

Great Salt Lake, at or near Garfield, Utah, with a view to providing a harbor for light-draft vessels.

The coast of northern California from Point Pinos to the northern boundary of the State, including the San Francisco Bay area, with a view to the establishment of harbors for light-draft vessels.

Harbor at Camp Pendleton, California, with a view to shore protection.

Harbor at Anaheim Bay, California, with a view to shore protection.

Harbor at Port Hueneme, California, with a view to shore protection.

Ohio River at Brookport, Illinois.

Drift Creek, Oregon.

Siuslaw River and Bar, Oregon.

Duwamish Waterway, Washington.

Deception Pass, Skagit Bay, Washington.

Shilshole Bay, Ballard Locks, Seattle, Washington.

Olympia Harbor, Washington.

Harbor at Hydaburg, Alaska.

Harbor at Angoon, Alaska.

Channel to connect Oliver Inlet and Seymour Canal, Alaska.

Tenakee Harbor, Alaska.

Harbor at Pelican, Alaska.

Harbor at Gustavus, Alaska.

Hilo Harbor, Hawaii, including consideration of a seawall to protect against tidal waves and excessive high tides.

Kawaihae Harbor, Hawaii.

Approved July 24, 1946.

Utah.

California.

Illinois.

Oregon.

Washington.

Alaska.

Hawaii.

[CHAPTER 596]

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

July 24, 1946  
[H. R. 6597]  
[Public Law 526]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Flood Control Act of 1946".

Flood Control Act of 1946.

SEC. 2. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this Act except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the authorization for any flood-control project herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished.

State, etc., cooperation.  
49 Stat. 1571; 52 Stat. 1215.  
33 U. S. C. §§ 701c, 701c-1; Supp. V, § 701c note.

Time limitation.

The provisions of section 1 of the Act of December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects herein authorized; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

Procedures.

58 Stat. 887.

It is hereby declared to be the policy of the Congress that the following provisions shall be observed:

Declaration of policy.

No project or any modification not authorized, of a project for flood control or rivers and harbors shall be authorized by the Congress unless a report for such project or modification has been

Submission of report.

- previously submitted by the Chief of Engineers, United States Army, in conformity with existing law.
- ALTERATIONS OF RAILROAD BRIDGES. **SEC. 3.** That hereafter for authorized flood-protection projects which include alterations of railroad bridges the Chief of Engineers is authorized to include at Federal expense the necessary alterations of railroad bridges and approaches in connection therewith.
- 58 Stat. 889.  
16 U. S. C., Supp.  
V, § 460d.  
RECREATIONAL FACILITIES IN RESERVOIR AREAS. **SEC. 4.** That section 4 of the Act approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress), is amended to read as follows:
- LEASES. "The Chief of Engineers, under the supervision of the Secretary of War, is authorized to construct, maintain, and operate public park and recreational facilities in reservoir areas under the control of the War Department, and to permit the construction, maintenance, and operation of such facilities. The Secretary of War is authorized to grant leases of lands, including structures or facilities thereon, in reservoir areas for such periods and upon such terms as he may deem reasonable: *Provided*, That leases to nonprofit organizations may be granted at reduced or nominal rentals in recognition of the public service to be rendered in utilizing the leased premises: *Provided further*, That preference shall be given to Federal, State, or local governmental agencies, and licenses may be granted without monetary considerations, to such agencies for the use of all or any portion of a reservoir area, when the Secretary of War determines such action to be in the public interest, and for such periods of time and upon such conditions as he may find advisable. The water areas of all such reservoirs shall be open to public use generally, without charge, for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such water areas along the shores of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, all under such rules and regulations as the Secretary of War may deem necessary. No use of any area to which this section applies shall be permitted which is inconsistent with the laws for the protection of fish and game of the State in which such area is situated. All moneys received for leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts."
- NONPROFIT ORGANIZATIONS. **SEC. 5.** That section 7 of the Act approved August 18, 1941 (Public, Numbered 228, Seventy-seventh Congress), is hereby amended to read as follows:
- PREFERENCE IN GRANTING OF LICENSES. "That 75 per centum of all moneys received and deposited in the Treasury of the United States during any fiscal year on account of the leasing of lands acquired by the United States for flood-control purposes shall be paid at the end of such year by the Secretary of the Treasury to the State in which such property is situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county, or counties, in which such property is situated: *Provided*, That when such property is situated in more than one State or county, the distributive share to each from the proceeds of such property shall be proportional to its area therein."
- PUBLIC USE OF WATER AREAS. **SEC. 6.** That the Chief of Engineers is authorized to provide such school facilities as he may deem necessary for the education of dependents of persons engaged on the construction of the projects listed below, and to pay for the same from any funds available for said projects: *Provided*, That when it is determined to be in the public interest, the Chief of Engineers may enter into cooperative arrangements with local agencies for the operation of such Government facilities; for the expansion of local facilities at Federal expense, and for contribution by the Federal Government to cover the
- 55 Stat. 650.  
33 U. S. C., Supp.  
V, § 701c-3.  
RECEIPTS FROM LAND LEASES.  
PAYMENTS TO STATES. APPORTIONMENT.
- SCHOOL FACILITIES.
- COOPERATIVE OPERATION, ETC.

