

106TH CONGRESS  
1ST SESSION

# S. 507

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.

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## IN THE SENATE OF THE UNITED STATES

MARCH 2, 1999

Mr. WARNER (for himself, Mr. CHAFEE, Mr. BAUCUS, Mr. VOINOVICH, Mr. LAUTENBERG, Mr. BENNETT, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

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.

- 1       *Be it enacted by the Senate and House of Representa-*
- 2       *tives of the United States of America in Congress assembled,*
- 3       **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**
- 4       (a) SHORT TITLE.—This Act may be cited as the
- 5       “Water Resources Development Act of 1999”.

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

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

#### TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.  
 Sec. 102. Project modifications.  
 Sec. 103. Project deauthorizations.  
 Sec. 104. Studies.

#### TITLE II—GENERAL PROVISIONS

See. 201. Flood hazard mitigation and riverine ecosystem restoration program.  
 Sec. 202. Shore protection.  
 Sec. 203. Small flood control authority.  
 Sec. 204. Use of non-Federal funds for compiling and disseminating information on floods and flood damages.  
 Sec. 205. Everglades and south Florida ecosystem restoration.  
 Sec. 206. Aquatic ecosystem restoration.  
 Sec. 207. Beneficial uses of dredged material.  
 Sec. 208. Voluntary contributions by States and political subdivisions.  
 Sec. 209. Recreation user fees.  
 Sec. 210. Water resources development studies for the Pacific region.  
 Sec. 211. Missouri and Middle Mississippi Rivers enhancement project.  
 Sec. 212. Outer Continental Shelf.  
 Sec. 213. Environmental dredging.  
 Sec. 214. Benefit of primary flood damages avoided included in benefit-cost analysis.  
 Sec. 215. Control of aquatic plant growth.  
 Sec. 216. Environmental infrastructure.  
 Sec. 217. Watershed management, restoration, and development.  
 Sec. 218. Lakes program.  
 Sec. 219. Sediments decontamination policy.  
 Sec. 220. Disposal of dredged material on beaches.  
 Sec. 221. Fish and wildlife mitigation.  
 Sec. 222. Reimbursement of non-Federal interest.  
 Sec. 223. National Contaminated Sediment Task Force.  
 Sec. 224. Great Lakes basin program.  
 Sec. 225. Projects for improvement of the environment.  
 Sec. 226. Water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation.  
 Sec. 227. Irrigation diversion protection and fisheries enhancement assistance.  
 Sec. 228. Small storm damage reduction projects.  
 Sec. 229. Shore damage prevention or mitigation.

#### TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Dredging of salt ponds in the State of Rhode Island.  
 Sec. 302. Upper Susquehanna River basin, Pennsylvania and New York.  
 Sec. 303. Small flood control projects.  
 Sec. 304. Small navigation projects.  
 Sec. 305. Streambank protection projects.

Sec. 306. Aquatic ecosystem restoration, Springfield, Oregon.  
Sec. 307. Guilford and New Haven, Connecticut.  
Sec. 308. Francis Bland Floodway Ditch.  
Sec. 309. Caloosahatchee River basin, Florida.  
Sec. 310. Cumberland, Maryland, flood project mitigation.  
Sec. 311. City of Miami Beach, Florida.  
Sec. 312. Sardis Reservoir, Oklahoma.  
Sec. 313. Upper Mississippi River and Illinois waterway system navigation modernization.  
Sec. 314. Upper Mississippi River management.  
Sec. 315. Research and development program for Columbia and Snake Rivers salmon survival.  
Sec. 316. Nine Mile Run habitat restoration, Pennsylvania.  
Sec. 317. Larkspur Ferry Channel, California.  
Sec. 318. Comprehensive Flood Impact-Response Modeling System.  
Sec. 319. Study regarding innovative financing for small and medium-sized ports.  
Sec. 320. Candy Lake project, Osage County, Oklahoma.  
Sec. 321. Salecha River and Piledriver Slough, Fairbanks, Alaska.  
Sec. 322. Eyak River, Cordova, Alaska.  
Sec. 323. North Padre Island storm damage reduction and environmental restoration project.  
Sec. 324. Kanopolis Lake, Kansas.  
Sec. 325. New York City watershed.  
Sec. 326. City of Charlevoix reimbursement, Michigan.  
Sec. 327. Hamilton Dam flood control project, Michigan.  
Sec. 328. Holes Creek flood control project, Ohio.  
Sec. 329. Overflow management facility, Rhode Island.

**1 SEC. 2. DEFINITION OF SECRETARY.**

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

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

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

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

1                             (1) SAND POINT HARBOR, ALASKA.—The  
2 project for navigation, Sand Point Harbor, Alaska:  
3 Report of the Chief of Engineers dated October 13,  
4 1998, at a total cost of \$11,760,000, with an esti-  
5 mated Federal cost of \$6,964,000 and an estimated  
6 non-Federal cost of \$4,796,000.

7                             (2) RIO SALADO (SALT RIVER), ARIZONA.—The  
8 project for environmental restoration, Rio Salado  
9 (Salt River), Arizona: Report of the Chief of Engi-  
10 neers dated August 20, 1998, at a total cost of  
11 \$88,048,000, with an estimated Federal cost of  
12 \$56,355,000 and an estimated non-Federal cost of  
13 \$31,693,000.

14                             (3) TUCSON DRAINAGE AREA, ARIZONA.—The  
15 project for flood damage reduction, environmental  
16 restoration, and recreation, Tucson drainage area,  
17 Arizona: Report of the Chief of Engineers dated  
18 May 20, 1998, at a total cost of \$29,900,000, with  
19 an estimated Federal cost of \$16,768,000 and an es-  
20 timated non-Federal cost of \$13,132,000.

21                             (4) AMERICAN RIVER WATERSHED, CALIFOR-  
22 NIA.—

23                                 (A) IN GENERAL.—The project for flood  
24 damage reduction described as the Folsom  
25 Stepped Release Plan in the Corps of Engineers

1                   Supplemental Information Report for the Amer-  
2                   ican River Watershed Project, California, dated  
3                   March 1996, at a total cost of \$505,400,000,  
4                   with an estimated Federal cost of \$329,300,000  
5                   and an estimated non-Federal cost of  
6                   \$176,100,000.

7                   (B) IMPLEMENTATION.—

8                   (i) IN GENERAL.—Implementation of  
9                   the measures by the Secretary pursuant to  
10                  subparagraph (A) shall be undertaken  
11                  after completion of the levee stabilization  
12                  and strengthening and flood warning fea-  
13                  tures authorized by section 101(a)(1) of  
14                  the Water Resources Development Act of  
15                  1996 (110 Stat. 3662).

16                  (ii) FOLSOM DAM AND RESERVOIR.—

17                  The Secretary may undertake measures at  
18                  the Folsom Dam and Reservoir authorized  
19                  under subparagraph (A) only after review-  
20                  ing the design of such measures to deter-  
21                  mine if modifications are necessary to ac-  
22                  count for changed hydrologic conditions  
23                  and any other changed conditions in the  
24                  project area, including operational and  
25                  construction impacts that have occurred

1                   since completion of the report referred to  
2                   in subparagraph (A). The Secretary shall  
3                   conduct the review and develop the modi-  
4                   fications to the Folsom Dam and Reservoir  
5                   with the full participation of the Secretary  
6                   of the Interior.

7                   (iii) REMAINING DOWNSTREAM ELE-  
8                   MENTS.—

9                   (I) IN GENERAL.—Implemen-  
10                  tation of the remaining downstream ele-  
11                  ments authorized pursuant to sub-  
12                  paragraph (A) may be undertaken  
13                  only after the Secretary, in consulta-  
14                  tion with affected Federal, State, re-  
15                  gional, and local entities, has reviewed  
16                  the elements to determine if modifica-  
17                  tions are necessary to address changes  
18                  in the hydrologic conditions, any other  
19                  changed conditions in the project area  
20                  that have occurred since completion of  
21                  the report referred to in subparagraph  
22                  (A) and any design modifications for  
23                  the Folsom Dam and Reservoir made  
24                  by the Secretary in implementing the

1                   measures referred to in clause (ii),  
2                   and has issued a report on the review.

3                   (II) PRINCIPLES AND GUIDE-  
4                   LINES.—The review shall be prepared  
5                   in accordance with the economic and  
6                   environmental principles and guide-  
7                   lines for water and related land re-  
8                   sources implementation studies, and  
9                   no construction may be initiated un-  
10                  less the Secretary determines that the  
11                  remaining downstream elements are  
12                  technically sound, environmentally ac-  
13                  ceptable, and economically justified.

14                  (5) LLAGAS CREEK, CALIFORNIA.—The project  
15                  for completion of the remaining reaches of the Natu-  
16                  ral Resources Conservation Service flood control  
17                  project at Llagas Creek, California, undertaken pur-  
18                  suant to section 5 of the Watershed Protection and  
19                  Flood Prevention Act (16 U.S.C. 1005), substan-  
20                  tially in accordance with the requirements of local  
21                  cooperation as specified in section 4 of that Act (16  
22                  U.S.C. 1004) at a total cost of \$45,000,000, with an  
23                  estimated Federal cost of \$21,800,000 and an esti-  
24                  mated non-Federal share of \$23,200,000.

1                             (6) SOUTH SACRAMENTO COUNTY STREAMS,  
2 CALIFORNIA.—The project for flood control, environ-  
3 mental restoration, and recreation, South Sac-  
4 ramento County streams, California: Report of the  
5 Chief of Engineers dated October 6, 1998, at a total  
6 cost of \$65,500,000, with an estimated Federal cost  
7 of \$41,200,000 and an estimated non-Federal cost  
8 of \$24,300,000.

9                             (7) UPPER GUADALUPE RIVER, CALIFORNIA.—  
10 Construction of the locally preferred plan for flood  
11 damage reduction and recreation, Upper Guadalupe  
12 River, California, described as the Bypass Channel  
13 Plan of the Chief of Engineers dated August 19,  
14 1998, at a total cost of \$137,600,000, with an esti-  
15 mated Federal cost of \$44,000,000 and an esti-  
16 mated non-Federal cost of \$93,600,000.

17                             (8) YUBA RIVER BASIN, CALIFORNIA.—The  
18 project for flood damage reduction, Yuba River  
19 Basin, California: Report of the Chief of Engineers  
20 dated November 25, 1998, at a total cost of  
21 \$26,600,000, with an estimated Federal cost of  
22 \$17,350,000 and an estimated non-Federal cost of  
23 \$9,250,000.

24                             (9) DELAWARE BAY COASTLINE: DELAWARE  
25 AND NEW JERSEY-BROADKILL BEACH, DELAWARE.—

1                             (A) IN GENERAL.—The project for hurri-  
2                             cane and storm damage reduction and shore  
3                             protection, Delaware Bay coastline: Delaware  
4                             and New Jersey-Broadkill Beach, Delaware,  
5                             Report of the Chief of Engineers dated August  
6                             17, 1998, at a total cost of \$9,049,000, with an  
7                             estimated Federal cost of \$5,674,000 and an  
8                             estimated non-Federal cost of \$3,375,000.

9                             (B) PERIODIC NOURISHMENT.—Periodic  
10                             nourishment is authorized for a 50-year period  
11                             at an estimated average annual cost of  
12                             \$538,200, with an estimated annual Federal  
13                             cost of \$349,800 and an estimated annual non-  
14                             Federal cost of \$188,400.

15                             (10) DELAWARE BAY COASTLINE: DELAWARE  
16                             AND NEW JERSEY-PORT MAHON, DELAWARE.—

17                             (A) IN GENERAL.—The project for eco-  
18                             system restoration and shore protection, Dela-  
19                             ware Bay coastline: Delaware and New Jersey-  
20                             Port Mahon, Delaware: Report of the Chief of  
21                             Engineers dated September 28, 1998, at a total  
22                             cost of \$7,644,000, with an estimated Federal  
23                             cost of \$4,969,000 and an estimated non-Fed-  
24                             eral cost of \$2,675,000.

(11) HILLSBORO AND OKEECHOBEE AQUIFER  
STORAGE AND RECOVERY PROJECT, FLORIDA.—The  
project for aquifer storage and recovery described in  
the Corps of Engineers Central and Southern Flor-  
ida Water Supply Study, Florida, dated April 1989,  
and in House Document 369, dated July 30, 1968,  
at a total cost of \$27,000,000, with an estimated  
Federal cost of \$13,500,000 and an estimated non-  
Federal cost of \$13,500,000.

23                             (13) LIDO KEY BEACH, SARASOTA, FLORIDA.—  
24                             (A) IN GENERAL.—The project for shore  
25                             protection at Lido Key Beach, Sarasota, Flor-

1                 ida, authorized by section 101 of the River and  
2                 Harbor Act of 1970 (84 Stat. 1819) and de-  
3                 authorized by operation of section 1001(b) of  
4                 the Water Resources Development Act of 1986  
5                 (33 U.S.C. 579a(b)), is authorized to be carried  
6                 out by the Secretary at a total cost of  
7                 \$5,200,000, with an estimated Federal cost of  
8                 \$3,380,000 and an estimated non-Federal cost  
9                 of \$1,820,000.

10                 (B) PERIODIC NOURISHMENT.—Periodic  
11                 nourishment is authorized for a 50-year period  
12                 at an estimated average annual cost of  
13                 \$602,000, with an estimated annual Federal  
14                 cost of \$391,000 and an estimated annual non-  
15                 Federal cost of \$211,000.

16                 (14) TAMPA HARBOR-BIG BEND CHANNEL,  
17                 FLORIDA.—The project for navigation, Tampa Har-  
18                 bor-Big Bend Channel, Florida: Report of the Chief  
19                 of Engineers dated October 13, 1998, at a total cost  
20                 of \$12,356,000, with an estimated Federal cost of  
21                 \$6,235,000 and an estimated non-Federal cost of  
22                 \$6,121,000.

23                 (15) BRUNSWICK HARBOR, GEORGIA.—The  
24                 project for navigation, Brunswick Harbor, Georgia:  
25                 Report of the Chief of Engineers dated October 6,

1       1998, at a total cost of \$50,717,000, with an esti-  
2       mated Federal cost of \$32,966,000 and an esti-  
3       mated non-Federal cost of \$17,751,000.

4                 (16) BEARGRASS CREEK, KENTUCKY.—The  
5       project for flood damage reduction, Beargrass Creek,  
6       Kentucky: Report of the Chief of Engineers dated  
7       May 12, 1998, at a total cost of \$11,172,000, with  
8       an estimated Federal cost of \$7,262,000 and an es-  
9       timated non-Federal cost of \$3,910,000.

10               (17) AMITE RIVER AND TRIBUTARIES, LOUISI-  
11       ANA, EAST BATON ROUGE PARISH WATERSHED.—  
12       The project for flood damage reduction and recre-  
13       ation, Amite River and Tributaries, Louisiana, East  
14       Baton Rouge Parish Watershed: Report of the Chief  
15       of Engineers, dated December 23, 1996, at a total  
16       cost of \$112,900,000, with an estimated Federal  
17       cost of \$73,400,000 and an estimated non-Federal  
18       cost of \$39,500,000.

19               (18) BALTIMORE HARBOR ANCHORAGES AND  
20       CHANNELS, MARYLAND AND VIRGINIA.—The project  
21       for navigation, Baltimore Harbor Anchorages and  
22       Channels, Maryland and Virginia: Report of the  
23       Chief of Engineers, dated June 8, 1998, at a total  
24       cost of \$28,430,000, with an estimated Federal cost

1       of \$19,000,000 and an estimated non-Federal cost  
2       of \$9,430,000.

3                     (19) RED LAKE RIVER AT CROOKSTON, MIN-  
4       NESOTA.—The project for flood damage reduction,  
5       Red Lake River at Crookston, Minnesota: Report of  
6       the Chief of Engineers, dated April 20, 1998, at a  
7       total cost of \$8,950,000, with an estimated Federal  
8       cost of \$5,720,000 and an estimated non-Federal  
9       cost of \$3,230,000.

10                  (20) NEW JERSEY SHORE PROTECTION, TOWN-  
11       SENDS INLET TO CAPE MAY INLET, NEW JERSEY.—

12                     (A) IN GENERAL.—The project for hurri-  
13       cane and storm damage reduction, ecosystem  
14       restoration, and shore protection, New Jersey  
15       coastline, Townsends Inlet to Cape May Inlet,  
16       New Jersey: Report of the Chief of Engineers  
17       dated September 28, 1998, at a total cost of  
18       \$56,503,000, with an estimated Federal cost of  
19       \$36,727,000 and an estimated non-Federal cost  
20       of \$19,776,000.

21                     (B) PERIODIC NOURISHMENT.—Periodic  
22       nourishment is authorized for a 50-year period  
23       at an estimated average annual cost of  
24       \$2,000,000, with an estimated annual Federal

1           cost of \$1,300,000 and an estimated annual  
2           non-Federal cost of \$700,000.

3           (21) PARK RIVER, NORTH DAKOTA.—

4               (A) IN GENERAL.—Subject to the condi-  
5           tion stated in subparagraph (B), the project for  
6           flood control, Park River, Grafton, North Da-  
7           kota, authorized by section 401(a) of the Water  
8           Resources Development Act of 1986 (100 Stat.  
9           4121) and deauthorized under section 1001(a)  
10           of the Water Resources Development Act of  
11           1986 (33 U.S.C. 579a), at a total cost of  
12           \$28,100,000, with an estimated Federal cost of  
13           \$18,265,000 and an estimated non-Federal cost  
14           of \$9,835,000.

15               (B) CONDITION.—No construction may be  
16           initiated unless the Secretary determines  
17           through a general reevaluation report using  
18           current data, that the project is technically  
19           sound, environmentally acceptable, and eco-  
20           nomically justified.

21               (22) SALT CREEK, GRAHAM, TEXAS.—The  
22           project for flood control, environmental restoration,  
23           and recreation, Salt Creek, Graham, Texas: Report  
24           of the Chief of Engineers dated October 6, 1998, at  
25           a total cost of \$10,080,000, with an estimated Fed-

1       eral cost of \$6,560,000 and an estimated non-Fed-  
2       eral cost of \$3,520,000.

