

**Union Calendar No. 447**

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5428**

**[Report No. 107-717]**

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 HOUSE OF REPRESENTATIVES**

SEPTEMBER 23, 2002

Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. DUNCAN, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

OCTOBER 2, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on September 23, 2002]

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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 2002”.*

6        (b) *TABLE OF CONTENTS.*—

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definition of Secretary.*

**TITLE I—WATER RESOURCES PROJECTS**

*Sec. 101. Project authorizations.*

*Sec. 102. Small projects for flood damage reduction.*

*Sec. 103. Small projects for emergency streambank protection.*

*Sec. 104. Small projects for navigation.*

*Sec. 105. Small projects for improvement of the quality of the environment.*

*Sec. 106. Small projects for aquatic ecosystem restoration.*

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*Sec. 201. Annual passes for recreation.*

*Sec. 202. Non-Federal contributions.*

*Sec. 203. Harbor cost sharing.*

*Sec. 204. Funding to process permits.*

*Sec. 205. National shoreline erosion control development and demonstration pro-*  
*gram.*

*Sec. 206. Written agreement for water resources projects.*

*Sec. 207. Assistance for remediation, restoration, and reuse.*

*Sec. 208. Compilation of laws.*

*Sec. 209. Dredged material disposal.*

*Sec. 210. Wetlands mitigation.*

*Sec. 211. Remote and subsistence harbors.*

*Sec. 212. Beneficial uses of dredged material.*

*Sec. 213. Cost sharing provisions for certain areas.*

*Sec. 214. Revision of project cooperation agreement.*

*Sec. 215. Cost sharing.*

*Sec. 216. Credit for work performed before cooperation agreement.*

*Sec. 217. Recreation user fee revenues.*

*Sec. 218. Expedited actions for emergency flood damage reduction.*

*Sec. 219. Watershed and river basin assessments.*

*Sec. 220. Tribal partnership program.*

*Sec. 221. Treatment of certain separable elements.*

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- Sec. 308. *Cache Creek Basin, California.*
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- Sec. 310. *John F. Baldwin Ship Channel and Stockton Ship Channel, California.*
- Sec. 311. *Los Angeles Harbor, Los Angeles, California.*
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- Sec. 508. Expedited completion of reports for certain projects.*
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- Sec. 552. Northeastern Minnesota.*
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- Sec. 556. Atlantic Coast of New York.*
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- Sec. 559. Little Neck Bay, Village of Kings Point, New York.*
- Sec. 560. Stanley County, North Carolina.*
- Sec. 561. Piedmont Lake Dam, Ohio.*
- Sec. 562. Waurika Lake, Oklahoma.*
- Sec. 563. Columbia River, Oregon.*
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- Sec. 565. John Day Lock and Dam, Lake Umatilla, Oregon and Washington.*
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- Sec. 568. Northeast Pennsylvania.*
- Sec. 569. Susquehannock Campground access road, Raystown Lake, Pennsylvania.*
- Sec. 570. Upper Susquehanna River basin, Pennsylvania and New York.*
- Sec. 571. Washington, Greene, Westmoreland, and Fayette Counties, Pennsylvania.*
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- Sec. 573. Lakes Marion and Moultrie, South Carolina.*
- Sec. 574. Upper Big Sioux River, Watertown, South Dakota.*
- Sec. 575. Fritz Landing, Tennessee.*
- Sec. 576. Memphis, Tennessee.*
- Sec. 577. Town Creek, Lenoir City, Tennessee.*
- Sec. 578. Tennessee River partnership.*
- Sec. 579. Clear Creek and tributaries, Harris and Galveston Counties, Texas.*
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- Sec. 581. Harris Gully, Harris County, Texas.*
- Sec. 582. Onion Creek, Texas.*
- Sec. 583. Pelican Island, Texas.*
- Sec. 584. Riverside Oxbow, Fort Worth, Texas.*
- Sec. 585. Richmond National Battlefield Park, Richmond, Virginia.*
- Sec. 586. Baker Bay and Ilwaco Harbor, Washington.*
- Sec. 587. Chehalis River, Centralia, Washington.*
- Sec. 588. Hamilton Island campground, Washington.*
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- Sec. 591. Lower Kanawha River Basin, West Virginia.*
- Sec. 592. Central West Virginia.*

*Sec. 593. Southern West Virginia.*

*Sec. 594. Additional assistance for critical projects.*

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

2 *In this Act, the term “Secretary” means the Secretary*  
 3 *of the Army.*

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

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

7 *Except as otherwise provided in this section, 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 respec-*  
 12 *tive reports designated in this section:*

13 (1) *PINE FLAT DAM AND RESERVOIR, CALI-*  
 14 *FORNIA.—The project for environmental restoration,*  
 15 *Pine Flat Dam and Reservoir, Fresno County, Cali-*  
 16 *fornia: Report of the Chief of Engineers, dated July*  
 17 *19, 2002, at a total cost of \$37,100,000, with an esti-*  
 18 *mated Federal cost of \$24,116,000 and an estimated*  
 19 *non-Federal cost of \$12,984,000.*

20 (2) *MORGANZA TO THE GULF OF MEXICO, LOU-*  
 21 *ISIANA.—*

22 (A) *IN GENERAL.—The project for hurricane*  
 23 *and storm damage reduction, Morganza to the*  
 24 *Gulf of Mexico, Louisiana: Report of the Chief of*

1        *Engineers, dated August 23, 2002, at a total cost*  
2        *of \$680,00,000, with an estimated Federal cost of*  
3        *\$442,000,000 and an estimated non-Federal cost*  
4        *of \$238,000,000.*

5                *(B) CREDIT.—The Secretary shall credit to-*  
6        *ward the non-Federal share of the cost of the*  
7        *project the cost of work carried out by the non-*  
8        *Federal interest for interim flood protection after*  
9        *March 31, 1989, if the Secretary determines that*  
10       *the work is integral to the project.*

11               *(3) SMITH ISLAND, MARYLAND.—The project for*  
12       *environmental restoration and protection, Smith Is-*  
13       *land, Maryland: Report of the Chief of Engineers,*  
14       *dated October 29, 2001, at a total cost of \$7,442,000,*  
15       *with an estimated Federal cost of \$4,838,000 and an*  
16       *estimated non-Federal cost of \$2,604,000.*

17               *(4) CHICKAMAUGA LOCK AND DAM, TEN-*  
18       *NESSEE.—The project for inland navigation, Chicka-*  
19       *mauga Lock and Dam, Tennessee: Report of the Chief*  
20       *of Engineers, dated May 30, 2002; except that the*  
21       *Secretary shall construct the project in accordance*  
22       *with the plan that includes a 110-foot by 600-foot re-*  
23       *placement lock at a total cost of \$267,167,000. The*  
24       *costs of such construction shall be paid 1/2 from*  
25       *amounts appropriated from the general fund of the*



1        *Treasury and 1/2 from amounts appropriated from*  
2        *the Inland Waterways Trust Fund.*

3    **SEC. 102. SMALL PROJECTS FOR FLOOD DAMAGE REDUC-**  
4        **TION.**

5        (a) *IN GENERAL.*—*The Secretary shall conduct a*  
6        *study for each of the following projects and, if the Secretary*  
7        *determines that a project is feasible, may carry out the*  
8        *project under section 205 of the Flood Control Act of 1948*  
9        *(33 U.S.C. 701s):*

10            (1) *CACHE RIVER BASIN, GRUBBS, ARKANSAS.—*  
11        *Project for flood damage reduction, Cache River*  
12        *basin, Grubbs, Arkansas.*

13            (2) *SANTA ANA RIVER BASIN AND ORANGE COUN-*  
14        *TY STREAMS, CALIFORNIA.—Project for flood damage*  
15        *reduction, Santa Ana River basin and Orange Coun-*  
16        *ty streams, California.*

17            (3) *NASHUA RIVER, FITCHBURG, MASSACHU-*  
18        *SETTS.—Project for flood damage reduction, Nashua*  
19        *River, Fitchburg, Massachusetts.*

20            (4) *SAGINAW RIVER, HAMILTON DAM, FLINT,*  
21        *MICHIGAN.—Project for flood damage reduction, Sagi-*  
22        *naw River, Hamilton Dam, Flint, Michigan.*

23            (5) *SOUTH BRANCH OF THE WILD RICE RIVER,*  
24        *BORUP, MINNESOTA.—Project for flood damage reduc-*

1        *tion, South Branch of the Wild Rice River, Borup,*  
 2        *Minnesota.*

3            (6) *BLACKSNAKE CREEK, ST. JOSEPH, MIS-*  
 4        *SOURI.—Project for flood damage reduction, Black-*  
 5        *snake Creek, St. Joseph, Missouri.*

6            (7) *JAMES RIVER, GREENE COUNTY, MISSOURI.—*  
 7        *Project for flood damage reduction, James River,*  
 8        *Greene County, Missouri.*

9            (8) *MCKEEL BROOK, NEW JERSEY.—Project for*  
 10       *flood damage reduction, McKeel Brook, New Jersey.*

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

14           (10) *LITTLE MILL CREEK, SOUTHAMPTON, PENN-*  
 15       *SYLVANIA.—Project for flood damage reduction, Little*  
 16       *Mill Creek, Southampton, Pennsylvania.*

17           (11) *LITTLE NESHAMINY CREEK, WARRENTON,*  
 18       *PENNSYLVANIA.—Project for flood damage reduction,*  
 19       *Little Neshaminy Creek, Warrenton, Pennsylvania.*

20           (12) *SURFSIDE BEACH, SOUTH CAROLINA.—*  
 21       *Project for flood damage reduction, Surfside Beach*  
 22       *and vicinity, South Carolina.*

23        (b) *SPECIAL RULES.—In carrying out the project for*  
 24       *flood damage reduction, South Branch of the Wild Rice*  
 25       *River, Borup, Minnesota, referred to in subsection (a)(4)*

1 *the Secretary may consider national ecosystem restoration*  
2 *benefits in determining the Federal interest in the project*  
3 *and shall allow the non-Federal interest to participate in*  
4 *the financing of the project in accordance with section*  
5 *903(c) of the Water Resources Development Act of 1986 (100*  
6 *Stat. 4184) to the extent that the Secretary's evaluation in-*  
7 *dicates that applying such section is necessary to imple-*  
8 *ment the project.*

9 **SEC. 103. SMALL PROJECTS FOR EMERGENCY STREAMBANK**  
10 **PROTECTION.**

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

15 *(1) MIDDLE FORK GRAND RIVER, GENTRY COUN-*  
16 *TY, MISSOURI.—Project for emergency streambank*  
17 *protection, Middle Fork Grand River, Gentry County,*  
18 *Missouri.*

19 **SEC. 104. SMALL PROJECTS FOR NAVIGATION.**

20 *The Secretary shall conduct a study for each of the*  
21 *following projects and, if the Secretary determines that a*  
22 *project is feasible, may carry out the project under section*  
23 *107 of the River and Harbor Act of 1960 (33 U.S.C. 577):*

1           (1) *BLYTHEVILLE COUNTY HARBOR, ARKAN-*  
 2           *SAS.—Project for navigation, Blytheville County Har-*  
 3           *bor, Arkansas.*

4           (2) *EVANSTON, ILLINOIS.—Project for naviga-*  
 5           *tion, Evanston, Illinois.*

6           (3) *NIAGARA FRONTIER TRANSPORTATION AU-*  
 7           *THORITY BOAT HARBOR, BUFFALO, NEW YORK.—*  
 8           *Project for navigation, Niagara Frontier Transpor-*  
 9           *tation Authority Boat Harbor, Buffalo, New York.*

10          (4) *WOODLAWN MARINA, LACKAWANNA, NEW*  
 11          *YORK.—Project for navigation, Woodlawn Marina,*  
 12          *Lackawanna, New York.*

13 **SEC. 105. SMALL PROJECTS FOR IMPROVEMENT OF THE**  
 14                                   **QUALITY OF THE ENVIRONMENT.**

15          *The Secretary shall conduct a study for the following*  
 16          *project and, if the Secretary determines that the project is*  
 17          *appropriate, may carry out the project under section 1135*  
 18          *of the Water Resources Development Act of 1986 (33 U.S.C.*  
 19          *2309a):*

20               (1) *SMITHVILLE LAKE, MISSOURI.—Project for*  
 21               *improvement of the quality of the environment,*  
 22               *Smithville Lake, Missouri.*

1 **SEC. 106. SMALL PROJECTS FOR AQUATIC ECOSYSTEM RES-**  
2 **TORATION.**

3 *The Secretary shall conduct a study for each of the*  
4 *following projects and, if the Secretary determines that a*  
5 *project is appropriate, may carry out the project under sec-*  
6 *tion 206 of the Water Resources Development Act of 1996*  
7 *(33 U.S.C. 2330):*

8 (1) *COLORADO RIVER, YUMA, ARIZONA.—Project*  
9 *for aquatic ecosystem restoration, Colorado River,*  
10 *Yuma, Arizona.*

11 (2) *CHINO VALLEY, CALIFORNIA.—Project for*  
12 *aquatic ecosystem restoration, Chino Valley, Cali-*  
13 *fornia.*

14 (3) *STOCKTON DEEP WATER SHIP CHANNEL AND*  
15 *LOWER SAN JOAQUIN RIVER, CALIFORNIA.—Project for*  
16 *aquatic ecosystem restoration, Stockton Deep Water*  
17 *Ship Channel and lower San Joaquin River, Cali-*  
18 *fornia.*

19 (4) *SWEETWATER RESERVOIR, SAN DIEGO COUN-*  
20 *TY, CALIFORNIA.—Project for aquatic ecosystem res-*  
21 *toration, Sweetwater Reservoir, San Diego County,*  
22 *California, including efforts to address aquatic*  
23 *invasive plant species.*

24 (5) *BISCAYNE BAY, FLORIDA.—Project for aquat-*  
25 *ic ecosystem restoration, Biscayne Bay, Key Bis-*  
26 *cayne, Florida.*

1           (6) *CHATTAHOOCHEE RIVER, COLUMBUS, GEOR-*  
 2           *GLA, AND PHENIX CITY, ALABAMA.—Project for aquat-*  
 3           *ic ecosystem restoration, City Mills Dam and Eagle*  
 4           *and Phenix Dam, Chattahoochee River, Columbus,*  
 5           *Georgia, and Phenix City, Alabama.*

6           (7) *CHATTAHOOCHEE RIVER AND OCMULGEE*  
 7           *RIVER BASINS, GEORGIA.—Project for aquatic eco-*  
 8           *system restoration, Chattahoochee River and*  
 9           *Ocmulgee River basins, Gwinnett County, Georgia.*

10          (8) *SNAKE RIVER, JEROME, IDAHO.—Project for*  
 11          *aquatic ecosystem restoration, Snake River, Jerome,*  
 12          *Idaho.*

13 **SEC. 107. SMALL PROJECTS FOR SHORELINE PROTECTION.**

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

20               (1) *NELSON LAGOON, ALASKA.—Project for shore-*  
 21               *line protection, Nelson Lagoon, Alaska.*

22 **TITLE II—GENERAL PROVISIONS**

23 **SEC. 201. ANNUAL PASSES FOR RECREATION.**

24          *Section 208(c)(4) of the Water Resources Development*  
 25          *Act of 1996 (16 U.S.C. 460d–3 note; 110 Stat. 3681; 113*

1 *Stat. 294) is amended by striking “the December 31, 2003”*  
 2 *and inserting “December 31, 2004”.*

3 **SEC. 202. NON-FEDERAL CONTRIBUTIONS.**

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

7 “(n) **NON-FEDERAL CONTRIBUTIONS.**—

8 “(1) **PROHIBITION ON SOLICITATION OF EXCESS**  
 9 **CONTRIBUTIONS.**—*The Secretary may not solicit con-*  
 10 *tributions from non-Federal interests for costs of con-*  
 11 *structing authorized water resources development*  
 12 *projects or measures in excess of the non-Federal*  
 13 *share assigned to the appropriate project purposes*  
 14 *listed in subsections (a), (b), and (c) or condition*  
 15 *Federal participation in such projects or measures on*  
 16 *the receipt of such contributions.*

17 “(2) **LIMITATION ON STATUTORY CONSTRUC-**  
 18 **TION.**—*Nothing in this subsection shall be construed*  
 19 *to affect the Secretary’s authority under section*  
 20 *903(c) of this Act.”.*

21 **SEC. 203. HARBOR COST SHARING.**

22 (a) **PAYMENTS DURING CONSTRUCTION.**—*Section*  
 23 *101(a)(1) of the Water Resources Development Act of 1986*  
 24 *(33 U.S.C. 2211(a)(1); 100 Stat. 4082) is amended in each*

1 of subparagraphs (B) and (C) by striking “45 feet” and  
 2 inserting “53 feet”.

3 (b) *OPERATION AND MAINTENANCE.*—Section  
 4 101(b)(1) of such Act (33 U.S.C. 2211(b)(1)) is amended  
 5 by striking “45 feet” and inserting “53 feet”.

6 (c) *DEFINITIONS.*—Section 214 of such Act (33 U.S.C.  
 7 2241; 100 Stat. 4108) is amended in each of paragraphs  
 8 (1) and (3) by striking “45 feet” and inserting “53 feet”.

9 (d) *APPLICABILITY.*—The amendments made by sub-  
 10 sections (a), (b), and (c) shall apply only to a project, or  
 11 separable element of a project, on which a contract for phys-  
 12 ical construction has not been awarded before the date of  
 13 enactment of this Act.

14 **SEC. 204. FUNDING TO PROCESS PERMITS.**

15 Section 214 of the Water Resources Development Act  
 16 of 2000 (33 U.S.C. 2201 note; 114 Stat. 2594) is amended—

17 (1) in subsection (a) by striking “2003” and in-  
 18 serting “2005”; and

19 (2) by adding at the end of subsection (b) the fol-  
 20 lowing: “The acceptance and expenditure of funds  
 21 under subsection (a) shall not affect the order in  
 22 which permits are considered or approved by the Sec-  
 23 retary.”.



1 **SEC. 205. NATIONAL SHORELINE EROSION CONTROL DE-**  
 2 **VELOPMENT AND DEMONSTRATION PRO-**  
 3 **GRAM.**

4 (a) *EXTENSION OF PROGRAM.*—Section 5(a) of the Act  
 5 entitled “An Act authorizing Federal participation in the  
 6 cost of protecting the shores of publicly owned property”,  
 7 approved August 13, 1946 (33 U.S.C. 426h(a)), is amended  
 8 by striking “6 years” and inserting “10 years”.

9 (b) *EXTENSION OF PLANNING, DESIGN, AND CON-*  
 10 *STRUCTION PHASE.*—Section 5(b)(1)(A) of such Act (33  
 11 U.S.C. 426h(b)(1)(A)) is amended by striking “3 years”  
 12 and inserting “6 years”.

13 (c) *COST-SHARING; REMOVAL OF PROJECTS.*—Section  
 14 5(b) of such Act (33 U.S.C. 426h(b)) is amended—

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

17 (2) by inserting after paragraph (2) the fol-  
 18 lowing:

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

24 “(4) *REMOVAL OF PROJECTS.*—The Secretary  
 25 may pay all or a portion of the costs of removing a  
 26 project, or an element of a project, constructed under

8 *SEC. 206. WRITTEN AGREEMENT FOR WATER RESOURCES*  
9 *PROJECTS.*

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

19 (A) by striking “shall” the first place it ap-  
20 pears and inserting “may”; and

22                   (2) in paragraph (4)—

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1                   (B) by striking “to collect a civil penalty  
2                   imposed under this section,”; and

3                   (C) by striking “any civil penalty imposed  
4                   under this section,” and inserting “any liq-  
5                   uidated damages,”.

6 **SEC. 207. ASSISTANCE FOR REMEDIATION, RESTORATION,**  
7 **AND REUSE.**

8           (a) *IN GENERAL.*—The Secretary may provide to State  
9   and local governments assessment, planning, and design as-  
10   sistance for remediation, environmental restoration, or  
11   reuse of areas located within the boundaries of such State  
12   or local governments where such remediation, environ-  
13   mental restoration, or reuse will contribute to the improve-  
14   ment of water quality or the conservation of water and re-  
15   lated resources of drainage basins and watersheds within  
16   the United States.

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

20          (c) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
21   authorized to be appropriated to carry out this section  
22   \$30,000,000 for each of fiscal years 2003 through 2007.

23 **SEC. 208. COMPILATION OF LAWS.**

24          Within one year after the date of enactment of this  
25   Act, the laws of the United States relating to the improve-

1 *ment of rivers and harbors, flood control, beach erosion, and*  
 2 *other water resources development enacted after November*  
 3 *8, 1966, and before January 1, 2003, shall be compiled*  
 4 *under the direction of the Secretary and the Chief of Engi-*  
 5 *neers and printed for the use of the Department of the*  
 6 *Army, Congress, and the general public. The Secretary shall*  
 7 *reprint the volumes containing such laws enacted before No-*  
 8 *vember 8, 1966. In addition, the Secretary shall include an*  
 9 *index in each volume so compiled or reprinted. Not later*  
 10 *than December 1, 2003, the Secretary shall transmit at least*  
 11 *25 copies of each such volume to the Committee on Trans-*  
 12 *portation and Infrastructure of the House of Representa-*  
 13 *tives and the Committee on Environment and Public Works*  
 14 *of the Senate.*

15 **SEC. 209. DREDGED MATERIAL DISPOSAL.**

16 *Section 217 of the Water Resources Development Act*  
 17 *of 1996 (33 U.S.C. 2326a; 110 Stat. 3694–3696) is amend-*  
 18 *ed—*

19 *(1) by redesignating subsection (c) as subsection*  
 20 *(d);*

21 *(2) by inserting after subsection (b) the fol-*  
 22 *lowing:*

23 *“(c) GOVERNMENTAL PARTNERSHIPS.—*

24 *“(1) IN GENERAL.—The Secretary may enter*  
 25 *into cost-sharing agreements with 1 or more non-Fed-*

1        *eral public interests with respect to a project, or*  
2        *group of projects within a geographic region if appro-*  
3        *priate, for the acquisition, design, construction, man-*  
4        *agement, or operation of a dredged material proc-*  
5        *essing, treatment, or disposal facility (including any*  
6        *facility used to demonstrate potential beneficial uses*  
7        *of dredged material) using funds provided in whole or*  
8        *in part by the Federal Government. One or more of*  
9        *the parties of the agreement may perform the acquisi-*  
10       *tion, design, construction, management, or operation*  
11       *of a dredged material processing, treatment, or dis-*  
12       *posal facility. If appropriate, the Secretary may com-*  
13       *bine portions of separate construction or maintenance*  
14       *appropriations from separate Federal projects with*  
15       *the appropriate combined cost-sharing between the*  
16       *various projects when the facility serves to manage*  
17       *dredged material from multiple Federal projects lo-*  
18       *cated in the geographic region of the facility.*

19            *“(2) PUBLIC FINANCING.—*

20                    *“(A) AGREEMENTS.—The agreement used*  
21                    *shall clearly specify the Federal funding sources*  
22                    *and combined cost-sharing when applicable to*  
23                    *multiple Federal navigation projects and the re-*  
24                    *sponsibilities and risks of each of the parties re-*

lated to present and future dredged material managed by the facility.

“(B) CREDIT.—Nothing in this subsection supersedes or modifies existing agreements between the Federal Government and any non-Federal sponsors for the cost-sharing, construction, and operation and maintenance of Federal navigation projects. Subject to the approval of the Secretary and in accordance with existing laws, regulations, and policies, a non-Federal public sponsor of a Federal navigation project may seek credit for funds provided in the acquisition, design, construction, management, or operation of a dredged material processing, treatment, or disposal facility to the extent the facility is used to manage dredged material from the Federal navigation project. The non-Federal sponsor shall be responsible for providing all necessary lands, easements, rights-of-way, or relocations associated with the facility and shall receive credit for these items.”; and

(3) in each of subsections (d)(1) and (d)(2)(A), as so redesignated, by inserting “processing, treatment, or” after “dredged material” the first place it appears.