increased cost to local agencies of providing the educational services required by the Government:

Harlan County Reservoir, Nebraska.  
 Garrison Reservoir, North Dakota.  
 Fort Randall Reservoir, South Dakota.  
 Detroit Reservoir, Oregon.  
 Dorena Reservoir, Oregon.  
 Lookout Point Reservoir, Oregon.  
 Bull Shoals Reservoir, Arkansas.  
 Clearwater Reservoir, Missouri.

SEC. 7. That the Secretary of War is hereby authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant easements for rights-of-way over, across, in, and upon acquired lands under his jurisdiction and control, and public lands permanently withdrawn or reserved for the use of the War Department, to any State, political subdivision thereof, or municipality, or to any individual, partnership, or corporation of any State, Territory, or possession of the United States, for (a) railroad tracks; (b) oil pipe lines; (c) substations for electric power transmission lines, telephone lines, and telegraph lines, and pumping stations for gas, water, sewer, and oil pipe lines; (d) canals; (e) ditches; (f) flumes; (g) tunnels; (h) dams and reservoirs in connection with fish and wildlife programs, fish hatcheries, and other fish-cultural improvements; (i) roads and streets; and (j) for any other purpose or purposes deemed advisable by the Secretary of War: *Provided*, That such rights-of-way shall be granted only upon a finding by the Secretary of War that the same will not be incompatible with the public interest: *Provided further*, That such rights-of-way shall not include any more land than is reasonably necessary for the purpose for which granted: *And provided further*, That all or any part of such rights-of-way may be annulled and forfeited by the Secretary of War for failure to comply with the terms and conditions of any grant hereunder or for nonuse for a period of two consecutive years or abandonment of rights granted under authority hereof. Copies of all instruments granting easements over public lands pursuant to this section shall be furnished to the Secretary of the Interior.

SEC. 8. That the Secretary of War is authorized and empowered, in his discretion, to use any property or parts thereof, including lands other than lands withdrawn from public domain, under his control and jurisdiction for the prosecution of any authorized civil work or function administered by the War Department without charge, except usual handling charges, against appropriations for such civil works or functions.

SEC. 9. Whenever the Chief of Engineers shall find that any highway, railway, or utility has been or is being damaged or destroyed by reason of the operation of any dam or reservoir project under the control of the War Department, he may utilize any funds available for the construction, maintenance, or operation of the project involved for the repair, relocation, restoration, or protection of such highway, railway, or utility: *Provided*, That this section shall not apply to highways, railways, and utilities previously provided for by the War Department, unless the Chief of Engineers determines that the actual damage has or will exceed that for which provision had previously been made.

SEC. 10. That the following works of improvement for the benefit of navigation and the control of destructive flood-waters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein:

Nebraska.  
 North Dakota.  
 South Dakota.  
 Oregon.

Arkansas.  
 Missouri.  
 Easements for rights-of-way.

Condition.

Forfeiture.

Copies of instruments for Secretary of the Interior.

Use of property.

Damage to highways, etc.

Nonapplicability.

Projects authorized.

Prosecution of plans,  
etc.

Initiation of proj-  
ects.

Installation of pen-  
stocks, etc.

*Provided*, That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this Act with funds from appropriations heretofore or hereafter made for flood control so as to be ready for rapid inauguration of a construction program: *Provided further*, That the projects authorized herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further*, That penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the War Department when approved by the Secretary of War on the recommendation of the Chief of Engineers and the Federal Power Commission:

#### DELAWARE RIVER BASIN

Lehigh River, Pa.

The project for flood protection on the Lehigh River, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 587, Seventy-ninth Congress, second session, at an estimated cost of \$12,471,000.

#### POTOMAC RIVER BASIN

Cumberland and  
West Cumberland,  
Md.; Ridgeley, W.  
Va.

49 Stat. 1574,  
33 U. S. C. § 701a  
*et seq.*; Supp. V, § 701b  
*et seq.*  
*Ante*, p. 641.

The local flood-protection project at Cumberland and West Cumberland, Maryland, and Ridgeley, West Virginia, authorized in the Flood Control Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), is hereby amended to provide for completion of the project substantially in accordance with plans on file in the Office of the Chief of Engineers at an estimated cost to the United States of \$7,420,000 and subject to the conditions of local cooperation prescribed for that project in the Act approved June 22, 1936, as modified, now estimated at \$1,520,000.

