated with the administration of cabin site leases.

SEC. 803. DEFINITIONS.

In this title:

(1) ASSOCIATION.—The term ''Association'' means the Fort Peck Lake Association.

(2) CABIN SITE.—

(A) IN GENERAL.—The term ''cabin site'' means a parcel of property within the Fort Peck, Hell Creek, Pines, or Rock Creek Cabin areas that is—

(i) managed by the Army Corps of Engineers;

(ii) located in or near the eastern portion of Fort Peck Lake, Montana; and

(iii) leased for individual use or occupancy.

(B) INCLUSIONS.—The term ''cabin site'' includes all right, title and interest of the United States in and to the property, including—

(i) any permanent easement that is necessary to provide vehicular access to the cabin site; and

(ii) the right to reconstruct, operate, and maintain an easement described in clause (i).

(3) CABIN SITE AREA.—

(A) IN GENERAL.—The term ''cabin site area'' means a portion of the Fort Peck, Hell Creek, Pines, or Rock Creek Cabin Areas referred to in paragraph (2) that is occupied by 1 or more cabin sites.

(B) INCLUSION.—The term ''cabin site area'' includes such immediately adjacent land, if any, as is needed for the cabin site area to exist as a generally contiguous parcel of land, as determined by the Secretary with the concurrence of the Secretary of the Interior.

(4) LESSEE.—The term ''lessee'' means a person that is leasing a cabin site.

(5) REFUGE.—The term ''Refuge'' means the Charles M. Russell National Wildlife Refuge in Montana.

SEC. 804. CONVEYANCE OF CABIN SITES.

(a) IN GENERAL.—

(1) PROHIBITION.—As soon as practicable after the date of enactment of this Act, the Secretary shall prohibit the issuance of new cabin site leases within the Refuge, except as is necessary to consolidate with, or substitute for, an existing cabin lease site under paragraph (2).

(2) DETERMINATION; NOTICE.—Not later than 1 year after the date of enactment of this Act, and before proceeding with any exchange under this title, the Secretary shall—

(A) with the concurrence of the Secretary of the Interior, determine individual cabin sites that are not suitable for conveyance to a lessee—

(i) because the sites are isolated so that conveyance of 1 or more of the sites would create an inholding that would impair management of the Refuge; or

(ii) for any other reason that adversely impacts the future habitability of the sites; and

(B) provide written notice to each lessee that specifies any requirements concerning the form of a notice of interest in acquiring a cabin site that the lessee may submit under subsection (b)(1)(A) and the portion of administrative costs that would be paid to the Secretary under section 808(b), to—

(i) determine whether the lessee is interested in acquiring the cabin site area of the lessee; and

(ii) inform each lessee of the rights of the lessee under this title.

(3) OFFER OF COMPARABLE CABIN SITE.—If the Secretary determines that a cabin site is not suitable for conveyance to a lessee under paragraph (2)(A), the Secretary, in consultation with the Secretary of the Interior, shall offer to the lessee the opportunity to acquire a comparable cabin site within another cabin site area.

(b) RESPONSE.—

(1) NOTICE OF INTEREST.—

(A) IN GENERAL.—Not later than July 1, 2003, a lessee shall notify the Secretary in writing of an interest in acquiring the cabin site of the lessee.

(B) FORM.—The notice under this paragraph shall be submitted in such form as is required by the Secretary under subsection (a)(2)(B).

(2) UNPURCHASED CABIN SITES.—If the Secretary receives no notice of interest or offer to purchase a cabin site from the lessee under paragraph (1) or the lessee declines an opportunity to purchase a comparable cabin site under subsection (a)(3), the cabin site shall be subject to sections 805 and 806.

(c) PROCESS.—After providing notice to a lessee under subsection (a)(2)(B), the Secretary shall—

(1) determine whether any small parcel of land contiguous to any cabin site (not including shoreline or land needed to provide public access to the shoreline of Fort Peck Lake) should be conveyed as part of the cabin site to—

(A) protect water quality;

(B) eliminate an inholding; or

(C) facilitate administration of the land remaining in Federal ownership;

(2) if the Secretary determines that a conveyance should be completed under paragraph (1), provide notice of the intent of the Secretary to complete the conveyance to the lessee of each affected cabin site;

(3) survey each cabin site to determine the acreage and legal description of the cabin site area, including land identified under paragraph (1);

(4) take such actions as are necessary to ensure compliance with all applicable environmental laws;

(5) with the concurrence of the Secretary of the Interior, determine which covenants or deed restrictions, if any, should be placed on a cabin site before conveyance out of Federal ownership, including any covenant or deed restriction that is required to comply with—

(A) the Act of May 18, 1938 (16 U.S.C. 833 et seq.);

(B) laws (including regulations) applicable to management of the Refuge; and

(C) any other laws (including regulations) for which compliance is necessary to—

(i) ensure the maintenance of existing and adequate public access to and along Fort Peck Lake; and

(ii) limit future uses of a cabin site to—

(I) noncommercial, single-family use; and

(II) the type and intensity of use of the cabin site made on the date of enactment of this Act, as limited by terms of any lease applicable to the cabin site in effect on that date; and

(6) conduct an appraisal of each cabin site (including any expansion of the cabin site under paragraph (1)) that—

(A) is carried out in accordance with the Uniform Appraisal Standards for Federal Land Acquisition;

(B) excludes the value of any private improvement to the cabin sites; and

(C) takes into consideration any covenant or other restriction determined to be necessary under paragraph (5) and subsection (h).

(d) CONSULTATION AND PUBLIC INVOLVEMENT.—The Secretary shall—

(1) carry out subsections (b) and (c) in consultation with—

(A) the Secretary of the Interior;

(B) affected lessees;

(C) affected counties in the State of Montana; and

(D) the Association; and

(2) hold public hearings, and provide all interested parties with notice and an opportunity to comment, on the activities carried out under this section.

(e) CONVEYANCE.—Subject to subsections (h) and (i) and section 808(b), the Secretary shall convey a cabin site by individual patent or deed to the lessee under this title—

(1) if each cabin site complies with Federal, State, and county septic and water quality laws (including regulations);

(2) if the lessee complies with other requirements of this section; and

(3) after receipt of the payment for the cabin site from the lessee in an amount equal to the appraised fair market value of the cabin site as determined in accordance with subsection (c)(6).

(f) VEHICULAR ACCESS.—

(1) IN GENERAL.—Nothing in this title authorizes any addition to or improvement of vehicular access to a cabin site.

(2) CONSTRUCTION.—The Secretary—

(A) shall not construct any road for the sole purpose of providing access to land sold under this section; and

(B) shall be under no obligation to service or maintain any existing road used primarily for access to that land (or to a cabin site).

(3) OFFER TO CONVEY.—The Secretary may offer to convey to the State of Montana, any political subdivision of the State of Montana, or the Association, any road determined by the Secretary to primarily service the land sold under this section.

(g) UTILITIES AND INFRASTRUCTURE.—

(1) IN GENERAL.—The purchaser of a cabin site shall be responsible for the acquisition of all utilities and infrastructure necessary to support the cabin site.

(2) NO FEDERAL ASSISTANCE.—The Secretary shall not provide any utilities or infrastructure to the cabin site.

(h) COVENANTS AND DEED RESTRICTIONS.—

(1) IN GENERAL.—Before conveying any cabin site under subsection (e), the Secretary, in consultation with the Secretary of the Interior, shall ensure that the title to the cabin site includes such covenants and deed restrictions as are determined, under subsection (c), to be necessary to make binding on all subsequent purchasers of the cabin site any other covenants or deed restrictions in the title to the cabin site.

(2) RESERVATION OF RIGHTS.—The Secretary may reserve the perpetual right, power, privilege, and easement to permanently overflow, flood, submerge, saturate, percolate, or erode a cabin site (or any portion of a cabin site) that the Secretary determines is necessary in the operation of the Fort Peck Dam.

(i) NO CONVEYANCE OF UNSUITABLE CABIN SITES.—A cabin site that is determined to be unsuitable for conveyance under subsection (a)(2) shall not be conveyed by the Secretary under this section.

(j) IDENTIFICATION OF LAND FOR EXCHANGE.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall identify land that may be acquired that meets the purposes of paragraphs (1) through (4) of section 802 and for which a willing seller exists.

(2) APPRAISAL.—On a request by a willing seller, the Secretary of the Interior shall appraise the land identified under paragraph (1).

(3) ACQUISITION.—If the Secretary of the Interior determines that the acquisition of the land would meet the purposes of paragraphs (1) through (4) of section 802, the Secretary of the Interior shall cooperate with the willing seller to facilitate the acquisition of the property in accordance with section 807.

(4) PUBLIC PARTICIPATION.—The Secretary of the Interior shall hold public hearings, and provide all interested parties with notice and an opportunity to comment, on the activities carried out under this section.

SEC. 805. RIGHTS OF NONPARTICIPATING LESSEES.

(a) CONTINUATION OF LEASE.—

(1) IN GENERAL.—A lessee that does not provide the Secretary with an offer to acquire the cabin site of the lessee under section 804 (including a lessee who declines an offer of a comparable cabin site under section 804(a)(3)) may elect to continue to lease the cabin site for the remainder of the current term of the lease, which, except as provided in paragraph (2), shall not be renewed or otherwise extended.

(2) EXPIRATION BEFORE 2010.—If the current term of a lessee described in paragraph (1) expires or is scheduled to expire before 2010, the Secretary shall offer to extend or renew the lease through 2010.

(b) IMPROVEMENTS.—Any improvements and personal property of the lessee that are not removed from the cabin site before the termination of the lease shall be considered property of the United States in accordance with the provisions of the lease.

(c) OPTION TO PURCHASE.—Subject to subsections (d) and (e) and section 808(b), if at any time before termination of the lease, a lessee described in subsection (a)(1)—

(1) notifies the Secretary of the intent of the lessee to purchase the cabin site of the lessee; and

(2) pays for an updated appraisal of the site in accordance with section 804(c)(6);

the Secretary shall convey the cabin site to the lessee, by individual patent or deed, on receipt of payment for the site from the lessee in an amount equal to the appraised fair market value of the cabin site as determined by the updated appraisal.

(d) COVENANTS AND DEED RESTRICTIONS.—Before conveying any cabin site under subsection (c), the Secretary, in consultation with the Secretary of the Interior, shall ensure that the title to the cabin site includes such covenants and deed restrictions as are determined, under section 804(c), to be necessary to make binding on all subsequent purchasers of the cabin site any other covenants or deed restrictions in the title to the cabin site.

(e) NO CONVEYANCE OF UNSUITABLE CABIN SITES.—A cabin site that is determined to be unsuitable for conveyance under subsection 804(a)(2) shall not be conveyed by the Secretary under this section.

(f) REPORT.—Not later than July 1, 2003, the Secretary shall submit to Congress a report that—

(1) describes progress made in implementing this Act; and

(2) identifies cabin owners that have filed a notice of interest under section 804(b) and have declined an opportunity to acquire a comparable cabin site under section 804(a)(3).

SEC. 806. CONVEYANCE TO THIRD PARTIES.

(a) CONVEYANCES TO THIRD PARTIES.—As soon as practicable after the expiration or surrender of a lease, the Secretary, in consultation with the Secretary of the Interior, may offer for sale, by public auction, written invitation, or other competitive sales procedure, and at the fair market value of the cabin site determined under section 804(c)(6), any cabin site that—

(1) is not conveyed to a lessee under this title; and

(2) has not been determined to be unsuitable for conveyance under section 804(a)(2).

(b) COVENANTS AND DEED RESTRICTIONS.—Before conveying any cabin site under subsection (a), the Secretary shall ensure that the title to the cabin site includes such covenants and deed restrictions as are determined, under section 804(c), to be necessary to make binding on all subsequent purchasers of the cabin site any other covenants or deed restrictions contained in the title to the cabin site.

(c) CONVEYANCE TO ASSOCIATION.—On the completion of all individual conveyances of cabin sites under this title (or at such prior time as the Secretary determines would be practicable based on the location of property to be conveyed), the Secretary shall convey to the Association all land within the outer boundaries of cabin site areas that are not conveyed to lessees under this title at fair market value based on an appraisal carried out in accordance with the Uniform Appraisal Standards for Federal Land Acquisition.

SEC. 807. USE OF PROCEEDS.

(a) PROCEEDS.—All payments for the conveyance of cabin sites under this title, except costs collected by the Secretary under section 808(b), shall be deposited in a special fund in the Treasury for use by the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and without further Act of appropriation, solely for the acquisition from willing sellers of property that—

(1) is within or adjacent to the Refuge;

(2) would be suitable to carry out the purposes of this Act described in paragraphs (1) through (4) of section 802; and

(3) on acquisition by the Secretary of the Interior, would be accessible to the general public for use in conducting activities consistent with approved uses of the Refuge.

(b) LIMITATION.—To the maximum extent practicable, acquisitions under this title shall be of land within the Refuge boundary.

SEC. 808. ADMINISTRATIVE COSTS.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall pay all administrative costs incurred in carrying out this title.

(b) REIMBURSEMENT.—As a condition of the conveyance of any cabin site area under this title, the Secretary—

(1) may require the party to whom the property is conveyed to reimburse the Secretary for a reasonable portion, as determined by the Secretary, of the administrative costs (including survey costs), incurred in carrying out this title, with such portion to be described in the notice provided to the Association and lessees under section 804(a)(2); and

(2) shall require the party to whom the property is conveyed to reimburse the Association for a proportionate share of the costs (including interest) incurred by the Association in carrying out transactions under this Act.

SEC. 809. TERMINATION OF WILDLIFE DESIGNATION.

None of the land conveyed under this title shall be designated, or shall remain designated as, part of the National Wildlife Refuge System.

SEC. 810. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

TITLE IX—MISSOURI RIVER RESTORATION

SEC. 901. SHORT TITLE.

This title shall be known as the ''Missouri River Restoration Act of 2000''.

SEC. 902. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Missouri River is—

(A) an invaluable economic, environmental, recreational, and cultural resource to the people of the United States; and

(B) a critical source of water for drinking and irrigation;

(2) millions of people fish, hunt, and camp along the Missouri River each year;

(3) thousands of sites of spiritual importance to Native Americans line the shores of the Missouri River;

(4) the Missouri River provides critical wildlife habitat for threatened and endangered species;

(5) in 1944, Congress approved the Pick-Sloan program—

(A) to promote the general economic development of the United States;

(B) to provide for irrigation above Sioux City, Iowa;

(C) to protect urban and rural areas from devastating floods of the Missouri River; and

(D) for other purposes;

(6) the Oahe, Big Bend, Fort Randall, and Gavins Point Dams were constructed on the Missouri River in South Dakota under the Pick-Sloan program;

(7) the dams referred to in paragraph (6)—

(A) generate low-cost electricity for millions of people in the United States;

(B) provide revenue to the Treasury; and

(C) provide flood control that has prevented billions of dollars of damage;

(8) the Oahe, Big Bend, Fort Randall, and Gavins Point Dams have reduced the ability of the Missouri River to carry sediment downstream, resulting in the accumulation of sediment in the reservoirs known as Lake Oahe, Lake Sharpe, Lake Francis Case, and Lewis and Clark Lake;

(9) the sediment depositions—

(A) cause shoreline flooding;

(B) destroy wildlife habitat;

(C) limit recreational opportunities;

(D) threaten the long-term ability of dams to provide hydropower and flood control under the Pick-Sloan program;

(E) reduce water quality; and

(F) threaten intakes for drinking water and irrigation; and

(10) to meet the objectives established by Congress for the Pick-Sloan program, it is necessary to establish a Missouri River Restoration Program—

(A) to improve conservation;

(B) to reduce the deposition of sediment; and

(C) to take other steps necessary for proper management of the Missouri River.

(b) PURPOSES.—The purposes of this title are—

(1) to reduce the siltation of the Missouri River in the State of South Dakota;

(2) to meet the objectives of the Pick-Sloan program by developing and implementing a long-term strategy—

(A) to improve conservation in the Missouri River watershed;

(B) to protect recreation on the Missouri River from sedimentation;

(C) to improve water quality in the Missouri River;

(D) to improve erosion control along the Missouri River; and

(E) to protect Indian and non-Indian historical and cultural sites along the Missouri River from erosion; and

(3) to meet the objectives described in paragraphs (1) and (2) by developing and financing new programs in accordance with the plan.

SEC. 903. DEFINITIONS.

In this title:

(1) COMMITTEE.—The term ''Committee'' means the Executive Committee appointed under section 904(d).

(2) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (58 Stat. 891, chapter 665).

(3) PLAN.—The term ''plan'' means the plan for the use of funds made available by this title that is required to be prepared under section 905(e).

(4) STATE.—The term ''State'' means the State of South Dakota.

(5) TASK FORCE.—The term ''Task Force'' means the Missouri River Task Force established by section 905(a).

(6) TRUST.—The term ''Trust'' means the Missouri River Trust established by section 904(a).

SEC. 904. MISSOURI RIVER TRUST.

(a) ESTABLISHMENT.—There is established a committee to be known as the Missouri River Trust.

(b) MEMBERSHIP.—The Trust shall be composed of 25 members to be appointed by the Secretary, including—

(1) 15 members recommended by the Governor of South Dakota that—

(A) represent equally the various interests of the public; and

(B) include representatives of—

(i) the South Dakota Department of Environment and Natural Resources;

(ii) the South Dakota Department of Game, Fish, and Parks;

(iii) environmental groups;

(iv) the hydroelectric power industry;

(v) local governments;

(vi) recreation user groups;

(vii) agricultural groups; and

(viii) other appropriate interests;

(2) 9 members, 1 of each of whom shall be recommended by each of the 9 Indian tribes in the State of South Dakota; and

(3) 1 member recommended by the organization known as the ''Three Affiliated Tribes of North Dakota'' (composed of the Mandan, Hidatsa, and Arikara tribes).

SEC. 905. MISSOURI RIVER TASK FORCE.

(a) ESTABLISHMENT.—There is established the Missouri River Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary (or a designee), who shall serve as Chairperson;

(2) the Secretary of Agriculture (or a designee);

(3) the Secretary of Energy (or a designee);

(4) the Secretary of the Interior (or a designee); and

(5) the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet at least twice each year;

(2) vote on approval of the plan, with approval requiring votes in favor of the plan by a majority of the members;

(3) review projects to meet the goals of the plan; and

(4) recommend to the Secretary critical projects for implementation.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 18 months after the date on which funding authorized under this title becomes available, the Secretary shall submit to the other members of the Task Force a report on—

(A) the impact of the siltation of the Missouri River in the State, including the impact on—

(i) the Federal, State, and regional economies;

(ii) recreation;

(iii) hydropower generation;

(iv) fish and wildlife; and

(v) flood control;

(B) the status of Indian and non-Indian historical and cultural sites along the Missouri River;

(C) the extent of erosion along the Missouri River (including tributaries of the Missouri River) in the State; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with—

(A) the Secretary of Energy;

(B) the Secretary of the Interior;

(C) the Secretary of Agriculture;

(D) the State; and

(E) Indian tribes in the State.

(e) PLAN FOR USE OF FUNDS MADE AVAILABLE BY THIS TITLE.—

(1) IN GENERAL.—Not later than 3 years after the date on which funding authorized under this title becomes available, the Task Force shall prepare a plan for the use of funds made available under this title.

(2) CONTENTS OF PLAN.—The plan shall provide for the manner in which the Task Force shall develop and recommend critical restoration projects to promote—

(A) conservation practices in the Missouri River watershed;

(B) the general control and removal of sediment from the Missouri River;

(C) the protection of recreation on the Missouri River from sedimentation;

(D) the protection of Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

(E) erosion control along the Missouri River; or

(F) any combination of the activities described in subparagraphs (A) through (E).

(3) PLAN REVIEW AND REVISION.—

(A) IN GENERAL.—The Task Force shall make a copy of the plan available for public review and comment before the plan becomes final, in accordance with procedures established by the Task Force.

(B) REVISION OF PLAN.—

(i) IN GENERAL.—The Task Force may, on an annual basis, revise the plan.

(ii) PUBLIC REVIEW AND COMMENT.—In revising the plan, the Task Force shall provide the public the opportunity to review and comment on any proposed revision to the plan.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the plan is approved by the Task Force under subsection (c)(2), the Secretary, in coordination with the Task Force, shall identify critical restoration projects to carry out the plan.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with—

(A) section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b); and

(B) this section.

(3) INDIAN PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects under this title shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian tribe.

(g) COST SHARING.—

(1) ASSESSMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out the assessment under subsection (d) shall be 75 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out the assessment under subsection (d) may be provided in the form of services, materials, or other in-kind contributions.

(2) PLAN.—

(A) FEDERAL SHARE.—The Federal share of the cost of preparing the plan under subsection (e) shall be 75 percent.

(B) NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share of the cost of preparing the plan under subsection (e) may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any critical restoration project under subsection (f) that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a critical restoration project under subsection (f) for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, not to exceed $5,000,000 for any critical restoration project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a critical restoration project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any critical restoration project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—The non-Federal interest shall receive credit for all contributions provided under clause (ii)(I).

SEC. 906. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian tribe;

(2) any other right of an Indian tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian tribe;

(5) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.).

(d) USE OF FUNDS.—Funds transferred to the Trust may be used to pay the non-Federal share required under Federal programs.

SEC. 907. AUTHORIZATION OF APPROPRIATIONS.

(a) INITIAL FUNDING.—There is authorized to be appropriated to the Secretary to carry out this title $4,000,000 for each of fiscal years 2001 through 2010, to remain available until expended.

(b) EXISTING PROGRAMS.—The Secretary shall fund programs authorized under the Pick-Sloan program in existence on the date of enactment of this Act at levels that are not less than funding levels for those programs as of that date.

The SPEAKER pro tempore. The amendment printed in the CONGRESSIONAL RECORD and numbered 2 is considered adopted.

The text of S. 2796, as amended pursuant to House Resolution 639, is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorization.
Sec. 102. Small projects for flood damage reduction.
Sec. 103. Small project for bank stabilization.
Sec. 104. Small projects for navigation.
Sec. 105. Small project for improvement of the quality of the environment.
Sec. 106. Small projects for aquatic ecosystem restoration.
Sec. 107. Small project for shoreline protection.
Sec. 108. Small project for snagging and sediment removal.
Sec. 109. Petaluma River, Petaluma, California.

TITLE II—GENERAL PROVISIONS

Sec. 201. Cost sharing of certain flood damage reduction projects.
Sec. 202. Harbor cost sharing.
Sec. 203. Nonprofit entities.
Sec. 204. Rehabilitation of Federal flood control levees.
Sec. 205. Flood mitigation and riverine restoration program.
Sec. 206. Tribal partnership program.
Sec. 207. Native American reburial and transfer authority.
Sec. 208. Ability to pay.
Sec. 209. Interagency and international support authority.
Sec. 210. Property protection program.
Sec. 211. Engineering consulting services.
Sec. 212. Beach recreation.
Sec. 213. Performance of specialized or technical services.
Sec. 214. Design-build contracting.
Sec. 215. Independent review pilot program.
Sec. 216. Enhanced public participation.
Sec. 217. Monitoring.
Sec. 218. Reconnaissance studies.
Sec. 219. Fish and wildlife mitigation.
Sec. 220. Wetlands mitigation.
Sec. 221. Credit toward non-Federal share of navigation projects.
Sec. 222. Maximum program expenditures for small flood control projects.
Sec. 223. Feasibility studies and planning, engineering, and design.
Sec. 224. Administrative costs of land conveyances.
Sec. 225. Dam safety.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Nogales Wash and Tributaries, Nogales, Arizona.
Sec. 302. John Paul Hammerschmidt Visitor Center, Fort Smith, Arkansas.
Sec. 303. Greers Ferry Lake, Arkansas.
Sec. 304. Ten- and Fifteen-Mile Bayous, Arkansas.
Sec. 305. Cache Creek basin, California.
Sec. 306. Larkspur Ferry Channel, Larkspur, California.
Sec. 307. Norco Bluffs, Riverside County, California.
Sec. 308. Sacramento deep water ship channel, California.
Sec. 309. Sacramento River, Glenn-Colusa, California.
Sec. 310. Upper Guadalupe River, California.
Sec. 311. Brevard County, Florida.
Sec. 312. Fernandina Harbor, Florida.
Sec. 313. Tampa Harbor, Florida.
Sec. 314. East Saint Louis and vicinity, Illinois.
Sec. 315. Kaskaskia River, Kaskaskia, Illinois.
Sec. 316. Waukegan Harbor, Illinois.
Sec. 317. Cumberland, Kentucky.
Sec. 318. Lock and Dam 10, Kentucky River, Kentucky.
Sec. 319. Saint Joseph River, South Bend, Indiana.
Sec. 320. Mayfield Creek and tributaries, Kentucky.
Sec. 321. Amite River and tributaries, East Baton Rouge Parish, Louisiana.
Sec. 322. Atchafalaya Basin Floodway System, Louisiana.
Sec. 323. Atchafalaya River, Bayous Chene, Boeuf, and Black Louisiana.
Sec. 324. Red River Waterway, Louisiana.
Sec. 325. Thomaston Harbor, Georges River, Maine.
Sec. 326. Breckenridge, Minnesota.
Sec. 327. Duluth Harbor, Minnesota.
Sec. 328. Little Falls, Minnesota.
Sec. 329. Poplar Island, Maryland.
Sec. 330. Green Brook Sub-Basin, Raritan River basin, New Jersey.
Sec. 331. New York Harbor and adjacent channels, Port Jersey, New Jersey.
Sec. 332. Passaic River basin flood management, New Jersey.
Sec. 333. Times Beach nature preserve, Buffalo, New York.
Sec. 334. Garrison Dam, North Dakota.
Sec. 335. Duck Creek, Ohio.
Sec. 336. Astoria, Columbia River, Oregon.
Sec. 337. Nonconnah Creek, Tennessee and Mississippi.
Sec. 338. Bowie County levee, Texas.
Sec. 339. San Antonio Channel, San Antonio, Texas.
Sec. 340. Buchanan and Dickenson Counties, Virginia.
Sec. 341. Buchanan, Dickenson, and Russell Counties, Virginia.
Sec. 342. Sandbridge Beach, Virginia Beach, Virginia.
Sec. 343. Wallops Island, Virginia.
Sec. 344. Columbia River, Washington.
Sec. 345. Mount St. Helens sediment control, Washington.
Sec. 346. Renton, Washington.
Sec. 347. Greenbrier Basin, West Virginia.
Sec. 348. Lower Mud River, Milton, West Virginia.
Sec. 349. Water quality projects.
Sec. 350. Project reauthorizations.
Sec. 351. Continuation of project authorizations.
Sec. 352. Declaration of nonnavigability for Lake Erie, New York.
Sec. 353. Project deauthorizations.
Sec. 354. Wyoming Valley, Pennsylvania.
Sec. 355. Rehoboth Beach and Dewey Beach, Delaware.

TITLE IV—STUDIES

Sec. 401. Studies of completed projects.
Sec. 402. Watershed and river basin assessments.
Sec. 403. Lower Mississippi River resource assessment.
Sec. 404. Upper Mississippi River basin sediment and nutrient study.
Sec. 405. Upper Mississippi River comprehensive plan.
Sec. 406. Ohio River System.
Sec. 407. Eastern Arkansas.
Sec. 408. Russell, Arkansas.
Sec. 409. Estudillo Canal, San Leandro, California.
Sec. 410. Laguna Creek, Fremont, California.
Sec. 411. Lake Merritt, Oakland, California.
Sec. 412. Lancaster, California.
Sec. 413. Napa County, California.
Sec. 414. Oceanside, California.
Sec. 415. Suisun Marsh, California.
Sec. 416. Lake Allatoona Watershed, Georgia.
Sec. 417. Chicago River, Chicago, Illinois.
Sec. 418. Chicago sanitary and ship canal system, Chicago, Illinois.
Sec. 419. Long Lake, Indiana.
Sec. 420. Brush and Rock Creeks, Mission Hills and Fairway, Kansas.
Sec. 421. Coastal areas of Louisiana.
Sec. 422. Iberia Port, Louisiana.
Sec. 423. Lake Pontchartrain seawall, Louisiana.
Sec. 424. Lower Atchafalaya basin, Louisiana.
Sec. 425. St. John the Baptist Parish, Louisiana.
Sec. 426. Las Vegas Valley, Nevada.
Sec. 427. Southwest Valley, Albuquerque, New Mexico.
Sec. 428. Buffalo Harbor, Buffalo, New York.
Sec. 429. Hudson River, Manhattan, New York.
Sec. 430. Jamesville Reservoir, Onondaga County, New York.
Sec. 431. Steubenviille, Ohio.
Sec. 432. Grand Lake, Oklahoma.
Sec. 433. Columbia Slough, Oregon.
Sec. 434. Reedy River, Greenville, South Carolina.
Sec. 435. Germantown, Tennessee.
Sec. 436. Houston ship channel, Galveston, Texas.
Sec. 437. Park City, Utah.
Sec. 438. Milwaukee, Wisconsin.
Sec. 439. Upper Des Plaines River and tributaries, Illinois and Wisconsin.
Sec. 440. Delaware River watershed.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Bridgeport, Alabama.
Sec. 502. Duck River, Cullman, Alabama.
Sec. 503. Seward, Alaska.
Sec. 504. Augusta and Devalls Bluff, Arkansas.
Sec. 505. Beaver Lake, Arkansas.
Sec. 506. McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma.
Sec. 507. Calfed Bay Delta program assistance, California.
Sec. 508. Clear Lake basin, California.
Sec. 509. Contra Costa Canal, Oakley and Knightsen, California.
Sec. 510. Huntington Beach, California.
Sec. 511. Mallard Slough, Pittsburg, California.
Sec. 512. Penn Mine, Calaveras County, California.
Sec. 513. Port of San Francisco, California.
Sec. 514. San Gabriel basin, California.
Sec. 515. Stockton, California.
Sec. 516. Port Everglades, Florida.
Sec. 517. Florida Keys water quality improvements.
Sec. 518. Ballard's Island, La Salle County, Illinois.
Sec. 519. Lake Michigan Diversion, Illinois.
Sec. 520. Koontz Lake, Indiana.
Sec. 521. Campbellsville Lake, Kentucky.
Sec. 522. West View Shores, Cecil County, Maryland.
Sec. 523. Conservation of fish and wildlife, Chesapeake Bay, Maryland and Virginia.
Sec. 524. Muddy River, Brookline and Boston, Massachusetts.
Sec. 525. Soo Locks, Sault Ste. Marie, Michigan.
Sec. 526. Duluth, Minnesota, alternative technology project.
Sec. 527. Minneapolis, Minnesota.
Sec. 528. St. Louis County, Minnesota.
Sec. 529. Wild Rice River, Minnesota.

Sec. 530. Coastal Mississippi wetlands restoration projects.
Sec. 531. Missouri River Valley improvements.
Sec. 532. New Madrid County, Missouri.
Sec. 533. Pemiscot County, Missouri.
Sec. 534. Las Vegas, Nevada.
Sec. 535. Newark, New Jersey.
Sec. 536. Urbanized peak flood management research, New Jersey.
Sec. 537. Black Rock Canal, Buffalo, New York.
Sec. 538. Hamburg, New York.
Sec. 539. Nepperhan River, Yonkers, New York.
Sec. 540. Rochester, New York.
Sec. 541. Upper Mohawk River basin, New York.
Sec. 542. Eastern North Carolina flood protection.
Sec. 543. Cuyahoga River, Ohio.
Sec. 544. Crowder Point, Crowder, Oklahoma.
Sec. 545. Oklahoma-tribal commission.
Sec. 546. Columbia River, Oregon and Washington.
Sec. 547. John Day Pool, Oregon and Washington.
Sec. 548. Lower Columbia River and Tillamook Bay estuary program, Oregon and Washington.
Sec. 549. Skinner Butte Park, Eugene, Oregon.
Sec. 550. Willamette River basin, Oregon.
Sec. 551. Lackawanna River, Pennsylvania.
Sec. 552. Philadelphia, Pennsylvania.
Sec. 553. Access improvements, Raystown Lake, Pennsylvania.
Sec. 554. Upper Susquehanna River basin, Pennsylvania and New York.
Sec. 555. Chickamauga Lock, Chattanooga, Tennessee.
Sec. 556. Joe Pool Lake, Texas.
Sec. 557. Benson Beach, Fort Canby State Park, Washington.
Sec. 558. Puget Sound and adjacent waters restoration, Washington.
Sec. 559. Shoalwater Bay Indian Tribe, Willapa Bay, Washington.
Sec. 560. Wynoochee Lake, Wynoochee River, Washington.
Sec. 561. Snohomish River, Washington.
Sec. 562. Bluestone, West Virginia.
Sec. 563. Lesage/Greenbottom Swamp, West Virginia.
Sec. 564. Tug Fork River, West Virginia.
Sec. 565. Virginia Point Riverfront Park, West Virginia.
Sec. 566. Southern West Virginia.
Sec. 567. Fox River system, Wisconsin.
Sec. 568. Surfside/Sunset and Newport Beach, California.
Sec. 569. Illinois River basin restoration.
Sec. 570. Great Lakes.
Sec. 571. Great Lakes remedial action plans and sediment remediation.
Sec. 572. Great Lakes dredging levels adjustment.
Sec. 573. Dredged material recyling.
Sec. 574. Watershed management, restoration, and development.
Sec. 575. Maintenance of navigation channels.
Sec. 576. Support of Army civil works program.
Sec. 577. National recreation reservation service.
Sec. 578. Hydrographic survey.
Sec. 579. Lakes program.
Sec. 580. Perchlorate.
Sec. 581. Abandoned and inactive noncoal mine restoration.
Sec. 582. Release of use restriction.
Sec. 583. Comprehensive environmental resources protection.
Sec. 584. Modification of authorizations for environmental projects.
Sec. 585. Land transfers.
Sec. 586. Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness, Minnesota.
Sec. 587. Waurika Lake, Oklahoma.
Sec. 588. Columbia River Treaty fishing access.
Sec. 589. Devils Lake, North Dakota.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

Sec. 601. Comprehensive Everglades restoration plan.
Sec. 602. Sense of Congress concerning Homestead Air Force Base.

TITLE VIII—MISSOURI RIVER RESTORATION

Sec. 701. Definitions.
Sec. 702. Missouri River Trust.
Sec. 703. Missouri River Task Force.
Sec. 704. Administration.
Sec. 705. Authorization of appropriations.

SEC. 2. DEFINITION OF SECRETARY.

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

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATION.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this subsection:

(1) BARNEGAT INLET TO LITTLE EGG INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Barnegat Inlet to Little Egg Inlet, New Jersey: Report of the Chief of Engineers dated July 26, 2000, at a total cost of $51,203,000, with an estimated Federal cost of $33,282,000 and an estimated non-Federal cost of $17,921,000.

(2) PORT OF NEW YORK AND NEW JERSEY, NEW YORK AND NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, Port of New York and New Jersey, New York and New Jersey: Report of the Chief of Engineers dated May 2, 2000, at a total cost of $1,781,235,000, with an estimated Federal cost of $738,631,000 and an estimated non-Federal cost of $1,042,604,000.

(B) CREDIT.—The Secretary may provide the non-Federal interests credit toward cash contributions required—

(i) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(ii) during and after construction for the costs of the construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

(b) PROJECTS SUBJECT TO FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject the conditions, recommended in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than December 31, 2000:

(1) FALSE PASS HARBOR, ALASKA.—The project for navigation, False Pass Harbor, Alaska, at a total cost of $15,164,000, with an estimated Federal cost of $8,238,000 and an estimated non-Federal cost of $6,926,000.

(2) UNALASKA HARBOR, ALASKA.—The project for navigation, Unalska Harbor, Alaska, at a total cost of $20,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,000,000.

(3) RIO DE FLAG, FLAGSTAFF, ARIZONA.—The project for flood damage reduction, Rio de Flag, Flagstaff, Arizona, at a total cost of $24,072,000, with an estimated Federal cost of $15,576,000 and an estimated non-Federal cost of $8,496,000.

(4) TRES RIOS, ARIZONA.—The project ecosystem restoration, Tres Rios, Arizona, at a total cost of $99,320,000, with an estimated Federal cost of $62,755,000 and an estimated non-Federal cost of $36,565,000.

(5) LOS ANGELES HARBOR, CALIFORNIA.—The project for navigation, Los Angeles Harbor, California, at a total cost of $153,313,000, with an estimated Federal cost of $43,735,000 and an estimated non-Federal cost of $109,578,000.

(6) MURRIETTA CREEK, CALIFORNIA.—The project for flood damage reduction and ecosystem restoration, Murrietta Creek, California, described as alternative 6, based on the District Engineer's Murrietta Creek feasibility report and environmental impact statement dated October 2000, at a total cost of $89,850,000, with an estimated Federal cost of $57,735,000 and an estimated non-Federal cost of $32,115,000. The locally preferred plan described as alternative 6 shall be treated as a final favorable report of the Chief Engineer's for purposes of this subsection.

(7) SANTA BARBARA STREAMS, LOWER MISSION CREEK, CALIFORNIA.—The project for flood damage reduction, Santa Barbara streams, Lower Mission Creek, California, at a total cost of $18,300,000, with an estimated Federal cost of $9,200,000 and an estimated non-Federal cost of $9,100,000.

(8) UPPER NEWPORT BAY, CALIFORNIA.—The project for ecosystem restoration, Upper Newport Bay, California, at a total cost of $32,475,000, with an estimated Federal cost of $21,109,000 and an estimated non-Federal cost of $11,366,000.

(9) WHITEWATER RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Whitewater River basin, California, at a total cost of $27,570,000, with an estimated Federal cost of $17,920,000 and an estimated non-Federal cost of $9,650,000.

(10) DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND.—The project for hurricane and storm damage reduction, Delaware Coast from Cape Henlopen to Fenwick Island, at a total cost of $5,633,000, with an estimated Federal cost of $3,661,000 and an estimated non-Federal cost of $1,972,000.

(11) PORT SUTTON, FLORIDA.—The project for navigation, Port Sutton, Florida, at a total cost of $6,000,000, with an estimated Federal cost of $4,000,000 and an estimated non-Federal cost of $2,000,000.

(12) BARBERS POINT HARBOR, HAWAII.—The project for navigation, Barbers Point Harbor, Hawaii, at a total cost of $30,003,000, with an estimated Federal cost of $18,524,000 and an estimated non-Federal cost of $11,479,000.

(13) JOHN MYERS LOCK AND DAM, INDIANA AND KENTUCKY.—The project for navigation, John Myers Lock and Dam, Indiana and Kentucky, at a total cost of $182,000,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(14) GREENUP LOCK AND DAM, KENTUCKY AND OHIO.—The project for navigation, Greenup Lock and Dam, Kentucky and Ohio, at a total cost of $175,000,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund

of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(15) OHIO RIVER MAINSTEM, KENTUCKY, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, AND WEST VIRGINIA.—Projects for ecosystem restoration, Ohio River Mainstem, Kentucky, Illinois, Indiana, Ohio, Pennsylvania, and West Virginia, at a total cost of $307,700,000, with an estimated Federal cost of $200,000,000 and an estimated non-Federal cost of $107,700,000.

(16) MONARCH-CHESTERFIELD, MISSOURI.—The project for flood damage reduction, Monarch-Chesterfield, Missouri, at a total cost of $67,700,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $23,700,000.

(17) ANTELOPE CREEK, LINCOLN, NEBRASKA.—The project for flood damage reduction, Antelope Creek, Lincoln, Nebraska, at a total cost of $49,788,000, with an estimated Federal cost of $24,894,000 and an estimated non-Federal cost of $24,894,000.

(18) SAND CREEK WATERSHED, WAHOO, NEBRASKA.—The project for ecosystem restoration and flood damage reduction, Sand Creek watershed, Wahoo, Nebraska, at a total cost of $29,212,000, with an estimated Federal cost of $17,586,000 and an estimated non-Federal cost of $11,626,000.

(19) WESTERN SARPY AND CLEAR CREEK, NEBRASKA.—The project for flood damage reduction, Western Sarpy and Clear Creek, Nebraska, at a total cost of $20,600,000, with an estimated Federal cost of $13,390,000 and an estimated non-Federal cost of $7,210,000.

(20) RARITAN BAY AND SANDY HOOK BAY, CLIFFWOOD BEACH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Cliffwood Beach, New Jersey, at a total cost of $5,219,000, with an estimated Federal cost of $3,392,000 and an estimated non-Federal cost of $1,827,000.

(21) RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey, at a total cost of $32,064,000, with an estimated Federal cost of $20,842,000 and an estimated non-Federal cost of $11,222,000.

(22) DARE COUNTY BEACHES, NORTH CAROLINA.—The project for hurricane and storm damage reduction, Dare County beaches, North Carolina, at a total cost of $69,518,000, with an estimated Federal cost of $49,846,000 and an estimated non-Federal cost of $19,672,000.

(23) WOLF RIVER, TENNESSEE.—The project for ecosystem restoration, Wolf River, Tennessee, at a total cost of $10,933,000, with an estimated Federal cost of $7,106,000 and an estimated non-Federal cost of $3,827,000.

(24) DUWAMISH/GREEN, WASHINGTON.—The project for ecosystem restoration, Duwamish/Green, Washington, at a total cost of $115,879,000, with an estimated Federal cost of $75,322,000 and an estimated non-Federal cost of $40,557,000.

(25) STILLAGUMAISH RIVER BASIN, WASHINGTON.—The project for ecosystem restoration, Stillagumaish River basin, Washington, at a total cost of $24,223,000, with an estimated Federal cost of $16,097,000 and an estimated non-Federal cost of $8,126,000.

(26) JACKSON HOLE, WYOMING.—The project for ecosystem restoration, Jackson Hole, Wyoming, at a total cost of $52,242,000, with an estimated Federal cost of $33,957,000 and an estimated non-Federal cost of $18,285,000.

SEC. 102. SMALL PROJECTS FOR FLOOD DAMAGE REDUCTION.

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

(1) BUFFALO ISLAND, ARKANSAS.—Project for flood damage reduction, Buffalo Island, Arkansas.

(2) ANAVERDE CREEK, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Anaverde Creek, Palmdale, California.

(3) CASTAIC CREEK, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Castaic Creek, Old Road bridge, Santa Clarita, California.

(4) SANTA CLARA RIVER, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Santa Clara River, Old Road bridge, Santa Clarita, California.

(5) COLUMBIA LEVEE, COLUMBIA, ILLINOIS.—Project for flood damage reduction, Columbia Levee, Columbia, Illinois.

(6) EAST-WEST CREEK, RIVERTON, ILLINOIS.—Project for flood damage reduction, East-West Creek, Riverton, Illinois.

(7) PRAIRIE DU PONT, ILLINOIS.—Project for flood damage reduction, Prairie Du Pont, Illinois.

(8) MONROE COUNTY, ILLINOIS.—Project for flood damage reduction, Monroe County, Illinois.

(9) WILLOW CREEK, MEREDOSIA, ILLINOIS.—Project for flood damage reduction, Willow Creek, Meredosia, Illinois.