1 **SEC. 210. WETLANDS MITIGATION.**

2       *In carrying out a water resources project that involves*  
3 *wetlands mitigation and that has impacts that occur within*  
4 *the service area of a mitigation bank, the Secretary, to the*  
5 *maximum extent practicable and where appropriate, shall*  
6 *give preference to the use of the mitigation bank if the bank*  
7 *contains sufficient available credits to offset the impact and*  
8 *the bank is approved in accordance with the Federal Guid-*  
9 *ance for the Establishment, Use and Operation of Mitiga-*  
10 *tion Banks (60 Fed. Reg. 58605) or other applicable Federal*  
11 *law (including regulations).*

12 **SEC. 211. REMOTE AND SUBSISTENCE HARBORS.**

13       *(a) IN GENERAL.—In conducting a study of harbor*  
14 *and navigation improvements, the Secretary may rec-*  
15 *ommend a project without the need to demonstrate that the*  
16 *project is justified solely by national economic development*  
17 *benefits if the Secretary determines that—*

18               *(1)(A) the community to be served by the project*  
19               *is at least 70 miles from the nearest surface accessible*  
20               *commercial port and has no direct rail or highway*  
21               *link to another community served by a surface acces-*  
22               *sible port or harbor; or*

23               *(B) the project would be located in the Common-*  
24               *wealth of Puerto Rico, Guam, the Commonwealth of*  
25               *the Northern Mariana Islands, or American Samoa;*

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

6           (3) *the long-term viability of the community*  
 7           *would be threatened without the harbor and naviga-*  
 8           *tion improvement.*

9           (b) *JUSTIFICATION.*—*In considering whether to rec-*  
 10          *ommend a project under subsection (a), the Secretary shall*  
 11          *consider the benefits of the project to—*

12           (1) *public health and safety of the local commu-*  
 13           *nity, including access to facilities designed to protect*  
 14           *public health and safety;*

15           (2) *access to natural resources for subsistence*  
 16           *purposes;*

17           (3) *local and regional economic opportunities;*

18           (4) *welfare of the local population; and*

19           (5) *social and cultural value to the community.*

20          **SEC. 212. BENEFICIAL USES OF DREDGED MATERIAL.**

21           (a) *IN GENERAL.*—*Section 204 of the Water Resources*  
 22          *Development Act of 1992 (33 U.S.C. 2326) is amended by*  
 23          *striking subsections (c) through (g) and inserting the fol-*  
 24          *lowing:*



1       “(c) *IN GENERAL.*—*The Secretary may carry out*  
2 *projects to transport and place suitable material dredged*  
3 *in connection with the construction, operation, or mainte-*  
4 *nance of an authorized navigation project at locations se-*  
5 *lected by a non-Federal public entity for use in the con-*  
6 *struction, repair, or rehabilitation of public projects associ-*  
7 *ated with navigation, flood damage reduction, hydroelectric*  
8 *power, municipal and industrial water supply, agricul-*  
9 *tural water supply, recreation, hurricane and storm dam-*  
10 *age reduction, aquatic plant control, and environmental*  
11 *protection and restoration.*

12       “(d) *COOPERATIVE AGREEMENT.*—*Any project under-*  
13 *taken pursuant to this section shall be initiated only after*  
14 *non-Federal interests have entered into an agreement with*  
15 *the Secretary in which the non-Federal interests agree to*  
16 *pay the non-Federal share of the cost of construction of the*  
17 *project and 100 percent of the cost of operation, mainte-*  
18 *nance, replacement, and rehabilitation of the project in ac-*  
19 *cordance with section 103 of the Water Resources Develop-*  
20 *ment Act of 1986 (33 U.S.C. 2213).*

21       “(e) *DETERMINATION OF CONSTRUCTION COSTS.*—  
22 *Costs associated with construction of a project under this*  
23 *section shall be limited solely to construction costs that are*  
24 *in excess of those costs necessary to carry out the dredging*  
25 *for construction, operation, or maintenance of the author-*

1 ized navigation project in the most cost effective way, con-  
 2 sistent with economic, engineering, and environmental cri-  
 3 teria.

4 “(f) *NONPROFIT ENTITIES.*—Notwithstanding section  
 5 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–  
 6 5b), for any project carried out under this section, a non-  
 7 Federal interest may include a nonprofit entity, with the  
 8 consent of the affected local government.

9 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
 10 authorized to be appropriated \$30,000,000 annually for  
 11 projects under this section. Such sums shall remain avail-  
 12 able until expended.

13 “(h) *REGIONAL SEDIMENT MANAGEMENT PLAN-*  
 14 *NING.*—In consultation with appropriate State and Federal  
 15 agencies, the Secretary may develop, at Federal expense,  
 16 plans for regional management of material dredged in con-  
 17 junction with the construction, operation, or maintenance  
 18 of navigation projects, including potential beneficial uses  
 19 of dredged material for construction, repair, or rehabilita-  
 20 tion of public projects for navigation, flood damage reduc-  
 21 tion, hydroelectric power, municipal and industrial water  
 22 supply, agricultural water supply, recreation, hurricane  
 23 and storm damage reduction, aquatic plant control, and en-  
 24 vironmental protection and restoration.”.

25 (b) *REPEAL.*—

1           (1) *IN GENERAL.*—Section 145 of the Water Re-  
 2           sources Development Act of 1976 (33 U.S.C. 426j) is  
 3           repealed.

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

9           (c) *PRIORITY AREAS.*—In carrying out section 204 of  
 10          the Water Resources Development Act of 1992 (33 U.S.C.  
 11          2326), the Secretary shall give priority to a project in the  
 12          vicinity of Morehead City, North Carolina.

13       **SEC. 213. COST SHARING PROVISIONS FOR CERTAIN AREAS.**

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

17       **“SEC. 1156. COST SHARING PROVISIONS FOR CERTAIN**  
 18               **AREAS.**

19          “The Secretary shall waive local cost-sharing require-  
 20          ments up to \$500,000 for all studies and projects in the  
 21          Commonwealth of Puerto Rico, American Samoa, Guam,  
 22          the Commonwealth of the Northern Mariana Islands, and  
 23          the United States Virgin Islands, in Indian country (as de-  
 24          fined in section 1151 of title 18, United States Code, and  
 25          including lands that are within the jurisdictional area of

1 *an Oklahoma Indian tribe, as determined by the Secretary*  
2 *of the Interior, and are recognized by the Secretary of the*  
3 *Interior as eligible for trust land status under part 151 of*  
4 *title 25, Code of Federal Regulations) or on land in the*  
5 *State of Alaska conveyed to an Alaska Native Village Cor-*  
6 *poration under the Alaska Native Claims Settlement Act*  
7 *(43 U.S.C. 1601 et seq.).”.*

8 **SEC. 214. REVISION OF PROJECT COOPERATION AGREE-**  
9 **MENT.**

10 *Upon authorization by law of an increase in the max-*  
11 *imum amount of Federal funds that may be allocated for*  
12 *a project or an increase in the total cost of a project author-*  
13 *ized to be carried out by the Secretary, the Secretary shall*  
14 *revise the project cooperation agreement for the project to*  
15 *take into account the change in Federal participation in*  
16 *the project.*

17 **SEC. 215. COST SHARING.**

18 *An increase in the maximum amount of Federal funds*  
19 *that may be allocated for a project or an increase in the*  
20 *total cost of a project authorized to be carried out by the*  
21 *Secretary shall not affect any cost sharing requirement ap-*  
22 *plicable to the project under title I of the Water Resources*  
23 *Development Act of 1986 (33 U.S.C. 2211 et seq.).*

1 **SEC. 216. CREDIT FOR WORK PERFORMED BEFORE CO-**  
 2 **OPERATION AGREEMENT.**

3 *If the Secretary is authorized to credit toward the non-*  
 4 *Federal share the cost of work carried out by the non-Fed-*  
 5 *eral interest before the date of the cooperation agreement*  
 6 *for the project and such work has not been carried out as*  
 7 *of the date of enactment of this Act, the Secretary shall enter*  
 8 *into an agreement with the non-Federal interest for the*  
 9 *project under which the non-Federal interest shall carry out*  
 10 *such work, and the credit shall apply only to work carried*  
 11 *out under the agreement entered into under this section.*

12 **SEC. 217. RECREATION USER FEE REVENUES.**

13 *Section 225 of the Water Resources Development Act*  
 14 *of 1999 (113 Stat. 297–298) is amended—*

15 *(1) in subsection (a)(1) by striking “During fis-*  
 16 *cal years 1999 through 2002, the” and inserting*  
 17 *“The”; and*

18 *(2) in subsection (a)(3) by striking “September*  
 19 *30, 2005” and inserting “expended”.*

20 **SEC. 218. EXPEDITED ACTIONS FOR EMERGENCY FLOOD**  
 21 **DAMAGE REDUCTION.**

22 *The Secretary shall expedite any authorized planning,*  
 23 *design, and construction of any project for flood damage*  
 24 *reduction for an area that, within the preceding 5 years,*  
 25 *has been subject to flooding that resulted in the loss of life*  
 26 *and caused damage of sufficient severity and magnitude to*

1 *warrant a declaration of a major disaster by the President*  
 2 *under the Robert T. Stafford Disaster and Emergency Re-*  
 3 *lief Act (42 U.S.C. 5121 et seq.).*

4 **SEC. 219. WATERSHED AND RIVER BASIN ASSESSMENTS.**

5 *(a) IN GENERAL.—Section 729(f)(1) of the Water Re-*  
 6 *sources Development Act of 1986 (114 Stat. 2588; 100 Stat.*  
 7 *4164) is amended to read as follows:*

8 *“(1) NON-FEDERAL SHARE.—The non-Federal*  
 9 *share of the costs of an assessment carried out under*  
 10 *this section on or after December 11, 2000, shall be*  
 11 *25 percent.”.*

12 *(b) REVISION OF COOPERATION AGREEMENT.—The*  
 13 *Secretary shall revise the cooperation agreement for any as-*  
 14 *essment being carried out under such section 729 to take*  
 15 *into account the change in non-Federal participation in the*  
 16 *assessment as a result of the amendment made by subsection*  
 17 *(a).*

18 **SEC. 220. TRIBAL PARTNERSHIP PROGRAM.**

19 *Section 203(b)(1)(B) of the Water Resources Develop-*  
 20 *ment Act of 2000 (33 U.S.C. 2269(b)(1)(B); 114 Stat. 2589)*  
 21 *is amended by inserting after “Code” the following “, and*  
 22 *including lands that are within the jurisdictional area of*  
 23 *an Oklahoma Indian tribe, as determined by the Secretary*  
 24 *of the Interior, and are recognized by the Secretary of the*

1 *Interior as eligible for trust land status under part 151 of*  
 2 *title 25, Code of Federal Regulations”.*

3 **SEC. 221. TREATMENT OF CERTAIN SEPARABLE ELEMENTS.**

4       (a) *IN GENERAL.*—If, in carrying out a water re-  
 5 sources project, the Secretary identifies a separable element  
 6 that would advance a primary mission of the Corps of En-  
 7 gineers, with benefits that could be achieved more cost-effec-  
 8 tively if carried out in conjunction with the project, the Sec-  
 9 retary, in consultation with the non-Federal interest, may  
 10 carry out such separable element at Federal expense not to  
 11 exceed 3 percent of the Federal project cost or \$1,000,000,  
 12 whichever is less.

13       (b) *OPERATION AND MAINTENANCE.*—Operation and  
 14 maintenance of work carried out under this section shall  
 15 be a non-Federal responsibility.

16       **TITLE III—PROJECT-RELATED**  
 17                               **PROVISIONS**

18 **SEC. 301. COOK INLET, ANCHORAGE HARBOR, ALASKA.**

19       *The project for navigation improvements, Cook Inlet,*  
 20 *Alaska (Anchorage Harbor, Alaska), authorized by section*  
 21 *101 of the River and Harbor Act of 1958 (72 Stat. 299)*  
 22 *and modified by section 199 of the Water Resources Devel-*  
 23 *opment Act of 1976 (90 Stat. 2944), is further modified*  
 24 *to authorize the Secretary to establish a harbor depth of*  
 25 *45 feet for a length of 5,000 feet at the Port of Anchorage*

1 *marine facility, at a total cost of \$14,500,000. Federal*  
 2 *maintenance shall be in accordance with such section 101;*  
 3 *except that the project shall be maintained at a depth of*  
 4 *45 feet for such 5,000 feet.*

5 **SEC. 302. GALENA, ALASKA.**

6 *The project for emergency bank stabilization, Galena,*  
 7 *Alaska, authorized by title I of the Energy and Water De-*  
 8 *velopment Appropriations Act, 2001 (114 Stat. 1441A–61),*  
 9 *is modified to direct the Secretary to construct the project,*  
 10 *at a total cost of \$6,000,000.*

11 **SEC. 303. KING COVE HARBOR, ALASKA.**

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

16 **SEC. 304. ST. PAUL HARBOR, ALASKA.**

17 *(a) IN GENERAL.—The project for navigation, St.*  
 18 *Paul Harbor, Alaska, authorized by section 101(b)(3) of the*  
 19 *Water Resources Development Act of 1996 (110 Stat. 3667)*  
 20 *and modified by section 303 of the Water Resources Devel-*  
 21 *opment Act of 1999 (113 Stat. 298–299), is further modified*  
 22 *to direct the Secretary to construct the project, at a total*  
 23 *cost of \$65,000,000.*

24 *(b) LIMITATION ON NON-FEDERAL SHARE.—The non-*  
 25 *Federal share for the project shall not exceed \$14,400,000.*



1 **SEC. 305. SITKA, ALASKA.**

2       *The Thompson Harbor, Sitka, Alaska, element of the*  
 3 *project for navigation Southeast Alaska Harbors of Refuge,*  
 4 *Alaska, authorized by section 101 of the Water Resources*  
 5 *Development Act of 1992 (106 Stat. 4801), is modified to*  
 6 *direct the Secretary to take such action as may be necessary*  
 7 *to correct design deficiencies in such element, at a Federal*  
 8 *expense of \$6,300,000.*

9 **SEC. 306. TATILEK, ALASKA.**

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

14 **SEC. 307. AMERICAN AND SACRAMENTO RIVERS, CALI-**  
 15 **FORNIA.**

16       *The project for flood damage reduction, American and*  
 17 *Sacramento Rivers, California, authorized by section*  
 18 *101(a)(1) of the Water Resources Development Act of 1996*  
 19 *(110 Stat. 3662–3663) and modified by section 366 of the*  
 20 *Water Resources Development Act of 1999 (113 Stat. 319–*  
 21 *320), is further modified to direct the Secretary to carry*  
 22 *out the project, at a total cost of \$205,000,000.*

23 **SEC. 308. CACHE CREEK BASIN, CALIFORNIA.**

24       *The project for flood control, Cache Creek Basin, Cali-*  
 25 *fornia, authorized by section 401(a) of the Water Resources*  
 26 *Development Act of 1986 (100 Stat. 4112), is modified to*

1 *direct the Secretary to mitigate the impacts of the new south*  
 2 *levee of the Cache Creek settling basin on the city of Wood-*  
 3 *land's storm drainage system, including all appurtenant*  
 4 *features, erosion control measures, and environmental pro-*  
 5 *tection features. Such mitigation shall restore the city's*  
 6 *preproject capacity (1,360 cubic feet per second) to release*  
 7 *water to the Yolo Bypass, including channel improvements,*  
 8 *an outlet work through the west levee of the Yolo Bypass,*  
 9 *and a new low-flow cross channel to handle city and county*  
 10 *storm drainage and settling basin flows (1,760 cubic feet*  
 11 *per second) when the Yolo Bypass is in a low flow condi-*  
 12 *tion.*

13 **SEC. 309. GRAYSON CREEK/MURDERER'S CREEK, CALI-**  
 14 **FORNIA.**

15 *The project for aquatic ecosystem restoration, Grayson*  
 16 *Creek/Murderer's Creek, California, being carried out under*  
 17 *section 206 of the Water Resources Development Act of 1996*  
 18 *(33 U.S.C. 2330), is modified to direct the Secretary to*  
 19 *credit toward the non-Federal share of the cost of the project*  
 20 *the cost of work carried out by the non-Federal interest be-*  
 21 *fore the date of the cooperation agreement for the project*  
 22 *if the Secretary determines that the work is integral to the*  
 23 *project and to authorize the Secretary to consider national*  
 24 *ecosystem restoration benefits in determining the Federal*  
 25 *interest in the project.*

1 **SEC. 310. JOHN F. BALDWIN SHIP CHANNEL AND STOCKTON**  
2 **SHIP CHANNEL, CALIFORNIA.**

3 *The project for navigation, San Francisco to Stockton,*  
4 *California, authorized by section 301 of the River and Har-*  
5 *bor Act of 1965 (79 Stat. 1091) is modified—*

6 *(1) to provide that the non-Federal share of the*  
7 *cost of the John F. Baldwin Ship Channel and Stock-*  
8 *ton Ship Channel element of the project may be pro-*  
9 *vided in the form of in-kind services and materials;*  
10 *and*

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

17 **SEC. 311. LOS ANGELES HARBOR, LOS ANGELES, CALI-**  
18 **FORNIA.**

19 *The project for navigation, Los Angeles Harbor, Los*  
20 *Angeles, California, authorized by section 101(b)(5) of the*  
21 *Water Resources Development Act of 2000 (114 Stat. 2577),*  
22 *is modified to direct the Secretary to credit toward the non-*  
23 *Federal share of the cost of the project the cost of the plan-*  
24 *ning, design, and construction work carried out by the non-*  
25 *Federal interest before the date of the cooperation agreement*

1 *for the project if the Secretary determines the work is inte-*  
2 *gral to the project.*

3 **SEC. 312. LARKSPUR FERRY CHANNEL, LARKSPUR, CALI-**  
4 **FORNIA.**

5 *The project for navigation, Larkspur Ferry Channel,*  
6 *Larkspur, California, authorized by section 601(d) of the*  
7 *Water Resources Development Act of 1986 (100 Stat. 4148),*  
8 *is modified to direct the Secretary to prepare a limited re-*  
9 *evaluation report to determine whether maintenance of the*  
10 *project is feasible. If the Secretary determines that mainte-*  
11 *nance of the project is feasible, the Secretary shall carry*  
12 *out the maintenance.*

13 **SEC. 313. NAPA RIVER SALT MARSH RESTORATION, NAPA**  
14 **RIVER, CALIFORNIA.**

15 *In carrying out the feasibility study for the project for*  
16 *aquatic ecosystem restoration, Napa River Salt Marsh Res-*  
17 *toration, Napa and Sonoma Counties, California, the Sec-*  
18 *retary shall determine whether work carried out by the non-*  
19 *Federal interest is integral to the project. In any case in*  
20 *which the work is determined to be integral to the project*  
21 *before completion of the final report of the Chief of Engi-*  
22 *neers on the project, such work shall be included as part*  
23 *of the project, and the cost of such work shall be rec-*  
24 *ommended in the final report for credit toward the non-*  
25 *Federal share of the cost of the project. Work carried out*

1 *after submission of the final report and before the date of*  
2 *the cooperation agreement for the project that is determined*  
3 *to be integral to the project shall be considered as part of*  
4 *the project, and the cost of such work shall be credited to-*  
5 *ward the non-Federal share of the cost of the project.*

6 **SEC. 314. PACIFIC FLYWAY CENTER, SACRAMENTO, CALI-**  
7 **FORNIA.**

8 *The project for aquatic ecosystem restoration, Pacific*  
9 *Flyway Center, Sacramento, California, being carried out*  
10 *under section 206 of the Water Resources Development Act*  
11 *of 1996 (33 U.S.C. 2330), is modified to authorize the Sec-*  
12 *retary to expend \$1,000,000 to enhance public access to the*  
13 *project.*

14 **SEC. 315. PINOLE CREEK, CALIFORNIA.**

15 *The project for improvement of the quality of the envi-*  
16 *ronment, Pinole Creek Phase I, California, being carried*  
17 *out under section 1135 of the Water Resources Development*  
18 *Act of 1986 (33 U.S.C. 2309a), is modified to direct the*  
19 *Secretary to credit toward the non-Federal share of the cost*  
20 *of the project the cost of work carried out by the non-Federal*  
21 *interest before the date of the cooperation agreement for the*  
22 *project if the Secretary determines that the work is integral*  
23 *to the project.*

1 **SEC. 316. PRADO DAM, CALIFORNIA.**

2       *Upon completion of the modifications to the Prado*  
3 *Dam element of the project for flood control, Santa Ana*  
4 *River Mainstem, California, authorized by section 401(a)*  
5 *of the Water Resources Development Act of 1986 (100 Stat.*  
6 *4113), the Memorandum of Agreement for the Operation for*  
7 *Prado Dam for Seasonal Additional Water Conservation*  
8 *between the Department of the Army and the Orange Coun-*  
9 *ty Water District (including all the conditions and stipula-*  
10 *tions in the memorandum) shall remain in effect for vol-*  
11 *umes of water made available prior to such modifications.*

12 **SEC. 317. SACRAMENTO DEEP WATER SHIP CHANNEL, CALI-**  
13 **FORNIA.**

14       *The project for navigation, Sacramento Deep Water*  
15 *Ship Channel, California, authorized by section 202(a) of*  
16 *the Water Resources Development Act of 1986 (100 Stat.*  
17 *4092), is modified to direct the Secretary to credit toward*  
18 *the non-Federal share of the cost of the project the cost of*  
19 *planning and design work carried out by the non-Federal*  
20 *interest before the date of the cooperation agreement for the*  
21 *project if the Secretary determines that the work is integral*  
22 *to the project.*

23 **SEC. 318. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**  
24 **FORNIA.**

25       *The project for flood control, Sacramento River, Cali-*  
26 *fornia, authorized by section 2 of the Act entitled “An Act*

1 to provide for the control of the floods of the Mississippi  
 2 River and of the Sacramento River, California, and for  
 3 other purposes”, approved March 1, 1917 (39 Stat. 949),  
 4 and modified by section 102 of the Energy and Water De-  
 5 velopment Appropriations Act, 1990 (103 Stat. 649), sec-  
 6 tion 301(b)(3) of the Water Resources Development Act of  
 7 1996 (110 Stat. 3110), title I of the Energy and Water De-  
 8 velopment Appropriations Act, 1999 (112 Stat. 1841), and  
 9 section 305 of the Water Resources Development Act of 1999  
 10 (113 Stat. 299), is further modified to direct the Secretary  
 11 to credit the non-Federal interest up to \$4,000,000 toward  
 12 the non-Federal share of the cost of the project for costs in-  
 13 curred by the non-Federal interest in carrying out activities  
 14 (including the provision of lands, easements, rights-of-way,  
 15 relocations, and dredged material disposal areas) associated  
 16 with environmental compliance for the project if the Sec-  
 17 retary determines that the activities are integral to the  
 18 project.

19 **SEC. 319. SAN LORENZO RIVER, CALIFORNIA.**

20       The project for flood control, San Lorenzo River, Cali-  
 21 fornia, authorized by section 101(a)(5) of the Water Re-  
 22 sources Development Act of 1996 (110 Stat. 3663), is modi-  
 23 fied to direct the Secretary to credit not more than  
 24 \$2,000,000 toward the non-Federal share of the cost of the  
 25 project for the cost of the work carried out by the non-Fed-

1 eral interest before the date of the cooperation agreement  
 2 for the project if the Secretary determines the work is inte-  
 3 gral to the project.

4 **SEC. 320. TERMINUS DAM, KAWEAH RIVER, CALIFORNIA.**

5       The project for flood control and water supply, Ter-  
 6 minus Dam, Kaweah River, California, authorized by sec-  
 7 tion 101(b)(5) of the Water Resources Development Act of  
 8 1996 (110 Stat. 3667) and modified by section 307 of the  
 9 Water Resources Development Act of 1999 (113 Stat. 299),  
 10 is further modified to authorize the Secretary to construct  
 11 the project, at a total cost of \$50,000,000.

12 **SEC. 321. UPPER GUADALUPE RIVER, CALIFORNIA.**

13       The project for flood damage reduction and recreation,  
 14 Upper Guadalupe River, California, described as the By-  
 15 pass Channel Plan of the Chief of Engineers dated August  
 16 19, 1998, authorized by section 101(a)(9) of the Water Re-  
 17 sources Development Act of 1999 (113 Stat. 275), is modi-  
 18 fied to authorize the Secretary to construct the project, at  
 19 a total cost of \$140,328,000, with an estimated Federal cost  
 20 of \$70,164,000, and an estimated non-Federal cost of  
 21 \$70,164,000. The non-Federal share of the cost of the project  
 22 shall be subject to section 103(a)(3) of the Water Resources  
 23 Development Act of 1986 (33 U.S.C. 2213(a)(3)).



1 **SEC. 322. WALNUT CREEK CHANNEL, CALIFORNIA.**

2       *The project for aquatic ecosystem restoration, Walnut*  
3 *Creek Channel, California, being carried out under section*  
4 *206 of the Water Resources Development Act of 1996 (33*  
5 *U.S.C. 2330), is modified to direct the Secretary to credit*  
6 *toward the non-Federal share of the cost of the project the*  
7 *cost of work carried out by the non-Federal interest before*  
8 *the date of the cooperation agreement for the project if the*  
9 *Secretary determines that the work is integral to the project*  
10 *and to authorize the Secretary to consider national eco-*  
11 *system restoration benefits in determining the Federal in-*  
12 *terest in the project.*

13 **SEC. 323. WILDCAT/SAN PABLO CREEK PHASE I, CALI-**  
14 **FORNIA.**

15       *The project for improvement of the quality of the envi-*  
16 *ronment, Wildcat/San Pablo Creek Phase I, California,*  
17 *being carried out under section 1135 of the Water Resources*  
18 *Development Act of 1986 (33 U.S.C. 2309a), is modified*  
19 *to direct the Secretary to credit toward the non-Federal*  
20 *share of the cost of the project the cost of work carried out*  
21 *by the non-Federal interest before the date of the cooperation*  
22 *agreement for the project if the Secretary determines that*  
23 *the work is integral to the project.*

1 **SEC. 324. WILDCAT/SAN PABLO CREEK PHASE II, CALI-**  
2 **FORNIA.**

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

14 **SEC. 325. BREVARD COUNTY, FLORIDA.**

15 *Section 310 of the Water Resources Development Act*  
16 *of 1999 (113 Stat. 301) is amended by adding at the end*  
17 *the following:*

18 *“(d) CREDIT.—After completion of the study, the Sec-*  
19 *retary shall credit toward the non-Federal share of the cost*  
20 *of the project the cost of nourishment and renourishment*  
21 *associated with the shore protection project incurred by the*  
22 *non-Federal interest to respond to damages to Brevard*  
23 *County beaches that are the result of a Federal navigation*  
24 *project, as determined in the final report for the study.”.*

1 **SEC. 326. GASPARILLA AND ESTERO ISLANDS, FLORIDA.**

2       *The project for shore protection, Gasparilla and Estero*  
3 *Island segments, Lee County, Florida, authorized under sec-*  
4 *tion 201 of the Flood Control Act of 1965 (79 Stat. 1073)*  
5 *by Senate Resolution dated December 17, 1970, and by*  
6 *House Resolution dated December 15, 1970, and modified*  
7 *by section 309 of the Water Resources Development Act of*  
8 *2000 (114 Stat. 2602), is further modified to direct the Sec-*  
9 *retary to credit toward the non-Federal share of the cost*  
10 *of the project the cost of work carried out by the non-Federal*  
11 *interest before the date of the cooperation agreement for the*  
12 *project if the Secretary determines that the work is integral*  
13 *to the project.*

14 **SEC. 327. LIDO KEY BEACH, SARASOTA, FLORIDA.**

15       *The project for shore protection, Lido Key Beach,*  
16 *Sarasota, Florida, authorized by section 101 of the River*  
17 *and Harbor Act of 1970 (84 Stat. 1819), deauthorized*  
18 *under section 1001(b) of the Water Resources Development*  
19 *Act of 1986 (33 U.S.C. 579a(b)), and reauthorized by sec-*  
20 *tion 364(2)(A) of the Water Resources Development Act of*  
21 *1999 (113 Stat. 313), is modified to direct the Secretary*  
22 *to construct the project, at a total cost of \$12,926,000, with*  
23 *an estimated Federal cost of \$6,547,000 and an estimated*  
24 *non-Federal cost of \$6,379,000, and at an estimated average*  
25 *annual cost of \$925,000 for periodic nourishment over the*  
26 *50-year life of the project, with an estimated annual Fed-*

1 eral cost of \$468,500 and an estimated annual non-Federal  
 2 cost of \$456,500.