Waynesboro, Va.

The project for flood protection at Waynesboro, Virginia, on South River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 622, Seventy-ninth Congress, second session, at an estimated cost of \$1,431,000.

Washington, D. C.  
*Supra*.

The project for protection at Washington, District of Columbia, on Potomac River, authorized by the Act of June 22, 1936, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 622, Seventy-ninth Congress, second session, at an estimated cost of \$500,000.

Savage River Dam,  
Md.

Completion of the Savage River Dam on Savage River, Maryland, is hereby authorized substantially in accordance with the plan contained in House Document Numbered 622, Seventy-ninth Congress, second session, at a cost to the United States now estimated at \$1,900,000, subject to the conditions that local interests make a cash contribution of \$200,000 toward the cost of the work, and agree to hold and save the United States free from damages due to the construction works, and to maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of War.

#### RAPPAHANNOCK RIVER BASIN

Salem Church Res-  
ervoir, Va.

The project for the Salem Church Reservoir on Rappahannock River, Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 8, 1946, at an estimated cost of \$17,755,000: *Provided*, That the power pool shall be maintained at an elevation not to exceed two hundred and twenty feet.

## JAMES RIVER BASIN

The project for the Gathright Reservoir and the Falling Spring reregulating dam on Jackson River, Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 18, 1946, at an estimated cost of \$11,000,000.

Gathright Reservoir  
and Falling Spring  
dam, Va.

## YADKIN-PEE DEE RIVER BASIN

The project for the construction of four detention reservoirs at the Wilkesboro, Upper Wilkesboro, Reddies Numbered 1 and Reddies Numbered 3 sites is hereby authorized substantially in accordance with plans contained in the report of the Chief of Engineers dated June 19, 1946, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of \$7,194,000.

## ALTAMAHA RIVER BASIN

The project for flood protection at Macon, Georgia, on Ocmulgee River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 560, Seventy-ninth Congress, second session, at an estimated cost of \$349,000.

Macon, Ga.

## LOWER MISSISSIPPI RIVER

The project for flood control and improvement of the Lower Mississippi River adopted by the Act approved May 15, 1928, as amended by subsequent Acts, is hereby modified and expanded to include the following items and the authorization for said project is increased accordingly:

45 Stat. 534.  
33 U. S. C. §§ 702a-702m, 704; Supp. V, § 702a-134 *et seq.*

(a) Improvement of the Boeuf and Tensas Rivers and Bayou Macon at an estimated cost of \$5,013,000 authorized in the Act approved December 22, 1944.

Arkansas and Louisiana.  
58 Stat. 894.  
33 U. S. C., Supp. V, § 701a-1 *et seq.*;  
16 U. S. C., Supp. V, §§ 460d, 825; 43 U. S. C., Supp. V, § 390.  
*Ante*, p. 642.

(b) Extension of the authorized improvement under subparagraph (a) to include the improvement of Bayou LaFourche, Louisiana, including cut-offs, as may be found requisite to effectuate the purposes of the plan, at an estimated cost of \$5,913,000 and substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 191, Seventy-ninth Congress, second session.

(c) Extension of the authorized improvement under subparagraph (a) to include the improvement of the Boeuf and Tensas Rivers and Bayou Macon north of the Louisiana State line, including cut-offs, as may be found requisite to effectuate the purposes of the plan, at an estimated cost of \$4,930,000 substantially in accordance with the report of the Chief of Engineers dated April 8, 1946.

Mississippi  
Improvements.

(d) Improvement of Big Sunflower, Little Sunflower, Hushpuckena, and Quiver Rivers and their tributaries, and on Hull Brake—Mill Creek Canal, Bogue Phalia, Ditchlow Bayou, Deer Creek, and Steele Bayou, Mississippi, at an estimated cost of \$3,752,000 authorized in the Act approved December 22, 1944.

58 Stat. 887.  
33 U. S. C., Supp. V, § 701a-1 *et seq.*;  
16 U. S. C., Supp. V, §§ 460d, 825; 43 U. S. C., Supp. V, § 390.  
*Ante*, p. 642.

(e) Extension of the authorized improvement under subparagraph (d) upstream and downstream, including cut-offs, as may be found requisite to effectuate the purposes of the plan, at an estimated cost of \$2,500,000 for modification of the authorized project.