3           (b) PROJECTS SUBJECT TO A FINAL REPORT.—The  
4       following projects for water resources development and  
5       conservation and other purposes are authorized to be car-  
6       ried out by the Secretary substantially in accordance with  
7       the plans, and subject to the conditions recommended in  
8       a final report of the Chief of Engineers as approved by  
9       the Secretary, if the report of the Chief is completed not  
10      later than December 31, 1999:

11                  (1) NOME HARBOR IMPROVEMENTS, ALASKA.—  
12       The project for navigation, Nome Harbor Improve-  
13       ments, Alaska, at a total cost of \$24,608,000, with  
14       an estimated first Federal cost of \$19,660,000 and  
15       an estimated first non-Federal cost of \$4,948,000.

16                  (2) SEWARD HARBOR, ALASKA.—The project  
17       for navigation, Seward Harbor, Alaska, at a total  
18       cost of \$12,240,000, with an estimated first Federal  
19       cost of \$4,364,000 and an estimated first non-Fed-  
20       eral cost of \$7,876,000.

21                  (3) HAMILTON AIRFIELD WETLAND RESTORA-  
22       TION, CALIFORNIA.—The project for environmental  
23       restoration at Hamilton Airfield, California, at a  
24       total cost of \$55,200,000, with an estimated Federal

1 cost of \$41,400,000 and an estimated non-Federal  
2 cost of \$13,800,000.

3 (4) OAKLAND, CALIFORNIA.—

4 (A) IN GENERAL.—The project for navi-  
5 gation and environmental restoration, Oakland,  
6 California, at a total cost of \$214,340,000, with  
7 an estimated Federal cost of \$143,450,000 and  
8 an estimated non-Federal cost of \$70,890,000.

9 (B) BERTHING AREAS AND OTHER LOCAL  
10 SERVICE FACILITIES.—The non-Federal inter-  
11 ests shall provide berthing areas and other local  
12 service facilities necessary for the project at an  
13 estimated cost of \$42,310,000.

14 (5) DELAWARE BAY COASTLINE: DELAWARE  
15 AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH,  
16 DELAWARE.—

17 (A) IN GENERAL.—The project for navi-  
18 gation mitigation, shore protection, and hurricane  
19 and storm damage reduction, Delaware Bay  
20 coastline: Delaware and New Jersey-Roosevelt  
21 Inlet-Lewes Beach, Delaware, at a total cost of  
22 \$3,393,000, with an estimated Federal cost of  
23 \$2,620,000 and an estimated non-Federal cost  
24 of \$773,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of \$196,000, with an estimated annual Federal cost of \$152,000 and an estimated annual non-Federal cost of \$44,000.

7                   (6) DELAWARE COAST FROM CAPE HENlopen  
8       TO FENWICK ISLAND, BETHANY BEACH/SOUTH  
9       BETHANY BEACH, DELAWARE.—

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of \$1,584,000, with an estimated annual Federal cost of \$1,030,000 and an estimated annual non-Federal cost of \$554,000.

(7) JACKSONVILLE HARBOR, FLORIDA.—The project for navigation, Jacksonville Harbor, Florida,

1       at a total cost of \$26,116,000, with an estimated  
2       Federal cost of \$9,129,000 and an estimated non-  
3       Federal cost of \$16,987,000.

4                 (8) LITTLE TALBOT ISLAND, DUVAL COUNTY,  
5       FLORIDA.—The project for hurricane and storm  
6       damage prevention and shore protection, Little Tal-  
7       bot Island, Duval County, Florida, at a total cost of  
8       \$5,915,000, with an estimated Federal cost of  
9       \$3,839,000 and an estimated non-Federal cost of  
10      \$2,076,000.

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

17                (10) SAVANNAH HARBOR EXPANSION, GEOR-  
18       GIA.—

19                         (A) IN GENERAL.—Subject to subparagraph  
20       (B), the Secretary may carry out the  
21       project for navigation, Savannah Harbor expan-  
22       sion, Georgia, substantially in accordance with  
23       the plans, and subject to the conditions, rec-  
24       ommended in a final report of the Chief of En-  
25       gineers, with such modifications as the Sec-

1           retary deems appropriate, at a total cost of  
2           \$230,174,000 (of which amount a portion is au-  
3           thorized for implementation of the mitigation  
4           plan), with an estimated Federal cost of  
5           \$145,160,000 and an estimated non-Federal  
6           cost of \$85,014,000.

7           (B) CONDITIONS.—The project authorized  
8           by subparagraph (A) may be carried out only  
9           after—

10                 (i) the Secretary, in consultation with  
11                 affected Federal, State, regional, and local  
12                 entities, has reviewed and approved an En-  
13                 vironmental Impact Statement that  
14                 includes—

15                         (I) an analysis of the impacts of  
16                         project depth alternatives ranging  
17                         from 42 feet through 48 feet; and

18                         (II) a selected plan for navigation  
19                         and associated mitigation plan as re-  
20                         quired by section 906(a) of the Water  
21                         Resources Development Act of 1986  
22                         (33 U.S.C. 2283); and

23                         (ii) the Secretary of the Interior, the  
24                         Secretary of Commerce, and the Adminis-  
25                         trator of the Environmental Protection

1                   Agency, with the Secretary, have approved  
2                   the selected plan and have determined that  
3                   the mitigation plan adequately addresses  
4                   the potential environmental impacts of the  
5                   project.

6                   (C) MITIGATION REQUIREMENTS.—The  
7                   mitigation plan shall be implemented in advance  
8                   of or concurrently with construction of the  
9                   project.

10                  (11) TURKEY CREEK BASIN, KANSAS CITY, MIS-  
11                  SOURI AND KANSAS CITY, KANSAS.—The project for  
12                  flood damage reduction, Turkey Creek Basin, Kan-  
13                  sas City, Missouri, and Kansas City, Kansas, at a  
14                  total cost of \$42,875,000 with an estimated Federal  
15                  cost of \$25,596,000 and an estimated non-Federal  
16                  cost of \$17,279,000.

17                  (12) LOWER CAPE MAY MEADOWS, CAPE MAY  
18                  POINT, NEW JERSEY.—

19                  (A) IN GENERAL.—The project for naviga-  
20                  tion mitigation, ecosystem restoration, shore  
21                  protection, and hurricane and storm damage re-  
22                  duction, Lower Cape May Meadows, Cape May  
23                  Point, New Jersey, at a total cost of  
24                  \$15,952,000, with an estimated Federal cost of

1           \$12,118,000 and an estimated non-Federal cost  
2           of \$3,834,000.

3           (B) PERIODIC NOURISHMENT.—Periodic  
4           nourishment is authorized for a 50-year period  
5           at an estimated average annual cost of  
6           \$1,114,000, with an estimated annual Federal  
7           cost of \$897,000 and an estimated annual non-  
8           Federal cost of \$217,000.

9           (13) NEW JERSEY SHORE PROTECTION, BRIG-  
10          ANTINE INLET TO GREAT EGG HARBOR, BRIGANTINE  
11          ISLAND, NEW JERSEY.—

12           (A) IN GENERAL.—The project for hurri-  
13           cane and storm damage reduction and shore  
14           protection, New Jersey Shore protection, Brig-  
15           antine Inlet to Great Egg Harbor, Brigantine  
16           Island, New Jersey, at a total cost of  
17           \$4,970,000, with an estimated Federal cost of  
18           \$3,230,000 and an estimated non-Federal cost  
19           of \$1,740,000.

20           (B) PERIODIC NOURISHMENT.—Periodic  
21           nourishment is authorized for a 50-year period  
22           at an estimated average annual cost of  
23           \$465,000, with an estimated annual Federal  
24           cost of \$302,000 and an estimated annual non-  
25           Federal cost of \$163,000.

1                   (14)    MEMPHIS    HARBOR,    MEMPHIS,    TEN-  
2                   NESSEE.—

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

## **23 SEC. 102. PROJECT MODIFICATIONS.**

24 (a) PROJECTS WITH REPORTS.—

1                             (1) SAN LORENZO RIVER, CALIFORNIA.—The  
2 project for flood control, San Lorenzo River, California,  
3 authorized by section 101(a)(5) of the Water  
4 Resources Development Act of 1996 (110 Stat.  
5 3663), is modified to authorize the Secretary to in-  
6 clude as a part of the project streambank erosion  
7 control measures to be undertaken substantially in  
8 accordance with the report entitled “Bank Stabiliza-  
9 tion Concept, Laurel Street Extension”, dated April  
10 23, 1998, at a total cost of \$4,000,000, with an esti-  
11 mated Federal cost of \$2,600,000 and an estimated  
12 non-Federal cost of \$1,400,000.

13                             (2) WOOD RIVER, GRAND ISLAND, NEBRASKA.—  
14 The project for flood control, Wood River, Grand Is-  
15 land, Nebraska, authorized by section 101(a)(19) of  
16 the Water Resources Development Act of 1996 (110  
17 Stat. 3665) is modified to authorize the Secretary to  
18 construct the project in accordance with the Corps  
19 of Engineers report dated June 29, 1998, at a total  
20 cost of \$17,039,000, with an estimated Federal cost  
21 of \$9,730,000 and an estimated non-Federal cost of  
22 \$7,309,000.

23                             (3) ABSECON ISLAND, NEW JERSEY.—The  
24 project for Absecon Island, New Jersey, authorized  
25 by section 101(b)(13) of the Water Resources Devel-

1 opment Act of 1996 (110 Stat. 3668) is amended to  
2 authorize the Secretary to reimburse the non-Fed-  
3 eral interests for all work performed, consistent with  
4 the authorized project.

5 (4) ARTHUR KILL, NEW YORK AND NEW JER-  
6 SEY.—

7 (A) IN GENERAL.—The project for naviga-  
8 tion, Arthur Kill, New York and New Jersey,  
9 authorized by section 202(b) of the Water Re-  
10 sources Development Act of 1986 (100 Stat.  
11 4098) and modified by section 301(b)(11) of  
12 the Water Resources Development Act of 1996  
13 (110 Stat. 3711), is further modified to author-  
14 ize the Secretary to construct the project at a  
15 total cost of \$276,800,000, with an estimated  
16 Federal cost of \$183,200,000 and an estimated  
17 non-Federal cost of \$93,600,000.

18 (B) BERTHING AREAS AND OTHER LOCAL  
19 SERVICE FACILITIES.—The non-Federal inter-  
20 ests shall provide berthing areas and other local  
21 service facilities necessary for the project at an  
22 estimated cost of \$38,900,000.

23 (5) WAURIKA LAKE, OKLAHOMA, WATER CON-  
24 VEYANCE FACILITIES.—The requirement for the  
25 Waurika Project Master Conservancy District to

1       repay the \$2,900,000 in costs (including interest)  
2       resulting from the October 1991 settlement of the  
3       claim of the Travelers Insurance Company before  
4       the United States Claims Court related to construc-  
5       tion of the water conveyance facilities authorized by  
6       the first section of Public Law 88-253 (77 Stat.  
7       841) is waived.

8           (b) PROJECTS SUBJECT TO REPORTS.—The follow-  
9       ing projects are modified as follows, except that no funds  
10      may be obligated to carry out work under such modifica-  
11      tions until completion of a final report by the Chief of  
12      Engineers, as approved by the Secretary, finding that such  
13      work is technically sound, environmentally acceptable, and  
14      economically justified, as applicable:

15           (1) THORNTON RESERVOIR, COOK COUNTY, IL-  
16      LINOIS.—

17           (A) IN GENERAL.—The Thornton Res-  
18      ervoir project, an element of the project for  
19      flood control, Chicagoland Underflow Plan, Illi-  
20      nois, authorized by section 3(a)(5) of the Water  
21      Resources Development Act of 1988 (102 Stat.  
22      4013), is modified to authorize the Secretary to  
23      include additional permanent flood control stor-  
24      age attributable to the Thorn Creek Reservoir  
25      project, Little Calumet River Watershed, Illi-

1           nois, approved under the Watershed Protection  
2           and Flood Prevention Act (16 U.S.C. 1001 et  
3           seq.).

4           (B) COST SHARING.—Costs for the Thornton  
5           Reservoir project shall be shared in accordance  
6           with section 103 of the Water Resources  
7           Development Act of 1986 (33 U.S.C. 2213).

8           (C) TRANSITIONAL STORAGE.—The Secretary  
9           of Agriculture may cooperate with non-  
10          Federal interests to provide, on a transitional  
11          basis, flood control storage for the Thorn Creek  
12          Reservoir project in the west lobe of the Thornton  
13          quarry.

14          (D) CREDITING.—The Secretary may credit  
15          it against the non-Federal share of the Thornton  
16          Reservoir project all design and construction  
17          costs incurred by the non-Federal interests  
18          before the date of enactment of this Act.

19          (E) REEVALUATION REPORT.—The Secretary  
20          shall determine the credits authorized by  
21          subparagraph (D) that are integral to the  
22          Thornton Reservoir project and the current  
23          total project costs based on a limited reevalua-  
24          tion report.

25          (2) WELLS HARBOR, WELLS, MAINE.—

(i) The portion of the 6-foot channel  
the boundaries of which begin at a point  
with coordinates N177,992.00,  
E394,831.00, thence running south 83 de-  
grees 58 minutes 14.8 seconds west 10.38  
feet to a point N177,990.91, E394,820.68,  
thence running south 11 degrees 46 min-  
utes 47.7 seconds west 991.76 feet to a  
point N177,020.04, E394,618.21, thence  
running south 78 degrees 13 minutes 45.7  
seconds east 10.00 feet to a point  
N177,018.00, E394,628.00, thence run-  
ning north 11 degrees 46 minutes 22.8

1           seconds east 994.93 feet to the point of or-  
2           igin.

3           (ii) The portion of the 6-foot anchor-  
4           age the boundaries of which begin at a  
5           point with coordinates N177,778.07,  
6           E394,336.96, thence running south 51 de-  
7           grees 58 minutes 32.7 seconds west 15.49  
8           feet to a point N177,768.53, E394,324.76,  
9           thence running south 11 degrees 46 min-  
10          utes 26.5 seconds west 672.87 feet to a  
11          point N177,109.82, E394,187.46, thence  
12          running south 78 degrees 13 minutes 45.7  
13          seconds east 10.00 feet to a point  
14          N177,107.78, E394,197.25, thence run-  
15          ning north 11 degrees 46 minutes 25.4  
16          seconds east 684.70 feet to the point of or-  
17          igin.

18           (iii) The portion of the 10-foot set-  
19          tling basin the boundaries of which begin  
20          at a point with coordinates N177,107.78,  
21          E394,197.25, thence running north 78 de-  
22          grees 13 minutes 45.7 seconds west 10.00  
23          feet to a point N177,109.82, E394,187.46,  
24          thence running south 11 degrees 46 min-  
25          utes 15.7 seconds west 300.00 feet to a

1                   point N176,816.13, E394,126.26, thence  
2                   running south 78 degrees 12 minutes 21.4  
3                   seconds east 9.98 feet to a point  
4                   N176,814.09, E394,136.03, thence run-  
5                   ning north 11 degrees 46 minutes 29.1  
6                   seconds east 300.00 feet to the point of or-  
7                   igin.

8                   (iv) The portion of the 10-foot settling  
9                   basin the boundaries of which begin at a  
10                  point with coordinates N177,018.00,  
11                  E394,628.00, thence running north 78 de-  
12                  grees 13 minutes 45.7 seconds west 10.00  
13                  feet to a point N177,020.04, E394,618.21,  
14                  thence running south 11 degrees 46 min-  
15                  utes 44.0 seconds west 300.00 feet to a  
16                  point N176,726.36, E394,556.97, thence  
17                  running south 78 degrees 12 minutes 30.3  
18                  seconds east 10.03 feet to a point  
19                  N176,724.31, E394,566.79, thence run-  
20                  ning north 11 degrees 46 minutes 22.4  
21                  seconds east 300.00 feet to the point of or-  
22                  igin.

23                  (C) REDESIGNATIONS.—The following por-  
24                  tions of the project shall be redesignated as  
25                  part of the 6-foot anchorage:

- 1                             (i) The portion of the 6-foot channel  
2                             the boundaries of which begin at a point  
3                             with                 coordinates         N177,990.91,  
4                             E394,820.68, thence running south 83 de-  
5                             grees 58 minutes 40.8 seconds west 94.65  
6                             feet to a point N177,980.98, E394,726.55,  
7                             thence running south 11 degrees 46 min-  
8                             utes 22.4 seconds west 962.83 feet to a  
9                             point N177,038.40, E394,530.10, thence  
10                            running south 78 degrees 13 minutes 45.7  
11                            seconds east 90.00 feet to a point  
12                            N177,020.04, E394,618.21, thence run-  
13                            ning north 11 degrees 46 minutes 47.7  
14                            seconds east 991.76 feet to the point of or-  
15                            igin.
- 16                             (ii) The portion of the 10-foot inner  
17                             harbor settling basin the boundaries of  
18                             which begin at a point with coordinates  
19                             N177,020.04, E394,618.21, thence run-  
20                             ning north 78 degrees 13 minutes 30.5  
21                             seconds west 160.00 feet to a point  
22                             N177,052.69, E394,461.58, thence run-  
23                             ning south 11 degrees 46 minutes 45.4  
24                             seconds west 299.99 feet to a point  
25                             N176,759.02, E394,400.34, thence run-

1                   ning south 78 degrees 13 minutes 17.9  
2                   seconds east 160 feet to a point  
3                   N176,726.36, E394,556.97, thence run-  
4                   ning north 11 degrees 46 minutes 44.0  
5                   seconds east 300.00 feet to the point of or-  
6                   igin.

7                   (iii) The portion of the 6-foot anchor-  
8                   age the boundaries of which begin at a  
9                   point with coordinates N178,102.26,  
10                  E394,751.83, thence running south 51 de-  
11                  grees 59 minutes 42.1 seconds west 526.51  
12                  feet to a point N177,778.07, E394,336.96,  
13                  thence running south 11 degrees 46 min-  
14                  utes 26.6 seconds west 511.83 feet to a  
15                  point N177,277.01, E394,232.52, thence  
16                  running south 78 degrees 13 minutes 17.9  
17                  seconds east 80.00 feet to a point  
18                  N177,260.68, E394,310.84, thence run-  
19                  ning north 11 degrees 46 minutes 24.8  
20                  seconds east 482.54 feet to a point  
21                  N177,733.07, E394,409.30, thence run-  
22                  ning north 51 degrees 59 minutes 41.0  
23                  seconds east 402.63 feet to a point  
24                  N177,980.98, E394,726.55, thence run-  
25                  ning north 11 degrees 46 minutes 27.6

1           seconds east 123.89 feet to the point of or-  
2           igin.