3 **SEC. 328. MANATEE HARBOR, FLORIDA.**

4       *The project for navigation, Manatee Harbor, Florida,*  
 5 *authorized by section 202(a) of the Water Resources Devel-*  
 6 *opment Act of 1986 (100 Stat. 4093) and modified by sec-*  
 7 *tion 102(j) of the Water Resources Development Act of 1990*  
 8 *(104 Stat. 4612), is further modified—*

9           *(1) to include the construction of an extension of*  
 10 *the south channel a distance of approximately 1584*  
 11 *feet consistent with the general reevaluation report,*  
 12 *dated April 2002, prepared by the Jacksonville Dis-*  
 13 *trict Corps of Engineers, at a total cost of \$9,800,000,*  
 14 *with an estimated Federal cost of \$7,350,000 and an*  
 15 *estimated non-Federal cost of \$2,450,000;*

16           *(2) to direct the Secretary to credit toward the*  
 17 *non-Federal share of the cost of the project the cost of*  
 18 *in-kind services and materials provided for the project*  
 19 *by the non-Federal interest; and*

20           *(3) to direct the Secretary to credit toward the*  
 21 *non-Federal share of the cost of the project the cost of*  
 22 *planning, design, and construction work carried out*  
 23 *by the non-Federal interest before the date of the co-*  
 24 *operation agreement for the project if the Secretary*  
 25 *determines that the work is integral to the project.*

1 **SEC. 329. ROSE BAY, VOLUSIA COUNTY, FLORIDA.**

2       *The project for aquatic ecosystem restoration, Rose*  
3 *Bay, Volusia County, Florida, being carried out under sec-*  
4 *tion 206 of the Water Resources Development Act of 1996*  
5 *(33 U.S.C. 2330), is modified to direct the Secretary to*  
6 *credit toward the non-Federal share of the cost of the project*  
7 *the costs incurred by the Florida Department of Transpor-*  
8 *tation in constructing that portion of United States High-*  
9 *way 1 bridge that the Secretary determines is required for*  
10 *the proper functioning of the project.*

11 **SEC. 330. TAMPA HARBOR, FLORIDA.**

12       *The project for navigation, Tampa Harbor, Florida,*  
13 *referred to in section 4 of the Rivers and Harbors Act of*  
14 *September 22, 1922 (42 Stat. 1042), is modified to direct*  
15 *the Secretary to credit toward the non-Federal share of the*  
16 *cost of the project the cost of planning, design, and construc-*  
17 *tion work carried out by the non-Federal interest before the*  
18 *date of the cooperation agreement for the project if the Sec-*  
19 *retary determines that the work is integral to the project.*

20 **SEC. 331. TAMPA HARBOR-BIG BEND CHANNEL, FLORIDA.**

21       *The project for navigation, Tampa Harbor-Big Bend*  
22 *Channel, Florida, authorized by section 101(a)(18) of the*  
23 *Water Resources Development Act of 1999 (113 Stat. 276)*  
24 *is modified to direct the Secretary to credit toward the non-*  
25 *Federal share of the cost of the project the cost of planning,*  
26 *design, and construction work carried out by the non-Fed-*

1 eral interest before the date of the cooperation agreement  
 2 for the project if the Secretary determines that the work is  
 3 integral to the project.

4 **SEC. 332. LITTLE WOOD RIVER, GOODING, IDAHO.**

5       The project for flood damage reduction, Little Wood  
 6 River, Gooding, Idaho, being carried out under section 205  
 7 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modi-  
 8 fied—

9           (1) to authorize the non-Federal interest to pro-  
 10 vide any portion of the non-Federal share of the cost  
 11 of the project in the form of services, materials, sup-  
 12 plies, or other in-kind contributions;

13           (2) to authorize the non-Federal interest to use  
 14 funds made available under any other Federal pro-  
 15 gram toward the non-Federal share of the cost of the  
 16 project if such use of the funds is permitted under the  
 17 other Federal program; and

18           (3) to direct the Secretary, in calculating the  
 19 non-Federal share of the cost of the project, to make  
 20 a determination under section 103(m) of the Water  
 21 Resources Development Act of 1986 (33 U.S.C.  
 22 2213(m)) on the non-Federal interest's ability to pay.

23 **SEC. 333. INDIANA HARBOR, INDIANA.**

24       The project for environmental dredging, Indiana Har-  
 25 bor, Indiana, being carried out under section 312 of the

1 *Water Resources Development Act of 1990 (33 U.S.C. 1252*  
 2 *note; 104 Stat. 4639), is modified to direct the Secretary*  
 3 *to credit toward the non-Federal share of the cost of the*  
 4 *project the cost of design work carried out by the non-Fed-*  
 5 *eral interest before the date of the cooperation agreement*  
 6 *for the project if the Secretary determines that the work is*  
 7 *integral to the project.*

8 **SEC. 334. LITTLE CALUMET RIVER, INDIANA.**

9 *The project for flood control, Little Calumet River, In-*  
 10 *diana, authorized by section 401(a) of the Water Resources*  
 11 *Development Act of 1986 (100 Stat. 4115), is modified to*  
 12 *authorize the Secretary to carry out the project in accord-*  
 13 *ance with the post authorization change report dated Au-*  
 14 *gust 2000, at a total cost of \$186,300,000, with an esti-*  
 15 *mated Federal cost of \$136,600,000 and an estimated non-*  
 16 *Federal cost of \$49,700,000.*

17 **SEC. 335. LITTLE CALUMET RIVER BASIN (CADY MARSH**  
 18 **DITCH), INDIANA.**

19 *The project for flood control, Little Calumet River*  
 20 *Basin (Cady Marsh Ditch), Indiana, authorized by section*  
 21 *401(a) the Water Resources Development Act of 1986 (100*  
 22 *Stat. 4115), is modified to authorize the Secretary to con-*  
 23 *struct the project, at a total cost of \$23,146,000, with an*  
 24 *estimated Federal cost of \$17,359,000 and an estimated*  
 25 *non-Federal cost of \$5,787,000.*

1 **SEC. 336. LONG LAKE, INDIANA.**

2       (a) *COST SHARING*.—*The project for ecosystem restora-*  
3 *tion, Long Lake, Indiana, being carried out under section*  
4 *206 of the Water Resources Development Act of 1996 (33*  
5 *U.S.C. 2330), is modified to direct the Secretary to carry*  
6 *out the components of the project located on Federal land*  
7 *at full Federal expense.*

8       (b) *REIMBURSEMENT*.—*After completion of the project*  
9 *referred to in subsection (a), the Secretary shall seek reim-*  
10 *bursement from the Secretary of the Interior of an amount*  
11 *equal to the costs of the project allocated to benefits to the*  
12 *Indiana Dunes National Lakeshore.*

13 **SEC. 337. WHITE RIVER, INDIANA.**

14       *The project for flood control, Indianapolis on West*  
15 *Fork of White River, Indiana, authorized by section 5 of*  
16 *the Act entitled “An Act authorizing the construction of cer-*  
17 *tain public works on rivers and harbors for flood control,*  
18 *and other purposes”, approved June 22, 1936 (49 Stat.*  
19 *1586), and modified by section 323 of the Water Resources*  
20 *Development Act of 1996 (110 Stat. 3716) and section 322*  
21 *of the Water Resources Development Act of 1999 (113 Stat.*  
22 *303–304), is further modified to authorize the Secretary to*  
23 *undertake the riverfront alterations described in the Central*  
24 *Indianapolis Waterfront Concept Plan, dated February*  
25 *1994, for the Fall Creek Reach feature, at a total cost of*  
26 *\$28,545,000.*



1 **SEC. 338. WOLF LAKE, INDIANA.**

2       *The project for aquatic ecosystem restoration, Wolf*  
3 *Lake, Indiana, being carried out under section 206 of the*  
4 *Water Resources Development Act of 1996 (33 U.S.C. 2330),*  
5 *is modified to direct the Secretary to credit toward the non-*  
6 *Federal share of the cost of the project the cost of planning,*  
7 *design, and construction work carried out by the non-Fed-*  
8 *eral interest before the date of the cooperation agreement*  
9 *for the project if the Secretary determines that the work is*  
10 *integral to the project.*

11 **SEC. 339. HARLAN COUNTY, KENTUCKY.**

12       *The Harlan County, Kentucky, element of the project*  
13 *for flood control, Levisa and Tug Fork of the Big Sandy*  
14 *and Cumberland Rivers, West Virginia, Virginia, and Ken-*  
15 *tucky, authorized by section 202(a) of the Energy and*  
16 *Water Development Appropriations Act, 1981 (94 Stat.*  
17 *1339), is modified to direct the Secretary to take measures*  
18 *to provide a 100-year level of flood protection.*

19 **SEC. 340. AMITE RIVER AND TRIBUTARIES, LOUISIANA,**  
20 **EAST BATON ROUGE PARISH WATERSHED.**

21       *The project for flood damage reduction and recreation,*  
22 *Amite River and Tributaries, Louisiana, East Baton Rouge*  
23 *Parish Watershed, authorized by section 101(a)(21) of the*  
24 *Water Resources Development Act of 1999 (113 Stat. 277),*  
25 *is modified to direct the Secretary to carry out the project*  
26 *with the cost sharing for the project determined in accord-*

1 *ance with section 103(a) of the Water Resources Develop-*  
 2 *ment Act of 1986 (33 U.S.C. 2213(a)) as in effect on Octo-*  
 3 *ber 11, 1996, at a total cost of \$158,000,000, with an esti-*  
 4 *mated Federal cost of \$102,700,000 and an estimated non-*  
 5 *Federal cost of \$55,300,000.*

6 **SEC. 341. J. BENNETT JOHNSTON WATERWAY, MISSISSIPPI**  
 7 **RIVER TO SHREVEPORT, LOUISIANA.**

8 *The project for mitigation of fish and wildlife losses,*  
 9 *J. Bennett Johnston Waterway, Mississippi River to*  
 10 *Shreveport, Louisiana, authorized by section 601(a) of the*  
 11 *Water Resources Development Act of 1986 (100 Stat. 4142)*  
 12 *and modified by section 4(h) of the Water Resources Devel-*  
 13 *opment Act of 1988 (102 Stat. 4016), section 102(p) of the*  
 14 *Water Resources Development Act of 1990 (104 Stat. 4613),*  
 15 *section 301(b)(7) of the Water Resources Development Act*  
 16 *of 1996 (110 Stat. 3710), and section 316 of the Water Re-*  
 17 *sources Development Act of 2000 (114 Stat. 2572), is fur-*  
 18 *ther modified to authorize the purchase and reforestation of*  
 19 *lands which have been cleared or converted to agricultural*  
 20 *uses, at a total cost of \$33,000,000.*

21 **SEC. 342. MISSISSIPPI DELTA REGION, LOUISIANA.**

22 *The Mississippi Delta Region project, Louisiana, au-*  
 23 *thorized as part of the project for hurricane-flood protection*  
 24 *on Lake Pontchartrain, Louisiana, by section 204 of the*  
 25 *Flood Control Act of 1965 (79 Stat. 1077) and modified*

1 *by section 365 of the Water Resources Development Act of*  
 2 *1996 (110 Stat. 3739), is further modified to direct the Sec-*  
 3 *retary to credit toward the non-Federal share of the cost*  
 4 *of the project the costs of relocating oyster beds in the Davis*  
 5 *Pond project area if the Secretary determines that the work*  
 6 *is integral to the Mississippi Delta Region project.*

7 **SEC. 343. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF**  
 8 **HARVEY CANAL), LOUISIANA.**

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

11 *(1) in subsection (a)—*

12 *(A) by striking “operation and mainte-*  
 13 *nance” and inserting “operation, maintenance,*  
 14 *rehabilitation, repair, and replacement”; and*

15 *(B) by striking “Algiers Channel” and in-*  
 16 *serting “Algiers Canal Levees”; and*

17 *(2) by adding at the end the following:*

18 *“(c) COST SHARING.—The non-Federal share of the*  
 19 *cost of the project shall be 35 percent.”.*

20 **SEC. 344. UNION RIVER, MAINE.**

21 *The project for navigation, Union River, Maine, au-*  
 22 *thorized by the first section of the Act entitled “An Act mak-*  
 23 *ing appropriations for the construction, repair, and preser-*  
 24 *vation of certain public works on rivers and harbors, and*  
 25 *for other purposes”, approved June 3, 1896 (29 Stat. 215),*

1 *is modified by redesignating as an anchorage area that por-*  
 2 *tion of the project consisting of a 6-foot turning basin and*  
 3 *lying northerly of a line commencing at a point*  
 4 *N315,975.13, E1,004,424.86 thence running north 61 de-*  
 5 *grees 27 minutes 20.71 seconds west about 132.34 feet to*  
 6 *a point N316,038.37, E1,004,308.61.*

7 **SEC. 345. CASS RIVER, SPAULDING TOWNSHIP, MICHIGAN.**

8 *(a) IN GENERAL.—The project for flood damage reduc-*  
 9 *tion, Cass River, Spaulding Township, Saginaw County,*  
 10 *Michigan, being carried out under section 205 of the Flood*  
 11 *Control Act of 1948 (33 U.S.C. 701s), is modified to incor-*  
 12 *porate flood control works constructed by the non-Federal*  
 13 *interests between Sheridan Road and East Street (M-13)*  
 14 *if the Secretary determines that the inclusion of such flood*  
 15 *control works is feasible.*

16 *(b) CREDIT.—The Secretary shall credit toward the*  
 17 *non-Federal share of the cost of the project the cost of work*  
 18 *carried out by the non-Federal interest before the date of*  
 19 *the cooperation agreement for the project if the Secretary*  
 20 *determines that the work is integral to the project.*

21 **SEC. 346. DETROIT RIVER SHORELINE, DETROIT, MICHIGAN.**

22 *(a) IN GENERAL.—The project for emergency*  
 23 *streambank and shoreline protection, Detroit River Shore-*  
 24 *line, Detroit, Michigan, being carried out under section 14*

1 *of the Flood Control Act of 1946 (33 U.S.C. 701r), is modi-*  
 2 *fied to include measures to enhance public access.*

3 (b) *MAXIMUM FEDERAL EXPENDITURE.—The max-*  
 4 *imum amount of Federal funds that may be expended for*  
 5 *the project shall be \$3,000,000.*

6 **SEC. 347. WATER RESOURCES INSTITUTE, MUSKEGON,**  
 7 **MICHIGAN.**

8 (a) *IN GENERAL.—The project for emergency*  
 9 *streambank and shoreline protection, Water Resources In-*  
 10 *stitute, Muskegon, Michigan, being carried out under sec-*  
 11 *tion 14 of the Flood Control Act of 1946 (33 U.S.C. 701r),*  
 12 *is modified to provide for completion of shoreline protection*  
 13 *measures in accordance with the approved plans and speci-*  
 14 *fications for Grand Valley State University, Lake Michigan*  
 15 *Center, dated August 6, 2001.*

16 (b) *MAXIMUM FEDERAL EXPENDITURE.—The max-*  
 17 *imum amount of Federal funds that may be expended for*  
 18 *the project shall be \$2,000,000.*

19 (c) *CREDIT.—The Secretary shall credit toward the*  
 20 *non-Federal share of the cost of the project the cost of design*  
 21 *and implementation of shoreline protection measures car-*  
 22 *ried out by the non-Federal interest before the date of the*  
 23 *cooperation agreement for the project if the Secretary deter-*  
 24 *mines that the work is integral to the project.*

1 **SEC. 348. SAGINAW RIVER, BAY CITY, MICHIGAN.**

2       *The maximum amount of Federal funds that may be*  
 3 *expended for the project for emergency streambank protec-*  
 4 *tion, Saginaw River, Bay City, Michigan, being carried out*  
 5 *under section 14 of the Flood Control Act of 1946 (33 U.S.C.*  
 6 *701r), shall be \$2,000,000.*

7 **SEC. 349. ADA, MINNESOTA.**

8       *(a) IN GENERAL.—The project for flood damage reduc-*  
 9 *tion, Wild Rice River, Ada, Minnesota, being carried out*  
 10 *under section 205 of the Flood Control Act of 1948 (33*  
 11 *U.S.C. 701s), is modified to authorize the Secretary to con-*  
 12 *sider national ecosystem restoration benefits in determining*  
 13 *the Federal interest in the project.*

14       *(b) EVALUATION OF BENEFITS AND COSTS.—In evalu-*  
 15 *ating the economic benefits and costs for the project, the*  
 16 *Secretary shall not consider the emergency levee adjacent*  
 17 *to Judicial Ditch No. 51 in the determination of conditions*  
 18 *existing prior to construction of the project.*

19       *(c) SPECIAL RULE.—In evaluating and implementing*  
 20 *the project, the Secretary shall allow the non-Federal inter-*  
 21 *est to participate in the financing of the project in accord-*  
 22 *ance with section 903(c) of the Water Resources Develop-*  
 23 *ment Act of 1986 (100 Stat. 4184) to the extent that the*  
 24 *Secretary's evaluation indicates that applying such section*  
 25 *is necessary to implement the project.*

1 **SEC. 350. DULUTH HARBOR, MCQUADE ROAD, MINNESOTA.**

2       (a) *IN GENERAL.*—*The project for navigation, Duluth*  
3 *Harbor, McQuade Road, Minnesota, being carried out*  
4 *under section 107 of the River and Harbor Act of 1960 (33*  
5 *U.S.C. 577) and modified by section 321 of the Water Re-*  
6 *sources Development Act of 2000 (114 Stat. 2605), is fur-*  
7 *ther modified to authorize the Secretary to provide public*  
8 *access and recreational facilities as generally described in*  
9 *the Detailed Project Report and Environmental Assessment,*  
10 *McQuade Road Harbor of Refuge, Duluth, Minnesota, dated*  
11 *August 1999.*

12       (b) *MAXIMUM FEDERAL EXPENDITURE.*—*The max-*  
13 *imum amount of Federal funds that may be expended for*  
14 *the project shall be \$5,000,000.*

15 **SEC. 351. GRANITE FALLS, MINNESOTA.**

16       *The maximum amount of Federal funds that may be*  
17 *expended for the project for flood damage reduction, Granite*  
18 *Falls, Minnesota, being carried out under section 205 of the*  
19 *Flood Control Act of 1948 (33 U.S.C. 701s), shall be*  
20 *\$12,000,000.*

21 **SEC. 352. RED LAKE RIVER, MINNESOTA.**

22       *The project for flood control, Red Lake River at*  
23 *Crookston, Minnesota, authorized by section 101(a)(23) of*  
24 *the Water Resources Development Act of 1999 (113 Stat.*  
25 *278), is modified to authorize the Secretary to construct the*  
26 *project, at a total cost of \$25,000,000, with an estimated*

1 *Federal cost of \$16,250,000 and an estimated non-Federal*  
 2 *cost of \$8,750,000.*

3 **SEC. 353. SILVER BAY, MINNESOTA.**

4 *The project for navigation, Silver Bay, Minnesota, au-*  
 5 *thorized by section 2 of the Rivers and Harbors Act of*  
 6 *March 2, 1945 (59 Stat. 19), is modified to include oper-*  
 7 *ation and maintenance of the general navigation facilities*  
 8 *as a Federal responsibility.*

9 **SEC. 354. TACONITE HARBOR, MINNESOTA.**

10 *The project for navigation, Taconite Harbor, Min-*  
 11 *nesota, carried out under section 107 of the River and Har-*  
 12 *bor Act of 1960 (33 U.S.C. 577), is modified to include op-*  
 13 *eration and maintenance of the general navigation facilities*  
 14 *as a Federal responsibility.*

15 **SEC. 355. TWO HARBORS, MINNESOTA.**

16 *(a) IN GENERAL.—The project for navigation, Two*  
 17 *Harbors, Minnesota, being carried out under section 107*  
 18 *of the River and Harbor Act of 1960 (33 U.S.C. 577), is*  
 19 *modified to include construction of a dredged material dis-*  
 20 *posal facility at the J&J Castings site, including actions*  
 21 *required to clear the site.*

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



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

4 **SEC. 356. BOIS BRULE DRAINAGE AND LEVEE DISTRICT,**  
 5 **MISSOURI.**

6       *The maximum amount of Federal funds that may be*  
 7 *expended for the project for flood damage reduction, Bois*  
 8 *Brule Drainage and Levee District, Missouri, being carried*  
 9 *out under section 205 of the Flood Control Act of 1948 (33*  
 10 *U.S.C. 701s), shall be \$25,000,000.*

11 **SEC. 357. TURKEY CREEK BASIN, KANSAS CITY, MISSOURI,**  
 12 **AND KANSAS CITY, KANSAS.**

13       *The project for flood damage reduction, Turkey Creek*  
 14 *Basin, Kansas City, Missouri, and Kansas City, Kansas,*  
 15 *authorized by section 101(a)(24) of the Water Resources De-*  
 16 *velopment Act of 1999 (113 Stat. 278), is modified to direct*  
 17 *the Secretary to credit toward the non-Federal share of the*  
 18 *cost of the project the cost of work carried out by the non-*  
 19 *Federal interest before the date of the cooperation agreement*  
 20 *for the project if the Secretary determines that the work is*  
 21 *integral to the project.*

22 **SEC. 358. ORCHARD BEACH, BRONX, NEW YORK.**

23       *The project for shoreline protection, Orchard Beach,*  
 24 *Bronx, New York, authorized by section 554 of the Water*  
 25 *Resources Development Act of 1996 (110 Stat. 3781), is*

1 *modified to authorize the Secretary to construct the project,*  
 2 *at a total cost of \$18,000,000.*

3 **SEC. 359. TIMES BEACH, BUFFALO, NEW YORK.**

4 *The project for improvement of the quality of the envi-*  
 5 *ronment, Times Beach, Buffalo, New York, being carried*  
 6 *out under section 1135 of the Water Resources Development*  
 7 *Act of 1986 (100 Stat. 4251), is modified to direct the Sec-*  
 8 *retary to credit not more than \$750,000 toward the non-*  
 9 *Federal share of the cost of the project for the cost of plan-*  
 10 *ning, design, and construction work carried out by the non-*  
 11 *Federal interest before the date of the cooperation agreement*  
 12 *for the project if the Secretary determines the work is inte-*  
 13 *gral to the project.*

14 **SEC. 360. PORT OF NEW YORK AND NEW JERSEY, NEW YORK**  
 15 **AND NEW JERSEY.**

16 *The Secretary may not require as an item of local co-*  
 17 *operation in the construction of the project for navigation,*  
 18 *Port of New York and New Jersey, New York and New Jer-*  
 19 *sey, authorized by section 101(a)(2) of the Water Resources*  
 20 *Development Act of 2000 (114 Stat. 2576), that the non-*  
 21 *Federal interest agree that the container facilities at the*  
 22 *former Military Ocean Terminal at the Bayonne, New Jer-*  
 23 *sey, site along the Port Jersey Channel be operational prior*  
 24 *to construction of the 50-foot deep Port Jersey Channel.*

1 *Such container facilities may be made operational concur-*  
2 *rent with the navigation project.*

3 **SEC. 361. NEW YORK STATE CANAL SYSTEM.**

4 *Section 553(c) of the Water Resources Development Act*  
5 *of 1996 (110 Stat. 3781) is amended to read as follows:*

6 *“(c) NEW YORK STATE CANAL SYSTEM DEFINED.—*  
7 *In this section, the term ‘New York State Canal System’*  
8 *means the 524 miles of navigable canal that comprise the*  
9 *New York State Canal System, including the Erie, Cayuga-*  
10 *Seneca, Oswego, and Champlain Canals and the historic*  
11 *alignments of these canals, including the cities of Albany*  
12 *and Buffalo.”.*

13 **SEC. 362. ASHTABULA RIVER, OHIO.**

14 *The project for environmental dredging, Ashtabula*  
15 *River, Ohio, being carried out under section 312 of the*  
16 *Water Resources Development Act of 1990 (33 U.S.C. 1252*  
17 *note; 104 Stat. 4639; 110 Stat. 3679), is modified to direct*  
18 *the Secretary to credit toward the non-Federal share of the*  
19 *cost of the project the cost of design and construction work*  
20 *provided by the non-Federal interest before the date of the*  
21 *cooperation agreement for the project if the Secretary deter-*  
22 *mines that the work is integral to the project.*

1 **SEC. 363. WILLAMETTE RIVER TEMPERATURE CONTROL,**  
2 **MCKENZIE SUBBASIN, OREGON.**

3 (a) *IN GENERAL.*—The project for environmental res-  
4 toration, Willamette River Temperature Control, McKenzie  
5 Subbasin, Oregon, authorized by section 101(a)(25) of the  
6 Water Resources Development Act of 1996 (110 Stat. 3665)  
7 and modified by section 344 of the Water Resources Devel-  
8 opment Act of 1999 (113 Stat. 308), is further modified  
9 to direct the Secretary to pay, subject to the availability  
10 of appropriations, compensation for losses to small business  
11 attributable to the implementation of the draw down con-  
12 ducted as a part of project implementation in 2002.