(f) Extension of the authorized headwater project for the Yazoo River and tributaries to include improvements in the area between the Yazoo-Tallahatchie-Coldwater River System and the hills to protect against overflows from the main stem and hill tributaries in

Yazoo River.

such cases and by such means as the Chief of Engineers may consider warranted, at an estimated cost of \$7,500,000 for modification of the authorized project.

(g) Extension of the authorized headwater project for the Yazoo River and tributaries to include the drainage of run-off waters from the watershed of McKinney Bayou or the providing of pumping capacity additional to that now existing for said waters in the proportion determined by the Chief of Engineers are authorized in the discretion of the Chief of Engineers at an estimated cost of \$300,000 for modification of the authorized project.

(h) The Bayou des Glaises diversion channel, Louisiana, authorized by and constructed under the Act approved June 22, 1936.

(i) That portion of the North Little Rock to Gillette, Arkansas, levee on the north bank of the Arkansas River along and below Plum Bayou authorized by and constructed under the Act approved June 22, 1936, work thereon to be hereafter prosecuted in accordance with the Act of May 15, 1928, as amended.

(j) The projects for local flood protection on the White River, on the east side between Augusta and Clarendon, Arkansas, and at the town of DeValls Bluff, Arkansas, at an estimated cost of \$2,847,500 authorized by the Act approved August 18, 1941.

(k) The Tiptonville-Obion Levee authorized by and constructed under the Act approved June 22, 1936.

(l) Extension of the levee under subparagraph (k) to include the levee and drainage improvements, at an estimated cost of \$6,000,000 substantially in accordance with the report of the Chief of Engineers dated April 16, 1946.

(m) The improvement of Saint John's Bayou, Missouri, at an estimated cost of \$1,300,000, substantially in accordance with the report of the Chief of Engineers, dated April 16, 1946.

(n) The improvement of the harbor at Memphis, Tennessee, at an estimated cost of \$17,120,000, substantially in accordance with the report of the Chief of Engineers dated April 12, 1946.

(o) Modification of the main line levee system of the authorized project for the Lower Mississippi River to include protection of the potential industrial area immediately north of Vicksburg, Mississippi, known as the Vicksburg-Yazoo area, together with local dredging and the construction of such drainage facilities as in the opinion of the Chief of Engineers are requisite and justified, at an estimated cost of \$4,000,000, subject to the conditions that local interests provide without cost to the United States all rights-of-way required for levees and drainage, and maintain and operate the works after completion.

(p) Modification of the authorized project for the Lower Mississippi River to provide drainage in the discretion of the Chief of Engineers where drainage is impaired by levees hitherto or hereafter constructed, at an estimated cost of \$500,000, subject to the conditions that local interests provide without cost to the United States all rights-of-way and maintain and operate the works after completion.

(q) Modification of the authorized project for the Lower Mississippi River to provide that the local cooperation to be hereafter furnished for the works authorized in the Saint Francis River Basin and the Yazoo River Basin shall consist of the requirement that responsible local interests agree to maintain levees in accordance with the provisions of section 3 of the Act of May 15, 1928, where maintenance is required under existing law.

(r) Any former officer of the Corps of Engineers who, after retirement and recall to active duty in the Army, has served over fifteen years as a member of the Mississippi River Commission while on such active duty shall, upon being relieved of such active duty, be eligible

Louisiana.  
*Infra.*

North Little Rock,  
Ark.  
49 Stat. 1570; 45  
Stat. 534.  
33 U. S. C. §§ 701a  
*et seq.*, 702a *et seq.*;  
Supp. V, §§ 701b *et*  
*seq.*, 702d.

White River.

55 Stat. 638.  
33 U. S. C., Supp.  
V, § 701b *et seq.*  
*Ante*, p. 642; *post*,  
p. 652.  
Tiptonville-Obion  
Levee.  
*Supra.*

Saint John's Bayou,  
Mo.

Memphis, Tenn.

Vicksburg, Miss.

Drainage.

Saint Francis and  
Yazoo River Basins.

45 Stat. 535.  
33 U. S. C. § 702c.

Mississippi River  
Commission.  
Retired Army offi-  
cers.

to and shall retain, during the will of the President, the position and office held by him as a member of the Mississippi River Commission, without prejudice to his status as a retired Army officer, and, in addition to his authorized Army retired pay, shall receive from the Mississippi flood control funds the difference between the authorized salary of a member of the Mississippi River Commission and the Army retired pay received by him.

(s) To facilitate the inspection, supervision, and conduct of flood fighting, flood control, and navigation operations, the president of the Mississippi River Commission is hereby authorized, notwithstanding any other provision of law, to purchase, maintain, and operate an amphibian airplane from any appropriations heretofore or hereafter made for flood control: *Provided*, That the cost of such airplane shall not exceed \$120,000.