(10) DYKES BRANCH CHANNEL, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch channel improvements, Leawood, Kansas.

(11) DYKES BRANCH TRIBUTARIES, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch tributary improvements, Leawood, Kansas.

(12) KENTUCKY RIVER, FRANKFORT, KENTUCKY.—Project for flood damage reduction, Kentucky River, Frankfort, Kentucky.

(13) LAKES MAUREPAS AND PONTCHARTRAIN CANALS, ST. JOHN THE BAPTIST PARISH, LOUISIANA.—Project for flood damage reduction, Lakes Maurepas and Pontchartrain Canals, St. John the Baptist Parish, Louisiana.

(14) PENNSVILLE TOWNSHIP, SALEM COUNTY, NEW JERSEY.—The project for flood damage reduction, Pennsville Township, Salem County, New Jersey.

(15) HEMPSTEAD, NEW YORK.—Project for flood damage reduction, Hempstead, New York.

(16) HIGHLAND BROOK, HIGHLAND FALLS, NEW YORK.—Project for flood damage reduction, Highland Brook, Highland Falls, New York.

(17) LAFAYETTE TOWNSHIP, OHIO.—Project for flood damage reduction, Lafayette Township, Ohio.

(18) WEST LAFAYETTE, OHIO.—Project for flood damage reduction, West LaFayette, Ohio.

(19) BEAR CREEK AND TRIBUTARIES, MEDFORD, OREGON.—Project for flood damage reduction, Bear Creek and tributaries, Medford, Oregon.

(20) DELAWARE CANAL AND BROCK CREEK, YARDLEY BOROUGH, PENNSYLVANIA.—Project for flood damage reduction, Delaware Canal and Brock Creek, Yardley Borough, Pennsylvania.

(21) FIRST CREEK, FOUNTAIN CITY, KNOXVILLE, TENNESSEE.—Project for flood damage reduction, First Creek, Fountain City, Knoxville, Tennessee.

(22) MISSISSIPPI RIVER, RIDGELY, TENNESSEE.—Project for flood damage reduction, Mississippi River, Ridgely, Tennessee.

(b) MAGPIE CREEK, SACRAMENTO COUNTY, CALIFORNIA.—In formulating the project for Magpie Creek, California, authorized by section 102(a)(4) of the Water Resources Development Act of 1999 (113 Stat. 281) to be carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary shall consider benefits from the full utilization of existing improvements at McClellan Air Force Base that would result from the project after conversion of the base to civilian use.

SEC. 103. SMALL PROJECTS FOR BANK STABILIZATION.

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

(1) MAUMEE RIVER, FORT WAYNE, INDIANA.—Project for bank stabilization, Maumee River, Fort Wayne, Indiana.

(2) BAYOU SORRELL, IBERVILLE PARISH, LOUISIANA.—Project for bank stabilization, Bayou Sorrell, Iberville Parish, Louisiana.

SEC. 104. SMALL PROJECTS FOR NAVIGATION.

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

(1) WHITTIER, ALASKA.—Project for navigation, Whittier, Alaska.

(2) CAPE CORAL, FLORIDA.—Project for navigation, Cape Coral, Florida.

(3) EAST TWO LAKES, TOWER, MINNESOTA.—Project for navigation, East Two Lakes, Tower, Minnesota.

(4) ERIE BASIN MARINA, BUFFALO, NEW YORK.—Project for navigation, Erie Basin marina, Buffalo, New York.

(5) LAKE MICHIGAN, LAKESHORE STATE PARK, MILWAUKEE, WISCONSIN.—Project for navigation, Lake Michigan, Lakeshore State Park, Milwaukee, Wisconsin.

(6) SAXON HARBOR, FRANCIS, WISCONSIN.—Project for navigation, Saxon Harbor, Francis, Wisconsin.

SEC. 105. SMALL PROJECT FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

The Secretary shall conduct a study for a project for improvement of the quality of the environment, Nahant Marsh, Davenport, Iowa, and, if the Secretary determines that the project is appropriate, may carry out the project under section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(a)).

SEC. 106. SMALL PROJECTS FOR AQUATIC ECOSYSTEM RESTORATION.

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

(1) ARKANSAS RIVER, PUEBLO, COLORADO.—Project for aquatic ecosystem restoration, Arkansas River, Pueblo, Colorado.

(2) HAYDEN DIVERSION PROJECT, YAMPA RIVER, COLORADO.—Project for aquatic ecosystem restoration, Hayden Diversion Project, Yampa River, Colorado.

(3) LITTLE ECONLOCKHATCHEE RIVER BASIN, FLORIDA.—Project for aquatic ecosystem restoration, Little Econlockhatchee River basin, Florida.

(4) LOXAHATCHEE SLOUGH, PALM BEACH COUNTY, FLORIDA.—Project for aquatic ecosystem restoration, Loxahatchee Slough, Palm Beach County, Florida.

(5) STEVENSON CREEK ESTUARY, FLORIDA.—Project for aquatic ecosystem restoration, Stevenson Creek estuary, Florida.

(6) CHOUTEAU ISLAND, MADISON COUNTY, ILLINOIS.—Project for aquatic ecosystem restoration, Chouteau Island, Madison County, Illinois.

(7) SAGINAW BAY, BAY CITY, MICHIGAN.—Project for aquatic ecosystem restoration, Saginaw Bay, Bay City, Michigan.

(8) RAINWATER BASIN, NEBRASKA.—Project for aquatic ecosystem restoration, Rainwater Basin, Nebraska.

(9) CAZENOVIA LAKE, MADISON COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Cazenovia Lake, Madison County, New York, including efforts to address aquatic invasive plant species.

(10) CHENANGO LAKE, CHENANGO COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Chenango Lake, Chenango County, New York, including efforts to address aquatic invasive plant species.

(11) EAGLE LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Eagle Lake, New York.

(12) OSSINING, NEW YORK.—Project for aquatic ecosystem restoration, Ossining, New York.

(13) SARATOGA LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Saratoga Lake, New York.

(14) SCHROON LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Schroon Lake, New York.

(15) MIDDLE CUYAHOGA RIVER.—Project for aquatic ecosystem restoration, Middle Cuyahoga River, Kent, Ohio.

(16) CENTRAL AMAZON CREEK, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Central Amazon Creek, Eugene, Oregon.

(17) EUGENE MILLRACE, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Eugene Millrace, Eugene, Oregon.

(18) LONE PINE AND LAZY CREEKS, MEDFORD, OREGON.—Project for aquatic ecosystem restoration, Lone Pine and Lazy Creeks, Medford, Oregon.

(19) TULLYTOWN BOROUGH, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Tullytown Borough, Pennsylvania.

SEC. 107. SMALL PROJECT FOR SHORELINE PROTECTION.

The Secretary shall conduct a study for a project for shoreline protection, Hudson River, Dutchess County, New York, and, if the Secretary determines that the project is feasible, may carry out the project under section 3 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426g; 60 Stat. 1056).

SEC. 108. SMALL PROJECT FOR SNAGGING AND SEDIMENT REMOVAL.

The Secretary shall conduct a study for a project for clearing, snagging, and sediment removal, Sangamon River and tributaries, Riverton, Illinois. If the Secretary determines that the project is feasible, the Secretary may carry out the project under section 2 of the Flood Control Act of August 28, 1937 (50 Stat. 177).

SEC. 109. PETALUMA RIVER, PETALUMA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall carry out the Petaluma River project, at the city of Petaluma, Sonoma County, California, to provide a 100-year level of flood protection to the city in accordance with the detailed project report of the San Francisco District Engineer, dated March 1995, at a total cost of $32,227,000.

(b) COST SHARING.—Cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996.

(c) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal sponsor for any project costs that the non-Federal sponsor has incurred in excess of the non-Federal share of project costs, regardless of the date such costs were incurred.

TITLE II—GENERAL PROVISIONS

SEC. 201. COST SHARING OF CERTAIN FLOOD DAMAGE REDUCTION PROJECTS.

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

''(n) LEVEL OF FLOOD PROTECTION.—If the Secretary determines that it is technically sound, environmentally acceptable, and economically justified, to construct a flood control project for an area using an alternative that will afford a level of flood protection sufficient for the area not to qualify as an area having special flood hazards for the purposes of the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Secretary, at the request of the non-Federal interest, shall recommend the project using the alternative. The non-Federal share of the cost of the project assigned to providing the minimum amount of flood protection required for the area not to qualify as an area having special flood hazards shall be determined under subsections (a) and (b).''.

SEC. 202. HARBOR COST SHARING.

(a) IN GENERAL.—Sections 101 and 214 of the Water Resources Development Act of 1986 (33 U.S.C. 2211 and 2241; 100 Stat. 4082–4084 and 4108–4109) are each amended by striking ''45 feet'' each place it appears and inserting ''53 feet''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply only to a project, or separable element of a project, on which a contract for physical construction has not been awarded before the date of enactment of this Act.

SEC. 203. NONPROFIT ENTITIES.

(a) ENVIRONMENTAL DREDGING.—Section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272) is amended by adding at the end the following:

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

(b) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) is amended by redesignating subsection (e) as subsection (f) and by inserting after subsection (d) the following:

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

(c) LAKES PROGRAM.—Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following:

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

SEC. 204. REHABILITATION OF FEDERAL FLOOD CONTROL LEVEES.

Section 110(e) of the Water Resources Development Act of 1990 (104 Stat. 4622) is amended by striking ''1992,'' and all that follows through ''1996'' and inserting ''2001 through 2005''.

SEC. 205. FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM.

Section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)) is amended—

(1) by striking ''and'' at the end of paragraph (22);

(2) by striking the period at end of paragraph (23) and inserting a semicolon;

(3) by adding at the end the following:

''(24) Lester, St. Louis, East Savanna, and Floodwood Rivers, Duluth, Minnesota;

''(25) Lower Hudson River and tributaries, New York;

''(26) Susquehanna River watershed, Bradford County, Pennsylvania; and

''(27) Clear Creek, Harris, Galveston, and Brazoria Counties, Texas.''.

SEC. 206. TRIBAL PARTNERSHIP PROGRAM.

(a) IN GENERAL.—The Secretary is authorized, in cooperation with Indian tribes and other Federal agencies, to study and determine the feasibility of implementing water resources development projects that will substantially benefit Indian tribes, and are located primarily within Indian country (as defined in section 1151 of title 18, United States Code), or in proximity to an Alaska Native village (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)).

(b) CONSULTATION AND COORDINATION.—The Secretary shall consult with the Secretary of the Interior on studies conducted under this section.

(c) CREDITS.—For any study conducted under this section, the Secretary may provide credit to the Indian tribe for services, studies, supplies, and other in-kind consideration where the Secretary determines that such services, studies, supplies, and other in-kind consideration will facilitate completion of the study. In no event shall such credit exceed the Indian tribe's required share of the cost of the study.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2002 through 2006. Not more than $1,000,000 appropriated to carry out this section for a fiscal year may be used to substantially benefit any one Indian tribe.

(e) INDIAN TRIBE DEFINED.—In this section, the term ''Indian tribe'' means any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

SEC. 207. NATIVE AMERICAN REBURIAL AND TRANSFER AUTHORITY.

(a) IN GENERAL.—The Secretary, in consultation with appropriate Indian tribes, may identify and set aside land at civil works projects managed by the Secretary for use as a cemetery for the remains of Native Americans that have been discovered on project lands and that have been rightfully claimed by a lineal descendant or Indian tribe in accordance with applicable Federal law. The Secretary, in consultation with and with the consent of the lineal descendant or Indian tribe, may recover and rebury the remains at such cemetery at Federal expense.

(b) TRANSFER AUTHORITY.—Notwithstanding any other provision of law, the Secretary may transfer to an Indian tribe land

identified and set aside by the Secretary under subsection (a) for use as a cemetery. The Secretary shall retain any necessary rights-of-way, easements, or other property interests that the Secretary determines necessary to carry out the purpose of the project.

(c) DEFINITIONS.—In this section, the terms ''Indian tribe'' and ''Native American'' have the meaning such terms have under section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001).

SEC. 208. ABILITY TO PAY.

Section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—Any cost-sharing agreement under this section for construction of an environmental protection and restoration, flood control, or agricultural water supply project shall be subject to the ability of a non-Federal interest to pay.

''(2) CRITERIA AND PROCEDURES.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with criteria and procedures in effect under paragraph (3) on the day before the date of enactment of the Water Resources Development Act of 2000; except that such criteria and procedures shall be revised, and new criteria and procedures shall be developed, within 180 days after such date of enactment to reflect the requirements of such paragraph (3).''; and

(2) in paragraph (3)—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A)(ii);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

SEC. 209. INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.

The first sentence of section 234(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)) is amended to read as follows: ''There is authorized to be appropriated to carry out this section $250,000 per fiscal year for fiscal years beginning after September 30, 2000.''.

SEC. 210. PROPERTY PROTECTION PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to implement a program to reduce vandalism and destruction of property at water resources development projects under the jurisdiction of the Department of the Army. In carrying out the program, the Secretary may provide rewards to individuals who provide information or evidence leading to the arrest and prosecution of individuals causing damage to Federal property, including the payment of cash rewards.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the program.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000 per fiscal year for fiscal years beginning after September 30, 2000.

SEC. 211. ENGINEERING CONSULTING SERVICES.

In conducting a feasibility study for a water resources project, the Secretary, to the maximum extent practicable, should not employ a person for engineering and consulting services if the same person is also employed by the non-Federal interest for such services unless there is only 1 qualified and responsive bidder for such services.

SEC. 212. BEACH RECREATION.

(a) IN GENERAL.—In studying the feasibility of and making recommendations concerning potential beach restoration projects, the Secretary may not implement any policy that has the effect of disadvantaging any such project solely because 50 percent or more of its benefits are recreational in nature.

(b) PROCEDURES FOR CONSIDERATION AND REPORTING OF BENEFITS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and implement procedures to ensure that all of the benefits of a beach restoration project, including those benefits attributable to recreation, hurricane and storm damage reduction, and environmental protection and restoration, are adequately considered and displayed in reports for such projects.

SEC. 213. PERFORMANCE OF SPECIALIZED OR TECHNICAL SERVICES.

(a) IN GENERAL.—Before entering into an agreement to perform specialized or technical services for a State (including the District of Columbia), a territory, or a local government of a State or territory under section 6505 of title 31, United States Code, the Secretary shall certify that—

(1) the services requested are not reasonably and expeditiously available through ordinary business channels; and

(2) the Corps of Engineers is especially equipped to perform such services.

(b) SUPPORTING MATERIALS.—The Secretary shall develop materials supporting such certification under subsection (a).

(c) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than December 31 of each calendar year, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the requests described in subsection (a) that the Secretary received during such calendar year.

(2) CONTENTS.—With respect to each request, the report transmitted under paragraph (1) shall include a copy of the certification and supporting materials developed under this section and information on each of the following:

(A) The scope of services requested.

(B) The status of the request.

(C) The estimated and final cost of the requested services.

(D) Each district and division office of the Corps of Engineers that has supplied or will supply the requested services.

(E) The number of personnel of the Corps of Engineers that have performed or will perform any of the requested services.

(F) The status of any reimbursement.

SEC. 214. DESIGN-BUILD CONTRACTING.

(a) PILOT PROGRAM.—The Secretary may conduct a pilot program consisting of not more than 5 projects to test the design-build method of project delivery on various civil engineering projects of the Corps of Engineers, including levees, pumping plants, revetments, dikes, dredging, weirs, dams, retaining walls, generation facilities, mattress laying, recreation facilities, and other water resources facilities.

(b) DESIGN-BUILD DEFINED.—In this section, the term ''design-build'' means an agreement between the Federal Government and a contractor that provides for both the design and construction of a project by a single contract.

(c) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall report on the results of the pilot program.

SEC. 215. INDEPENDENT REVIEW PILOT PROGRAM.

Title IX of the Water Resources Development Act of 1986 (100 Stat. 4183 et seq.) is amended by adding at the end the following:

''SEC. 952. INDEPENDENT REVIEW PILOT PROGRAM.

''(a) PROJECTS SUBJECT TO INDEPENDENT REVIEW.—The Secretary shall undertake a pilot program in fiscal years 2001 through 2003 to determine the practicality and efficacy of having feasibility reports of the Corps of Engineers for eligible projects reviewed by an independent panel of experts. The pilot program shall be limited to the establishment of panels for not to exceed 5 eligible projects.

''(b) ESTABLISHMENT OF PANELS.—

''(1) IN GENERAL.—The Secretary shall establish a panel of experts for an eligible project under this section upon identification of a preferred alternative in the development of the feasibility report.

''(2) MEMBERSHIP.—A panel established under this section shall be composed of not less than 5 and not more than 9 independent experts who represent a balance of areas of expertise, including biologists, engineers, and economists.

''(3) LIMITATION ON APPOINTMENTS.—The Secretary shall not appoint an individual to serve on a panel of experts for a project under this section if the individual has a financial interest in the project or has with any organization a professional relationship that the Secretary determines may constitute a conflict of interest or the appearance of impropriety.

''(4) CONSULTATION.—The Secretary shall consult the National Academy of Sciences in developing lists of individuals to serve on panels of experts under this section.

''(5) COMPENSATION.—An individual serving on a panel of experts under this section may not be compensated but may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

''(c) DUTIES OF PANELS.—A panel of experts established for a project under this section shall—

''(1) review feasibility reports prepared for the project after the identification of a preferred alternative;

''(2) receive written and oral comments of a technical nature concerning the project from the public; and

''(3) transmit to the Secretary an evaluation containing the panel's economic, engineering, and environmental analyses of the project, including the panel's conclusions on the feasibility report, with particular emphasis on areas of public controversy.

''(d) DURATION OF PROJECT REVIEWS.—A panel of experts shall complete its review of a feasibility report for an eligible project and transmit a report containing its evaluation of the project to the Secretary not later than 180 days after the date of establishment of the panel.

''(e) RECOMMENDATIONS OF PANEL.—After receiving a timely report on a project from a panel of experts under this section, the Secretary shall—

''(1) consider any recommendations contained in the evaluation;

''(2) make the evaluation available for public review; and

''(3) include a copy of the evaluation in any report transmitted to Congress concerning the project.

''(f) COSTS.—The cost of conducting a review of a project under this section shall not exceed $250,000 and shall be a Federal expense.

''(g) REPORT.—Not later than December 31, 2003, the Secretary shall transmit to Congress a report on the results of the pilot program together with the recommendations of the Secretary regarding continuation, expansion, and modification of the pilot program, including an assessment of the impact that a peer review program would have on the overall cost and length of project analyses and reviews associated with feasibility reports and an assessment of the benefits of peer review.

''(h) ELIGIBLE PROJECT DEFINED.—In this section, the term 'eligible project' means—

''(1) a water resources project that has an estimated total cost of more than $25,000,000, including mitigation costs; and

''(2) a water resources project—

''(A) that has an estimated total cost of $25,000,000 or less, including mitigation costs; and

''(B)(i) that the Secretary determines is subject to a substantial degree of public controversy; or

''(ii) to which an affected State objects.''.

SEC. 216. ENHANCED PUBLIC PARTICIPATION.

(a) IN GENERAL.—Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

''(e) ENHANCED PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—The Secretary shall establish procedures to enhance public participation in the development of each feasibility study under subsection (a), including, if appropriate, establishment of a stakeholder advisory group to assist the Secretary with the development of the study.

''(2) MEMBERSHIP.—If the Secretary provides for the establishment of a stakeholder advisory group under this subsection, the membership of the advisory group shall include balanced representation of social, economic, and environmental interest groups, and such members shall serve on a voluntary, uncompensated basis.

''(3) LIMITATION.—Procedures established under this subsection shall not delay development of any feasibility study under subsection (a).''.

SEC. 217. MONITORING.

(a) IN GENERAL.—The Secretary shall conduct a monitoring program of the economic and environmental results of up to 5 eligible projects selected by the Secretary.

(b) DURATION.—The monitoring of a project selected by the Secretary under this section shall be for a period of not less than 12 years beginning on the date of its selection.

(c) REPORTS.—The Secretary shall transmit to Congress every 3 years a report on the performance of each project selected under this section.

(d) ELIGIBLE WATER RESOURCES PROJECT DEFINED.—In this section, the term ''eligible project'' means a water resources project, or separable element thereof—

(1) for which a contract for physical construction has not been awarded before the date of enactment of this Act;

(2) that has a total cost of more than $25,000,000; and

(3)(A) that has as a benefit-to-cost ratio of less than 1.5 to 1; or

(B) that has significant environmental benefits or significant environmental mitigation components.

(e) COSTS.—The cost of conducting monitoring under this section shall be a Federal expense.

SEC. 218. RECONNAISSANCE STUDIES.

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

(1) in the second sentence by inserting after ''environmental impacts'' the following: ''(including whether a proposed project is likely to have environmental impacts that cannot be successfully or cost-effectively mitigated)''; and

(2) by inserting after the second sentence the following: ''The Secretary shall not recommend that a feasibility study be conducted for a project based on a reconnaissance study if the Secretary determines that the project is likely to have environmental impacts that cannot be successfully or cost-effectively mitigated.''.

SEC. 219. FISH AND WILDLIFE MITIGATION.

(a) DESIGN OF MITIGATION PROJECTS.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(a)) is amended—

(1) by striking ''(1)'' and inserting ''(A)''; and

(2) by striking ''(2)'' and inserting ''(B)'';

(3) by striking ''(d) After the date'' and inserting the following:

''(d) MITIGATION PLANS AS PART OF PROJECT PROPOSALS.—

''(1) IN GENERAL.—After the date'';

(4) by adding at the end the following:

''(2) DESIGN OF MITIGATION PROJECTS.—The Secretary shall design mitigation projects to reflect contemporary understanding of the science of mitigating the adverse environmental impacts of water resources projects.

''(3) RECOMMENDATION OF PROJECTS.—The Secretary shall not recommend a water resources project unless the Secretary determines that the adverse impacts of the project on aquatic resources and fish and wildlife can be cost-effectively and successfully mitigated.''; and

(5) by aligning the remainder of the text of paragraph (1) (as designated by paragraph (3) of this subsection) with paragraph (2) (as added by paragraph (4) of this subsection).

(b) CONCURRENT MITIGATION.—

(1) INVESTIGATION.—The Comptroller General shall conduct an investigation of the effectiveness of the concurrent mitigation requirements of section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283). In conducting the investigation, the Comptroller General shall determine whether or not there are instances in which less than 50 percent of required mitigation is completed before initiation of project construction and the number of such instances.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the results of the investigation.

SEC. 220. WETLANDS MITIGATION.

In carrying out a water resources project that involves wetlands mitigation and that has an impact that occurs within the service area of a mitigation bank, the Secretary, to the maximum extent practicable and where appropriate, shall give preference to the use of the mitigation bank if the bank contains sufficient available credits to offset the impact and the bank is approved in accordance with the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605 (November 28, 1995)) or other applicable Federal law (including regulations).

SEC. 221. CREDIT TOWARD NON-FEDERAL SHARE OF NAVIGATION PROJECTS.

The second sentence of section 101(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2)) is amended—

(1) by striking ''paragraph (3) and'' and inserting ''paragraph (3),''; and

(2) by striking ''paragraph (4)'' and inserting ''paragraph (4), and the costs borne by the non-Federal interests in providing additional capacity at dredged material disposal areas, providing community access to the project (including such disposal areas), and meeting applicable beautification requirements''.

SEC. 222. MAXIMUM PROGRAM EXPENDITURES FOR SMALL FLOOD CONTROL PROJECTS.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended by striking ''$40,000,000'' and inserting ''$50,000,000''.

SEC. 223. FEASIBILITY STUDIES AND PLANNING, ENGINEERING, AND DESIGN.

Section 105(a)(1)(E) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(E)) is amended by striking ''Not more than ½ of the'' and inserting ''The''.

SEC. 224. ADMINISTRATIVE COSTS OF LAND CONVEYANCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the administrative costs associated with the conveyance of property to a non-Federal governmental or nonprofit entity shall be limited to not more than 5 percent of the value of the property to be conveyed to such entity if the Secretary determines, based on the entity's ability to pay, that such limitation is necessary to complete the conveyance. The Federal cost associated with such limitation shall not exceed $70,000 for any one conveyance.

(b) SPECIFIC CONVEYANCE.—In carrying out subsection (a), the Secretary shall give priority consideration to the conveyance of 10 acres of Wister Lake project land to the Summerfield Cemetery Association, Wister, Oklahoma, authorized by section 563(f) of the Water Resources Development Act of 1999 (113 Stat. 359–360).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000 for fiscal years 2001 through 2003.

SEC. 225. DAM SAFETY.

(a) INVENTORY AND ASSESSMENT OF OTHER DAMS.—

(1) INVENTORY.—The Secretary shall establish an inventory of dams constructed by and using funds made available through the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps.

(2) ASSESSMENT OF REHABILITATION NEEDS.—In establishing the inventory required under paragraph (1), the Secretary shall also assess the condition of the dams on such inventory and the need for rehabilitation or modification of the dams.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the inventory and assessment required by this section.

(c) INTERIM ACTIONS.—

(1) IN GENERAL.—If the Secretary determines that a dam referred to in subsection (a) presents an imminent and substantial risk to public safety, the Secretary is authorized to carry out measures to prevent or mitigate against such risk.

(2) EXCLUSION.—The assistance authorized under paragraph (1) shall not be available to dams under the jurisdiction of the Department of the Interior.

(3) FEDERAL SHARE.—The Federal share of the cost of assistance provided under this subsection shall be 65 percent of such cost.

(d) COORDINATION.—In carrying out this section, the Secretary shall coordinate with the appropriate State dam safety officials and the Director of the Federal Emergency Management Agency.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section a total of $25,000,000 for fiscal years beginning after September 30, 1999, of which not more than $5,000,000 may be expended on any one dam.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. NOGALES WASH AND TRIBUTARIES, NOGALES, ARIZONA.

The project for flood control, Nogales Wash and Tributaries, Nogales, Arizona, authorized by section 101(a)(4) of the Water Resources Development Act of 1990 (104 Stat. 4606), and modified by section 303 of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to provide that the Federal share of the costs associated with addressing flood control problems in Nogales, Arizona, arising from floodwater flows originating in Mexico shall be 100 percent.

SEC. 302. JOHN PAUL HAMMERSCHMIDT VISITOR CENTER, FORT SMITH, ARKANSAS.

Section 103(e) of the Water Resources Development Act of 1992 (106 Stat. 4813) is amended—

(1) in the subsection heading by striking ''LAKE'' and inserting ''VISITOR CENTER''; and

(2) in paragraph (1) by striking ''at the John Paul Hammerschmidt Lake, Arkansas River, Arkansas'' and inserting ''on property provided by the city of Fort Smith, Arkansas, in such city''.

SEC. 303. GREERS FERRY LAKE, ARKANSAS.

The project for flood control, Greers Ferry Lake, Arkansas, authorized by the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes'', approved June 28, 1938 (52 Stat. 1218), is modified to authorize the Secretary to construct water intake facilities for the benefit of Lonoke and White Counties, Arkansas.

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

The project for flood control, Saint Francis River Basin, Missouri and Arkansas, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 172), is modified to expand the boundaries of the project to include Ten- and Fifteen-Mile Bayous near West Memphis, Arkansas. Notwithstanding section 103(f) of the Water Resources Development Act of 1986 (100 Stat. 4086), the flood control work at Ten- and Fifteen-Mile Bayous shall not be considered separable elements of the project.

SEC. 305. CACHE CREEK BASIN, CALIFORNIA.

The project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4112), is modified to direct the Secretary to evaluate the impacts of the new south levee of the Cache Creek settling basin on the city of Woodland's storm drainage system and to mitigate such impacts at Federal expense and a total cost of $2,800,000.

SEC. 306. LARKSPUR FERRY CHANNEL, LARKSPUR, CALIFORNIA.

The project for navigation, Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148), is modified to direct the Secretary to prepare a limited reevaluation report to determine whether maintenance of the project is technically sound, environmentally acceptable, and economically justified. If the Secretary determines that maintenance of the project is technically sound, environmentally acceptable, and economically justified, the Secretary shall carry out the maintenance.

SEC. 307. NORCO BLUFFS, RIVERSIDE COUNTY, CALIFORNIA.

Section 101(b)(4) of the Water Resources Development Act of 1996 (110 Stat. 3667) is amended by striking ''$8,600,000'' and all that follows through ''$2,150,000'' and inserting ''$15,000,000, with an estimated Federal cost of $11,250,000 and an estimated non-Federal cost of $3,750,000''.

SEC. 308. SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.

The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), is modified to authorize the Secretary to provide credit to the non-Federal interest toward the non-Federal share of the cost of the project for the value of dredged material from the project that is purchased by public agencies or nonprofit entities for environmental restoration or other beneficial uses.

SEC. 309. SACRAMENTO RIVER, GLENN-COLUSA, CALIFORNIA.

The project for flood control, Sacramento River, California, authorized by section 2 of the Act entitled ''An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes'', approved March 1, 1917 (39 Stat. 949), and modified by section 102 of the Energy and Water Development Appropriations Act, 1990 (103 Stat. 649), section 301(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3110), title I of the Energy and Water Development Appropriations Act, 1999 (112 Stat. 1841), and section 305 of the Water Resources Development Act of 1999 (113 Stat. 299), is further modified to direct the Secretary to provide the non-Federal interest a credit of up to $4,000,000 toward the non-Federal share of the cost of the project for direct and indirect costs incurred by the non-Federal interest in carrying out activities (including the provision of lands, easements, rights-of-way, relocations, and dredged material disposal areas) associated with environmental compliance for the project if the Secretary determines that the activities are integral to the project. If any of such costs were incurred by the non-Federal interests before execution of the project cooperation agreement, the Secretary may reimburse the non-Federal interest for such pre-agreement costs instead of providing a credit for such pre-agreement costs to the extent that the amount of the credit exceeds the remaining non-Federal share of the cost of the project.

SEC. 310. UPPER GUADALUPE RIVER, CALIFORNIA.

The project for flood damage reduction and recreation, Upper Guadalupe River, California, authorized by section 101(a)(9) of the Water Resources Development Act of 1999 (113 Stat. 275), is modified to provide that the non-Federal share of the cost of the project shall be 50 percent, with an estimated Federal cost and non-Federal cost of $70,164,000 each.

SEC. 311. BREVARD COUNTY, FLORIDA.

(a) INCLUSION OF REACH.—The project for shoreline protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified to provide that, notwithstanding section 902 of the Water Resources Development Act of 1986, the Secretary may incorporate in the project any or all of the 7.1-mile reach of the project that was deleted from the south reach of the project, as described in paragraph (5) of the Report of the Chief of Engineers, dated December 23, 1996, if the Secretary determines, in coordination with appropriate local, State, and Federal agencies, that the project as modified is technically sound, environmentally acceptable, and economically justified.

(b) CLARIFICATION.—Section 310(a) of the Water Resources Development Act of 1999 (113 Stat. 301) is amended by inserting ''shoreline associated with the'' after ''damage to the''.

SEC. 312. FERNANDINA HARBOR, FLORIDA.

The project for navigation, Fernandina Harbor, Florida, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 186), is modified to authorize the Secretary to realign the access channel in the vicinity of the Fernandina Beach Municipal Marina 100 feet to the west. The cost of the realignment, including acquisition of lands, easements, rights-of-way, and dredged material disposal areas and relocations, shall be a non-Federal expense.

SEC. 313. TAMPA HARBOR, FLORIDA.

The project for navigation, Tampa Harbor, Florida, authorized by section 4 of the Rivers and Harbors Act of September 22, 1922 (42 Stat. 1042), is modified to authorize the Secretary to deepen and widen the Alafia Channel in accordance with the plans described in the Draft Feasibility Report, Alafia River, Tampa Harbor, Florida, dated May 2000, at a total cost of $61,592,000, with an estimated Federal cost of $39,621,000 and an estimated non-Federal cost of $21,971,000.

SEC. 314. EAST SAINT LOUIS AND VICINITY, ILLINOIS.

The project for flood protection, East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1082), is modified to include ecosystem restoration as a project purpose.

SEC. 315. KASKASKIA RIVER, KASKASKIA, ILLINOIS.

The project for navigation, Kaskaskia River, Kaskaskia, Illinois, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), is modified to include recreation as a project purpose.

SEC. 316. WAUKEGAN HARBOR, ILLINOIS.

The project for navigation, Waukegan Harbor, Illinois, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 192), is modified to authorize the Secretary to extend the upstream limit of the project 275 feet to the north at a width of 375 feet if the Secretary determines that the extension is feasible.

SEC. 317. CUMBERLAND, KENTUCKY.

Using continuing contracts, the Secretary shall initiate construction of the flood control project, Cumberland, Kentucky, authorized by section 202(a) of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), in accordance with option 4 contained in the draft detailed project report of the Nashville District, dated September 1998, to provide flood protection from the 100-year frequency flood event and to share all costs in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 318. LOCK AND DAM 10, KENTUCKY RIVER, KENTUCKY.

(a) IN GENERAL.—The Secretary may take all necessary measures to further stabilize

and renovate Lock and Dam 10 at Boonesborough, Kentucky, with the purpose of extending the design life of the structure by an additional 50 years, at a total cost of $24,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $12,000,000.

(b) DEFINITIONS.—For purposes of this section, the term ''stabilize and renovate'' includes the following activities: stabilization of the main dam, auxiliary dam and lock; renovation of all operational aspects of the lock; and elevation of the main and auxiliary dams.

SEC. 319. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA.

Section 321(a) of the Water Resources Development Act of 1999 (113 Stat. 303) is amended—

(1) in the subsection heading by striking ''TOTAL'' and inserting ''FEDERAL''; and

(2) by striking ''total'' and inserting ''Federal''.

SEC. 320. MAYFIELD CREEK AND TRIBUTARIES, KENTUCKY.

The project for flood control, Mayfield Creek and tributaries, Kentucky, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modified to provide that the non-Federal interest shall not be required to pay the unpaid balance, including interest, of the non-Federal share of the cost of the project.

SEC. 321. AMITE RIVER AND TRIBUTARIES, EAST BATON ROUGE PARISH, LOUISIANA.

The project for flood damage reduction and recreation, Amite River and Tributaries, East Baton Rouge Parish, Louisiana, authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (113 Stat. 277), is modified to provide that cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213), as in effect on October 11, 1996.

SEC. 322. ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA.

The Atchafalaya Basin Floodway System project, authorized by section 601 of the Water Resources Development Act of 1986 (100 Stat. 4142), is modified to authorize the Secretary to construct the visitor center and other recreational features identified in the 1982 project feasibility report of the Corps of Engineers at or near the Lake End Park in Morgan City, Louisiana.

SEC. 323. ATCHAFALAYA RIVER, BAYOUS CHENE, BOEUF, AND BLACK, LOUISIANA.

The project for navigation Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731), is modified to direct the Secretary to investigate the problems associated with the mixture of freshwater, saltwater, and fine river silt in the channel and to develop and carry out a solution to the problem if the Secretary determines that the work is technically sound, environmentally acceptable, and economically justified.

SEC. 324. RED RIVER WATERWAY, LOUISIANA.

The project for mitigation of fish and wildlife loses, Red River Waterway, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142) and modified by section 4(h) of the Water Resources Development Act of 1988 (102 Stat. 4016), section 102(p) of the Water Resources Development Act of 1990 (104 Stat. 4613), and section 301(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3710), is further modified to authorize the Secretary to purchase mitigation lands in any of the 7 parishes that make up the Red River Waterway District, including the parishes of Caddo, Bossier, Red River, Natchitoches, Grant, Rapides, and Avoyelles.

SEC. 325. THOMASTON HARBOR, GEORGES RIVER, MAINE.

The project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 215), is modified to redesignate the following portion of the project as an anchorage area: The portion lying northwesterly of a line commencing at point N86,946.770, E321,303.830 thence running northeasterly about 203.67 feet to a point N86,994.750, E321,501.770.

SEC. 326. BRECKENRIDGE, MINNESOTA.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Breckenridge, Minnesota, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), shall be $10,500,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in subsection (a) to take into account the change in the Federal participation in the project in accordance with this section.

SEC. 327. DULUTH HARBOR, MINNESOTA.

The project for navigation, Duluth Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include the relocation of Scenic Highway 61, including any required bridge construction.

SEC. 328. LITTLE FALLS, MINNESOTA.

The project for clearing, snagging, and sediment removal, East Bank of the Mississippi River, Little Falls, Minnesota, authorized under section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is modified to direct the Secretary to construct the project substantially in accordance with the plans contained in the feasibility report of the District Engineer, dated June 2000.

SEC. 329. POPLAR ISLAND, MARYLAND.

(a) IN GENERAL.—The project for beneficial use of dredged material at Poplar Island, Maryland, authorized by section 537 of the Water Resources Development Act of 1996 (110 Stat. 3776), is modified to authorize the Secretary to provide the non-Federal interest credit toward cash contributions required—

(1) before and during construction of the project, for the costs of planning, engineering, and design and for construction management work that is performed by the non-Federal interest and that the Secretary determines is necessary to implement the project; and

(2) during construction of the project, for the costs of the construction that the non-Federal interest carries out on behalf of the Secretary and that the Secretary determines is necessary to carry out the project.

(b) REDUCTION.—The private sector performance goals for engineering work of the Baltimore District of the Corps of Engineers shall be reduced by the amount of the credit under paragraph (1).

SEC. 330. GREEN BROOK SUB-BASIN, RARITAN RIVER BASIN, NEW JERSEY.

The project for flood control, Green Brook Sub-Basin, Raritan River Basin, New Jersey, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4119), is modified to direct the Secretary to prepare a limited reevaluation report to determine the feasibility of carrying out a nonstructural flood damage reduction project at the Green Brook Sub-Basin. If the Secretary determines that the nonstructural project is feasible, the Secretary may carry out the nonstructural project.

SEC. 331. NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.

The project for navigation, New York Harbor and adjacent channels, Port Jersey, New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098) and modified by section 337 of the Water Resources Development Act of 1999 (113 Stat. 306–307), is further modified to authorize the Secretary to provide the non-Federal interests credit toward cash contributions required—

(1) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(2) during and after construction for the costs of construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

SEC. 332. PASSAIC RIVER BASIN FLOOD MANAGEMENT, NEW JERSEY.

(a) REEVALUATION OF FLOODWAY STUDY.—The Secretary shall review the Passaic River Floodway Buyout Study, dated October 1995, conducted as part of the project for flood control, Passaic River Main Stem, New Jersey and New York, authorized by section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607–4610), to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(b) REEVALUATION OF 10-YEAR FLOODPLAIN STUDY.—The Secretary shall review the Passaic River Buyout Study of the 10-year floodplain beyond the floodway of the Central Passaic River Basin, dated September 1995, conducted as part of the Passaic River Main Stem project to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(c) PRESERVATION OF NATURAL STORAGE AREAS.—

(1) IN GENERAL.—The Secretary shall reevaluate the acquisition of wetlands in the Central Passaic River Basin for flood protection purposes to supplement the wetland acquisition authorized by section 101(a)(18)(C)(vi) of the Water Resources Development Act of 1990 (104 Stat. 4609).

(2) PURCHASE.—If the Secretary determines that the acquisition of wetlands evaluated under paragraph (1) is cost-effective, the Secretary shall purchase the wetlands, with the goal of purchasing not more than 8,200 acres.

(d) STREAMBANK EROSION CONTROL STUDY.—The Secretary shall review relevant reports and conduct a study to determine the feasibility of carrying out a project for environmental restoration, erosion control, and streambank restoration along the Passaic River, from Dundee Dam to Kearny Point, New Jersey.

(e) PASSAIC RIVER FLOOD MANAGEMENT TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary, in cooperation with the non-Federal interest, shall establish a task force, to be known as the ''Passaic River Flood Management Task Force'', to provide advice to the Secretary concerning reevaluation of the Passaic River Main Stem project.

(2) MEMBERSHIP.—The task force shall be composed of 22 members, appointed as follows:

(A) APPOINTMENT BY SECRETARY.—The Secretary shall appoint 1 member to represent the Corps of Engineers and to provide technical advice to the task force.

(B) APPOINTMENTS BY GOVERNOR OF NEW JERSEY.—The Governor of New Jersey shall appoint 20 members to the task force, as follows:

(i) 2 representatives of the New Jersey legislature who are members of different political parties.

(ii) 3 representatives of the State of New Jersey.

(iii) 1 representative of each of Bergen, Essex, Morris, and Passaic Counties, New Jersey.

(iv) 6 representatives of governments of municipalities affected by flooding within the Passaic River Basin.

(v) 1 representative of the Palisades Interstate Park Commission.

(vi) 1 representative of the North Jersey District Water Supply Commission.

(vii) 1 representative of each of—

(I) the Association of New Jersey Environmental Commissions;

(II) the Passaic River Coalition; and

(III) the Sierra Club.

(C) APPOINTMENT BY GOVERNOR OF NEW YORK.—The Governor of New York shall appoint 1 representative of the State of New York to the task force.

(3) MEETINGS.—

(A) REGULAR MEETINGS.—The task force shall hold regular meetings.

(B) OPEN MEETINGS.—The meetings of the task force shall be open to the public.

(4) ANNUAL REPORT.—The task force shall submit annually to the Secretary and to the non-Federal interest a report describing the achievements of the Passaic River flood management project in preventing flooding and any impediments to completion of the project.

(5) EXPENDITURE OF FUNDS.—The Secretary may use funds made available to carry out the Passaic River Basin flood management project to pay the administrative expenses of the task force.

(6) TERMINATION.—The task force shall terminate on the date on which the Passaic River flood management project is completed.

(f) ACQUISITION OF LANDS IN THE FLOODWAY.—Section 1148 of the Water Resources Development Act of 1986 (100 Stat. 4254; 110 Stat. 3718–3719), is amended by adding at the end the following:

''(e) CONSISTENCY WITH NEW JERSEY BLUE ACRES PROGRAM.—The Secretary shall carry out this section in a manner that is consistent with the Blue Acres Program of the State of New Jersey.''.

(g) STUDY OF HIGHLANDS LAND CONSERVATION.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New Jersey, may study the feasibility of conserving land in the Highlands region of New Jersey and New York to provide additional flood protection for residents of the Passaic River Basin in accordance with section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332).

(h) RESTRICTION ON USE OF FUNDS.—The Secretary shall not obligate any funds to carry out design or construction of the tunnel element of the Passaic River Main Stem project.

SEC. 333. TIMES BEACH NATURE PRESERVE, BUFFALO, NEW YORK.

The project for improving the quality of the environment, Times Beach Nature Preserve, Buffalo, New York, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to include recreation as a project purpose.

SEC. 334. GARRISON DAM, NORTH DAKOTA.

The Garrison Dam, North Dakota, feature of the project for flood control, Missouri River Basin, authorized by section 9(a) of the Flood Control Act of December 22, 1944 (58 Stat. 891), is modified to direct the Secretary to mitigate damage to the water transmission line for Williston, North Dakota, at Federal expense and a total cost of $3,900,000.

SEC. 335. DUCK CREEK, OHIO.