13 (b) *ESTABLISHMENT OF PROGRAM.*—Not later than  
14 120 days after the date of enactment of this Act, the Sec-  
15 retary shall establish, and provide public notice of, a pro-  
16 gram—

17 (1) to receive claims for compensation for losses  
18 to small business attributable to the implementation  
19 of the draw down conducted as a part of project im-  
20 plementation in 2002;

21 (2) to evaluate claims for such losses; and

22 (3) to pay claims for such losses.

23 (c) *IMPLEMENTATION OF PROGRAM.*—In carrying out  
24 the program established under subsection (b), the Secretary  
25 shall provide—

1           (1) *public notice of the existence of the program*  
2           *sufficient to reach those in the area that may have*  
3           *suffered losses to small businesses;*

4           (2) *a period for the submission of claims of not*  
5           *fewer than 45 days and not greater than 75 days*  
6           *from the date of the first public notice of the existence*  
7           *of the program;*

8           (3) *for the evaluation of each claim submitted to*  
9           *the Secretary under the program and a determination*  
10          *of whether the claim constitutes a loss to a small busi-*  
11          *ness on or before the last day of the 30-day period be-*  
12          *ginning on the date of submission of the claim; and*

13          (4) *for the payment of each claim that the Sec-*  
14          *retary determines constitutes a loss to a small busi-*  
15          *ness on or before the last day of the 30-day period be-*  
16          *ginning on the date of the Secretary's determination.*

17          (d) *LOSS TO A SMALL BUSINESS DEFINED.—In this*  
18          *section, the term “loss to a small business” means docu-*  
19          *mented financial losses associated with commercial activity*  
20          *of a small business that can be attributed to the turbidity*  
21          *levels in the McKenzie River being higher than those antici-*  
22          *pated in the original planning documents and public an-*  
23          *nouncements existing before the initiation of the draw down*  
24          *in 2002. Commercial losses include decline in sales, loss of*  
25          *revenue (including loss of revenue from canceled or delayed*

1 *reservations at lodging establishments), and any other fi-*  
 2 *nancial losses that can be shown to be associated with the*  
 3 *elevated turbidity levels in the McKenzie River in 2002.*

4 *(e) PAYMENT OF CLAIMS.—The payment of claims for*  
 5 *losses to small businesses shall be a Federal responsibility.*

6 **SEC. 364. LACKAWANNA RIVER AT OLYPHANT, PENNSYL-**  
 7 **VANIA.**

8 *The project for flood control, Lackawanna River at*  
 9 *Olyphant, Pennsylvania, authorized by section 101(16) of*  
 10 *the Water Resources Development Act of 1992 (106 Stat.*  
 11 *4803), is modified to authorize the Secretary to construct*  
 12 *the project, at a total cost of \$20,000,000.*

13 **SEC. 365. LACKAWANNA RIVER AT SCRANTON, PENNSYL-**  
 14 **VANIA.**

15 *The project for flood control, Lackawanna River at*  
 16 *Scranton, Pennsylvania, authorized by section 101(17) of*  
 17 *the Water Resources Development Act of 1992 (106 Stat.*  
 18 *4803), is modified to authorize the Secretary to construct*  
 19 *the project, at a total cost of \$23,000,000.*

20 **SEC. 366. RAYSTOWN LAKE, PENNSYLVANIA.**

21 *The Secretary may take such action as may be nec-*  
 22 *essary, including construction of a breakwater, to prevent*  
 23 *shoreline erosion between .07 and 2.7 miles south of Penn-*  
 24 *sylvania State Route 994 on the east shore of Raystown*  
 25 *Lake, Pennsylvania.*

1 **SEC. 367. SHERADEN PARK STREAM AND CHARTIERS**  
 2 **CREEK, ALLEGHENY COUNTY, PENNSYL-**  
 3 **VANIA.**

4 *The project for aquatic ecosystem restoration,*  
 5 *Sheraden Park Stream and Chartiers Creek, Allegheny*  
 6 *County, Pennsylvania, being carried out under section 206*  
 7 *of the Water Resources Development Act of 1996 (33 U.S.C.*  
 8 *2330), is modified to direct the Secretary to credit up to*  
 9 *\$400,000 toward the non-Federal share of the cost of the*  
 10 *project for planning and design work carried out by the*  
 11 *non-Federal interest before the date of the cooperation agree-*  
 12 *ment for the project if the Secretary determines that the*  
 13 *work is integral to the project.*

14 **SEC. 368. SOLOMON'S CREEK, WILKES-BARRE, PENNSYL-**  
 15 **VANIA.**

16 *The project for flood control, Wyoming Valley, Penn-*  
 17 *sylvania, authorized by section 401(a) of the Water Re-*  
 18 *sources Development Act of 1986 (100 Stat. 4124), is modi-*  
 19 *fied to include as a project element the project for flood con-*  
 20 *trol for Solomon's Creek, Wilkes-Barre, Pennsylvania.*

21 **SEC. 369. SOUTH CENTRAL PENNSYLVANIA.**

22 *Section 313(h)(2) of the Water Resources Development*  
 23 *Act of 1992 (106 Stat. 4847; 107 Stat. 407) is amended*  
 24 *by striking "Armstrong, Bedford, Blair, Cambria,*  
 25 *Clearfield, Fayette, Franklin, Fulton, Huntingdon, Indi-*  
 26 *ana, Juniata, Mifflin, Somerset, Snyder and, Westmore-*

1 *land Counties” and inserting “Allegheny, Armstrong, Bed-*  
2 *ford, Blair, Cambria, Fayette, Franklin, Fulton, Greene,*  
3 *Huntingdon, Indiana, Juniata, Somerset, Washington, and*  
4 *Westmoreland Counties”.*

5 **SEC. 370. WYOMING VALLEY, PENNSYLVANIA.**

6 *In carrying out the project for flood control, Wyoming*  
7 *Valley, Pennsylvania, authorized by section 401(a) of the*  
8 *Water Resources Development Act of 1986 (100 Stat. 4124),*  
9 *the Secretary shall coordinate with non-Federal interests to*  
10 *review opportunities for increased public access.*

11 **SEC. 371. LITTLE LIMESTONE CREEK, JONESBOROUGH,**  
12 **TENNESSEE.**

13 *In evaluating and implementing the project for flood*  
14 *damage reduction, Little Limestone Creek, Jonesborough,*  
15 *Tennessee, under section 205 of the Flood Control Act of*  
16 *1948 (33 U.S.C. 701s), the Secretary shall allow the non-*  
17 *Federal interest to participate in the financing of the*  
18 *project in accordance with section 903(c) of the Water Re-*  
19 *sources Development Act of 1986 (100 Stat. 4184), to the*  
20 *extent that the Secretary’s evaluation indicates that apply-*  
21 *ing such section is necessary to implement the project.*

22 **SEC. 372. BOWIE COUNTY LEVEE, TEXAS.**

23 *The project for flood control, Red River Below Denison*  
24 *Dam, Texas and Oklahoma, authorized by section 10 of the*  
25 *Flood Control Act of 1946 (60 Stat. 647), is modified to*



1 *direct the Secretary to implement the Bowie County Levee*  
2 *feature of the project in accordance with the plan defined*  
3 *as Alternative B in the draft document entitled “Bowie*  
4 *County Local Flood Protection, Red River, Texas Project*  
5 *Design Memorandum No. 1, Bowie County Levee”, dated*  
6 *April 1997.*

7 **SEC. 373. LOWER RIO GRANDE BASIN, TEXAS.**

8 *The project for flood control, Lower Rio Grande Basin,*  
9 *Texas, authorized by section 401(a) of the Water Resources*  
10 *Development Act of 1986 (100 Stat. 4125), is modified—*

11 *(1) to direct the Secretary to credit toward the*  
12 *non-Federal share of the cost of the project the cost of*  
13 *planning, design, and construction work carried out*  
14 *by the non-Federal interest before the date of the co-*  
15 *operation agreement for the project if the Secretary*  
16 *determines that the work is integral to the project;*  
17 *and*

18 *(2) to direct the Secretary, in calculating the*  
19 *non-Federal share of the cost of the project, to make*  
20 *a determination under section 103(m) of the Water*  
21 *Resources Development Act of 1986 (33 U.S.C.*  
22 *2213(m)) on the non-Federal interest’s ability to pay.*

1 **SEC. 374. NORTH PADRE ISLAND, CORPUS CHRISTI BAY,**  
2 **TEXAS.**

3 *The project for ecosystem restoration and storm dam-*  
4 *age reduction, North Padre Island, Corpus Christi Bay,*  
5 *Texas, authorized by section 556 of the Water Resources De-*  
6 *velopment Act of 1999 (113 Stat. 353), is modified to in-*  
7 *clude recreation as a project purpose.*

8 **SEC. 375. SAN ANTONIO CHANNEL, SAN ANTONIO, TEXAS.**

9 *The project for flood control, San Antonio Channel,*  
10 *Texas, authorized by section 203 of the Flood Control Act*  
11 *of 1954 (68 Stat. 1259) as part of the comprehensive plan*  
12 *for flood protection on the Guadalupe and San Antonio*  
13 *Rivers in Texas and modified by section 103 of the Water*  
14 *Resources Development Act of 1976 (90 Stat. 2921) and sec-*  
15 *tion 335 of the Water Resources Development Act of 2000*  
16 *(114 Stat. 2611), is further modified to authorize the Sec-*  
17 *retary to credit toward the non-Federal share of the cost*  
18 *of the project the cost of construction work carried out by*  
19 *the non-Federal interest before the date of the cooperation*  
20 *agreement for the project if the Secretary determines that*  
21 *the work is integral to the project.*

22 **SEC. 376. ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.**

23 *Section 358 of the Water Resources Development Act*  
24 *of 1999 (113 Stat. 312) is amended by striking “September*  
25 *30, 1999” and inserting “May 4, 1997”.*

1 **SEC. 377. GREAT BRIDGE, CHESAPEAKE, VIRGINIA.**

2       *The project for navigation at Great Bridge, Virginia,*  
3 *Highway 168 over the Atlantic Intracoastal Waterway in*  
4 *Chesapeake, Virginia, authorized by section 339(h) of the*  
5 *National Highway System Designation Act of 1995 (109*  
6 *Stat. 606) is modified to authorize the Secretary to con-*  
7 *struct the project, at a total cost of \$48,000,000, with an*  
8 *estimated Federal cost of \$39,400,000 and an estimated*  
9 *non-Federal cost of \$8,600,000.*

10 **SEC. 378. ROANOKE RIVER UPPER BASIN, VIRGINIA.**

11       *The project for flood control, Roanoke River Upper*  
12 *Basin, Virginia, authorized by section 401(a) of the Water*  
13 *Resources Development Act of 1986 (100 Stat. 4126) and*  
14 *modified by section 110 of the Energy and Water Develop-*  
15 *ment Appropriations Act, 1990 (103 Stat. 650), is further*  
16 *modified to authorize the Secretary to construct the project,*  
17 *at a total cost of \$64,300,000, with an estimated Federal*  
18 *cost of \$42,100,000 and an estimated non-Federal cost of*  
19 *\$22,200,000.*

20 **SEC. 379. BLAIR AND SITCUM WATERWAYS, TACOMA HAR-**  
21 **BOR, WASHINGTON.**

22       *(a) IN GENERAL.—The project for navigation, Blair*  
23 *and Sitcum Waterways, Tacoma Harbor, Washington, au-*  
24 *thorized by section 202(a) of the Water Resources Develop-*  
25 *ment Act of 1986 (100 Stat. 4096), is modified to direct*  
26 *the Secretary to review the locally prepared plan for the*

1 *Blair and Sitcum Waterways, Washington, and, if the Sec-*  
 2 *retary determines that the plan meets the evaluation and*  
 3 *design standards of the Corps of Engineers and that the*  
 4 *plan is feasible, to authorize the Secretary to carry out the*  
 5 *plan, at a Federal cost of \$4,240,000.*

6 (b) *CREDIT.*—*The Secretary shall credit toward the*  
 7 *non-Federal share of the cost of the project the cost of work*  
 8 *carried out by the non-Federal interest before the date of*  
 9 *the cooperation agreement for the project if the Secretary*  
 10 *determines that the work is integral to the project.*

11 **SEC. 380. GREENBRIER RIVER BASIN, WEST VIRGINIA.**

12 *Section 579(c) of the Water Resources Development Act*  
 13 *of 1996 (110 Stat. 3790; 113 Stat. 312) is amended by*  
 14 *striking “\$47,000,000” and inserting “\$89,000,000”.*

15 **SEC. 381. MANITOWOC HARBOR, WISCONSIN.**

16 *The project for navigation, Manitowoc Harbor, Wis-*  
 17 *consin, authorized by the River and Harbor Act of August*  
 18 *30, 1852, is modified to direct the Secretary to deepen the*  
 19 *upstream reach of the navigation channel from 12 feet to*  
 20 *18 feet, at a total cost of \$300,000.*

21 **SEC. 382. CONTINUATION OF PROJECT AUTHORIZATIONS.**

22 (a) *IN GENERAL.*—*Notwithstanding section 1001(b)(2)*  
 23 *of the Water Resources Development Act of 1986 (33 U.S.C.*  
 24 *579a(b)(2)), the following projects shall remain authorized*  
 25 *to be carried out by the Secretary:*

1           (1) *The project for navigation, Fall River Har-*  
 2           *bor, Massachusetts, authorized by section 101 of the*  
 3           *River and Harbor Act of 1968 (82 Stat. 731).*

4           (2) *The project for flood control, Agana River,*  
 5           *Guam, authorized by section 401(a) of the Water Re-*  
 6           *sources Development Act of 1986 (100 Stat. 4127).*

7           (b) *LIMITATION.*—*A project described in subsection (a)*  
 8           *shall not be authorized for construction after the last day*  
 9           *of the 7-year period beginning on the date of enactment of*  
 10          *this Act, unless, during such period, funds have been obli-*  
 11          *gated for the construction (including planning and design)*  
 12          *of the project.*

13       **SEC. 383. PROJECT REAUTHORIZATION.**

14          *That portion of the project for navigation, Manitowoc*  
 15          *Harbor, Wisconsin, consisting of the channel in the south*  
 16          *part of the outer harbor, deauthorized by section 101 of the*  
 17          *River and Harbor Act of 1962 (76 Stat. 1176), may be car-*  
 18          *ried out by the Secretary if the Secretary determines that*  
 19          *it is feasible.*

20       **SEC. 384. PROJECT DEAUTHORIZATIONS.**

21          *The following projects are not authorized after the date*  
 22          *of enactment of this Act:*

23               (1) *BRIDGEPORT HARBOR, CONNECTICUT.*—*The*  
 24               *portion of the project for navigation, Bridgeport Har-*  
 25               *bor, Connecticut, authorized by the River and Harbor*

1     *Act of July 3, 1930 (46 Stat. 919), consisting of an*  
 2     *18-foot channel in Yellow Mill River and described as*  
 3     *follows: Beginning at a point along the eastern limit*  
 4     *of the existing project, N123,649.75, E481,920.54,*  
 5     *thence running northwesterly about 52.64 feet to a*  
 6     *point N123,683.03, E481,879.75, thence running*  
 7     *northeasterly about 1,442.21 feet to a point*  
 8     *N125,030.08, E482,394.96, thence running northeast-*  
 9     *erly about 139.52 feet to a point along the east limit*  
 10    *of the existing channel, N125,133.87, E482,488.19,*  
 11    *thence running southwesterly about 1,588.98 feet to*  
 12    *the point of origin.*

13           (2) *ISLAND END RIVER, MASSACHUSETTS.—The*  
 14    *portion of the project for navigation, Island End*  
 15    *River, Massachusetts, carried out under section 107 of*  
 16    *the River and Harbor Act of 1960 (33 U.S.C. 577),*  
 17    *described as follows: Beginning at a point along the*  
 18    *eastern limit of the existing project, N507,348.98,*  
 19    *E721,180.01, thence running northeast about 35 feet*  
 20    *to a point N507,384.17, E721,183.36, thence running*  
 21    *northeast about 324 feet to a point N507,590.51,*  
 22    *E721,433.17, thence running northeast about 345 feet*  
 23    *to a point along the northern limit of the existing*  
 24    *project, N507,927.29, E721,510.29, thence running*  
 25    *southeast about 25 feet to a point N507,921.71,*

1        *E721,534.66, thence running southwest about 354 feet*  
 2        *to a point N507,576.65, E721,455.64, thence running*  
 3        *southwest about 357 feet to the point of origin.*

4            (3) *CITY WATERWAY, TACOMA, WASHINGTON.—*  
 5        *The portion of the project for navigation, City Water-*  
 6        *way, Tacoma, Washington, authorized by the first sec-*  
 7        *tion of the River and Harbor Appropriations Act of*  
 8        *June 13, 1902 (32 Stat. 347), consisting of the last*  
 9        *1,000 linear feet of the inner portion of the waterway*  
 10       *beginning at Station 70+00 and ending at Station*  
 11       *80+00.*

12    **SEC. 385. LAND CONVEYANCES.**

13        (a) *MILFORD, KANSAS.—*

14            (1) *IN GENERAL.—Subject to the provisions of*  
 15        *this section, the Secretary shall convey by quitclaim*  
 16        *deed without consideration to the Geary County Fire*  
 17        *Department, Milford, Kansas, all right, title, and in-*  
 18        *terest of the United States in and to a parcel of land*  
 19        *consisting of approximately 7.4 acres located in*  
 20        *Geary County, Kansas, for construction, operation,*  
 21        *and maintenance of a fire station.*

22            (2) *SURVEY TO OBTAIN LEGAL DESCRIPTION.—*  
 23        *The exact acreage and the description of the real*  
 24        *property referred to in paragraph (1) shall be deter-*

1        *mined by a survey that is satisfactory to the Sec-*  
2        *retary.*

3            (3) *REVERSION.—If the Secretary determines*  
4        *that the property conveyed under paragraph (1)*  
5        *ceases to be held in public ownership or to be used for*  
6        *any purpose other than a fire station, all right, title,*  
7        *and interest in and to the property shall revert to the*  
8        *United States, at the option of the United States.*

9        (b) *HICKORY POINT, LAKE EUFAULA, OKLAHOMA.—*

10           (1) *IN GENERAL.—Subject to the provisions of*  
11        *this section, the Secretary shall convey by quitclaim*  
12        *deed without consideration to the Choctaw Nation all*  
13        *right, title, and interest of the United States in and*  
14        *to approximately 265 acres in the vicinity of Hickory*  
15        *Point, Lake Eufaula, Oklahoma, together with any*  
16        *improvements thereon, for public ownership and use*  
17        *for public recreation.*

18           (2) *SURVEY TO OBTAIN LEGAL DESCRIPTION.—*  
19        *The exact acreage and the legal description of the real*  
20        *property referred to in paragraph (1) shall be deter-*  
21        *mined by a survey that is satisfactory to the Sec-*  
22        *retary.*

23           (3) *REVERSION.—If the Secretary determines*  
24        *that the property conveyed under paragraph (1)*  
25        *ceases to be held in public ownership or to be used for*



1        *public recreation, all right, title, and interest in and*  
 2        *to the property shall revert to the United States, at*  
 3        *the option of the United States.*

4        *(c) BOARDMAN, OREGON.—Section 501(g)(1) of the*  
 5        *Water Resources Development Act of 1996 (110 Stat. 3751)*  
 6        *is amended—*

7                *(1) by striking “city of Boardman,” and insert-*  
 8        *ing “the Boardman Park and Recreation District,*  
 9        *Boardman,”; and*

10               *(2) by striking “such city” and inserting “the*  
 11        *city of Boardman”.*

12        *(d) GENERALLY APPLICABLE PROVISIONS.—*

13               *(1) APPLICABILITY OF PROPERTY SCREENING*  
 14        *PROVISIONS.—Section 2696 of title 10, United States*  
 15        *Code, shall not apply to any conveyance under this*  
 16        *section.*

17               *(2) ADDITIONAL TERMS AND CONDITIONS.—The*  
 18        *Secretary may require that any conveyance under*  
 19        *this section be subject to such additional terms and*  
 20        *conditions as the Secretary considers appropriate and*  
 21        *necessary to protect the interests of the United States.*

22               *(3) COSTS OF CONVEYANCE.—An entity to which*  
 23        *a conveyance is made under this section shall be re-*  
 24        *sponsible for all reasonable and necessary costs, in-*

1       cluding real estate transaction and environmental  
2       compliance costs, associated with the conveyance.

3               (4) *LIABILITY.*—An entity to which a conveyance  
4       is made under this section shall hold the United  
5       States harmless from any liability with respect to ac-  
6       tivities carried out, on or after the date of the convey-  
7       ance, on the real property conveyed. The United  
8       States shall remain responsible for any liability with  
9       respect to activities carried out, before such date, on  
10      the real property conveyed.

11 **SEC. 386. EXTINGUISHMENT OF REVERSIONARY INTERESTS**  
12 **AND USE RESTRICTIONS.**

13       (a) *IN GENERAL.*—With respect to each deed listed in  
14 subsection (b), the reversionary interests and use restric-  
15 tions relating to industrial use purposes are extinguished.

16       (b) *AFFECTED DEEDS.*—The deeds with the following  
17 county auditor's file numbers are referred to in subsection  
18 (a):

19               (1) *Auditor's Instrument No. 399218 of Nez*  
20 *Perce County, Idaho—2.07 acres.*

21               (2) *Auditor's Instrument No. 487437 of Nez*  
22 *Perce County, Idaho—7.32 acres.*

23       (c) *NO EFFECT OF OTHER RIGHTS.*—Nothing in this  
24 section affects the remaining rights and interests of the  
25 Corps of Engineers for authorized project purposes.

1                   ***TITLE IV—STUDIES***

2   ***SEC. 401. GREAT LAKES NAVIGATION SYSTEM.***

3           *Section 456 of the Water Resources Development Act*  
4   *of 1999 (113 Stat. 332) is amended by adding at the end*  
5   *the following: “If the Government of Canada and the Gov-*  
6   *ernment of the United States have entered into a bilateral*  
7   *agreement that provides for the financial participation of*  
8   *the Government of Canada in the study, the Secretary may*  
9   *accept such participation.”.*

10   ***SEC. 402. JOHN GLENN GREAT LAKES BASIN PROGRAM.***

11           *Section 455 of the Water Resources Development Act*  
12   *of 1999 (113 Stat. 330–332) is amended by adding at the*  
13   *end the following:*

14           *“(g) IN-KIND CONTRIBUTIONS FOR STUDY.—The non-*  
15   *Federal interest may provide up to 100 percent of the non-*  
16   *Federal share required under subsection (f) in the form of*  
17   *services, materials, supplies, or other in-kind contribu-*  
18   *tions.”.*

19   ***SEC. 403. ST. GEORGE HARBOR, ALASKA.***

20           *The Secretary shall conduct, at Federal expense, a*  
21   *study to determine the feasibility of providing navigation*  
22   *improvements at St. George, Alaska.*

1 **SEC. 404. UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-**  
 2 **WAY, ILLINOIS, IOWA, MINNESOTA, MISSOURI,**  
 3 **AND WISCONSIN.**

4 *The Secretary shall transmit to Congress a report on*  
 5 *the results of the Upper Mississippi River and Illinois Wa-*  
 6 *terway Restructured System Navigation Feasibility Study,*  
 7 *Illinois, Iowa, Minnesota, Missouri, and Wisconsin, no*  
 8 *later than July 1, 2004.*

9 **SEC. 405. HAMILTON, CALIFORNIA.**

10 *The Secretary is directed to continue planning,*  
 11 *preconstruction, engineering, and design efforts on the Sac-*  
 12 *ramento-San Joaquin River Basins Comprehensive Study-*  
 13 *Hamilton City Flood Damage Reduction and Ecosystem*  
 14 *Restoration Initial Project and shall include in the study*  
 15 *an area 2 miles north and 4 miles south of State Highway*  
 16 *32.*

17 **SEC. 406. OCEANSIDE, CALIFORNIA.**

18 *Section 414 of the Water Resources Development Act*  
 19 *of 2000 (114 Stat. 2636) is amended by striking “32*  
 20 *months” and inserting “44 months”.*

21 **SEC. 407. SACRAMENTO RIVER, CALIFORNIA.**

22 *The Secretary shall conduct a comprehensive study to*  
 23 *determine the feasibility of, and alternatives for, measures*  
 24 *to protect water diversion facilities and fish protective*  
 25 *screen facilities in the vicinity of river mile 178 on the Sac-*  
 26 *ramento River, California.*

1 **SEC. 408. SAN FRANCISCO BAY, SACRAMENTO-SAN JOAQUIN**

2 **DELTA, CALIFORNIA.**

3 (a) *IN GENERAL.*—The Secretary shall conduct a  
4 study to determine the feasibility of the beneficial use of  
5 dredged material from the San Francisco Bay in the Sac-  
6 ramento-San Joaquin Delta, California, including the bene-  
7 fits and impacts of salinity in the Delta and the benefits  
8 to navigation, flood damage reduction, ecosystem restora-  
9 tion, water quality, salinity control, water supply reli-  
10 ability, and recreation.