In order to provide for the increased costs of construction of the authorized project for the Lower Mississippi River as recommended by the president of the Mississippi River Commission and the Chief of Engineers, the authorization for flood control and improvement of the Lower Mississippi River is hereby increased by an additional \$100,000,000.

The project for flood control along Lake Pontchartrain in Jefferson Parish, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 691, Seventy-ninth Congress, second session, at an estimated cost of \$900,000.

The project for flood protection at Memphis on Wolf River and Nonconah Creek, Tennessee, authorized by the Act approved August 28, 1937 (Public, Numbered 406, Seventy-fifth Congress), as amended by the Act approved June 28, 1939 (Public, Numbered 154, Seventy-sixth Congress), is further amended to authorize the completion of the project at an additional estimated cost of \$1,500,000.

#### RED-OUACHITA RIVER BASIN

The project for flood protection on Bayou Pierre in the vicinity of Shreveport, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 285, Seventy-ninth Congress, first session, at an estimated cost of \$127,000.

The general plan for flood control on Red River, Texas, Oklahoma, Arkansas, and Louisiana, below Denison Dam, Texas and Oklahoma, including the incorporation therein of the several separate existing projects for flood control along the Red River below Denison (above the jurisdiction of the Mississippi River Commission) and providing for the modification of the existing or authorized Federal and non-Federal levees, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 602, Seventy-ninth Congress, second session, at an estimated cost of \$77,500,000.

#### ARKANSAS RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$40,000,000 for the prosecution of the comprehensive plan for the Arkansas River Basin, approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

The Chief of Engineers is authorized to provide in the Canton Reservoir on the North Canadian River sixty-nine thousand acre-feet of irrigation storage, upon the condition that when siltation of the

Pay.

Purchase of amphibian airplane.

Restriction.

Increased authorization for costs of construction.

Jefferson Parish, La.

Memphis, Tenn.

50 Stat. 881.  
Post, p. 652.  
53 Stat. 860.

Shreveport, La.

Red River.

Additional appropriation authorized.

52 Stat. 1215.  
33 U. S. C. § 701b et seq.; Supp. V, § 701b et seq.  
Canton Reservoir.

reservoir shall encroach upon the flood control allocation the irrigation storage will be reduced progressively unless provision is made to raise the height of the dam or otherwise provide compensatory storage for flood control on the basis of an equitable distribution of the costs among the water users and other beneficiaries of conservation storage, as determined at that time.

Oklahoma City,  
Okla.

The project for flood protection at Oklahoma City, Oklahoma, on North Canadian River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 572, Seventy-ninth Congress, second session, at an estimated cost of \$2,037,000.

Carden's Bottom  
Drainage, Ark.

The project for local flood protection of Carden's Bottom Drainage District Number 2, Yell County, Arkansas, on Arkansas River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 17, 1946, at an estimated cost of \$1,485,000.

Heyburn Reservoir,  
Okla.

The project for the Heyburn Reservoir on Polecat Creek and for channel improvement on Rock Creek and on Polecat Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 17, 1946, at an estimated cost of \$1,838,500.

#### WHITE RIVER BASIN

Additional appro-  
priation authorized.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$40,000,000 for the prosecution of the comprehensive plan for the White River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

52 Stat. 1215.  
33 U. S. C. § 701b  
*et seq.*; Supp. V, § 701b  
*et seq.*

#### UPPER MISSISSIPPI RIVER BASIN

Additional appro-  
priation authorized.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the comprehensive plan for the Upper Mississippi River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

52 Stat. 1215.  
33 U. S. C. § 701b  
*et seq.*; Supp. V, § 701b  
*et seq.*

Prairie du Rocher.

The project for flood protection on the Mississippi River at Prairie du Rocher and vicinity is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 17, 1946, at an estimated cost of \$2,575,000.

Sny Basin, Ill.

The project for local flood protection on McCraney, Hadley, Kiser, Six-Mile, and Bay Creeks in the Sny Basin, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 17, 1946, at an estimated cost of \$4,854,944.

#### MISSOURI RIVER BASIN

Additional appro-  
priation authorized.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$150,000,000 for the prosecution of the comprehensive plan approved by the Act of June 28, 1938, as expanded by section 9a of the Act approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress), for continuing the works in the Missouri River Basin to be undertaken under said expanded plans by the Corps of Engineers.

52 Stat. 1215; 58  
Stat. 891.  
33 U. S. C. § 701b  
*et seq.*; Supp. V, § 701b  
*et seq.*

Mandan, N. Dak.

The project for flood protection at Mandan, North Dakota, on Heart River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 294, Seventy-ninth Congress, first session, at an estimated cost of \$246,000.