3           (D) REALIGNMENT.—The 6-foot anchorage  
4           area described in subparagraph (C)(iii) shall be  
5           realigned to include the area located south of  
6           the inner harbor settling basin in existence on  
7           the date of enactment of this Act beginning at  
8           a point with coordinates N176,726.36,  
9           E394,556.97, thence running north 78 degrees  
10          13 minutes 17.9 seconds west 160.00 feet to a  
11          point N176,759.02, E394,400.34, thence run-  
12          ning south 11 degrees 47 minutes 03.8 seconds  
13          west 45 feet to a point N176,714.97,  
14          E394,391.15, thence running south 78 degrees  
15          13 minutes 17.9 seconds 160.00 feet to a point  
16          N176,682.31, E394,547.78, thence running  
17          north 11 degrees 47 minutes 03.8 seconds east  
18          45 feet to the point of origin.

19           (E) RELOCATION.—The Secretary may re-  
20          locate the settling basin feature of the project  
21          to the outer harbor between the jetties.

22           (3) NEW YORK HARBOR AND ADJACENT CHAN-  
23          NELS, PORT JERSEY, NEW JERSEY.—The project for  
24          navigation, New York Harbor and Adjacent Chan-  
25          nels, Port Jersey, New Jersey, authorized by section

1       202(b) of the Water Resources Development Act of  
2       1986 (100 Stat. 4098), is modified to authorize the  
3       Secretary to construct the project at a total cost of  
4       \$103,267,000, with an estimated Federal cost of  
5       \$76,909,000 and an estimated non-Federal cost of  
6       \$26,358,000.

7       (c) BEAVER LAKE, ARKANSAS, WATER SUPPLY  
8       STORAGE REALLOCATION.—The Secretary shall reallocate  
9       approximately 31,000 additional acre-feet at Beaver Lake,  
10      Arkansas, to water supply storage at no cost to the Beaver  
11      Water District or the Carroll-Boone Water District, except  
12      that at no time shall the bottom of the conservation pool  
13      be at an elevation that is less than 1,076 feet, NGVD.

14       (d) TOLCHESTER CHANNEL S-TURN, BALTIMORE,  
15      MARYLAND.—The project for navigation, Baltimore Har-  
16      bor and Channels, Maryland, authorized by section 101  
17      of the River and Harbor Act of 1958 (72 Stat. 297), is  
18      modified to direct the Secretary to straighten the  
19      Tolchester Channel S-turn as part of project maintenance.

20       (e) TROPICANA WASH AND FLAMINGO WASH, NE-  
21      VADA.—Any Federal costs associated with the Tropicana  
22      and Flamingo Washes, Nevada, authorized by section  
23      101(13) of the Water Resources Development Act of 1992  
24      (106 Stat. 4803), incurred by the non-Federal interest to  
25      accelerate or modify construction of the project, in co-

1 operation with the Corps of Engineers, shall be considered  
2 to be eligible for reimbursement by the Secretary.

3 (f) REDIVERSION PROJECT, COOPER RIVER,  
4 CHARLESTON HARBOR, SOUTH CAROLINA.—

5 (1) IN GENERAL.—The rediversion project,  
6 Cooper River, Charleston Harbor, South Carolina,  
7 authorized by section 101 of the River and Harbor  
8 Act of 1968 (82 Stat. 731) and modified by title I  
9 of the Energy and Water Development Appropriations  
10 Act, 1992 (105 Stat. 517), is modified to authorize  
11 the Secretary to pay the State of South Carolina  
12 not more than \$3,750,000, if the State enters into an  
13 agreement with the Secretary providing that the State  
14 shall perform all future operation of the St. Stephen,  
15 South Carolina, fish lift (including associated  
16 studies to assess the efficacy of the fish lift).

18 (2) CONTENTS.—The agreement shall specify  
19 the terms and conditions under which payment will  
20 be made and the rights of, and remedies available to,  
21 the Secretary to recover all or a portion of the payment  
22 if the State suspends or terminates operation  
23 of the fish lift or fails to perform the operation in  
24 a manner satisfactory to the Secretary.

1                             (3) MAINTENANCE.—Maintenance of the fish  
2 lift shall remain a Federal responsibility.

3                             (g) TRINITY RIVER AND TRIBUTARIES, TEXAS.—The  
4 project for flood control and navigation, Trinity River and  
5 tributaries, Texas, authorized by section 301 of the River  
6 and Harbor Act of 1965 (79 Stat. 1091), is modified to  
7 add environmental restoration as a project purpose.

8                             (h) BEACH EROSION CONTROL AND HURRICANE  
9 PROTECTION, VIRGINIA BEACH, VIRGINIA.—

10                            (1) ACCEPTANCE OF FUNDS.—In any fiscal  
11 year that the Corps of Engineers does not receive  
12 appropriations sufficient to meet expected project ex-  
13 penditures for that year, the Secretary shall accept  
14 from the city of Virginia Beach, Virginia, for pur-  
15 poses of the project for beach erosion control and  
16 hurricane protection, Virginia Beach, Virginia, au-  
17 thorized by section 501(a) of the Water Resources  
18 Development Act of 1986 (100 Stat. 4136), such  
19 funds as the city may advance for the project.

20                            (2) REPAYMENT.—Subject to the availability of  
21 appropriations, the Secretary shall repay, without in-  
22 terest, the amount of any advance made under para-  
23 graph (1), from appropriations that may be provided  
24 by Congress for river and harbor, flood control,  
25 shore protection, and related projects.

1       (i) ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.—  
2 Notwithstanding any other provision of law, after the date  
3 of enactment of this Act, the city of Chesapeake, Virginia,  
4 shall not be obligated to make the annual cash contribu-  
5 tion required under paragraph 1(9) of the Local Coopera-  
6 tion Agreement dated December 12, 1978, between the  
7 Government and the city for the project for navigation,  
8 southern branch of Elizabeth River, Chesapeake, Virginia.

9       (j) PAYMENT OPTION, MOOREFIELD, WEST VIR-  
10 GINIA.—The Secretary may permit the non-Federal inter-  
11 ests for the project for flood control, Moorefield, West Vir-  
12 ginia, to pay without interest the remaining non-Federal  
13 cost over a period not to exceed 30 years, to be determined  
14 by the Secretary.

15       (k) MIAMI DADE AGRICULTURAL AND RURAL LAND  
16 RETENTION PLAN AND SOUTH BISCAYNE, FLORIDA.—  
17 Section 528(b)(3) of the Water Resources Development  
18 Act of 1996 (110 Stat. 3768) is amended by adding at  
19 the end the following:

20                     “(D) CREDIT AND REIMBURSEMENT OF  
21 PAST AND FUTURE ACTIVITIES.—The Secretary  
22 may afford credit to or reimburse the non-Fed-  
23 eral sponsors (using funds authorized by sub-  
24 paragraph (C)) for the reasonable costs of any  
25 work that has been performed or will be per-

1           formed in connection with a study or activity  
2           meeting the requirements of subparagraph (A)  
3           if—

4                 “(i) the Secretary determines that—  
5                         “(I) the work performed by the  
6                         non-Federal sponsors will substantially  
7                         expedite completion of a critical  
8                         restoration project; and

9                 “(II) the work is necessary for a  
10                 critical restoration project; and

11                 “(ii) the credit or reimbursement is  
12                 granted pursuant to a project-specific  
13                 agreement that prescribes the terms and  
14                 conditions of the credit or reimbursement.  
15                 ”.

16                 (l) LAKE MICHIGAN, ILLINOIS.—

17                 (1) IN GENERAL.—The project for storm damage reduction and shoreline protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois-Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to provide for reimbursement for additional project work undertaken by the non-Federal interest.

1                             (2) CREDIT OR REIMBURSEMENT.—The Sec-  
2                             retary shall credit or reimburse the non-Federal in-  
3                             terest for the Federal share of project costs incurred  
4                             by the non-Federal interest in designing, construct-  
5                             ing, or reconstructing reach 2F (700 feet south of  
6                             Fullerton Avenue and 500 feet north of Fullerton  
7                             Avenue), reach 3M (Meigs Field), and segments 7  
8                             and 8 of reach 4 (43rd Street to 57th Street), if the  
9                             non-Federal interest carries out the work in accord-  
10                             ance with plans approved by the Secretary, at an es-  
11                             timated total cost of \$83,300,000.

12                             (3) REIMBURSEMENT.—The Secretary shall re-  
13                             imburse the non-Federal interest for the Federal  
14                             share of project costs incurred by the non-Federal  
15                             interest in reconstructing the revetment structures  
16                             protecting Solidarity Drive in Chicago, Illinois, be-  
17                             fore the signing of the project cooperation agree-  
18                             ment, at an estimated total cost of \$7,600,000.

19                             (m) MEASUREMENTS OF LAKE MICHIGAN DIVER-  
20                             SIONS, ILLINOIS.—Section 1142(b) of the Water Re-  
21                             sources Development Act of 1986 (100 Stat. 4253) is  
22                             amended by striking “\$250,000 per fiscal year for each  
23                             fiscal year beginning after September 30, 1986” and in-  
24                             serting “a total of \$1,250,000 for each of fiscal years  
25                             1999 through 2003”.

## 1       (n) PROJECT FOR NAVIGATION, DUBUQUE, IOWA.—

2     The project for navigation at Dubuque, Iowa, authorized  
3     by section 101 of the River and Harbor Act of 1960 (74  
4     Stat. 482), is modified to authorize the development of  
5     a wetland demonstration area of approximately 1.5 acres  
6     to be developed and operated by the Dubuque County His-  
7     torical Society or a successor nonprofit organization.

8       (o) LOUISIANA STATE PENITENTIARY LEVEE.—The  
9     Secretary may credit against the non-Federal share work  
10    performed in the project area of the Louisiana State Peni-  
11    tentiary Levee, Mississippi River, Louisiana, authorized by  
12    section 401(a) of the Water Resources Development Act  
13    of 1986 (100 Stat. 4117).14      (p) JACKSON COUNTY, MISSISSIPPI.—The project for  
15    environmental infrastructure, Jackson County, Mis-  
16    sissippi, authorized by section 219(c)(5) of the Water Re-  
17    sources Development Act of 1992 (106 Stat. 4835) and  
18    modified by section 504 of the Water Resources Develop-  
19    ment Act of 1996 (110 Stat. 3757), is modified to direct  
20    the Secretary to provide a credit, not to exceed  
21    \$5,000,000, against the non-Federal share of the cost of  
22    the project for the costs incurred by the Jackson County  
23    Board of Supervisors since February 8, 1994, in con-  
24    structing the project, if the Secretary determines that such

1 costs are for work that the Secretary determines was com-  
2 patible with and integral to the project.

3 (q) RICHARD B. RUSSELL DAM AND LAKE, SOUTH  
4 CAROLINA.—

5 (1) IN GENERAL.—Except as otherwise pro-  
6 vided in this paragraph, the Secretary shall convey  
7 to the State of South Carolina all right, title, and  
8 interest of the United States in the parcels of land  
9 described in subparagraph (B) that are currently  
10 being managed by the South Carolina Department  
11 of Natural Resources for fish and wildlife mitigation  
12 purposes for the Richard B. Russell Dam and Lake,  
13 South Carolina, project authorized by the Flood  
14 Control Act of 1966 and modified by the Water Re-  
15 sources Development Act of 1986.

16 (2) LAND DESCRIPTION.—

17 (A) IN GENERAL.—The parcels of land to  
18 be conveyed are described in Exhibits A, F, and  
19 H of Army Lease No. DACW21-1-93-0910  
20 and associated supplemental agreements or are  
21 designated in red in Exhibit A of Army License  
22 No. DACW21-3-85-1904, excluding all des-  
23 ignated parcels in the license that are below ele-  
24 vation 346 feet mean sea level or that are less

1           than 300 feet measured horizontally from the  
2           top of the power pool.

3           (B) MANAGEMENT OF EXCLUDED PAR-  
4           CELS.—Management of the excluded parcels  
5           shall continue in accordance with the terms of  
6           Army License No. DACW21–3–85–1904 until  
7           the Secretary and the State enter into an agree-  
8           ment under subparagraph (F).

9           (C) SURVEY.—The exact acreage and legal  
10          description of the land shall be determined by  
11          a survey satisfactory to the Secretary, with the  
12          cost of the survey borne by the State.

13          (3) COSTS OF CONVEYANCE.—The State shall  
14          be responsible for all costs, including real estate  
15          transaction and environmental compliance costs, as-  
16          sociated with the conveyance.

17          (4) PERPETUAL STATUS.—

18           (A) IN GENERAL.—All land conveyed  
19          under this paragraph shall be retained in public  
20          ownership and shall be managed in perpetuity  
21          for fish and wildlife mitigation purposes in ac-  
22          cordance with a plan approved by the Secretary.

23           (B) REVERSION.—If any parcel of land is  
24          not managed for fish and wildlife mitigation

1           purposes in accordance with the plan, title to  
2           the parcel shall revert to the United States.

3           (5) ADDITIONAL TERMS AND CONDITIONS.—  
4           The Secretary may require such additional terms  
5           and conditions in connection with the conveyance as  
6           the Secretary considers appropriate to protect the  
7           interests of the United States.

8           (6) FISH AND WILDLIFE MITIGATION AGREEMENT.—

10           (A) IN GENERAL.—The Secretary may pay  
11           the State of South Carolina not more than  
12           \$4,850,000 subject to the Secretary and the  
13           State entering into a binding agreement for the  
14           State to manage for fish and wildlife mitigation  
15           purposes in perpetuity the lands conveyed under  
16           this paragraph and excluded parcels designated  
17           in Exhibit A of Army License No. DACW21–  
18           3–85–1904.

19           (B) FAILURE OF PERFORMANCE.—The  
20           agreement shall specify the terms and condi-  
21           tions under which payment will be made and  
22           the rights of, and remedies available to, the  
23           Federal Government to recover all or a portion  
24           of the payment if the State fails to manage any

1           parcel in a manner satisfactory to the Sec-  
2           retary.

3       (r) LAND CONVEYANCE, CLARKSTON, WASHING-  
4 TON.—

5           (1) IN GENERAL.—The Secretary shall convey  
6           to the Port of Clarkston, Washington, all right, title,  
7           and interest of the United States in and to a portion  
8           of the land described in the Department of the Army  
9           lease No. DACW68-1-97-22, consisting of approxi-  
10          mately 31 acres, the exact boundaries of which shall  
11          be determined by the Secretary and the Port of  
12          Clarkston.

13          (2) ADDITIONAL LAND.—The Secretary may  
14          convey to the Port of Clarkston, Washington, at fair  
15          market value as determined by the Secretary, such  
16          additional land located in the vicinity of Clarkston,  
17          Washington, as the Secretary determines to be ex-  
18          cess to the needs of the Columbia River Project and  
19          appropriate for conveyance.

20          (3) TERMS AND CONDITIONS.—The conveyances  
21          made under subsections (a) and (b) shall be subject  
22          to such terms and conditions as the Secretary deter-  
23          mines to be necessary to protect the interests of the  
24          United States, including a requirement that the Port  
25          of Clarkston pay all administrative costs associated

1       with the conveyances, including the cost of land sur-  
2       veys and appraisals and costs associated with com-  
3       pliance with applicable environmental laws (includ-  
4       ing regulations).

5                 (4) USE OF LAND.—The Port of Clarkston  
6       shall be required to pay the fair market value, as de-  
7       termined by the Secretary, of any land conveyed  
8       pursuant to subsection (a) that is not retained in  
9       public ownership or is used for other than public  
10      park or recreation purposes, except that the Sec-  
11      retary shall have a right of reverter to reclaim pos-  
12      session and title to any such land.

13                 (s) WHITE RIVER, INDIANA.—The project for flood  
14      control, Indianapolis on West Fork of the White River,  
15      Indiana, authorized by section 5 of the Act entitled “An  
16      Act authorizing the construction of certain public works  
17      on rivers and harbors for flood control, and other pur-  
18      poses”, approved June 22, 1936 (49 Stat. 1586, chapter  
19      688), as modified by section 323 of the Water Resources  
20      Development Act of 1996 (110 Stat. 3716), is modified  
21      to authorize the Secretary to undertake the riverfront al-  
22      terations described in the Central Indianapolis Waterfront  
23      Concept Plan, dated February 1994, for the Canal Devel-  
24      opment (Upper Canal feature) and the Beveridge Paper  
25      feature, at a total cost not to exceed \$25,000,000, of

1 which \$12,500,000 is the estimated Federal cost and  
2 \$12,500,000 is the estimated non-Federal cost, except  
3 that no such alterations may be undertaken unless the  
4 Secretary determines that the alterations authorized by  
5 this subsection, in combination with the alterations under-  
6 taken under section 323 of the Water Resources Develop-  
7 ment Act of 1996 (110 Stat. 3716), are economically justi-  
8 fied.

9       (t) FOX POINT HURRICANE BARRIER, PROVIDENCE,  
10 RHODE ISLAND.—The project for hurricane-flood protec-  
11 tion, Fox Point, Providence, Rhode Island, authorized by  
12 section 203 of the Flood Control Act of 1958 (72 Stat.  
13 306) is modified to direct the Secretary to undertake the  
14 necessary repairs to the barrier, as identified in the Condi-  
15 tion Survey and Technical Assessment dated April 1998  
16 with Supplement dated August 1998, at a total cost of  
17 \$3,000,000, with an estimated Federal cost of \$1,950,000  
18 and an estimated non-Federal cost of \$1,050,000.

19 **SEC. 103. PROJECT DEAUTHORIZATIONS.**

20       (a) BRIDGEPORT HARBOR, CONNECTICUT.—The por-  
21 tion of the project for navigation, Bridgeport Harbor,  
22 Connecticut, authorized by section 101 of the River and  
23 Harbor Act of 1958 (72 Stat. 297), consisting of a 2.4-  
24 acre anchorage area 9 feet deep and an adjacent 0.60-  
25 acre anchorage area 6 feet deep, located on the west side

1 of Johnsons River, Connecticut, is not authorized after the  
2 date of enactment of this Act.

3 (b) BASS HARBOR, MAINE.—

4 (1) DEAUTHORIZATION.—The portions of the  
5 project for navigation, Bass Harbor, Maine, author-  
6 ized on May 7, 1962, under section 107 of the River  
7 and Harbor Act of 1960 (33 U.S.C. 577) described  
8 in paragraph (2) are not authorized after the date  
9 of enactment of this Act.