11 (b) *COOPERATION.*—In conducting the study, the Sec-  
12 retary shall cooperate with the California Department of  
13 Water Resources and appropriate Federal and State enti-  
14 ties in developing options for the beneficial use of dredged  
15 material from San Francisco Bay for the Sacramento-San  
16 Joaquin Delta area.

17 (c) *REVIEW.*—The study shall include a review of the  
18 feasibility of using Sherman Island as a rehandling site  
19 for levee maintenance material, as well as for ecosystem res-  
20 toration. The review may include monitoring a pilot project  
21 using up to 150,000 cubic yards of dredged material and  
22 being carried out at the Sherman Island site, examining  
23 larger-scale use of dredged materials from the San Fran-  
24 cisco Bay and Suisun Bay Channel, and analyzing the fea-  
25 sibility of the potential use of saline materials from the San

1 *Francisco Bay for both rehandling and ecosystem restora-*  
2 *tion purposes.*

3 **SEC. 409. TYBEE ISLAND, GEORGIA.**

4 *The Secretary shall conduct a study to determine the*  
5 *feasibility of including the northern end of Tybee Island*  
6 *extending from the north terminal groin to the mouth of*  
7 *Lazaretto Creek as a part of the project for beach erosion*  
8 *control, Tybee Island, Georgia, carried out under section*  
9 *201 of the Flood Control Act of 1965 (42 U.S.C. 1962d–*  
10 *5).*

11 **SEC. 410. CALUMET HARBOR, ILLINOIS.**

12 *The Secretary shall conduct a study to determine the*  
13 *feasibility of carrying out a project for navigation at Cal-*  
14 *umet Harbor, Illinois.*

15 **SEC. 411. PADUCAH, KENTUCKY.**

16 *The Secretary is authorized to complete a rehabilita-*  
17 *tion evaluation report for the project for flood damage re-*  
18 *duction, Paducah, Kentucky, and, if the Secretary deter-*  
19 *mines that the project is feasible, proceed to preconstruction*  
20 *engineering and design for rehabilitation of the project.*

21 **SEC. 412. WEST FELICIANA PARISH, LOUISIANA.**

22 *The Secretary shall conduct a study to determine the*  
23 *feasibility of carrying out a project for riverfront develop-*  
24 *ment, including enhanced public access, recreation, and en-*

1 *vironmental restoration, on the Mississippi River in West*  
 2 *Feliciana Parish, Louisiana.*

3 **SEC. 413. CITY OF MACKINAC ISLAND, MICHIGAN.**

4 *The Secretary shall conduct a study to determine the*  
 5 *feasibility of carrying out a project for navigation at the*  
 6 *city of Mackinac Island, Michigan.*

7 **SEC. 414. CHICAGO, ILLINOIS.**

8 *Section 425(a) of the Water Resources Development*  
 9 *Act of 2000 (114 Stat. 2638) is amended by inserting “Lake*  
 10 *Michigan and” before “the Chicago River”.*

11 **SEC. 415. MISSISSIPPI RIVER, MISSOURI AND ILLINOIS.**

12 *The Secretary shall conduct a study to determine the*  
 13 *feasibility of modifying the project for the Mississippi River*  
 14 *(Regulating Works), between the Ohio and Missouri Rivers,*  
 15 *Missouri and Illinois, to provide for navigation and envi-*  
 16 *ronmental restoration enhancements.*

17 **SEC. 416. ARTHUR KILL CHANNEL AND MORSES CREEK TO**  
 18 **PERTH AMBOY, NEW JERSEY.**

19 *The Secretary shall reevaluate the results of the study*  
 20 *for the project for navigation, Arthur Kill Channel and*  
 21 *Morses Creek to Perth Amboy, New Jersey, to determine*  
 22 *whether the benefits of the project have increased as a result*  
 23 *of a change in circumstances. In conducting the reevalua-*  
 24 *tion, the Secretary shall review the locally prepared study*  
 25 *entitled “Pre-Feasibility Study for Channel Improve-*

1 ments—Arthur Kill from Morses Creek to Perth Amboy and  
2 Raritan Bay Approaches”.

3 **SEC. 417. PUEBLO OF ZUNI, NEW MEXICO.**

4       *The Secretary shall conduct a study to determine the*  
5 *feasibility of carrying out projects for water resources devel-*  
6 *opment, environmental restoration, and natural resources*  
7 *protection for the Pueblo of Zuni, New Mexico, under sec-*  
8 *tion 203 of the Water Resources Development Act of 2000*  
9 *(33 U.S.C. 2269).*

10 **SEC. 418. HUDSON-RARITAN ESTUARY, NEW YORK AND NEW**  
11 **JERSEY.**

12       *In carrying out the study for environmental restora-*  
13 *tion, Hudson-Raritan Estuary, New York and New Jersey,*  
14 *the Secretary shall establish and utilize watershed restora-*  
15 *tion teams composed of estuary restoration experts from the*  
16 *Corps of Engineers, the New Jersey Department of Environ-*  
17 *mental Protection, and the Port Authority of New York and*  
18 *New Jersey and other experts designated by the Secretary*  
19 *for the purpose of developing habitat restoration and water*  
20 *quality enhancement.*

21 **SEC. 419. LAKE CARL BLACKWELL, STILLWATER, OKLA-**  
22 **HOMA.**

23       *The Secretary shall conduct a study to determine the*  
24 *feasibility of carrying out a project for flood damage reduc-*



1 *tion and ecosystem restoration at Lake Carl Blackwell,*  
 2 *Stillwater, Oklahoma.*

3 **SEC. 420. SAC AND FOX NATION, OKLAHOMA.**

4 *The Secretary shall complete a water and related land*  
 5 *resource conservation and management plan for the Sac*  
 6 *and Fox Nation, Oklahoma, under section 203 of the Water*  
 7 *Resources Development Act of 2000 (33 U.S.C. 2269).*

8 **SEC. 421. SUTHERLIN, OREGON.**

9 *(a) STUDY.—The Secretary shall conduct a study of*  
 10 *water resources along Sutherlin Creek in the vicinity of*  
 11 *Sutherlin, Oregon, to determine the feasibility of carrying*  
 12 *out a project to restore and enhance aquatic resources using*  
 13 *a combination of structural and bioengineering techniques*  
 14 *and, if the Secretary determines that the project is feasible,*  
 15 *may carry out the project.*

16 *(b) AUTHORIZATION OF APPROPRIATIONS.—There is*  
 17 *authorized to be appropriated to carry out this section*  
 18 *\$2,500,000.*

19 **SEC. 422. ECOSYSTEM RESTORATION AND FISH PASSAGE**  
 20 **IMPROVEMENTS, OREGON.**

21 *(a) STUDY.—The Secretary shall conduct a study to*  
 22 *determine the feasibility of undertaking ecosystem restora-*  
 23 *tion and fish passage improvements on rivers throughout*  
 24 *the State of Oregon.*

1       (b) *REQUIREMENTS.—In carrying out the study, the*  
 2 *Secretary shall—*

3           (1) *work in coordination with the State of Or-*  
 4 *egon, local governments, and other Federal agencies;*  
 5 *and*

6           (2) *place emphasis on—*

7               (A) *fish passage and conservation and res-*  
 8 *toration strategies to benefit species that are list-*  
 9 *ed or proposed for listing as threatened or en-*  
 10 *dangered species under the Endangered Species*  
 11 *Act of 1973 (16 U.S.C. 1531 et seq.); and*

12               (B) *other watershed restoration objectives.*

13       (c) *PILOT PROGRAM.—*

14           (1) *IN GENERAL.—In conjunction with con-*  
 15 *ducting the study under subsection (a), the Secretary*  
 16 *may carry out pilot projects to demonstrate the effec-*  
 17 *tiveness of ecosystem restoration and fish passages.*

18           (2) *AUTHORIZATION OF APPROPRIATIONS.—*  
 19 *There is authorized to be appropriated \$5,000,000 to*  
 20 *carry out this subsection.*

21 **SEC. 423. NORTHEASTERN PENNSYLVANIA AQUATIC ECO-**  
 22 **SYSTEM RESTORATION AND PROTECTION.**

23       *The Secretary shall conduct a study to determine the*  
 24 *feasibility of carrying out aquatic ecosystem restoration*  
 25 *and protection projects in the counties of Lackawanna,*

1 *Lycoming, Susquehanna, Wyoming, Pike, Wayne, Sullivan,*  
 2 *Bradford, Northumberland, Union, Snyder, and Montour,*  
 3 *Pennsylvania, particularly as related to abandoned mine*  
 4 *drainage abatement and reestablishment of stream and*  
 5 *river channels.*

6 **SEC. 424. BROWNSVILLE SHIP CHANNEL, TEXAS.**

7       (a) *MITIGATION.*—*In carrying out the study to deter-*  
 8 *mine the feasibility of the project for navigation, Browns-*  
 9 *ville Ship Channel, Brownsville, Texas, the Secretary shall*  
 10 *examine the feasibility of restoring wetlands in the vicinity*  
 11 *of the Bahia Grande, Port Isabel, Texas, for the purpose*  
 12 *of mitigating project impacts.*

13       (b) *CREDIT.*—*If the Secretary determines that the wet-*  
 14 *lands restoration referred to in subsection (a) is appro-*  
 15 *priate to meet mitigation requirements for the project and*  
 16 *the non-Federal interest undertakes such restoration before*  
 17 *the date of the cooperation agreement for the project, the*  
 18 *Secretary shall credit toward the non-Federal share of the*  
 19 *cost of planning, design, and construction of the project the*  
 20 *cost of such restoration work carried out by the non-Federal*  
 21 *interest if the Secretary determines that the work is integral*  
 22 *to the project.*

23 **SEC. 425. SABINE PASS TO GALVESTON BAY, TEXAS.**

24       *In conducting a feasibility study for shore protection*  
 25 *and related improvements between Sabine Pass and the en-*

1 *trance to Galveston Bay, Texas, the Secretary may include*  
 2 *any benefits related to the use of State Highway 87 as an*  
 3 *emergency evacuation route in the determination of na-*  
 4 *tional economic development benefits of the project.*

5 **SEC. 426. CHEHALIS RIVER BASIN, WASHINGTON.**

6 *The Secretary shall conduct a river basin study for*  
 7 *the Chehalis River basin, Washington, including a study*  
 8 *of the uses of the basin's water resources to assist users in*  
 9 *developing a fair and equitable distribution of such re-*  
 10 *sources.*

11 **SEC. 427. SPRAGUE, LINCOLN COUNTY, WASHINGTON.**

12 *The Secretary may accept from the non-Federal inter-*  
 13 *est to pay all or a part of the non-Federal share of the cost*  
 14 *of feasibility study for the project for flood control in the*  
 15 *vicinity of Sprague, Lincoln County, Washington, funds*  
 16 *made available under any other Federal program if such*  
 17 *use of the funds is permitted under the Federal program.*

18 **SEC. 428. MONONGAHELA RIVER BASIN, NORTHERN WEST**  
 19 **VIRGINIA.**

20 *The Secretary shall conduct a study to determine the*  
 21 *feasibility of carrying out aquatic ecosystem restoration*  
 22 *and protection projects in the watersheds of the*  
 23 *Monongahela River basin lying within the counties of Han-*  
 24 *cock, Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood,*  
 25 *Doddridge, Monongalia, Marion, Harrison, Taylor,*

1 *Barbour, Preston, Tucker, Mineral, Grant, Gilmer, Brooke,*  
 2 *and Rithchie, West Virginia, particularly as related to*  
 3 *abandoned mine drainage abatement.*

4 **SEC. 429. WAUWATOSA, WISCONSIN.**

5 *The Secretary shall conduct a study to determine the*  
 6 *feasibility of carrying out a project for flood damage reduc-*  
 7 *tion and environmental restoration, Menomonee River and*  
 8 *Underwood Creek, Wauwatosa, Wisconsin.*

9 **TITLE V—MISCELLANEOUS**  
 10 **PROVISIONS**

11 **SEC. 501. MAINTENANCE OF NAVIGATION CHANNELS.**

12 *(a) IN GENERAL.—Upon request of a non-Federal in-*  
 13 *terest, the Secretary shall be responsible for maintenance*  
 14 *of the following navigation channels constructed or im-*  
 15 *proved by the non-Federal interest if the Secretary deter-*  
 16 *mines that such maintenance is economically justified and*  
 17 *environmentally acceptable and that the channel was con-*  
 18 *structed in accordance with applicable permits and appro-*  
 19 *priate engineering and design standards:*

20 *(1) Pix Bayou navigation channel, Chambers*  
 21 *County, Texas.*

22 *(2) Pidgeon Industrial Harbor, Pidgeon Indus-*  
 23 *trial Park, Memphis Harbor, Tennessee.*

24 *(3) Racine Harbor, Wisconsin.*

1       (b) *COMPLETION OF ASSESSMENT.*—Not later than 6  
 2 months after the date of receipt of a request from a non-  
 3 Federal interest for Federal assumption of maintenance of  
 4 a channel listed in subsection (a), the Secretary shall make  
 5 a determination as provided in subsection (a) and advise  
 6 the non-Federal interest of the Secretary's determination.

7       (c) *SABINE-NECHES WATERWAY, TEXAS.*—The Sec-  
 8 retary shall remove sunken vessels and debris between miles  
 9 35 and 43 of the Channel to Orange, Sabine-Neches Water-  
 10 way, Texas, for the purpose of improving navigation safety  
 11 and reducing the risk to the public.

12 **SEC. 502. WATERSHED MANAGEMENT.**

13       (a) *IN GENERAL.*—The Secretary may provide tech-  
 14 nical, planning, and design assistance to non-Federal inter-  
 15 ests for carrying out watershed management, restoration,  
 16 and development projects at the locations described in sub-  
 17 section (d).

18       (b) *SPECIFIC MEASURES.*—Assistance provided under  
 19 subsection (a) may be in support of non-Federal projects  
 20 for the following purposes:

- 21               (1) *Management and restoration of water qual-*  
 22               *ity.*
- 23               (2) *Control and remediation of toxic sediments.*
- 24               (3) *Restoration of degraded streams, rivers, wet-*  
 25               *lands, and other waterbodies to their natural condi-*

1        *tion as a means to control flooding, excessive erosion,*  
 2        *and sedimentation.*

3            (4) *Protection and restoration of watersheds, in-*  
 4        *cluding urban watersheds.*

5            (5) *Demonstration of technologies for non-*  
 6        *structural measures to reduce destructive impacts of*  
 7        *flooding.*

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

11          (d) *PROJECT LOCATIONS.*—*The locations referred to in*  
 12       *subsection (a) are the following:*

13            (1) *Choctawhatchee, Pea, and Yellow Rivers wa-*  
 14        *tershed, in Barbour, Bullock, Coffee, Covington,*  
 15        *Crenshaw, Dale, Geneva, Henry, Houston, and Pike*  
 16        *Counties, Alabama.*

17            (2) *Spring Branch watershed, Huntsville, Ala-*  
 18        *bama.*

19            (3) *Cucamonga basin, Upland, California.*

20            (4) *Tuolumne County, California.*

21            (5) *Kinkaid Lake, Jackson County, Illinois.*

22            (6) *Those portions of the watersheds of the Con-*  
 23        *cord, Charles, Blackstone, Neponset, Taunton, Nash-*  
 24        *ua, Shawsheen, and Merrimack Rivers, Massachusetts,*  
 25        *lying within the Interstate Route 495 corridor.*

1           (7) *Jackson Brook watershed, New Jersey.*

2           (8) *Those portions of the watersheds of the Bea-*  
 3 *ver, Upper Ohio, Connoquenessing, Lower Allegheny,*  
 4 *Kiskiminetas, Lower Monongahela, Youghiogheny,*  
 5 *Shenango, and Mahoning Rivers lying within the*  
 6 *counties of Beaver, Butler, Lawrence, and Mercer,*  
 7 *Pennsylvania.*

8           (9) *Southampton Creek watershed, Southampton,*  
 9 *Pennsylvania.*

10          (10) *Unami Creek watershed, Milford Township,*  
 11 *Pennsylvania.*

12          (11) *Amite River basin, Louisiana.*

13          (12) *Iberville Parish, East Atchafalaya River*  
 14 *basin, Louisiana.*

15          (13) *Genesee River watershed, New York.*

16          (14) *Tonawanda Creek watershed, New York.*

17          (15) *Buffalo River watershed, New York.*

18          (16) *Eighteenmile Creek watershed, Niagara*  
 19 *County, New York.*

20          (17) *Cattaraugus Creek watershed, New York.*

21          (18) *Oswego River basin, New York.*

22          (e) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
 23 *authorized to be appropriated to carry out this section*  
 24 *\$15,000,000.*



1 **SEC. 503. DAM SAFETY.**

2 (a) *ASSISTANCE.*—*The Secretary may provide assist-*  
3 *ance to enhance dam safety at the following locations:*

4 (1) *Mountain Park Dam, Mountain Park, Geor-*  
5 *gia.*

6 (2) *Barber Dam, Ada County, Idaho.*

7 (3) *Fish Creek Dam, Blaine County, Idaho.*

8 (4) *Lost Valley Dam, Adams County, Idaho.*

9 (5) *Salmon Falls Dam, Twin Falls County,*  
10 *Idaho.*

11 (6) *Whaley Lake Dam, Pawling, New York.*

12 (7) *Lake Carl Blackwell Dam, Stillwater, Okla-*  
13 *homa.*

14 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
15 *authorized to be appropriated to carry out this section*  
16 *\$6,000,000.*

17 **SEC. 504. STRUCTURAL INTEGRITY EVALUATIONS.**

18 (a) *IN GENERAL.*—*Upon request of a non-Federal in-*  
19 *terest, the Secretary shall evaluate the structural integrity*  
20 *and effectiveness of a project for flood damage reduction*  
21 *and, if the Secretary determines that the project does not*  
22 *meet such minimum standards as the Secretary may estab-*  
23 *lish and, absent action by the Secretary, the project will*  
24 *fail, the Secretary may take such action as may be nec-*  
25 *essary to restore the integrity and effectiveness of the*  
26 *project.*

1       (b) *PRIORITY.*—*The Secretary shall evaluate under*  
 2 *subsection (a) the following projects:*

3               (1) *Project for flood damage reduction, Arkansas*  
 4 *River Levees, river mile 205 to river mile 308.4, Ar-*  
 5 *kansas.*

6               (2) *Project for flood damage reduction,*  
 7 *Marianna Borough, Pennsylvania.*

8               (3) *Project for flood damage reduction,*  
 9 *Nonconnah Creek, Tennessee.*

10 ***SEC. 505. FLOOD MITIGATION PRIORITY AREAS.***

11       *Section 212(e) of the Water Resources Development Act*  
 12 *of 1999 (33 U.S.C. 2332(e); 114 Stat. 2599) is amended—*

13               (1) *by striking “and” at the end of paragraph*  
 14 *(27);*

15               (2) *by striking the period at the end of para-*  
 16 *graph (28) and inserting a semicolon; and*

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

18               “(29) *La Crosse County, Wisconsin;*

19               “(30) *Crawford County, Wisconsin;*

20               “(31) *Buffalo County, Wisconsin;*

21               “(32) *Calhoun County, Illinois;*

22               “(33) *Saint Charles County, Missouri;*

23               “(34) *Saint Louis County, Missouri;*

24               “(35) *Dubuque County, Iowa;*

25               “(36) *Scott County, Iowa;*

- 1           “(37) *Rock Island County, Illinois;*  
 2           “(38) *Ascension Parish, Louisiana;*  
 3           “(39) *East Baton Rouge Parish, Louisiana;*  
 4           “(40) *Iberville Parish, Louisiana; and*  
 5           “(41) *Livingston Parish, Louisiana.*”.

6 **SEC. 506. ADDITIONAL ASSISTANCE FOR AUTHORIZED**  
 7 **PROJECTS.**

8           *Section 219(e) of the Water Resources Development Act*  
 9 *of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334)*  
 10 *is amended—*

11           (1) *by striking “and” at the end of paragraph*  
 12 *(7);*

13           (2) *by striking the period at the end of para-*  
 14 *graph (8) and inserting a semicolon; and*

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

16           “(9) \$20,000,000 for the project described in sub-

17 *section (c)(20);*

18           “(10) \$20,000,000 for the project described in

19 *subsection (c)(25);*

20           “(11) \$15,000,000 for the project described in

21 *subsection (c)(26);*

22           “(12) \$7,800,000 for the project described in sub-

23 *section (c)(27);*

24           “(13) \$18,000,000 for the project described in

25 *subsection (c)(31); and*

1           “(14) \$30,000,000 for the project described in  
2       subsection (c)(40).”.

3   **SEC. 507. EXPEDITED COMPLETION OF REPORTS AND CON-**  
4           **STRUCTION FOR CERTAIN PROJECTS.**

5       *The Secretary shall expedite completion of the reports*  
6   *and, if the Secretary determines the project is feasible, shall*  
7   *expedite completion of construction for the following*  
8   *projects:*

9           (1) *Welch Point, Elk River, Cecil County, Mary-*  
10       *land, and Chesapeake, Maryland, being carried out*  
11       *under section 535 of the Water Resources Development*  
12       *Act of 1999 (113 Stat. 348–349).*

13          (2) *West View Shores, Cecil County, Maryland,*  
14       *being carried out under section 521 of the Water Re-*  
15       *sources Development Act of 2000 (114. Stat. 2655).*

16          (3) *Sylvan Beach Breakwater, Verona, Oneida*  
17       *County, New York, being carried out under section 3*  
18       *of the Act entitled “An Act authorizing Federal par-*  
19       *ticipation in the cost of protecting the shores of pub-*  
20       *licly owned property”, approved August 13, 1946 (33*  
21       *U.S.C. 426g).*

22          (4) *Fulmer Creek, Village of Mohawk, New York,*  
23       *being carried out under section 205 of the Flood Con-*  
24       *trol Act of 1948 (33 U.S.C. 701s).*

1           (5) *Moyer Creek, Village of Frankfort, New York,*  
 2           *being carried out under section 205 of the Flood Con-*  
 3           *trol Act of 1948 (33 U.S.C. 701s).*

4           (6) *Steele Creek, Village of Ilion, New York,*  
 5           *being carried out under section 205 of the Flood Con-*  
 6           *trol Act of 1948 (33 U.S.C. 701s).*

7   **SEC. 508. EXPEDITED COMPLETION OF REPORTS FOR CER-**  
 8           **TAIN PROJECTS.**

9           *The Secretary shall expedite completion of the reports*  
 10          *for the following projects and, if the Secretary determines*  
 11          *that a project is justified in the completed report, proceed*  
 12          *directly to project preconstruction, engineering, and design:*

13           (1) *Project for flood damage reduction and eco-*  
 14           *system restoration, Sacramento and San Joaquin*  
 15           *River basins, Hamilton, California.*

16           (2) *Project for shoreline protection, Detroit River*  
 17           *Greenway Corridor, Detroit, Michigan.*

18   **SEC. 509. SOUTHEASTERN WATER RESOURCES ASSESS-**  
 19           **MENT.**

20          *The Secretary may provide assistance to a coordinated*  
 21          *effort by Federal, State, and local agencies, non-Federal and*  
 22          *nonprofit entities, regional researchers, and other interested*  
 23          *parties to assess the water resources and water resources*  
 24          *needs of river basins and watersheds of the southeastern*  
 25          *United States.*

1 **SEC. 510. UPPER MISSISSIPPI RIVER ENVIRONMENTAL**  
 2 **MANAGEMENT PROGRAM.**

3 *Section 1103(e)(7)(A) of the Water Resources Develop-*  
 4 *ment Act of 1986 (33 U.S.C. 652(e)(7)(A)) is amended by*  
 5 *adding at the end the following: “The non-Federal interest*  
 6 *may provide the non-Federal share of the cost of the project*  
 7 *in the form of services, materials, supplies, or other in-kind*  
 8 *contributions.”.*

9 **SEC. 511. MISSOURI AND MIDDLE MISSISSIPPI RIVERS EN-**  
 10 **HANCEMENT PROJECT.**

11 *Section 514(g) of the Water Resources Development Act*  
 12 *of 1999 (113 Stat. 343) is amended by striking “and 2001”*  
 13 *and inserting “through 2015”.*

14 **SEC. 512. MEMBERSHIP OF MISSOURI RIVER TRUST.**

15 *Section 904(b)(1)(B) of the Water Resources Develop-*  
 16 *ment Act of 2000 (114 Stat. 2708) is amended—*

17 *(1) by striking “and” at the end of clause (vii);*

18 *(2) by redesignating clause (viii) as clause (ix);*

19 *and*

20 *(3) by inserting after clause (vii) the following:*

21 *“(viii) rural water systems; and”.*

22 **SEC. 513. WATERSHED MANAGEMENT, RESTORATION, AND**  
 23 **DEVELOPMENT.**

24 *Section 503(e) of the Water Resources Development Act*  
 25 *of 1996 (110 Stat. 3757) is amended by striking*  
 26 *“\$15,000,000” and inserting “\$25,000,000”.*

1 **SEC. 514. GREAT LAKES FISHERY AND ECOSYSTEM RES-**  
 2 **TORATION.**

3 *Section 506(f)(3)(B) of the Water Resources Develop-*  
 4 *ment Act of 2000 (42 U.S.C. 1962d; 114 Stat. 2646) is*  
 5 *amended by striking “50 percent” and inserting “100 per-*  
 6 *cent”.*

7 **SEC. 515. SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER**  
 8 **BASINS.**

9 (a) *EX OFFICIO MEMBER.*—*Notwithstanding section*  
 10 *3001(a) of the 1997 Emergency Supplemental Appropria-*  
 11 *tions Act for Recovery From Natural Disasters, and for*  
 12 *Overseas Peacekeeping Efforts, Including Those in Bosnia*  
 13 *(111 Stat. 176) and section 2.2 of both the Susquehanna*  
 14 *River Basin Compact (Public Law 91–575) and the Dela-*  
 15 *ware River Basin Compact (Public Law 87–328), begin-*  
 16 *ning in fiscal year 2002 and thereafter, the Division Engi-*  
 17 *neer, North Atlantic Division, Corps of Engineers, shall be*  
 18 *the ex officio United States member under the Susquehanna*  
 19 *River Basin Compact and the Delaware River Basin Com-*  
 20 *pact, who shall serve without additional compensation and*  
 21 *who may designate an alternate member or members in ac-*  
 22 *cordance with the terms of those respective compacts.*

23 (b) *AUTHORIZATION TO ALLOCATE.*—*The Secretary*  
 24 *may allocate funds to the Susquehanna River Basin Com-*  
 25 *mission, Delaware River Basin Commission, and the Inter-*  
 26 *state Commission on the Potomac River Basin (Potomac*

1 *River Basin Compact (Public Law 91–407)) to fulfill the*  
 2 *equitable funding requirements of their respective interstate*  
 3 *compacts.*

4 *(c) WATER SUPPLY AND CONSERVATION STORAGE.—*  
 5 *The Secretary shall enter into an agreement with the Dela-*  
 6 *ware River Basin Commission to provide temporary water*  
 7 *supply and conservation storage at the Francis E. Walter*  
 8 *Dam, Pennsylvania, during any period in which the Com-*  
 9 *mission has determined that a drought warning or drought*  
 10 *emergency exists. The agreement shall provide that the cost*  
 11 *for any such water supply and conservation storage shall*  
 12 *not exceed the incremental operating costs associated with*  
 13 *providing the storage.*

14 **SEC. 516. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
 15 **TION AND PROTECTION PROGRAM.**

16 *Section 510(i) of the Water Resources Development Act*  
 17 *of 1996 (110 Stat. 3761) is amended by striking*  
 18 *“\$10,000,000” and inserting “\$30,000,000”.*

19 **SEC. 517. MONTGOMERY, ALABAMA.**

20 *The Secretary shall review the navigation and aquatic*  
 21 *ecosystem restoration components of the Montgomery River-*  
 22 *front and Downtown Master Plan, Montgomery, Alabama,*  
 23 *dated May 2001, and prepared by the non-Federal interest*  
 24 *and, if the Secretary determines that those components meet*  
 25 *the evaluation and design standards of the Corps of Engi-*



1 neers and that the components are feasible, may carry out  
 2 the components at a Federal cost not to exceed \$5,000,000.