## OHIO RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$125,000,000 for the prosecution of the comprehensive plan for the Ohio River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress including: (1) Such channel rectification works or other measures at or below the Muskingum River Reservoirs as in the discretion of the Chief of Engineers and the Secretary of War may be found necessary to provide for the most efficient operation of those reservoirs, at an estimated cost of \$2,200,000, and (2) the following projects in tributary basins, namely:

The local flood-protection works at Galax, Virginia, on Chestnut Creek, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 506, Seventy-eighth Congress, first session, at an estimated cost of \$276,125;

The plan of improvement for flood control in the Wabash River Basin, Illinois and Indiana, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 9, 1946, at an estimated cost of \$9,366,000;

The local flood-protection works at Olean, New York, on Allegheny River, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 12, 1946, at an estimated cost of \$2,282,400;

The local flood-protection works at Portville, New York, on Allegheny River, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 12, 1946, at an estimated cost of \$1,281,500;

The local flood-protection works at Allegany, New York, on the Allegheny River, substantially in accordance with the recommendations of the Chief of Engineers in his report, dated April 12, 1946, at an estimated cost of \$388,800;

The project for the West Fork Reservoir on the West Fork of Mill Creek in Ohio, substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 8, 1946, at an estimated cost of \$1,527,000.

## GREAT LAKES BASIN

The project for flood protection at Mount Clemens and vicinity, Michigan, on Clinton River, is hereby authorized substantially in accordance with the recommendations in House Document Numbered 694, Seventy-ninth Congress, second session, at an estimated cost of \$378,000.

## BRAZOS RIVER BASIN

The project for the Belton Reservoir on Leon River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 19, 1946, at an estimated cost of \$15,500,000.

Of the conservation storage capacity provided by such reservoir, not to exceed forty-five thousand acre-feet of such capacity shall be available for irrigation purposes in the Leon, Lampasas, and Little River Valleys.

The project for flood protection at Eastland, on Leon River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 19, 1946, at an estimated cost of \$82,800.

Additional appropriation authorized.

52 Stat. 1215.  
33 U. S. C. § 701b  
et seq.; Supp. V, § 701b  
et seq.

Galax, Va.

Wabash River Basin,  
Ill. and Ind.

Olean, N. Y.

Portville, N. Y.

Allegany, N. Y.

West Fork Reservoir,  
Ohio.

Mount Clemens,  
Mich.

Belton Reservoir,  
Tex.

Irrigation.

Eastland, Tex.

## GILA RIVER BASIN

Whitlow Ranch  
Reservoir, Ariz.

The project for the Whitlow Ranch Reservoir on Queen Creek, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 24, 1946, at an estimated cost of \$1,645,000.

## GREAT SALT BASIN

Spanish Fork River,  
Utah.

The project for local flood protection on Spanish Fork River, Utah, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 518, Seventy-ninth Congress, second session, at an estimated cost of \$74,500.

Salt Lake City,  
Utah.

The project for flood protection at Salt Lake City, Utah, on Jordan River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 562, Seventy-ninth Congress, second session, at an estimated cost of \$412,000.

Magna, Utah.

The project for flood protection at Magna, Utah, on Little Valley Wash, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 562, Seventy-ninth Congress, second session, at an estimated cost of \$222,000.

## LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

Additional appro-  
priation authorized.

55 Stat. 638.  
33 U. S. C., Supp. V,  
§ 701b *et seq.*  
*Ante*, p. 642; *post*,  
p. 652.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$25,000,000 for the prosecution of the comprehensive plan for the Los Angeles-San Gabriel Basin and Ballona Creek, California, approved in the Act of August 18, 1941, as amended and supplemented, by subsequent Acts of Congress.

## SALINAS RIVER BASIN

Salinas River, Calif.

The project for flood protection along Salinas River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated April 29, 1946, at an estimated cost of \$1,905,000.

## BOISE RIVER BASIN

Lucky Peak Reser-  
voir, Idaho.

Arrow Rock Dam.

The project for the Lucky Peak Reservoir on Boise River, Idaho, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated May 13, 1946, at an estimated cost of \$10,684,000: *Provided*, That said dam and reservoir shall be so constructed as not substantially to damage the structure of the Arrow Rock Dam and shall be operated in such manner as not materially to interfere with the operation of said Arrow Rock Reservoir.

## WILLAMETTE RIVER BASIN

Additional appro-  
priation authorized.

52 Stat. 1215.  
33 U. S. C. § 701b  
*et seq.*; Supp. V, § 701b  
*et seq.*

Eugene, Oreg.

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$35,000,000 for the prosecution of the comprehensive plan for the Willamette River Basin approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress.