The project for flood control, Duck Creek, Ohio, authorized by section 101(a)(24) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary carry out the project at a total cost of $36,323,000, with an estimated Federal cost of $27,242,000 and an estimated non-Federal cost of $9,081,000.

SEC. 336. ASTORIA, OREGON.

The project for navigation, Columbia River, Astoria, Oregon, authorized by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved July 24, 1946 (60 Stat. 637), is modified to provide that the Federal share of the cost of relocating causeway and mooring facilities located at the Astoria East Boat Basin shall be 100 percent but shall not exceed $500,000.

SEC. 337. NONCONNAH CREEK, TENNESSEE AND MISSISSIPPI.

The project for flood control, Nonconnah Creek, Tennessee and Mississippi, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), is modified to authorize the Secretary, if the Secretary determines that it is feasible—

(1) to extend the area protected by the flood control element of the project upstream approximately 5 miles to Reynolds Road; and

(2) to extend the hiking and biking trails of the recreational element of the project from 8.8 to 27 miles.

SEC. 338. BOWIE COUNTY LEVEE, TEXAS.

The project for flood control, Red River below Denison Dam, Texas and Oklahoma, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647), is modified to direct the Secretary to implement the Bowie County levee feature of the project in accordance with the plan described as Alternative B in the draft document entitled ''Bowie County Local Flood Protection, Red River, Texas Project Design Memorandum No. 1, Bowie County Levee'', dated April 1997. In evaluating and implementing the modification, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation of the modification indicates that applying such section is necessary to implement the modification.

SEC. 339. SAN ANTONIO CHANNEL, SAN ANTONIO, TEXAS.

The project for flood control, San Antonio channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers in Texas, and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921), is further modified to include environmental restoration and recreation as project purposes.

SEC. 340. BUCHANAN AND DICKENSON COUNTIES, VIRGINIA.

The project for flood control, Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, authorized by section 202 of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), and modified by section 352 of the Water Resources Development Act of 1996 (110 Stat. 3724–3725), is further modified to direct the Secretary to determine the ability of Buchanan and Dickenson Counties, Virginia, to pay the non-Federal share of the cost of the project based solely on the criteria specified in section 103(m)(3)(A)(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(3)(A)(i)).

SEC. 341. BUCHANAN, DICKENSON, AND RUSSELL COUNTIES, VIRGINIA.

At the request of the John Flannagan Water Authority, Dickenson County, Virginia, the Secretary may reallocate, under section 322 of the Water Resources Development Act of 1990 (104 Stat. 4643–4644), water supply storage space in the John Flannagan Reservoir, Dickenson County, Virginia, sufficient to yield water withdrawals in amounts not to exceed 3,000,000 gallons per day in order to provide water for the communities in Buchanan, Dickenson, and Russell Counties, Virginia, notwithstanding the limitation in section 322(b) of such Act.

SEC. 342. SANDBRIDGE BEACH, VIRGINIA BEACH, VIRGINIA.

The project for beach erosion control and hurricane protection, Sandbridge Beach, Virginia Beach, Virginia, authorized by section 101(22) of the Water Resources Development Act of 1992 (106 Stat. 4804), is modified to direct the Secretary to provide 50 years of periodic beach nourishment beginning on the date on which construction of the project was initiated in 1998.

SEC. 343. WALLOPS ISLAND, VIRGINIA.

Section 567(c) of the Water Resources Development Act of 1999 (113 Stat. 367) is amended by striking ''$8,000,000'' and inserting ''$20,000,000''.

SEC. 344. COLUMBIA RIVER, WASHINGTON.

(a) IN GENERAL.—The project for navigation, Columbia River, Washington, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 13, 1902 (32 Stat. 369), is modified to direct the Secretary, in the operation and maintenance of the project, to mitigate damages to the shoreline of Puget Island, at a total cost of $1,000,000.

(b) ALLOCATION.—The cost of the mitigation shall be allocated as an operation and maintenance cost of the Federal navigation project.

SEC. 345. MOUNT ST. HELENS, WASHINGTON.

The project for sediment control, Mount St. Helens, Washington, authorized by chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 318–319), is modified to authorize the Secretary to provide such cost-effective, environmentally acceptable measures as are necessary to maintain the flood protection levels for Longview, Kelso, Lexington, and Castle Rock on the Cowlitz River, Washington, identified in the

October 1985 report of the Chief of Engineers entitled ''Mount St. Helens, Washington, Decision Document (Toutle, Cowlitz, and Columbia Rivers)'', printed as House Document number 99–135.

SEC. 346. RENTON, WASHINGTON.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Renton, Washington, carried out under section 205 of the Flood Control Act of 1948, shall be $5,300,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in subsection (a) to take into account the change in the Federal participation in the project in accordance with this section.

(c) REIMBURSEMENT.—The Secretary may reimburse the non-Federal interest for the project described in subsection (a) for costs incurred to mitigate overdredging.

SEC. 347. GREENBRIER BASIN, WEST VIRGINIA.

Section 579(c) of the Water Resources Development Act of 1996 (110 Stat. 3790) is amended by striking ''$12,000,000'' and inserting ''$73,000,000''.

SEC. 348. LOWER MUD RIVER, MILTON, WEST VIRGINIA.

The project for flood damage reduction, Lower Mud River, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790), is modified to direct the Secretary to carry out the project substantially in accordance with the plans, and subject to the conditions, described in the watershed plan prepared by the Natural Resources Conservation Service for the project, dated 1992.

SEC. 349. WATER QUALITY PROJECTS.

Section 307(a) of the Water Resources Development Act of 1992 (106 Stat. 4841) is amended by striking ''Jefferson and Orleans Parishes'' and inserting ''Jefferson, Orleans, and St. Tammany Parishes''.

SEC. 350. PROJECT REAUTHORIZATIONS.

(a) IN GENERAL.—Each of the following projects may be carried out by the Secretary, and no construction on any such project may be initiated until the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, as appropriate:

(1) NARRAGUAGUS RIVER, MILBRIDGE, MAINE.—Only for the purpose of maintenance as anchorage, those portions of the project for navigation, Narraguagus River, Milbridge, Maine, authorized by section 2 of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 195), and deauthorized under section 101 of the River and Harbor Act of 1962 (75 Stat. 1173), lying adjacent to and outside the limits of the 11-foot and 9-foot channel authorized as part of the project for navigation, authorized by such section 101, as follows:

(A) An area located east of the 11-foot channel starting at a point with coordinates N248,060.52, E668,236.56, thence running south 36 degrees 20 minutes 52.3 seconds east 1567.242 feet to a point N246,798.21, E669,165.44, thence running north 51 degrees 30 minutes 06.2 seconds west 839.855 feet to a point N247,321.01, E668,508.15, thence running north 20 degrees 09 minutes 58.1 seconds west 787.801 feet to the point of origin.

(B) An area located west of the 9-foot channel starting at a point with coordinates N249,673.29, E667,537.73, thence running south 20 degrees 09 minutes 57.8 seconds east 1341.616 feet to a point N248,413.92, E668,000.24, thence running south 01 degrees 04 minutes 26.8 seconds east 371.688 feet to a point N248,042.30, E668,007.21, thence running north 22 degrees 21 minutes 20.8 seconds west 474.096 feet to a point N248,480.76, E667,826.88, thence running north 79 degrees 09 minutes 31.6 seconds east 100.872 feet to a point N248,499.73, E667,925.95, thence running north 13 degrees 47 minutes 27.6 seconds west 95.126 feet to a point N248,592.12, E667,903.28, thence running south 79 degrees 09 minutes 31.6 seconds west 115.330 feet to a point N248,570.42, E667,790.01, thence running north 22 degrees 21 minutes 20.8 seconds west 816.885 feet to a point N249,325.91, E667,479.30, thence running north 07 degrees 03 minutes 00.3 seconds west 305.680 feet to a point N249,629.28, E667,441.78, thence running north 65 degrees 21 minutes 33.8 seconds east 105.561 feet to the point of origin.

(2) CEDAR BAYOU, TEXAS.—The project for navigation, Cedar Bayou, Texas, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved September 19, 1890 (26 Stat. 444), and modified by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved July 3, 1930 (46 Stat. 926), and deauthorized by section 1002 of the Water Resources Development Act of 1986 (100 Stat. 4219), except that the project is authorized only for construction of a navigation channel 12 feet deep by 125 feet wide from mile −2.5 (at the junction with the Houston Ship Channel) to mile 11.0 on Cedar Bayou.

(b) REDESIGNATION.—The following portion of the 11-foot channel of the project for navigation, Narraguagus River, Milbridge, Maine, referred to in subsection (a)(1) is redesignated as anchorage: starting at a point with coordinates N248,413.92, E668,000.24, thence running south 20 degrees 09 minutes 57.8 seconds east 1325.205 feet to a point N247,169.95, E668,457.09, thence running north 51 degrees 30 minutes 05.7 seconds west 562.33 feet to a point N247,520.00, E668,017.00, thence running north 01 degrees 04 minutes 26.8 seconds west 894.077 feet to the point of origin.

SEC. 351. CONTINUATION OF PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—Notwithstanding section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)), the following projects shall remain authorized to be carried out by the Secretary:

(1) The projects for flood control, Sacramento River, California, modified by section 10 of the Flood Control Act of December 22, 1944 (58 Stat. 900–901).

(2) The project for flood protection, Sacramento River from Chico Landing to Red Bluff, California, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 314).

(b) LIMITATION.—A project described in subsection (a) shall not be authorized for construction after the last day of the 7-year period beginning on the date of enactment of this Act, unless, during such period, funds have been obligated for the construction (including planning and design) of the project.

SEC. 352. DECLARATION OF NONNAVIGABILITY FOR LAKE ERIE, NEW YORK.

(a) AREA TO BE DECLARED NONNAVIGABLE; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the boundaries in the portions of Erie County, New York, described in subsection (b), are not in the public interest then, subject to subsection (c), those portions of such county that were once part of Lake Erie and are now filled are declared to be nonnavigable waters of the United States.

(b) BOUNDARIES.—The portion of Erie County, New York, referred to in subsection (a) are all that tract or parcel of land, situate in the Town of Hamburg and the City of Lackawanna, County of Erie, State of New York, being part of Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 of the Ogden Gore Tract and part of Lots 23, 24, and 36 of the Buffalo Creek Reservation, Township 10, Range 8 of the Holland Land Company's Survey and more particularly bounded and described as follows:

Beginning at a point on the westerly highway boundary of Hamburg Turnpike (66.0 feet wide), said point being 547.89 feet South 19°36′46″ East from the intersection of the westerly highway boundary of Hamburg Turnpike (66.0 feet wide) and the northerly line of the City of Lackawanna (also being the southerly line of the City of Buffalo); thence South 19°36′46″ East along the westerly highway boundary of Hamburg Turnpike (66.0 feet wide) a distance of 628.41 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 40–R2, Parcel No. 44 the following 20 courses and distances:

(1) South 10°00′07″ East a distance of 164.30 feet;

(2) South 18°40′45″ East a distance of 355.00 feet;

(3) South 71°23′35″ West a distance of 2.00 feet;

(4) South 18°40′45″ East a distance of 223.00 feet;

(5) South 22°29′36″ East a distance of 150.35 feet;

(6) South 18°40′45″ East a distance of 512.00 feet;

(7) South 16°49′53″ East a distance of 260.12 feet;

(8) South 18°34′20″ East a distance of 793.00 feet;

(9) South 71°23′35″ West a distance of 4.00 feet;

(10) South 18°13′24″ East a distance of 132.00 feet;

(11) North 71°23′35″ East a distance of 4.67 feet;

(12) South 18°30′00″ East a distance of 38.00 feet;

(13) South 71°23′35″ West a distance of 4.86 feet;

(14) South 18°13′24″ East a distance of 160.00 feet;

(15) South 71°23′35″ East a distance of 9.80 feet;

(16) South 18°36′25″ East a distance of 159.00 feet;

(17) South 71°23′35″ West a distance of 3.89 feet;

(18) South 18°34′20″ East a distance of 180.00 feet;

(19) South 20°56′05″ East a distance of 138.11 feet;

(20) South 22°53′55″ East a distance of 272.45 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 18°36′25″ East, a distance of 2228.31 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 27 Parcel No. 31 the following 2 courses and distances:

(1) South 16°17′25″ East a distance of 74.93 feet;

(2) along a curve to the right having a radius of 1004.74 feet; a chord distance of 228.48 feet along a chord bearing of South 08°12′16″ East, a distance of 228.97 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 4°35′35″ West a distance of 940.87 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 1 Parcel No. 1 and Map No. 5 Parcel No. 7 the following 18 courses and distances:

(1) North 85°24′25″ West a distance of 1.00 feet;

(2) South 7°01′17″ West a distance of 170.15 feet;

(3) South 5°02′54″ West a distance of 180.00 feet;

(4) North 85°24′25″ West a distance of 3.00 feet;

(5) South 5°02′54″ West a distance of 260.00 feet;

(6) South 5°09′11″ West a distance of 110.00 feet;

(7) South 0°34′35″ West a distance of 110.27 feet;

(8) South 4°50′37″ West a distance of 220.00 feet;

(9) South 4°50′37″ West a distance of 365.00 feet;

(10) South 85°24′25″ East a distance of 5.00 feet;

(11) South 4°06′20″ West a distance of 67.00 feet;

(12) South 6°04′35″ West a distance of 248.08 feet;

(13) South 3°18′27″ West a distance of 52.01 feet;

(14) South 4°55′58″ West a distance of 133.00 feet;

(15) North 85°24′25″ West a distance of 1.00 feet;

(16) South 4°55′58″ West a distance of 45.00 feet;

(17) North 85°24′25″ West a distance of 7.00 feet;

(18) South 4°56′12″ West a distance of 90.00 feet.

Thence continuing along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 7 the following 2 courses and distances:

(1) South 4°55′58″ West a distance of 127.00 feet;

(2) South 2°29′25″ East a distance of 151.15 feet to a point on the westerly former highway boundary of Lake Shore Road.

Thence southerly along the westerly formerly highway boundary of Lake Shore Road, South 4°35′35″ West a distance of 148.90 feet; thence along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 8 the following 3 courses and distances:

(1) South 55°34′35″ West a distance of 12.55 feet;

(2) South 4°35′35″ West a distance of 118.50 feet;

(3) South 3°04′00″ West a distance of 62.95 feet to a point on the south line of the lands of South Buffalo Railway Company.

Thence southerly and easterly along the lands of South Buffalo Railway Company the following 5 courses and distances:

(1) North 89°25′14″ West a distance of 697.64 feet;

(2) along a curve to the left having a radius of 645.0 feet; a chord distance of 214.38 feet along a chord bearing of South 40°16′48″ West, a distance of 215.38 feet;

(3) South 30°42′49″ West a distance of 76.96 feet;

(4) South 22°06′03″ West a distance of 689.43 feet;

(5) South 36°09′23″ West a distance of 30.93 feet to the northerly line of the lands of Buffalo Crushed Stone, Inc.

Thence North 87°13′38″ West a distance of 2452.08 feet to the shore line of Lake Erie; thence northerly along the shore of Lake Erie the following 43 courses and distances:

(1) North 16°29′53″ West a distance of 267.84 feet;

(2) North 24°25′00″ West a distance of 195.01 feet;

(3) North 26°45′00″ West a distance of 250.00 feet;

(4) North 31°15′00″ West a distance of 205.00 feet;

(5) North 21°35′00″ West a distance of 110.00 feet;

(6) North 44°00′53″ West a distance of 26.38 feet;

(7) North 33°49′18″ West a distance of 74.86 feet;

(8) North 34°26′26″ West a distance of 12.00 feet;

(9) North 31°06′16″ West a distance of 72.06 feet;

(10) North 22°35′00″ West a distance of 150.00 feet;

(11) North 16°35′00″ West a distance of 420.00 feet;

(12) North 21°10′00″ West a distance of 440.00 feet;

(13) North 17°55′00″ West a distance of 340.00 feet;

(14) North 28°05′00″ West a distance of 375.00 feet;

(15) North 16°25′00″ West a distance of 585.00 feet;

(16) North 22°10′00″ West a distance of 160.00 feet;

(17) North 2°46′36″ West a distance of 65.54 feet;

(18) North 16°01′08″ West a distance of 70.04 feet;

(19) North 49°07′00″ West a distance of 79.00 feet;

(20) North 19°16′00″ West a distance of 425.00 feet;

(21) North 16°37′00″ West a distance of 285.00 feet;

(22) North 25°20′00″ West a distance of 360.00 feet;

(23) North 33°00′00″ West a distance of 230.00 feet;

(24) North 32°40′00″ West a distance of 310.00 feet;

(25) North 27°10′00″ West a distance of 130.00 feet;

(26) North 23°20′00″ West a distance of 315.00 feet;

(27) North 18°20′04″ West a distance of 302.92 feet;

(28) North 20°15′48″ West a distance of 387.18 feet;

(29) North 14°20′00″ West a distance of 530.00 feet;

(30) North 16°40′00″ West a distance of 260.00 feet;

(31) North 28°35′00″ West a distance of 195.00 feet;

(32) North 18°30′00″ West a distance of 170.00 feet;

(33) North 26°30′00″ West a distance of 340.00 feet;

(34) North 32°07′52″ West a distance of 232.38 feet;

(35) North 30°04′26″ West a distance of 17.96 feet;

(36) North 23°19′13″ West a distance of 111.23 feet;

(37) North 7°07′58″ West a distance of 63.90 feet;

(38) North 8°11′02″ West a distance of 378.90 feet;

(39) North 15°01′02″ West a distance of 190.64 feet;

(40) North 2°55′00″ West a distance of 170.00 feet;

(41) North 6°45′00″ West a distance of 240.00 feet;

(42) North 0°10′00″ East a distance of 465.00 feet;

(43) North 2°00′38″ West a distance of 378.58 feet to the northerly line of Letters Patent dated February 21, 1968 and recorded in the Erie County Clerk's Office under Liber 7453 of Deeds at Page 45.

Thence North 71°23′35″ East along the north line of the aforementioned Letters Patent a distance of 154.95 feet to the shore line; thence along the shore line the following 6 courses and distances:

(1) South 80°14′01″ East a distance of 119.30 feet;

(2) North 46°15′13″ East a distance of 47.83 feet;

(3) North 59°53′02″ East a distance of 53.32 feet;

(4) North 38°20′43″ East a distance of 27.31 feet;

(5) North 68°12′46″ East a distance of 48.67 feet;

(6) North 26°11′47″ East a distance of 11.48 feet to the northerly line of the aforementioned Letters Patent.

Thence along the northerly line of said Letters Patent, North 71°23′35″ East a distance of 1755.19 feet; thence South 35°27′25″ East a distance of 35.83 feet to a point on the U.S. Harbor Line; thence, North 54°02′35″ East along the U.S. Harbor Line a distance of 200.00 feet; thence continuing along the U.S. Harbor Line, North 50°01′45″ East a distance of 379.54 feet to the westerly line of the lands of Gateway Trade Center, Inc.; thence along the lands of Gateway Trade Center, Inc. the following 27 courses and distances:

(1) South 18°44′53″ East a distance of 623.56 feet;

(2) South 34°33′00″ East a distance of 200.00 feet;

(3) South 26°18′55″ East a distance of 500.00 feet;

(4) South 19°06′40″ East a distance of 1074.29 feet;

(5) South 28°03′18″ East a distance of 242.44 feet;

(6) South 18°38′50″ East a distance of 1010.95 feet;

(7) North 71°20′51″ East a distance of 90.42 feet;

(8) South 18°49′20″ East a distance of 158.61 feet;

(9) South 80°55′10″ East a distance of 45.14 feet;

(10) South 18°04′45″ East a distance of 52.13 feet;

(11) North 71°07′23″ East a distance of 102.59 feet;

(12) South 18°41′40″ East a distance of 63.00 feet;

(13) South 71°07′23″ West a distance of 240.62 feet;

(14) South 18°38′50″ East a distance of 668.13 feet;

(15) North 71°28′46″ East a distance of 958.68 feet;

(16) North 18°42′31″ West a distance of 1001.28 feet;

(17) South 71°17′29″ West a distance of 168.48 feet;

(18) North 18°42′31″ West a distance of 642.00 feet;

(19) North 71°17′37″ East a distance of 17.30 feet;

(20) North 18°42′31″ West a distance of 574.67 feet;

(21) North 71°17′29″ East a distance of 151.18 feet;

(22) North 18°42′31″West a distance of 1156.43 feet;

(23) North 71°29′21″ East a distance of 569.24 feet;

(24) North 18°30′39″ West a distance of 314.71 feet;

(25) North 70°59′36″ East a distance of 386.47 feet;

(26) North 18°30′39″ West a distance of 70.00 feet;

(27) North 70°59′36″ East a distance of 400.00 feet to the place or point of beginning.

Containing 1,142.958 acres.

(c) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—The declaration under subsection (a) shall apply to those parts of the areas described in subsection (b) which are filled portions of Lake Erie. Any work on these filled portions is subject to all applicable Federal statutes and regulations, including sections 9 and 10 of the Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 401 and 403), commonly known as the River and Harbors Appropriation Act of 1899, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and the National Environmental Policy Act of 1969.

(d) EXPIRATION DATE.—If, 20 years from the date of enactment of this Act, any area or part thereof described in subsection (a) of this section is not occupied by permanent structures in accordance with the requirements set out in subsection (c) of this section, or if work in connection with any activity permitted in subsection (c) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

SEC. 353. PROJECT DEAUTHORIZATIONS.

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

(1) BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA.—The project for navigation, Black Warrior and Tombigbee Rivers, vicinity of Jackson, Alabama, authorized by section 106 of the Energy and Water Development Appropriations Act, 1987 (100 Stat. 3341–199).

(2) SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.—The portion of the project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), beginning from the confluence of the Sacramento River and the Barge Canal to a point 3,300 feet west of the William G. Stone Lock western gate (including the William G. Stone Lock and the Bascule Bridge and Barge Canal). All waters within such portion of the project are declared to be nonnavigable waters of the United States solely for purposes of the General Bridge Act of 1946 (33 U.S.C. 525 et seq.) and section 9 of the Act of March 3, 1899 (33 U.S.C. 401), commonly known as the Rivers and Harbors Appropriation Act of 1899.

(3) BAY ISLAND CHANNEL, QUINCY, ILLINOIS.—The access channel across Bay Island into Quincy Bay at Quincy, Illinois, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(4) WARSAW BOAT HARBOR, ILLINOIS.—The portion of the project for navigation, Illinois Waterway, Illinois and Indiana, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), known as the Warsaw Boat Harbor, Illinois.

(5) ROCKPORT HARBOR, ROCKPORT, MASSACHUSETTS.—The following portions of the project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(A) The portion of the 10-foot harbor channel the boundaries of which begin at a point with coordinates N605,741.948, E838,031.378, thence running north 36 degrees 04 minutes 40.9 seconds east 123.386 feet to a point N605,642.226, E838,104.039, thence running south 05 degrees 08 minutes 35.1 seconds east 24.223 feet to a point N605,618.100, E838,106.210, thence running north 41 degrees 05 minutes 10.9 seconds west 141.830 feet to a point N605,725.000, E838,013.000, thence running north 47 degrees 19 minutes 04.1 seconds east 25.000 feet to the point of origin.

(B) The portion of the 8-foot north basin entrance channel the boundaries of which begin at a point with coordinates N605,742.699, E837,977.129, thence running south 89 degrees 12 minutes 27.1 seconds east 54.255 feet to a point N605,741.948, E838,031.378, thence running south 47 degrees 19 minutes 04.1 seconds west 25.000 feet to a point N605,725.000, E838,013.000, thence running north 63 degrees 44 minutes 19.0 seconds west 40.000 feet to the point of origin.

(C) The portion of the 8-foot south basin anchorage the boundaries of which begin at a point with coordinates N605,563.770, E838,111.100, thence running south 05 degrees 08 minutes 35.1 seconds east 53.460 feet to a point N605,510.525, E838,115.892, thence running south 52 degrees 10 minutes 55.5 seconds west 145.000 feet to a point N605,421.618, E838,001.348, thence running north 37 degrees 49 minutes 04.5 seconds west feet to a point N605,480.960, E837,955.287, thence running south 64 degrees 52 minutes 33.9 seconds east 33.823 feet to a point N605,466.600, E837,985.910, thence running north 52 degrees 10 minutes 55.5 seconds east 158.476 feet to the point of origin.

(6) SCITUATE HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Scituate Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1954 (68 Stat. 1249), consisting of an 8-foot anchorage basin and described as follows: Beginning at a point with coordinates N438,739.53, E810,354.75, thence running northwesterly about 200.00 feet to coordinates N438,874.02, E810,206.72, thence running northeasterly about 400.00 feet to coordinates N439,170.07, E810,475,70, thence running southwesterly about 447.21 feet to the point of origin.

(7) DULUTH-SUPERIOR HARBOR, MINNESOTA AND WISCONSIN.—The portion of the project for navigation, Duluth-Superior Harbor, Minnesota and Wisconsin, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 212), known as the 21st Avenue West Channel, beginning at the most southeasterly point of the channel N423074.09, E2871635.43 thence running north-northwest about 1854.83 feet along the easterly limit of the project to a point N424706.69, E2870755.48, thence running northwesterly about 111.07 feet to a point on the northerly limit of the project N424777.27, E2870669.46, thence west-southwest 157.88 feet along the north limit of the project to a point N424703.04, E2870530.38, thence south-southeast 1978.27 feet to the most southwesterly point N422961.45, E2871469.07, thence northeasterly 201.00 feet along the southern limit of the project to the point of origin.

(8) TREMLEY POINT, NEW JERSEY.—The portion of the Federal navigation channel, New York and New Jersey Channels, New York and New Jersey, authorized by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved August 30, 1935 (49 Stat. 1028), and modified by section 101 of the River and Harbor Act of 1950 (64 Stat. 164), that consists of a 35-foot deep channel beginning at a point along the western limit of the authorized project, N644100.411, E129256.91, thence running southeasterly about 38.25 feet to a point N644068.885, E129278.565, thence running southerly about 1,163.86 feet to a point N642912.127, E129150.209, thence running southwesterly about 56.89 feet to a point N642864.09, E2129119.725, thence running northerly along the existing western limit of the existing project to the point of origin.

(9) ANGOLA, NEW YORK.—The project for erosion protection, Angola Water Treatment Plant, Angola, New York, constructed under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(10) WALLABOUT CHANNEL, BROOKLYN, NEW YORK.—The portion of the project for navigation, Wallabout Channel, Brooklyn, New York, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 3, 1899 (30 Stat. 1124), that is located at the northeast corner of the project and is described as follows:

Beginning at a point forming the northeast corner of the project and designated with the coordinate of North N 682,307.40; East 638,918.10; thence along the following 6 courses and distances:

(A) South 85 degrees, 44 minutes, 13 seconds East 87.94 feet (coordinate: N 682,300.86 E 639,005.80).

(B) North 74 degrees, 41 minutes, 30 seconds East 271.54 feet (coordinate: N 682,372.55 E 639,267.71).

(C) South 4 degrees, 46 minutes, 02 seconds West 170.95 feet (coordinate: N 682,202.20 E 639,253.50).

(D) South 4 degrees, 46 minutes, 02 seconds West 239.97 feet (coordinate: N 681,963.06 E 639,233.56).

(E) North 50 degrees, 48 minutes, 26 seconds West 305.48 feet (coordinate: N 682,156.10 E 638,996.80).

(F) North 3 degrees, 33 minutes, 25 seconds East 145.04 feet (coordinate: N 682,300.86 E 639,005.80).

(b) ROCKPORT HARBOR, MASSACHUSETTS.—The project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified—

(1) to redesignate a portion of the 8-foot north outer anchorage as part of the 8-foot approach channel to the north inner basin described as follows: the perimeter of the area starts at a point with coordinates N605,792.110, E838,020.009, thence running south 89 degrees 12 minutes 27.1 seconds east 64.794 feet to a point N605,791.214, E838,084.797, thence running south 47 degrees 18 minutes 54.0 seconds west 40.495 feet to a point N605,763.760, E838,055.030, thence running north 68 degrees 26 minutes 49.0 seconds west 43.533 feet to a point N605,779.750, E838,014.540, thence running north 23 degrees 52 minutes 08.4 seconds east 13.514 feet to the point of origin; and

(2) to realign a portion of the 8-foot north inner basin approach channel by adding an

area described as follows: the perimeter of the area starts at a point with coordinates N605,792.637, E837,981.920, thence running south 89 degrees 12 minutes 27.1 seconds east 38.093 feet to a point N605,792.110, E838,020.009, thence running south 23 degrees 52 minutes 08.4 seconds west 13.514 feet to a point N605,779.752, E838,014.541, thence running north 68 degrees 26 minutes 49.0 seconds west 35.074 feet to the point of origin.

SEC. 354. WYOMING VALLEY, PENNSYLVANIA.

(a) IN GENERAL.—The project for flood control, Wyoming Valley, Pennsylvania, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124) is modified as provided in this section.

(b) ADDITIONAL PROJECT ELEMENTS.—The Secretary shall construct each of the following additional elements of the project to the extent that the Secretary determines that the element is technically feasible, environmentally acceptable, and economically justified:

(1) The River Commons plan developed by the non-Federal sponsor for both sides of the Susquehanna River beside historic downtown Wilkes-Barre.

(2) Necessary portal modifications to the project to allow at grade access from Wilkes-Barre to the Susquehanna River to facilitate operation, maintenance, replacement, repair, and rehabilitation of the project and to restore access to the Susquehanna River for the public.

(3) A concrete capped sheet pile wall in lieu of raising an earthen embankment to reduce the disturbance to the Historic River Commons area.

(4) All necessary modifications to the Stormwater Pump Stations in Wyoming Valley.

(5) All necessary evaluations and modifications to all elements of the existing flood control projects to include Coal Creek, Toby Creek, Abrahams Creek, and various relief culverts and penetrations through the levee.

(c) CREDIT.—The Secretary shall credit the Luzerne County Flood Protection Authority toward the non-Federal share of the cost of the project for the value of the Forty-Fort ponding basin area purchased after June 1, 1972, by Luzerne County, Pennsylvania, for an estimated cost of $500,000 under section 102(w) of the Water Resources Development Act of 1992 (102 Stat. 508) to the extent that the Secretary determines that the area purchased is integral to the project.

(d) MODIFICATION OF MITIGATION PLAN AND PROJECT COOPERATION AGREEMENT.—

(1) MODIFICATION OF MITIGATION PLAN.—The Secretary shall provide for the deletion, from the Mitigation Plan for the Wyoming Valley Levees, approved by the Secretary on February 15, 1996, the proposal to remove the abandoned Bloomsburg Railroad Bridge.

(2) MODIFICATION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall modify the project cooperation agreement, executed in October 1996, to reflect removal of the railroad bridge and its $1,800,000 total cost from the mitigation plan under paragraph (1).

(e) MAXIMUM PROJECT COST.—The total cost of the project, as modified by this section, shall not exceed the amount authorized in section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), with increases authorized by section 902 of the Water Resources Development Act of 1986 (100 Stat. 4183).

SEC. 355. REHOBOTH BEACH AND DEWEY BEACH, DELAWARE.

The project for storm damage reduction and shoreline protection, Rehoboth Beach and Dewey Beach, Delaware, authorized by section 101(b)(6) of the Water Resources development Act of 1996, is modified to authorize the project at a total cost of $13,997,000, with an estimated Federal cost of $9,098,000 and an estimated non-Federal cost of $4,899,000, and an estimated average annual cost of $1,320,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $858,000 and an estimated annual non-Federal cost of $462,000.

TITLE IV—STUDIES

SEC. 401. STUDIES OF COMPLETED PROJECTS.

The Secretary shall conduct a study under section 216 of the Flood Control Act of 1970 (84 Stat. 1830) of each of the following completed projects:

(1) ESCAMBIA BAY AND RIVER, FLORIDA.—Project for navigation, Escambia Bay and River, Florida.

(2) ILLINOIS RIVER, HAVANA, ILLINOIS.—Project for flood control, Illinois River, Havana, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1583).

(3) SPRING LAKE, ILLINOIS.—Project for flood control, Spring Lake, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1584).

(4) PORT ORFORD, OREGON.—Project for flood control, Port Orford, Oregon, authorized by section 301 of River and Harbor Act of 1965 (79 Stat. 1092).

SEC. 402. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729 of the Water Resources Development Act of 1986 (100 Stat. 4164) is amended to read as follows:

"SEC. 729. WATERSHED AND RIVER BASIN ASSESSMENTS.

"(a) IN GENERAL.—The Secretary may assess the water resources needs of interstate river basins and watersheds of the United States. The assessments shall be undertaken in cooperation and coordination with the Departments of the Interior, Agriculture, and Commerce, the Environmental Protection Agency, and other appropriate agencies, and may include an evaluation of ecosystem protection and restoration, flood damage reduction, navigation and port needs, watershed protection, water supply, and drought preparedness.

"(b) CONSULTATION.—The Secretary shall consult with Federal, tribal, State, interstate, and local governmental entities in carrying out the assessments authorized by this section. In conducting the assessments, the Secretary may accept contributions of services, materials, supplies and cash from Federal, tribal, State, interstate, and local governmental entities where the Secretary determines that such contributions will facilitate completion of the assessments.

"(c) PRIORITY CONSIDERATION.—The Secretary shall give priority consideration to the following interstate river basins and watersheds:

"(1) Delaware River.

"(2) Potomac River.

"(3) Susquehanna River.

"(4) Kentucky River.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.".

SEC. 403. LOWER MISSISSIPPI RIVER RESOURCE ASSESSMENT.

(a) ASSESSMENTS.—The Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall undertake, at Federal expense, for the Lower Mississippi River system—

(1) an assessment of information needed for river-related management;

(2) an assessment of natural resource habitat needs; and

(3) an assessment of the need for river-related recreation and access.

(b) PERIOD.—Each assessment referred to in subsection (a) shall be carried out for 2 years.

(c) REPORTS.—Before the last day of the second year of an assessment under subsection (a), the Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall transmit to Congress a report on the results of the assessment to Congress. The report shall contain recommendations for—

(1) the collection, availability, and use of information needed for river-related management;

(2) the planning, construction, and evaluation of potential restoration, protection, and enhancement measures to meet identified habitat needs; and

(3) potential projects to meet identified river access and recreation needs.

(d) LOWER MISSISSIPPI RIVER SYSTEM DEFINED.—In this section, the term "Lower Mississippi River system" means those river reaches and adjacent floodplains within the Lower Mississippi River alluvial valley having commercial navigation channels on the Mississippi mainstem and tributaries south of Cairo, Illinois, and the Atchafalaya basin floodway system.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,750,000 to carry out this section.

SEC. 404. UPPER MISSISSIPPI RIVER BASIN SEDIMENT AND NUTRIENT STUDY.

(a) IN GENERAL.—The Secretary shall conduct, at Federal expense, a study—

(1) to identify significant sources of sediment and nutrients in the Upper Mississippi River basin; and

(2) to describe and evaluate the processes by which the sediments and nutrients move, on land and in water, from their sources to the Upper Mississippi River and its tributaries.

(b) CONSULTATION.—In conducting the study, the Secretary shall consult the Departments of Agriculture and the Interior.

(c) COMPONENTS OF THE STUDY.—

(1) COMPUTER MODELING.—As part of the study, the Secretary shall develop computer models at the subwatershed and basin level to identify and quantify the sources of sediment and nutrients and to examine the effectiveness of alternative management measures.

(2) RESEARCH.—As part of the study, the Secretary shall conduct research to improve understanding of—

(A) the processes affecting sediment and nutrient (with emphasis on nitrogen and phosphorus) movement;

(B) the influences of soil type, slope, climate, vegetation cover, and modifications to the stream drainage network on sediment and nutrient losses; and

(C) river hydrodynamics in relation to sediment and nutrient transformations, retention, and movement.

(d) USE OF INFORMATION.—Upon request of a Federal agency, the Secretary may provide information to the agency for use in sediment and nutrient reduction programs associated with land use and land management practices.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study, including findings and recommendations.

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

SEC. 405. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

Section 459(e) of the Water Resources Development Act of 1999 (113 Stat. 333) is amended by striking ''date of enactment of this Act'' and inserting ''first date on which funds are appropriated to carry out this section.''.

SEC. 406. OHIO RIVER SYSTEM.

The Secretary may conduct a study of commodity flows on the Ohio River system at Federal expense. The study shall include an analysis of the commodities transported on the Ohio River system, including information on the origins and destinations of these commodities and market trends, both national and international.

SEC. 407. EASTERN ARKANSAS.

(a) IN GENERAL.—The Secretary shall reevaluate the recommendations in the Eastern Arkansas Region Comprehensive Study of the Memphis District Engineer, dated August 1990, to determine whether the plans outlined in the study for agricultural water supply from the Little Red River, Arkansas, are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the reevaluation.

SEC. 408. RUSSELL, ARKANSAS.

(a) IN GENERAL.—The Secretary shall evaluate the preliminary investigation report for agricultural water supply, Russell, Arkansas, entitled ''Preliminary Investigation: Lone Star Management Project'', prepared for the Lone Star Water Irrigation District, to determine whether the plans contained in the report are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 409. ESTUDILLO CANAL, SAN LEANDRO, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along the Estudillo Canal, San Leandro, California.

SEC. 410. LAGUNA CREEK, FREMONT, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction in the Laguna Creek watershed, Fremont, California.

SEC. 411. LAKE MERRITT, OAKLAND, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, flood damage reduction, and recreation at Lake Merritt, Oakland, California.

SEC. 412. LANCASTER, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall evaluate the report of the city of Lancaster, California, entitled ''Master Plan of Drainage'', to determine whether the plans contained in the report are feasible and in the Federal interest, including plans relating to drainage corridors located at 52nd Street West, 35th Street West, North Armargosa, and 20th Street East.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 413. NAPA COUNTY, CALIFORNIA.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of carrying out a project to address water supply, water quality, and groundwater problems at Miliken, Sarco, and Tulocay Creeks in Napa County, California.

(b) USE OF EXISTING DATA.—In conducting the study, the Secretary shall use data and information developed by the United States Geological Survey in the report entitled ''Geohydrologic Framework and Hydrologic Budget of the Lower Miliken-Sarco-Tulocay Creeks Area of Napa, California''.

SEC. 414. OCEANSIDE, CALIFORNIA.

The Secretary shall conduct a study, at Federal expense, to determine the feasibility of carrying out a project for shoreline protection at Oceanside, California. In conducting the study, the Secretary shall determine the portion of beach erosion that is the result of a Navy navigation project at Camp Pendleton Harbor, California.

SEC. 415. SUISUN MARSH, CALIFORNIA.

The investigation for Suisun Marsh, California, authorized under the Energy and Water Development Appropriations Act, 2000 (Public Law 106–60), shall be limited to evaluating the feasibility of the levee enhancement and managed wetlands protection program for Suisun Marsh, California.

SEC. 416. LAKE ALLATOONA WATERSHED, GEORGIA.

Section 413 of the Water Resources Development Act of 1999 (113 Stat. 324) is amended to read as follows:

''SEC. 413. LAKE ALLATOONA WATERSHED, GEORGIA.

''(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the Lake Allatoona watershed, Georgia, to determine the feasibility of undertaking ecosystem restoration and resource protection measures.

''(b) MATTERS TO BE ADDRESSED.—The study shall address streambank and shoreline erosion, sedimentation, water quality, fish and wildlife habitat degradation and other problems relating to ecosystem restoration and resource protection in the Lake Allatoona watershed.''.

SEC. 417. CHICAGO RIVER, CHICAGO, ILLINOIS.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for shoreline protection along the Chicago River, Chicago, Illinois.

(b) CONSULTATION.—In conducting the study, the Secretary shall consult, and incorporate information available from, appropriate Federal, State, and local government agencies.

SEC. 418. CHICAGO SANITARY AND SHIP CANAL SYSTEM, CHICAGO, ILLINOIS.

The Secretary shall conduct a study to determine the advisability of reducing the use of the waters of Lake Michigan to support navigation in the Chicago sanitary and ship canal system, Chicago, Illinois.

SEC. 419. LONG LAKE, INDIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration and protection, Long Lake, Indiana.

SEC. 420. BRUSH AND ROCK CREEKS, MISSION HILLS AND FAIRWAY, KANSAS.

(a) IN GENERAL.—The Secretary shall evaluate the preliminary engineering report for the project for flood control, Mission Hills and Fairway, Kansas, entitled ''Preliminary Engineering Report: Brush Creek/Rock Creek Drainage Improvements, 66th Street to State Line Road'', to determine whether the plans contained in the report are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 421. COASTAL AREAS OF LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of developing measures to floodproof major hurricane evacuation routes in the coastal areas of Louisiana.

SEC. 422. IBERIA PORT, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Iberia Port, Louisiana.

SEC. 423. LAKE PONTCHARTRAIN SEAWALL, LOUISIANA.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a post-authorization change report on the project for hurricane-flood protection, Lake Pontchartrain, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), to incorporate and accomplish structural modifications to the seawall providing protection along the south shore of Lake Pontchartrain from the New Basin Canal on the west to the Inner Harbor Navigation Canal on the east.

SEC. 424. LOWER ATCHAFALAYA BASIN, LOUISIANA.

As part of the Lower Atchafalaya basin reevaluation study, the Secretary shall determine the feasibility of carrying out a project for flood damage reduction, Stephensville, Louisiana.

SEC. 425. ST. JOHN THE BAPTIST PARISH, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction on the east bank of the Mississippi River in St. John the Baptist Parish, Louisiana.

SEC. 426. LAS VEGAS VALLEY, NEVADA.

Section 432(b) of the Water Resources Development Act of 1999 (113 Stat. 327) is amended by inserting ''recreation,'' after ''runoff),''.

SEC. 427. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO.

Section 433 of the Water Resources Development Act of 1999 (113 Stat. 327) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The''; and

(2) by adding at the end the following:

''(b) EVALUATION OF FLOOD DAMAGE REDUCTION MEASURES.—In conducting the study, the Secretary shall evaluate flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies of the Corps of Engineers concerning the frequency of flooding, the drainage area, and the amount of runoff.''.

SEC. 428. BUFFALO HARBOR, BUFFALO, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the advisability and potential impacts of declaring as nonnavigable a portion of the channel at Control Point Draw, Buffalo Harbor, Buffalo New York.

(b) CONTENTS.—The study conducted under this section shall include an examination of other options to meet intermodal transportation needs in the area.

SEC. 429. HUDSON RIVER, MANHATTAN, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of establishing a Hudson River Park in Manhattan, New York City, New York. The study shall address the issues of shoreline protection, environmental protection and restoration, recreation, waterfront access, and open space for the area between Battery Place and West 59th Street.

(b) CONSULTATION.—In conducting the study under subsection (a), the Secretary shall consult the Hudson River Park Trust.

(c) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall transmit to Congress a report on the result of the study, including a master plan for the park.

SEC. 430. JAMESVILLE RESERVOIR, ONONDAGA COUNTY, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and water quality, Jamesville Reservoir, Onondaga County, New York.

SEC. 431. STEUBENVIILLE, OHIO.

The Secretary shall conduct a study to determine the feasibility of developing a public port along the Ohio River in the vicinity of Steubenville, Ohio.

SEC. 432. GRAND LAKE, OKLAHOMA.

Section 560(a) of the Water Resources Development Act of 1996 (110 Stat. 3783) is amended—

(1) by striking ''date of enactment of this Act'' and inserting ''date of enactment of the Water Resources Development Act of 2000''; and

(2) by inserting ''and Miami'' after ''Pensacola Dam''.

SEC. 433. COLUMBIA SLOUGH, OREGON.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete under section 1135 of the Water Resource Development Act of 1986 (33 U.S.C. 2309a) a feasiblility study for the ecosystem restoration project at Columbia Slough, Oregon. If the Secretary determines that the project is feasible, the Secretary may carry out the project on an expedited basis under such section.

SEC. 434. REEDY RIVER, GREENVILLE, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and streambank stabilization on the Reedy River, Cleveland Park West, Greenville, South Carolina.

SEC. 435. GERMANTOWN, TENNESSEE.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood control and related purposes along Miller Farms Ditch, Howard Road Drainage, and Wolf River Lateral D, Germantown, Tennessee.

(b) COST SHARING.—The Secretary—

(1) shall credit toward the non-Federal share of the costs of the feasibility study the value of the in-kind services provided by the non-Federal interests relating to the planning, engineering, and design of the project, whether carried out before or after execution of the feasibility study cost-sharing agreement if the Secretary determines the work is necessary for completion of the study; and

(2) for the purposes of paragraph (1), shall consider the feasibility study to be conducted as part of the Memphis Metro Tennessee and Mississippi study authorized by resolution of the Committee on Transportation and Infrastructure, dated March 7, 1996.

(c) LIMITATION.—The Secretary may not reject the project under the feasibility study based solely on a minimum amount of stream runoff.

SEC. 436. HOUSTON SHIP CHANNEL, GALVESTON, TEXAS.

The Secretary shall conduct a study to determine the feasibility of constructing barge lanes adjacent to the Houston Ship Channel from Redfish Reef to Morgan Point in Galveston, Texas.

SEC. 437. PARK CITY, UTAH.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Park City, Utah.

SEC. 438. MILWAUKEE, WISCONSIN.

(a) IN GENERAL.—The Secretary shall evaluate the report for the project for flood damage reduction and environmental restoration, Milwaukee, Wisconsin, entitled ''Interim Executive Summary: Menominee River Flood Management Plan'', dated September 1999, to determine whether the plans contained in the report are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 439. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS AND WISCONSIN.

Section 419 of the Water Resources Development Act of 1999 (113 Stat. 324–325) is amended by adding at the end the following:

''(d) CREDIT.—The Secretary shall provide the non-Federal interest credit toward the non-Federal share of the cost of the study for work performed by the non-Federal interest before the date of the study's feasibility cost-share agreement if the Secretary determines that the work is integral to the study.''.

SEC. 440. DELAWARE RIVER WATERSHED.

(a) STUDY.—The Secretary shall conduct studies and assessments to analyze the sources and impacts of sediment contamination in the Delaware River watershed.

(b) ACTIVITIES.—Activities authorized under this section shall be conducted by a university with expertise in research in contaminated sediment sciences.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $5,000,000. Such sums shall remain available until expended.

(2) CORPS OF ENGINEERS EXPENSES.—10 percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer and implement studies and assessments under this section.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. BRIDGEPORT, ALABAMA.

(a) DETERMINATION.—The Secretary shall review the construction of a channel performed by the non-Federal interest at the project for navigation, Tennessee River, Bridgeport, Alabama, to determine the Federal navigation interest in such work.

(b) REIMBURSEMENT.—If the Secretary determines under subsection (a) that the work performed by the non-Federal interest is consistent with the Federal navigation interest, the Secretary shall reimburse the non-Federal interest an amount equal to the Federal share of the cost of construction of the channel.

SEC. 502. DUCK RIVER, CULLMAN, ALABAMA.

The Secretary shall provide technical assistance to the city of Cullman, Alabama, in the management of construction contracts for the reservoir project on the Duck River.

SEC. 503. SEWARD, ALASKA.

The Secretary shall carry out, on an emergency one-time basis, necessary repairs of the Lowell Creek Tunnel in Seward, Alaska, at Federal expense and a total cost of $3,000,000.

SEC. 504. AUGUSTA AND DEVALLS BLUFF, ARKANSAS.

(a) IN GENERAL.—The Secretary may operate, maintain, and rehabilitate 37 miles of levees in and around Augusta and Devalls Bluff, Arkansas.

(b) REIMBURSEMENT.—After incurring any cost for operation, maintenance, or rehabilitation under subsection (a), the Secretary may seek reimbursement from the Secretary of the Interior of an amount equal to the portion of such cost that the Secretary determines is a benefit to a Federal wildlife refuge.

SEC. 505. BEAVER LAKE, ARKANSAS.

The contract price for additional storage for the Carroll-Boone Water District beyond that which is provided for in section 521 of the Water Resources Development Act of 1999 (113 Stat. 345) shall be based on the original construction cost of Beaver Lake and adjusted to the 2000 price level net of inflation between the date of initiation of construction and the date of enactment of this Act.

SEC. 506. McCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, ARKANSAS AND OKLAHOMA.

Taking into account the need to realize the total economic potential of the McClellan-Kerr Arkansas River navigation system, the Secretary shall expedite completion of the Arkansas River navigation study, including the feasibility of increasing the authorized channel from 9 feet to 12 feet and, if justified, proceed directly to project preconstruction engineering and design.±

SEC. 507. CALFED BAY DELTA PROGRAM ASSISTANCE, CALIFORNIA.

(a) IN GENERAL.—The Secretary may participate with appropriate Federal and State agencies in planning and management activities associated with the CALFED Bay Delta Program (in this section referred to as the ''Program'') and shall, to the maximum extent practicable and in accordance with all applicable laws, integrate the activities of the Corps of Engineers in the San Joaquin and Sacramento River basins with the long-term goals of the Program.

(b) COOPERATIVE ACTIVITIES.—In carrying out this section, the Secretary—

(1) may accept and expend funds from other Federal agencies and from public, private, and non-profit entities to carry out ecosystem restoration projects and activities associated with the Program; and

(2) may enter into contracts, cooperative research and development agreements, and cooperative agreements, with Federal and public, private, and non-profit entities to carry out such projects and activities.

(c) GEOGRAPHIC SCOPE.—For the purposes of the participation of the Secretary under this section, the geographic scope of the Program shall be the San Francisco Bay and the Sacramento-San Joaquin Delta Estuary and their watershed (also known as the ''Bay-Delta Estuary''), as identified in the agreement entitled the ''Framework Agreement Between the Governor's Water Policy Council of the State of California and the Federal Ecosystem Directorate''.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal years 2002 through 2005.

SEC. 508. CLEAR LAKE BASIN, CALIFORNIA.

Amounts made available to the Secretary by the Energy and Water Appropriations Act, 2000 (113 Stat. 483 et seq.) for the project for aquatic ecosystem restoration, Clear Lake basin, California, to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), may

only be used for the wetlands restoration and creation elements of the project.

SEC. 509. CONTRA COSTA CANAL, OAKLEY AND KNIGHTSEN, CALIFORNIA.

The Secretary shall carry out a project for flood damage reduction under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) at the Contra Costa Canal, Oakley and Knightsen, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 510. HUNTINGTON BEACH, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Huntington Beach, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 511. MALLARD SLOUGH, PITTSBURG, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Mallard Slough, Pittsburg, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 512. PENN MINE, CALAVERAS COUNTY, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall reimburse the non-Federal interest for the project for aquatic ecosystem restoration, Penn Mine, Calaveras County, California, carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), $4,100,000 for the Federal share of costs incurred by the non-Federal interest for work carried out by the non-Federal interest for the project.

(b) SOURCE OF FUNDING.—Reimbursement under subsection (a) shall be from amounts appropriated before the date of enactment of this Act for the project described in subsection (a).

SEC. 513. PORT OF SAN FRANCISCO, CALIFORNIA.

(a) EMERGENCY MEASURES.—The Secretary shall carry out, on an emergency basis, measures to address health, safety, and environmental risks posed by floatables and floating debris originating from Piers 24 and 64 in the Port of San Francisco, California, by removing such floatables and debris.

(b) STUDY.—The Secretary shall conduct a study to determine the risk to navigation posed by floatables and floating debris originating from Piers 24 and 64 in the Port of San Francisco, California, and the cost of removing such floatables and debris.

(c) FUNDING.—There is authorized to be appropriated $3,000,000 to carry out this section.

SEC. 514. SAN GABRIEL BASIN, CALIFORNIA.

(a) SAN GABRIEL BASIN RESTORATION.—

(1) ESTABLISHMENT OF FUND.—There shall be established within the Treasury of the United States an interest bearing account to be known as the San Gabriel Basin Restoration Fund (in this section referred to as the ''Restoration Fund'').

(2) ADMINISTRATION OF FUND.—The Restoration Fund shall be administered by the Secretary, in cooperation with the San Gabriel Basin Water Quality Authority or its successor agency.

(3) PURPOSES OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), the amounts in the Restoration Fund, including interest accrued, shall be utilized by the Secretary—

(i) to design and construct water quality projects to be administered by the San Gabriel Basin Water Quality Authority and the Central Basin Water Quality Project to be administered by the Central Basin Municipal Water District; and

(ii) to operate and maintain any project constructed under this section for such period as the Secretary determines, but not to exceed 10 years, following the initial date of operation of the project.

(B) COST-SHARING LIMITATION.—The Secretary may not obligate any funds appropriated to the Restoration Fund in a fiscal year until the Secretary has deposited in the Fund an amount provided by non-Federal interests sufficient to ensure that at least 35 percent of any funds obligated by the Secretary are from funds provided to the Secretary by the non-Federal interests. The San Gabriel Basin Water Quality Authority shall be responsible for providing the non-Federal amount required by the preceding sentence. The State of California, local government agencies, and private entities may provide all or any portion of such amount.

(b) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in this section, the Secretary shall comply with any applicable Federal and State laws.

(c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing in this section shall be construed to affect other Federal or State authorities that are being used or may be used to facilitate the cleanup and protection of the San Gabriel and Central groundwater basins. In carrying out the activities described in this section, the Secretary shall integrate such activities with ongoing Federal and State projects and activities. None of the funds made available for such activities pursuant to this section shall be counted against any Federal authorization ceiling established for any previously authorized Federal projects or activities.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Restoration Fund established under subsection (a) $85,000,000. Such funds shall remain available until expended.

(2) SET-ASIDE.—Of the amounts appropriated under paragraph (1), no more than $10,000,000 shall be available to carry out the Central Basin Water Quality Project.

(e) ADJUSTMENT.—Of the $25,000,000 made available for San Gabriel Basin Groundwater Restoration, California, under the heading ''Construction, General'' in title I of the Energy and Water Development Appropriations Act, 2001—

(1) $2,000,000 shall be available only for studies and other investigative activities and planning and design of projects determined by the Secretary to offer a long-term solution to the problem of groundwater contamination caused by perchlorates at sites located in the city of Santa Clarita, California; and

(2) $23,000,000 shall be deposited in the Restoration Fund, of which $4,000,000 shall be used for remediation in the Central Basin, California.

SEC. 515. STOCKTON, CALIFORNIA.

The Secretary shall evaluate the feasibility of the Lower Mosher Slough element and the levee extensions on the Upper Calaveras River element of the project for flood control, Stockton Metropolitan Area, California, carried out under section 211(f)(3) of the Water Resources Development Act of 1996 (110 Stat. 3683), to determine the eligibility of such elements for reimbursement under section 211 of such Act (33 U.S.C. 701b–13). If the Secretary determines that such elements are technically sound, environmentally acceptable, and economically justified, the Secretary shall reimburse under section 211 of such Act the non-Federal interest for the Federal share of the cost of such elements.

SEC. 516. PORT EVERGLADES, FLORIDA.

Notwithstanding the absence of a project cooperation agreement, the Secretary shall reimburse the non-Federal interest for the project for navigation, Port Everglades Harbor, Florida, $15,003,000 for the Federal share of costs incurred by the non-Federal interest in carrying out the project and determined by the Secretary to be eligible for reimbursement under the limited reevaluation report of the Corps of Engineers, dated April 1998.

SEC. 517. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

(a) IN GENERAL.—In coordination with the Florida Keys Aqueduct Authority, appropriate agencies of municipalities of Monroe County, Florida, and other appropriate public agencies of the State of Florida or Monroe County, the Secretary may provide technical and financial assistance to carry out projects for the planning, design, and construction of treatment works to improve water quality in the Florida Keys National Marine Sanctuary.

(b) CRITERIA FOR PROJECTS.—Before entering into a cooperation agreement to provide assistance with respect to a project under this section, the Secretary shall ensure that—

(1) the non-Federal sponsor has completed adequate planning and design activities, as applicable;

(2) the non-Federal sponsor has completed a financial plan identifying sources of non-Federal funding for the project;

(3) the project complies with—

(A) applicable growth management ordinances of Monroe County, Florida;

(B) applicable agreements between Monroe County, Florida, and the State of Florida to manage growth in Monroe County, Florida; and

(C) applicable water quality standards; and

(4) the project is consistent with the master wastewater and stormwater plans for Monroe County, Florida.

(c) CONSIDERATION.—In selecting projects under subsection (a), the Secretary shall consider whether a project will have substantial water quality benefits relative to other projects under consideration.

(d) CONSULTATION.—In carrying out this section, the Secretary shall consult with—

(1) the Water Quality Steering Committee established under section 8(d)(2)(A) of the Florida Keys National Marine Sanctuary and Protection Act (106 Stat. 5054);

(2) the South Florida Ecosystem Restoration Task Force established by section 528(f) of the Water Resources Development Act of 1996 (110 Stat. 3771–3773);

(3) the Commission on the Everglades established by executive order of the Governor of the State of Florida; and

(4) other appropriate State and local government officials.

(e) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of a project carried out under this section shall be 35 percent.

(2) CREDIT.—

(A) IN GENERAL.—The Secretary may provide the non-Federal interest credit toward cash contributions required—

(i) before and during the construction of the project, for the costs of planning, engineering, and design, and for the construction management work that is performed by the non-Federal interest and that the Secretary determines is necessary to implement the project; and

(ii) during the construction of the project, for the construction that the non-Federal interest carries out on behalf of the Secretary and that the Secretary determines is necessary to carry out the project.

(B) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000. Such sums shall remain available until expended.

SEC. 518. BALLARD'S ISLAND, LASALLE COUNTY, ILLINOIS.

The Secretary may provide the non-Federal interest for the project for the improvement of the quality of the environment, Ballard's Island, LaSalle County, Illinois, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C 2309a), credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest after July 1, 1999, if the Secretary determines that the work is integral to the project.

SEC. 519. LAKE MICHIGAN DIVERSION, ILLINOIS.

Section 1142(b) of the Water Resources Development Act of 1986 (110 Stat. 4253; 113 Stat. 339) is amended by inserting after ''2003'' the following: ''and $800,000 for each fiscal year beginning after September 30, 2003,''.

SEC. 520. KOONTZ LAKE, INDIANA.

The Secretary shall provide the non-Federal interest for the project for aquatic ecosystem restoration, Koontz Lake, Indiana, carried out under section 206 of the Water Resources Development Act of 1996 (22 U.S.C. 2330), credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

SEC. 521. CAMPBELLSVILLE LAKE, KENTUCKY.

The Secretary shall repair the retaining wall and dam at Campbellsville Lake, Kentucky, to protect the public road on top of the dam at Federal expense and a total cost of $200,000.

SEC. 522. WEST VIEW SHORES, CECIL COUNTY, MARYLAND.

Not later than 1 year after the date of enactment of this Act, the Secretary shall carry out an investigation of the contamination of the well system in West View Shores, Cecil County, Maryland. If the Secretary determines that a disposal site for a Federal navigation project has contributed to the contamination of the well system, the Secretary may provide alternative water supplies, including replacement of wells, at Federal expense.

SEC. 523. CONSERVATION OF FISH AND WILDLIFE, CHESAPEAKE BAY, MARYLAND AND VIRGINIA.

Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended by adding at the end the following: ''In addition, there is authorized to be appropriated $20,000,000 to carry out paragraph (4).''.

SEC. 524. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.

The Secretary shall carry out the project for flood damage reduction and environmental restoration, Muddy River, Brookline and Boston, Massachusetts, substantially in accordance with the plans, and subject to the conditions, described in the draft evaluation report of the New England District Engineer entitled ''Phase I Muddy River Master Plan'', dated June 2000.

SEC. 525. SOO LOCKS, SAULT STE. MARIE, MICHIGAN.

The Secretary may not require a cargo vessel equipped with bow thrusters and friction winches that is transiting the Soo Locks in Sault Ste. Marie, Michigan, to provide more than 2 crew members to serve as line handlers on the pier of a lock, except in adverse weather conditions or if there is a mechanical failure on the vessel.

SEC. 526. DULUTH, MINNESOTA, ALTERNATIVE TECHNOLOGY PROJECT.

(a) PROJECT AUTHORIZATION.—Section 541(a) of the Water Resources Development Act of 1996 (110 Stat. 3777) is amended—

(1) by striking ''implement'' and inserting ''conduct full scale demonstrations of''; and

(2) by inserting before the period the following: '', including technologies evaluated for the New York/New Jersey Harbor under section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; 106 Stat. 4863)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 541(b) of such Act is amended by striking ''$1,000,000'' and inserting ''$3,000,000''.

SEC. 527. MINNEAPOLIS, MINNESOTA.

(a) IN GENERAL.—The Secretary, in cooperation with the State of Minnesota, shall design and construct the project for environmental restoration and recreation, Minneapolis, Minnesota, substantially in accordance with the plans described in the report entitled ''Feasibility Study for Mississippi Whitewater Park, Minneapolis, Minnesota'', prepared for the Minnesota department of natural resources, dated June 30, 1999.

(b) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of the project shall be determined in accordance with title I of the Water Resources Development Act of 1986 (33 U.S.C. 2211 et seq.).

(2) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall provide all lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for construction of the project and shall receive credit for the cost of providing such lands, easements, rights-of-way, relocations, and dredged material disposal areas toward the non-Federal share of the cost of the project.

(3) OPERATION, MAINTENANCE, REPAIR, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, repair, rehabilitation, and replacement of the project shall be a non-Federal responsibility.

(4) CREDIT FOR NON-FEDERAL WORK.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 528. ST. LOUIS COUNTY, MINNESOTA.

The Secretary shall carry out under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) a project in St. Louis County, Minnesota, by making beneficial use of dredged material from a Federal navigation project.

SEC. 529. WILD RICE RIVER, MINNESOTA.

The Secretary shall prepare a general reevaluation report on the project for flood control, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), and, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, shall carry out the project. In carrying out the reevaluation, the Secretary shall include river dredging as a component of the study.

SEC. 530. COASTAL MISSISSIPPI WETLANDS RESTORATION PROJECTS.

(a) IN GENERAL.—In order to further the purposes of section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) and section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), the Secretary shall participate in restoration projects for critical coastal wetlands and coastal barrier islands in the State of Mississippi that will produce, consistent with existing Federal programs, projects, and activities, immediate and substantial restoration, preservation, and ecosystem protection benefits, including the beneficial use of dredged material if such use is a cost-effective means of disposal of such material.

(b) PROJECT SELECTION.—The Secretary, in coordination with other Federal, tribal, State, and local agencies, may identify and implement projects described in subsection (a) after entering into an agreement with an appropriate non-Federal interest in accordance with this section.

(c) COST SHARING.—Before implementing any project under this section, the Secretary shall enter into a binding agreement with the non-Federal interests. The agreement shall provide that the non-Federal responsibility for the project shall be as follows:

(1) To acquire any lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for implementation of the project.

(2) To hold and save harmless the United States free from claims or damages due to implementation of the project, except for the negligence of the Federal Government or its contractors.

(3) To pay 35 percent of project costs.

(d) NONPROFIT ENTITY.—For any project undertaken under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 531. MISSOURI RIVER VALLEY IMPROVEMENTS.

(a) MISSOURI RIVER MITIGATION PROJECT.—The project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143) and modified by section 334 of the Water Resources Development Act of 1999 (113 Stat. 306), is further modified to authorize $200,000,000 for fiscal years 2001 through 2010 to be appropriated to the Secretary for acquisition of 118,650 acres of land and interests in land for the project.

(b) UPPER MISSOURI RIVER AQUATIC AND RIPARIAN HABITAT MITIGATION PROGRAM.—

(1) IN GENERAL.—

(A) STUDY.—The Secretary shall complete a study that analyzes the need for additional measures for mitigation of losses of aquatic and terrestrial habitat from Fort Peck Dam to Sioux City, Iowa, resulting from the operation of the Missouri River Mainstem Reservoir project in the States of Nebraska, South Dakota, North Dakota, and Montana.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report describing the results of the study.

(2) PILOT PROGRAM.—The Secretary, in consultation with the Director of the United

States Fish and Wildlife Service and the affected State fish and wildlife agencies, shall develop and administer a pilot mitigation program that—

(A) involves the experimental releases of warm water from the spillways at Fort Peck Dam during the appropriate spawning periods for native fish;

(B) involves the monitoring of the response of fish to, and the effectiveness toward the preservation of native fish and wildlife habitat as a result of, such releases; and

(C) requires the Secretary to provide compensation for any loss of hydropower at Fort Peck Dam resulting from implementation of the pilot program; and

(D) does not effect a change in the Missouri River Master Water Control Manual.

(3) RESERVOIR FISH LOSS STUDY.—

(A) IN GENERAL.—The Secretary, in consultation with the North Dakota Game and Fish Department and the South Dakota Department of Game, Fish and Parks, shall complete a study to analyze and recommend measures to avoid or reduce the loss of fish, including rainbow smelt, through Garrison Dam in North Dakota and Oahe Dam in South Dakota.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report describing the results of the study.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated—

(A) to complete the study under paragraph (3) $200,000; and

(B) to carry out the other provisions of this subsection $1,000,000 for each of fiscal years 2001 through 2010.

(c) MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.—Section 514(g) of the Water Resources Development Act of 1999 (113 Stat. 342) is amended to read as follows:

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out activities under this section $5,000,000 for each of fiscal years 2001 through 2010.''.

SEC. 532. NEW MADRID COUNTY, MISSOURI.

For purposes of determining the non-Federal share for the project for navigation, New Madrid County Harbor, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), the Secretary shall consider Phases 1 and 2 as described in the report of the District Engineer, dated February 2000, as one project and provide credit to the non-Federal interest toward the non-Federal share of the combined project for work performed by the non-Federal interest on Phase 1 of the project.

SEC. 533. PEMISCOT COUNTY, MISSOURI.

The Secretary shall provide the non-Federal interest for the project for navigation, Caruthersville Harbor, Pemiscot County, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), credit toward the non-Federal share of the cost of the project for in-kind work performed by the non-Federal interest after December 1, 1997, if the Secretary determines that the work is integral to the project.

SEC. 534. LAS VEGAS, NEVADA.

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

(1) COMMITTEE.—The term ''Committee'' means the Las Vegas Wash Coordinating Committee.

(2) PLAN.—The term ''Plan'' means the Las Vegas Wash comprehensive adaptive management plan, developed by the Committee and dated January 20, 2000.

(3) PROJECT.—The term ''Project'' means the Las Vegas Wash wetlands restoration and Lake Mead water quality improvement project and includes the programs, features, components, projects, and activities identified in the Plan.

(b) PARTICIPATION IN PROJECT.—

(1) IN GENERAL.—The Secretary, in conjunction with the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the Secretary of the Interior and in partnership with the Committee, shall participate in the implementation of the Project to restore wetlands at Las Vegas Wash and to improve water quality in Lake Mead in accordance with the Plan.

(2) COST SHARING REQUIREMENTS.—

(A) IN GENERAL.—The non-Federal interests shall pay 35 percent of the cost of any project carried out under this section.

(B) OPERATION AND MAINTENANCE.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(C) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including the costs of operation and maintenance.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 535. NEWARK, NEW JERSEY.

(a) IN GENERAL.—Using authorities under law in effect on the date of enactment of this Act, the Secretary, the Director of the Federal Emergency Management Agency, the Administrator of the Environmental Protection Agency, and the heads of other appropriate Federal agencies shall assist the State of New Jersey in developing and implementing a comprehensive basinwide strategy in the Passaic, Hackensack, Raritan, and Atlantic Coast floodplain areas for coordinated and integrated management of land and water resources to improve water quality, reduce flood hazards, and ensure sustainable economic activity.

(b) TECHNICAL ASSISTANCE, STAFF, AND FINANCIAL SUPPORT.—The heads of the Federal agencies referred to in subsection (a) may provide technical assistance, staff, and financial support for the development of the floodplain management strategy.

(c) FLEXIBILITY.—The heads of the Federal agencies referred to in subsection (a) shall exercise flexibility to reduce barriers to efficient and effective implementation of the floodplain management strategy.

(d) RESEARCH.—In coordination with academic and research institutions for support, the Secretary may conduct a study to carry out this section.

SEC. 536. URBANIZED PEAK FLOOD MANAGEMENT RESEARCH, NEW JERSEY.

(a) IN GENERAL.—The Secretary shall develop and implement a research program to evaluate opportunities to manage peak flood flows in urbanized watersheds located in the State of New Jersey.

(b) SCOPE OF RESEARCH.—The research program authorized by subsection (a) shall be accomplished through the New York District of Corps of Engineers. The research shall include the following:

(1) Identification of key factors in the development of an urbanized watershed that affect peak flows in the watershed and downstream.

(2) Development of peak flow management models for 4 to 6 watersheds in urbanized areas with widely differing geology, shapes, and soil types that can be used to determine optimal flow reduction factors for individual watersheds.

(c) LOCATION.—The activities authorized by this section shall be carried out at the facility authorized by section 103(d) of the Water Resources Development Act of 1992 106 Stat. 4812–4813, which may be located on the campus of the New Jersey Institute of Technology.

(d) REPORT TO CONGRESS.—The Secretary shall evaluate policy changes in the planning process for flood damage reduction projects based on the results of the research under this section and transmit to Congress a report on such results not later than 3 years after the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $11,000,000 for fiscal years beginning after September 30, 2000.

SEC. 537. BLACK ROCK CANAL, BUFFALO, NEW YORK.

The Secretary shall provide technical assistance in support of activities of non-Federal interests related to the dredging of Black Rock Canal in the area between the Ferry Street Overpass and the Peace Bridge Overpass in Buffalo, New York.

SEC. 538. HAMBURG, NEW YORK.

The Secretary shall complete the study of a project for shoreline erosion, Old Lake Shore Road, Hamburg, New York, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project.

SEC. 539. NEPPERHAN RIVER, YONKERS, NEW YORK.

The Secretary shall provide technical assistance to the city of Yonkers, New York, in support of activities relating to the dredging of the Nepperhan River outlet, New York.

SEC. 540. ROCHESTER, NEW YORK.

The Secretary shall complete the study of a project for navigation, Rochester Harbor, Rochester, New York, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project.

SEC. 541. UPPER MOHAWK RIVER BASIN, NEW YORK.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New York, shall conduct a study, develop a strategy, and implement a project to reduce flood damages, improve water quality, and create wildlife habitat through wetlands restoration, soil and water conservation practices, nonstructural measures, and other appropriate means in the Upper Mohawk River Basin, at an estimated Federal cost of $10,000,000.

(b) IMPLEMENTATION OF STRATEGY.—The Secretary shall implement the strategy under this section in cooperation with local landowners and local government. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Mohawk River basin ecosystem.

(c) COOPERATION AGREEMENTS.—In carrying out activities under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies as well as appropriate nonprofit, nongovernmental organizations with expertise in wetlands restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands

restoration projects and soil and water conservation measures.

(d) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities carried out under this section shall be 25 percent and may be provided through in-kind services and materials.

(e) UPPER MOHAWK RIVER BASIN DEFINED.—In this section, the term ''Upper Mohawk River basin'' means the Mohawk River, its tributaries, and associated lands upstream of the confluence of the Mohawk River and Canajoharie Creek, and including Canajoharie Creek, New York.

SEC. 542. EASTERN NORTH CAROLINA FLOOD PROTECTION.

(a) IN GENERAL.—In order to assist the State of North Carolina and local governments in mitigating damages resulting from a major disaster, the Secretary shall carry out flood damage reduction projects in eastern North Carolina by protecting, clearing, and restoring channel dimensions (including removing accumulated snags and other debris) in the following rivers and tributaries:

(1) New River and tributaries.

(2) White Oak River and tributaries.

(3) Neuse River and tributaries.

(4) Pamlico River and tributaries.

(b) COST SHARE.—The non-Federal interest for a project under this section shall—

(1) pay 35 percent of the cost of the project; and

(2) provide any lands, easements, rights-of-way, relocations, and material disposal areas necessary for implementation of the project.

(c) CONDITIONS.—The Secretary may not reject a project based solely on a minimum amount of stream runoff.

(d) MAJOR DISASTER DEFINED.—In this section, the term ''major disaster'' means a major disaster declared under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) and includes any major disaster declared before the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000 for fiscal years 2001 through 2003.

SEC. 543. CUYAHOGA RIVER, OHIO.

(a) IN GENERAL.—The Secretary shall provide technical assistance to non-Federal interests for an evaluation of the structural integrity of the bulkhead system located along the Cuyahoga River in the vicinity of Cleveland, Ohio, at a total cost of $500,000.

(b) EVALUATION.—The evaluation described in subsection (a) shall include design analysis, plans and specifications, and cost estimates for repair or replacement of the bulkhead system.

SEC. 544. CROWDER POINT, CROWDER, OKLAHOMA.

At the request of the city of Crowder, Oklahoma, the Secretary shall enter into a long-term lease, not to exceed 99 years, with the city under which the city may develop, operate, and maintain as a public park all or a portion of approximately 260 acres of land known as Crowder Point on Lake Eufaula, Oklahoma. The lease shall include such terms and conditions as the Secretary determines are necessary to protect the interest of the United States and project purposes and shall be made without consideration to the United States.

SEC. 545. OKLAHOMA-TRIBAL COMMISSION.

(a) FINDINGS.—The House of Representatives makes the following findings:

(1) The unemployment rate in southeastern Oklahoma is 23 percent greater than the national average.

(2) The per capita income in southeastern Oklahoma is 62 percent of the national average.

(3) Reflecting the inadequate job opportunities and dwindling resources in poor rural communities, southeastern Oklahoma is experiencing an out-migration of people.

(4) Water represents a vitally important resource in southeastern Oklahoma. Its abundance offers an opportunity for the residents to benefit from their natural resources.

(5) Trends as described in paragraphs (1), (2), and (3) are not conducive to local economic development, and efforts to improve the management of water in the region would have a positive outside influence on the local economy, help reverse these trends, and improve the lives of local residents.

(b) SENSE OF HOUSE OF REPRESENTATIVES.—In view of the findings described in subsection (a), and in order to assist communities in southeastern Oklahoma in benefiting from their local resources, it is the sense of the House of Representatives that—

(1) the State of Oklahoma and the Choctaw Nation of Oklahoma and the Chickasaw Nation, Oklahoma, should establish a State-tribal commission composed equally of representatives of such Nations and residents of the water basins within the boundaries of such Nations for the purpose of administering and distributing from the sale of water any benefits and net revenues to the tribes and local entities within the respective basins;

(2) any sale of water to entities outside the basins should be consistent with the procedures and requirements established by the commission; and

(3) if requested, the Secretary should provide technical assistance, as appropriate, to facilitate the efforts of the commission.

SEC. 546. COLUMBIA RIVER, OREGON AND WASHINGTON.

(a) MODELING AND FORECASTING SYSTEM.—The Secretary shall develop and implement a modeling and forecasting system for the Columbia River estuary, Oregon and Washington, to provide real-time information on existing and future wave, current, tide, and wind conditions.

(b) USE OF CONTRACTS AND GRANTS.—In carrying out this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.

SEC. 547. JOHN DAY POOL, OREGON AND WASHINGTON.

(a) EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.—With respect to the lands described in each deed listed in subsection (b)—

(1) the reversionary interests and the use restrictions relating to port or industrial purposes are extinguished;

(2) the human habitation or other building structure use restriction is extinguished in each area where the elevation is above the standard project flood elevation; and

(3) the use of fill material to raise areas above the standard project flood elevation, without increasing the risk of flooding in or outside of the floodplain, is authorized, except in any area constituting wetland for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) would be required.

(b) AFFECTED DEEDS.—The following deeds are referred to in subsection (a):

(1) The deeds executed by the United States and bearing Morrow County, Oregon, Auditor's Microfilm Numbers 229 and 16226.

(2) The deed executed by the United States and bearing Benton County, Washington, Auditor's File Number 601766, but only as that deed applies to the following portion of lands conveyed by that deed:

A tract of land lying in Section 7, Township 5 north, Range 28 east of the Willamette meridian, Benton County, Washington, said tract being more particularly described as follows:

Commencing at the point of intersection of the centerlines of Plymouth Street and Third Avenue in the First Addition to the Town of Plymouth (according to the duly recorded Plat thereof);

thence westerly along the said centerline of Third Avenue, a distance of 565 feet;

thence south 54° 10′ west, to a point on the west line of Tract 18 of said Addition and the true point of beginning;

thence north, parallel with the west line of said Section 7, to a point on the north line of said Section 7;

thence west along the north line thereof to the northwest corner of said Section 7;

thence south along the west line of said Section 7 to a point on the ordinary high water line of the Columbia River;

thence northeasterly along said high water line to a point on the north and south coordinate line of the Oregon Coordinate System, North Zone, said coordinate line being east 2,291,000 feet;

thence north along said line to a point on the south line of First Avenue of said Addition;

thence westerly along First Avenue to a point on southerly extension of the west line of Tract 18;

thence northerly along said west line of Tract 18 to the point of beginning.

(3) The deed recorded October 17, 1967, in book 291, page 148, Deed of Records of Umatilla County, Oregon, executed by the United States.

(c) NO EFFECT ON OTHER NEEDS.—Nothing in this section affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

SEC. 548. LOWER COLUMBIA RIVER AND TILLAMOOK BAY ESTUARY PROGRAM, OREGON AND WASHINGTON.

(a) IN GENERAL.—The Secretary shall conduct studies and ecosystem restoration projects for the lower Columbia River and Tillamook Bay estuaries, Oregon and Washington.

(b) USE OF MANAGEMENT PLANS.—

(1) LOWER COLUMBIA RIVER ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Lower Columbia River estuary program's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the lower Columbia River estuary in consultation with the States of Oregon and Washington, the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(2) TILLAMOOK BAY ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Tillamook Bay national estuary project's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the Tillamook Bay estuary in consultation with the State of Oregon, the Environmental Protection Agency,

the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(c) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall undertake activities necessary to protect, monitor, and restore fish and wildlife habitat.

(2) LIMITATIONS.—The Secretary may not carry out any activity under this section that adversely affects—

(A) the water-related needs of the lower Columbia River estuary or the Tillamook Bay estuary, including navigation, recreation, and water supply needs; or

(B) private property rights.

(d) PRIORITY.—In determining the priority of projects to be carried out under this section, the Secretary shall consult with the Implementation Committee of the Lower Columbia River Estuary Program and the Performance Partnership Council of the Tillamook Bay National Estuary Project, and shall consider the recommendations of such entities.

(e) COST-SHARING REQUIREMENTS.—

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

(2) ECOSYSTEM RESTORATION PROJECTS.—

(A) IN GENERAL.—Non-Federal interests shall pay 35 percent of the cost of any ecosystem restoration project carried out under this section.

(B) ITEMS PROVIDED BY NON-FEDERAL INTERESTS.—Non-Federal interests shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for ecosystem restoration projects to be carried out under this section. The value of such land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this paragraph.

(C) IN-KIND CONTRIBUTIONS.—Not more than 50 percent of the non-Federal share required under this subsection may be satisfied by the provision of in-kind services.

(3) OPERATION AND MAINTENANCE.—Non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(4) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including costs of operation and maintenance.

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

(1) LOWER COLUMBIA RIVER ESTUARY.—The term ''lower Columbia River estuary'' means those river reaches having navigation channels on the mainstem of the Columbia River in Oregon and Washington west of Bonneville Dam, and the tributaries of such reaches to the extent such tributaries are tidally influenced.

(2) TILLAMOOK BAY ESTUARY.—The term ''Tillamook Bay estuary'' means those waters of Tillamook Bay in Oregon and its tributaries that are tidally influenced.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 549. SKINNER BUTTE PARK, EUGENE, OREGON.

Section 546(b) of the Water Resources Development Act of 1999 (113 Stat. 351) is amended by adding at the end the following:

''If the Secretary participates in the project, the Secretary shall carry out a monitoring program for 3 years after construction to evaluate the ecological and engineering effectiveness of the project and its applicability to other sites in the Willamette Valley.''

SEC. 550. WILLAMETTE RIVER BASIN, OREGON.

Section 547 of the Water Resources Development Act of 1999 (113 Stat. 351–352) is amended by adding at the end the following:

''(d) RESEARCH.—In coordination with academic and research institutions for support, the Secretary may conduct a study to carry out this section.''.

SEC. 551. LACKAWANNA RIVER, PENNSYLVANIA.

(a) IN GENERAL.—Section 539(a) of the Water Resources Development Act of 1996 (110 Stat. 3776) is amended—

(1) by striking ''and'' at the end of paragraph (1)(A);

(2) by striking the period at the end of paragraph (1)(B) and inserting ''; and''; and

(3) by adding at the end the following:

''(C) the Lackawanna River, Pennsylvania.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 539(d) of such Act (110 Stat. 3776–3777) is amended—

(1) by striking ''(a)(1)(A) and'' and inserting ''(a)(1)(A),''; and

(2) by inserting '', and $5,000,000 for projects undertaken under subsection (a)(1)(C)'' before the period at the end.

SEC. 552. PHILADELPHIA, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary shall provide assistance to the Delaware River Port Authority to deepen the Delaware River at Pier 122 in Philadelphia, Pennsylvania.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 to carry out this section.

SEC. 553. ACCESS IMPROVEMENTS, RAYSTOWN LAKE, PENNSYLVANIA.

The Commonwealth of Pennsylvania may transfer any unobligated funds made available to the Commonwealth for item number 1278 of the table contained in section 1602 of Public Law 105–178, to the Secretary for access improvements at the Raystown Lake project, Pennsylvania.

SEC. 554. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

Section 567 of the Water Resources Development Act of 1996 (110 Stat. 3787–3788) is amended—

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

''(2) The Susquehanna River watershed upstream of the Chemung River, New York, at an estimated Federal cost of $10,000,000.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) COOPERATION AGREEMENTS.—In conducting the study and developing the strategy under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies as well as appropriate nonprofit, nongovernmental organizations with expertise in wetlands restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

''(d) IMPLEMENTATION OF STRATEGY.—The Secretary shall undertake development and implementation of the strategy under this section in cooperation with local landowners and local government officials. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Susquehanna River basin ecosystem.''.

SEC. 555. CHICKAMAUGA LOCK, CHATTANOOGA, TENNESSEE.

(a) TRANSFER FROM TVA.—The Tennessee Valley Authority shall transfer $200,000 to the Secretary for the preparation of a report of the Chief of Engineers for a replacement lock at Chickamauga Lock and Dam, Chattanooga, Tennessee.

(b) REPORT.—The Secretary shall accept and use the funds transferred under subsection (a) to prepare the report referred to in subsection (a).

SEC. 556. JOE POOL LAKE, TEXAS.

If the city of Grand Prairie, Texas, enters into a binding agreement with the Secretary under which—

(1) the city agrees to assume all of the responsibilities (other than financial responsibilities) of the Trinity River Authority of Texas under Corps of Engineers contract #DACW63–76–C–0166, including operation and maintenance of the recreation facilities included in the contract; and

(2) to pay the Federal Government a total of $4,290,000 in 2 installments, 1 in the amount of $2,150,000, which shall be due and payable no later than December 1, 2000, and 1 in the amount of $2,140,000, which shall be due and payable no later than December 1, 2003,

the Trinity River Authority shall be relieved of all of its financial responsibilities under the contract as of the date the Secretary enters into the agreement with the city.

SEC. 557. BENSON BEACH, FORT CANBY STATE PARK, WASHINGTON.

The Secretary shall place dredged material at Benson Beach, Fort Canby State Park, Washington, in accordance with section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).

SEC. 558. PUGET SOUND AND ADJACENT WATERS RESTORATION, WASHINGTON.

(a) IN GENERAL.—The Secretary may participate in critical restoration projects in the area of the Puget Sound and its adjacent waters, including the watersheds that drain directly into Puget Sound, Admiralty Inlet, Hood Canal, Rosario Strait, and the eastern portion of the Strait of Juan de Fuca.

(b) PROJECT SELECTION.—The Secretary, in consultation with appropriate Federal, tribal, State, and local agencies, (including the Salmon Recovery Funding Board, Northwest Straits Commission, Hood Canal Coordinating Council, county watershed planning councils, and salmon enhancement groups) may identify critical restoration projects and may implement those projects after entering into an agreement with an appropriate non-Federal interest in accordance with the requirements of section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(c) PROJECT COST LIMITATION.—Of amounts appropriated to carry out this section, not more than $2,500,000 may be allocated to carry out any project.

(d) COST SHARING.—

(1) IN GENERAL.—The non-Federal interest for a critical restoration project under this section shall—

(A) pay 35 percent of the cost of the project;

(B) provide any lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for implementation of the project;

(C) pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the project; and

(D) hold the United States harmless from liability due to implementation of the project, except for the negligence of the Federal Government or its contractors.

(2) CREDIT.—The Secretary shall provide credit to the non-Federal interest for a critical restoration project under this section for the value of any lands, easements, rights-of-way, relocations, and dredged material disposal areas provided by the non-Federal interest for the project.

(3) MEETING NON-FEDERAL COST SHARE.—The non-Federal interest may provide up to 50 percent of the non-Federal share of the cost of a project under this section through the provision of services, materials, supplies, or other in-kind services.

(e) CRITICAL RESTORATION PROJECT DEFINED.—In this section, the term ''critical restoration project'' means a water resource project that will produce, consistent with existing Federal programs, projects, and activities, immediate and substantial environmental protection and restoration benefits.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 559. SHOALWATER BAY INDIAN TRIBE, WILLAPA BAY, WASHINGTON.

(a) PLACEMENT OF DREDGED MATERIAL ON SHORE.—For the purpose of addressing coastal erosion, the Secretary shall place, on an emergency one-time basis, dredged material from a Federal navigation project on the shore of the tribal reservation of the Shoalwater Bay Indian Tribe, Willapa Bay, Washington, at Federal expense.

(b) PLACEMENT OF DREDGED MATERIAL ON PROTECTIVE DUNES.—The Secretary shall place dredged material from Willapa Bay on the remaining protective dunes on the tribal reservation of the Shoalwater Bay Indian Tribe, at Federal expense.

(c) STUDY OF COASTAL EROSION.—The Secretary shall conduct a study to develop long-term solutions to coastal erosion problems at the tribal reservation of the Shoalwater Bay Indian Tribe at Federal expense.

SEC. 560. WYNOOCHEE LAKE, WYNOOCHEE RIVER, WASHINGTON.

(a) IN GENERAL.—The city of Aberdeen, Washington, may transfer its rights, interests, and title in the land transferred to the city under section 203 of the Water Resources Development Act of 1990 (104 Stat. 4632) to the city of Tacoma, Washington.

(b) CONDITIONS.—The transfer under this section shall be subject to the conditions set forth in section 203(b) of the Water Resources Development Act of 1990 (104 Stat. 4632); except that the condition set forth in paragraph (1) of such section shall apply to the city of Tacoma only for so long as the city of Tacoma has a valid license with the Federal Energy Regulatory Commission relating to operation of the Wynoochee Dam, Washington.

(c) LIMITATION.—The transfer under subsection (a) may be made only after the Secretary determines that the city of Tacoma will be able to operate, maintain, repair, replace, and rehabilitate the project for Wynoochee Lake, Wynoochee River, Washington, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1193), in accordance with such regulations as the Secretary may issue to ensure that such operation, maintenance, repair, replacement, and rehabilitation is consistent with project purposes.

(d) WATER SUPPLY CONTRACT.—The water supply contract designated as DACWD 67–68–C–0024 shall be null and void if the Secretary exercises the reversionary right set forth in section 203(b)(3) of the Water Resources Development Act of 1990 (104 Stat. 4632).

SEC. 561. SNOHOMISH RIVER, WASHINGTON.

In coordination with appropriate Federal, tribal, and State agencies, the Secretary may carry out a project to address data needs regarding the outmigration of juvenile chinook salmon in the Snohomish River, Washington.

SEC. 562. BLUESTONE, WEST VIRGINIA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Tri-Cities Power Authority of West Virginia is authorized to design and construct hydroelectric generating facilities at the Bluestone Lake facility, West Virginia, under the terms and conditions of the agreement referred to in subsection (b).

(b) AGREEMENT.—

(1) AGREEMENT TERMS.—Conditioned upon the parties agreeing to mutually acceptable terms and conditions, the Secretary and the Secretary of Energy, acting through the Southeastern Power Administration, may enter into a binding agreement with the Tri-Cities Power Authority under which the Tri-Cities Power Authority agrees to each of the following:

(A) To design and construct the generating facilities referred to in subsection (a) within 4 years after the date of such agreement.

(B) To reimburse the Secretary for—

(i) the cost of approving such design and inspecting such construction;

(ii) the cost of providing any assistance authorized under subsection (c)(2); and

(iii) the redistributed costs associated with the original construction of the dam and dam safety if all parties agree with the method of the development of the chargeable amounts associated with hydropower at the facility.

(C) To release and indemnify the United States from any claims, causes of action, or liabilities which may arise from such design and construction of the facilities referred to in subsection (a), including any liability that may arise out of the removal of the facility if directed by the Secretary.

(2) ADDITIONAL TERMS.—The agreement shall also specify each of the following:

(A) The procedures and requirements for approval and acceptance of design, construction, and operation and maintenance of the facilities referred in subsection (a).

(B) The rights, responsibilities, and liabilities of each party to the agreement.

(C) The amount of the payments under subsection (f) of this section and the procedures under which such payments are to be made.

(c) OTHER REQUIREMENTS.—

(1) PROHIBITION.—No Federal funds may be expended for the design, construction, and operation and maintenance of the facilities referred to in subsection (a) prior to the date on which such facilities are accepted by the Secretary under subsection (d).

(2) REIMBURSEMENT.—Notwithstanding any other provision of law, if requested by the Tri-Cities Power Authority, the Secretary may provide, on a reimbursable basis, assistance in connection with the design and construction of the generating facilities referred to in subsection (a).

(d) COMPLETION OF CONSTRUCTION.—

(1) TRANSFER OF FACILITIES.—Notwithstanding any other provision of law, upon completion of the construction of the facilities referred to in subsection (a) and final approval of such facility by the Secretary, the Tri-Cities Power Authority shall transfer without consideration title to such facilities to the United States, and the Secretary shall—

(A) accept the transfer of title to such facilities on behalf of the United States; and

(B) operate and maintain the facilities referred to in subsection (a).

(2) CERTIFICATION.—The Secretary is authorized to accept title to the facilities pursuant to paragraph (1) only after certifying that the quality of the construction meets all standards established for similar facilities constructed by the Secretary.

(3) AUTHORIZED PROJECT PURPOSES.—The operation and maintenance of the facilities shall be conducted in a manner that is consistent with other authorized project purposes of the Bluestone Lake facility.

(e) EXCESS POWER.—Pursuant to any agreement under subsection (b), the Southeastern Power Administration shall market the excess power produced by the facilities referred to in subsection (a) in accordance with section 5 of the Rivers and Harbors Act of December 22, 1944 (16 U.S.C. 825s; 58 Stat. 890).

(f) PAYMENTS.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, is authorized to pay in accordance with the terms of the agreement entered into under subsection (b) out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration—

(1) to the Tri-Cities Power Authority all reasonable costs incurred by the Tri-Cities Power Authority in the design and construction of the facilities referred to in subsection (a), including the capital investment in such facilities and a reasonable rate of return on such capital investment; and

(2) to the Secretary, in accordance with the terms of the agreement entered into under subsection (b) out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration, all reasonable costs incurred by the Secretary in the operation and maintenance of facilities referred to in subsection (a).

(g) AUTHORITY OF SECRETARY OF ENERGY.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, is authorized—

(1) to construct such transmission facilities as necessary to market the power produced at the facilities referred to in subsection (a) with funds contributed by the Tri-Cities Power Authority; and

(2) to repay those funds, including interest and any administrative expenses, directly from the revenues from the sale of power produced by such facilities of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration.

(h) SAVINGS CLAUSE.—Nothing in this section affects any requirement under Federal or State environmental law relating to the licensing or operation of such facilities.

SEC. 563. LESAGE/GREENBOTTOM SWAMP, WEST VIRGINIA.

Section 30 of the Water Resources Development Act of 1988 (102 Stat. 4030) is amended by adding at the end the following:

''(d) HISTORIC STRUCTURE.—The Secretary shall ensure the stabilization and preservation of the structure known as the Jenkins House located within the Lesage/Greenbottom Swamp in accordance with standards for sites listed on the National Register of Historic Places.''.

SEC. 564. TUG FORK RIVER, WEST VIRGINIA.

(a) IN GENERAL.—The Secretary may provide planning, design, and construction assistance to non-Federal interests for projects located along the Tug Fork River in West Virginia and identified by the master plan developed pursuant to section 114(t) of the Water Resources Development Act of 1992 (106 Stat. 4820).

(b) PRIORITIES.—In providing assistance under this section, the Secretary shall give priority to the primary development demonstration sites in West Virginia identified by the master plan referred to in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

SEC. 565. VIRGINIA POINT RIVERFRONT PARK, WEST VIRGINIA.

(a) IN GENERAL.—The Secretary may provide planning, design, and construction assistance to non-Federal interests for the project at Virginia Point, located at the confluence of the Ohio and Big Sandy Rivers in West Virginia, identified by the preferred plan set forth in the feasibility study dated September 1999, and carried out under the West Virginia-Ohio River Comprehensive Study authorized by a resolution dated September 8, 1988, by the Committee on Public Works and Transportation of the House of Representatives.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,100,000.

SEC. 566. SOUTHERN WEST VIRGINIA.

Section 340(a) of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended by inserting ''environmental restoration,'' after ''distribution facilities,''.

SEC. 567. FOX RIVER SYSTEM, WISCONSIN.

Section 332(a) of the Water Resources Development Act of 1992 (106 Stat. 4852) is amended by adding at the end the following: ''Such terms and conditions may include a payment or payments to the State of Wisconsin to be used toward the repair and rehabilitation of the locks and appurtenant features to be transferred.''.

SEC. 568. SURFSIDE/SUNSET AND NEWPORT BEACH, CALIFORNIA.

The Secretary shall treat the Surfside/Sunset Newport Beach element of the project for beach erosion, Orange County, California, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1177), as continuing construction.

SEC. 569. ILLINOIS RIVER BASIN RESTORATION.

(a) ILLINOIS RIVER BASIN DEFINED.—In this section, the term ''Illinois River basin'' means the Illinois River, Illinois, its backwaters, side channels, and all tributaries, including their watersheds, draining into the Illinois River.

(b) COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, as expeditiously as practicable, a proposed comprehensive plan for the purpose of restoring, preserving, and protecting the Illinois River basin.

(2) TECHNOLOGIES AND INNOVATIVE APPROACHES.—The comprehensive plan shall provide for the development of new technologies and innovative approaches—

(A) to enhance the Illinois River as a vital transportation corridor;

(B) to improve water quality within the entire Illinois River basin;

(C) to restore, enhance, and preserve habitat for plants and wildlife; and

(D) to increase economic opportunity for agriculture and business communities.

(3) SPECIFIC COMPONENTS.—The comprehensive plan shall include such features as are necessary to provide for—

(A) the development and implementation of a program for sediment removal technology, sediment characterization, sediment transport, and beneficial uses of sediment;

(B) the development and implementation of a program for the planning, conservation, evaluation, and construction of measures for fish and wildlife habitat conservation and rehabilitation, and stabilization and enhancement of land and water resources in the basin;

(C) the development and implementation of a long-term resource monitoring program; and

(D) the development and implementation of a computerized inventory and analysis system.

(4) CONSULTATION.—The comprehensive plan shall be developed by the Secretary in consultation with appropriate Federal agencies, the State of Illinois, and the Illinois River Coordinating Council.

(5) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the comprehensive plan.

(6) ADDITIONAL STUDIES AND ANALYSES.—After transmission of a report under paragraph (5), the Secretary shall continue to conduct such studies and analyses related to the comprehensive plan as are necessary, consistent with this subsection.

(c) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—If the Secretary, in cooperation with appropriate Federal agencies and the State of Illinois, determines that a restoration project for the Illinois River basin will produce independent, immediate, and substantial restoration, preservation, and protection benefits, the Secretary shall proceed expeditiously with the implementation of the project.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects under this subsection $100,000,000 for fiscal years 2001 through 2004.

(3) FEDERAL SHARE.—The Federal share of the cost of carrying out any project under this subsection shall not exceed $5,000,000.

(d) GENERAL PROVISIONS.—

(1) WATER QUALITY.—In carrying out projects and activities under this section, the Secretary shall take into account the protection of water quality by considering applicable State water quality standards.

(2) PUBLIC PARTICIPATION.—In developing the comprehensive plan under subsection (b) and carrying out projects under subsection (c), the Secretary shall implement procedures to facilitate public participation, including providing advance notice of meetings, providing adequate opportunity for public input and comment, maintaining appropriate records, and making a record of the proceedings of meetings available for public inspection.

(e) COORDINATION.—The Secretary shall integrate and coordinate projects and activities carried out under this section with ongoing Federal and State programs, projects, and activities, including the following:

(1) Upper Mississippi River System-Environmental Management Program authorized under section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652).

(2) Upper Mississippi River Illinois Waterway System Study.

(3) Kankakee River Basin General Investigation.

(4) Peoria Riverfront Development General Investigation.

(5) Illinois River Ecosystem Restoration General Investigation.

(6) Conservation Reserve Program and other farm programs of the Department of Agriculture.

(7) Conservation Reserve Enhancement Program (State) and Conservation 2000, Ecosystem Program of the Illinois Department of Natural Resources.

(8) Conservation 2000 Conservation Practices Program and the Livestock Management Facilities Act administered by the Illinois Department of Agriculture.

(9) National Buffer Initiative of the Natural Resources Conservation Service.

(10) Nonpoint source grant program administered by the Illinois Environmental Protection Agency.

(f) JUSTIFICATION.—

(1) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out activities to restore, preserve, and protect the Illinois River basin under this section, the Secretary may determine that the activities—

(A) are justified by the environmental benefits derived by the Illinois River basin; and

(B) shall not need further economic justification if the Secretary determines that the activities are cost-effective.

(2) APPLICABILITY.—Paragraph (1) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the Illinois River basin.

(g) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of projects and activities carried out under this section shall be 35 percent.

(2) OPERATION, MAINTENANCE, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.

(3) IN-KIND SERVICES.—The value of in-kind services provided by the non-Federal interest for a project or activity carried out under this section may be credited toward not more than 80 percent of the non-Federal share of the cost of the project or activity. In-kind services shall include all State funds expended on programs and projects which accomplish the goals of this section, as determined by the Secretary. Such programs and projects may include the Illinois River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Illinois River basin.

(4) CREDIT.—

(A) VALUE OF LANDS.—If the Secretary determines that lands or interests in land acquired by a non-Federal interest, regardless of the date of acquisition, are integral to a project or activity carried out under this section, the Secretary may credit the value of the lands or interests in land toward the non-Federal share of the cost of the project or activity. Such value shall be determined by the Secretary.

(B) WORK.—If the Secretary determines that any work completed by a non-Federal interest, regardless of the date of completion, is integral to a project or activity carried out under this section, the Secretary may credit the value of the work toward the non-Federal share of the cost of the project

or activity. Such value shall be determined by the Secretary.

SEC. 570. GREAT LAKES.

(a) GREAT LAKES TRIBUTARY MODEL.—Section 516 of the Water Resources Development Act of 1996 (33 U.S.C. 2326b) is amended—

(1) by adding at the end of subsection (e) the following:

''(3) REPORT.—Not later than December 31, 2003, the Secretary shall transmit to Congress a report on the Secretary's activities under this subsection.''; and

(2) in subsection (g)—

(A) by striking ''There is authorized'' and inserting the following:

''(1) IN GENERAL.—There is authorized'';

(B) by adding at the end the following:

''(2) GREAT LAKES TRIBUTARY MODEL.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out subsection (e) $5,000,000 for each of fiscal years 2002 through 2006.''; and

(C) by aligning the remainder of the text of paragraph (1) (as designated by subparagraph (A) of this paragraph) with paragraph (2) (as added by subparagraph (B) of this paragraph).

(b) ALTERNATIVE ENGINEERING TECHNOLOGIES.—

(1) DEVELOPMENT OF PLAN.—The Secretary shall develop and transmit to Congress a plan to enhance the application of ecological principles and practices to traditional engineering problems at Great Lakes shores.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $200,000. Activities under this subsection shall be carried out at Federal expense.

(c) FISHERIES AND ECOSYSTEM RESTORATION.—

(1) DEVELOPMENT OF PLAN.—The Secretary shall develop and transmit to Congress a plan for implementing Corps of Engineers activities, including ecosystem restoration, to enhance the management of Great Lakes fisheries.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $300,000. Activities under this subsection shall be carried out at Federal expense.

SEC. 571. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

Section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 110 Stat. 3763; 113 Stat. 338) is amended—

(1) in subsection (a)(2)(A) by striking ''50 percent'' and inserting ''35 percent'';

(2) in subsection (b)—

(A) by striking paragraph (3);

(B) in the first sentence of paragraph (4) by striking ''50 percent'' and inserting ''35 percent''; and

(C) by redesignating paragraph (4) as paragraph (3); and

(3) in subsection (c) by striking ''$5,000,000 for each of fiscal years 1998 through 2000.'' and inserting ''$10,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 572. GREAT LAKES DREDGING LEVELS ADJUSTMENT.

(a) DEFINITION OF GREAT LAKE.—In this section, the term ''Great Lake'' means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

(b) DREDGING LEVELS.—In operating and maintaining Federal channels and harbors of, and the connecting channels between, the Great Lakes, the Secretary shall conduct such dredging as is necessary to ensure minimal operation depths consistent with the original authorized depths of the channels and harbors when water levels in the Great Lakes are, or are forecast to be, below the International Great Lakes Datum of 1985.

SEC. 573. DREDGED MATERIAL RECYCLING.

(a) PILOT PROGRAM.—The Secretary shall conduct a pilot program to provide incentives for the removal of dredged material from a confined disposal facility associated with a harbor on the Great Lakes or the Saint Lawrence River and a harbor on the Delaware River in Pennsylvania for the purpose of recycling the dredged material and extending the life of the confined disposal facility.

(b) REPORT.—Not later than 90 days after the date of completion of the pilot program, the Secretary shall transmit to Congress a report on the results of the program.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000.

SEC. 574. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT.

Section 503(d) of the Water Resources Development Act of 1996 (110 Stat. 3756–3757; 113 Stat. 288) is amended by adding at the end the following:

''(28) Tomales Bay watershed, California.

''(29) Kaskaskia River watershed, Illinois.

''(30) Sangamon River watershed, Illinois.

''(31) Lackawanna River watershed, Pennsylvania.

''(32) Upper Charles River watershed, Massachusetts.

''(33) Brazos River watershed, Texas.''.

SEC. 575. MAINTENANCE OF NAVIGATION CHANNELS.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759; 113 Stat. 339) is amended by adding at the end the following:

''(16) Cameron Loop, Louisiana, as part of the Calcasieu River and Pass Ship Channel.

''(17) Morehead City Harbor, North Carolina.''.

SEC. 576. SUPPORT OF ARMY CIVIL WORKS PROGRAM.

The requirements of section 2361 of title 10, United States Code, shall not apply to any contract, cooperative research and development agreement, cooperative agreement, or grant entered into under section 229 of the Water Resources Development Act of 1996 (110 Stat. 3703) between the Secretary and Marshall University or entered into under section 350 of the Water Resources Development Act of 1999 (113 Stat. 310) between the Secretary and Juniata College.

SEC. 577. NATIONAL RECREATION RESERVATION SERVICE.

Notwithstanding section 611 of the Treasury and General Government Appropriations Act, 1999 (112 Stat. 2861–515), the Secretary may participate in the National Recreation Reservation Service on an interagency basis and fund the Department of the Army's share of the cost of activities required for implementing, operating, and maintaining the Service.

SEC. 578. HYDROGRAPHIC SURVEY.

The Secretary shall enter into an agreement with the Administrator of the National Oceanographic and Atmospheric Administration to require the Secretary, not later than 60 days after the Corps of Engineers completes a project involving dredging of a channel, to provide data to the Administration in a standard digital format on the results of a hydrographic survey of the channel conducted by the Corps of Engineers.

SEC. 579. PERCHLORATE.

(a) IN GENERAL.—The Secretary, in cooperation with Federal, State, and local government agencies, may participate in studies and other investigative activities and in the planning and design of projects determined by the Secretary to offer a long-term solution to the problem of groundwater contamination caused by perchlorates.

(b) INVESTIGATIONS AND PROJECTS.—

(1) BOSQUE AND LEON RIVERS.—The Secretary, in coordination with other Federal agencies and the Brazos River Authority, shall participate under subsection (a) in investigations and projects in the Bosque and Leon River watersheds in Texas to assess the impact of the perchlorate associated with the former Naval ''Weapons Industrial Reserve Plant'' at McGregor, Texas.

(2) CADDO LAKE.—The Secretary, in coordination with other Federal agencies and the Northeast Texas Municipal Water District, shall participate under subsection (a) in investigations and projects relating to perchlorate contamination in Caddo Lake, Texas.

(3) EASTERN SANTA CLARA BASIN.—The Secretary, in coordination with other Federal, State, and local government agencies, shall participate under subsection (a) in investigations and projects related to sites that are sources of perchlorates and that are located in the city of Santa Clarita, California.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this section, there is authorized to be appropriated to the Secretary $25,000,000, of which not to exceed $8,000,000 shall be available to carry out subsection (b)(1), not to exceed $3,000,000 shall be available to carry out subsection (b)(2), and not to exceed $7,000,000 shall be available to carry out subsection (b)(3).

SEC. 580. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION.

Section 560 of the Water Resources Development Act of 1999 (33 USC 2336; 113 Stat. 354–355) is amended—

(1) in subsection (a) by striking ''and design'' and inserting ''design, and construction'';

(2) in subsection (c) by striking ''50'' and inserting ''35'';

(3) in subsection (e) by inserting ''and colleges and universities, including the members of the Western Universities Mine-Land Reclamation and Restoration Consortium, for the purposes of assisting in the reclamation of abandoned noncoal mines and'' after ''entities''; and

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

''(f) NON-FEDERAL INTERESTS.—In this section, the term 'non-Federal interests' includes, with the consent of the affected local government, nonprofit entities, notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b).

''(g) OPERATION AND MAINTENANCE.—The non-Federal share of the costs of operation and maintenance for a project carried out under this section shall be 100 percent.

''(h) CREDIT.—A non-Federal interest shall receive credit toward the non-Federal share of the cost of a project under this section for design and construction services and other in-kind consideration provided by the non-Federal interest if the Secretary determines that such design and construction services and other in-kind consideration are integral to the project.

''(i) COST LIMITATION.—Not more than $10,000,000 of the amounts appropriated to carry out this section may be allotted for projects in a single locality, but the Secretary may accept funds voluntarily contributed by a non-Federal or Federal entity for

the purpose of expanding the scope of the services requested by the non-Federal or Federal entity.

''(j) NO EFFECT ON LIABILITY.—The provision of assistance under this section shall not relieve from liability any person that would otherwise be liable under Federal or State law for damages, response costs, natural resource damages, restitution, equitable relief, or any other relief.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $45,000,000. Such sums shall remain available until expended.''.

SEC. 581. LAKES PROGRAM.

Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149) is further amended—

(1) in subsection (b) by inserting ''and activity'' after ''project'';

(2) in subsection (c) by inserting ''and activities under subsection (f)'' before the comma; and

(3) by adding at the end the following:

''(f) CENTER FOR LAKE EDUCATION AND RESEARCH, OTSEGO LAKE, NEW YORK.—

''(1) IN GENERAL.—The Secretary shall construct an environmental education and research facility at Otsego Lake, New York. The purpose of the Center shall be to—

''(A) conduct nationwide research on the impacts of water quality and water quantity on lake hydrology and the hydrologic cycle;

''(B) develop technologies and strategies for monitoring and improving water quality in the Nation's lakes; and

''(C) provide public education regarding the biological, economic, recreational, and aesthetic value of the Nation's lakes.

''(2) USE OF RESEARCH.—The results of research and education activities carried out at the Center shall be applied to the program under subsection (a) and to other Federal programs, projects, and activities that are intended to improve or otherwise affect lakes.

''(3) BIOLOGICAL MONITORING STATION.—A central function of the Center shall be to research, develop, test, and evaluate biological monitoring technologies and techniques for potential use at lakes listed in subsection (a) and throughout the Nation.

''(4) CREDIT.—The non-Federal sponsor shall receive credit for lands, easements, rights-of-way, and relocations toward its share of project costs.

''(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to sums authorized by subsection (d), there is authorized to be appropriated to carry out this subsection $6,000,000. Such sums shall remain available until expended.''.

SEC. 582. RELEASE OF USE RESTRICTION.

(a) RELEASE.—Notwithstanding any other provision of law, the Tennessee Valley Authority shall grant a release or releases, without monetary consideration, from the restriction covenant which requires that property described in subsection (b) shall at all times be used solely for the purpose of erecting docks and buildings for shipbuilding purposes or for the manufacture or storage of products for the purpose of trading or shipping in transportation.

(b) DESCRIPTION OF PROPERTY.—This section shall apply only to those lands situated in the city of Decatur, Morgan County, Alabama, and running along the easterly boundary of a tract of land described in an indenture conveying such lands to the Ingalls Shipbuilding Corporation dated July 29, 1954, and recorded in deed book 535 at page 6 in the office of the Probate Judge of Morgan County, Alabama, which are owned or may hereafter be acquired by the Alabama Farmers Cooperative, Inc.

SEC. 583. COMPREHENSIVE ENVIRONMENTAL RESOURCES PROTECTION.

(a) IN GENERAL.—Under section 219(a) of the Water Resources Development Act of 1992 (106 Stat. 4835), the Secretary may provide technical, planning, and design assistance to non-Federal interests to carry out water-related projects described in this section.

(b) NON-FEDERAL SHARE.—Notwithstanding section 219(b) of the Water Resources Development Act of 1992 (106 Stat. 4835), the non-Federal share of the cost of each project assisted in accordance with this section shall be 25 percent.

(c) PROJECT DESCRIPTIONS.—The Secretary may provide assistance in accordance with subsection (a) to each of the following projects:

(1) MARANA, ARIZONA.—Wastewater treatment and distribution infrastructure, Marana, Arizona.

(2) EASTERN ARKANSAS ENTERPRISE COMMUNITY, ARKANSAS.—Water-related infrastructure, Eastern Arkansas Enterprise Community, Cross, Lee, Monroe, and St. Francis Counties, Arkansas.

(3) CHINO HILLS, CALIFORNIA.—Storm water and sewage collection infrastructure, Chino Hills, California.

(4) CLEAR LAKE BASIN, CALIFORNIA.—Water-related infrastructure and resource protection, Clear Lake Basin, California.

(5) DESERT HOT SPRINGS, CALIFORNIA.—Resource protection and wastewater infrastructure, Desert Hot Springs, California.

(6) EASTERN MUNICIPAL WATER DISTRICT, CALIFORNIA.—Regional water-related infrastructure, Eastern Municipal Water District, California.

(7) HUNTINGTON BEACH, CALIFORNIA.—Water supply and wastewater infrastructure, Huntington Beach, California.

(8) INGLEWOOD, CALIFORNIA.—Water infrastructure, Inglewood, California.

(9) LOS OSOS COMMUNITY SERVICE DISTRICT, CALIFORNIA.—Wastewater infrastructure, Los Osos Community Service District, California.

(10) NORWALK, CALIFORNIA.—Water-related infrastructure, Norwalk, California.

(11) KEY BISCAYNE, FLORIDA.—Sanitary sewer infrastructure, Key Biscayne, Florida.

(12) SOUTH TAMPA, FLORIDA.—Water supply and aquifer storage and recovery infrastructure, South Tampa, Florida.

(13) FORT WAYNE, INDIANA.—Combined sewer overflow infrastructure and wetlands protection, Fort Wayne, Indiana.

(14) INDIANAPOLIS, INDIANA.—Combined sewer overflow infrastructure, Indianapolis, Indiana.

(15) ST. CHARLES, ST. BERNARD, AND PLAQUEMINES PARISHES, LOUISIANA.—Water and wastewater infrastructure, St. Charles, St. Bernard, and Plaquemines Parishes, Louisiana.

(16) ST. JOHN THE BAPTIST AND ST. JAMES PARISHES, LOUISIANA.—Water and sewer improvements, St. John the Baptist and St. James Parishes, Louisiana.

(17) UNION COUNTY, NORTH CAROLINA.—Water infrastructure, Union County, North Carolina.

(18) HOOD RIVER, OREGON.—Water transmission infrastructure, Hood River, Oregon.

(19) MEDFORD, OREGON.—Sewer collection infrastructure, Medford, Oregon.

(20) PORTLAND, OREGON.—Water infrastructure and resource protection, Portland, Oregon.

(21) COUDERSPORT, PENNSYLVANIA.—Sewer system extensions and improvements, Coudersport, Pennsylvania.

(22) PARK CITY, UTAH.—Water supply infrastructure, Park City, Utah.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $25,000,000 for providing assistance in accordance with subsection (a) to the projects described in subsection (c).

(2) AVAILABILITY.—Sums authorized to be appropriated under this subsection shall remain available until expended.

(e) ADDITIONAL ASSISTANCE FOR CRITICAL RESOURCE PROJECTS.—The Secretary may provide assistance in accordance with subsection (a) and assistance for construction for each the following projects:

(1) DUCK RIVER, CULLMAN, ALABAMA.—$5,000,000 for water supply infrastructure, Duck River, Cullman, Alabama.

(2) UNION COUNTY, ARKANSAS.—$52,000,000 for water supply infrastructure, including facilities for withdrawal, treatment, and distribution, Union County, Arkansas.

(3) CAMBRIA, CALIFORNIA.—$10,300,000 for desalination infrastructure, Cambria, California.

(4) LOS ANGELES HARBOR/TERMINAL ISLAND, CALIFORNIA.—$6,500,000 for wastewater recycling infrastructure, Los Angeles Harbor/Terminal Island, California.

(5) NORTH VALLEY REGION, LANCASTER, CALIFORNIA.—$14,500,000 for water infrastructure, North Valley Region, Lancaster, California.

(6) SAN DIEGO COUNTY, CALIFORNIA.—$10,000,000 for water-related infrastructure, San Diego County, California.

(7) SOUTH PERRIS, CALIFORNIA.—$25,000,000 for water supply desalination infrastructure, South Perris, California.

(8) AURORA, ILLINOIS.—$8,000,000 for wastewater infrastructure to reduce or eliminate combined sewer overflows, Aurora, Illinois.

(9) COOK COUNTY, ILLINOIS.—$35,000,000 for water-related infrastructure and resource protection and development, Cook County, Illinois.

(10) MADISON AND ST. CLAIR COUNTIES, ILLINOIS.—$10,000,000 for water and wastewater assistance, Madison and St. Clair Counties, Illinois.

(11) IBERIA PARISH, LOUISIANA.—$5,000,000 for water and wastewater infrastructure, Iberia Parish, Louisiana.

(12) KENNER, LOUISIANA.—$5,000,000 for wastewater infrastructure, Kenner, Louisiana.

(13) GARRISON AND KATHIO TOWNSHIP, MINNESOTA.—$11,000,000 for a wastewater infrastructure project for the city of Garrison and Kathio Township, Minnesota.

(14) NEWTON, NEW JERSEY.—$7,000,000 for water filtration infrastructure, Newton, New Jersey.

(15) LIVERPOOL, NEW YORK.—$2,000,000 for water infrastructure, including a pump station, Liverpool, New York.

(16) STANLY COUNTY, NORTH CAROLINA.—$8,900,000 for wastewater infrastructure, Stanly County, North Carolina.

(17) YUKON, OKLAHOMA.—$5,500,000 for water-related infrastructure, including wells, booster stations, storage tanks, and transmission lines, Yukon, Oklahoma.

(18) ALLEGHENY COUNTY, PENNSYLVANIA.—$20,000,000 for water-related environmental infrastructure, Allegheny County, Pennsylvania.

(19) MOUNT JOY TOWNSHIP AND CONEWAGO TOWNSHIP, PENNSYLVANIA.—$8,300,000 for water and wastewater infrastructure, Mount Joy Township and Conewago Township, Pennsylvania.

(20) PHOENIXVILLE BOROUGH, CHESTER COUNTY, PENNSYLVANIA.—$2,400,000 for water and sewer infrastructure, Phoenixville Borough, Chester County, Pennsylvania.

(21) TITUSVILLE, PENNSYLVANIA.—$7,300,000 for storm water separation and treatment plant upgrades, Titusville, Pennsylvania.

(22) WASHINGTON, GREENE, WESTMORELAND, AND FAYETTE COUNTIES, PENNSYLVANIA.—$8,000,000 for water and wastewater infrastructure, Washington, Greene, Westmoreland, and Fayette Counties, Pennsylvania.

SEC. 584. MODIFICATION OF AUTHORIZATIONS FOR ENVIRONMENTAL PROJECTS.

Section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835, 4836) is amended—

(1) in subsection (e)(6) by striking ''$20,000,000'' and inserting ''$30,000,000'';

(2) in subsection (f)(4) by striking ''$15,000,000'' and inserting ''$35,000,000'';

(3) in subsection (f)(21) by striking ''$10,000,000'' and inserting ''$20,000,000'';

(4) in subsection (f)(25) by striking ''$5,000,000'' and inserting ''$15,000,000'';

(5) in subsection (f)(30) by striking ''$10,000,000'' and inserting ''$20,000,000'';

(6) in subsection (f)(43) by striking ''$15,000,000'' and inserting ''$35,000,000''; and

(7) in subsection (f) by adding at the end the following new paragraph:

''(44) WASHINGTON, D.C., AND MARYLAND.—$15,000,000 for the project described in subsection (c)(1), modified to include measures to eliminate or control combined sewer overflows in the Anacostia River watershed.''.

SEC. 585. LAND CONVEYANCES.

(a) THOMPSON, CONNECTICUT.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the town of Thompson, Connecticut, all right, title, and interest of the United States in and to the approximately 1.36-acre parcel of land described in paragraph (2) for public ownership and use by the town for fire fighting and related emergency services purposes.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is in the town of Thompson, county of Windham, State of Connecticut, on the northerly side of West Thompson Road owned by the United States and shown as Parcel A on a plan by Provost, Rovero, Fitzback entitled ''Property Survey Prepared for West Thompson Independent Firemen Association #1'' dated August 24, 1998, bounded and described as follows:

Beginning at a bound labeled WT–276 on the northerly side line of West Thompson Road, so called, at the most south corner of the Parcel herein described and at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence in a generally westerly direction by said northerly side line of West Thompson Road, by a curve to the left, having a radius of 640.00 feet a distance of 169.30 feet to a point;

Thence North 13 degrees, 08 minutes, 37 seconds East by the side line of said West Thompson Road a distance of 10.00 feet to a point;

Thence in a generally westerly direction by the northerly side line of said West Thompson Road, by a curve to the left having a radius of 650.00 feet a distance of 109.88 feet to a bound labeled WT–123, at land now or formerly of the United States of America;

Thence North 44 degrees, 43 minutes, 07 seconds East by said land now or formerly of the United States of America a distance of 185.00 feet to a point;

Thence North 67 degrees, 34 minutes, 13 seconds East by said land now or formerly of the United States of America a distance of 200.19 feet to a point in a stonewall;

Thence South 20 degrees, 49 minutes, 17 seconds East by a stonewall and by said land now or formerly of the United States of America a distance of 253.10 feet to a point at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence North 57 degrees, 45 minutes, 25 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 89.04 feet to a bound labeled WT–277;

Thence South 32 degrees, 14 minutes, 35 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 123.06 feet to the point of beginning.

(3) REVERSION.—If the Secretary determines that the parcel described in paragraph (2) ceases to be held in public ownership or used for fire fighting and related emergency services, all right, title, and interest in and to the parcel shall revert to the United States.

(b) SIBLEY MEMORIAL HOSPITAL, WASHINGTON, DISTRICT OF COLUMBIA.—

(1) IN GENERAL.—The Secretary shall convey to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries Conducting Sibley Memorial Hospital (in this subsection referred to as the ''Hospital'') by quitclaim deed under the terms of a negotiated sale, all right, title, and interest of the United States in and to the 8.864-acre parcel of land described in paragraph (2) for medical care and parking purposes. The consideration paid under such negotiated sale shall reflect the value of the parcel, taking into consideration the terms and conditions of the conveyance imposed under this subsection.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is the parcel described as follows: Beginning at a point on the westerly right-of-way line of Dalecarlia Parkway, said point also being on the southerly division line of part of Square N1448, A&T Lot 801 as recorded in A&T 2387 and part of the property of the United States Government, thence with said southerly division line now described:

(A) North 35° 05′ 40″ West—436.31 feet to a point, thence

(B) South 89° 59′ 30″ West—550 feet to a point, thence

(C) South 53° 48′ 00″ West—361.08 feet to a point, thence

(D) South 89° 59′ 30″ West—466.76 feet to a point at the southwesterly corner of the aforesaid A&T Lot 801, said point also being on the easterly right-of-way line of MacArthur Boulevard, thence with a portion of the westerly division line of said A&T Lot 801 and the easterly right-of-way line of MacArthur Boulevard, as now described.

(E) 78.62 feet along the arc of a curve to the right having a radius of 650.98 feet, chord bearing and distance of North 06° 17′ 20″ West—78.57 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(F) North 87° 18′ 21″ East—258.85 feet to a point, thence

(G) North 02° 49′ 16″ West—214.18 feet to a point, thence

(H) South 87° 09′ 00″ West—238.95 feet to a point on the aforesaid easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(I) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(J) North 87° 09′ 00″ East—373.96 feet to a point, thence

(K) North 88° 42′ 48″ East—374.92 feet to a point, thence

(L) North 56° 53′ 40″ East—53.16 feet to a point, thence

(M) North 86° 00′ 15″ East—26.17 feet to a point, thence

(N) South 87° 24′ 50″ East—464.01 feet to a point, thence

(O) North 83° 34′ 31″ East—212.62 feet to a point, thence

(P) South 30° 16′ 12″ East—108.97 feet to a point, thence

(Q) South 38° 30′ 23″ East—287.46 feet to a point, thence

(R) South 09° 03′ 38″ West—92.74 feet to the point on the aforesaid westerly right-of-way line of Dalecarlia Parkway, thence with said westerly right-of-way line, as now described

(S) 197.74 feet along the arc of a curve to the right having a radius of 916.00 feet, chord bearing and distance of South 53° 54′ 43″ West—197.35 feet to the place of beginning.

(3) TERMS AND CONDITIONS.—The conveyance under this subsection shall be subject to the following terms and conditions:

(A) LIMITATION ON THE USE OF CERTAIN PORTIONS OF THE PARCEL.—The Secretary shall include in any deed conveying the parcel under this section a restriction to prevent the Hospital, and its successors and assigns, from constructing any structure, other than a structure used exclusively for the parking of motor vehicles, on the portion of the parcel that lies between the Washington Aqueduct and Little Falls Road.

(B) LIMITATION ON CERTAIN LEGAL CHALLENGES.—The Secretary shall require the Hospital, and its successors and assigns, to refrain from raising any legal challenge to the operations of the Washington Aqueduct arising from any impact such operations may have on the activities conducted by the Hospital on the parcel.

(C) EASEMENT.—The Secretary shall require that the conveyance be subject to the retention of an easement permitting the United States, and its successors and assigns, to use and maintain the portion of the parcel described as follows: Beginning at a point on the easterly or South 35° 05′ 40″ East—436.31 foot plat line of Lot 25 as shown on a subdivision plat recorded in book 175 page 102 among the records of the Office of the Surveyor of the District of Columbia, said point also being on the northerly right-of-way line of Dalecarlia Parkway, thence running with said easterly line of Lot 25 and crossing to include a portion of the aforsaid Dalecarlia Reservoir Grounds as now described:

(i) North 35° 05′ 40″ West—495.13 feet to a point, thence

(ii) North 87° 24′ 50″ West—414.43 feet to a point, thence

(iii) South 81° 08′ 00″ West—69.56 feet to a point, thence

(iv) South 88° 42′ 48″ West—367.50 feet to a point, thence

(v) South 87° 09′ 00″ West—379.68 feet to a point on the easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(vi) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(vii) North 87° 09′ 00″ East—373.96 feet to a point, thence

(viii) North 88° 42′ 48″ East—374.92 feet to a point, thence

(ix) North 56° 53′ 40″ East—53.16 feet to a point, thence

(x) North 86° 00′ 15″ East—26.17 feet to a point, thence

(xi) South 87° 24′ 50″ East—464.01 feet to a point, thence

(xii) North 83° 34′ 31″ East—50.62 feet to a point, thence

(xiii) South 02° 35′ 10″ West—46.46 feet to a point, thence

(xiv) South 13° 38′ 12″ East—107.83 feet to a point, thence

(xv) South 35° 05′ 40″ East—347.97 feet to a point on the aforesaid northerly right-of-way line of Dalecarlia Parkway, thence with said right-of-way line, as now described

(xvi) 44.12 feet along the arc of a curve to the right having a radius of 855.00 feet, chord bearing and distance of South 58° 59′ 22″ West—44.11 feet to the place of beginning containing 1.7157 acres of land more or less as now described by Maddox Engineers and Surveyors, Inc., June 2000, Job #00015.

(4) APPRAISAL.—Before conveying any right, title, or interest under this subsection, the Secretary shall obtain an appraisal of the fair market value of the parcel.

(c) ONTONAGON, MICHIGAN.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Ontonagon County Historical Society all right, title, and interest of the United States in and to the parcel of land underlying and immediately surrounding the lighthouse at Ontonagon, Michigan, consisting of approximately 1.8 acres, together with any improvements thereon, for public ownership and for public purposes.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) REVERSION.—If the Secretary determines that the real property described in paragraph (1) ceases to be held in public ownership or used for public purposes, all right, title, and interest in and to the property shall revert to the United States.

(d) PIKE COUNTY, MISSOURI.—

(1) LAND EXCHANGE.—Subject to paragraphs (3) and (4), at such time as S.S.S., Inc. conveys all right, title, and interest in and to the parcel of land described in paragraph (2)(A) to the United States, the Secretary shall convey by quitclaim deed all right, title, and interest in the parcel of land described in paragraph (2)(B) to S.S.S., Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—8.99 acres with existing flowage easements situated in Pike County, Missouri, adjacent to land being acquired from Holnam, Inc. by the Corps of Engineers.

(B) FEDERAL LAND.—8.99 acres situated in Pike County, Missouri, known as Government Tract Numbers FM–46 and FM–47, administered by the Corps of Engineers.

(3) CONDITIONS.—The exchange of land under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the land described in paragraph (2)(A) to the Secretary shall be by a quitclaim deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the land described in paragraph (2)(B) to S.S.S., Inc. shall contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—S.S.S., Inc. may remove any improvements on the land described in paragraph (2)(A). The Secretary may require S.S.S., Inc. to remove any improvements on the land described in paragraph (2)(A). In either case, S.S.S., Inc. shall hold the United States harmless from liability, and the United States shall not incur costs associated with the removal or relocation of any of the improvements.

(C) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (1) shall be completed not later than 2 years after the date of enactment of this Act.

(D) LEGAL DESCRIPTION.—The Secretary shall provide the legal description of the lands described in paragraph (2). The legal description shall be used in the instruments of conveyance of the lands.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the land conveyed to S.S.S., Inc. by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the land conveyed to the United States by S.S.S., Inc. under paragraph (1), S.S.S., Inc. shall make a payment equal to the excess in cash or a cash equivalent to the United States.

(e) CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.—Section 563(c)(1)(B) of the Water Resources Development Act of 1999 (113 Stat. 357) is amended by striking ''a deceased individual'' and inserting ''an individual''.

(f) MANOR TOWNSHIP, PENNSYLVANIA.—

(1) IN GENERAL.—In accordance with this subsection, the Secretary shall convey by quitclaim deed to the township of Manor, Pennsylvania, all right, title, and interest of the United States in and to the approximately 113 acres of real property located at Crooked Creek Lake, together with any improvements on the land.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) CONSIDERATION.—The Secretary may convey under this subsection without consideration any portion of the real property described in paragraph (1) if the portion is to be retained in public ownership and be used for public park and recreation or other public purposes.

(4) REVERSION.—If the Secretary determines that any portion of the property conveyed under paragraph (3) ceases to be held in public ownership or to be used for public park and recreation or other public purposes, all right, title, and interest in and to such portion of property shall revert to the Secretary.

(5) PAYMENT OF COSTS.—The township of Manor, Pennsylvania shall be responsible for all costs associated with a conveyance under this subsection, including the cost of conducting the survey referred to in paragraph (2).

(g) NEW SAVANNAH BLUFF LOCK AND DAM, SAVANNAH RIVER, SOUTH CAROLINA, BELOW AUGUSTA.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed to the city of North Augusta and Aiken County, South Carolina, the lock, dam, and appurtenant features at New Savannah Bluff, including the adjacent approximately 50-acre park and recreation area with improvements of the navigation project, Savannah River Below Augusta, Georgia, authorized by the first section of the River and Harbor Act of July 3, 1930 (46 Stat. 924), subject to the execution of an agreement by the Secretary and the city of North Augusta and Aiken County, South Carolina, that specifies the terms and conditions for such conveyance.

(2) TREATMENT OF LOCK, DAM, APPURTENANT FEATURES, AND PARK AND RECREATION AREA.—The lock, dam, appurtenant features, adjacent park and recreation area, and other project lands, to be conveyed under paragraph (1) shall not be treated as part of any Federal water resources project after the effective date of the transfer.

(3) OPERATION AND MAINTENANCE.—Operation and maintenance of all features of the navigation project, other than the lock, dam, appurtenant features, adjacent park and recreation area, and other project lands to be conveyed under paragraph (1), shall continue to be a Federal responsibility after the effective date of the transfer under paragraph (1).

(h) TRI-CITIES AREA, WASHINGTON.—Section 501(i) of the Water Resources Development Act of 1996 (110 Stat. 3752–3753) is amended—

(1) by inserting before the period at the end of paragraph (1) the following: ''; except that any of such local governments, with the agreement of the appropriate district engineer, may exempt from the conveyance to the local government all or any part of the lands to be conveyed to the local government''; and

(2) by inserting before the period at the end of paragraph (2)(C) the following: ''; except that approximately 7.4 acres in Columbia Park, Kennewick, Washington, consisting of the historic site located in the Park and known and referred to as the Kennewick Man Site and such adjacent wooded areas as the Secretary determines are necessary to protect the historic site, shall remain in Federal ownership''.

(i) BAYOU TECHE, LOUISIANA.—

(1) IN GENERAL.—After renovations of the Keystone Lock facility have been completed, the Secretary may convey by quitclaim deed without consideration to St. Martin Parish, Louisiana, all rights, interests, and title of the United States in the approximately 12.03 acres of land under the administrative jurisdiction of the Secretary in Bayou Teche, Louisiana, together with improvements thereon. The dam and the authority to retain upstream pool elevations shall remain under the jurisdiction of the Secretary. The Secretary shall relinquish all operations and maintenance of the lock to St. Martin Parish.

(2) CONDITIONS.—The following conditions apply to the transfer under paragraph (1):

(A) St. Martin Parish shall operate, maintain, repair, replace, and rehabilitate the lock in accordance with regulations prescribed by the Secretary which are consistent with the project's authorized purposes.

(B) The Parish shall provide the Secretary access to the dam whenever the Secretary notifies the Parish of a need for access to the dam.

(C) If the Parish fails to comply with subparagraph (A), the Secretary shall notify the Parish of such failure. If the parish does not correct such failure during the 1-year period beginning on the date of such notification, the Secretary shall have a right of reverter to reclaim possession and title to the land and improvements conveyed under this section or, in the case of a failure to make necessary repairs, the Secretary may effect the repairs and require payment from the Parish for the repairs made by the Secretary.

(j) JOLIET, ILLINOIS.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Joliet Park District in Joliet, Illinois, all right, title, and interest of the United States in and to the parcel of real property located at 622 Railroad Street in the city of

Joliet, consisting of approximately 2 acres, together with any improvements thereon, for public ownership and use as the site of the headquarters of the park district.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as headquarters of the park district or for other purposes, all right, title, and interest in and to such property shall revert to the United States.

(k) OTTAWA, ILLINOIS.—

(1) CONVEYANCE OF PROPERTY.—Subject to the terms, conditions, and reservations of paragraph (2), the Secretary shall convey by quitclaim deed to the Young Men's Christian Association of Ottawa, Illinois (in this subsection referred to as the ''YMCA''), all right, title, and interest of the United States in and to a portion of the easements acquired for the improvement of the Illinois Waterway project over a parcel of real property owned by the YMCA, known as the ''Ottawa, Illinois YMCA Site'', and located at 201 E. Jackson Street, Ottawa, La Salle County, Illinois (portion of NE ¼, S11, T33N, R3E 3PM), except that portion lying below the elevation of 461 feet National Geodetic Vertical Datum.

(2) CONDITIONS.—The following conditions apply to the conveyance under paragraph (1):

(A) The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(B) The YMCA shall agree to hold and save the United States harmless from liability associated with the operation and maintenance of the Illinois Waterway project on the property desscribed in paragraph (1).

(C) If the Secretary determines that any portion of the property that is the subject of the easement conveyed under paragraph (1) ceases to be used as the YMCA, all right, title, and interest in and to such easement shall revert to the Secretary.

(l) ST. CLAIR AND BENTON COUNTIES, MISSOURI.—

(1) IN GENERAL.—The Secretary shall convey to the Iconium Fire Protection District, St. Clair and Benton counties, Missouri, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcel of land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcel of land to be conveyed under paragraph (1) is the tract of land located in the Southeast ¼ of Section 13, Township 39 North, Range 25 West, of the Fifth Principal Meridian, St. Clair County, Missouri, more particularly described as follows: Commencing at the Southwest corner of Section 18, as designated by Corps survey marker AP 18–1, thence northerly 11.22 feet to the southeast corner of Section 13, thence 657.22 feet north along the east line of Section 13 to Corps monument 18 1–C lying within the right-of-way of State Highway C, being the point of beginning of the tract of land herein described; thence westerly approximately 210 feet, thence northerly 150 feet, thence easterly approximately 210 feet to the east line of Section 13, thence southerly along said east line, 150 feet to the point of beginning, containing 0.723 acres, more or less.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to such property shall revert to the United States.

(m) GENERALLY APPLICABLE PROVISIONS.—

(1) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

SEC. 586. BRUCE F. VENTO UNIT OF THE BOUNDARY WATERS CANOE AREA WILDERNESS, MINNESOTA.

(a) DESIGNATION.—The portion of the Boundary Waters Canoe Area Wilderness, Minnesota, situated north and cast of the Gunflint Corridor and that is bounded by the United States border with Canada to the north shall be known and designated as the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

(b) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the area referred to in paragraph (1) shall be deemed to be a reference to the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

SEC. 587. WAURIKA LAKE, OKLAHOMA.

The remaining obligation of the Waurika Project Master Conservancy District payable to the United States Government in the amounts, rates of interest, and payment schedules is set at the amounts, rates of interest, and payment schedules that existed, and that both parties agreed to, on June 3, 1986, and may not be adjusted, altered, or changed without a specific, separate, and written agreement between the District and the United States Government.

SEC. 588. COLUMBIA RIVER TREATY FISHING ACCESS.

Section 401(d) of the Act entitled ''An Act to establish procedures for review of tribal constitutions and bylaws or amendments thereto pursuant to the Act of June 18, 1934 (48 Stat. 987)'', approved November 1, 1988 (102 Stat. 2944), is amended by striking ''$2,000,000'' and inserting ''$4,000,000''.

SEC. 589. DEVILS LAKE, NORTH DAKOTA.

No appropriation shall be made to construct an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River if the final plans for the emergency outlet have not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

SEC. 601. COMPREHENSIVE EVERGLADES RESTORATION PLAN.

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

(1) CENTRAL AND SOUTHERN FLORIDA PROJECT.—

(A) IN GENERAL.—The term ''Central and Southern Florida Project'' means the project for Central and Southern Florida authorized under the heading ''CENTRAL AND SOUTHERN FLORIDA'' in section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(B) INCLUSION.—The term ''Central and Southern Florida Project'' includes any modification to the project authorized by this section or any other provision of law.

(2) GOVERNOR.—The term ''Governor'' means the Governor of the State of Florida.

(3) NATURAL SYSTEM.—

(A) IN GENERAL.—The term ''natural system'' means all land and water managed by the Federal Government or the State within the South Florida ecosystem.

(B) INCLUSIONS.—The term ''natural system'' includes—

(i) water conservation areas;

(ii) sovereign submerged land;

(iii) Everglades National Park;

(iv) Biscayne National Park;

(v) Big Cypress National Preserve;

(vi) other Federal or State (including a political subdivision of a State) land that is designated and managed for conservation purposes; and

(vii) any tribal land that is designated and managed for conservation purposes, as approved by the tribe.

(4) PLAN.—The term ''Plan'' means the Comprehensive Everglades Restoration Plan contained in the ''Final Integrated Feasibility Report and Programmatic Environmental Impact Statement'', dated April 1, 1999, as modified by this section.

(5) SOUTH FLORIDA ECOSYSTEM.—

(A) IN GENERAL.—The term ''South Florida ecosystem'' means the area consisting of the land and water within the boundary of the South Florida Water Management District in effect on July 1, 1999.

(B) INCLUSIONS.—The term ''South Florida ecosystem'' includes—

(i) the Everglades;

(ii) the Florida Keys; and

(iii) the contiguous near-shore coastal water of South Florida.

(6) STATE.—The term ''State'' means the State of Florida.

(b) COMPREHENSIVE EVERGLADES RESTORATION PLAN.—

(1) APPROVAL.—

(A) IN GENERAL.—Except as modified by this section, the Plan is approved as a framework for modifications and operational changes to the Central and Southern Florida Project that are needed to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, and the improvement of the environment of the South Florida ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(B) INTEGRATION.—In carrying out the Plan, the Secretary shall integrate the activities described in subparagraph (A) with ongoing Federal and State projects and activities in accordance with section 528(c) of the Water Resources Development Act of 1996 (110 Stat. 3769). Unless specifically provided herein, nothing in this section shall be construed to modify any existing cost share or responsibility for projects as listed in subsection (c) or (e) of section 528 of the Water

Resources Development Act of 1996 (110 Stat. 3769).

(2) SPECIFIC AUTHORIZATIONS.—

(A) IN GENERAL.—

(i) PROJECTS.—The Secretary shall carry out the projects included in the Plan in accordance with subparagraphs (B), (C), (D), and (E).

(ii) CONSIDERATIONS.—In carrying out activities described in the Plan, the Secretary shall—

(I) take into account the protection of water quality by considering applicable State water quality standards; and

(II) include such features as the Secretary determines are necessary to ensure that all ground water and surface water discharges from any project feature authorized by this subsection will meet all applicable water quality standards and applicable water quality permitting requirements.

(iii) REVIEW AND COMMENT.—In developing the projects authorized under subparagraph (B), the Secretary shall provide for public review and comment in accordance with applicable Federal law.

(B) PILOT PROJECTS.—The following pilot projects are authorized for implementation, after review and approval by the Secretary, at a total cost of $69,000,000, with an estimated Federal cost of $34,500,000 and an estimated non-Federal cost of $34,500,000:

(i) Caloosahatchee River (C–43) Basin ASR, at a total cost of $6,000,000, with an estimated Federal cost of $3,000,000 and an estimated non-Federal cost of $3,000,000.

(ii) Lake Belt In-Ground Reservoir Technology, at a total cost of $23,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $11,500,000.

(iii) L–31N Seepage Management, at a total cost of $10,000,000, with an estimated Federal cost of $5,000,000 and an estimated non-Federal cost of $5,000,000.

(iv) Wastewater Reuse Technology, at a total cost of $30,000,000, with an estimated Federal cost of $15,000,000 and an estimated non-Federal cost of $15,000,000.

(C) INITIAL PROJECTS.—The following projects are authorized for implementation, after review and approval by the Secretary, subject to the conditions stated in subparagraph (D), at a total cost of $1,100,918,000, with an estimated Federal cost of $550,459,000 and an estimated non-Federal cost of $550,459,000:

(i) C–44 Basin Storage Reservoir, at a total cost of $112,562,000, with an estimated Federal cost of $56,281,000 and an estimated non-Federal cost of $56,281,000.

(ii) Everglades Agricultural Area Storage Reservoirs—Phase I, at a total cost of $233,408,000, with an estimated Federal cost of $116,704,000 and an estimated non-Federal cost of $116,704,000.

(iii) Site 1 Impoundment, at a total cost of $38,535,000, with an estimated Federal cost of $19,267,500 and an estimated non-Federal cost of $19,267,500.

(iv) Water Conservation Areas 3A/3B Levee Seepage Management, at a total cost of $100,335,000, with an estimated Federal cost of $50,167,500 and an estimated non-Federal cost of $50,167,500.

(v) C–11 Impoundment and Stormwater Treatment Area, at a total cost of $124,837,000, with an estimated Federal cost of $62,418,500 and an estimated non-Federal cost of $62,418,500.

(vi) C–9 Impoundment and Stormwater Treatment Area, at a total cost of $89,146,000, with an estimated Federal cost of $44,573,000 and an estimated non-Federal cost of $44,573,000.

(vii) Taylor Creek/Nubbin Slough Storage and Treatment Area, at a total cost of $104,027,000, with an estimated Federal cost of $52,013,500 and an estimated non-Federal cost of $52,013,500.

(viii) Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within Water Conservation Area 3, at a total cost of $26,946,000, with an estimated Federal cost of $13,473,000 and an estimated non-Federal cost of $13,473,000.

(ix) North New River Improvements, at a total cost of $77,087,000, with an estimated Federal cost of $38,543,500 and an estimated non-Federal cost of $38,543,500.

(x) C–111 Spreader Canal, at a total cost of $94,035,000, with an estimated Federal cost of $47,017,500 and an estimated non-Federal cost of $47,017,500.

(xi) Adaptive Assessment and Monitoring Program, at a total cost of $100,000,000, with an estimated Federal cost of $50,000,000 and an estimated non-Federal cost of $50,000,000.

(D) CONDITIONS.—

(i) PROJECT IMPLEMENTATION REPORTS.—Before implementation of a project described in any of clauses (i) through (x) of subparagraph (C), the Secretary shall review and approve for the project a project implementation report prepared in accordance with subsections (f) and (h).

(ii) SUBMISSION OF REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the project implementation report required by subsections (f) and (h) for each project under this paragraph (including all relevant data and information on all costs).

(iii) FUNDING CONTINGENT ON APPROVAL.—No appropriation shall be made to construct any project under this paragraph if the project implementation report for the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(iv) MODIFIED WATER DELIVERY.—No appropriation shall be made to construct the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement Project (including component AA, Additional S–345 Structures; component QQ Phase 1, Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within WCA 3; component QQ Phase 2, WCA 3 Decompartmentalization and Sheetflow Enhancement; and component SS, North New River Improvements) or the Central Lakebelt Storage Project (including components S and EEE, Central Lake Belt Storage Area) until the completion of the project to improve water deliveries to Everglades National Park authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8).

(E) MAXIMUM COST OF PROJECTS.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to each project feature authorized under this subsection.

(c) ADDITIONAL PROGRAM AUTHORITY.—

(1) IN GENERAL.—To expedite implementation of the Plan, the Secretary may implement modifications to the Central and Southern Florida Project that—

(A) are described in the Plan; and

(B) will produce a substantial benefit to the restoration, preservation and protection of the South Florida ecosystem.

(2) PROJECT IMPLEMENTATION REPORTS.—Before implementation of any project feature authorized under this subsection, the Secretary shall review and approve for the project feature a project implementation report prepared in accordance with subsections (f) and (h).

(3) FUNDING.—

(A) INDIVIDUAL PROJECT FUNDING.—

(i) FEDERAL COST.—The total Federal cost of each project carried out under this subsection shall not exceed $12,500,000.

(ii) OVERALL COST.—The total cost of each project carried out under this subsection shall not exceed $25,000,000.

(B) AGGREGATE COST.—The total cost of all projects carried out under this subsection shall not exceed $206,000,000, with an estimated Federal cost of $103,000,000 and an estimated non-Federal cost of $103,000,000.

(d) AUTHORIZATION OF FUTURE PROJECTS.—

(1) IN GENERAL.—Except for a project authorized by subsection (b) or (c), any project included in the Plan shall require a specific authorization by Congress.

(2) SUBMISSION OF REPORT.—Before seeking congressional authorization for a project under paragraph (1), the Secretary shall submit to Congress—

(A) a description of the project; and

(B) a project implementation report for the project prepared in accordance with subsections (f) and (h).

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of carrying out a project authorized by subsection (b), (c), or (d) shall be 50 percent.

(2) NON-FEDERAL RESPONSIBILITIES.—The non-Federal sponsor with respect to a project described in subsection (b), (c), or (d), shall be—

(A) responsible for all land, easements, rights-of-way, and relocations necessary to implement the Plan; and

(B) afforded credit toward the non-Federal share of the cost of carrying out the project in accordance with paragraph (5)(A).

(3) FEDERAL ASSISTANCE.—

(A) IN GENERAL.—The non-Federal sponsor with respect to a project authorized by subsection (b), (c), or (d) may use Federal funds for the purchase of any land, easement, rights-of-way, or relocation that is necessary to carry out the project if any funds so used are credited toward the Federal share of the cost of the project.

(B) AGRICULTURE FUNDS.—Funds provided to the non-Federal sponsor under the Conservation Restoration and Enhancement Program (CREP) and the Wetlands Reserve Program (WRP) for projects in the Plan shall be credited toward the non-Federal share of the cost of the Plan if the Secretary of Agriculture certifies that the funds provided may be used for that purpose. Funds to be credited do not include funds provided under section 390 of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1022).

(4) OPERATION AND MAINTENANCE.—Notwithstanding section 528(e)(3) of the Water Resources Development Act of 1996 (110 Stat. 3770), the non-Federal sponsor shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities authorized under this section. Furthermore, the Seminole Tribe of Florida shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities for the Big Cypress Seminole Reservation Water Conservation Plan Project.

(5) CREDIT.—

(A) IN GENERAL.—Notwithstanding section 528(e)(4) of the Water Resources Development

Act of 1996 (110 Stat. 3770) and regardless of the date of acquisition, the value of lands or interests in lands and incidental costs for land acquired by a non-Federal sponsor in accordance with a project implementation report for any project included in the Plan and authorized by Congress shall be—

(i) included in the total cost of the project; and

(ii) credited toward the non-Federal share of the cost of the project.

(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan if—

(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor; or

(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor;

(ii) the design agreement or the project cooperation agreement prescribes the terms and conditions of the credit; and

(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.

(C) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects in accordance with subparagraph (D).

(D) PERIODIC MONITORING.—

(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each 5-year period, beginning with commencement of design of the Plan, the Secretary shall, for each project—

(I) monitor the non-Federal provision of cash, in-kind services, and land; and

(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for the preconstruction engineering and design phase and the construction phase.

(E) AUDITS.—Credit for land (including land value and incidental costs) or work provided under this subsection shall be subject to audit by the Secretary.

(f) EVALUATION OF PROJECTS.—

(1) IN GENERAL.—Before implementation of a project authorized by subsection (c) or (d) or any of clauses (i) through (x) of subsection (b)(2)(C), the Secretary, in cooperation with the non-Federal sponsor, shall complete, after notice and opportunity for public comment and in accordance with subsection (h), a project implementation report for the project.

(2) PROJECT JUSTIFICATION.—

(A) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out any activity authorized under this section or any other provision of law to restore, preserve, or protect the South Florida ecosystem, the Secretary may determine that—

(i) the activity is justified by the environmental benefits derived by the South Florida ecosystem; and

(ii) no further economic justification for the activity is required, if the Secretary determines that the activity is cost-effective.

(B) APPLICABILITY.—Subparagraph (A) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the natural system.

(g) EXCLUSIONS AND LIMITATIONS.—The following Plan components are not approved for implementation:

(1) WATER INCLUDED IN THE PLAN.—

(A) IN GENERAL.—Any project that is designed to implement the capture and use of the approximately 245,000 acre-feet of water described in section 7.7.2 of the Plan shall not be implemented until such time as—

(i) the project-specific feasibility study described in subparagraph (B) on the need for and physical delivery of the approximately 245,000 acre-feet of water, conducted by the Secretary, in cooperation with the non-Federal sponsor, is completed;

(ii) the project is favorably recommended in a final report of the Chief of Engineers; and

(iii) the project is authorized by Act of Congress.

(B) PROJECT-SPECIFIC FEASIBILITY STUDY.—The project-specific feasibility study referred to in subparagraph (A) shall include—

(i) a comprehensive analysis of the structural facilities proposed to deliver the approximately 245,000 acre-feet of water to the natural system;

(ii) an assessment of the requirements to divert and treat the water;

(iii) an assessment of delivery alternatives;

(iv) an assessment of the feasibility of delivering the water downstream while maintaining current levels of flood protection to affected property; and

(v) any other assessments that are determined by the Secretary to be necessary to complete the study.

(2) WASTEWATER REUSE.—

(A) IN GENERAL.—On completion and evaluation of the wastewater reuse pilot project described in subsection (b)(2)(B)(iv), the Secretary, in an appropriately timed 5-year report, shall describe the results of the evaluation of advanced wastewater reuse in meeting, in a cost-effective manner, the requirements of restoration of the natural system.

(B) SUBMISSION.—The Secretary shall submit to Congress the report described in subparagraph (A) before congressional authorization for advanced wastewater reuse is sought.

(3) PROJECTS APPROVED WITH LIMITATIONS.—The following projects in the Plan are approved for implementation with limitations:

(A) LOXAHATCHEE NATIONAL WILDLIFE REFUGE.—The Federal share for land acquisition in the project to enhance existing wetland systems along the Loxahatchee National Wildlife Refuge, including the Stazzulla tract, should be funded through the budget of the Department of the Interior.

(B) SOUTHERN CORKSCREW REGIONAL ECOSYSTEM.—The Southern Corkscrew regional ecosystem watershed addition should be accomplished outside the scope of the Plan.

(h) ASSURANCE OF PROJECT BENEFITS.—

(1) IN GENERAL.—The overarching objective of the Plan is the restoration, preservation, and protection of the South Florida Ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, the improvement of the environment of the South Florida Ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(2) AGREEMENT.—

(A) IN GENERAL.—In order to ensure that water generated by the Plan will be made available for the restoration of the natural system, no appropriations, except for any pilot project described in subsection (b)(2)(B), shall be made for the construction of a project contained in the Plan until the President and the Governor enter into a binding agreement under which the State shall ensure, by regulation or other appropriate means, that water made available by each project in the Plan shall not be permitted for a consumptive use or otherwise made unavailable by the State until such time as sufficient reservations of water for the restoration of the natural system are made under State law in accordance with the project implementation report for that project and consistent with the Plan.

(B) ENFORCEMENT.—

(i) IN GENERAL.—Any person or entity that is aggrieved by a failure of the United States or any other Federal Government instrumentality or agency, or the Governor or any other officer of a State instrumentality or agency, to comply with any provision of the agreement entered into under subparagraph (A) may bring a civil action in United States district court for an injunction directing the United States or any other Federal Government instrumentality or agency or the Governor or any other officer of a State instrumentality or agency, as the case may be, to comply with the agreement.

(ii) LIMITATIONS ON COMMENCEMENT OF CIVIL ACTION.—No civil action may be commenced under clause (i)—

(I) before the date that is 60 days after the Secretary and the Governor receive written notice of a failure to comply with the agreement; or

(II) if the United States has commenced and is diligently prosecuting an action in a court of the United States or a State to redress a failure to comply with the agreement.

(C) TRUST RESPONSIBILITIES.—In carrying out his responsibilities under this subsection with respect to the restoration of the South Florida ecosystem, the Secretary of the Interior shall fulfill his obligations to the Indian tribes in South Florida under the Indian trust doctrine as well as other applicable legal obligations.

(3) PROGRAMMATIC REGULATIONS.—

(A) ISSUANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, after notice and opportunity for public comment, with the concurrence of the Governor and the Secretary of the Interior, and in consultation with the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and other Federal, State, and local agencies, promulgate programmatic regulations to ensure that the goals and purposes of the Plan are achieved.

(B) CONCURRENCY STATEMENT.—The Secretary of the Interior and the Governor shall, not later than 180 days from the end of the public comment period on proposed programmatic regulations, provide the Secretary with a written statement of concurrence or nonconcurrence. A failure to provide a written statement of concurrence or nonconcurrence within such time frame will be deemed as meeting the concurrency requirements of subparagraph (A)(i). A copy of any concurrency or nonconcurrency statements shall be made a part of the administrative record and referenced in the final

programmatic regulations. Any nonconcurrency statement shall specifically detail the reason or reasons for the nonconcurrence.

(C) CONTENT OF REGULATIONS.—

(i) IN GENERAL.—Programmatic regulations promulgated under this paragraph shall establish a process—

(I) for the development of project implementation reports, project cooperation agreements, and operating manuals that ensure that the goals and objectives of the Plan are achieved;

(II) to ensure that new information resulting from changed or unforeseen circumstances, new scientific or technical information or information that is developed through the principles of adaptive management contained in the Plan, or future authorized changes to the Plan are integrated into the implementation of the Plan; and

(III) to ensure the protection of the natural system consistent with the goals and purposes of the Plan, including the establishment of interim goals to provide a means by which the restoration success of the Plan may be evaluated throughout the implementation process.

(ii) LIMITATION ON APPLICABILITY OF PROGRAMMATIC REGULATIONS.—Programmatic regulations promulgated under this paragraph shall expressly prohibit the requirement for concurrence by the Secretary of the Interior or the Governor on project implementation reports, project cooperation agreements, operating manuals for individual projects undertaken in the Plan, and any other documents relating to the development, implementation, and management of individual features of the Plan, unless such concurrence is provided for in other Federal or State laws.

(D) SCHEDULE AND TRANSITION RULE.—

(i) IN GENERAL.—All project implementation reports approved before the date of promulgation of the programmatic regulations shall be consistent with the Plan.

(ii) PREAMBLE.—The preamble of the programmatic regulations shall include a statement concerning the consistency with the programmatic regulations of any project implementation reports that were approved before the date of promulgation of the regulations.

(E) REVIEW OF PROGRAMMATIC REGULATIONS.—Whenever necessary to attain Plan goals and purposes, but not less often than every 5 years, the Secretary, in accordance with subparagraph (A), shall review the programmatic regulations promulgated under this paragraph.

(4) PROJECT-SPECIFIC ASSURANCES.—

(A) PROJECT IMPLEMENTATION REPORTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop project implementation reports in accordance with section 10.3.1 of the Plan.

(ii) COORDINATION.—In developing a project implementation report, the Secretary and the non-Federal sponsor shall coordinate with appropriate Federal, State, tribal, and local governments.

(iii) REQUIREMENTS.—A project implementation report shall—

(I) be consistent with the Plan and the programmatic regulations promulgated under paragraph (3);

(II) describe how each of the requirements stated in paragraph (3)(B) is satisfied;

(III) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(IV) identify the appropriate quantity, timing, and distribution of water dedicated and managed for the natural system;

(V) identify the amount of water to be reserved or allocated for the natural system necessary to implement, under State law, subclauses (IV) and (VI);

(VI) comply with applicable water quality standards and applicable water quality permitting requirements under subsection (b)(2)(A)(ii);

(VII) be based on the best available science; and

(VIII) include an analysis concerning the cost-effectiveness and engineering feasibility of the project.

(B) PROJECT COOPERATION AGREEMENTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall execute project cooperation agreements in accordance with section 10 of the Plan.

(ii) CONDITION.—The Secretary shall not execute a project cooperation agreement until any reservation or allocation of water for the natural system identified in the project implementation report is executed under State law.

(C) OPERATING MANUALS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop and issue, for each project or group of projects, an operating manual that is consistent with the water reservation or allocation for the natural system described in the project implementation report and the project cooperation agreement for the project or group of projects.

(ii) MODIFICATIONS.—Any significant modification by the Secretary and the non-Federal sponsor to an operating manual after the operating manual is issued shall only be carried out subject to notice and opportunity for public comment.

(5) SAVINGS CLAUSE.—

(A) NO ELIMINATION OR TRANSFER.—Until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is available to replace the water to be lost as a result of implementation of the Plan, the Secretary and the non-Federal sponsor shall not eliminate or transfer existing legal sources of water, including those for—

(i) an agricultural or urban water supply;

(ii) allocation or entitlement to the Seminole Indian Tribe of Florida under section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e);

(iii) the Miccosukee Tribe of Indians of Florida;

(iv) water supply for Everglades National Park; or

(v) water supply for fish and wildlife.

(B) MAINTENANCE OF FLOOD PROTECTION.—Implementation of the Plan shall not reduce levels of service for flood protection that are—

(i) in existence on the date of enactment of this Act; and

(ii) in accordance with applicable law.

(C) NO EFFECT ON TRIBAL COMPACT.—Nothing in this section amends, alters, prevents, or otherwise abrogates rights of the Seminole Indian Tribe of Florida under the compact among the Seminole Tribe of Florida, the State, and the South Florida Water Management District, defining the scope and use of water rights of the Seminole Tribe of Florida, as codified by section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e).

(i) DISPUTE RESOLUTION.—

(1) IN GENERAL.—The Secretary and the Governor shall within 180 days from the date of enactment of this Act develop an agreement for resolving disputes between the Corps of Engineers and the State associated with the implementation of the Plan. Such agreement shall establish a mechanism for the timely and efficient resolution of disputes, including—

(A) a preference for the resolution of disputes between the Jacksonville District of the Corps of Engineers and the South Florida Water Management District;

(B) a mechanism for the Jacksonville District of the Corps of Engineers or the South Florida Water Management District to initiate the dispute resolution process for unresolved issues;

(C) the establishment of appropriate timeframes and intermediate steps for the elevation of disputes to the Governor and the Secretary; and

(D) a mechanism for the final resolution of disputes, within 180 days from the date that the dispute resolution process is initiated under subparagraph (B).

(2) CONDITION FOR REPORT APPROVAL.—The Secretary shall not approve a project implementation report under this section until the agreement established under this subsection has been executed.

(3) NO EFFECT ON LAW.—Nothing in the agreement established under this subsection shall alter or amend any existing Federal or State law, or the responsibility of any party to the agreement to comply with any Federal or State law.

(j) INDEPENDENT SCIENTIFIC REVIEW.—

(1) IN GENERAL.—The Secretary, the Secretary of the Interior, and the Governor, in consultation with the South Florida Ecosystem Restoration Task Force, shall establish an independent scientific review panel convened by a body, such as the National Academy of Sciences, to review the Plan's progress toward achieving the natural system restoration goals of the Plan.

(2) REPORT.—The panel described in paragraph (1) shall produce a biennial report to Congress, the Secretary, the Secretary of the Interior, and the Governor that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

(k) OUTREACH AND ASSISTANCE.—

(1) SMALL BUSINESS CONCERNS OWNED AND OPERATED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—In executing the Plan, the Secretary shall ensure that small business concerns owned and controlled by socially and economically disadvantaged individuals are provided opportunities to participate under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(2) COMMUNITY OUTREACH AND EDUCATION.—

(A) IN GENERAL.—The Secretary shall ensure that impacts on socially and economically disadvantaged individuals, including individuals with limited English proficiency, and communities are considered during implementation of the Plan, and that such individuals have opportunities to review and comment on its implementation.

(B) PROVISION OF OPPORTUNITIES.—The Secretary shall ensure, to the maximum extent practicable, that public outreach and educational opportunities are provided, during implementation of the Plan, to the individuals of South Florida, including individuals with limited English proficiency, and in particular for socially and economically disadvantaged communities.

(l) REPORT TO CONGRESS.—Beginning on October 1, 2005, and periodically thereafter until October 1, 2036, the Secretary and the Secretary of the Interior, in consultation with the Environmental Protection Agency, the Department of Commerce, and the State

of Florida, shall jointly submit to Congress a report on the implementation of the Plan. Such reports shall be completed not less often than every 5 years. Such reports shall include a description of planning, design, and construction work completed, the amount of funds expended during the period covered by the report (including a detailed analysis of the funds expended for adaptive assessment under subsection (b)(2)(C)(xi)), and the work anticipated over the next 5-year period. In addition, each report shall include—

(1) the determination of each Secretary, and the Administrator of the Environmental Protection Agency, concerning the benefits to the natural system and the human environment achieved as of the date of the report and whether the completed projects of the Plan are being operated in a manner that is consistent with the requirements of subsection (h);

(2) progress toward interim goals established in accordance with subsection (h)(3)(B); and

(3) a review of the activities performed by the Secretary under subsection (k) as they relate to socially and economically disadvantaged individuals and individuals with limited English proficiency.

(m) REPORT ON AQUIFER STORAGE AND RECOVERY PROJECT.—Not later than 180 after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing a determination as to whether the ongoing Biscayne Aquifer Storage and Recovery Program located in Miami-Dade County has a substantial benefit to the restoration, preservation, and protection of the South Florida ecosystem.

(n) FULL DISCLOSURE OF PROPOSED FUNDING.—

(1) FUNDING FROM ALL SOURCES.—The President, as part of the annual budget of the United States Government, shall display under the heading ''Everglades Restoration'' all proposed funding for the Plan for all agency programs.

(2) FUNDING FROM CORPS OF ENGINEERS CIVIL WORKS PROGRAM.—The President, as part of the annual budget of the United States Government, shall display under the accounts ''Construction, General'' and ''Operation and Maintenance, General'' of the title ''Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil'', the total proposed funding level for each account for the Plan and the percentage such level represents of the overall levels in such accounts. The President shall also include an assessment of the impact such funding levels for the Plan would have on the budget year and long-term funding levels for the overall Corps of Engineers civil works program.

(o) SURPLUS FEDERAL LANDS.—Section 390(f)(2)(A)(i) of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1023) is amended by inserting after ''on or after the date of enactment of this Act'' the following: ''and before the date of enactment of the Water Resource Development Act of 2000''.

(p) SEVERABILITY.—If any provision or remedy provided by this section is found to be unconstitutional or unenforceable by any court of competent jurisdiction, any remaining provisions in this section shall remain valid and enforceable.

SEC. 602. SENSE OF CONGRESS CONCERNING HOMESTEAD AIR FORCE BASE.

(a) FINDINGS.—Congress finds that—

(1) the Everglades is an American treasure and includes uniquely-important and diverse wildlife resources and recreational opportunities;

(2) the preservation of the pristine and natural character of the South Florida ecosystem is critical to the regional economy;

(3) as this legislation demonstrates, Congress believes it to be a vital national mission to restore and preserve this ecosystem and accordingly is authorizing a significant Federal investment to do so;

(4) Congress seeks to have the remaining property at the former Homestead Air Base conveyed and reused as expeditiously as possible, and several options for base reuse are being considered, including as a commercial airport; and

(5) Congress is aware that the Homestead site is located in a sensitive environmental location, and that Biscayne National Park is only approximately 1.5 miles to the east, Everglades National Park approximately 8 miles to the west, and the Florida Keys National Marine Sanctuary approximately 10 miles to the south.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) development at the Homestead site could potentially cause significant air, water, and noise pollution and result in the degradation of adjacent national parks and other protected Federal resources;

(2) in their decisionmaking, the Federal agencies charged with determining the reuse of the remaining property at the Homestead base should carefully consider and weigh all available information concerning potential environmental impacts of various reuse options;

(3) the redevelopment of the former base should be consistent with restoration goals, provide desirable numbers of jobs and economic redevelopment for the community, and be consistent with other applicable laws;

(4) consistent with applicable laws, the Secretary of the Air Force should proceed as quickly as practicable to issue a final SEIS and Record of Decision so that reuse of the former air base can proceed expeditiously;

(5) following conveyance of the remaining surplus property, the Secretary, as part of his oversight for Everglades restoration, should cooperate with the entities to which the various parcels of surplus property were conveyed so that the planned use of those properties is implemented in such a manner as to remain consistent with the goals of the Everglades restoration plan; and

(6) by August 1, 2002, the Secretary should submit a report to the appropriate committees of Congress on actions taken and make any recommendations for consideration by Congress.

TITLE VII—MISSOURI RIVER RESTORATION

SEC. 701. DEFINITIONS.

In this title, the following definitions apply:

(1) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (58 Stat. 891).

(2) PLAN.—The term ''plan'' means the plan for the use of funds made available by this title that is required to be prepared under section 705(e).

(3) STATE.—The term ''State'' means the State of South Dakota.

(4) TASK FORCE.—The term ''Task Force'' means the Missouri River Task Force established by section 705(a).

(6) TRUST.—The term ''Trust'' means the Missouri River Trust established by section 704(a).

SEC. 702. MISSOURI RIVER TRUST.

(a) ESTABLISHMENT.—There is established a committee to be known as the Missouri River Trust.

(b) MEMBERSHIP.—The Trust shall be composed of 25 members to be appointed by the Secretary, including—

(1) 15 members recommended by the Governor of South Dakota that—

(A) represent equally the various interests of the public; and

(B) include representatives of—

(i) the South Dakota Department of Environment and Natural Resources;

(ii) the South Dakota Department of Game, Fish, and Parks;

(iii) environmental groups;

(iv) the hydroelectric power industry;

(v) local governments;

(vi) recreation user groups;

(vii) agricultural groups; and

(viii) other appropriate interests;

(2) 9 members, 1 of each of whom shall be recommended by each of the 9 Indian tribes in the State of South Dakota; and

(3) 1 member recommended by the organization known as the ''Three Affiliated Tribes of North Dakota'' (composed of the Mandan, Hidatsa, and Arikara tribes).

SEC. 703. MISSOURI RIVER TASK FORCE.

(a) ESTABLISHMENT.—There is established the Missouri River Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary (or a designee), who shall serve as Chairperson;

(2) the Secretary of Agriculture (or a designee);

(3) the Secretary of Energy (or a designee);

(4) the Secretary of the Interior (or a designee); and

(5) the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet at least twice each year;

(2) vote on approval of the plan, with approval requiring votes in favor of the plan by a majority of the members;

(3) review projects to meet the goals of the plan; and

(4) recommend to the Secretary critical projects for implementation.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date on which funding authorized under this title becomes available, the Secretary shall submit to the other members of the Task Force a report on—

(A) the impact of the siltation of the Missouri River in the State, including the impact on the Federal, State, and regional economies, recreation, hydropower generation, fish and wildlife, and flood control;

(B) the status of Indian and non-Indian historical and cultural sites along the Missouri River;

(C) the extent of erosion along the Missouri River (including tributaries of the Missouri River) in the State; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with the Secretary of Energy, the Secretary of the Interior, the Secretary of Agriculture, the State, and Indian tribes in the State.

(e) PLAN FOR USE OF FUNDS MADE AVAILABLE BY THIS TITLE.—

(1) IN GENERAL.—Not later than 2 years after the date on which funding authorized under this title becomes available, the Task Force shall prepare a plan for the use of funds made available under this title.

(2) CONTENTS OF PLAN.—The plan shall provide for the manner in which the Task Force

shall develop and recommend critical restoration projects to promote—

(A) conservation practices in the Missouri River watershed;

(B) the general control and removal of sediment from the Missouri River;

(C) the protection of recreation on the Missouri River from sedimentation;

(D) the protection of Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

(E) erosion control along the Missouri River; or

(F) any combination of the activities described in subparagraphs (A) through (E).

(3) PLAN REVIEW AND REVISION.—

(A) IN GENERAL.—The Task Force shall make a copy of the plan available for public review and comment before the plan becomes final, in accordance with procedures established by the Task Force.

(B) REVISION OF PLAN.—

(i) IN GENERAL.—The Task Force may, on an annual basis, revise the plan.

(ii) PUBLIC REVIEW AND COMMENT.—In revising the plan, the Task Force shall provide the public the opportunity to review and comment on any proposed revision to the plan.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the plan is approved by the Task Force under subsection (c)(2), the Secretary, in coordination with the Task Force, shall identify critical restoration projects to carry out the plan.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b).

(3) INDIAN PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects under this title shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian tribe.

(g) COST SHARING.—

(1) ASSESSMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out the assessment under subsection (d) shall be 50 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out the assessment under subsection (d) may be provided in the form of services, materials, or other in-kind contributions.

(2) PLAN.—

(A) FEDERAL SHARE.—The Federal share of the cost of preparing the plan under subsection (e) shall be 50 percent.

(B) NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share of the cost of preparing the plan under subsection (e) may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any critical restoration project under subsection (f) that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a critical restoration project under subsection (f) for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, not to exceed $5,000,000 for any critical restoration project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a critical restoration project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any critical restoration project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—The non-Federal interest shall receive credit for all contributions provided under clause (ii)(I).

SEC. 704. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian tribe;

(2) any other right of an Indian tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian tribe;

(5) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, 33 U.S.C. 701–1 et seq.).

SEC. 705. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this title $4,000,000 for each of fiscal years 2001 through 2005, $5,000,000 for each of fiscal years 2006 through 2009, and $10,000,000 in fiscal year 2010. Such funds shall remain available until expended.

The SPEAKER pro tempore. Pursuant to House Resolution 639, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

The Water Resources Development Act of 2000, as amended, addresses the civil works program of the United States Army Corps of Engineers, providing water-related engineering services to the Nation. It authorizes new water resource projects that are receiving favorable review by the Army Corps of Engineers. It modifies existing water resources projects to reflect changed conditions. It directs that new studies be conducted to determine the feasibility and the Federal interest in addressing water-related issues at various locations.

WRDA 2000 approves and authorizes the first increment of the comprehensive Everglades restoration plan. The text is based on the Senate-passed Everglades provision, with minor amendments which have been made and which are acceptable to the Senate, to the Florida Members of Congress, to the State of Florida, and to the administration.

The bill modifies authorities and directives of the Army Corps of Engineers to reform existing policies and procedures enhancing public participation in feasibility studies, monitoring of completed projects, and mitigation of environmental impacts.

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The bill authorizes and modifies environmental restoration and environmental infrastructure projects and programs that address national needs at several locations, including the lower Columbia River Estuary, Puget Sound, San Gabriel Basin, as well as the Illinois, Missouri, Mississippi and Ohio Rivers. The estimated Federal cost of these provisions is $5 billion.

Mr. Speaker, this is a fair, balanced, bipartisan bill. It addresses the water resources needs across the Nation. I certainly want to thank my colleague, the gentleman from Minnesota (Mr. OBERSTAR), for his cooperation and leadership in developing this amendment. I also want to thank the subcommittee chairman, the gentleman from New York (Mr. BOEHLERT), and the gentleman from Pennsylvania (Mr. BORSKI), the ranking member of the Subcommittee on Water Resources and Environment, for their leadership in this legislation.

I urge my colleagues to support this important bill, which invests in America's environmental future.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset I want to express my great appreciation to the

gentleman from Pennsylvania (Chairman SHUSTER) for the cooperation that we have had and the close working relationship again on this legislation, as on all the other bills that we have moved through this body. It again shows that at a time when there is dispute and rancor in the body politic in the broad public that in this body, where there is respect and mutual understanding and openness, the Congress can work and do the work of the public.

This committee has demonstrated time and again that we can do the work of the public because of the mutual respect, the understanding, cooperation and the consensus that the work that we do is for the greater good of the country. And that is what this Water Resources Development Act is all about.

It is among the best things we do in our committee and in this Congress: invest in the well-being of our fellow citizens and future growth and development of this country.

Since the landmark Water Resources Development Act of 1986, the former Committee on Public Works and Transportation, now renamed the Committee on Transportation and Infrastructure, has worked to maintain a 2-year authorization schedule for the Corps. In fact, that has been the history since the reorganization of the Congress in 1946, to maintain a 2-year cycle, to provide continuity for the program and certainty to the non-Federal and local sponsors for these Corps projects.