3 **SEC. 518. ALASKA.**

4 Section 570 of the Water Resources Development Act  
 5 of 1999 (113 Stat. 369) is amended—

6 (1) in subsection (e)(3)(B) by striking the last  
 7 sentence;

8 (2) in subsection (h) by striking “\$25,000,000”  
 9 and inserting “\$40,000,000”; and

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

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

16 “(j) *CORPS OF ENGINEERS EXPENSES.*—Ten percent  
 17 of the amounts appropriated to carry out this section may  
 18 be used by the Corps of Engineers district offices to admin-  
 19 ister projects under this section at 100 percent Federal ex-  
 20 pense.”.

21 **SEC. 519. AKUTAN SMALL BOAT HARBOR, ALASKA.**

22 (a) *IN GENERAL.*—The Secretary shall expedite the  
 23 study for the Akutan Small Boat Harbor, Alaska, and upon  
 24 completion of the feasibility study, shall design and con-

1 *struct the project, if the Secretary determines that the*  
 2 *project is feasible.*

3 (b) *TREATMENT OF CERTAIN DREDGING.—The*  
 4 *headlands dredging for the mooring basin shall be consid-*  
 5 *ered general navigation feature for purposes of estimating*  
 6 *the non-Federal share of the cost of the project.*

7 **SEC. 520. LOWELL CREEK TUNNEL, SEWARD, ALASKA.**

8 (a) *LONG-TERM MAINTENANCE AND REPAIR.—The*  
 9 *Secretary shall assume responsibility for the long-term*  
 10 *maintenance and repair of the Lowell Creek Tunnel.*

11 (b) *STUDY.—The Secretary shall conduct a study to*  
 12 *determine whether alternative methods of flood diversion in*  
 13 *Lowell Canyon are feasible.*

14 **SEC. 521. ST. HERMAN HARBOR, KODIAK, ALASKA.**

15 *The Secretary shall carry out, on an emergency basis,*  
 16 *necessary removal of rubble, sediment, and rock that are*  
 17 *impeding the entrance to the St. Herman Harbor, Kodiak,*  
 18 *Alaska, at a Federal cost of \$2,000,000.*

19 **SEC. 522. AUGUSTA AND CLARENDON, ARKANSAS.**

20 (a) *IN GENERAL.—The Secretary is authorized to per-*  
 21 *form operation, maintenance, and rehabilitation of author-*  
 22 *ized and completed levees on the White River between Au-*  
 23 *gusta and Clarendon, Arkansas.*

24 (b) *REIMBURSEMENT.—After performing the oper-*  
 25 *ation, maintenance, and rehabilitation under subsection*

1 *(a), the Secretary shall seek reimbursement from the Sec-*  
 2 *retary of the Interior of an amount equal to the costs allo-*  
 3 *cated to benefits to a Federal wildlife refuge of such oper-*  
 4 *ation, maintenance, and rehabilitation.*

5 **SEC. 523. LOOMIS LANDING, ARKANSAS.**

6 *The Secretary shall conduct a study of shore damage*  
 7 *in the vicinity of Loomis Landing, Arkansas, to determine*  
 8 *if the damage is the result of a Federal navigation project,*  
 9 *and, if the Secretary determines that the damage is the re-*  
 10 *sult of a Federal navigation project, the Secretary shall*  
 11 *carry out a project to mitigate the damage under section*  
 12 *111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).*

13 **SEC. 524. ST. FRANCIS RIVER BASIN, ARKANSAS AND MIS-**  
 14 **SOURI.**

15 *The Secretary shall conduct a study of increased siltation*  
 16 *and streambank erosion in the St. Francis River basin,*  
 17 *Arkansas and Missouri, to determine if the siltation or ero-*  
 18 *sion, or both, are the result of a Federal flood control project*  
 19 *and, if the Secretary determines that the siltation or ero-*  
 20 *sion, or both, are the result of a Federal flood control*  
 21 *project, the Secretary shall carry out a project to mitigate*  
 22 *the siltation or erosion, or both.*

23 **SEC. 525. CAMBRIA, CALIFORNIA.**

24 *Section 219(f)(48) of the Water Resources Development*  
 25 *Act of 1992 (114 Stat. 2763A–220) is amended—*

1           (1) *by striking “\$10,300,000” and inserting the*  
 2           *following:*

3                     “(A) *IN GENERAL.*—\$10,300,000”;

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

5                     “(B) *CREDIT.*—*The Secretary shall credit*  
 6                     *toward the non-Federal share of the cost of the*  
 7                     *project not to exceed \$3,000,000 for the cost of*  
 8                     *planning and design work carried out by the*  
 9                     *non-Federal interest before the date of the co-*  
 10                    *operation agreement for the project if the Sec-*  
 11                    *retary determines that the work is integral to the*  
 12                    *project.”; and*

13           (3) *by aligning the remainder of the text of sub-*  
 14           *paragraph (A) (as designated by paragraph (1) of*  
 15           *this section) with subparagraph (B) (as added by*  
 16           *paragraph (2) of this section).*

17 **SEC. 526. EAST SAN JOAQUIN COUNTY, CALIFORNIA.**

18           *Section 219(f)(22) of the Water Resources Development*  
 19           *Act of 1992 (106 Stat. 4835–4836; 113 Stat. 336) is amend-*  
 20           *ed—*

21           (1) *by striking “\$25,000,000” and inserting the*  
 22           *following:*

23                     “(A) *IN GENERAL.*—\$25,000,000”;

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

1                   “(B) CREDIT.—The Secretary shall credit  
 2                   toward the non-Federal share of the cost of the  
 3                   project (i) the cost of design and construction  
 4                   work carried out by the non-Federal interest be-  
 5                   fore the date of the cooperation agreement for the  
 6                   project if the Secretary determines that the work  
 7                   is integral to the project; and (ii) the cost of in-  
 8                   kind services and materials provided for the  
 9                   project by the non-Federal interest.”; and  
 10                  (3) by aligning the remainder of the text of sub-  
 11                  paragraph (A) (as designated by paragraph (1) of  
 12                  this section) with subparagraph (B) (as added by  
 13                  paragraph (2) of this section).

14 **SEC. 527. HARBOR/SOUTH BAY, CALIFORNIA.**

15                  Section 219(f)(43) of the Water Resources Development  
 16                  Act of 1992 (113 Stat. 337; 114 Stat. 2763A–220) is  
 17                  amended by striking “California.” and inserting “Calif-  
 18                  ornia, and for the Southern Los Angeles County Ground-  
 19                  water Pipeline Project, Pico Rivera, Downey, Bellflower,  
 20                  Paramount Lakewood, and Long Beach, California.”.

21 **SEC. 528. SACRAMENTO AREA, CALIFORNIA.**

22                  Section 219(f)(23) of the Water Resources Development  
 23                  Act of 1992 (106 Stat. 4835–4836; 113 Stat. 336) is amend-  
 24                  ed—

1           (1) by striking “\$25,000,000” and inserting  
2           “\$35,000,000”; and

3           (2) by inserting “water supply and” before “re-  
4           gional”.

5 **SEC. 529. SAN FRANCISCO, CALIFORNIA.**

6           (a) *PIER 70 WHARF 5 REMOVAL AND DREDGING*  
7 *PROJECT.*—*The Secretary, in cooperation with the Port of*  
8 *San Francisco, shall carry out the project for removal of*  
9 *Wharf 5 and associated pilings and dredgings at Pier 70*  
10 *in San Francisco, California, substantially in accordance*  
11 *with the Port’s redevelopment plans.*

12          (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
13 *authorized to be appropriated \$1,600,000 to carry out this*  
14 *section.*

15 **SEC. 530. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
16 **AREA.**

17          (a) *AREA TO BE DECLARED NONNAVIGABLE; PUBLIC*  
18 *INTEREST.*—*Unless the Secretary finds, after consultation*  
19 *with local and regional public officials (including local and*  
20 *regional public planning organizations), that the proposed*  
21 *projects to be undertaken within the boundaries of the por-*  
22 *tion of the San Francisco, California, waterfront area de-*  
23 *scribed in subsection (b) are not in the public interest, such*  
24 *portion is declared to be nonnavigable waters of the United*  
25 *States.*

1       (b) *NORTHERN EMBARCADERO SOUTH OF BRYANT*  
2 *STREET.*—*The portion of the San Francisco, California,*  
3 *waterfront area referred to in subsection (a) is as follows:*  
4 *Beginning at the intersection of the northwesterly line of*  
5 *Bryant Street with the southwesterly line of Spear Street,*  
6 *which intersection lies on the line of jurisdiction of the San*  
7 *Francisco Port Authority; following thence westerly and*  
8 *southerly along said line of jurisdiction as described in the*  
9 *State of California Harbor and Navigable Code Section*  
10 *1770, as amended in 1961, to its intersection with the eas-*  
11 *terly line of Townsend Street produced southerly; thence*  
12 *northerly along said easterly line of Townsend Street pro-*  
13 *duced to its intersection with the United States Government*  
14 *pier-head line; thence following said pier-head line westerly*  
15 *and northerly to its intersection with the existing boundary*  
16 *line of Piers 30/32, then northerly and easterly along the*  
17 *existing boundary of Piers 30/32 until its intersection with*  
18 *the United States Government pier-head line, thence fol-*  
19 *lowing said pier-head line westerly and northerly to the*  
20 *northwesterly line of Bryant Street produced northwesterly;*  
21 *thence southwesterly along said northwesterly line of Bry-*  
22 *ant Street produced to the point of beginning.*

23       (c) *REQUIREMENT THAT AREA BE IMPROVED.*—*The*  
24 *declaration of nonnavigability under subsection (a) applies*  
25 *only to those parts of the area described in subsection (b)*

1 *that are or will be bulkheaded, filled, or otherwise occupied*  
 2 *by permanent structures. All such work is subject to all ap-*  
 3 *plicable Federal statutes and regulations, including sections*  
 4 *9 and 10 of the Act of March 3, 1899 (33 U.S.C. 401 and*  
 5 *403; 30 Stat. 1151), commonly known as the Rivers and*  
 6 *Harbors Appropriation Act of 1899, section 404 of the Fed-*  
 7 *eral Water Pollution Control Act (33 U.S.C. 1344), and the*  
 8 *National Environmental Policy Act of 1969 (42 U.S.C.*  
 9 *4321 et seq.).*

10 *(d) EXPIRATION DATE.—If, 20 years from the date of*  
 11 *enactment of this Act, any area or part thereof described*  
 12 *in subsection (b) is not bulkheaded or filled or occupied by*  
 13 *permanent structures, including marina facilities, in ac-*  
 14 *cordance with the requirements set out in subsection (c),*  
 15 *or if work in connection with any activity permitted in*  
 16 *subsection (c) is not commenced within 5 years after*  
 17 *issuance of such permits, then the declaration of nonnaviga-*  
 18 *bility for such area or part thereof shall expire.*

19 **SEC. 531. STOCKTON, CALIFORNIA.**

20 *The Secretary shall reevaluate the feasibility of the*  
 21 *Lower Mosher Slough element and the levee extensions on*  
 22 *the Upper Calaveras River element of the project for flood*  
 23 *control, Stockton Metropolitan Area, California, carried out*  
 24 *under section 211(f)(3) of the Water Resources Development*  
 25 *Act of 1996 (110 Stat. 3683), to determine the eligibility*



1 of such elements for reimbursement under section 211 of  
 2 such Act (33 U.S.C. 701b–13). If the Secretary determines  
 3 that such elements are feasible, the Secretary shall reim-  
 4 burse, subject to appropriations, the non-Federal interest  
 5 under section 211 of such Act for the Federal share of the  
 6 cost of such elements.

7 **SEC. 532. EVERGLADES RESTORATION, FLORIDA.**

8 (a) *COMPREHENSIVE PLAN.*—

9 (1) *HILLSBORO AND OKEECHOBEE AQUIFER.*—

10 Section 601(b)(2)(A) of the Water Resources Develop-  
 11 ment Act of 2000 (114 Stat. 2681) is amended—

12 (A) in clause (i) by adding at the end the  
 13 following: “The project for aquifer storage and  
 14 recovery, Hillsboro and Okeechobee Aquifer, Flor-  
 15 ida, authorized by section 101(a)(16) of the  
 16 Water Resources Development Act of 1999 (113  
 17 Stat. 276), shall be treated for purposes of this  
 18 section as being in the Plan.”; and

19 (B) in clause (iii) by inserting after “sub-  
 20 paragraph (B)” the following: “and the project  
 21 for aquifer storage and recovery, Hillsboro and  
 22 Okeechobee Aquifer”.

23 (2) *OUTREACH AND ASSISTANCE.*—Section  
 24 601(k) of such Act (114 Stat. 2691–2692) is amended  
 25 by adding at the end the following:

1           “(3) *MAXIMUM EXPENDITURES.*—*The Secretary*  
 2           *may expend up to \$3,000,000 per fiscal year for fiscal*  
 3           *years beginning after September 30, 2002, to carry*  
 4           *out this subsection.*”.

5           (b) *CRITICAL RESTORATION PROJECTS.*—*Section*  
 6           *528(b)(3)(C) of the Water Resources Development Act of*  
 7           *1996 (110 Stat. 3769; 113 Stat. 286) is amended—*

8                     (1) *in clause (i) by striking “\$75,000,000” and*  
 9                     *all that follows through “2003” and inserting*  
 10                    *“\$95,000,000”; and*

11                   (2) *in clause (ii) by striking “\$25,000,000” and*  
 12                    *inserting “\$30,000,000”.*

13   **SEC. 533. MAYO’S BAR LOCK AND DAM, COOSA RIVER, ROME,**  
 14                   **GEORGIA.**

15           *The Secretary may provide assistance for the recon-*  
 16           *struction of the Mayo’s Bar Lock and Dam, Coosa River,*  
 17           *Rome, Georgia.*

18   **SEC. 534. RILEY CREEK RECREATION AREA, IDAHO.**

19           *The Secretary is authorized to carry out the Riley*  
 20           *Creek Recreation Area Operation Plan of the Albeni Falls*  
 21           *Management Plan, dated October 2001, for the Riley Creek*  
 22           *Recreation Area, Albeni Falls Dam, Bonner County, Idaho.*

1 **SEC. 535. GRAND TOWER DRAINAGE AND LEVEES, GRAND**  
2 **TOWER TOWNSHIP, ILLINOIS.**

3 (a) *IN GENERAL.*—*The Secretary is authorized to per-*  
4 *form operation and maintenance of authorized and com-*  
5 *pleted levees on the Mississippi River in Grand Tower*  
6 *Township, Illinois.*

7 (b) *ALLOCATION OF COSTS.*—*The Secretary shall allo-*  
8 *cate the cost of operation and maintenance performed under*  
9 *subsection (a) on the basis of whether the lands protected*  
10 *by the levees are owned by the United States.*

11 (c) *NON-FEDERAL COSTS.*—*If the lands protected by*  
12 *the levees are not owned by the United States, the cost of*  
13 *operation and maintenance allocated to protecting such*  
14 *lands under subsection (b) shall be a non-Federal cost.*

15 (d) *FEDERAL COSTS.*—*If the lands protected by the*  
16 *levees are owned by the United States, the cost of operation*  
17 *and maintenance allocated to protecting such lands under*  
18 *subsection (b) shall be a Federal cost. After performing the*  
19 *operation and maintenance under subsection (a), the Sec-*  
20 *retary shall seek reimbursement from the Secretary of the*  
21 *Agriculture of an amount equal to the costs allocated to pro-*  
22 *tecting lands owned by the Department of Agriculture.*

23 **SEC. 536. KASKASKIA RIVER BASIN, ILLINOIS, RESTORA-**  
24 **TION.**

25 (a) *KASKASKIA RIVER BASIN DEFINED.*—*In this sec-*  
26 *tion, the term “Kaskaskia River basin” means the*

1 *Kaskaskia River, Illinois, its backwaters, its side channels,*  
2 *and all tributaries, including their watersheds, draining*  
3 *into the Kaskaskia River.*

4 (b) *COMPREHENSIVE PLAN.*—

5 (1) *DEVELOPMENT.*—*The Secretary shall de-*  
6 *velop, as expeditiously as practicable, a comprehen-*  
7 *sive plan for the purpose of restoring, preserving, and*  
8 *protecting the Kaskaskia River basin.*

9 (2) *TECHNOLOGIES AND INNOVATIVE AP-*  
10 *PROACHES.*—*The comprehensive plan shall provide*  
11 *for the development of new technologies and innova-*  
12 *tive approaches—*

13 (A) *to enhance the Kaskaskia River as a*  
14 *transportation corridor;*

15 (B) *to improve water quality within the en-*  
16 *tire Kaskaskia River basin;*

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

19 (D) *to increase economic opportunity for*  
20 *agriculture and business communities; and*

21 (E) *to reduce the impacts of flooding to*  
22 *communities and landowners.*

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

1           (A) the development and implementation of  
2           a program for sediment removal technology, sedi-  
3           ment characterization, sediment transport, and  
4           beneficial uses of sediment;

5           (B) the development and implementation of  
6           a program for the planning, conservation, eval-  
7           uation, and construction of measures for fish and  
8           wildlife habitat conservation and rehabilitation,  
9           and stabilization and enhancement of land and  
10          water resources in the basin;

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

13          (D) the development and implementation of  
14          a computerized inventory and analysis system;  
15          and

16          (E) the development and implementation of  
17          a systemic plan to reduce flood impacts by  
18          means of ecosystem restoration projects.

19          (4) CONSULTATION.—The comprehensive plan  
20          shall be developed by the Secretary in consultation  
21          with appropriate Federal agencies, the State of Illi-  
22          nois, and the Kaskaskia River Coordinating Council.

23          (5) REPORT TO CONGRESS.—Not later than 2  
24          years after the date of enactment of this Act, the Sec-

1        *retary shall transmit to Congress a report containing*  
2        *the comprehensive plan.*

3                (6) *ADDITIONAL STUDIES AND ANALYSES.*—*After*  
4        *transmission of a report under paragraph (5), the*  
5        *Secretary shall conduct studies and analyses of*  
6        *projects related to the comprehensive plan that are*  
7        *appropriate and consistent with this subsection.*

8        (c) *GENERAL PROVISIONS.*—

9                (1) *WATER QUALITY.*—*In carrying out activities*  
10       *under this section, the Secretary's recommendations*  
11       *shall be consistent with applicable State water quality*  
12       *standards.*

13               (2) *PUBLIC PARTICIPATION.*—*In developing the*  
14       *comprehensive plan under subsection (b), the Sec-*  
15       *retary shall implement procedures to facilitate public*  
16       *participation, including providing advance notice of*  
17       *meetings, providing adequate opportunity for public*  
18       *input and comment, maintaining appropriate*  
19       *records, and making a record of the proceedings of*  
20       *meetings available for public inspection.*

21        (d) *COORDINATION.*—*The Secretary shall integrate ac-*  
22       *tivities carried out under this section with ongoing Federal*  
23       *and State programs, projects, and activities, including the*  
24       *following:*

1           (1) *Farm programs of the Department of Agri-*  
2           *culture.*

3           (2) *Conservation Reserve Enhancement Program*  
4           *(State of Illinois) and Conservation 2000 Ecosystem*  
5           *Program of the Illinois Department of Natural Re-*  
6           *sources.*

7           (3) *Conservation 2000 Conservation Practices*  
8           *Program and the Livestock Management Facilities*  
9           *Act administered by the Illinois Department of Agri-*  
10          *culture.*

11          (4) *National Buffer Initiative of the Natural Re-*  
12          *sources Conservation Service.*

13          (5) *Nonpoint source grant program administered*  
14          *by the Illinois Environmental Protection Agency.*

15          (e) *COST SHARING.—*

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

19           (2) *IN-KIND SERVICES.—The Secretary may*  
20           *credit the cost of in-kind services provided by the non-*  
21           *Federal interest for an activity carried out under this*  
22           *section toward not more than 80 percent of the non-*  
23           *Federal share of the cost of the activity. In-kind serv-*  
24           *ices shall include all State funds expended on pro-*  
25           *grams that accomplish the goals of this section, as de-*

1        *terminated by the Secretary. The programs may include*  
 2        *the Kaskaskia River Conservation Reserve Program,*  
 3        *the Illinois Conservation 2000 Program, the Open*  
 4        *Lands Trust Fund, and other appropriate programs*  
 5        *carried out in the Kaskaskia River basin.*

6    **SEC. 537. NATALIE CREEK, MIDLOTHIAN AND OAK FOREST,**  
 7                    **ILLINOIS.**

8        *The Secretary shall carry out a project for flood dam-*  
 9        *age reduction under section 205 of the Flood Control Act*  
 10       *of 1948 (33 U.S.C. 701s) Natalie Creek, Midlothian and*  
 11       *Oak Forest, Illinois, if the Secretary determines that the*  
 12       *project is feasible.*

13    **SEC. 538. ILLINOIS RIVER BASIN RESTORATION.**

14       *Section 519(c)(2) of the Water Resources Development*  
 15       *Act of 2000 (114 Stat. 2654) is amended by striking “2004”*  
 16       *and inserting “2010”.*

17    **SEC. 539. CALUMET REGION, INDIANA.**

18       *Section 219(f)(12) of the Water Resources Development*  
 19       *Act of 1992 (113 Stat. 335) is amended—*

20                *(1) by striking “\$10,000,000” and inserting*  
 21                *“\$30,000,000”; and*

22                *(2) by striking “Lake and Porter” and inserting*  
 23                *“Benton, Jasper, Lake, Newton, and Porter”.*



1 **SEC. 540. RATHBUN LAKE, IOWA.**

2       (a) *CONVEYANCE.*—*The Secretary shall convey the re-*  
3 *maining water supply storage allocation in Rathbun Lake,*  
4 *Iowa, to the Rathbun Regional Water Association (in this*  
5 *section referred to as the “Water Association”).*

6       (b) *COST SHARING.*—*Notwithstanding the Water Sup-*  
7 *ply Act of 1958 (43 U.S.C. 390b), the Water Association*  
8 *shall pay 100 percent of the cost of the water supply storage*  
9 *allocation to be conveyed under subsection (a). The Sec-*  
10 *retary shall credit toward such non-Federal share the cost*  
11 *of any structures and facilities constructed by the Water*  
12 *Association at the project.*

13       (c) *TERMS AND CONDITIONS.*—*Before conveying the*  
14 *water supply storage allocation under subsection (a), the*  
15 *Secretary shall enter into an agreement with the Water As-*  
16 *sociation under which the Water Association shall agree*  
17 *to—*

18               (1) *in accordance with designs approved by the*  
19 *Chief of Engineers, construct structures and facilities*  
20 *referred to in subsection (b) that have a value equal*  
21 *to or greater than the amount that otherwise would*  
22 *be paid to the Federal Government for the costs of the*  
23 *water supply storage under the Water Supply Act of*  
24 *1958 (43 U.S.C. 390b);*

25               (2) *be responsible for operating and maintaining*  
26 *the structures and facilities;*

1           (3) *pay all operation and maintenance costs al-*  
 2           *located to the water supply storage space;*

3           (4) *use any revenues generated at the structures*  
 4           *and facilities that are above those required to operate*  
 5           *and maintain or improve the complex to undertake,*  
 6           *subject to the approval of the Chief of Engineers, ac-*  
 7           *tivities that will improve the quality of the environ-*  
 8           *ment in the Rathbun Lake watershed area; and*

9           (5) *such other terms and conditions as the Sec-*  
 10          *retary considers necessary to protect the interests of*  
 11          *the United States.*

12 **SEC. 541. MAYFIELD CREEK AND TRIBUTARIES, KENTUCKY.**

13          *The Secretary shall conduct a study of flood damage*  
 14          *along Mayfield Creek and tributaries between Wickliffe and*  
 15          *Mayfield, Kentucky, to determine if the damage is the result*  
 16          *of a Federal flood damage reduction project, and, if the Sec-*  
 17          *retary determines that the damage is the result of a Federal*  
 18          *flood damage reduction project, the Secretary shall carry*  
 19          *out a project to mitigate the damage at Federal expense.*

20 **SEC. 542. SOUTHERN AND EASTERN KENTUCKY.**

21          (a) *PROJECT PURPOSES.*—Section 531(b) of the Water  
 22          *Resources Development Act of 1996 (110 Stat. 3773) is*  
 23          *amended by inserting before “and resource” the following:*  
 24          *“, environmental restoration,”.*

1       (b) *DEFINITION.*—Section 531(g) of such Act (110  
2 Stat. 3774) is amended by inserting after “Lee,” the fol-  
3 lowing: “Bath, Rowan,”.