The project for flood protection on Amazon Creek at Eugene and vicinity, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 138, Seventy-ninth Congress, second session, at an estimated cost of \$226,000.

## TERRITORY OF ALASKA

Modification of the existing project for Skagway on Skagway River and Harbor, Alaska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 695, Seventy-ninth Congress, second session, at an estimated cost of \$438,000.

SEC. 11. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and waterflow retardation and soil-erosion prevention on such drainage areas; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Narraguagus River and tributaries, Maine.

Westfield River, Massachusetts, with a view to modifying the existing Knightville Reservoir to provide low flow regulation.

Oneida Creek and tributaries, New York.

Susquehanna River, at and in the vicinity of Sidney, New York.

Hackensack River and tributaries, New Jersey and New York.

Schuylkill River and tributaries, Pennsylvania.

Marshy Hope Creek and tributaries, Maryland.

Caloosahatchie River and Lake Okeechobee Drainage Area, Florida, for drainage improvement and flood control along North New River Canal in Broward County, Florida.

Coosa River and tributaries, at and in the vicinity of Rome, Georgia.

Choctawhatchee River and tributaries, Alabama and Florida.

Cold Water Creek, Calhoun County, Alabama.

Big South Fork River and tributaries, Tennessee.

Cypress Creek, Harris County, Texas.

Port Arthur, Texas (with a view to providing protection against damage from Sabine Lake resulting from erosion and from floods due to hurricane winds and tide).

The provision of outlets in the interest of providing egress of flood waters for Jefferson County drainage districts, into existing waterways in the general vicinity of Port Arthur, Texas, including Taylors Bayou in the interest of flood control, drainage and navigation.

Eight-Mile Creek and Locust Creek and their tributaries, Arkansas.

Saint Francis Bay Straight Slough and Big Bay Ditch, Arkansas, and tributary area.

Choctawhatchee River, Florida and Alabama.

Bear Creek, a tributary of Big Black River, Mississippi.

Pearl River and tributaries, Mississippi.

Lost Creek, Missouri, at and in the vicinity of Seneca, Missouri.

Chunky River, Mississippi.

Skagway, Alaska.

Preliminary examinations and surveys.

Supplemental reports, etc., restriction.

Maine.

Massachusetts.

New York.

New Jersey and

New York.

Pennsylvania.

Maryland.

Florida.

Georgia.

Alabama and

Florida.

Alabama.

Tennessee.

Texas.

Arkansas.

Florida and Ala-

bama.

Mississippi.

Missouri.

Mississippi.

- Mississippi. Opookta Creek, Attala County, Mississippi, for flood control and drainage.
- Oklahoma. Potacocowa Creek, Mississippi.
- Missouri. Gates Creek and tributaries, Oklahoma, with a view to the completion of the Fort Towson Dam and flood control reservoir.
- Arkansas. Lower Grand River, Missouri, with a view to providing protection from erosion and bank caving.
- Arkansas. Saint Francis River and its tributaries, Arkansas, with special reference to Tyronza and Little Rivers; Big Creek; and Blackfish, Fifteen Mile, and Frenchman Bayous; and the tributaries of these streams for flood control, drainage, and allied purposes.
- Illinois. Ouachita River, Arkansas, with a view to providing navigation from Camden, Arkansas, to Rockport, Arkansas.
- Missouri. Mississippi River at and in the vicinity of East Cape Girardeau and Clear Creek, North Alexander, Clear Creek, Preston and Miller Pond drainage and levee district, Illinois.
- Missouri. Mississippi River at and in the vicinity of Perry County drainage and levee districts numbered 1, 2, and 3, Missouri.
- Wisconsin. Mississippi River at and in the vicinity of La Crosse, Wisconsin, with a view to providing a small boat harbor improvement at Isle La Plume.
- West Virginia. Little Kanawha River and tributaries, West Virginia.
- Illinois. Four Pole Creek, West Virginia.
- Illinois. Lost Creek and tributaries, White and Hamilton Counties, Illinois.
- Tennessee. Wabash River at and in the vicinity of Mount Carmel, Illinois.
- West Virginia and Pennsylvania. Coal Creek and tributaries, Tennessee.
- Iowa and Missouri. Buffalo Creek and tributaries, West Virginia and Pennsylvania.
- Wisconsin. Chariton River and tributaries, Iowa and Missouri.
- Wisconsin. All streams and rivers, and tributaries thereof, flowing into Lake Superior in Ashland, Bayfield, or Douglas Counties, Wisconsin.
- Wisconsin. Fox River and its tributaries, Wisconsin, for flood control and other purposes.
- Wisconsin and Illinois. Pecatonica River and tributaries, Wisconsin and Illinois.
- Minnesota. Lost River and tributaries, Minnesota.
- Michigan. Root River and tributaries, Minnesota.
- Michigan. Clinton River and tributaries, Michigan.
- Michigan. Sagining River and tributaries, Michigan.
- North Dakota. Red River and its tributaries, North Dakota, for flood control and other purposes.
- California and Oregon. Smith River and tributaries, California and Oregon.
- Alaska. Gold Creek and tributaries, Alaska.
- Alaska. Chena Slough, Alaska.
- 55 Stat. 650.  
33 U. S. C., Supp.  
V, § 701n.  
Rescue work.
- SEC. 12. That section 5 of the Flood Control Act of August 18, 1941, is hereby amended to read as follows:  
"That the Secretary of War is hereby authorized to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed \$2,000,000 for any one fiscal year to be expended in rescue work or in the repair or maintenance of any flood-control work threatened or destroyed by flood."
- 50 Stat. 877.  
33 U. S. C. § 701g;  
Supp. V, § 701g.  
Removal of debris,  
etc.
- SEC. 13. That section 2 of the Flood Control Act of August 28, 1937, as amended, is hereby further amended to read as follows:  
"That the Secretary of War is hereby authorized to allot not to exceed \$1,000,000 from any appropriations heretofore or hereafter made for any one fiscal year for flood control, for removing accumulated snags and other debris, and clearing and straightening the channel in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than \$50,000 shall be expended for this purpose for any single tributary from the appropriations for any one fiscal year."
- Limitation.