10 (2) DESCRIPTION.—The portions of the project  
11 referred to in paragraph (1) are described as follows:

12 (A) Beginning at a bend in the project,  
13 N149040.00, E538505.00, thence running eas-  
14 terly about 50.00 feet along the northern limit  
15 of the project to a point, N149061.55,  
16 E538550.11, thence running southerly about  
17 642.08 feet to a point, N148477.64,  
18 E538817.18, thence running southwesterly  
19 about 156.27 feet to a point on the westerly  
20 limit of the project, N148348.50, E538737.02,  
21 thence running northerly about 149.00 feet  
22 along the westerly limit of the project to a bend  
23 in the project, N148489.22, E538768.09,  
24 thence running northwesterly about 610.39 feet

1           along the westerly limit of the project to the  
2           point of origin.

3           (B) Beginning at a point on the westerly  
4           limit of the project, N148118.55, E538689.05,  
5           thence running southeasterly about 91.92 feet  
6           to a point, N148041.43, E538739.07, thence  
7           running southerly about 65.00 feet to a point,  
8           N147977.86, E538725.51, thence running  
9           southwesterly about 91.92 feet to a point on the  
10          westerly limit of the project, N147927.84,  
11          E538648.39, thence running northerly about  
12          195.00 feet along the westerly limit of the  
13          project to the point of origin.

14          (c) BOOTHBAY HARBOR, MAINE.—The project for  
15         navigation, Boothbay Harbor, Maine, authorized by the  
16         Act of July 25, 1912 (37 Stat. 201, chapter 253), is not  
17         authorized after the date of enactment of this Act.

18          (d) EAST BOOTHBAY HARBOR, MAINE.—Section 364  
19         of the Water Resources Development Act of 1996 (110  
20         Stat. 3731) is amended by striking paragraph (9) and in-  
21         serting the following:

22           “(9) EAST BOOTHBAY HARBOR, MAINE.—The  
23         project for navigation, East Boothbay Harbor,  
24         Maine, authorized by the first section of the Act en-  
25         titled ‘An Act making appropriations for the con-

1        struction, repair, and preservation of certain public  
2        works on rivers and harbors, and for other pur-  
3        poses', approved June 25, 1910 (36 Stat. 657).".

4 **SEC. 104. STUDIES.**

5        (a) CADDO LEVEE, RED RIVER BELOW DENISON  
6 DAM, ARIZONA, LOUISIANA, OKLAHOMA, AND TEXAS.—  
7        The Secretary shall conduct a study to determine the fea-  
8 sibility of undertaking a project for flood control, Caddo  
9 Levee, Red River Below Denison Dam, Arizona, Louisi-  
10 ana, Oklahoma, and Texas, including incorporating the ex-  
11 isting levee, along Twelve Mile Bayou from its juncture  
12 with the existing Red River Below Denison Dam Levee  
13 approximately 26 miles upstream to its terminus at high  
14 ground in the vicinity of Black Bayou, Louisiana.

15        (b) FIELDS LANDING CHANNEL, HUMBOLDT HAR-  
16 BOR, CALIFORNIA.—The Secretary—

17                (1) shall conduct a study for the project for  
18        navigation, Fields Landing Channel, Humboldt Har-  
19        bor and Bay, California, to a depth of minus 35 feet  
20        (MLLW), and for that purpose may use any feasibil-  
21        ity report prepared by the non-Federal sponsor  
22        under section 203 of the Water Resources Develop-  
23        ment Act of 1986 (33 U.S.C. 2231) for which reim-  
24        bursement of the Federal share of the study is au-

1       thorized subject to the availability of appropriations;  
2       and

3               (2) may carry out the project under section 107  
4       of the River and Harbor Act of 1960 (33 U.S.C.  
5       577), if the Secretary determines that the project is  
6       feasible.

7               (c) STRAWBERRY CREEK, BERKELEY, CALIFOR-  
8 NIA.—The Secretary shall conduct a study to determine  
9 the feasibility of restoring Strawberry Creek, Berkeley,  
10 California, and the Federal interest in environmental res-  
11 toration, conservation of fish and wildlife resources, recre-  
12 ation, and water quality.

13               (d) WEST SIDE STORM WATER RETENTION FACIL-  
14 ITY, CITY OF LANCASTER, CALIFORNIA.—The Secretary  
15 shall conduct a study to determine the feasibility of under-  
16 taking measures to construct the West Side Storm Water  
17 Retention Facility in the city of Lancaster, California.

18               (e) APALACHICOLA RIVER, FLORIDA.—The Secretary  
19 shall conduct a study for the purpose of identifying—

20                       (1) alternatives for the management of material  
21       dredged in connection with operation and mainte-  
22       nance of the Apalachicola River Navigation Project;  
23       and

24                       (2) alternatives that reduce the requirements  
25       for such dredging.

1       (f) BROWARD COUNTY, SAND BYPASSING AT PORT  
2 EVERGLADES, FLORIDA.—The Secretary shall conduct a  
3 study to determine the feasibility of constructing a sand  
4 bypassing project at the Port Everglades Inlet, Florida.

5       (g) CITY OF DESTIN-NORIEGA POINT BREAKWATER,  
6 FLORIDA.—The Secretary shall conduct a study to deter-  
7 mine the feasibility of—

8              (1) restoring Noriega Point, Florida, to serve as  
9              a breakwater for Destin Harbor; and  
10             (2) including Noriega Point as part of the East  
11             Pass, Florida, navigation project.

12       (h) GATEWAY TRIANGLE REDEVELOPMENT AREA,  
13 FLORIDA.—

14              (1) IN GENERAL.—The Secretary shall conduct  
15              a study to determine the feasibility of undertaking  
16              measures to reduce the flooding problems in the vi-  
17              cinity of Gateway Triangle Redevelopment Area,  
18              Florida.

19              (2) STUDIES AND REPORTS.—The study shall  
20              include a review and consideration of studies and re-  
21              ports completed by the non-Federal interests.

22       (i) CITY OF PLANT CITY, FLORIDA.—

23              (1) IN GENERAL.—The Secretary shall conduct  
24              a study to determine the feasibility of a flood control  
25              project in the city of Plant City, Florida.

1                   (2) STUDIES AND REPORTS.—In conducting the  
2       study, the Secretary shall review and consider stud-  
3       ies and reports completed by the non-Federal inter-  
4       ests.

5                   (j) GOOSE CREEK WATERSHED, OAKLEY, IDAHO.—  
6       The Secretary shall conduct a study to determine the fea-  
7       sibility of undertaking flood damage reduction, water con-  
8       servation, ground water recharge, ecosystem restoration,  
9       and related purposes along the Goose Creek watershed  
10      near Oakley, Idaho.

11                  (k) ACADIANA NAVIGATION CHANNEL, LOUISIANA.—  
12      The Secretary shall conduct a study to determine the fea-  
13       sibility of assuming operations and maintenance for the  
14      Acadiana Navigation Channel located in Iberia and Ver-  
15      million Parishes, Louisiana.

16                  (l) CAMERON PARISH WEST OF CALCASIEU RIVER,  
17      LOUISIANA.—The Secretary shall conduct a study to de-  
18       termine the feasibility of a storm damage reduction and  
19       ecosystem restoration project for Cameron Parish west of  
20      Calcasieu River, Louisiana.

21                  (m) BENEFICIAL USE OF DREDGED MATERIAL,  
22      COASTAL LOUISIANA.—The Secretary shall conduct a  
23       study to determine the feasibility of using dredged mate-  
24       rial from maintenance activities at Federal navigation

1 projects in coastal Louisiana to benefit coastal areas in  
2 the State.

3 (n) CONTRABAND BAYOU NAVIGATION CHANNEL,  
4 LOUISIANA.—The Secretary shall conduct a study to de-  
5 termine the feasibility of assuming the maintenance at  
6 Contraband Bayou, Calcasieu River Ship Canal, Louisi-  
7 ana.

8 (o) GOLDEN MEADOW LOCK, LOUISIANA.—The Sec-  
9 retary shall conduct a study to determine the feasibility  
10 of converting the Golden Meadow floodgate into a nava-  
11 tion lock to be included in the Larose to Golden Meadow  
12 Hurricane Protection Project, Louisiana.

13 (p) GULF INTRACOASTAL WATERWAY ECOSYSTEM  
14 PROTECTION, CHEF MENTEUR TO SABINE RIVER, LOU-  
15 ISIANA.—

16 (1) IN GENERAL.—The Secretary shall conduct  
17 a study to determine the feasibility of undertaking  
18 ecosystem restoration and protection measures along  
19 the Gulf Intracoastal Waterway from Chef Menteur  
20 to Sabine River, Louisiana.

21 (2) MATTERS TO BE ADDRESSED.—The study  
22 shall address saltwater intrusion, tidal scour, ero-  
23 sion, and other water resources related problems in  
24 that area.

1       (q) LAKE PONTCHARTRAIN, LOUISIANA, AND VICIN-  
2 ITY, ST. CHARLES PARISH PUMPS.—The Secretary shall  
3 conduct a study to determine the feasibility of modifying  
4 the Lake Pontchartrain Hurricane Protection Project to  
5 include the St. Charles Parish Pumps and the modifica-  
6 tion of the seawall fronting protection along Lake Pont-  
7 chartrain in Orleans Parish, from New Basin Canal on  
8 the west to the Inner Harbor Navigation Canal on the  
9 east.

10      (r) LAKE PONTCHARTRAIN AND VICINITY SEAWALL  
11 RESTORATION, LOUISIANA.—The Secretary shall conduct  
12 a study to determine the feasibility of undertaking struc-  
13 tural modifications of that portion of the seawall fronting  
14 protection along the south shore of Lake Pontchartrain  
15 in Orleans Parish, Louisiana, extending approximately 5  
16 miles from the new basin Canal on the west to the Inner  
17 Harbor Navigation Canal on the east as a part of the Lake  
18 Pontchartrain and Vicinity Hurricane Protection Project,  
19 authorized by section 204 of the Flood Control Act of  
20 1965 (79 Stat. 1077).

21      (s) DETROIT RIVER, MICHIGAN, GREENWAY COR-  
22 RIDOR STUDY.—

23           (1) IN GENERAL.—The Secretary shall conduct  
24 a study to determine the feasibility of a project for  
25 shoreline protection, frontal erosion, and associated

1       purposes in the Detroit River shoreline area from  
2       the Belle Isle Bridge to the Ambassador Bridge in  
3       Detroit, Michigan.

4                 (2) POTENTIAL MODIFICATIONS.—As a part of  
5       the study, the Secretary shall review potential  
6       project modifications to any existing Corps projects  
7       within the same area.

8                 (t) ST. CLAIR SHORES FLOOD CONTROL, MICHIGAN.—The Secretary shall conduct a study to determine  
9       the feasibility of constructing a flood control project at St.  
10      Clair Shores, Michigan.

12                 (u) WOODTICK PENINSULA, MICHIGAN, AND TOLEDO  
13      HARBOR, OHIO.—The Secretary shall conduct a study to  
14      determine the feasibility of utilizing dredged material from  
15      Toledo Harbor, Ohio, to provide erosion reduction, navigation,  
16      and ecosystem restoration at Woodtick Peninsula,  
17      Michigan.

18                 (v) TUNICA LAKE WEIR, MISSISSIPPI.—

19                         (1) IN GENERAL.—The Secretary shall conduct  
20      a study to determine the feasibility of constructing  
21      an outlet weir at Tunica Lake, Tunica County, Mississippi,  
22      and Lee County, Arkansas, for the purpose  
23      of stabilizing water levels in the Lake.

24                         (2) ECONOMIC ANALYSIS.—In carrying out the  
25      study, the Secretary shall include as a part of the

1 economic analysis the benefits derived from recreation  
2 uses at the Lake and economic benefits associated  
3 with restoration of fish and wildlife habitat.

4 (w) PROTECTIVE FACILITIES FOR THE ST. LOUIS,  
5 MISSOURI, RIVERFRONT AREA.—

6 (1) STUDY.—The Secretary shall conduct a  
7 study to determine the optimal plan to protect facilities  
8 that are located on the Mississippi River riverfront within the boundaries of St. Louis, Missouri.

9 (2) REQUIREMENTS.—In conducting the study,  
10 the Secretary shall—

11 (A) evaluate alternatives to offer safety  
12 and security to facilities; and

13 (B) use state-of-the-art techniques to best  
14 evaluate the current situation, probable solutions,  
15 and estimated costs.

16 (3) REPORT.—Not later than April 15, 1999,  
17 the Secretary shall submit to Congress a report on  
18 the results of the study.

19 (x) YELLOWSTONE RIVER, MONTANA.—

20 (1) STUDY.—The Secretary shall conduct a  
21 comprehensive study of the Yellowstone River from  
22 Gardiner, Montana to the confluence of the Missouri  
23 River to determine the hydrologic, biological, and socioeconomics cumulative impacts on the river.

1                             (2) CONSULTATION AND COORDINATION.—The  
2                             Secretary shall conduct the study in consultation  
3                             with the United States Fish and Wildlife Service,  
4                             the United States Geological Survey, and the Natu-  
5                             ral Resources Conservation Service and with the full  
6                             participation of the State of Montana and tribal and  
7                             local entities, and provide for public participation.

8                             (3) REPORT.—Not later than 5 years after the  
9                             date of enactment of this Act, the Secretary shall  
10                            submit a report to Congress on the results of the  
11                            study.

12                             (y) LAS VEGAS VALLEY, NEVADA.—

13                             (1) IN GENERAL.—The Secretary shall conduct  
14                             a comprehensive study of water resources located in  
15                             the Las Vegas Valley, Nevada.

16                             (2) OBJECTIVES.—The study shall identify  
17                             problems and opportunities related to ecosystem res-  
18                             toration, water quality, particularly the quality of  
19                             surface runoff, water supply, and flood control.

20                             (z) OSWEGO RIVER BASIN, NEW YORK.—The Sec-  
21                             retary shall conduct a study to determine the feasibility  
22                             of establishing a flood forecasting system within the  
23                             Oswego River basin, New York.

24                             (aa) PORT OF NEW YORK-NEW JERSEY NAVIGATION  
25                             STUDY AND ENVIRONMENTAL RESTORATION STUDY.—

1                             (1) NAVIGATION STUDY.—The Secretary shall  
2                             conduct a comprehensive study of navigation needs  
3                             at the Port of New York-New Jersey (including the  
4                             South Brooklyn Marine and Red Hook Container  
5                             Terminals, Staten Island, and adjacent areas) to ad-  
6                             dress improvements, including deepening of existing  
7                             channels to depths of 50 feet or greater, that are re-  
8                             quired to provide economically efficient and environ-  
9                             mentally sound navigation to meet current and fu-  
10                            ture requirements.

11                            (2) ENVIRONMENTAL RESTORATION STUDY.—  
12                            The Secretary, acting through the Chief of Engi-  
13                            neers, shall review the report of the Chief of Engi-  
14                            neers on the New York Harbor, printed in the  
15                            House Management Plan of the Harbor Estuary  
16                            Program, and other pertinent reports concerning the  
17                            New York Harbor Region and the Port of New  
18                            York-New Jersey, to determine the Federal interest  
19                            in advancing harbor environmental restoration.

20                            (3) REPORT.—The Secretary may use funds  
21                            from the ongoing navigation study for New York  
22                            and New Jersey Harbor to complete a reconnais-  
23                            sance report for environmental restoration by De-  
24                            cember 31, 1999. The navigation study to deepen

1       New York and New Jersey Harbor shall consider  
2       beneficial use of dredged material.

3       (bb) BANK STABILIZATION, MISSOURI RIVER,  
4 NORTH DAKOTA.—

5                   (1) STUDY.—

6                   (A) IN GENERAL.—The Secretary shall  
7       conduct a study to determine the feasibility of  
8       bank stabilization on the Missouri River be-  
9       tween the Garrison Dam and Lake Oahe in  
10      North Dakota.

11                  (B) ELEMENTS.—In conducting the study,  
12      the Secretary shall study—

13                   (i) options for stabilizing the erosion  
14       sites on the banks of the Missouri River  
15       between the Garrison Dam and Lake Oahe  
16       identified in the report developed by the  
17       North Dakota State Water Commission,  
18       dated December 1997, including stabiliza-  
19       tion through nontraditional measures;

20                   (ii) the cumulative impact of bank  
21       stabilization measures between the Garri-  
22       son Dam and Lake Oahe on fish and wild-  
23       life habitat and the potential impact of ad-  
24       ditional stabilization measures, including

1                   the impact of nontraditional stabilization  
2                   measures;

3                   (iii) the current and future effects, in-  
4                   cluding economic and fish and wildlife  
5                   habitat effects, that bank erosion is having  
6                   on creating the delta at the beginning of  
7                   Lake Oahe; and

8                   (iv) the impact of taking no additional  
9                   measures to stabilize the banks of the Mis-  
10                  souri River between the Garrison Dam and  
11                  Lake Oahe.

12                 (C) INTERESTED PARTIES.—In conducting  
13                 the study, the Secretary shall, to the maximum  
14                 extent practicable, seek the participation and  
15                 views of interested Federal, State, and local  
16                 agencies, landowners, conservation organiza-  
17                 tions, and other persons.

18                 (D) REPORT.—

19                 (i) IN GENERAL.—The Secretary shall  
20                 report to Congress on the results of the  
21                 study not later than 1 year after the date  
22                 of enactment of this Act.

23                 (ii) STATUS.—If the Secretary cannot  
24                 complete the study and report to Congress  
25                 by the day that is 1 year after the date of

1           enactment of this Act, the Secretary shall,  
2           by that day, report to Congress on the sta-  
3           tus of the study and report, including an  
4           estimate of the date of completion.

5           (2) EFFECT ON EXISTING PROJECTS.—This  
6           subsection does not preclude the Secretary from es-  
7           tablishing or carrying out a stabilization project that  
8           is authorized by law.

9           (cc) CLEVELAND HARBOR, CLEVELAND, OHIO.—The  
10          Secretary shall conduct a study to determine the feasibility  
11          of undertaking repairs and related navigation improve-  
12          ments at Dike 14, Cleveland, Ohio.

13          (dd) EAST LAKE, VERMILLION AND CHAGRIN,  
14          OHIO.—

15           (1) IN GENERAL.—The Secretary shall conduct  
16           a study to determine the feasibility of undertaking  
17           flood damage reduction at East Lake, Vermillion  
18           and Chagrin, Ohio.

19           (2) ICE RETENTION STRUCTURE.—In conduct-  
20          ing the study, the Secretary may consider construc-  
21          tion of an ice retention structure as a potential  
22          means of providing flood damage reduction.