4       (c) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
5 531(h) of such Act (110 Stat. 3774; 113 Stat. 348) is  
6 amended by striking “\$25,000,000” and inserting  
7 “\$40,000,000”.

8       (d) *CORPS OF ENGINEERS EXPENSES.*—Section 531 of  
9 such Act (110 Stat. 3774; 113 Stat. 348) is amended by  
10 adding at the end the following:

11       “(i) *CORPS OF ENGINEERS EXPENSES.*—Ten percent  
12 of the amounts appropriated to carry out this section may  
13 be used by the Corps of Engineers district offices to admin-  
14 ister projects under this section at 100 percent Federal ex-  
15 pense.”.

16 **SEC. 543. COASTAL LOUISIANA ECOSYSTEM PROTECTION**  
17 **AND RESTORATION.**

18       (a) *DEFINITIONS.*—In this section, the following defi-  
19 nitions apply:

20       (1) *COASTAL LOUISIANA ECOSYSTEM.*—The term  
21 “Coastal Louisiana Ecosystem” means the coastal  
22 area of Louisiana from the Sabine River on the west  
23 to the Pearl River on the east and includes tidal wa-  
24 ters, barrier islands, marshes, coastal wetlands, rivers  
25 and streams, and adjacent areas.

1           (2) *GOVERNOR.*—*The term “Governor” means*  
2           *the Governor of Louisiana.*

3           (3) *TASK FORCE.*—*The term “Task Force”*  
4           *means the Coastal Louisiana Ecosystem Protection*  
5           *and Restoration Task Force established by subsection*  
6           *(e).*

7           (b) *COMPREHENSIVE PLAN.*—

8           (1) *IN GENERAL.*—*The Secretary shall develop a*  
9           *comprehensive plan for the purpose of protecting, pre-*  
10          *serving, and restoring the Coastal Louisiana Eco-*  
11          *system. The comprehensive plan shall provide for the*  
12          *protection, conservation and restoration of the wet-*  
13          *lands, barrier islands, shorelines, and related lands*  
14          *and features that protect critical resources, habitat,*  
15          *and infrastructure from the impacts of coastal storms,*  
16          *hurricanes, erosion, and subsidence.*

17          (2) *DEADLINE.*—*Not later than July 1, 2004, the*  
18          *Secretary shall transmit the plan to Congress.*

19          (3) *CONTENTS.*—*The plan shall include a com-*  
20          *prehensive report and a programmatic environmental*  
21          *impact statement covering the proposed Federal ac-*  
22          *tion set forth in the plan.*

23          (4) *ADDITIONAL STUDIES AND ANALYSES.*—*After*  
24          *transmission of a report under this subsection, the*  
25          *Secretary may conduct studies and analyses of*

1     *projects related to the comprehensive plan that are*  
2     *appropriate and consistent with this subsection.*

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

4             (1) *IN GENERAL.—In developing the plan under*  
5     *subsection (b), the Secretary shall integrate ongoing*  
6     *Federal and State projects and activities, including*  
7     *projects implemented under the Coastal Wetlands*  
8     *Planning, Protection and Restoration Act (16 U.S.C.*  
9     *3951 et seq.), the Louisiana Coastal Wetlands Con-*  
10    *servation Plan, the Louisiana Coastal Zone Manage-*  
11    *ment Plan, and the plan of the State of Louisiana en-*  
12    *titled “Coast 2050: Toward a Sustainable Coastal*  
13    *Louisiana”.*

14            (2) *STATUTORY CONSTRUCTION.—*

15                (A) *EXISTING AUTHORITY.—Except as oth-*  
16     *erwise expressly provided for in this section,*  
17     *nothing in the section affects any authority in*  
18     *effect on the date of enactment of this Act, or any*  
19     *requirement relating to the participation in pro-*  
20     *tection or restoration activities in the Coastal*  
21     *Louisiana Ecosystem, including projects and ac-*  
22     *tivities specified in paragraph (1) of—*

23                    (i) *the Department of the Army;*

24                    (ii) *the Department of the Interior;*

25                    (iii) *the Department of Commerce;*

1                   (iv) the Environmental Protection  
2                   Agency;

3                   (v) the Department of Agriculture;

4                   (vi) the Department of Transportation;

5                   (vii) the Department of Energy; and

6                   (viii) the State of Louisiana.

7                   (B) *NEW AUTHORITY*.—Nothing in this sec-  
8                   tion confers any new regulatory authority on  
9                   any Federal or non-Federal entity that carries  
10                  out any activity authorized by this section.

11               (d) *COST SHARING*.—The non-Federal share of the cost  
12               of developing the plan under subsection (b) shall be 50 per-  
13               cent.

14               (e) *COASTAL LOUISIANA ECOSYSTEM PROTECTION AND*  
15               *RESTORATION TASK FORCE*.—

16               (1) *ESTABLISHMENT AND MEMBERSHIP*.—There  
17               is established the Coastal Louisiana Ecosystem Pro-  
18               tection and Restoration Task Force, which shall con-  
19               sist of the following members (or, in the case of the  
20               head of a Federal Agency, a designee at the level of  
21               Assistant Secretary or an equivalent level):

22                   (A) *The Secretary*.

23                   (B) *The Secretary of the Interior*.

24                   (C) *The Secretary of Commerce*.

1           (D) *The Administrator of the Environ-*  
2           *mental Protection Agency.*

3           (E) *The Secretary of Agriculture.*

4           (F) *The Secretary of Transportation.*

5           (G) *The Secretary of Energy.*

6           (H) *The Coastal Advisor to the Governor.*

7           (I) *The Secretary of the Louisiana Depart-*  
8           *ment of Natural Resources.*

9           (J) *A representative of the Governor's Advi-*  
10          *sory Commission on Coastal Restoration and*  
11          *Conservation, Louisiana.*

12          (2) *DUTIES OF TASK FORCE.—The Task Force—*

13               (A) *shall consult with, and provide rec-*  
14               *ommendations to, the Secretary during develop-*  
15               *ment of the comprehensive plan under subsection*  
16               *(b)(1);*

17               (B) *shall coordinate the development of con-*  
18               *sistent policies, strategies, plans, programs,*  
19               *projects, activities, and priorities for addressing*  
20               *the protection, conservation, and restoration of*  
21               *the Coastal Louisiana Ecosystem;*

22               (C) *shall exchange information regarding*  
23               *programs, projects, and activities of the agencies*  
24               *and entities represented on the Task Force to*

1       *promote ecosystem protection, restoration, and*  
2       *maintenance;*

3               *(D) shall establish a regional working group*  
4       *which shall include representatives of the agen-*  
5       *cies and entities represented on the Task Force*  
6       *as well as other governmental entities as appro-*  
7       *priate for the purpose of formulating, recom-*  
8       *mending, coordinating, and implementing poli-*  
9       *cies, strategies, plans, programs, projects, activi-*  
10       *ties, and priorities of the Task Force;*

11               *(E) may allow the working group described*  
12       *in subparagraph (D) to—*

13                       *(i) establish such advisory bodies as*  
14               *are necessary to assist the Task Force in its*  
15               *duties; and*

16                       *(ii) select as an advisory body any en-*  
17               *tity that represents a broad variety of pri-*  
18               *vate and public interests;*

19               *(F) shall facilitate the resolution of inter-*  
20       *agency and intergovernmental conflicts associ-*  
21       *ated with the protection, conservation, and res-*  
22       *toration of the Coastal Louisiana Ecosystem;*

23               *(G) shall coordinate scientific research asso-*  
24       *ciated with the protection and restoration of the*  
25       *Coastal Louisiana Ecosystem;*



1           (H) shall provide assistance and support to  
2           agencies and entities represented on the Task  
3           Force in their protection and restoration activi-  
4           ties;

5           (I) shall prepare an integrated financial  
6           plan and recommendations for coordinated budg-  
7           et requests for the funds proposed to be expended  
8           by agencies and entities represented on the Task  
9           Force for the protection, conservation, and res-  
10          toration of the Coastal Louisiana Ecosystem;  
11          and

12          (J) shall transmit to the Committee on  
13          Transportation and Infrastructure of the House  
14          of Representatives and the Committee on Envi-  
15          ronment and Public Works of the Senate a report  
16          that summarizes the activities of the Task Force.

17          (3) PROCEDURES AND ADVICE.—

18                 (A) PUBLIC PARTICIPATION.—

19                         (i) IN GENERAL.—The Task Force shall  
20                         implement procedures to facilitate public  
21                         participation in the advisory process, in-  
22                         cluding providing advance notice of meet-  
23                         ings, providing adequate opportunity for  
24                         public input and comment, maintaining  
25                         appropriate records, and making a record

1                   of proceedings of meetings available for pub-  
2                   lic inspection.

3                   (ii) *OVERSIGHT.*—*The Secretary shall*  
4                   *ensure that the procedures described in*  
5                   *clause (i) are adopted and implemented and*  
6                   *that the records described in clause (i) are*  
7                   *accurately maintained and available for*  
8                   *public inspection.*

9                   (B) *ADVISORS TO THE TASK FORCE AND*  
10                  *WORKING GROUPS.*—*The Task Force or the work-*  
11                  *ing group described in paragraph (2)(D) may*  
12                  *seek such advice and input from any interested,*  
13                  *knowledgeable, or affected party as the Task*  
14                  *Force or working group determines to be nec-*  
15                  *essary to perform the duties described in para-*  
16                  *graph (2).*

17                  (C) *APPLICATION OF THE FEDERAL ADVI-*  
18                  *SORY COMMITTEE ACT.*—*The Task Force, advi-*  
19                  *sors to the Task Force, and any associated*  
20                  *workgroups shall not be considered advisory com-*  
21                  *mittees under the Federal Advisory Committee*  
22                  *Act (5 U.S.C. App).*

23                  (4) *COMPENSATION.*—*A member of the Task*  
24                  *Force shall receive no additional compensation for the*  
25                  *services provided as a member of the Task Force.*

1           (5) *TRAVEL EXPENSES.*—*Travel expenses in-*  
 2           *curred by a member of the Task Force in the perform-*  
 3           *ance of services for the Task Force shall be paid by*  
 4           *the agency or entity that the member represents.*

5 **SEC. 544. BATON ROUGE, LOUISIANA.**

6           *Section 219(f)(21) of the Water Resources Development*  
 7           *Act of 1992 (113 Stat. 336; 114 Stat. 2763A–220) is*  
 8           *amended by striking “\$20,000,000” and inserting*  
 9           *“\$35,000,000”.*

10 **SEC. 545. WEST BATON ROUGE PARISH, LOUISIANA.**

11           *Section 517(5) of the Water Resources Development*  
 12           *Act of 1999 (113 Stat. 345) is amended to read as follows:*

13                   “(5) *Mississippi River, West Baton Rouge Par-*  
 14                   *ish, Louisiana, project for waterfront and riverine*  
 15                   *preservation, restoration, enhancement modifications,*  
 16                   *and interpretive center development.”.*

17 **SEC. 546. CHESAPEAKE BAY SHORELINE, MARYLAND, VIR-**  
 18                   **GINIA, PENNSYLVANIA, AND DELAWARE.**

19           (a) *IN GENERAL.*—*In carrying out comprehensive*  
 20           *study of the feasibility of a project to address shoreline ero-*  
 21           *sion and related sediment management measures to protect*  
 22           *water and land resources of the Chesapeake Bay, the Sec-*  
 23           *retary may carry out pilot projects to demonstrate the feasi-*  
 24           *bility of alternative measures to address sediment loads to*

1 *the Chesapeake Bay from sediment behind dams on the*  
 2 *lower Susquehanna River.*

3 (b) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
 4 *authorized to be appropriated \$5,000,000 to carry out this*  
 5 *section.*

6 **SEC. 547. DELMARVA CONSERVATION CORRIDOR, MARY-**  
 7 **LAND.**

8 (a) *ASSISTANCE.—The Secretary may provide tech-*  
 9 *nical assistance to the Secretary of Agriculture in carrying*  
 10 *out the Conservation Corridor Demonstration Program au-*  
 11 *thorized under subtitle G of title II of Public Law 107–*  
 12 *171 (116 Stat. 275–278).*

13 (b) *COORDINATION AND INTEGRATION.—In carrying*  
 14 *out water resources projects in the State of Maryland on*  
 15 *land located on the east side of the Chesapeake Bay, the*  
 16 *Secretary shall coordinate and integrate, to the extent prac-*  
 17 *ticable, such projects with any activities undertaken to im-*  
 18 *plement a conservation corridor plan approved by the Sec-*  
 19 *retary of Agriculture under section 2602 of Public Law*  
 20 *107–171 (116 Stat. 275–276).*

21 **SEC. 548. DETROIT RIVER, MICHIGAN.**

22 *Section 568(c)(2) of the Water Resources Development*  
 23 *Act of 1999 (113 Stat. 368) is amended by striking*  
 24 *“\$1,000,000” and inserting “\$25,000,000”.*

1 **SEC. 549. OAKLAND COUNTY, MICHIGAN.**

2        *Section 219(f)(29) of the Water Resources Development*  
 3 *Act of 1992 (113 Stat. 336) is amended by inserting “sani-*  
 4 *tary sewer overflows and” before “combined sewer over-*  
 5 *flows”.*

6 **SEC. 550. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.**

7        *The Secretary shall carry out feasible aquatic eco-*  
 8 *system restoration projects identified in the comprehensive*  
 9 *management plan for St. Clair River and Lake St. Clair,*  
 10 *Michigan, developed under section 426 of the Water Re-*  
 11 *sources Development Act of 1999 (113 Stat. 326), at a total*  
 12 *Federal cost of not to exceed \$10,000,000.*

13 **SEC. 551. GARRISON AND KATHIO TOWNSHIP, MINNESOTA.**

14        *Section 219(f)(61) of the Water Resources Development*  
 15 *Act of 1992 (114 Stat. 2763A–221) is amended by adding*  
 16 *at the end the following: “Such assistance shall be provided*  
 17 *directly to the Garrison-Kathio-West Mille Lacs Lake Sani-*  
 18 *tary District, Minnesota.”.*

19 **SEC. 552. NORTHEASTERN MINNESOTA.**

20        *(a) IN GENERAL.—Section 569 of the Water Resources*  
 21 *Development Act of 1999 (113 Stat. 368) is amended—*

22                *(1) in subsection (a) by striking “Benton,*  
 23 *Sherburne,” and inserting “Beltrami, Hubbard,*  
 24 *Wadena,”;*

25                *(2) by striking the last sentence of subsection*  
 26 *(e)(3)(B);*

1           (3) *by striking subsection (g) and inserting the*  
2     *following:*

3           “(g) *NONPROFIT ENTITIES.*—*Notwithstanding section*  
4     *221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–*  
5     *5b(b)), for any project undertaken under this section, a non-*  
6     *Federal interest may include a nonprofit entity.”; and*

7           (4) *by adding at the end the following:*

8           “(i) *CORPS OF ENGINEERS EXPENSES.*—*Ten percent*  
9     *of the amounts appropriated to carry out this section may*  
10    *be used by the Corps of Engineers district offices to admin-*  
11    *ister projects under this section at 100 percent Federal ex-*  
12    *pense.”.*

13          (b) *BIWABIK, MINNESOTA.*—*The Secretary shall reim-*  
14    *burse the non-Federal interest for the project for environ-*  
15    *mental infrastructure, Biwabik, Minnesota, carried out*  
16    *under section 569 of the Water Resources Development Act*  
17    *of 1999 (113 Stat. 368–369), for planning, design, and con-*  
18    *struction costs incurred by the non-Federal interest with re-*  
19    *spect to the project before the date of the cooperation agree-*  
20    *ment for the project and were in excess of the non-Federal*  
21    *share of the project costs if the Secretary determines that*  
22    *the costs are appropriate.*

1 **SEC. 553. ST. LOUIS, MISSOURI.**

2 *Section 219(f)(32) of the Water Resources Development*  
3 *Act of 1992 (106 Stat. 4835–4836; 113 Stat. 337) is amend-*  
4 *ed by striking “\$15,000,000” and inserting “\$35,000,000”.*

5 **SEC. 554. RURAL NEVADA.**

6 *Section 595(h)(1) of the Water Resources Development*  
7 *Act of 1999 (113. Stat. 384) is amended by striking*  
8 *“\$25,000,000” and inserting “\$40,000,000”.*

9 **SEC. 555. HACKENSACK MEADOWLANDS AREA, NEW JERSEY.**

10 *Section 324 of the Water Resources Development Act*  
11 *of 1992 (106 Stat. 4849; 110 Stat. 3779) is amended—*

12 *(1) in subsection (a) by striking “Hackensack*  
13 *Meadowlands Development” and all that follows*  
14 *through “Plan for” and inserting “New Jersey*  
15 *Meadowlands Commission for the development of an*  
16 *environmental improvement program for”;*

17 *(2) in subsection (b)—*

18 *(A) in the subsection heading by striking*  
19 *“REQUIRED”;*

20 *(B) by striking “shall” and inserting*  
21 *“may”; and*

22 *(C) by striking paragraph (1) and inserting*  
23 *the following:*

24 *“(1) Enhancement and acquisition of significant*  
25 *wetlands that contribute to the Meadowlands eco-*  
26 *system.”;*

1           (3) in subsection (c) by inserting before the last  
 2 sentence the following: “The non-Federal sponsor may  
 3 also provide in-kind services, not to exceed 25 percent  
 4 of the total project cost, and may also receive credit  
 5 for reasonable cost of design work completed prior to  
 6 entering into the cooperation agreement with the Sec-  
 7 retary for a project to be carried out under the pro-  
 8 gram developed under subsection (a).”; and

9           (4) in subsection (d) by striking “\$5,000,000”  
 10 and inserting “\$35,000,000”.

11 **SEC. 556. ATLANTIC COAST OF NEW YORK.**

12           (a) *DEVELOPMENT OF PROGRAM.*—Section 404(a) of  
 13 the Water Resources Development Act of 1992 (106 Stat.  
 14 4863) is amended—

15           (1) by striking “processes” and inserting “and  
 16 related environmental processes”;

17           (2) by inserting after “Atlantic Coast” the fol-  
 18 lowing: “(and associated back bays)”;

19           (3) by inserting after “actions” the following: “,  
 20 environmental restoration or conservation measures  
 21 for coastal and back bays,”; and

22           (4) by inserting at the end the following: “The  
 23 plan for collecting data and monitoring information  
 24 included in such annual report shall be fully coordi-



1        *nated with and agreed to by appropriate agencies of*  
 2        *the State of New York.”.*

3        *(b) ANNUAL REPORTS.—Section 404(b) of such Act is*  
 4        *amended—*

5                *(1) by striking “INITIAL PLAN.—Not later than*  
 6                *12 months after the date of enactment of this Act,*  
 7                *the” and inserting “ANNUAL REPORTS.—The”;*

8                *(2) by striking “initial plan for data collection*  
 9                *and monitoring” and inserting “annual report of*  
 10                *data collection and monitoring activities”; and*

11                *(3) by striking the last sentence.*

12        *(c) AUTHORIZATION OF APPROPRIATIONS.—Section*  
 13        *404(c) of such Act (113 Stat. 341) is amended by striking*  
 14        *“and an additional total of \$2,500,000 for fiscal years*  
 15        *thereafter” and inserting “\$2,500,000 for fiscal years 2000*  
 16        *through 2002, and \$17,000,000 for fiscal years beginning*  
 17        *after September 30, 2002,”.*

18        **SEC. 557. COLLEGE POINT, NEW YORK CITY, NEW YORK.**

19        *In carrying out section 312 of the Water Resources De-*  
 20        *velopment Act of 1990 (104 Stat. 4639–4640), the Secretary*  
 21        *shall give priority to work in College Point, New York City,*  
 22        *New York.*

1 **SEC. 558. FLUSHING BAY AND CREEK, NEW YORK CITY, NEW**  
 2 **YORK.**

3 *The Secretary shall credit toward the non-Federal*  
 4 *share of the cost of the project for ecosystem restoration,*  
 5 *Flushing Bay and Creek, New York City, New York, the*  
 6 *cost of design and construction work carried out by the non-*  
 7 *Federal interest before the date of the cooperation agreement*  
 8 *for the project if the Secretary determines that the work is*  
 9 *integral to the project.*

10 **SEC. 559. LITTLE NECK BAY, VILLAGE OF KINGS POINT, NEW**  
 11 **YORK.**

12 *(a) IN GENERAL.—The Secretary may carry out a*  
 13 *navigation project at Little Neck Bay (Hague Basin), Vil-*  
 14 *lage of Kings Point, New York, sufficient to permit the safe*  
 15 *operation of the vessel T/V Kings Pointer at all tide levels.*

16 *(b) REIMBURSEMENT.—The Secretary shall seek reim-*  
 17 *bursement from the United States Merchant Marine Acad-*  
 18 *emy for the cost of the project carried out under this section.*

19 **SEC. 560. STANLEY COUNTY, NORTH CAROLINA.**

20 *Section 219(f)(64) of the Water Resources Development*  
 21 *Act of 1992 (114 Stat. 2763A–221) is amended by inserting*  
 22 *“water and” before “wastewater”.*

23 **SEC. 561. PIEDMONT LAKE DAM, OHIO.**

24 *In reconstructing the road on the Piedmont Lake Dam*  
 25 *as part of the project for dam safety assurance, Piedmont*  
 26 *Lake Dam, Ohio, being carried out under section 4 of the*

1 *Flood Control Act of August 11, 1939 (53 Stat. 1414–1415),*  
 2 *the Secretary shall upgrade the condition of the road to*  
 3 *meet standards applicable to public use roads in the State*  
 4 *of Ohio. The incremental cost of upgrading the road to meet*  
 5 *such standards shall be a non-Federal expense.*

6 **SEC. 562. WAURIKA LAKE, OKLAHOMA.**

7 *The remaining obligation of the Waurika Project Mas-*  
 8 *ter Conservancy District payable to the United States Gov-*  
 9 *ernment in the amounts, rates of interest, and payment*  
 10 *schedules is set at the amounts, rates of interest, and pay-*  
 11 *ment schedules that existed, and that both parties agreed*  
 12 *to, on June 3, 1986, and may not be adjusted, altered, or*  
 13 *changed without a specific, separate, and written agreement*  
 14 *between the District and the United States Government.*

15 **SEC. 563. COLUMBIA RIVER, OREGON.**

16 *Section 401(b)(3) of Public Law 100–581 (102 Stat.*  
 17 *2944), is amended by inserting “and Celilo Village, Or-*  
 18 *egon” after “existing sites”.*

19 **SEC. 564. EUGENE, OREGON.**

20 *(a) IN GENERAL.—The Secretary shall conduct a*  
 21 *study to determine the feasibility of restoring the millrace*  
 22 *in Eugene, Oregon, and, if the Secretary determines that*  
 23 *the restoration is feasible, shall carry out the restoration.*

24 *(b) CONSIDERATION OF NON-ECONOMIC BENEFITS.—*  
 25 *In determining the feasibility of restoring the millrace, the*

1 *Secretary shall include non-economic benefits associated*  
 2 *with the historical significance of the millrace and associ-*  
 3 *ated with preservation and enhancement of resources.*

4 (c) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
 5 *authorized to be appropriated to carry out this section*  
 6 *\$20,000,000.*

7 **SEC. 565. JOHN DAY LOCK AND DAM, LAKE UMATILLA, OR-**  
 8 **EGON AND WASHINGTON.**

9 (a) *IN GENERAL.—The Secretary shall pay up to*  
 10 *\$2,500,000 to the provider of research and curation support*  
 11 *previously provided to the Federal Government as a result*  
 12 *of the multi-purpose project, John Day Lock and Dam,*  
 13 *Lake Umatilla, Oregon and Washington, authorized by sec-*  
 14 *tion 101 of the River and Harbor Act of 1950 (64 Stat.*  
 15 *167), and the several navigation and flood damage reduc-*  
 16 *tion projects constructed on the Columbia River and Lower*  
 17 *Willamette River, Oregon and Washington.*

18 (b) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
 19 *authorized to be appropriated to carry out this section*  
 20 *\$2,500,000.*

21 **SEC. 566. LOWELL, OREGON.**

22 (a) *IN GENERAL.—The Secretary may convey without*  
 23 *consideration to Lowell School District, by quitclaim deed,*  
 24 *all right, title and interest of the United States in and to*  
 25 *approximately 3.32 acres of land and buildings thereon,*

1 *known as Tract A-82, located in Lowell, Oregon, and de-*  
 2 *scribed in subsection (b).*

3       **(b) DESCRIPTION OF PROPERTY.**—*The parcel of land*  
 4 *authorized to be conveyed under subsection (a) is as follows:*  
 5 *Commencing at the point of intersection of the west line*  
 6 *of Pioneer Street with the westerly extension of the north*  
 7 *line of Summit Street, in Meadows Addition to Lowell, as*  
 8 *platted and recorded at page 56 of Volume 4, Lane County*  
 9 *Oregon Plat Records; thence north on the west line of Pio-*  
 10 *neer Street a distance of 176.0 feet to the true point of be-*  
 11 *ginning of this description; thence north on the west line*  
 12 *of Pioneer Street a distance of 170.0 feet; thence west at*  
 13 *right angles to the west line of Pioneer Street a distance*  
 14 *of 250.0 feet; thence south and parallel to the west line of*  
 15 *Pioneer Street a distance of 170.0 feet; thence east 250.0*  
 16 *feet to the true point of beginning of this description in*  
 17 *Section 14, Township 19 South, Range 1 West of the Wil-*  
 18 *lamette Meridian, Lane County, Oregon.*

19       **(c) TERMS AND CONDITIONS.**—*Before conveying the*  
 20 *parcel to the school district, the Secretary shall ensure that*  
 21 *the conditions of buildings and facilities meet the require-*  
 22 *ments of applicable Federal law.*

23       **(d) GENERALLY APPLICABLE PROVISIONS.**—

24               **(1) APPLICABILITY OF PROPERTY SCREENING**  
 25       **PROVISIONS.**—*Section 2696 of title 10, United States*

11 *SEC. 567. HAGERMAN'S RUN, WILLIAMSPORT, PENNSYL-*  
12 *VANIA.*

17 **SEC. 568. NORTHEAST PENNSYLVANIA.**

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1 **SEC. 569. SUSQUEHANNOCK CAMPGROUND ACCESS ROAD,**  
2 **RAYSTOWN LAKE, PENNSYLVANIA.**

3 (a) *IMPROVEMENT OF ACCESS ROAD.*—The Secretary  
4 may make improvements to the Susquehannock Camp-  
5 ground access road at Raystown Lake, Pennsylvania.