SEC. 14. That the Secretary of War is hereby authorized to allot from any appropriations heretofore or hereafter made for flood control, not to exceed \$1,000,000 per year, for the construction of emergency bank-protection works to prevent flood damage to highways, bridge approaches, and public works, when in the opinion of the Chief of Engineers such work is advisable: *Provided*, That not more than \$50,000 shall be allotted for this purpose at any single locality from the appropriations for any one fiscal year.

SEC. 15. That the sum of \$772,000,000 is hereby authorized to be appropriated for carrying out improvements by the War Department, the sum of \$10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examination or survey provided for in this Act and any other Acts of Congress to be prosecuted by said Departments.

SEC. 16. That the program on the watershed of Buffalo Creek and its tributaries authorized in section 13 of the Flood Control Act of December 22, 1944, is hereby amended to authorize the Secretary of Agriculture to include and prosecute works for the stabilization of stream banks such as described in House Document Numbered 574, Seventy-eighth Congress, second session, at an estimated additional cost of \$1,842,400.

SEC. 17. That the \$5,000,000 authorized to be appropriated in section 10 of the Flood Control Act approved August 18, 1941, is reauthorized to be appropriated, and the sum of \$20,000,000 additional is authorized to be appropriated, for expenditure by the Department of Agriculture for the prosecution of the works of improvement authorized to be carried out by that Department by the Flood Control Act of December 22, 1944.

SEC. 18. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$150,000,000 for the prosecution of the comprehensive plan adopted by section 9a of the Act approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress), for continuing the works in the Missouri River Basin to be undertaken under said plans by the Secretary of the Interior.

Approved July 24, 1946.

[CHAPTER 597]

AN ACT

To extend the times for commencing and completing the construction of a toll bridge across the Saint Louis River between the States of Minnesota and Wisconsin, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a toll bridge across the Saint Louis River, between the States of Minnesota and Wisconsin, authorized to be built by the city of Duluth in the State of Minnesota by an Act of Congress approved August 7, 1939; which Act was heretofore amended and extended by an Act of Congress approved April 30, 1940; and further extended and amended by an Act of Congress approved May 9, 1941; and further revived and reenacted, and extended and amended by an Act of Congress approved October 16, 1945, the same being Public Law Numbered 196, Seventy-ninth Congress; are hereby extended one and three years, respectively, from October 16, 1946.

SEC. 2. Public Law 333, Seventy-sixth Congress, is hereby amended by adding a new section to read as follows:

"SEC. 3a. No toll or other charge shall be levied against any official

Emergency bank-protection works.

Limitation.

Appropriations authorized.

Expenditure by Departments of War and Agriculture.

Buffalo Creek, N.Y.  
58 Stat. 905.

Appropriations authorized.  
55 Stat. 651.  
33 U. S. C., Supp. V, § 701f-1 note.

58 Stat. 887.  
33 U. S. C., Supp. V, § 701a-1 *et seq.*  
*Ante*, p. 642.  
Missouri River Basin.

58 Stat. 891.

July 24, 1946  
[H. R. 6889]  
[Public Law 527]

Bridge,  
Saint Louis River.

53 Stat. 1258; 54 Stat. 172; 55 Stat. 181; 59 Stat. 645.

53 Stat. 1258.