23          (ee) TOUSSAINT RIVER, CARROLL TOWNSHIP,  
24          OHIO.—The Secretary shall conduct a study to determine

1 the feasibility of undertaking navigation improvements at  
2 Toussaint River, Carroll Township, Ohio.

3 (ff) SANTEE DELTA WETLAND HABITAT, SOUTH  
4 CAROLINA.—Not later than 18 months after the date of  
5 enactment of this Act, the Secretary shall complete a com-  
6 prehensive study of the ecosystem in the Santee Delta  
7 focus area of South Carolina to determine the feasibility  
8 of undertaking measures to enhance the wetland habitat  
9 in the area.

10 (gg) WACCAMAW RIVER, SOUTH CAROLINA.—The  
11 Secretary shall conduct a study to determine the feasibility  
12 of a flood control project for the Waccamaw River in  
13 Horry County, South Carolina.

14 (hh) UPPER SUSQUEHANNA-LACKAWANNA, PENN-  
15 SYLVANIA, WATERSHED MANAGEMENT AND RESTORA-  
16 TION STUDY.—

17 (1) IN GENERAL.—The Secretary shall conduct  
18 a study to determine the feasibility of a comprehen-  
19 sive flood plain management and watershed restora-  
20 tion project for the Upper Susquehanna-Lacka-  
21 wanna Watershed, Pennsylvania.

22 (2) GEOGRAPHIC INFORMATION SYSTEM.—In  
23 conducting the study, the Secretary shall use a geo-  
24 graphic information system.

1                             (3) PLANS.—The study shall formulate plans  
2                             for comprehensive flood plain management and envi-  
3                             ronmental restoration.

4                             (4) CREDITING.—Non-Federal interests may re-  
5                             ceive credit for in-kind services and materials that  
6                             contribute to the study. The Secretary may credit  
7                             non-Corps Federal assistance provided to the non-  
8                             Federal interest toward the non-Federal share of  
9                             study costs to the maximum extent authorized by  
10                            law.

11                             (ii) NIOBRARA RIVER AND MISSOURI RIVER SEDI-  
12                             MENTATION STUDY, SOUTH DAKOTA.—The Secretary  
13                             shall conduct a study of the Niobrara River watershed and  
14                             the operations of Fort Randall Dam and Gavins Point  
15                             Dam on the Missouri River to determine the feasibility  
16                             of alleviating the bank erosion, sedimentation, and related  
17                             problems in the lower Niobrara River and the Missouri  
18                             River below Fort Randall Dam.

19                             (jj) SANTA CLARA RIVER, UTAH.—

20                             (1) IN GENERAL.—The Secretary shall conduct  
21                             a study to determine the feasibility of undertaking  
22                             measures to alleviate damage caused by flooding,  
23                             bank erosion, and sedimentation along the watershed  
24                             of the Santa Clara River, Utah, above the Gunlock  
25                             Reservoir.

1                   (2) CONTENTS.—The study shall include an  
2                   analysis of watershed conditions and water quality,  
3                   as related to flooding and bank erosion, along the  
4                   Santa Clara River in the vicinity of the town of  
5                   Gunlock, Utah.

6                   (kk) AGAT SMALL BOAT HARBOR, GUAM.—The Sec-  
7                   retary shall conduct a study to determine the feasibility  
8                   of undertaking the repair and reconstruction of Agat  
9                   Small Boat Harbor, Guam, including the repair of existing  
10                  shore protection measures and construction or a revetment  
11                  of the breakwater seawall.

12                  (ll) APRA HARBOR SEAWALL, GUAM.—The Secretary  
13                  shall conduct a study to determine the feasibility of under-  
14                  taking measures to repair, upgrade, and extend the sea-  
15                  wall protecting Apra Harbor, Guam, and to ensure contin-  
16                  ued access to the harbor via Route 11B.

17                  (mm) APRA HARBOR FUEL PIERS, GUAM.—The Sec-  
18                  retary shall conduct a study to determine the feasibility  
19                  of undertaking measures to upgrade the piers and fuel  
20                  transmission lines at the fuel piers in the Apra Harbor,  
21                  Guam, and measures to provide for erosion control and  
22                  protection against storm damage.

23                  (nn) MAINTENANCE DREDGING OF HARBOR PIERS,  
24                  GUAM.—The Secretary shall conduct a study to determine  
25                  the feasibility of Federal maintenance of areas adjacent

1 to piers at harbors in Guam, including Apra Harbor, Agat  
2 Harbor, and Agana Marina.

3 (oo) ALTERNATIVE WATER SOURCES STUDY.—

4 (1) IN GENERAL.—The Administrator of the  
5 Environmental Protection Agency shall conduct a  
6 study of the water supply needs of States that are  
7 not currently eligible for assistance under title XVI  
8 of the Reclamation Projects Authorization and Ad-  
9 justment Act of 1992 (43 U.S.C. 390h et seq.).

10 (2) REQUIREMENTS.—The study shall—

11 (A) identify the water supply needs (in-  
12 cluding potable, commercial, industrial, rec-  
13 reational and agricultural needs) of each State  
14 described in paragraph (1) through 2020, mak-  
15 ing use of such State, regional, and local plans,  
16 studies, and reports as are available;

17 (B) evaluate the feasibility of various alter-  
18 native water source technologies such as reuse  
19 and reclamation of wastewater and stormwater  
20 (including indirect potable reuse), aquifer stor-  
21 age and recovery, and desalination to meet the  
22 anticipated water supply needs of the States;  
23 and

1 (C) assess how alternative water sources  
2 technologies can be utilized to meet the identi-  
3 fied needs.

## **8 TITLE II—GENERAL PROVISIONS**

## **9 SEC. 201. FLOOD HAZARD MITIGATION AND RIVERINE ECO-**

## **10 SYSTEM RESTORATION PROGRAM.**

11 (a) IN GENERAL.—

12                   (1) AUTHORIZATION.—The Secretary may carry  
13                   out a program to reduce flood hazards and restore  
14                   the natural functions and values of riverine eco-  
15                   systems throughout the United States.

1 Management Agency, the Department of the Interior,  
2 the Environmental Protection Agency, and the  
3 Department of Commerce.

4 (4) NONSTRUCTURAL APPROACHES.—The studies  
5 and projects shall, to the extent practicable, emphasize  
6 nonstructural approaches to preventing or  
7 reducing flood damages.

8 (b) COST-SHARING REQUIREMENTS.—

9 (1) STUDIES.—The cost of studies conducted  
10 under subsection (a) shall be shared in accordance  
11 with section 105 of the Water Resources Development  
12 Act of 1986 (33 Stat. 2215).

13 (2) PROJECTS.—The non-Federal interests  
14 shall pay 35 percent of the cost of any project carried  
15 out under this section.

16 (3) IN-KIND CONTRIBUTIONS.—The non-Federal  
17 interests shall provide all land, easements,  
18 rights-of-way, dredged material disposal areas, and  
19 relocations necessary for the projects. The value of  
20 the land, easements, rights-of-way, dredged material  
21 disposal areas, and relocations shall be credited toward  
22 the payment required under this subsection.

23 (4) RESPONSIBILITIES OF THE NON-FEDERAL  
24 INTERESTS.—The non-Federal interests shall be responsible  
25 for all costs associated with operating,

1        maintaining, replacing, repairing, and rehabilitating  
2        all projects carried out under this section.

3        (c) PROJECT JUSTIFICATION.—

4                (1) IN GENERAL.—The Secretary may imple-  
5        ment a project under this section if the Secretary  
6        determines that the project—

7                        (A) will significantly reduce potential flood  
8        damages;

9                        (B) will improve the quality of the environ-  
10      ment; and

11                        (C) is justified considering all costs and  
12      beneficial outputs of the project.

13                (2) SELECTION CRITERIA; POLICIES AND PRO-  
14      CEDURES.—Not later than 180 days after the date  
15      of enactment of this Act, the Secretary shall—

16                        (A) develop criteria for selecting and rating  
17        the projects to be carried out as part of the  
18        program authorized by this section; and

19                        (B) establish policies and procedures for  
20        carrying out the studies and projects under-  
21        taken under this section.

22                (d) REPORTING REQUIREMENT.—The Secretary may  
23        not implement a project under this section until—

24                        (1) the Secretary provides to the Committee on  
25        Environment and Public Works of the Senate and

1       the Committee on Transportation and Infrastructure  
2       of the House of Representatives a written notification  
3       describing the project and the determinations  
4       made under subsection (c); and

5               (2) a period of 21 calendar days has expired  
6       following the date on which the notification was re-  
7       ceived by the Committees.

8       (e) PRIORITY AREAS.—In carrying out this section,  
9       the Secretary shall examine the potential for flood damage  
10      reductions at appropriate locations, including—

- 11               (1) Le May, Missouri;
- 12               (2) the upper Delaware River basin, New York;
- 13               (3) Tillamook County, Oregon;
- 14               (4) Providence County, Rhode Island; and
- 15               (5) Willamette River basin, Oregon.

16       (f) PER-PROJECT LIMITATION.—Not more than  
17      \$25,000,000 in Army Civil Works appropriations may be  
18      expended on any single project undertaken under this sec-  
19      tion.

20       (g) AUTHORIZATION OF APPROPRIATIONS.—

21               (1) IN GENERAL.—There is authorized to be  
22      appropriated to carry out this section \$75,000,000  
23      for the period of fiscal years 2000 and 2001.

24               (2) PROGRAM FUNDING LEVELS.—All studies  
25      and projects undertaken under this authority from

1       Army Civil Works appropriations shall be fully funded  
2       within the program funding levels provided in this  
3       subsection.

4 **SEC. 202. SHORE PROTECTION.**

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

7               (1) by striking “Costs of constructing” and in-  
8               serting the following:

9               “(1) CONSTRUCTION.—Costs of constructing”;  
10          and

11               (2) by adding at the end the following:  
12               “(2) PERIODIC NOURISHMENT.—In the case of  
13               a project authorized for construction after December  
14               31, 1999, or for which a feasibility study is com-  
15               pleted after that date, the non-Federal cost of the  
16               periodic nourishment of projects or measures for  
17               shore protection or beach erosion control shall be 50  
18               percent, except that—

19               “(A) all costs assigned to benefits to pri-  
20               vately owned shores (where use of such shores  
21               is limited to private interests) or to prevention  
22               of losses of private land shall be borne by non-  
23               Federal interests; and

1                 “(B) all costs assigned to the protection of  
2                 federally owned shores shall be borne by the  
3                 United States.”.

4 **SEC. 203. SMALL FLOOD CONTROL AUTHORITY.**

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

7                     (1) in the first sentence, by striking “construc-  
8                 tion of small projects” and inserting “implementa-  
9                 tion of small structural and nonstructural projects”;  
10                 and

11                     (2) in the third sentence, by striking  
12                 “\$5,000,000” and inserting “\$7,000,000”.

13 **SEC. 204. USE OF NON-FEDERAL FUNDS FOR COMPILING  
14                 AND DISSEMINATING INFORMATION ON  
15                 FLOODS AND FLOOD DAMAGES.**

16                 Section 206(b) of the Flood Control Act of 1960 (33  
17 U.S.C. 709a(b)) is amended in the third sentence by in-  
18 serting before the period at the end the following: “, but  
19 the Secretary of the Army may accept funds voluntarily  
20 contributed by such entities for the purpose of expanding  
21 the scope of the services requested by the entities”.

22 **SEC. 205. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM  
23                 RESTORATION.**

24                 Subparagraphs (B) and (C)(i) of section 528(b)(3)  
25 of the Water Resources Development Act of 1996 (110

1 Stat. 3769) are amended by striking “1999” and inserting  
2 “2000”.

3 **SEC. 206. AQUATIC ECOSYSTEM RESTORATION.**

4 Section 206(c) of the Water Resources Development  
5 Act of 1996 (33 U.S.C. 2330(c)) is amended—

6 (1) by striking “Construction” and inserting  
7 the following:

8 “(1) IN GENERAL.—Construction”; and

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

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

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

17 Section 204 of the Water Resources Development Act  
18 of 1992 (33 U.S.C. 2326) is amended by adding at the  
19 end the following:

20 “(g) NONPROFIT ENTITIES.—Notwithstanding sec-  
21 tion 221 of the Flood Control Act of 1970 (42 U.S.C.  
22 1962d–5b), for any project carried out under this section,  
23 a non-Federal interest may include a nonprofit entity, with  
24 the consent of the affected local government.”.

1   **SEC. 208. VOLUNTARY CONTRIBUTIONS BY STATES AND PO-**

2                   **LITICAL SUBDIVISIONS.**

3         Section 5 of the Act of June 22, 1936 (33 U.S.C.  
4     701h), is amended by inserting “or environmental restora-  
5     tion” after “flood control”.

6   **SEC. 209. RECREATION USER FEES.**

7         (a) **WITHHOLDING OF AMOUNTS.—**

8                 (1) **IN GENERAL.**—During fiscal years 1999  
9     through 2002, the Secretary may withhold from the  
10    special account established under section 4(i)(1)(A)  
11    of the Land and Water Conservation Fund Act of  
12    1965 (16 U.S.C. 460l–6a(i)(1)(A)) 100 percent of  
13    the amount of receipts above a baseline of  
14    \$34,000,000 per each fiscal year received from fees  
15    imposed at recreation sites under the administrative  
16    jurisdiction of the Department of the Army under  
17    section 4(b) of that Act (16 U.S.C. 460l–6a(b)).

18                 (2) **USE.**—The amounts withheld shall be re-  
19    tained by the Secretary and shall be available, with-  
20    out further Act of appropriation, for expenditure by  
21    the Secretary in accordance with subsection (b).

22                 (3) **AVAILABILITY.**—The amounts withheld  
23    shall remain available until September 30, 2005.

24         (b) **USE OF AMOUNTS WITHHELD.**—In order to in-  
25    crease the quality of the visitor experience at public rec-  
26    reational areas and to enhance the protection of resources,

1 the amounts withheld under subsection (a) may be used  
2 only for—

3                 (1) repair and maintenance projects (including  
4                 projects relating to health and safety);  
5                 (2) interpretation;  
6                 (3) signage;  
7                 (4) habitat or facility enhancement;  
8                 (5) resource preservation;  
9                 (6) annual operation (including fee collection);  
10                 (7) maintenance; and  
11                 (8) law enforcement related to public use.

12                 (c) AVAILABILITY.—Each amount withheld by the  
13 Secretary shall be available for expenditure, without fur-  
14 ther Act of appropriation, at the specific project from  
15 which the amount, above baseline, is collected.

16 **SEC. 210. WATER RESOURCES DEVELOPMENT STUDIES FOR**  
17                 **THE PACIFIC REGION.**

18                 Section 444 of the Water Resources Development Act  
19 of 1996 (110 Stat. 3747) is amended by striking “interest  
20 of navigation” and inserting “interests of water resources  
21 development (including navigation, flood damage reduc-  
22 tion, and environmental restoration)”.

23 **SEC. 211. MISSOURI AND MIDDLE MISSISSIPPI RIVERS EN-**  
24                 **HANCEMENT PROJECT.**

25                 (a) DEFINITIONS.—In this section:

1                             (1) MIDDLE MISSISSIPPI RIVER.—The term  
2        “middle Mississippi River” means the reach of the  
3        Mississippi River from the mouth of the Ohio River  
4        (river mile 0, upper Mississippi River) to the mouth  
5        of the Missouri River (river mile 195).

6                             (2) MISSOURI RIVER.—The term “Missouri  
7        River” means the main stem and floodplain of the  
8        Missouri River (including reservoirs) from its con-  
9        fluence with the Mississippi River at St. Louis, Mis-  
10       souri, to its headwaters near Three Forks, Montana.

11                           (3) PROJECT.—The term “project” means the  
12        project authorized by this section.

13                           (b) PROTECTION AND ENHANCEMENT ACTIVITIES.—

14                           (1) PLAN.—

15                           (A) DEVELOPMENT.—Not later than 180  
16        days after the date of enactment of this Act,  
17        the Secretary shall develop a plan for a project  
18        to protect and enhance fish and wildlife habitat  
19        of the Missouri River and the middle Mis-  
20       sissippi River.

21                           (B) ACTIVITIES.—

22                           (i) IN GENERAL.—The plan shall pro-  
23        vide for such activities as are necessary to  
24        protect and enhance fish and wildlife habi-  
25       tat without adversely affecting—

7 (II) private property rights.

(ii) REQUIRED ACTIVITIES.—The plan shall include—

10 (I) modification and improvement  
11 of navigation training structures to  
12 protect and enhance fish and wildlife  
13 habitat;

(II) modification and creation of  
side channels to protect and enhance  
fish and wildlife habitat;

17 (III) restoration and creation of  
18 island fish and wildlife habitat;

(IV) creation of riverine fish and  
wildlife habitat;

21 (V) establishment of criteria for  
22 prioritizing the type and sequencing of  
23 activities based on cost-effectiveness  
24 and likelihood of success; and

1 (VI) physical and biological mon-  
2 itoring for evaluating the success of  
3 the project, to be performed by the  
4 River Studies Center of the United  
5 States Geological Survey in Columbia,  
6 Missouri.

7 (2) IMPLEMENTATION OF ACTIVITIES.—

12 (B) USE OF EXISTING AUTHORITY FOR  
13 UNCONSTRUCTED FEATURES OF THE  
14 PROJECT.—Using funds made available to the  
15 Secretary under other law, the Secretary shall  
16 design and construct any feature of the project  
17 that may be carried out using the authority of  
18 the Secretary to modify an authorized project,  
19 if the Secretary determines that the design and  
20 construction will—

(ii) be compatible with the project purposes described in this section.

### 3 (c) INTEGRATION OF OTHER ACTIVITIES.—

4                   (1) IN GENERAL.—In carrying out the activities  
5                   described in subsection (b), the Secretary shall inte-  
6                   grate the activities with other Federal, State, and  
7                   tribal activities.

12 (d) PUBLIC PARTICIPATION.—In developing and car-  
13 rying out the plan and the activities described in sub-  
14 section (b), the Secretary shall provide for public review  
15 and comment in accordance with applicable Federal law,  
16 including—

17 (1) providing advance notice of meetings;

(3) maintaining appropriate records; and

23           (e) COMPLIANCE WITH APPLICABLE LAW.—In carry-  
24 ing out the activities described in subsections (b) and (c),  
25 the Secretary shall comply with any applicable Federal

1 law, including the National Environmental Policy Act of  
2 1969 (42 U.S.C. 4321 et seq.).

3 (f) COST SHARING.—

4 (1) NON-FEDERAL SHARE.—The non-Federal  
5 share of the cost of the project shall be 35 percent.

6 (2) FEDERAL SHARE.—The Federal share of  
7 the cost of any 1 activity described in subsection (b)  
8 shall not exceed \$5,000,000.

9 (3) OPERATION AND MAINTENANCE.—The op-  
10 eration and maintenance of the project shall be a  
11 non-Federal responsibility.

12 (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
13 authorized to be appropriated to pay the Federal share  
14 of the cost of carrying out activities under this section  
15 \$30,000,000 for the period of fiscal years 2000 and 2001.

16 **SEC. 212. OUTER CONTINENTAL SHELF.**

17 (a) SAND, GRAVEL, AND SHELL.—Section 8(k)(2)(B)  
18 of the Outer Continental Shelf Lands Act (43 U.S.C.  
19 1337(k)(2)(B)) is amended in the second sentence by in-  
20 serting before the period at the end the following: “or any  
21 other non-Federal interest subject to an agreement en-  
22 tered into under section 221 of the Flood Control Act of  
23 1970 (42 U.S.C. 1962d–5b)”.

24 (b) REIMBURSEMENT FOR LOCAL INTERESTS.—Any  
25 amounts paid by non-Federal interests for beach erosion

1 control, hurricane protection, shore protection, or storm  
2 damage reduction projects as a result of an assessment  
3 under section 8(k) of the Outer Continental Shelf Lands  
4 Act (43 U.S.C. 1337(k)) shall be fully reimbursed.

5 **SEC. 213. ENVIRONMENTAL DREDGING.**

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

9 “(6) Snake Creek, Bixby, Oklahoma.”.

10 **SEC. 214. BENEFIT OF PRIMARY FLOOD DAMAGES AVOIDED  
11 INCLUDED IN BENEFIT-COST ANALYSIS.**

12 Section 308 of the Water Resources Development Act  
13 of 1990 (33 U.S.C. 2318) is amended—

14 (1) in the heading of subsection (a), by striking  
15 “BENEFIT-COST ANALYSIS” and inserting “ELE-  
16 MENTS EXCLUDED FROM COST-BENEFIT ANALY-  
17 SIS”;

18 (2) by redesignating subsections (b) through (e)  
19 as subsections (c) through (f), respectively;

20 (3) by inserting after subsection (a) the follow-  
21 ing:

22 “(b) ELEMENTS INCLUDED IN COST-BENEFIT ANAL-  
23 YSIS.—The Secretary shall include primary flood damages  
24 avoided in the benefit base for justifying Federal non-  
25 structural flood damage reduction projects.”; and

1                             (4) in the first sentence of subsection (e) (as re-  
2                             designated by paragraph (2)), by striking “(b)” and  
3                             inserting “(d)”.

4 **SEC. 215. CONTROL OF AQUATIC PLANT GROWTH.**

5                             Section 104(a) of the River and Harbor Act of 1958  
6 (33 U.S.C. 610(a)) is amended—

7                             (1) by inserting “*Arundo dona*,” after “water-  
8                             hyacinth,”; and  
9                             (2) by inserting “*tamarix*” after “*melaleuca*”.

10 **SEC. 216. ENVIRONMENTAL INFRASTRUCTURE.**

11                             Section 219(c) of the Water Resources Development  
12 Act of 1992 (106 Stat. 4835) is amended by adding at  
13 the end the following:

14                             “(19) LAKE TAHOE, CALIFORNIA AND NE-  
15                             VADA.—Regional water system for Lake Tahoe,  
16                             California and Nevada.

17                             “(20) LANCASTER, CALIFORNIA.—Fox Field In-  
18                             dustrial Corridor water facilities, Lancaster, Califor-  
19                             nia.

20                             “(21) SAN RAMON, CALIFORNIA.—San Ramon  
21                             Valley recycled water project, San Ramon, Califor-  
22                             nia.”.

1   **SEC. 217. WATERSHED MANAGEMENT, RESTORATION, AND**  
2                   **DEVELOPMENT.**

3       Section 503 of the Water Resources Development Act  
4   of 1996 (110 Stat. 3756) is amended—

5               (1) in subsection (d)—

6                   (A) by striking paragraph (10) and insert-  
7                  ing the following:

8               “(10) Regional Atlanta Watershed, Atlanta,  
9                  Georgia, and Lake Lanier of Forsyth and Hall  
10                 Counties, Georgia.”; and

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

12               “(14) Clear Lake watershed, California.

13               “(15) Fresno Slough watershed, California.

14               “(16) Hayward Marsh, Southern San Francisco  
15                 Bay watershed, California.

16               “(17) Kaweah River watershed, California.

17               “(18) Lake Tahoe watershed, California and  
18                 Nevada.

19               “(19) Malibu Creek watershed, California.

20               “(20) Truckee River basin, Nevada.

21               “(21) Walker River basin, Nevada.

22               “(22) Bronx River watershed, New York.

23               “(23) Catawba River watershed, North Caro-  
24                 lina.”;

25               (2) by redesignating subsection (e) as sub-  
26                 section (f); and

1                     (3) by inserting after subsection (d) the follow-  
2                     ing:

3                 “(e) NONPROFIT ENTITIES.—Notwithstanding sec-  
4             tion 221(b) of the Flood Control Act of 1970 (42 U.S.C.  
5             1962d–5b(b)), for any project undertaken under this sec-  
6             tion, with the consent of the affected local government,  
7             a non-Federal interest may include a nonprofit entity.”.

8 **SEC. 218. LAKES PROGRAM.**

9                     Section 602(a) of the Water Resources Development  
10           Act of 1986 (100 Stat. 4148) is amended—

11                  (1) in paragraph (15), by striking “and” at the  
12           end;

13                  (2) in paragraph (16), by striking the period at  
14           the end; and

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

16                 “(17) Clear Lake, Lake County, California, re-  
17             moval of silt and aquatic growth and development of  
18             a sustainable weed and algae management program;

19                 “(18) Flints Pond, Hollis, New Hampshire, re-  
20             moval of excessive aquatic vegetation; and

21                 “(19) Osgood Pond, Milford, New Hampshire,  
22             removal of excessive aquatic vegetation.”.

1   **SEC. 219. SEDIMENTS DECONTAMINATION POLICY.**

2       Section 405 of the Water Resources Development Act  
3   of 1992 (33 U.S.C. 2239 note; Public Law 102–580) is  
4   amended—

5           (1) in subsection (a), by adding at the end the  
6   following:

7           “(4) PRACTICAL END-USE PRODUCTS.—Tech-  
8   nologies selected for demonstration at the pilot scale  
9   shall result in practical end-use products.

10          “(5) ASSISTANCE BY THE SECRETARY.—The  
11   Secretary shall assist the project to ensure expedi-  
12   tious completion by providing sufficient quantities of  
13   contaminated dredged material to conduct the full-  
14   scale demonstrations to stated capacity.”; and

15          (2) in subsection (c), by striking the first sen-  
16   tence and inserting the following: “There is author-  
17   ized to be appropriated to carry out this section a  
18   total of \$22,000,000 to complete technology testing,  
19   technology commercialization, and the development  
20   of full scale processing facilities within the New  
21   York/New Jersey Harbor.”.

22   **SEC. 220. DISPOSAL OF DREDGED MATERIAL ON BEACHES.**

23          (a) IN GENERAL.—Section 145 of the Water Re-  
24   sources Development Act of 1976 (33 U.S.C. 426j) is  
25   amended in the first sentence by striking “50” and insert-  
26   ing “35”.

1       (b) GREAT LAKES BASIN.—The Secretary shall work  
2 with the State of Ohio, other Great Lakes States, and po-  
3 litical subdivisions of the States to fully implement and  
4 maximize beneficial reuse of dredged material as provided  
5 under section 145 of the Water Resources Development  
6 Act of 1976 (33 U.S.C. 426j).

7 **SEC. 221. FISH AND WILDLIFE MITIGATION.**

8       Section 906(e) of the Water Resources Development  
9 Act of 1986 (33 U.S.C. 2283(e)) is amended by inserting  
10 after the second sentence the following: “Not more than  
11 80 percent of the non-Federal share of such first costs  
12 may be in kind, including a facility, supply, or service that  
13 is necessary to carry out the enhancement project.”.

14 **SEC. 222. REIMBURSEMENT OF NON-FEDERAL INTEREST.**

15       Section 211(e)(2)(A) of the Water Resources Devel-  
16 opment Act of 1996 (33 U.S.C. 701b–13(e)(2)(A)) is  
17 amended by striking “subject to amounts being made  
18 available in advance in appropriations Acts” and inserting  
19 “subject to the availability of appropriations”.

20 **SEC. 223. NATIONAL CONTAMINATED SEDIMENT TASK  
21 FORCE.**

22       (a) DEFINITION OF TASK FORCE.—In this section,  
23 the term “Task Force” means the National Contaminated  
24 Sediment Task Force established by section 502 of the

1 National Contaminated Sediment Assessment and Man-  
2 agement Act (33 U.S.C. 1271 note; Public Law 102–580).

3 (b) CONVENING.—The Secretary and the Adminis-  
4 trator shall convene the Task Force not later than 90 days  
5 after the date of enactment of this Act.

6 (c) REPORTING ON REMEDIAL ACTION.—

7 (1) IN GENERAL.—Not later than 1 year after  
8 the date of enactment of this Act, the Task Force  
9 shall submit to Congress a report on the status of  
10 remedial actions at aquatic sites in the areas de-  
11 scribed in paragraph (2).

12 (2) AREAS.—The report under paragraph (1)  
13 shall address remedial actions in—

14 (A) areas of probable concern identified in  
15 the survey of data regarding aquatic sediment  
16 quality required by section 503(a) of the Na-  
17 tional Contaminated Sediment Assessment and  
18 Management Act (33 U.S.C. 1271);

19 (B) areas of concern within the Great  
20 Lakes, as identified under section 118(f) of the  
21 Federal Water Pollution Control Act (33 U.S.C.  
22 1268(f));

23 (C) estuaries of national significance iden-  
24 tified under section 320 of the Federal Water  
25 Pollution Control Act (33 U.S.C. 1330);

1                             (D) areas for which remedial action has  
2                             been authorized under any of the Water Re-  
3                             sources Development Acts; and

4                             (E) as appropriate, any other areas where  
5                             sediment contamination is identified by the  
6                             Task Force.

7                             (3) ACTIVITIES.—Remedial actions subject to  
8                             reporting under this subsection include remedial ac-  
9                             tions under—

10                            (A) the Comprehensive Environmental Re-  
11                             sponse, Compensation, and Liability Act of  
12                             1980 (42 U.S.C. 9601 et seq.) or other Federal  
13                             or State law containing environmental remedi-  
14                             ation authority;

15                            (B) any of the Water Resources Develop-  
16                             ment Acts;

17                            (C) section 404 of the Federal Water Pol-  
18                             lution Control Act (33 U.S.C. 1344); or

19                            (D) section 10 of the Act of March 3,  
20                             1899 (30 Stat. 1151, chapter 425).

21                             (4) CONTENTS.—The report under paragraph

22                             (1) shall provide, with respect to each remedial ac-  
23                             tion described in the report, a description of—

24                             (A) the authorities and sources of funding  
25                             for conducting the remedial action;

- 1                         (B) the nature and sources of the sediment  
2                         contamination, including volume and concentra-  
3                         tion, where appropriate;
- 4                         (C) the testing conducted to determine the  
5                         nature and extent of sediment contamination  
6                         and to determine whether the remedial action is  
7                         necessary;
- 8                         (D) the action levels or other factors used  
9                         to determine that the remedial action is nec-  
10                         essary;
- 11                         (E) the nature of the remedial action  
12                         planned or undertaken, including the levels of  
13                         protection of public health and the environment  
14                         to be achieved by the remedial action;
- 15                         (F) the ultimate disposition of any mate-  
16                         rial dredged as part of the remedial action;
- 17                         (G) the status of projects and the obstacles  
18                         or barriers to prompt conduct of the remedial  
19                         action; and
- 20                         (H) contacts and sources of further infor-  
21                         mation concerning the remedial action.

22 **SEC. 224. GREAT LAKES BASIN PROGRAM.**

- 23                         (a) STRATEGIC PLANS.—
- 24                         (1) IN GENERAL.—Not later than 18 months  
25                         after the date of enactment of this Act, and every

1       2 years thereafter, the Secretary shall report to Con-  
2       gress on a plan for programs of the Corps of Engi-  
3       neers in the Great Lakes basin.

4           (2) CONTENTS.—The plan shall include details  
5       of the projected environmental and navigational  
6       projects in the Great Lakes basin, including—

7                  (A) navigational maintenance and oper-  
8       ations for commercial and recreational vessels;

9                  (B) environmental restoration activities;

10                 (C) water level maintenance activities;

11                 (D) technical and planning assistance to  
12       States and remedial action planning commit-  
13       tees;

14                 (E) sediment transport analysis, sediment  
15       management planning, and activities to support  
16       prevention of excess sediment loadings;

17                 (F) flood damage reduction and shoreline  
18       erosion prevention;

19                 (G) all other activities of the Corps of En-  
20       gineers; and

21                 (H) an analysis of factors limiting use of  
22       programs and authorities of the Corps of Engi-  
23       neers in existence on the date of enactment of  
24       this Act in the Great Lakes basin, including the  
25       need for new or modified authorities.

1       (b) GREAT LAKES BIOHYDROLOGICAL INFORMATION.—

3           (1) INVENTORY.—

4               (A) IN GENERAL.—Not later than 90 days  
5               after the date of enactment of this Act, the Secretary shall request each Federal agency that  
6               may possess information relevant to the Great  
7               Lakes biohydrological system to provide an inventory of all such information in the possession  
8               of the agency.

11               (B) RELEVANT INFORMATION.—For the purpose of subparagraph (A), relevant information includes information on—

- 14                   (i) ground and surface water hydrology;
- 16                   (ii) natural and altered tributary dynamics;
- 18                   (iii) biological aspects of the system influenced by and influencing water quantity and water movement;
- 21                   (iv) meteorological projections and weather impacts on Great Lakes water levels; and

1                                 (v) other Great Lakes biohydrological  
2                                 system data relevant to sustainable water  
3                                 use management.

4                                 (2) REPORT.—

5                                 (A) IN GENERAL.—Not later than 18  
6                                 months after the date of enactment of this Act,  
7                                 the Secretary, in consultation with the States,  
8                                 Indian tribes, and Federal agencies, and after  
9                                 requesting information from the provinces and  
10                                 the federal government of Canada, shall—

11                                 (i) compile the inventories of informa-  
12                                 tion;

13                                 (ii) analyze the information for con-  
14                                 sistency and gaps; and

15                                 (iii) submit to Congress, the Inter-  
16                                 national Joint Commission, and the Great  
17                                 Lakes States a report that includes rec-  
18                                 ommendations on ways to improve the in-  
19                                 formation base on the biohydrological dy-  
20                                 namics of the Great Lakes ecosystem as a  
21                                 whole, so as to support environmentally  
22                                 sound decisions regarding diversions and  
23                                 consumptive uses of Great Lakes water.

24                                 (B) RECOMMENDATIONS.—The rec-  
25                                 ommendations in the report under subpara-

1 graph (A) shall include recommendations relat-  
2 ing to the resources and funds necessary for  
3 implementing improvement of the information  
4 base.

5 (C) CONSIDERATIONS.—In developing the  
6 report under subparagraph (A), the Secretary,  
7 in cooperation with the Secretary of State, the  
8 Secretary of Transportation, and other relevant  
9 agencies as appropriate, shall consider and re-  
10 port on the status of the issues described and  
11 recommendations made in—

12 (i) the Report of the International  
13 Joint Commission to the Governments of  
14 the United States and Canada under the  
15 1977 reference issued in 1985; and

16 (ii) the 1993 Report of the Intern-  
17 national Joint Commission to the Govern-  
18 ments of Canada and the United States on  
19 Methods of Alleviating Adverse Con-  
20 sequences of Fluctuating Water Levels in  
21 the Great Lakes St. Lawrence Basin.

22 (c) GREAT LAKES RECREATIONAL BOATING.—Not  
23 later than 18 months after the date of enactment of this  
24 Act, the Secretary shall, using information and studies in  
25 existence on the date of enactment of this Act to the maxi-

1     mum extent practicable, and in cooperation with the Great  
2     Lakes States, submit to Congress a report detailing the  
3     economic benefits of recreational boating in the Great  
4     Lakes basin, particularly at harbors benefiting from oper-  
5     ation and maintenance projects of the Corps of Engineers.

6         (d) COOPERATION.—In undertaking activities under  
7     this section, the Secretary shall—

8             (1) encourage public participation; and  
9             (2) cooperate, and, as appropriate, collaborate,  
10         with Great Lakes States, tribal governments, and  
11         Canadian federal, provincial, tribal governments.

12         (e) WATER USE ACTIVITIES AND POLICIES.—The  
13     Secretary may provide technical assistance to the Great  
14     Lakes States to develop interstate guidelines to improve  
15     the consistency and efficiency of State-level water use ac-  
16     tivities and policies in the Great Lakes basin.

17         (f) COST SHARING.—The Secretary may seek and ac-  
18     cept funds from non-Federal entities to be used to pay  
19     up to 25 percent of the cost of carrying out subsections  
20     (b), (c), (d), and (e).

21     **SEC. 225. PROJECTS FOR IMPROVEMENT OF THE ENVIRON-  
22                          MENT.**

23         Section 1135(c) of the Water Resources Development  
24     Act of 1986 (33 U.S.C. 2309a(c)) is amended—

1                             (1) by striking “The Secretary” and inserting  
2                             the following:

3                             “(1) IN GENERAL.—The Secretary”; and

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

5                             “(2) CONTROL OF SEA LAMPREY.—Congress  
6                             finds that—

7                             “(A) the Great Lakes navigation system  
8                             has been instrumental in the spread of sea lam-  
9                             prey and the associated impacts to its fishery;  
10                             and

11                             “(B) the use of the authority under this  
12                             subsection for control of sea lamprey at any  
13                             Great Lakes basin location is appropriate.”.

14 **SEC. 226. WATER QUALITY, ENVIRONMENTAL QUALITY,**

15                             **RECREATION, FISH AND WILDLIFE, FLOOD**

16                             **CONTROL, AND NAVIGATION.**

17                             (a) IN GENERAL.—The Secretary may investigate,  
18                             study, evaluate, and report on—

19                             (1) water quality, environmental quality, recre-  
20                             ation, fish and wildlife, flood control, and navigation  
21                             in the western Lake Erie watershed, including the  
22                             watersheds of the Maumee River, Ottawa River, and  
23                             Portage River in the States of Indiana, Ohio, and  
24                             Michigan; and

1                             (2) measures to improve water quality, environ-  
2                             mental quality, recreation, fish and wildlife, flood  
3                             control, and navigation in the western Lake Erie  
4                             basin.

5                             (b) COOPERATION.—In carrying out studies and in-  
6                             vestigations under subsection (a), the Secretary shall co-  
7                             operate with Federal, State, and local agencies and non-  
8                             governmental organizations to ensure full consideration of  
9                             all views and requirements of all interrelated programs  
10                            that those agencies may develop independently or in co-  
11                            ordination with the Corps of Engineers.

12                         **SEC. 227. IRRIGATION DIVERSION PROTECTION AND FISH-**  
13                         **ERIES ENHANCEMENT ASSISTANCE.**

14                         The Secretary may provide technical planning and  
15                         design assistance to non-Federal interests and may con-  
16                         duct other site-specific studies to formulate and evaluate  
17                         fish screens, fish passages devices, and other measures to  
18                         decrease the incidence of juvenile and adult fish inadver-  
19                         tently entering into irrigation systems. Measures shall be  
20                         developed in cooperation with Federal and State resource  
21                         agencies and not impair the continued withdrawal of water  
22                         for irrigation purposes. In providing such assistance prior-  
23                         ity shall be given based on the objectives of the Endan-  
24                         gered Species Act, cost-effectiveness, and the potential for  
25                         reducing fish mortality. Non-Federal interests shall agree

1 by contract to contribute 50 percent of the cost of such  
2 assistance. Not more than one-half of such non-Federal  
3 contribution may be made by the provision of services, ma-  
4 terials, supplies, or other in-kind services. No construction  
5 activities are authorized by this section. Not later than  
6 2 years after the date of enactment of this section, the  
7 Secretary shall report to Congress on fish mortality caused  
8 by irrigation water intake devices, appropriate measures  
9 to reduce mortality, the extent to which such measures  
10 are currently being employed in the arid States, the con-  
11 struction costs associated with such measures, and the ap-  
12 propriate Federal role, if any, to encourage the use of such  
13 measures.

**14 SEC. 228. SMALL STORM DAMAGE REDUCTION PROJECTS.**

15 Section 3 of the Act of August 13, 1946 (33 U.S.C.  
16 426g), is amended by striking “\$2,000,000” and inserting  
17 “\$3,000,000”.

**18 SEC. 229. SHORE DAMAGE PREVENTION OR MITIGATION.**

19 Section 111 of the River and Harbor Act of 1968  
20 (33 U.S.C. 426(i)) is amended—

21 (1) in the first sentence, by striking “The Sec-  
22 retary” and inserting “(a) IN GENERAL.—The Sec-  
23 retary”;

24 (2) in the second sentence, by striking “The  
25 costs” and inserting the following:

1       “(b) COST SHARING.—The costs”;

2               (3) in the third sentence—

3                       (A) by striking “No such” and inserting

4                       the following:

5       “(c) REQUIREMENT FOR SPECIFIC AUTHORIZA-

6   TION.—No such”; and

7               (B) by striking “\$2,000,000” and insert-

8                       ing “\$5,000,000”; and

9               (4) by adding at the end the following:

10      “(d) COORDINATION.—The Secretary shall—

11               “(1) coordinate the implementation of the

12                       measures under this section with other Federal and

13                       non-Federal shore protection projects in the same

14                       geographic area; and

15               “(2) to the extent practicable, combine mitiga-

16                       tion projects with other shore protection projects in

17                       the same area into a comprehensive regional

18                       project.”.

19      **TITLE III—PROJECT-RELATED**

20                       **PROVISIONS**

21      **SEC. 301. DREDGING OF SALT PONDS IN THE STATE OF**

22                       **RHODE ISLAND.**

23      The Secretary may acquire for the State of Rhode

24   Island a dredge and associated equipment with the capac-

1 ity to dredge approximately 100 cubic yards per hour for  
2 use by the State in dredging salt ponds in the State.

3 **SEC. 302. UPPER SUSQUEHANNA RIVER BASIN, PENNSYL-**  
4 **VANIA AND NEW YORK.**

5 Section 567(a) of the Water Resources Development  
6 Act of 1996 (110 Stat. 3787) is amended by adding at  
7 the end the following:

8 “(3) The Chemung River watershed, New York,  
9 at an estimated Federal cost of \$5,000,000.”.

10 **SEC. 303. SMALL FLOOD CONTROL PROJECTS.**

11 Section 102 of the Water Resources Development Act  
12 of 1996 (110 Stat. 3668) is amended—

13 (1) by redesignating paragraphs (15) through  
14 (22) as paragraphs (16) through (23), respectively;

15 (2) by inserting after paragraph (14) the fol-  
16 lowing:

17 “(15) REPAUPO CREEK AND DELAWARE RIVER,  
18 GLOUCESTER COUNTY, NEW JERSEY.—Project for  
19 tidegate and levee improvements for Repaupo Creek  
20 and the Delaware River, Gloucester County, New  
21 Jersey.”; and

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

23 “(24) IRONDEQUOIT CREEK, NEW YORK.—  
24 Project for flood control, Irondequoit Creek water-  
25 shed, New York.

1           “(25) TIOGA COUNTY, PENNSYLVANIA.—Project  
2       for flood control, Tioga River and Cowanesque River  
3       and their tributaries, Tioga County, Pennsylvania.”.

4 **SEC. 304. SMALL NAVIGATION PROJECTS.**

5       Section 104 of the Water Resources Development Act  
6 of 1996 (110 Stat. 3669) is amended—

7           (1) by redesignating paragraphs (9) through  
8       (12) as paragraphs (10) through (13), respectively;  
9       and

10          (2) by inserting after paragraph (8) the follow-  
11       ing:

12           “(9) FORTESCUE INLET, DELAWARE BAY, NEW  
13       JERSEY.—Project for navigation for Fortescue Inlet,  
14       Delaware Bay, New Jersey.”.

15 **SEC. 305. STREAMBANK PROTECTION PROJECTS.**

16          (a) ARCTIC OCEAN, BARROW, ALASKA.—The Sec-  
17       retary shall evaluate and, if justified under section 14 of  
18       the Flood Control Act of 1946 (33 U.S.C. 701r), carry  
19       out storm damage reduction and coastal erosion measures  
20       at the town of Barrow, Alaska.

21          (b) SAGINAW RIVER, BAY CITY, MICHIGAN.—The  
22       Secretary may construct appropriate control structures in  
23       areas along the Saginaw River in the city of Bay City,  
24       Michigan, under authority of section 14 of the Flood Con-  
25       trol Act of 1946 (33 Stat. 701r).

1       (c) YELLOWSTONE RIVER, BILLINGS, MONTANA.—  
2 The streambank protection project at Coulson Park, along  
3 the Yellowstone River, Billings, Montana, shall be eligible  
4 for assistance under section 14 of the Flood Control Act  
5 of 1946 (33 U.S.C. 701r).

6       (d) MONONGAHELA RIVER, POINT MARION, PENN-  
7 SYLVANIA.—The Secretary shall evaluate and, if justified  
8 under section 14 of the Flood Control Act of 1946 (33  
9 U.S.C. 701r), carry out streambank erosion control meas-  
10 ures along the Monongahela River at the borough of Point  
11 Marion, Pennsylvania.

12 **SEC. 306. AQUATIC ECOSYSTEM RESTORATION, SPRING-**  
13 **FIELD, OREGON.**

14       (a) IN GENERAL.—Under section 1135 of the Water  
15 Resources Development Act of 1990 (33 Stat. 2309a) or  
16 other applicable authority, the Secretary shall conduct  
17 measures to address water quality, water flows and fish  
18 habitat restoration in the historic Springfield, Oregon,  
19 millrace through the reconfiguration of the existing  
20 millpond, if the Secretary determines that harmful im-  
21 pacts have occurred as the result of a previously con-  
22 structed flood control project by the Corps of Engineers.

23       (b) NON-FEDERAL SHARE.—The non-Federal share,  
24 excluding lands, easements, rights-of-way, dredged mate-  
25 rial disposal areas, and relocations, shall be 25 percent.

1       (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to carry out this section  
3 \$1,500,000.

4 **SEC. 307. GUILFORD AND NEW HAVEN, CONNECTICUT.**

5       The Secretary shall expeditiously complete the activi-  
6 ties authorized under section 346 of the Water Resources  
7 Development Act of 1992 (106 Stat. 4858), including ac-  
8 tivities associated with Sluice Creek in Guilford, Connecti-  
9 cut, and Lighthouse Point Park in New Haven, Connecti-  
10 cut.

11 **SEC. 308. FRANCIS BLAND FLOODWAY DITCH.**

12       (a) REDESIGNATION.—The project for flood control,  
13 Eight Mile Creek, Paragould, Arkansas, authorized by sec-  
14 tion 401(a) of the Water Resources Development Act of  
15 1986 (100 Stat. 4112) and known as “Eight Mile Creek,  
16 Paragould, Arkansas”, shall be known and designated as  
17 the “Francis Bland Floodway Ditch”.

18       (b) LEGAL REFERENCES.—Any reference in any law,  
19 map, regulation, document, paper, or other record of the  
20 United States to the project and creek referred to in sub-  
21 section (a) shall be deemed to be a reference to the  
22 Francis Bland Floodway Ditch.

23 **SEC. 309. CALOOSAHATCHEE RIVER BASIN, FLORIDA.**

24       Section 528(e)(4) of the Water Resources Develop-  
25 ment Act of 1996 (110 Stat. 3770) is amended in the first

1 sentence by inserting before the period at the end the fol-  
2 lowing: “, including potential land acquisition in the  
3 Caloosahatchee River basin or other areas”.

4 **SEC. 310. CUMBERLAND, MARYLAND, FLOOD PROJECT**

5 **MITIGATION.**

6 (a) IN GENERAL.—The project for flood control and  
7 other purposes, Cumberland, Maryland, authorized by sec-  
8 tion 5 of the Act of June 22, 1936 (commonly known as  
9 the “Flood Control Act of 1936”) (49 Stat. 1574, chapter  
10 688), is modified to authorize the Secretary to undertake,  
11 as a separate part of the project, restoration of the historic  
12 Chesapeake and Ohio Canal substantially in accordance  
13 with the Chesapeake and Ohio Canal National Historic  
14 Park, Cumberland, Maryland, Rewatering Design Analy-  
15 sis, dated February 1998, at a total cost of \$15,000,000,  
16 with an estimated Federal cost of \$9,750,000 and an esti-  
17 mated non-Federal cost of \$5,250,000.

18 (b) IN-KIND SERVICES.—The non-Federal interest  
19 for the restoration project under subsection (a)—

20 (1) may provide all or a portion of the non-Fed-  
21 eral share of project costs in the form of in-kind  
22 services; and

23 (2) shall receive credit toward the non-Federal  
24 share of project costs for design and construction  
25 work performed by the non-Federal interest before

1 execution of a project cooperation agreement and for  
2 land, easements, and rights-of-way required for the  
3 restoration and acquired by the non-Federal interest  
4 before execution of such an agreement.

5 (c) OPERATION AND MAINTENANCE.—The operation  
6 and maintenance of the restoration project under sub-  
7 section (a) shall be the full responsibility of the National  
8 Park Service.

9 **SEC. 311. CITY OF MIAMI BEACH, FLORIDA.**

10 Section 5(b)(3)(C)(i) of the Act of August 13, 1946  
11 (33 U.S.C. 426h), is amended by inserting before the  
12 semicolon the following: “, including the city of Miami  
13 Beach, Florida”.

14 **SEC. 312. SARDIS RESERVOIR, OKLAHOMA.**

15 (a) IN GENERAL.—The Secretary shall accept from  
16 the State of Oklahoma or an agent of the State an  
17 amount, as determined under subsection (b), as prepay-  
18 ment of 100 percent of the water supply cost obligation  
19 of the State under Contract No. DACW56-74-JC-0314  
20 for water supply storage at Sardis Reservoir, Oklahoma.

21 (b) DETERMINATION OF AMOUNT.—The amount to  
22 be paid by the State of Oklahoma under subsection (a)  
23 shall be subject to adjustment in accordance with accepted  
24 discount purchase methods for Government properties as

1 determined by an independent accounting firm designated  
2 by the Director of the Office of Management and Budget.

3 (c) EFFECT.—Nothing in this section shall otherwise  
4 affect any of the rights or obligations of the parties to  
5 the contract referred to in subsection (a).

6 **SEC. 313. UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-**

7 **WAY SYSTEM NAVIGATION MODERNIZATION.**

8 (a) FINDINGS.—Congress finds that—

9 (1) exports are necessary to ensure job creation  
10 and an improved standard of living for the people of  
11 the United States;

12 (2) the ability of producers of goods in the  
13 United States to compete in the international mar-  
14 ketplace depends on a modern and efficient trans-  
15 portation network;

16 (3) a modern and efficient waterway system is  
17 a transportation option necessary to provide United  
18 States shippers a safe, reliable, and competitive  
19 means to win foreign markets in an increasingly  
20 competitive international marketplace;

21 (4) the need to modernize is heightened because  
22 the United States is at risk of losing its competitive  
23 edge as a result of the priority that foreign competi-  
24 tors are placing on modernizing their own waterway  
25 systems;

1                         (5) growing export demand projected over the  
2                         coming decades will force greater demands on the  
3                         waterway system of the United States and increase  
4                         the cost to the economy if the system proves inade-  
5                         quate to satisfy growing export opportunities;

6                         (6) the locks and dams on the upper Mississippi  
7                         River and Illinois River waterway system were built  
8                         in the 1930s and have some of the highest average  
9                         delays to commercial tows in the country;

10                         (7) inland barges carry freight at the lowest  
11                         unit cost while offering an alternative to truck and  
12                         rail transportation that is environmentally sound, is  
13                         energy efficient, is safe, causes little congestion, pro-  
14                         duces little air or noise pollution, and has minimal  
15                         social impact; and

16                         (8) it should be the policy of the Corps of Engi-  
17                         neers to pursue aggressively modernization of the  
18                         waterway system authorized by Congress to promote  
19                         the relative competitive position of the United States  
20                         in the international marketplace.

21                         (b) PRECONSTRUCTION ENGINEERING AND DE-  
22                         SIGN.—In accordance with the Upper Mississippi River-  
23                         Illinois Waterway System Navigation Study, the Secretary  
24                         shall proceed immediately to prepare engineering design,  
25                         plans, and specifications for extension of locks 20, 21, 22,

1 24, 25 on the Mississippi River and the LaGrange and  
2 Peoria Locks on the Illinois River, to provide lock cham-  
3 bers 110 feet in width and 1,200 feet in length, so that  
4 construction can proceed immediately upon completion of  
5 studies and authorization of projects by Congress.

6 **SEC. 314. UPPER MISSISSIPPI RIVER MANAGEMENT.**

7 Section 1103 of the Water Resources Development  
8 Act of 1986 (33 U.S.C. 652) is amended—

9 (1) in subsection (e)—

10 (A) by striking “(e)” and all that follows  
11 through the end of paragraph (2) and inserting  
12 the following:

13 “(e) **UNDERTAKINGS.**—

14 “(1) **IN GENERAL.**—

15 “(A) **AUTHORITY.**—The Secretary, in con-  
16 sultation with the Secretary of the Interior and  
17 the States of Illinois, Iowa, Minnesota, Mis-  
18 souri, and Wisconsin, is authorized to  
19 undertake—

20 “(i) a program for the planning, con-  
21 struction, and evaluation of measures for  
22 fish and wildlife habitat rehabilitation and  
23 enhancement; and

24 “(ii) implementation of a program of  
25 long-term resource monitoring, computer-

1                   ized data inventory and analysis, and ap-  
2                   plied research.

3                   “(B) REQUIREMENTS FOR PROJECTS.—

4                   Each project carried out under subparagraph  
5                   (A)(i) shall—

6                         “(i) to the maximum extent prac-  
7                         ticable, simulate natural river processes;

8                         “(ii) include an outreach and edu-  
9                         cation component; and

10                         “(iii) on completion of the assessment  
11                         under subparagraph (D), address identified  
12                         habitat and natural resource needs.

13                   “(C) ADVISORY COMMITTEE.—In carrying  
14                         out subparagraph (A), the Secretary shall cre-  
15                         ate an independent technical advisory commit-  
16                         tee to review projects, monitoring plans, and  
17                         habitat and natural resource needs assessments.

18                   “(D) HABITAT AND NATURAL RESOURCE  
19                         NEEDS ASSESSMENT.—

20                         “(i) AUTHORITY.—The Secretary is  
21                         authorized to undertake a systemic, river  
22                         reach, and pool scale assessment of habitat  
23                         and natural resource needs to serve as a  
24                         blueprint to guide habitat rehabilitation  
25                         and long-term resource monitoring.

1                 “(ii) DATA.—The habitat and natural  
2                 resource needs assessment shall, to the  
3                 maximum extent practicable, use data in  
4                 existence at the time of the assessment.

5                 “(iii) TIMING.—The Secretary shall  
6                 complete a habitat and natural resource  
7                 needs assessment not later than 3 years  
8                 after the date of enactment of this sub-  
9                 paragraph.

10                “(2) REPORTS.—On December 31, 2005, in  
11                consultation with the Secretary of the Interior and  
12                the States of Illinois, Iowa, Minnesota, Missouri, and  
13                Wisconsin, the Secretary shall prepare and submit to  
14                Congress a report that—

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

17                “(B) describes the accomplishments of  
18                each program;

19                “(C) includes results of a habitat and nat-  
20                ural resource needs assessment; and

21                “(D) identifies any needed adjustments in  
22                the authorization under paragraph (1) or the  
23                authorized appropriations under paragraphs  
24                (3), (4), and (5).”;

25                (B) in paragraph (3)—

1                             (i) by striking “paragraph (1)(A)”  
2                             and inserting “paragraph (1)(A)(i)”; and  
3                             (ii) by striking “Secretary not to ex-  
4                             ceed” and all that follows and inserting  
5                             “Secretary not to exceed \$22,750,000 for  
6                             each of fiscal years 1999 through 2009.”;  
7                             (C) in paragraph (4)—  
8                             (i) by striking “paragraph (1)(B)”  
9                             and inserting “paragraph (1)(A)(ii)”; and  
10                            (ii) by striking “\$7,680,000” and all  
11                             that follows and inserting “\$10,420,000  
12                             for each of fiscal years 1999 through  
13                             2009.”;  
14                             (D) by striking paragraphs (5) and (6)  
15                             and inserting the following:

16                             “(5) AUTHORIZATION OF APPROPRIATIONS.—  
17                             There is authorized to be appropriated to carry out  
18                             paragraph (1)(C) not to exceed \$350,000 for each of  
19                             fiscal years 1999 through 2009.

20                             “(6) TRANSFER OF AMOUNTS.—

21                             “(A) IN GENERAL.—For each fiscal year  
22                             beginning after September 30, 1992, the Sec-  
23                             retary, in consultation with the Secretary of the  
24                             Interior and the States of Illinois, Iowa, Min-  
25                             nesota, Missouri, and Wisconsin, may transfer

1 appropriated amounts between the programs  
2 under clauses (i) and (ii) of paragraph (1)(A)  
3 and paragraph (1)(C).

4 “(B) APPORTIONMENT OF COSTS.—In car-  
5 rying out paragraph (1)(D), the Secretary may  
6 apportion the costs equally between the pro-  
7 grams authorized by paragraph (1)(A).”; and

8 (E) in paragraph (7)—

9 (i) in subparagraph (A)—

10 (I) by inserting “(i)” after “para-  
11 graph (1)(A)”; and

12 (II) by inserting before the pe-  
13 riod at the end the following: “and, in  
14 the case of any project requiring non-  
15 Federal cost sharing, the non-Federal  
16 share of the cost of the project shall  
17 be 35 percent”; and

18 (ii) in subparagraph (B), by striking  
19 “paragraphs (1)(B) and (1)(C) of this sub-  
20 section” and inserting “paragraph  
21 (1)(A)(ii)”;

22 (2) in subsection (f)(2)—

23 (A) in subparagraph (A), by striking  
24 “(A)”; and

25 (B) by striking subparagraph (B); and

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

2                             “(k) ST. LOUIS AREA URBAN WILDLIFE HABITAT.—

3     The Secretary shall investigate and, if appropriate, carry  
4     out restoration of urban wildlife habitat, with a special  
5     emphasis on the establishment of greenways in the St.  
6     Louis, Missouri, area and surrounding communities.”.

7     **SEC. 315. RESEARCH AND DEVELOPMENT PROGRAM FOR**

8                             **COLUMBIA AND SNAKE RIVERS SALMON SUR-**  
9                             **VIVAL.**

10                         Section 511 of the Water Resources Development Act  
11     of 1996 (16 U.S.C. 3301 note; Public Law 104–303) is  
12     amended by striking subsection (a) and all that follows  
13     and inserting the following:

14                         “(a) SALMON SURVIVAL ACTIVITIES.—

15                         “(1) IN GENERAL.—In conjunction with the  
16     Secretary of Commerce and Secretary of the Inter-  
17     rior, the Secretary shall accelerate ongoing research  
18     and development activities, and may carry out or  
19     participate in additional research and development  
20     activities, for the purpose of developing innovative  
21     methods and technologies for improving the survival  
22     of salmon, especially salmon in the Columbia/Snake  
23     River Basin.

24                         “(2) ACCELERATED ACTIVITIES.—Accelerated  
25     research and development activities referred to in

1       paragraph (1) may include research and development related to—  
2

3               “(A) impacts from water resources projects  
4               and other impacts on salmon life cycles;

5               “(B) juvenile and adult salmon passage;

6               “(C) light and sound guidance systems;

7               “(D) surface-oriented collector systems;

8               “(E) transportation mechanisms; and

9               “(F) dissolved gas monitoring and abatement.  
10

11               “(3) ADDITIONAL ACTIVITIES.—Additional research and development activities referred to in paragraph (1) may include research and development related to—  
12  
13  
14

15               “(A) studies of juvenile salmon survival in spawning and rearing areas;  
16

17               “(B) estuary and near-ocean juvenile and adult salmon survival;  
18

19               “(C) impacts on salmon life cycles from sources other than water resources projects;  
20

21               “(D) cryopreservation of fish gametes and formation of a germ plasm repository for threatened and endangered populations of native fish; and  
22  
23  
24

1               “(E) other innovative technologies and ac-  
2               tions intended to improve fish survival, includ-  
3               ing the survival of resident fish.

4               “(4) COORDINATION.—The Secretary shall co-  
5               ordinate any activities carried out under this sub-  
6               section with appropriate Federal, State, and local  
7               agencies, affected Indian tribes, and the Northwest  
8               Power Planning Council.

9               “(5) REPORT.—Not later than 3 years after the  
10               date of enactment of this section, the Secretary shall  
11               submit to Congress a report on the research and de-  
12               velopment activities carried out under this sub-  
13               section, including any recommendations of the Sec-  
14               retary concerning the research and development ac-  
15               tivities.

16               “(6) AUTHORIZATION OF APPROPRIATIONS.—  
17               There is authorized to be appropriated \$10,000,000  
18               to carry out research and development activities  
19               under paragraph (3).

20               “(b) ADVANCED TURBINE DEVELOPMENT.—

21               “(1) IN GENERAL.—In conjunction with the  
22               Secretary of Energy, the Secretary shall accelerate  
23               efforts toward developing and installing in Corps of  
24               Engineers-operated dams innovative, efficient, and  
25               environmentally safe hydropower turbines, including

1       design of fish-friendly turbines, for use on the Co-  
2       lumbia/Snake River hydrosystem.

3           “(2) AUTHORIZATION OF APPROPRIATIONS.—  
4       There is authorized to be appropriated \$35,000,000  
5       to carry out this subsection.

6           “(c) MANAGEMENT OF PREDATION ON COLUMBIA/  
7       SNAKE RIVER SYSTEM NATIVE FISHES.—

8           “(1) NESTING AVIAN PREDATORS.—In conjunc-  
9       tion with the Secretary of Commerce and the Sec-  
10      retary of the Interior, and consistent with a manage-  
11      ment plan to be developed by the United States Fish  
12      and Wildlife Service, the Secretary shall carry out  
13      methods to reduce nesting populations of avian pred-  
14      ators on dredge spoil islands in the Columbia River  
15      under the jurisdiction of the Secretary.

16           “(2) AUTHORIZATION OF APPROPRIATIONS.—  
17       There is authorized to be appropriated \$1,000,000  
18       to carry out research and development activities  
19       under this subsection.

20           “(d) IMPLEMENTATION.—Nothing in this section af-  
21      fects the authority of the Secretary to implement the re-  
22      sults of the research and development carried out under  
23      this section or any other law.”.

1 **SEC. 316. NINE MILE RUN HABITAT RESTORATION, PENN-**2 **SYLVANIA.**

3       The Secretary may credit against the non-Federal  
4 share such costs as are incurred by the non-Federal inter-  
5 ests in preparing environmental and other preconstruction  
6 documentation for the habitat restoration project, Nine  
7 Mile Run, Pennsylvania, if the Secretary determines that  
8 the documentation is integral to the project.

9 **SEC. 317. LARKSPUR FERRY CHANNEL, CALIFORNIA.**

10     The Secretary shall work with the Secretary of  
11 Transportation on a proposed solution to carry out the  
12 project to maintain the Larkspur Ferry Channel, Lark-  
13 spur, California, authorized by section 601(d) of the  
14 Water Resources Development Act of 1986 (100 Stat.  
15 4148).

16 **SEC. 318. COMPREHENSIVE FLOOD IMPACT-RESPONSE**17 **MODELING SYSTEM.**

18     (a) IN GENERAL.—The Secretary may study and im-  
19 plement a Comprehensive Flood Impact-Response Model-  
20 ing System for the Coralville Reservoir and the Iowa River  
21 watershed, Iowa.

22     (b) STUDY.—The study shall include—

23           (1) an evaluation of the combined hydrologic,  
24 geomorphic, environmental, economic, social, and  
25 recreational impacts of operating strategies within  
26 the watershed;

1                             (2) creation of an integrated, dynamic flood im-  
2                             pact model; and

3                             (3) the development of a rapid response system  
4                             to be used during flood and emergency situations.

5                             (c) REPORT TO CONGRESS.—Not later than 5 years  
6                             after the date of enactment of this Act, the Secretary shall  
7                             transmit a report to Congress on the results of the study  
8                             and modeling system and such recommendations as the  
9                             Secretary determines to be appropriate.

10                             (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
11                             authorized to be appropriated a total of \$2,250,000 to  
12                             carry out this section.

13                             **SEC. 319. STUDY REGARDING INNOVATIVE FINANCING FOR**  
14                                     **SMALL AND MEDIUM-SIZED PORTS.**

15                             (a) STUDY.—The Comptroller General of the United  
16                             States shall conduct a study and analysis of various alter-  
17                             natives for innovative financing of future construction, op-  
18                             eration, and maintenance of projects in small and me-  
19                             dium-sized ports.

20                             (b) REPORT.—Not later than 270 days after the date  
21                             of enactment of this Act, the Comptroller General shall  
22                             submit to the Committee on Environment and Public  
23                             Works of the Senate and Committee on Transportation  
24                             and Infrastructure of the House of Representatives and

1 the results of the study and any related legislative re-  
2 commendations for consideration by Congress.

3 **SEC. 320. CANDY LAKE PROJECT, OSAGE COUNTY, OKLA-**  
4 **HOMA.**

5 (a) DEFINITIONS.—In this section:

6       (1) FAIR MARKET VALUE.—The term “fair  
7 market value” means the amount for which a willing  
8 buyer would purchase and a willing seller would sell  
9 a parcel of land, as determined by a qualified, inde-  
10 pendent land appraiser.

11       (2) PREVIOUS OWNER OF LAND.—The term  
12 “previous owner of land” means a person (including  
13 a corporation) that conveyed, or a descendant of a  
14 deceased individual who conveyed, land to the Corps  
15 of Engineers for use in the Candy Lake project in  
16 Osage County, Oklahoma.

17       (3) SECRETARY.—The term “Secretary” means  
18 the Secretary of the Army.

19 (b) LAND CONVEYANCES.—

20       (1) IN GENERAL.—The Secretary shall convey,  
21 in accordance with this section, all right, title, and  
22 interest of the United States in and to the land ac-  
23 quired by the United States for the Candy Lake  
24 project in Osage County, Oklahoma.

25       (2) PREVIOUS OWNERS OF LAND.—

1                             (A) IN GENERAL.—The Secretary shall  
2                             give a previous owner of land first option to  
3                             purchase the land described in paragraph (1).

4                             (B) APPLICATION.—

5                                 (i) IN GENERAL.—A previous owner  
6                             of land that desires to purchase the land  
7                             described in paragraph (1) that was owned  
8                             by the previous owner of land, or by the in-  
9                             dividual from whom the previous owner of  
10                             land is descended, shall file an application  
11                             to purchase the land with the Secretary  
12                             not later than 180 days after the official  
13                             date of notice to the previous owner of  
14                             land under subsection (c).

15                                 (ii) FIRST TO FILE HAS FIRST OP-  
16                             TION.—If more than 1 application is filed  
17                             for a parcel of land described in paragraph  
18                             (1), first options to purchase the parcel of  
19                             land shall be allotted in the order in which  
20                             applications for the parcel of land were  
21                             filed.

22                             (C) IDENTIFICATION OF PREVIOUS OWN-  
23                             ERS OF LAND.—As soon as practicable after the  
24                             date of enactment of this Act, the Secretary

1 shall, to the extent practicable, identify each  
2 previous owner of land.

3 (D) CONSIDERATION.—Consideration for  
4 land conveyed under this subsection shall be the  
5 fair market value of the land.

6 (3) DISPOSAL.—Any land described in para-  
7 graph (1) for which an application has not been filed  
8 under paragraph (2)(B) within the applicable time  
9 period shall be disposed of in accordance with law.

10 (4) EXTINGUISHMENT OF EASEMENTS.—All  
11 flowage easements acquired by the United States for  
12 use in the Candy Lake project in Osage County,  
13 Oklahoma, are extinguished.

14 (c) NOTICE.—

15 (1) IN GENERAL.—The Secretary shall notify—

16 (A) each person identified as a previous  
17 owner of land under subsection (b)(2)(C), not  
18 later than 90 days after identification, by  
19 United States mail; and

20 (B) the general public, not later than 90  
21 days after the date of enactment of this Act, by  
22 publication in the Federal Register.

23 (2) CONTENTS OF NOTICE.—Notice under this  
24 subsection shall include—

25 (A) a copy of this section;

1                             (B) information sufficient to separately  
2                             identify each parcel of land subject to this sec-  
3                             tion; and

4                             (C) specification of the fair market value  
5                             of each parcel of land subject to this section.

6                             (3) OFFICIAL DATE OF NOTICE.—The official  
7                             date of notice under this subsection shall be the  
8                             later of—

9                             (A) the date on which actual notice is  
10                             mailed; or

11                             (B) the date of publication of the notice in  
12                             the Federal Register.

13 **SEC. 321. SALCHA RIVER AND PILEDRIVER SLOUGH, FAIR-**  
14                             **BANKS, ALASKA.**

15                             The Secretary shall evaluate and, if justified under  
16                             section 205 of the Flood Control Act of 1948 (33 U.S.C.  
17                             701s), carry out flood damage reduction measures along  
18                             the lower Salcha River and on Piledriver Slough, from its  
19                             headwaters at the mouth of the Salcha River to the Chena  
20                             Lakes Flood Control Project, in the vicinity of Fairbanks,  
21                             Alaska, to protect against surface water flooding.

22 **SEC. 322. EYAK RIVER, CORDOVA, ALASKA.**

23                             The Secretary shall evaluate and, if justified under  
24                             section 205 of the Flood Control Act of 1948 (33 U.S.C.

1 701s), carry out flood damage reduction measures along  
2 the Eyak River at the town of Cordova, Alaska.

3 **SEC. 323. NORTH PADRE ISLAND STORM DAMAGE REDUC-**  
4 **TION AND ENVIRONMENTAL RESTORATION**  
5 **PROJECT.**

6 The Secretary shall carry out a project for ecosystem  
7 restoration and storm damage reduction at North Padre  
8 Island, Corpus Christi Bay, Texas, at a total estimated  
9 cost of \$30,000,000, with an estimated Federal cost of  
10 \$19,500,000 and an estimated non-Federal cost of  
11 \$10,500,000, if the Secretary finds that the work is tech-  
12 nically sound, environmentally acceptable, and economi-  
13 cally justified.

14 **SEC. 324. KANOPOLIS LAKE, KANSAS.**

15 (a) WATER SUPPLY.—

16 (1) IN GENERAL.—Not later than 1 year after  
17 the date of enactment of this Act, the Secretary, in  
18 cooperation with the State of Kansas or another  
19 non-Federal interest, shall complete a water supply  
20 reallocation study at the project for flood control,  
21 Kanopolis Lake, Kansas, as a basis on which the  
22 Secretary shall enter into negotiations with the State  
23 of Kansas or another non-Federal interest for the  
24 terms and conditions of a reallocation of the water  
25 supply.

1                         (2) OPTIONS.—The negotiations for storage re-  
2 allocation shall include the following options for eval-  
3 uation by all parties:

4                         (A) Financial terms of storage reallocation.

5                         (B) Protection of future Federal water re-  
6 leases from Kanopolis Dam, consistent with  
7 State water law, to ensure that the benefits ex-  
8 pected from releases are provided.

9                         (C) Potential establishment of a water as-  
10 surance district consistent with other such dis-  
11 tricts established by the State of Kansas.

12                         (D) Protection of existing project purposes  
13 at Kanopolis Dam to include flood control,  
14 recreation, and fish and wildlife.

15                         (b) IN-KIND CREDIT.—

16                         (1) IN GENERAL.—The Secretary may negotiate  
17 a credit for a portion of the financial repayment to  
18 the Federal Government for work performed by the  
19 State of Kansas, or another non-Federal interest, on  
20 land adjacent or in close proximity to the project, if  
21 the work provides a benefit to the project.

22                         (2) WORK INCLUDED.—The work for which  
23 credit may be granted may include watershed protec-  
24 tion and enhancement, including wetland construc-  
25 tion and ecosystem restoration.

## **1 SEC. 325. NEW YORK CITY WATERSHED.**

2 Section 552(d) of the Water Resources Development  
3 Act of 1996 (110 Stat. 3780) is amended by striking “for  
4 the project to be carried out with such assistance” and  
5 inserting “, or a public entity designated by the State di-  
6 rector, to carry out the project with such assistance, sub-  
7 ject to the project’s meeting the certification requirement  
8 of subsection (c)(1)”.

**9 SEC. 326. CITY OF CHARLEVOIX REIMBURSEMENT, MICH-**

10 GAN.

11        The Secretary shall review and, if consistent with au-  
12 thorized project purposes, reimburse the city of  
13 Charlevoix, Michigan, for the Federal share of costs asso-  
14 ciated with construction of the new revetment connection  
15 to the Federal navigation project at Charlevoix Harbor,  
16 Michigan.

17 SEC. 327. HAMILTON DAM FLOOD CONTROL PROJECT,

18 MICHIGAN.

19 The Secretary may construct the Hamilton Dam  
20 flood control project, Michigan, under authority of section  
21 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

**22 SEC. 328. HOLES CREEK FLOOD CONTROL PROJECT, OHIO.**

23       (a) IN GENERAL.—Notwithstanding any other provi-  
24 sion of law, the non-Federal share of project costs for the  
25 project for flood control, Holes Creek, Ohio, shall not ex-  
26 ceed the sum of—

1                   (1) the total amount projected as the non-Fed-  
2       erl share as of September 30, 1996, in the Project  
3       Cooperation Agreement executed on that date; and

4                   (2) 100 percent of the amount of any increases  
5       in the cost of the locally preferred plan over the cost  
6       estimated in the Project Cooperation Agreement.

7       (b) REIMBURSEMENT.—The Secretary shall reim-  
8       burse the non-Federal interest any amount paid by the  
9       non-Federal interest in excess of the non-Federal share.

10 **SEC. 329. OVERFLOW MANAGEMENT FACILITY, RHODE IS-**

11                   **LAND.**

12       Section 585(a) of the Water Resources Development  
13 Act of 1996 (110 Stat. 3791) is amended by striking  
14 “river” and inserting “sewer”.