It also gives us in the Congress the opportunity to conduct oversight over the Corps programs, to make fine-tuning adjustments as necessary on individual projects, and to revisit major issues in a periodic fashion.

This bill authorizes projects for the entirety of the Corps' civil works program: navigation, flood control, shoreline protection, environmental restoration and protection, and authorizations to restore the Nation's environmental infrastructure, especially for smaller and, in many cases, economically disadvantaged communities.

It builds and rebuilds the Nation's infrastructure. It allows us to expand international trade through projects to improve our coastal ports and our inland river navigation system. Through flood control and hurricane and storm damage reduction measures, this legislation and the general work of the Corps will again help to meet critical needs to protect lives and property.

Mr. Speaker, I yield such time as he may consume to the able gentleman from Pennsylvania (Mr. BORSKI), the ranking member of the Subcommittee on Water Resources and Environment, who has my great admiration for the splendid, scholarly way in which he approaches these issues, thorough grasp of the subject matter, and painstaking work to bring us to this point.

Mr. BORSKI. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in strong support of this bill. This bill represents what we do best in the Committee on Transportation and Infrastructure. We invest in America's future by providing critical infrastructure while working to restore and enhance and protect the environment.

Mr. Speaker, I am particularly honored that we are considering this bill today under the leadership of the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member. This may be the last opportunity that many of us have to pay tribute to the strong bipartisan leadership that the chairman and ranking member have demonstrated over the past 6 years.

As a committee colleague and a fellow Pennsylvanian, I have often sought the chairman's advice and counsel. Even on those few occasions when we have disagreed, I have always been treated fair and with a mutual respect for doing what each of us believes is right.

Even though the gentleman from Pennsylvania (Chairman SHUSTER) must step down as chairman, I know that he will continue to be a leader on the issues related to the Committee on Transportation and Infrastructure, and I look forward to continuing to work closely with him doing what is best for the Nation and for our great Commonwealth of Pennsylvania.

I would also like to acknowledge my close relationship with our subcommittee chairman, the gentleman from New York (Mr. BOEHLERT). We have worked closely together for the past 6 years in the great tradition of this committee. We have had a few tough disputes, but we always managed to retain the proper decorum and respect for each other. I have greatly enjoyed working with the gentleman from New York (Mr. BOEHLERT).

Many of the speakers today will describe the various projects that are at the heart of this bill. I represent one of the Nation's great seaports on the East Coast. The Corps is currently working to allow the Port of Philadelphia to compete in the 21st century. Other Members benefit from the efficient transportation system that allows barges to move on the inland waters.

These projects form the water-based infrastructure that is such a key component of the Nation's transportation system. The projects in this and previous water resources bills protect lives and property from floods and hurricanes, and they provide drinking water and electricity to our cities and factories.

These projects are the more visible aspect of the bill, but there are more important provisions of this bill that will improve the way in which the Corps implements its program.

The bill will require the Corps to be more aware earlier in the study process of whether adverse environmental effects can be successfully and cost-effectively mitigated. Too often we can see the caution signs before us, but we fail to heed their warning. While the Corps is generally successful at mitigating potential environmental harm, it cannot always be successful. And we can be aware of this early in the study process.

This is why I support language in the bill that will require the Corps to determine whether mitigation is likely to be successful and, if it cannot be successful, to stop the Corps from recommending a project for further study or authorization.

Additional areas of the bill that I would like to emphasize are two pilot programs addressing independent review of proposed projects and monitoring of completed projects.

On independent review, the bill requires the Secretary of the Army to establish a 3-year program of independent peer review of up to five projects. This review would apply to projects over $25 million and projects with a substantial degree of public controversy. While some have argued for a permanent peer review program, I believe that this pilot program will allow the Committee on Transportation and Infrastructure and the House to evaluate its effectiveness and to make it permanent if it is warranted.

I also strongly support the requirement to monitor the performance of up to five projects for 12 years. This will allow for the economic and environmental results of projects to be evaluated following their completion. Today, we authorize and construct projects, but we do not adequately follow up on whether the expected benefits are ever realized. The monitoring will be an important tool in helping the Corps and the Congress produce a more effective civil works program.

Finally, Mr. Speaker, I want to mention that this bill requires the Corps to establish procedures to enhance public participation in the development of feasibility studies. While the Corps already engages in public meetings and public notice concerning its proposed projects, I believe there is always room for improvement. By examining its current procedures and making improvements where possible, the role of the public will be enhanced; and I believe the Corps will recommend better, more acceptable projects to the Congress.

Without a doubt, the program to restore the Everglades is the centerpiece of this year's legislation. Responding to severe flooding that devastated Florida, Congress in 1948 authorized the Corps to carry out the Central and Southern Florida Project, with the aim

of controlling floods and providing water supply for urban and agricultural uses. The project was a spectacular success in achieving its purpose. Along the way, however, the fragile ecosystem of the historic Everglades was seriously damaged.

During the 1990's, the State of Florida and the Federal Government have undertaken a number of projects designed to mitigate some of the adverse environmental impacts. The Water Resources Development Act of 1996 directed development of a comprehensive Everglades restoration plan. It is an ambitious plan supported by an unlikely coalition of stakeholders that includes Federal, State, regional and local agencies, sugar and agricultural interests, Indian tribes, environment groups, utilities, developers, and homeowners, and, I may add, from the entire bipartisan Florida delegation.

The plan approved by the Chief of Engineers would cost at least $7.8 billion and take 36 years to construct.

The bill will approve the Comprehensive Everglades Restoration Plan as a framework for modification and operational changes to the Central and South Florida Project to restore, reserve, and protect the Everglades ecosystem. It would also authorize the first installment of the plan.

Since 1986, Congress has tried to maintain a 2-year cycle to enact water resources legislation. Such a cycle is important to providing certainty and stability to the programs. This bill is a continuation of that process and should receive strong bipartisan support today in the House.

I ask my colleagues to join me in support of the bill.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 5½ minutes to the distinguished gentleman from New York (Mr. BOEHLERT), the chairman of our Subcommittee on Water Resources and Environment.

Mr. BOEHLERT. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in strong support of the amendment to S. 2796, the Water Resources Development Act of 2000.

This comprehensive, bipartisan legislation will help save the Everglades, restore rivers and watersheds throughout the country, keep communities safe from floods and hurricanes, and repair and improve America's water transportation infrastructure, the lifeblood of our domestic and global economy.

First let me commend the chairman of the Committee on Transportation and Infrastructure, the gentleman from Pennsylvania (Mr. SHUSTER); the ranking Democrat, the gentleman from Minnesota (Mr. OBERSTAR); and the gentleman from Pennsylvania (Mr. BORSKI), the ranking Democrat on the Subcommittee on Water Resources and Environment. Through their leadership, and I might say inspired leadership and cooperation, we are able to bring this broadly supported package to the House floor today.

As chairman of the subcommittee, I can tell my colleagues this legislation has been long in the making. The subcommittee held hearings throughout the year, as well as last year, on this bill's key issues and provisions. We have, on a bipartisan basis, reviewed hundreds of project requests and scores of important and timely water policies.

While no one is ever perfectly happy with every provision, I think the committee leadership has done a good job balancing competing interests and treating Members and their constituents fairly.

Mr. Speaker, this is truly landmark legislation. It is our best hope to save the Everglades, to protect the egrets and alligators, and to restore the balance between the human environment and the natural system in south Florida.

The world is watching, and I am proud of what this institution has produced at this critical moment.

Senator BOB SMITH and his colleagues on and off the Committee on Environment and Public Works on the other side and the gentleman from Florida (Mr. SHAW) and his colleagues in the House are to be congratulated. They have provided leadership where leadership has been needed. Through their efforts, we are able to move forward with a consensus package that gives overall approval to the 36-year, $7.8 billion plan and specifically authorizes $1.4 billion in projects to get the water right. That is very important.

I want to emphasize, as the bill itself does, that the primary purpose of this landmark, unprecedented activity in the Everglades is to restore the natural system.

□ 1045

We are going to have to monitor this project closely and continue to review the science to ensure that it accomplishes this fundamental goal. Indeed, as the project moves forward, more legislative safeguards may be necessary to ensure that the intent of this bill is met, safeguards such as requiring explicitly that 50 percent of the restoration benefits are achieved by the time that 50 percent of the funds are spent.

For now, this bill sets us on the right path, sets clear goals, gives needed authority to the Department of Interior and allows for continuing scientific review. It is our best chance of reversing the havoc which was inadvertently wreaked on the Everglades without damaging the prosperity of Florida.

Mr. Speaker, this bill is about more than saving the Everglades. It authorizes and directs the Army Corps of Engineers to restore and protect scores of rivers throughout the country from the Upper Susquehanna and the Ohio to the Mississippi and the Missouri and the Columbia. The bill also restores watersheds and wetlands, cleans up acid mine drainage, and remediates contaminated settlement in the Great Lakes and groundwater in California. In short, it is environmentally friendly, as it should be.

This bill is also about saving lives, protecting property, and opening the gateways of commerce. New flood control and navigation projects are authorized and existing projects are modified and improved. For example, this legislation authorizes a critically important project for the Ports of New York and New Jersey.

Mr. Speaker, this bill also takes the first important steps toward reforming the Corps of Engineers. Our committee, particularly my subcommittee, has looked into the various allegations leveled at the Corps over the last year. These are serious allegations with serious repercussions for the Nation's largest water resources program. This legislation takes an important step in responding to those concerns.

For example, the bill authorizes an important pilot program for independent peer review of proposed projects. I strongly support this concept. The Corps needs to take this process seriously and to submit to peer review of significant controversial projects that will truly test this concept. I look forward to reviewing the results and working with my colleagues to further improve the procedures and methodologies for project development and selection.

This is a good bill put together by a good bipartisan team, and I thank the gentleman from Pennsylvania (Mr. BORSKI) for his great work for these past 6 years. I thank the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. SHUSTER). This is an effective team that produces for America.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to extend my great appreciation to the very diligent, thoughtful, hard-working, energetic, forward, progressive Member, chairman of the Subcommittee on Water Resources and Environment, who has led that subcommittee through some very, very difficult issues in the past several years, especially in the past 2 years, in Superfund and now on the Water Resources Development Act. The gentleman has been very cooperative. We really appreciate the bipartisanship that he has always demonstrated.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, I too want to just thank the chairman of the committee and the ranking member and the chairman of the subcommittee and the ranking member. This is a great day, not just for the Everglades

in South Florida but really for Florida and America and truly the entire country. This is Congress at its best, really doing the work of the American people in creating legislation that really is protecting our future for ourselves, our children, and our grandchildren.

I am going to focus on what this bill does for the Florida Everglades. This bill is truly historic. This is one of the historic days over the 200-year history of this country and of this Congress. We are about to pass the largest ecosystem restoration project in the history of the world, in the history of the world. It is a $7.8 billion restoration project for the Florida Everglades. It is doing what needs to be done.

There is only one Everglades in the world. It happens to be in South Florida. It is the Everglades; it is the River of Grass. It is a 100-mile wide river that is only about a foot deep that flows, that is just absolutely spectacular. I urge all of my colleagues to try to spend not just an hour, not just a day but maybe a week traveling through the Everglades to really appreciate the unique place on the planet Earth that it is.

Unfortunately, sometimes people make mistakes, and the truth is the United States, through Corps projects, made mistakes, and other projects. The State of Florida made mistakes in terms of doing things that have done damage to the Everglades over a long period of time. We have shifted that around over the last couple of years, but this is the bill that is putting into paper literally about a 30-year restoration project and it is being done smart, it is being done right; it is bipartisan without exception.

I also want to thank my colleague, who is in the chair now, the gentleman from Florida (Mr. SHAW), in a neighboring district of mine. He and I have worked very closely in terms of this, and both Republican and governors of the State of Florida have worked very closely. Governor Bush, Governor Graham before him, Governor Chiles, Governor Martinez as well.

Again, I urge my colleagues to support it. I look forward to working with them every year into the future to make sure the implementation is done correctly.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER) for yielding me this time.

Mr. Speaker, I appreciate the chairman engaging me in a colloquy with an issue in my district that has been ongoing for a number of years, and many of us that live in the First Congressional District of Maryland, which is the main stem of the Chesapeake watershed, for discussing this issue. The previous speaker talked about the Corps of Engineers restoring a rather unique body of water on the planet called the Everglades, and the effort that our committee and this Congress has done to restore the waters and the ecosystem for that magnificent place.

What we are trying to do in the Chesapeake Bay is very similar. The Chesapeake Bay has had a program to restore this estuary for about 20 years now, and we continue to make pretty good progress.

The Corps of Engineers, to a large extent, has been very helpful in that effort. One of the problems in our area is, however, that there are bits and pieces of human activity that continues to degrade our watershed, our estuary, that marine ecosystem. One of those pieces that will have an adverse effect on the Chesapeake Bay is the deepening activity by the Corps of Engineers to an area called the Chesapeake and Delaware Canal, or the northern approach to the Port of Baltimore. The Corps of Engineers has conducted a feasibility study on whether or not this will benefit the taxpayers, or even the port, since 1988.

From 1996 to this point, the Corps of Engineers has, through its own numbers, recognized that the benefit to cost ratio or the benefit to the taxpayers is not there; the financial justification for deepening this canal has not met the Federal criteria, which means that there will be no increase in commerce due to the deepening of the C&D Canal.

So, in my judgment, since there is some adverse environmental degradation because of the deepening, there is no increase in commerce based on the Corps' own numbers, we should not spend $100 million, and that is the actual cost of this project to go forward. If we are going to spend $100 million, it should have some justification or we should have some value to that amount of money.

So I appreciate the chairman's concern over this issue, and we will continue to work on this.

Mr. SHUSTER. Mr. Speaker, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman from Maryland (Mr. GILCHREST) for yielding.

Mr. Speaker, I would say he has indeed shed some light on these issues, and while I have concerns with some of the legislative proposals that have been offered, I do, I believe, appreciate the underlying concerns; and I look forward to working with the gentleman to deal with this issue.

Mr. OBERSTAR. Mr. Speaker, I yield 3½ minutes to the very distinguished gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Speaker, I am very grateful and privileged to rise in strong support of the Water Resources Development Act, in particular the section on the Everglades. Those of us in Florida, and those of us throughout this country who cherish what we have in natural resources, we owe a debt of gratitude to the gentleman from Pennsylvania (Mr. SHUSTER) and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for their hard and diligent work in bringing this important legislation to the floor and their strong support for Everglades restoration.

The gentleman from Florida (Mr. SHAW), my chairman, has inspired each member of the delegation to see the worth of this project and we are very happy that the Congress has seen fit to include the Everglades in their plans.

Mr. Speaker, the Everglades are dying and all of us know that we must act now. We lose what is left of the Everglades within a year. We have a lot of people to be thankful for it that worked on this, that we have heard about this morning, including the administration, the State of Florida administration, Senators GRAHAM and SMITH and others, and all of the environmental community throughout this country.

We owe a great deal to the late Marjorie Stoneham Douglas as she mentioned the Everglades as a ''river of grass,'' and now we have sought to have it the way Marjorie would have liked it to be with water.

No one disputes that the Federal Government was pretty much responsible for what has happened in the Everglades. Fifty years ago, the government decided it would establish the Everglades National Park, but simultaneously they also set up a series of canals. I used to run around those canals over in South Bay and Belle Glade and Immokalee and all of those counties over there that they call on the muck, but as a series of these levees and other flood control methods were put in, it kind of disrupted the lifeblood of the Everglades.

So as a result of these 50 years of neglect, we now have to look at the State of Florida that we have lost 46 percent of its wetlands and 50 percent of its historic Everglades ecosystem. If we look at this chart here, we will see the Federal Government has a very clear interest in restoring the ecosystem. Since a large part of the portions of the lands are owned or managed by the Federal Government, they will receive the benefits of the restoration. There are four national parks, as we see here, belonging to the Federal Government; 16 national wildlife refuges, which make up half of the remaining Everglades. So this is an Everglades system that is pretty much in Florida, but the interest of the Nation is here on the restoration of the Everglades. The need for action is very clear. The legislation before us today, thanks to this excellent

committee, they present an unprecedented compromise supported by the administration, State of Florida, environmental groups and, thanks to the Congress, a bipartisan Congress. They represent every major constituency, and here we will see the departments of the agencies in Florida that are responsible. The State of Florida has committed $2 billion to the restoration plan. Now it is our turn to respond.

We need this bill, Mr. Speaker, and I know that they are monitoring very closely what we do here. It is extremely important, and I urge all of my colleagues to join me to preserve America's Everglades and ensure that one of the world's most endangered ecosystems is not lost. We do not need to lose the Everglades, because it is stability for the people of Florida and for the Nation.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, this morning we are really going to pass what I consider the most significant environmental legislation of a generation. This is really a historic occasion because we have replaced talk with action. We have replaced rhetoric with hard cash. In 1976, I was elected to the Florida legislature and they talked about restoring the Everglades; and I heard talk for more than 2 decades but finally we are taking action to restore the Everglades.

I want to thank personally a gentleman who is not in Congress, a former majority leader, Bob Dole, who just down the hall from here helped to make a decision that launched this effort. I want to thank the gentleman from Pennsylvania (Mr. SHUSTER) and also the gentleman from Florida (Mr. SHAW), the gentleman who is presiding now, who helped make this legislation possible; and also Governor Bush, who made a State commitment, replaced talk with action.

□ 1100

I was raised in south Florida, and I saw what they did to the Everglades. This is my district. It is to the north of the Everglades, north of Orlando.

Just for the record, I am pleased that we have a balance, that areas like the St. John's River, like north Florida, central Florida and the Keys will also be protected and preserved, and also restored, so we do not make the same mistakes we made in south Florida.

This bill has a balance. It is a great piece of legislation. I thank those involved again for this historic occasion and also for listening to our concerns in the north part of Florida, the central part of Florida, the south part of Florida and the rest of the country; and I urge passage of this historic measure.

Mr. OBERSTAR. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I want to thank my ranking member for yielding me this time.

Mr. Speaker, I rise today in support of S. 2796, WRDA 2000. I especially want to commend the gentleman from Pennsylvania (Chairman SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from New York (Mr. BOEHLERT), and the gentleman from Pennsylvania (Mr. BORSKI) and their entire staffs for taking a step to address the serious issue of reforming the Corps of Engineers in this legislation.

Despite its historic reputation for professionalism and integrity, the Corps of Engineers is at present an embattled agency. Frequent litigation and investigations into claims that Corps projects lack sound economic justification or contain inadequate environmental provisions point to deficiencies in the Corps process for planning and approving water resources projects.

I am particularly pleased that this legislation takes the first step in providing for an independent review of large or controversial water development projects.

The language in the House version of WRDA 2000 is modeled after legislation that I introduced earlier this year, H.R. 4879. The central provision of that legislation was to create an independent panel of water resource experts to review projects that would cost in excess of $25 million or are subject to a substantial degree of public controversy.

The House-worded bill creates a 3-year pilot program of the independent review process. It was my hope that stronger provisions than the pilot program would have been included in the bill before the House today. However, due to the closed rule, an amendment that was offered by the gentleman from Oregon (Mr. BLUMENAUER) and myself obviously was not made in order.

But the central purpose of the independent review is to lift the cloud currently hanging over the Corps and to enable the Corps to get on with its important work on our Nation's rivers, lakes, coastlines, and harbors. The best way to achieve this goal is to increase the level of transparency and accountability in the Corps planning process and to establish guidelines that strike a genuine balance between economic development and other social and environmental priorities. I cannot help but think if this pilot project or my legislation had been included in the Corps' authorizing language 50 years ago, we may not be here today talking about a big Florida Everglades restoration project.

I also want to thank Members and the committee staff for working with me to include in this legislation a scientific modeling program for the Upper Mississippi River Basin, so we can do a better job of protecting and preserving one of America's greatest natural resources, the Mississippi River. It is a small provision, but it is a very important provision if we are to maintain the multiple uses of the Mississippi River, recreation, tourism and commercial.

So, again, I want to thank the ranking members on the committee, the staff for the assistance we received; and I would urge my colleagues to support the House version of WRDA, given the important language and the important pilot project that is included to reform the Corps of Engineers.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I rise in strong support of this legislation.

I want to thank the gentleman from Pennsylvania (Chairman SHUSTER); the gentleman from New York (Chairman BOEHLERT); the ranking member, the gentleman from Minnesota (Mr. OBERSTAR); and the ranking member, the gentleman from Pennsylvania (Mr. BORSKI), for their excellent work.

Mr. Speaker, as a first term Member of this committee, I am impressed with the efficiency and the bipartisan cooperation and the outstanding staff.

I want to thank the members for considering and authorizing on a contingent basis the Antelope Creek Project, for the four-state Missouri River Mitigation Project, and particularly for helping the taxpayer by the coordination of flood control and highway construction related to the Sand Creek Reservoir. It is an outstanding opportunity to coordinate this. It was time-urgent, and, therefore, very much appreciated that this legislation was moved forward.

I urge my colleagues to strongly support this legislation.

This Member is especially appreciative that he has had the opportunity in the 106th Congress to serve on the Transportation Committee and the Water Resources and Environment Subcommittee. Clearly, it has been one of the highlights of the 106th Congress for this Member.

This important legislation presents a tremendous opportunity to improve flood control, navigation, shore protection and environmental protection. This Member is pleased that the bill we are considering today includes contingent approval for the Sand Creek watershed project in Saunders County, Nebraska. This proposed project, which is a result of the Lower Platte River and Tributaries Flood Control Study, is designed to meet Federal environmental restoration goals, help provide state recreation needs, solve local flooding problems and preserve water quality. It is sponsored jointly by the Lower Platte North NRD, the City of Wahoo and Saunders County.

The plans for the project include a nearly 640-acre reservoir, known as Lake Wanahoo, wetlands restoration and seven upstream sediment nutrient traps. The Sand Creek watershed project would result in important environmental and recreational benefits for the area

and has attracted widespread support. It is especially crucial that the Sand Creek project is included in WRDA this year as the Nebraska Department of Roads is ready to begin design of a freeway in that area that will be routed across the top of a dam if the project is approved. If the Sand Creek project is not included in WRDA, a new bridge will have to be planned and built, which would make the project not economically feasible. With this authorization, contingent because of facts yet to be checked and planning study elements yet to be resolved, the way is clear to save the taxpayers funds, secure mutual project benefits in highway construction and flood control.

This Member is also very pleased that contingent authorization of the Antelope Creek project is included in WRDA 2000. Antelope Creek runs through the heart of Nebraska's capital city of Lincoln. The purpose of the project is to solve multi-faceted problems involving the flood control and drainage problems in Antelope Creek as well as existing transportation and safety problems all within the context of broad land use issues. This Member continues to have a strong interest in this project since he was responsible for stimulating the city of Lincoln, the Lower Platte South Natural Resources District, and the University of Nebraska-Lincoln to work jointly and cooperatively with the Army Corps of Engineers to identify an effective flood control system for Antelope Creek in the downtown area of Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A ten-foot-by-twenty-foot (height and width) closed underground conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

The goals of the project are to construct a flood overflow conveyance channel which would narrow the flood plain from up to seven blocks wide to the 150-foot wide channel. The project will include trails and bridges and improve bikeway and pedestrian systems.

Another Nebraska project was included on the contingent authorization list is for Western Sarpy and Clear Creek for flood damage reduction. Frankly, this Member must say he has substantial reservations about the Clear Creek project in light of concerns expressed by constituents in adjacent Saunders County and the lack of enthusiasm by relevant State officials. This Member reserves judgment whether the benefits outweigh costs and dislocation of property owners in the area.

This Member is pleased that at least part of the language regarding the Missouri River Valley Improvement Act that he originally prepared to be offered as an amendment during Subcommittee consideration of WRDA is included in today's bill. Last year's WRDA legislation included a provision this Member promoted which helps to ensure that the Missouri River Mitigation Project can be implemented as envisioned. In 1986, Congress authorized over $50 million (more than $79 million in today's dollars if adjusted for inflation) to fund the Missouri River Mitigation Project to restore fish and wildlife habitat that were lost due to the construction of structures to implement the Pick-Sloan plan. At that time the Corps did not choose to include funding requests for implementing that Act in their budgeting process. That is why this Member, with assistance from other Members who represent the four states bordering the channelized Missouri River (Nebraska, Iowa, Kansas and Missouri), has taken the lead in providing funding to implement the Missouri River Mitigation Project which has just begun to become a reality during the last few years.

This project is specifically needed to restore fish and wildlife habitat lost due to the Federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains that are needed to support the wildlife and waterfowl that once lived along the river are dramatically reduced. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri and Kansas have been lost because of Federal action in creating the flood control projects and channelization of the Missouri River. Today's fishery resources are estimated to be only one-fifth of those which existed in pre-development days.

The success of the project has resulted in a concern related to the original study that outlined habitat needs. Under this study, acreage goals for each state were listed and these goals are generally considered to be an acreage limitation for each state. Nebraska and Kansas have already reached their acreage limits and Missouri is fast approaching its ceiling. Before long, Iowa will also reach its acreage limit.

To correct this problem, the WRDA legislation enacted last year authorized provisions initiated by this Member to increase mitigation lands in the four states of 25% of the lands lost, or 118,650 acres. In addition, the Corps of Engineers—in conjunction with the four states—was directed to study the amount of funds that would need to be authorized to achieve that acreage goal.

The study has been completed and it appears that cost estimates for restoring the acreage authorized in last year's WRDA will amount to more than $700 million over the next 30–35 years. This Member greatly appreciates the inclusion of an increased authorization level of funding for the Missouri River Mitigation Project of $20,000,000 for each fiscal year from FY2001 through FY2010.

This increase would allow the project to better balance the needs of nature, recreation and navigation. It will also benefit communities preparing for the bicentennial of the Lewis and Clark Expedition beginning in 2003. Until funding authorization is increased, the Corps and the states cannot finalize plans to add habitat restoration, identify and prioritize sites for restoration, respond to willing sellers, or engage in construction or maintenance activities. It is important to note that many frequently flooded landowners along the Missouri River have asked the Corps to buy their land to avoid annual flood losses. However, in most years, the Corps has had insufficient funds to meet the needs of these struggling landowners.

Finally, the WRDA bill also includes legislative language initiated by this Member to authorize a pilot program to test the design-build method of project delivery on a maximum of five civil engineering projects. Such a program will provide significant benefits and yield useful information.

In closing, Mr. Speaker, this Member urges his colleagues to support this important bill. In the short time left in the 106th Congress, we must work to ensure WRDA becomes law this year.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. DREIER), distinguished chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I should state for the record that he was willing to offer me 1 minute during this debate, until I told him I was going to extend compliments to him, and that is how I got the 2 minutes of time here.

Mr. Speaker, I would like to say how much I appreciate the great work of the chairman of the committee, the chairman of the subcommittee and, of course, the ranking members of both the full committee and the subcommittee on this issue. As we look at the wide range of issues that have been discussed over the last few minutes, reform of the Corps, this important work in the Everglades, I am even more enthusiastic in my support of this legislation.

But I rise to again extend compliments for the fact that this committee chose to take and include the authorization on a very important piece of legislation that is impacting not just the area which I am privileged to represent in Los Angeles, but in fact the entire country. In the middle part of the last decade, the discovery of perchlorate in the groundwater was something that came to the forefront in Southern California. Mr. Speaker, this came from the fact that during the 1950s and 1960s, during the Cold War buildup, that companies were in fact disposing of spent rocket fuel, legally, I should underscore.

Well, since that time, some of the companies that were involved in that buildup during the Cold War are still in existence, but many of them are not in existence. I believe that those companies that are responsible, obviously, should shoulder the burden of this. But we obviously have potential legal problems, and this could be drawn out in the courts for many, many years. During that period of time, perchlorate will continues to seep into the groundwater.

That is why this legislation is so important to move forward, because cleaning up the groundwater that has the potential of impacting 7 million people in Southern California, but also trying to figure out how we will effectively address this in the future and for other parts of country, is an important part of this measure.

So I again compliment my colleagues for their vision and for including this very important measure, and I urge all

to vote in favor of this very important legislation.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I would simply say that no bill is all good or all bad, and we have certainly heard about the attributes of this bill. But I come down on the side of this being a bad bill, for the simple reason that if you care about Corps reform, or if you care about reform to the agencies basically underlying this bill, this bill is a very bad bill.

I say that, first of all, if you look at the bill itself, we have in place a somewhat bizarre process, and that is for weeks now we have been sort of in the military mode of ''hurry up and wait'' and ''hurry up and wait'' as we have been waiting for conference reports. Yet, when this bill comes along, it basically speeds through the process with a closed rule, despite the fact it has not been marked up in committee, and the question is why? Why does this speed through this way? Why do we not deal with reform right now? I think the answer, very clearly, is in the way that this bill has spiralled out of control. It spiralled from basically being a $2 billion bill to a $6 billion bill.

To me, this bill is similarly nothing more than a feeding frenzy. Sharks are supposedly the ones that feed; but this is a piggy feeding frenzy, when I think about this bill.

I will give an example of that. There is a long list of projects that I have here on several sheets. But an example of one would be a $15 million navigation project in False Pass Harbor, Alaska, that would serve a grand total of 86 boats; $15 million for 86 boats.

The other thing that I think is wrong with this bill from the standpoint of reform is that it is dessert before dinner. Consistently in the legislative process what we try and do is couple good with bad; and if we can get enough of that together, we send the bill forward, because reform is hard. Passing appropriations, passing $6 billion worth of spending in terms of authorization, is very easy; but we need to couple that with reform. That is not done in this bill.

There have been a number of very interesting articles within the Washington Post talking about how the Corps of Engineers desperately needs to be reformed, and we basically skip that, talking about how there is, for lack of a better term, waste, fraud and abuse in the Corps, and how the Corps has become something akin to or nothing more than a ''water boy'' for the U.S. Congress.

This bill had in it the chance to deal with the Corps, and, unfortunately, it does not. I would give an example of this. Right now if you look at the benefit-to-cost ratio with Corps projects, it is simply one-to-one. If you pass that threshold, it is something that can be authorized. To me, that does not make sense, because what that means fundamentally is if you put $10 into a project, you will get $10 back out. You may get more. That is the minimum threshold. That is the minimum threshold, one-to-one.

What that means to the United States taxpayer is he gets no return on his investment on a one-to-one ratio. It may be good, if it is in South Carolina, if it is in Alaska, if it is in California, for the Congressman or the Senator in that local district or in that local State; but it is not at all good for the United States taxpayer as a whole.

If you look on the back of any penny, what you see are the words ''E Pluribus Unum,'' from the many, one. This bill, unfortunately, does not incorporate that.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes 40 seconds to the very distinguished gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I would like to thank the ranking member for yielding me time. I would also like to expression my appreciation to the members of the committee and the chairman and the ranking member for their work on this and other legislation.

I would like to associate myself with the remarks of the gentleman from Wisconsin (Mr. KIND) with respect to the scientific modeling that is necessary with respect to the Upper Mississippi. We certainly need to better understand our rivers and ensure that as we proceed with projects and initiatives that affect these rivers, we implement policies and the Corps implements legislation in a way that is beneficial in the long term. We do have major proposals that are facing us here in Congress with respect to the Upper Mississippi lock and dam system.

The topic that I would like to address for the balance of my time has to do with the Corps' administration of section 404 of the Clean Water Act. I recognize that it is not in this bill, but I hope that before long we are able to take this up and modernize the work of our Federal agencies.

One of the most embarrassing experiences that I have had as a Member of Congress occurred last summer when I hosted a meeting between the Natural Resources and Conservation Service and the Army Corps of Engineers at a location within my congressional district to explore ways that we could better cooperate so that we could administer Federal programs in a coordinated way, rather than having an adversarial relationship between two Federal agencies.

I found, to my amazement and my embarrassment, that the Army Corps of Engineers in particular was cavalier and was hostile to the concept of trying to work with another agency. This, in my opinion, is unacceptable; and it is unbecoming to the Federal Government, to have a clash of agencies and a lack of interest in trying to identify a way to work this clash out.

Mr. Speaker, whether this problem occurs at the national level or at the St. Paul office of the Army Corps of Engineers, I do not know; but I believe it is absolutely critical that we get to the bottom of it, and that we end this type of bickering between Federal agencies.

We have hundreds of farmers that are being told, ''Our agency has decided this. We have another agency, and we do not know what they will do or when they will do it.'' This is what leads to cries for an abolition, whether it is of the Corps or a variety of other programs.

I would like to simply ask my colleagues, the Chair of the committee and the ranking member, if we could work together in the next year to try to identify a way to solve this type of problem.

Mr. OBERSTAR. Mr. Speaker, I yield myself 10 seconds to say it is a matter of concern to me that the gentleman brings this matter to the floor. Certainly that should not have occurred, and we will work with the gentleman in the future to address that matter and bring about comity between the Corps and sister Federal agencies.

□ 1115

Yes, we did have a memorandum of agreement earlier between these agencies. I thought this had been worked out and, unfortunately, that memorandum of agreement is now treated as if it is irrelevant.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to tell the gentleman from Minnesota (Mr. MINGE) that I certainly want to work with him as well.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. OSE).

Mr. OSE. Mr. Speaker, I thank the gentleman from Pennsylvania (Chairman SHUSTER) for yielding me the time.

Mr. Speaker, I rise to thank the gentleman from Pennsylvania for his leadership in bringing this bill to the floor and the hard work put in by the gentleman and his staff to include the many projects needed to provide critical flood control for so many.

Mr. Speaker, the Sacramento Area Flood Control Agency has been working with the Army Corps of Engineers to implement the historic flood control project for the Sacramento region known as the Common Elements. The

Common Elements Project was authorized in the Water Resources Development Act of 1999, and I thank the gentleman for his work on that bill as well.

Unfortunately, recent analysis of the geology along the East Levee of the Sacramento River has shown an extremely porous condition exists. This condition can lead to seepage under the levee which will degrade the levee foundation and weaken the levee's structural integrity.

In order to compensate for this serious problem, the Corps of Engineers will need to significantly alter the design and construction along this portion of the East Levee than was originally anticipated, thus leading to significantly higher costs than authorized in WRDA in 1999.

I understand the reluctance of the gentleman from Pennsylvania (Chairman SHUSTER) to increase the authorized spending levels by $80 million. This is a significant cost increase, and Congress is entitled to have specific information that justifies such a large additional expenditure. While this additional cost may very well be justified, the information given to date by both the Sacramento Area Flood Control Agency and the Corps of Engineers to Congress is very minimal, and it did not come until the committee was almost ready to bring the bill to the floor.

In fact, the Corps of Engineers Sacramento District did not release the increased cost estimate until August 16 of this year. The report makes no mention of how the money would be spent, nor does it give any specifics on the necessary changes. I look forward to working with the gentleman from Pennsylvania (Chairman SHUSTER) on getting more specific information and accountability from the Sacramento Area Flood Control Agency and the Corps of Engineers Sacramento Division office on how this money will be spent before Congress approves the increased costs. I thank the gentleman for his consideration and cooperation.

Mr. SHUSTER. Mr. Speaker, will the gentleman yield?

Mr. OSE. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, I would say to the gentleman he certainly is correct that we have had little time to review this proposal. Indeed, we still do not have enough information to make a sound judgment on it; and hopefully over the coming days, the local sponsor and the Corps will provide additional information which will be helpful in evaluating the proposal.

I certainly agree that we should take every reasonable action to assure that the water resources needs of the area are addressed.

Mr. OBERSTAR. Mr. Speaker, will the gentleman yield?

Mr. OSE. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I concur in the gentleman's concern. I make many visits to the Sacramento area to see my family there, my son and daughter-in-law.

Mr. OSE. The gentleman is always welcome.

Mr. OBERSTAR. Mr. Speaker, I have bicycled over those levies and talked to the orchardmen on the other side, who can testify to the seepage under those levies, and that is a matter that we need to address and the Corps should be working on. And I concur in the gentleman's concern and look forward to working with him on this matter.

Mr. OSE. Mr. Speaker, reclaiming my time, I would tell the gentleman from Minnesota he is always welcome in Sacramento.

Mr. OBERSTAR. There is great bicycling out there.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN), our distinguished colleague on the Committee on Transportation.

Ms. BROWN of Florida. Mr. Speaker, first of all, I want to thank very much the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) for bringing this bill to the floor.

The Everglades project is very important to the State of Florida and, in fact, to the entire country. But I do have a concern, and I thank the gentleman from Minnesota (Mr. OBERSTAR) for working with me on my concerns.

This is the largest project in the history of the United States, and it is important that this project is one of inclusion and that there is minority and female participation, not only in contracting, but in employment and in training. So I am very concerned that we have a policy statement, the same kind of policy statement that we had when we did the transportation TEA21.

Florida does not have a great history of inclusion and, in fact, with our Governor Jeb Bush and his one Florida plan, we have gotten rid of affirmative action, so there will not be opportunities to participate in this project with taxpayers' dollars unless the policy is stated from the Federal Government status.

This is very important. This is taxpayers' money. This project is over 20 years, and we must have a public policy statement in this bill as to how these taxpayers' dollars are going to be used.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I want to thank the gentleman from Minnesota (Mr. OBERSTAR), our distinguished ranking member, and the gentleman from Pennsylvania (Mr. SHUSTER), our distinguished chairman, not only for their leadership in this matter but all other matters that come before the Committee on Transportation and Infrastructure and the great job that they do.

Mr. Speaker, I rise to engage the gentleman from Pennsylvania (Mr. SHUSTER), as well as the gentlewoman from Missouri (Mrs. EMERSON) for the purpose of a colloquy. I also rise to ask for the gentleman's consideration in including the authorization language in this legislation to benefit the lower Mississippi valley region.

As the gentleman may know, I have introduced bipartisan legislation, H.R. 2911, that would create the Delta Regional Authority, an economic development tool similar to the Appalachian Regional Authority.

Mr. Speaker, I am pleased to call the Arkansas portion of the Delta my home, but the Delta region consistently ranks as one of the poorest and most underdeveloped areas in the country.

This legislation would provide funds and resources specifically to this region.

Due to the efforts of the representatives of this region, we have been fortunate to receive $20 million in energy and water development appropriations.

We simply wish to include the necessary authorization language in this bill so we may begin to provide substantial assistance to the Delta region.

As the bill before the House today, WRDA 2000, continues through the legislative process, I hope the gentleman from Pennsylvania (Mr. SHUSTER) will consider including the authorizing language for the Delta Regional Authority in this bill.

Mrs. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. BERRY. I yield to the gentlewoman from Missouri.

Mrs. EMERSON. Mr. Speaker, I want to thank the gentleman from Arkansas for his yielding to me.

Mr. Speaker, I want to thank the gentleman from Pennsylvania (Chairman SHUSTER) for the hard work and leadership the gentleman has provided on this important piece of legislation and ask, along with the gentleman from Arkansas (Mr. BERRY), for the gentleman's consideration of including authorizing language for the Delta Regional Authority as WRDA 2000 moves towards a conference committee with the Senate.

As the gentleman knows, the Mississippi Delta is home to remarkable history, culture and natural resources, and I am sure proud to represent the wonderful people of this region; however, our Delta communities have not shared in America's prospering economy of the last few years and have historically faced unique economic challenges.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, the gentleman from Arkansas (Mr. BERRY)

has led a bipartisan effort to establish the Delta Regional Authority and refocus our efforts on promoting jobs and economic development in the region. His bipartisan proposal is contained in H.R. 2911 and is supported by 21 Republicans and Democrats in the region, including our colleagues, the gentleman from Arkansas (Mr. DICKEY) and the gentleman from Missouri (Mr. GEPHARDT), among others.

As WRDA 2000 continues through the legislative process, I hope the gentleman will consider including the urgently needed authorizing language for the Delta Regional Authority.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, of course, have greatly sympathized with the concerns of the Mississippi Delta Region counties and the area's Members of Congress who are working on ways to address the economic distress this area has experienced far beyond that of Appalachia.

President Clinton, while he was Governor of Arkansas, served as chair of the Lower Mississippi Development Commission to study the needs of the economically distressed area. There are some ways that we can help establish the Mississippi Delta Commission in the course of further work on this WRDA legislation as it moves through conference.

I know that the gentleman from Pennsylvania (Chairman SHUSTER) is sympathetic and I certainly am and we will see what we can do.

Mr. SHUSTER. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, I would say to the gentlewoman from Missouri (Mrs. EMERSON) that representing part of Appalachia myself in Pennsylvania, I sometimes feel as if I know more about the need for economic development and the problems with lack of economic development than I wish I knew. It is a terrible problem, and so I want to be very helpful as we move forward. I hope we can do something.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have no further speakers, but I will close for our side.

Mr. Speaker, it has been widely reported that the issue or one of the issues certainly that delayed this bill from floor consideration was the applicability of the Davis-Bacon Act to the non-Federal contributions to Corps projects. It has always been my belief and experience that Davis-Bacon applies to all aspects of Federal public works projects, regardless of whether the Corps is doing the work, or a non-Federal sponsor is contributing to the work. These are Federal public works projects. Davis-Bacon should apply.

The Corps was not consistently applying Davis-Bacon wage protections to the non-Federal contribution for Corps projects, and I was prepared to offer legislative language to remedy the situation. Such action is not necessary now that the Corps, the Department of the Army, the Department of Labor and the White House itself got together, reviewed the matter in a meeting in my office and have come to an agreement that Davis-Bacon does apply.

The wage provisions apply to non-Federal contributions to Corps of Engineer projects and an appropriate statement of policy on this matter is being formulated to make this matter very clear.

Mr. Speaker, the Corps of Engineers even in some debate here on the floor, but also in news accounts widely distributed across the country has come under assault. I would like to pay tribute to the Corps of Engineers as they celebrate their 225th anniversary. During that 2¼ centuries, it has established itself as the Nation's oldest, largest, most experienced government organization in water and related land engineering matters, extraordinary, competent, life-saving, economic-development enhancing service has been provided to this country and its people by the Corps of Engineers during these 2¼ centuries.

Few people know that the Corps of Engineers once had jurisdiction over Yellowstone Park and over Yosemite and Sequoia National Parks, until the National Park Service was established in 1916. Lieutenant Dan Kingman of the Corps in 1883, and later Kingman would become the Chief of Engineers, wrote of the corps' work on Yellowstone, quote, "The plan of development which I have submitted is given upon the supposition and in the earnest hope that it will preserve as nearly as may be as the hand of nature left it, a source of pleasure to all who visit and a source of wealth to none."

A few years later, John Muir, the founder of the Sierra Club said, quote, "The best service in forest protection, almost the only efficient service, is that rendered by the military. For many years, they have guarded the great Yellowstone Park, and now they are guarding Yosemite. They found it a desert, as far as underbrush, grass and flowers are concerned. But in 2 years, the skin of the mountains is healthy again; blessings on Uncle Sam's soldiers, as they have done the job well, and every pine tree is waving its arms for joy."

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Another great American said, "The military engineers are taking upon their shoulders the job of making the Mississippi River over again, a job transcended in size only by the original job of creating it." That was Mark Twain.

Together, those statements say a lot about the Corps of Engineers and pay tribute to its work, to its legacy for all Americans: protecting people, protecting cities against flood, enhancing river navigation, America's most efficient means of transportation of goods; and, for me, protection of the Great Lakes, one-fifth of all the fresh water on the entire face of the Earth.

The Corps of Engineers deserves recognition, which it does not sufficiently receive, for all of these works and the great contribution it makes to the economic well-being, to the environmental enhancement of this country.

Finally, Mr. Speaker, I would like to mention that there is a provision in here that names a unit of the Boundary Waters Canoe Area Wilderness in my district as the Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness.

Bruce Vento understood the great oration of Chief Seattle at the signing of the treaty of 1854 when he said, "The Earth does not belong to man, man belongs to the Earth." Bruce Vento dedicated his career to man's responsibility to the earth, to environmental protection. Cicero, the great Roman orator and Senator said, "Gratitude is not only the greatest virtue, it is the parent of all others." In gratitude for Bruce Vento's service to the enhancement of our environment, I am very pleased that we are able to include this provision in this legislation.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this indeed is historic environmental legislation, not only because it provides for water resource protection and development throughout these United States, but most particularly because this is the largest ecosystem restoration project in the history of the world.

Mr. Speaker, I am pleased to yield the balance of my time to the gentleman from Florida (Mr. SHAW), who deserves so much credit for that, along with so many others around the country.

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding time to me, and I thank the chairman for giving me this privilege of being able to close debate.

Mr. Speaker, we here in this Chamber are only the voices speaking out for the millions of Americans who do care about the environment, and leading that in this House, of course, we have our great chairman, the gentleman from Pennsylvania (Mr. SHUSTER).

I had the privilege of working with the gentleman from Minnesota (Mr. OBERSTAR) both in the Committee on Transportation and Infrastructure and the Committee on Public Works; and the gentleman from Pennsylvania (Mr. BORSKI), the gentleman from New York (Mr. BOEHLERT), who I think thinks he is representing Florida for the great work he has done for the restoration of the Everglades. Of course, we have

many of the gentleman's New Yorkers in Florida, so I am sure that has been a great effort of his.

Also, thanks to the gentlemen from Florida (Chairman YOUNG) and the ranking member, the gentleman from California (Mr. MILLER), for the work they have done in their committees with regard to the Everglades.

Secretary Babbitt, whose name has been missing from this debate, he I think has given us an extraordinary amount of attention in the Everglades, and his name should certainly be referenced in our discussion.

And in the other body we have our two great Senators from Florida, Senator CONNIE MACK, who we are going to miss after this year, and Senator BOB GRAHAM, who has really gotten deeply involved in matters pertaining to the Everglades.

This has truly been a great moment of great bipartisan effort. I think the gentleman from Minnesota (Mr. OBERSTAR) may have stated it best in his closing remarks when he said that the Earth does not belong to man, that man belongs to the Earth. This is certainly a recognition.

Many roads are paved with great intentions that go in the wrong direction. This certainly is the case and has been the case with regard to the ecosystem of south Florida. Starting from just south of Orlando and going south to Lake Okeechobee, many years ago it was thought to be a great idea to get rid of the flooding, straighten the Kissimmee River, and have it dump directly into Lake Okeechobee.

It worked, but it worked too well, because it brought all of the agricultural runoff down into the bottom, which has really changed the very nature of Lake Okeechobee. Some of the oldtimers down there will tell us that in the old days we could read the date off of a dime that was laying on the bottom of Lake Okeechobee. Now we cannot find the dime. It has changed considerably.

But we are addressing that issue, and thanks to this great committee that this bill is coming out of, that restoration project is underway.

Now it is time to change the nature of the rest of the sheet flow, the runoff that runs south over that great river of grass. It was once thought that this ecosystem was indestructible, that we could do anything and get away with it. Mother Nature had different ideas. We cannot. The very water that now shoots down in by ways of canals into the Florida Bay has greatly changed the salinity of the Florida Bay itself. The natural grasses that grew on the floor of Florida Bay have been damaged because of the salinity and how it varies.

There are many other things that need to be studied, but we have a great blueprint. That blueprint is the Everglades to be restored before man changed it. We need to go back as close as we can.

But when we see the great cooperation that we have received not only from this body, but we have to go to my own State of Florida and talk about my Florida legislature that has stood up, stepped up to the plate and has put the money up, the matching funds required in order to make this happen; and all of the interests involved, the agricultural interests that wanted to go one way, the environmental interests that wanted to go the other way, the developers, the Miccosukee and Seminole Indian tribes, we had a coming together that was absolutely incredible. It was almost a magic moment.

It is very important on this bill that we not only vote it in today by the great bipartisan vote that I am confident of, but that we conference it promptly and get it passed into law and get it to the President's desk for signature. This is tremendously important because of that fragile balance that we have, the fragile balance of State and all of the interests that I have mentioned.

I can tell the Members, this is really a wonderful, wonderful moment in this institution and in the history of the country. It is not just a Florida issue. I would like to say, and I would want to absolutely recognize the greatness of our Florida delegation in working together, with interest in north Florida as well as south Florida, in bringing together what is going to happen here in just a minute or so; that is, the passage of this great bill.

Mr. Speaker, this Congress, this 106th Congress, it can look back and say that we put forth the greatest, largest environmental restoration project in the history of this globe. It is a wonderful moment for this institution. It is a wonderful moment for our country. I urge a yes vote.

Mr. Speaker, it is remarkable to have this broad a cross-section of Americans supporting legislation on any single issue. But protection of the Everglades is a national priority, because most Americans speak of this national treasure in the same breath as the Redwood Forests, the Mississippi River, Old Faithful, the Appalachian Trail, or the Grand Canyon.

Most Americans also understand the basic concepts of clean water and the delicate balance that nature requires. Everglades restoration is about restoring the balance that was disturbed by man-made structures as we pursued the noble goal of flood protection in decades past.

That is why so many diverse interests have come together, in historic fashion, to support enactment of a Comprehensive Everglades Restoration Plan, as outlined by the Comprehensive Review Study undertaken by the Central & Southern Florida Project, led by the U.S. Corps of Engineers and the South Florida Water Management District. (A list of participating organizations is submitted herein for the RECORD, with much applause for their work.)

That is why our underlying Everglades restoration bill, H.R. 5121 and S. 2796/2797, as modified by today's manager's amendment and the stellar work undertaken in the other Chamber, has been endorsed by numerous organizations, from environmental groups to agricultural groups to home builders and other businesses, to utility districts and other local governmental bodies, to recreational users and Native American Indian tribes. (A list of organizations supporting the legislation is also submitted for the RECORD.)

This legislation is as much about a process to make future decisions affecting the ecology of South Florida as it is about specific projects authorized by this bill. I am pleased that Members from other parts of the country have respected our State's right to determine what is correct within the context of our own State water laws. While recognizing that Florida has come to the table as a full and equal partner in this restoration effort, for the good of all Americans.

The State of Florida has already taken the extraordinary step of putting up 50 percent of the up-front construction costs, which Governor Jeb Bush has shepherded through the State legislature as a commitment in anticipation of the federal response. We at the federal level can no longer delay answering the call.

I thank Chairmen BUD SHUSTER, DON YOUNG, and SHERRY BOEHLERT, along with the Ranking Members OBERSTAR, MILLER, and BORSKI, my Florida colleagues and co-sponsors from other states for their leadership and support of doing the right thing.

Citizens from all over the country understand that this is not a local issue affecting only South Florida—although not simply because our state boasts tourists and future residents from all 50 states and many foreign countries.

What is good for the environment is good for us all, and with a vote to pass Everglades restoration in the House, we can truly lay claim to a legacy for the 106th Congress:

We will have worked in bipartisan, bicameral fashion to deliver a huge victory for the American people and a huge victory for the environment, with the largest and most significant environmental restoration project in the history of the United States, if not the history of the world.

Let me discuss a little about the Everglades. There is no other ecosystem like it anywhere in the world. It is home to 68 individual endangered or threatened species of plants and animals, which are threatened with extinction unless we act. The Everglades has also been shown to play a significant role in global weather patterns.

Several years of research by state and federal scientists, private environmental and agricultural experts and the Corps of Engineers produced the Comprehensive Everglades Restoration Plan (CERP), which includes 68 individual projects to be completed by the Corps of Engineers over the next 36 years. The total cost of the plan is $7.8 billion, to be shared 50/50 with the state of Florida.

The CERP will restore more than 1.7 billion gallons of freshwater per day to the natural system, which is currently lost to sea via the St. John and Caloosahatchee rivers. Flood control projects constructed by the Corps of Engineers in the 1940s destroyed the original

freshwater sheet flow through the natural system, and more than 50% of the original ecosystem has been lost. This plan will restore the Everglades to almost 80% of its original condition.

In its natural state, the Everglades covered over 18,000 square miles and was connected by the flow of water from the Lake Okeechobee through the vast freshwater marshes to Florida Bay and on to the coral reefs of the Florida Keys.

The Everglades is the largest remaining tropical and subtropical wilderness remaining in the United States. Its wonders include unique habitats of sawgrass prairies, tree islands, estuaries and the vast waters of Florida Bay.

The lands owned and managed by the Federal government—4 national parks and 16 national wildlife refugees and 1 national marine sanctuary which comprise half of the remaining Everglades—will receive the benefits of the restoration.

But this legislation is designed to restore the entire ecosystem of the Everglades, not just the national parks and federally owned lands. This should be of comfort to those who enjoy the recreational benefits of such wilderness areas, as well as those living in communities on the periphery of the Everglades who are affected by the water flows of the system. I have heard from local property owners, sportsmen's chapters, airboat associations and Safari Club chapters and understand how important this is to to them.

The compelling Federal interest has been matched by the State of Florida, which has already stepped up and committed $2 billion to the effort. Florida's Fish & Wildlife Agency will maintain its strong role. Congress needs to respond to that pledge.

Finally, there are additional opportunities for community involvement contemplated or even called for by this legislation. One area is in the scientific verification procedures. Our Everglades legislation includes a provision for independent scientific review, contemplating that the National Academy of Sciences or some other qualified body or bodies will convene a panel to review the Plan's progress towards achieving the stated natural restoration goals. I believe it is appropriate to point out that, in South Florida, we have a number of institutions that could contribute significantly to such scientific research because of their demonstrated competency in such areas.

For example, Florida international University, one of the leading research universities in my State, has done a remarkable job in fostering an ecosystem approach to meeting the challenges created by population growth in one of the most environmentally sensitive regions on Earth—the greater Everglades ecosystem. Spearheading this effort is the Southeast Environmental Research Center (FIU–SERC) with its experienced scientific staff and established network of collaboration with university, federal, state, local, and private organizations. FIU–SERC has extensive expertise in conducting monitoring assessments for the Everglades that can contribute to the Adaptive Monitoring and Assessment Program in WRDA. The Corps of Engineers can greatly benefit from utilizing FIU–SERC's existing resources to conduct future monitoring activities in the Everglades.

In addition, the Museum of Discovery and Science in Fort Lauderdale, Florida, is uniquely situated to provide an interpretive site to carry out public outreach and educational opportunities pertaining to the restoration of the Everglades. In August, 1999, the Museum signed an agreement with the South Florida Ecosystem Restoration Task Force to provide public education outreach in conjunction with the restoration effort. The Museum has a 25-year history of providing environmental science education to the public in innovative ways. It currently hosts more than 500,000 visitors annually and plans to build a dynamic, interactive facility called the Florida Environmental Education Center, as well as expanding its Florida Ecoscapes Exhibition. I hope that such activity would be looked upon favorably by the Corps of Engineers in developing an interpretive site partnership initiative for community outreach and assistance.

Mr. Speaker, I include the following material on this legislation:

The Central and Southern Florida Project Comprehensive Review Study was led by the US Army Corps of Engineers, Jacksonville District and the South Florida Water Management District, located in West Palm Beach, Florida. Many other federal, state, tribal and local agencies were active partners in developing the Comprehensive Plan and that partnership will continue through the implementation of the Plan. Those agencies are listed below.

US Department of the Army:
US Army Corps of Engineers;
Office of the Assistant Secretary of the Army for Civil Works.
US Department of Agriculture:
Agricultural Research Service;
Natural Resources Conservation Service.
US Department of the Interior:
US Fish and Wildlife Service;
US Geological Survey/Biological Resources Division;
Everglades National Park;
Everglades Research and Education Center;
Biscayne National Park;
Big Cypress National Preserve.
US Department of Commerce:
National Oceanic and Atmospheric Administration;
National Marine Fisheries Service;
National Ocean Service;
Office of Oceanic and Atmospheric Research.
US Environmental Protection Agency.
Miccosukee Tribe of Indians of Florida.
Seminole Tribe of Florida.
State of Florida:
Department of Agriculture and Consumer Services;
Department of Environmental Protection;
Game and Fresh Water Fish Commission;
Governors Commission for a Sustainable South Florida;
Governor's Office;
South Florida Water Management District.
Local Agencies:
Broward County Department of Natural Resource Protection;
Broward County Office of Environmental Services;
Lee County Utility Department;
Martin County;
Miami-Dade Department of Environmental Resource Management;
Miami-Dade Water and Sewer Department;
Palm Beach County Environmental Resource Management;
Palm Beach County Water Utilities.
Academic Institutions:
Florida International University;
University of Miami;
University of Tennessee.

SUPPORTERS OF THE EVERGLADES RESTORATION BILL

The Clinton-Gore Administration
Governor Jeb Bush
Seminole Tribe of Florida
Miccosukee Tribe of Indians
National Audubon Society
National Wildlife Federation
Florida Wildlife Federation
World Wildlife Fund
Center for Marine Conservation
Defenders of Wildlife
National Parks and Conservation Association
The Everglades Foundation
The Everglades Trust
Audubon of Florida
1000 Friends of Florida
Natural Resources Defense Council
Environmental Defense
Florida Citrus Mutual
Florida Farm Bureau
Florida Home Builders
American Water Works Association
Florida Chamber of Commerce
Florida Fruit and Vegetable Association
Southeastern Florida Utility Council
Gulf Citrus Growers Association
Florida Sugar Cane League
Florida Water Environmental Utility Council
Sugar Cane Growers Cooperative of America
Florida Fertilizer and Agrichemical Association
League of Women Voters of Florida
League of Women Voters of Dade County
Chamber South

Mr. Speaker, I would like to thank and praise the leadership and hard work of the following people, on behalf of those they represented in creating a consensus product, legislation to restore the American Everglades, as embodied in this bill:

Governor Jeb Bush and his staff, especially Nina Oviedo and Clarke Cooper of the Governor's Washington office, Secretary David Struhs and Leslie Palmer of the Department of Environmental Protection, and Kathy Copeland of the South Florida Water Management District;

Senator BOB GRAHAM and Catharine Cyr-Randsom of his staff;

Senator CONNIE MACK and C.K. Lee of his staff;

Mike Strachn and Ben Grumbles of the Transportation & Infrastructure Committee;

Deputy Assistant Secretary of the Army for Civil Works Michael Davis;

Acting Assistant Secretary Mary Doyle and Peter Umhofer of the Department of the Interior;

Tom Adams of the Audubon Society;

Bob Dawson, representing the coalition of agriculture, home builders, and utility districts;

Mary Barley, Bill Riley, and Fowler West of the Everglades Trust;

Col. Terry Rice of Florida International University;

Dexter Lehtinen, The Honorable Jimmy Hayes, and Lee Forsgren, representing the Miccosukee Tribe of Indians; and finally, my own staff, especially Donna Boyer, Mike Sewell, and Bob Castro.

Mr. REGULA. Mr. Speaker, I rise today in support of S. 2796, the Water Resources Development Act of 2000 and would like to emphasize my support specifically for the Everglades language contained in it.

As many of my colleagues have already stated during this debate, the Everglades provisions represent a major step toward restoration of this unique ecosystem. As Chairman of the Interior Appropriations Subcommittee, I have become involved in this restoration effort, as it directly impacts the natural areas in federal ownership including Everglades National Park, Big Cypress Natural Preserve and several national wildlife refuges. Their future and that of the numerous species who make the Everglades their home, depend upon the success of this effort. Only if the Corps of Engineers carried out the restoration initiative properly will they survive.

I commend the Chairman of the House Transportation and Infrastructure Committee for recognizing that the environment must be the primary beneficiary of the water made available through the Comprehensive Plan for the restoration. The object of the plan is to restore, preserve and protect the natural system while also meeting the water supply, flood protection and agricultural needs of the region.

As we make our way through this massive ecosystem restoration, I intend to work with my colleagues on both sides of the aisle to ensure that we remain focused on the restoration of the natural areas. I commend the Members on their bipartisan work in bringing this legislation to the floor today and urge the support of the House in passing it.

Mr. WELLER. Mr. Speaker, I rise today to express my strong support for S. 2796, the Water Resources development act of 2000. This historic legislation will provide funding for valuable projects across our nation and the 11th Congressional District of Illinois.

Mr. Speaker, I am very pleased that three projects that are very important to my constituents were included in the Water Resources Development Act of 2000 (WRDA). Legislative language was included in the bill which will ensure the continuation of valuable work by the Army Corps of Engineers at Ballard's Island in the Illinois River; the Ottawa YMCA will have land transferred to it from the Army Corps of Engineers for expansion of its facilities; and the Joliet Park district will have land transferred to it for use as their regional headquarters.

Ballard's Island is a natural and historic treasure located in the Illinois River. However, the side channel around Ballard's Island has become severely clogged with sand and silt due to the Army Corps of Engineers erection of a closure structure at the end of the side channel of Ballard's Island in the 1940s. This side channel has since become increasingly clogged with sand and silt, the problem becoming severe over the past three decades. The original depth of the side channel was 19 feet but today it has been reduced to two feet, making the channel completely unusable. This channel was once a thriving and vibrant aquatic ecosystem, but it is now so choked with mud and sediment that it no longer supports the plants and animals it used to and it is no longer productive for local citizens.

To solve these problems, the Army Corps is prepared to begin a Section 1135 Preliminary Restoration Plan for solving the river's woes. The Illinois Department of Natural Resources will be the 25% non-federal sponsor for this project. However, the Illinois Department of Natural Resources has already begun work on removing sediment from the channel through a $250,000 state appropriation. The legislative language included in this bill will ensure that the valuable work already begun on the river will continue and its habitat and ecosystem restored. This is a victory for the people who live on and love this river who have watched it slowly die—their river will be returned to them.

Two other projects in this bill will help the people of Ottawa and Joliet, Illinois. The Ottawa YMCA is an outstanding community organization which already provides health and recreational services to hundreds of Illinois Valley families. In fact, because of the growing demand for these services, the Ottawa YMCA has launched a capital campaign to raise funds to expand its current facilities.

Earlier this year, with construction about to begin on the $1.3 million expansion project, YMCA officials learned that the U.S. Government was granted an easement in 1933 on the very piece of property intended as the site for the YMCA's expansion project. This easement, although never utilized, was intended for use in conjunction with the Army Corps of Engineers Illinois Waterway Project. On September 19, 2000 with legislative language provided to me by the Rock Island Army Corps district, I introduced H.R. 5216, a bill to convey the Army Corps easement back to the YMCA, ensuring that there will be no further questions about the land used by the YMCA for its expansion. I am pleased that H.R. 5216 was included in the Water Resources Development Act and that the good work of the Ottawa YMCA will be able to continue.

WRDA also provides a new home for the Joliet Park District. The Army Corps of Engineers currently owns property located at 622 Railroad Street in Joliet, Illinois. The property has served several functions in its official use but has recently been vacated. This property is no longer used or needed by the Army Corps of Engineers and is in the process of being deemed ''excess.''

The Joliet Park District has requested use of the land and buildings for its new location for its headquarters. The Park District currently has its headquarters and maintenance facilities in two separate, small locations on opposite sides of the City of Joliet. The approval of this property transfer will allow the Park District to increase its efficiency and save time and funds which can be much better used to the improvement of parks and recreation facilities. I am pleased that the Water Resources Development Act included H.R. 5389, legislation I introduced that conveys the land from the Army Corps of Engineers to the Joliet Park District.

Mr. Speaker, this is good legislation and I commend Chairmen BOEHLERT and SHUSTER for their work and efforts on this legislation. I urge passage of the Water Resources Development Act of 2000 by my colleagues.

Mrs. FOWLER. Mr. Speaker, today we take an historic step to restoring one of our nation's natural treasures, the Everglades. This will be the largest environmental project the Corps of Engineers has ever undertaken and Democrats and Republicans have come together to accomplish this great task.

My friend and colleague CLAY SHAW, the dean of our delegation, successfully guided this legislation through the House. Also, our Governor, Jeb Bush, has not wavered on his commitment to the Everglades. His tireless efforts guarantee state funding for the project over the next ten years.

This bipartisan plan will restore, preserve and protect the South Florida ecosystem while saving generations from inheriting an environmental nightmare. Over a million Americans visit the Everglades system each year—enjoying the natural wonders of this remarkable spot. Though we should be alarmed that this important ecosystem is now half its original size. But today, we start to reverse that dangerous trend and begin undoing the mistakes of the past. I know our children and grandchildren will benefit from a stronger Everglades.

Mr. DIAZ-BALART. Mr. Speaker, I wish to echo the sentiments of the gentleman from Florida, Mr. SHAW, about the FIU Southeast Environmental Research Center and reinforce the important contributions that the Center has made in the area of monitoring assessments in the Everglades. I would encourage the Corps of Engineers to explore ways to collaborate with FIU–SERC and utilize the Center's expertise in monitoring assessments. SERC has extensive expertise in Everglades restoration and can provide research and monitoring, technical assistance and infrastructure to support the Corps. FIU–SERC can also serve to coordinate technology transfer and apply the techniques and methodologies learned from CERP to other sustainable ecosystems.

Mr. TANCREDO. Mr. Speaker, I rise in opposition to S. 2796, the Water Resources Development Act. The communities in my district have learned first hand that the Army Corps of Engineers has become a large, bloated and intransigent bureaucracy. Now is the time for reform, and while I commend the Transportation Committee for their efforts to bring about some reform in the area of peer-review for projects in S. 2796, I believe more work must be done, and more efforts to shrink the size and power of the Corps of Engineers should be made.

To illustrate the point, I am enclosing for the RECORD the following Op-Ed I recently submitted to the Aurora Sentinel regarding the need for reform in the Army Corps of Engineers.

On a related topic, I believe that the public image and reputation of the Corps of Engineers might be improved tremendously if it would adopt some of the recommended policy changes suggested by the 1999 National Recreation Lakes Study Commission.

Specifically, I believe it is time for the Corps to reverse its long-standing opposition to cost-share proposals that would rehabilitate facilities on the recreational properties it leases to non-federal entities such as the State of Colorado.

Over the last year and a half, I have worked with the interested parties to encourage the Corps to enter into a cost-share agreement with the state of Colorado to improve the recreational facilities of Cherry Creek Reservoir,

Chatfield Reservoir, and Trinidad Reservoir State Parks.

Cherry Creek, Chatfield, and Trinidad Reservoirs are each operated and maintained by the Corps, while the State manages all parks and recreation facilities on the surrounding federally-owned land. These reservoir-parks are the most valued sources of water recreation in Colorado, a state where virtually no natural large body of water exists. The three parks combined host almost 3.5 million visitors annually.

Most recreational facilities in these parks were constructed over 25 years ago. Entrance gates, trails, campsites, and outhouses are near states of disrepair. Worse, public safety is at risk if water, sewer, and Americans with Disabilities Act compliance improvements are not addressed. The State is not financially capable of meeting the repair and renovation needs without matching federal assistance.

In a recent meeting with Assistant Secretary of the Army for Civil Works, Dr. Joseph Westphal, I was assured by Secretary Westphal that the Corps is committed to beginning this cost share agreement as a pilot project. Governor Bill Owens has also committed the State of Colorado to meeting its financial obligation for the cost share program. Unfortunately, the project has not progressed as planned.

As was demonstrated by previous recreational facility cost share agreements with the Bureau of Reclamation, these agreements are a tremendously efficient way to leverage federal dollars and to help preserve Colorado's quality of life. In addition, the facilities provided through the cost shares enable the Corps to meet their legal obligation to provide recreation on these three reservoirs.

Because of the lack of an agreement, I proposed a policy reform in the form of an amendment to S. 2796 that instructed the Corps of Engineers to submit a plan in no less than one year on how it could implement cost-share programs with non federal entities for recreational purposes. While the amendment was not made in order, I intend to craft legislation that will seek to reform and improve the operations of the Corps of Engineers, and introduce the legislation when the 107th Congress convenes.

A BRIGHT LIGHT SHED ON THE ARMY CORPS OF ENGINEERS

(By Congressman Tom Tancredo)

The evidence is in, and it is conclusive. The Army Corps of Engineers has tried to throw a blanket over the heads of American taxpayers in order to advance their own projects and agenda, and the citizens around the Cherry Creek Dam and Reservoir have been a top target.

The Washington Post released an article on February 24th entitled ''Generals Push Huge Growth for Engineers,'' which details an internal push to expand the budget, size, and scope of the Army Corps of Engineers.

At the surface, the Corps has internally planned for growth of their budget to $6.5 billion by 2005, more than $2 billion greater than their 2000 budget, which breaks down more specifically within the agency.

The information obtained by the Washington Post also shows that Corps officials had been pressured by superiors to ''get creative with cost-benefit analysis in order to greenlight major projects.''

The Cherry Creek Dam controversy that has developed between the Corps, the local community and local public officials over the expansion of flood controls around the dam is even more alarming with the information contained in the Corps report proposing a ''program with targeted studies that should lead to target construction activities with continuation of historical success rates.''

This answers a few questions I had surrounding the proposed addition of flood controls to the Cherry Creek Dam. Why the conflicting facts and figures from the Corps? And why have they suppressed the concerns of local citizens and elected officials, myself included? The answer to those questions is evident in the report, the growth of the Corps is first and foremost.

Like many, I was skeptical of the need to add more flood control onto the Cherry Creek Dam when the Corps had admitted that the chances of a flood capable of breaking the dam, 24.7 inches in 72 hours, is approximately one in a billion. With Metro Denver averaging around fourteen inches of moisture a year, this would be a flood of biblical proportions.

What the Corps has turned into is a major public works department with over 37,000 workers attempting to capitalize on the expansion of the American economy and proposed government surpluses.

Let me be the first to inform the Army Corps of Engineers that the days of reckless government and fraud is over.

America has more pressing needs—saving Social Security and keeping our commitment to our nation's veterans—than to needlessly expand the budget of an agency whose motto is, ''growth.''

I am just sorry that the citizens of this community have had to endure what has become a stressful issue that has scared many families and individuals and affected property values in the proposed area.

As this process moves forward, and both Congressman Joel Hefley and I are discussing legislation that would require the Corps to use criteria for similar projects more in line with what the State of Colorado uses, I will keep the communities best interests, and not the Corps, at the forefront of the debate.

Mr. JONES of North Carolina. Mr. Speaker, I rise today in strong support of the manager's amendment to the Water Resources Development Act of 2000. This bipartisan piece of legislation is a tribute to the outgoing Chairman BUD SHUSTER and Ranking Member JIM OBERSTAR. I want to touch on two components of the legislation that I wholeheartedly support.

Representing a district that sits within a 100-year floodplain along Hurricane Alley is often a daunting but fulfilling task. Hurricane Floyd ripped through Eastern North Carolina more than one year ago, causing billions of dollars of damage and displacing thousands of families.

While recovery is progressing and people's lives are slowing returning to normal, our rivers and streams remain clogged with debris from that horrific storm. If these streams are not immediately cleared after major disasters, flooding problems will be exacerbated and North Carolina will continue to remain vulnerable to extreme weather conditions. For instance, one country in my district, Onslow County, has almost 600 miles of rivers and streams that remain clogged, a continuing threat to life, property and economic development.

Included in the legislation is a demonstration project authorizing the Army Corps of Engineers to remove accumulated snags and debris in Eastern North Carolina rivers and tributaries immediately following major disasters. The accumulated debris in our rivers and streams are a contributing factor in the disastrous floods experienced by eastern North Carolina in the last few years.

Without this provision, flood control problems will worsen as urban centers are now being impacted by floodwaters. This emergency authority for the Army Corps of Engineers will help alleviate continued flooding within Eastern North Carolina and supplement other flood control programs.

The proposed program will not only aid navigation and safety, but it will also help the flow of the rivers themselves. With this provision, Eastern North Carolina will be better prepared to deal with extreme weather events like Hurricanes Bertha, Fran, Dennis, Floyd and Irene in the future.

The second provision I support is an authorization for hurricane and storm damage reduction for Dare County, North Carolina. The authorization affects the towns of Nags Head, Kill Devil Hills, and Kitty Hawk. I am a strong supporter of beach nourishment, not just for the 3 million tourists who visit our shores every year, but also for storm protection for our homes and infrastructure.

It is not well remembered, but it is nevertheless a fact, that these communities—indeed most of North Carolina's Outer Banks—have been protected for well over a half a century by a line of dunes constructed by the federal government under the Works Progress Administration. These dunes have been a wise investment of resources. Now, however, these dunes and berms have deteriorated and must be repaired.

Erosion along North Carolina's shoreline threatens the future existence of these beaches and shore protection is truly the only option available to ensure coastal areas will be here tomorrow. Nourishment of these beaches will provide the best protection against the devastating effects of storm surges on the dune system, private property, roads and other critical public infrastructure guaranteeing a healthy and fortified coastline.

Without beach nourishment these reinforcement measures cannot take place. Unfortunately it takes years for the Army Corps of Engineers and the local communities to actually place sand on the affected beaches. Shore protection projects have become entangled with numerous state and federal environmental regulations.

In addition, the projects are even further delayed by the Clinton-Gore Administration's opposition to beach nourishment, under which there have been no new startups of beach nourishment programs. I am hopeful that a new Administration will support such a sound program to protect both our communities and precious natural resources. Rest assured that I will continue to support shore protection and other initiatives along the North Carolina coast. It is essential that we protect the entire coast for the inhabitants and visitors today as well for future generations.

I commend the Committee on Transportation and Infrastructure for bringing this important legislation to the House floor. I hope it

will be possible for us to improve this bill today and for the House and the other body to agree on a final version of this critical legislation prior to adjournment. This bill is a victory for Eastern North Carolina, a victory for Congress, and a victory for America.

Mr. MCCOLLUM. Mr. Speaker, I rise today in support of the Water Resources Development Act and I urge my colleagues to give it their full support as well. Specifically, Mr. Speaker, I rise in support of one provision of this bill that will begin the long over due effort to preserve the Everglades and restore them to their natural beauty.

Mr. Speaker, with this legislation, we will begin to correct the mistakes we made over 40 years ago when we began development in and around the Everglades area. In those years, we did not have the scientific understanding of the ramifications of our actions, and the result was enormous damage to this vital ecosystem. Yet since that time, clear and compelling scientific data has shown the perilous state of the Everglades.

Under the bill before us, 18,000 square miles of subtropical uplands, coral reefs and wetlands will be preserved, in addition to the habitat of 68 federally listed threatened and endangered species. Once implemented, 2 million acres of Everglades will be restored with a 50/50 cost share between the state of Florida and the federal government, providing $100 million per year for 10 years.

While I am pleased with this, it is only a first step in the preservation of the environment in Florida. As the state's population increases, Florida will experience increasing demands on its water resources. Mr. Speaker, I am committed to maintaining the federal-state partnership we have built for the Everglades, and I am pleased to be able to say that the legislation before this body has the support of a broad spectrum of groups and individuals, ranging from environmentalists, to agricultural and industry groups, to the Seminole Indians and the state of Florida. That broad array of support demonstrates just what we in this body can accomplish when we put partisan differences aside.

Mr. Speaker, I was proud to work with my Republican and Democratic colleagues from Florida on this measure, and I will continue to work in the forefront of the effort to protect our state's unique environment. This is prudent, scientifically sound legislation that will preserve a valuable national asset for generations to come, and I urge my colleagues to vote in favor of this investment in our nation's future.

Mr. UDALL of Colorado. Mr. Speaker, I have some serious reservations about this bill, especially those parts dealing with oceanfront development, dredging, and other projects to be carried out by the Corps of Engineers. I think the House should have had the chance to consider amendments that would have improved the bill. I regret that the rule adopted earlier does not permit that. However, I will vote the bill because I strongly support authorizing the important program of environmental restoration for the Everglades. The bill will now go to conference with the Senate. I hope that will result in improvements in the measure to make it one that everyone can support without reservations.

Mr. HOLT. Mr. Speaker, Marjory Stoneman Douglass, grand matron of the Everglades immortalized the sprawling South Florida wetlands in her classic book, Everglades: River of Grass. ''Nothing anywhere else is like them,'' she wrote. ''They are, they have always been, one of the unique regions of the earth, remote, never wholly known.''

I am not sure that there is any better way to describe what is one of our nation's greatest natural wonders. But, I can tell you that even though we will never fully know or understand the Everglades, we do know a few things. The Everglades is home to a wide and rich bird population, particularly large wading birds, such as the roseate spoonbill, wood stork, great blue heron and a variety of egrets. It contains both temperate and tropical plant communities, including sawgrass prairies, mangrove and cypress swamps, pinelands and hardwood hammocks, as well as marine and estuarine environments. It is the only place in the world where alligators and crocodiles exist side by side. However, man has also lived in and around the Everglades for the past 2,000 years, sometimes with disastrous consequences. Starting in the 1880's, man began diverting water from the Everglades to make it more a hospitable place for people. Over the last century canals were dug and impoundments were created to provide drinking water, protection from floods and land for houses.

As a result of man's habitation and engineering, the Everglades are dying. Many portions are drying out and many species are threatened with extinction. We need to take immediate and long term steps to save this massive ecosystem. The Water Resources Development Act includes a $7.8 billion, 35-year federal-state plan to restore the Florida Everglades that is a major step towards saving that goal. This restoration plan will reverse the effects of the dams and waterways that drain 1.7 billion gallons of water a day from the Everglades into the Atlantic Ocean. This plan has 68 project components and will restore the natural water flow while continuing to supply water to South Florida. This legislation also requires that an ongoing, independent scientific review be established to ensure that the plan is progressing toward restoration.

I strongly urge all of my colleagues to support this plan to save this truly unique natural resource.

Mr. STUPAK. Mr. Speaker, I rise today in reluctant opposition to the Water Resources Development Act. I do not oppose this bill for its content. Rather, I oppose the measure because the rule did not provide an opportunity to offer amendments. This bill does not include language about preventing the withdrawal and diversion of water from the Great Lakes. In 1998, a Canadian company planned to ship 3 billion liters of water from Lake Superior over five years and sell it to Asia. I authored legislation that passed the House of Representatives that called on the United States government to oppose this action. The permit was subsequently withdrawn. We must strengthen existing laws to protect the possibility of other countries making similar requests in the future. We owe it to the estimated 35 million people who reside in the Great Lakes Basin.

I want to thank Chairman SHUSTER and Ranking Member OBERSTAR for their commitment to protecting our Great Lakes and I hope that similar language will be inserted in the WRDA conference report. Another point of concern for me in this bill concerns the transfer of a lighthouse in Ontonagon, Michigan, from the Secretary of the Army to the Ontonagon County Historical Society. This facility was built in 1866 and guided ships through the seas of Lake Superior for more than 100 years.

Thanks to the Ontonagon County Historical Society's efforts, this facility has been preserved for the public's enjoyment. To continue its work, the non-profit organization is seeking to have the lighthouse and the adjacent land of 1.8 acres transferred. Unfortunately, the Army Corps of Engineers, which owns and uses the property, has witnessed contamination of the property. Lead-based paint coats the interior walls and the exterior gallery of the lighthouse. A 5,000-gallon fuel tank, which may have leaked oil into the soil, sits idle near the lighthouse. Finally, for 14 years coal has been stored onsite by a company subletting the property; an action which has contaminated the soil.

This bill, however, does not include language absolving the organization of responsibility. And in no way should the Ontonagon County Historical Society be held liable for environmental damage of the property when it occurred during the ownership of the Army Corps of Engineers. Such an omission forces me to oppose this bill. The Senate version of WRDA would hold the Secretary of the Army responsible for the removal of onsite contaminated soil and lead-based paint. I hope that its language is retained in the bill's conference report.

Again, I reluctantly oppose this bill but wish to thank Mr. SHUSTER and Mr. OBERSTAR for bringing this legislation to the floor, especially given the session's time constraints. Their leadership in crafting a bipartisan bill should be commended.

Mr. WATTS of Oklahoma. Mr. Speaker, today the House is considering S. 2796, the Water Resources and Development Act of 2000. I would like to thank Chairman SHUSTER for his leadership in drafting this legislation and I rise in strong support of its passage.

This legislation takes the necessary steps to address the many water resources needs across the country. It does so by authorizing important water programs such as those sponsored and constructed by the Army Corps of Engineers. These projects provide important water resources to the areas they serve. These water resources are crucial to the economic development of many of these areas.

Mr. Speaker, I would like to thank Chairman SHUSTER again for his leadership on this legislation and I urge my colleagues in the House to join me by casting their vote in favor of S. 2796.

The SPEAKER pro tempore (Mr. OSE). All time for debate has expired.

Pursuant to House Resolution 639, the previous question is ordered on the Senate bill, as amended.

The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read the third time.

MOTION TO COMMIT OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Speaker, I offer a motion to commit.

The SPEAKER pro tempore. Is the gentleman opposed to the Senate bill?

Mr. RAHALL. Mr. Speaker, in its current form, I am opposed to the Senate bill.

The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. RAHALL moves to commit the bill S. 2796 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendments:

Strike section 330 of the bill and redesignate subsequent sections of title III of the bill, accordingly.

In section 348 of the bill, strike ''substantially'' and all that follows through ''1992''.

Strike section 436 of the bill and redesignate subsequent sections of title IV of the bill, accordingly.

In section 563 of the bill, strike ''stabilization and preservation'' and insert ''preservation and restoration''.

Conform the table of contents of the bill by striking the items relating to sections 330 and 436 and redesignate subsequent items accordingly.

Mr. RAHALL (during the reading). Mr. Speaker, I ask unanimous consent that the motion to commit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. The gentleman from West Virginia (Mr. RAHALL) is recognized for 5 minutes in support of his motion to commit.

Mr. SHUSTER. Mr. Speaker, will the gentleman yield?

Mr. RAHALL. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, we accept the gentleman's motion.

Mr. RAHALL. I yield back the balance of my time, Mr. Speaker.

The SPEAKER pro tempore. Does any Member seek time in opposition?

Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

The motion to commit was agreed to.

Mr. SHUSTER. Mr. Speaker, acting under the instructions of the House and on behalf of the Committee on Transportation and Infrastructure, I report the Senate bill, S. 2796, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

Strike section 330 of the bill and redesignate subsequent sections of title III of the bill, accordingly.

In section 348 of the bill, strike ''substantially'' and all that follows through ''1992''.

Strike section 436 of the bill and redesignate subsequent sections of title IV of the bill, accordingly.

In section 563 of the bill, strike ''stabilization and preservation'' and insert ''preservation and restoration''.

Conform the table of contents of the bill by striking the items relating to sections 330 and 436 and redesignate subsequent items accordingly.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the Senate bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SHUSTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 394, nays 14, not voting 24, as follows:

[Roll No. 534]

YEAS—394

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—14

Andrews
Coburn
Doggett
Hill (MT)
Johnson, Sam
Paul
Ramstad
Royce
Sanford
Schaffer
Sensenbrenner
Shays
Stupak
Tancredo

NOT VOTING—24

Ballenger
Campbell
Chenoweth-Hage
Clay
Dingell
Franks (NJ)
Gephardt
Hansen
Hilliard
Houghton
Jones (OH)
Lazio
Lipinski
McCollum
McIntosh
Miller (FL)
Morella
Oxley
Rodriguez
Simpson
Stark
Talent
Turner
Wise

□ 1206

Mr. SCHAFFER changed his vote from ''yea'' to ''nay.''

Mr. PETRI and Mr. CHABOT changed their vote from ''nay'' to ''yea.''

So the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BALLENGER. Mr. Speaker, on rollcall No. 534, I was inadvertently detained. Had I been present, I would have voted "yes."

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 4541, COMMODITY FUTURES MODERNIZATION ACT OF 2000

Mr. LEACH. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services be authorized to file a supplemental report on the bill, H.R. 4541.

The SPEAKER pro tempore (Mr. OSE). Is there objection to the request of the gentleman from Iowa?

There was no objection.

MOTION TO GO TO CONFERENCE ON S. 2796, WATER RESOURCES DEVELOPMENT ACT OF 2000

Mr. SHUSTER. Mr. Speaker, pursuant to House Resolution 639, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. SHUSTER moves to insist on the House amendment to S. 2796, and request a conference with the Senate thereon.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBERSTAR moves to instruct the conferees to insist on section 586 of the House amendment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. SHUSTER) will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge adoption of the motion to instruct, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume to simply accept the motion, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Minnesota (Mr. OBERSTAR).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. SHUSTER, YOUNG of Alaska, BOEHLERT, SHAW, OBERSTAR, BORSKI, and MENENDEZ.

There was no objection.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous material on S. 2796.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Evans, one of his secretaries.

WAIVING POINTS OF ORDER ON CONFERENCE REPORT ON H.R. 4635, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 638 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 638

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only I yield the customary 30 minutes to my friend and colleague the gentleman from Massachusetts (Mr. MOAKLEY) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 638 is a rule waiving all points of order against the conference report and against its consideration to accompany H.R. 4635, the fiscal year 2001 appropriations bill for the Departments of Veterans Affairs, Housing and Urban Development, and Independent Agencies.

Mr. Speaker, this conference report provides another example of a carefully crafted bill that strikes a balance between the fiscal discipline and social responsibility Americans expect of this Congress. I would like to once again commend the chairman of the subcommittee, the gentleman from New York (Mr. WALSH) and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), and all the members of the Committee on Appropriations for making the tough decisions required to produce a very thoughtful bill that meets our most important priorities.

I would also like to express a personal note of gratitude for the assistance to help increase affordable housing opportunities in my district of Columbus, Ohio. This conference report provides a small amount of needed funding which will, in turn, become the foundation to give more people in Columbus the opportunity to fulfill the dream of home ownership.

The VA–HUD appropriation bill funds a variety of important programs to take care of our veterans, address the Nation's critical housing needs, preserve and protect our environment, invest in scientific research, and continue our exploration into space.

The conference report maintains our commitment to our Nation's veterans, who selflessly place themselves in harm's way so that we may enjoy the very freedoms which we so much cherish. This year, it provides an additional $1.36 billion over last year's historic increase for veterans' medical health care. It increases veterans' medical and prosthetic research by $30 million, and provides an extra $73 million over last year's funding level for the Veterans Benefits Administration to expedite claims that need processed for our veterans.

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Finally, this conference report provides $100 million for Veterans State Extended Facilities, an increase of $40 million above the President's request.

Mr. Speaker, along with providing for the needs of our veterans, this conference report makes available important resources to help the most vulnerable in our society and place roofs over their heads.

Low-income families will benefit through this bill's investment in the