6 (b) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
7 authorized to be appropriated to carry out this section  
8 \$500,000.

9 **SEC. 570. UPPER SUSQUEHANNA RIVER BASIN, PENNSYL-**  
10 **VANIA AND NEW YORK.**

11 Section 567 of the Water Resources Development Act  
12 of 1996 (114 Stat. 2662–2663; 110 Stat. 3787–3788) is  
13 amended—

14 (1) in subsection (a)(2) by striking  
15 “\$10,000,000.” and inserting the following:  
16 “\$20,000,000, of which the Secretary may utilize not  
17 more than \$5,000,000 to design and construct feasible  
18 pilot projects during the development of the strategy  
19 to demonstrate alternative approaches for the strat-  
20 egy. The total cost for any single pilot project may  
21 not exceed \$500,000. The Secretary shall evaluate the  
22 results of the pilot projects and consider the results in  
23 the development of the strategy.”.

24 (2) in subsection (c)—

1                   (A) in the subsection heading by striking  
 2                   “COOPERATION” and inserting “COOPERATIVE”;  
 3                   and

4                   (B) by striking “cooperation” and inserting  
 5                   “cooperative”; and

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

7                   “(e) CREDIT.—The Secretary shall credit toward the  
 8 non-Federal share of the cost of the project (i) the cost of  
 9 design and construction work carried out by the non-Fed-  
 10 eral interest before the date of the cooperation agreement  
 11 for the project if the Secretary determines that the work is  
 12 integral to the project; and (ii) the cost of in-kind services  
 13 and materials provided for the project by the non-Federal  
 14 interest.”.

15 **SEC. 571. WASHINGTON, GREENE, WESTMORELAND, AND**  
 16 **FAYETTE COUNTIES, PENNSYLVANIA.**

17                   Section 219(f)(70) of the Water Resources Development  
 18 Act of 1992 (114 Stat. 2763A–221) is amended by striking  
 19 “\$8,000,000” and inserting “\$13,300,000”.

20 **SEC. 572. CANO MARTIN PENA, SAN JUAN, PUERTO RICO.**

21                   The Secretary shall review a report prepared by the  
 22 non-Federal interest concerning flood protection and envi-  
 23 ronmental restoration for Cano Martin Pena, San Juan,  
 24 Puerto Rico, and, if the Secretary determines that the re-  
 25 port meets the evaluation and design standards of the Corps



1 *of Engineers and that the project is feasible, may carry out*  
 2 *the project, at a total cost of \$130,000,000, with an esti-*  
 3 *mated Federal cost of \$85,000,000 and an estimated non-*  
 4 *Federal cost of \$45,000,000.*

5 **SEC. 573. LAKES MARION AND MOULTRIE, SOUTH CARO-**  
 6 **LINA.**

7 *Section 219(f)(25) of the Water Resources Development*  
 8 *Act of 1992 (113 Stat. 336; 114 Stat. 2763A–220) is*  
 9 *amended—*

10 *(1) by striking “\$15,000,000” and inserting*  
 11 *“\$35,000,0000”; and*

12 *(2) by inserting “wastewater treatment and” be-*  
 13 *fore “water supply”.*

14 **SEC. 574. UPPER BIG SIOUX RIVER, WATERTOWN, SOUTH**  
 15 **DAKOTA.**

16 *(a) IN GENERAL.—The Secretary shall review the*  
 17 *project for flood damage reduction, Upper Big Sioux River*  
 18 *basin, Watertown, South Dakota, as described in the report*  
 19 *of the Chief of Engineers, dated August 31, 1994, and enti-*  
 20 *tled “Watertown and Vicinity, South Dakota” and, if the*  
 21 *Secretary determines that the project is feasible, may carry*  
 22 *out the project, at a total cost of \$25,000,000.*

23 *(b) NON-FEDERAL SHARE.—*

1           (1) *IN GENERAL.*—*The non-Federal share of the*  
 2           *cost of the review may be provided in the form of in-*  
 3           *kind services and materials.*

4           (2) *CREDIT.*—*The Secretary shall credit toward*  
 5           *the non-Federal share of the cost of the review the cost*  
 6           *of planning and design work carried out by the non-*  
 7           *Federal interest before the date of an agreement for*  
 8           *the review if the Secretary determines that such work*  
 9           *is integral to the review.*

10 **SEC. 575. FRITZ LANDING, TENNESSEE.**

11       *The Secretary shall—*

12           (1) *conduct a study of the Fritz Landing Agri-*  
 13           *cultural Spur Levee, Tennessee, to determine the ex-*  
 14           *tent of levee modifications that would be required to*  
 15           *make the levee and associated drainage structures*  
 16           *consistent with Federal standards;*

17           (2) *design and construct such modifications; and*

18           (3) *after completion of such modifications, incor-*  
 19           *porate the levee into the project for flood control, Mis-*  
 20           *issippi River and Tributaries, authorized by the Act*  
 21           *entitled “An Act for the control of floods on the Mis-*  
 22           *issippi River and its tributaries, and for other pur-*  
 23           *poses”, approved May 15, 1928 (45 Stat. 534–539),*  
 24           *commonly known as the “Flood Control Act of 1928”.*

1 **SEC. 576. MEMPHIS, TENNESSEE.**

2       *The Secretary shall review the aquatic ecosystem res-*  
3 *toration component of the Memphis Riverfront Development*  
4 *Master Plan, Memphis, Tennessee, prepared by the non-*  
5 *Federal interest and, if the Secretary determines that the*  
6 *component meets the evaluation and design standards of the*  
7 *Corps of Engineers and that the component is feasible, may*  
8 *carry out the component at a total Federal cost not to exceed*  
9 *\$5,000,000.*

10 **SEC. 577. TOWN CREEK, LENOIR CITY, TENNESSEE.**

11       *The Secretary shall construct the project for flood dam-*  
12 *age reduction designated as Alternative 4 in the Town*  
13 *Creek, Lenoir City, Loudon City, Tennessee, feasibility re-*  
14 *port of the Nashville district engineer, dated November*  
15 *2000, at a total cost of \$1,250,000.*

16 **SEC. 578. TENNESSEE RIVER PARTNERSHIP.**

17       (a) *IN GENERAL.*—*As part of the operation and main-*  
18 *tenance of the project for navigation, Tennessee River, Ten-*  
19 *nessee, Alabama, Mississippi, and Kentucky, authorized by*  
20 *the first section of the Rivers and Harbors Act of July 3,*  
21 *1930 (46 Stat. 927), the Secretary may enter into a part-*  
22 *nership with a nonprofit entity to remove debris from the*  
23 *Tennessee River in the vicinity of Knoxville, Tennessee, by*  
24 *providing a vessel to such entity, at Federal expense, for*  
25 *such debris removal purposes.*

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

4 **SEC. 579. CLEAR CREEK AND TRIBUTARIES, HARRIS AND**  
5 **GALVESTON COUNTIES, TEXAS.**

6       *The Secretary shall expedite completion of the report*  
7 *for the project for flood damage reduction, ecosystem res-*  
8 *toration, and recreation, Clear Creek and tributaries, Har-*  
9 *ris and Galveston Counties, Texas.*

10 **SEC. 580. HALLS BAYOU, TEXAS.**

11       *Section 211(f) of the Water Resources Development Act*  
12 *of 1996 (33 U.S.C. 701b–13) is amended—*

13               (1) *by redesignating paragraphs (7) and (8) as*  
14 *paragraphs (8) and (9), respectively; and*

15               (2) *by inserting after paragraph (6) the fol-*  
16 *lowing:*

17               “(7) *HALLS BAYOU, TEXAS.*—*The project for*  
18 *flood control, Halls Bayou, Texas.*”.

19 **SEC. 581. HARRIS GULLY, HARRIS COUNTY, TEXAS.**

20       (a) *STUDY.*—

21               (1) *IN GENERAL.*—*The Secretary shall conduct a*  
22 *study to determine the feasibility of carrying out a*  
23 *project for flood damage reduction in the Harris*  
24 *Gully watershed, Harris County, Texas, to provide*

1        *flood protection for the Texas Medical Center, Hous-*  
2        *ton, Texas.*

3            (2) *USE OF LOCAL STUDIES AND PLANS.—In*  
4        *conducting the study, the Secretary shall use, to the*  
5        *extent practicable, studies and plans developed by the*  
6        *non-Federal interest if the Secretary determines that*  
7        *such studies and plans meet the evaluation and de-*  
8        *sign standards of the Corps of Engineers.*

9            (3) *COMPLETION DATE.—The Secretary shall*  
10       *complete the study by July 1, 2004.*

11        (b) *CRITICAL FLOOD DAMAGE REDUCTION MEAS-*  
12       *URES.—The Secretary may carry out critical flood damage*  
13       *reduction measures that the Secretary determines are fea-*  
14       *sible and that will provide immediate and substantial flood*  
15       *damage reduction benefits in the Harris Gully watershed,*  
16       *at a Federal cost of \$7,000,000.*

17        (c) *CREDIT.—The Secretary shall credit toward the*  
18       *non-Federal share of the cost of the project the cost of plan-*  
19       *ning, design, and construction work carried out by the non-*  
20       *Federal interest before the date of the cooperation agreement*  
21       *for the project if the Secretary determines that such work*  
22       *is integral to the project.*

23        (d) *NONPROFIT ENTITY.—Notwithstanding section 221*  
24       *of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a*  
25       *nonprofit entity may, with the consent of the local govern-*

1 *ment, serve as a non-Federal interest for the project under-*  
 2 *taken under this section.*

3 **SEC. 582. ONION CREEK, TEXAS.**

4 *The Secretary shall credit toward the non-Federal*  
 5 *share of the cost of the project for flood damage reduction*  
 6 *and ecosystem restoration, Onion Creek, Texas, the cost of*  
 7 *relocation of flood prone residences in the study area for*  
 8 *the project incurred by the non-Federal interest before the*  
 9 *date of the cooperation agreement for the project if the Sec-*  
 10 *retary determines that the relocation of such residences is*  
 11 *integral to the project.*

12 **SEC. 583. PELICAN ISLAND, TEXAS.**

13 *(a) IN GENERAL.—Section 108(a) of the Energy and*  
 14 *Water Development Appropriations Act, 1994 (33 U.S.C.*  
 15 *59hh(a)) is amended—*

16 *(1) by striking “The Secretary” and inserting*  
 17 *the following:*

18 *“(1) AUTHORITY TO CONVEY.—The Secretary”;*

19 *(2) by adding at the end the following:*

20 *“(2) LETTER OF INTENT.—*

21 *“(A) IN GENERAL.—The Secretary may*  
 22 *provide a letter of intent to the city of Galveston*  
 23 *for conveyance of less than 100 acres of the par-*  
 24 *cel described in subsection (a) for private devel-*  
 25 *opment purposes if the Secretary receives and*

1       approves a proposal by the city designating the  
2       land which would be subject to such development.

3               “(B) *DISPOSITION OF SPOIL.*—If the Sec-  
4       retary issues a letter of intent under subpara-  
5       graph (A), no additional spoil material may be  
6       placed on the land designated for private devel-  
7       opment for a period of at least 5 years from the  
8       date of issuance of the letter to provide the city  
9       of Galveston with an opportunity to secure pri-  
10      vate developers, perform appraisals, conduct en-  
11      vironmental studies, and provide the compensa-  
12      tion to the United States required for the convey-  
13      ance.”; and

14              (3) by aligning the remainder of the text of  
15      paragraph (1) (as designated by paragraph (1) of this  
16      subsection) with paragraph (2) (as added by para-  
17      graph (2) of this subsection).

18              (b) *EXPIRATION DATE.*—Section 108(e)(3) of such Act  
19      (33 U.S.C. 59hh(e)(3)) is amended by striking “date of the  
20      enactment of this Act” and inserting “date of enactment  
21      of the Water Resources Development Act of 2002”.

22      **SEC. 584. RIVERSIDE OXBOW, FORT WORTH, TEXAS.**

23              The Secretary shall credit toward the non-Federal  
24      share of the cost of the project for ecosystem restoration and  
25      recreation, Riverside Oxbow, Fort Worth, Texas, the cost of

1 *design and construction work carried out on the Beach*  
 2 *Street Dam and associated features by the non-Federal in-*  
 3 *terest before the date of the cooperation agreement for the*  
 4 *project if the Secretary determines that the work is integral*  
 5 *to the project.*

6 **SEC. 585. RICHMOND NATIONAL BATTLEFIELD PARK, RICH-**  
 7 **MOND, VIRGINIA.**

8 (a) *IN GENERAL.*—*The Secretary is authorized to*  
 9 *carry out bluff stabilization measures on the James River*  
 10 *in the vicinity of Drewry's Bluff, Richmond National Bat-*  
 11 *tlefield Park, Richmond, Virginia.*

12 (b) *REIMBURSEMENT.*—*The Secretary shall seek reim-*  
 13 *bursment from the Secretary of the Interior of any costs*  
 14 *incurred by the Secretary in carrying out subsection (a).*

15 **SEC. 586. BAKER BAY AND ILWACO HARBOR, WASHINGTON.**

16 *The Secretary shall conduct a study of increased silta-*  
 17 *tion in Baker Bay and Ilwaco Harbor, Washington, to de-*  
 18 *termine if the siltation is the result of a Federal navigation*  
 19 *project (including diverted flows from the Columbia River)*  
 20 *and, if the Secretary determines that the siltation is the*  
 21 *result of a Federal navigation project, the Secretary shall*  
 22 *carry out a project to mitigate the siltation as part of main-*  
 23 *tenance of the Federal navigation project.*



1 **SEC. 587. CHEHALIS RIVER, CENTRALIA, WASHINGTON.**

2       *The Secretary shall credit toward the non-Federal*  
3 *share of the cost of the project for flood damage reduction,*  
4 *Chehalis River, Centralia, Washington, the cost of plan-*  
5 *ning, design, and construction work carried out by the non-*  
6 *Federal interest before the date of the cooperation agreement*  
7 *for the project if the Secretary determines that the work is*  
8 *integral to the project.*

9 **SEC. 588. HAMILTON ISLAND CAMPGROUND, WASHINGTON.**

10       *The Secretary is authorized to plan, design, and con-*  
11 *struct a campground for Bonneville Lock and Dam at*  
12 *Hamilton Island (also know as “Strawberry Island”) in*  
13 *Skamania County, Washington.*

14 **SEC. 589. PUGET ISLAND, WASHINGTON.**

15       *The Secretary is directed to place dredged and other*  
16 *suitable material along portions of the Columbia River*  
17 *shoreline of Puget Island, Washington, between river miles*  
18 *38 to 47 in order to protect economic and environmental*  
19 *resources in the area from further erosion, at a Federal cost*  
20 *of \$1,000,000. This action shall be coordinated with appro-*  
21 *priate resource agencies and comply with applicable Fed-*  
22 *eral laws.*

23 **SEC. 590. WEST VIRGINIA AND PENNSYLVANIA FLOOD CON-**  
24 **TROL.**

25       *(a) CHEAT AND TYGART RIVER BASINS, WEST VIR-*  
26 *GINIA.—Section 581(a)(1) of the Water Resources Develop-*

1 *ment Act of 1996 (110 Stat. 3790; 113 Stat. 313) is amend-*  
 2 *ed—*

3 *(1) by striking “flood control measures” and in-*  
 4 *serting “structural and nonstructural flood control,*  
 5 *streambank protection, stormwater management, and*  
 6 *channel clearing and modification measures”; and*

7 *(2) by inserting “with respect to measures that*  
 8 *incorporate levees or floodwalls” before the semicolon.*

9 *(b) AUTHORIZATION OF APPROPRIATIONS.—Section*  
 10 *581(c) of the Water Resources Development Act of 1996 (110*  
 11 *Stat. 3791) is amended by striking “\$12,000,000” and in-*  
 12 *serting “\$90,000,000”.*

13 **SEC. 591. LOWER KANAWHA RIVER BASIN, WEST VIRGINIA.**

14 *The Secretary shall conduct a watershed and river*  
 15 *basin assessment under section 729 of the Water Resources*  
 16 *Development Act of 1986 (33 U.S.C. 2267a) for the Lower*  
 17 *Kanawha River Basin, in the counties of Mason, Putnam,*  
 18 *Kanawha, Jackson, and Roane, West Virginia.*

19 **SEC. 592. CENTRAL WEST VIRGINIA.**

20 *Section 571 of the Water Resources Development Act*  
 21 *of 1999 (113 Stat. 371) is amended—*

22 *(1) in subsection (a)—*

23 *(A) by striking “Nicholas,”; and*

24 *(B) by striking “Gilmer,”; and*

25 *(2) by adding at the end the following:*

1       “(i) *NONPROFIT ENTITIES*.—Notwithstanding section  
 2   221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–  
 3   5b(b)), for any project undertaken under this section, a non-  
 4   Federal interest may include a nonprofit entity with the  
 5   consent of the affected local government.

6       “(j) *CORPS OF ENGINEERS EXPENSES*.—Ten percent  
 7   of the amounts appropriated to carry out this section may  
 8   be used by the Corps of Engineers district offices to admin-  
 9   ister projects under this section at 100 percent Federal ex-  
 10   pense.”.

11   **SEC. 593. SOUTHERN WEST VIRGINIA.**

12       (a) *CORPS OF ENGINEERS*.—Section 340 of the Water  
 13   Resources Development Act of 1992 (106 Stat. 4856; 113  
 14   Stat. 320) is amended by adding at the end the following:

15       “(h) *CORPS OF ENGINEERS*.—Ten percent of the  
 16   amounts appropriated to carry out this section for fiscal  
 17   years 2003 and thereafter may be used by the Corps of En-  
 18   gineers district offices to administer projects under this sec-  
 19   tion at 100 percent Federal expense.”.

20       (b) *SOUTHERN WEST VIRGINIA DEFINED*.—Section  
 21   340(f) of such Act is amended by inserting “Nicholas,” after  
 22   “Greenbrier,”.

23       (c) *NONPROFIT ENTITIES*.—Section 340 of the Water  
 24   Resources Development Act of 1992 (106 Stat. 4856) is fur-  
 25   ther amended by adding at the end the following:

1       “(i) *NONPROFIT ENTITIES*.—Notwithstanding section  
 2   221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–  
 3   5b(b)), for any project undertaken under this section, a non-  
 4   Federal interest may include a nonprofit entity with the  
 5   consent of the affected local government.”.

6   **SEC. 594. ADDITIONAL ASSISTANCE FOR CRITICAL**  
 7               **PROJECTS.**

8       Section 219(f) of the Water Resources Development Act  
 9   of 1992 (106 Stat. 4835; 113 Stat. 335–337; 114 Stat.  
 10   2763A–220–221) is amended by adding at the end the fol-  
 11   lowing:

12               “(71) *PLAQUEMINE, LOUISIANA*.—\$7,000,000 for  
 13       sanitary sewer and wastewater infrastructure,  
 14       Plaquemine, Louisiana.

15               “(72) *CHARLESTON, SOUTH CAROLINA*.—  
 16       \$20,000,000 for wastewater infrastructure, including  
 17       wastewater collection systems, Charleston, South  
 18       Carolina.

19               “(73) *CROSS, SOUTH CAROLINA*.—\$2,000,000 for  
 20       water-related environmental infrastructure, Cross,  
 21       South Carolina.

22               “(74) *SURFSIDE, SOUTH CAROLINA*.—\$8,000,000  
 23       for environmental infrastructure, including  
 24       stormwater system improvements and ocean outfalls,  
 25       Surfside, South Carolina.

1           “(75) *NORTH MYRTLE BEACH, SOUTH CARO-*  
2           *LINA.—\$3,000,000 for environmental infrastructure,*  
3           *including ocean outfalls, North Myrtle Beach, South*  
4           *Carolina.*

5           “(76) *TIA JUANA VALLEY, CALIFORNIA.—*  
6           *\$1,400,000 for water-related environmental infra-*  
7           *structure, Tia Juana Valley, California.*

8           “(77) *CABARRUS COUNTY, NORTH CAROLINA.—*  
9           *\$4,500,000 for water-related infrastructure, Cabarrus*  
10          *County, North Carolina.*

11          “(78) *RICHMOND COUNTY, NORTH CAROLINA.—*  
12          *\$8,000,000 for water-related infrastructure, Richmond*  
13          *County, North Carolina.*

14          “(79) *UNION COUNTY, NORTH CAROLINA.—*  
15          *\$9,000,000 for wastewater infrastructure, Union*  
16          *County, North Carolina.*

17          “(80) *WASHINGTON, DISTRICT OF COLUMBIA.—*  
18          *\$35,000,000 for implementation of a combined sewer*  
19          *overflow long term control plan, Washington, District*  
20          *of Columbia.*

21          “(81) *GREENLEAF, IDAHO.—\$500,000 for water*  
22          *and wastewater infrastructure, Greenleaf, Idaho.*

23          “(82) *WEISER, IDAHO.—\$330,000 for wastewater*  
24          *infrastructure, Weiser, Idaho.*

1           “(83) *COOLIN, IDAHO.—\$2,200,000 for waste-*  
2           *water infrastructure, Coolin, Idaho.*

3           “(84) *JEROME, IDAHO.—\$5,000,000 for waste-*  
4           *water infrastructure, Jerome, Idaho.*

5           “(85) *LEDYARD AND MONTVILLE, CON-*  
6           *NECTICUT.—\$7,113,000 for water infrastructure,*  
7           *Ledyard and Montville, Connecticut.*

8           “(86) *AWENDAW, SOUTH CAROLINA.—\$2,000,000*  
9           *for water-related infrastructure, Awendaw, South*  
10          *Carolina.*

11          “(87) *ST. CLAIR COUNTY, ALABAMA.—\$5,000,000*  
12          *for water-related infrastructure, St. Clair County,*  
13          *Alabama.*

14          “(88) *EAST BAY, SAN FRANCISCO AND SANTA*  
15          *CLARA AREAS, CALIFORNIA.—\$4,000,000 for a desali-*  
16          *nation project to serve the East Bay, San Francisco,*  
17          *and Santa Clara areas, California.*

18          “(89) *ATHENS, TENNESSEE.—\$16,000,000 for*  
19          *wastewater infrastructure, Athens, Tennessee.”.*



**Union Calendar No. 447**

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5428**

**[Report No. 107-717]**

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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.

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OCTOBER 2, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed