

***In the Senate of the United States,***

*July 22, 1999.*

*Resolved*, That the bill from the House of Representatives (H.R. 1480) entitled “An Act to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2       (a) *SHORT TITLE*.—*This Act may be cited as the*  
3 *“Water Resources Development Act of 1999”.*

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

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

*Sec. 2. Definition of Secretary.*

***TITLE I—WATER RESOURCES PROJECTS***

*Sec. 101. Project authorizations.*

*Sec. 102. Project modifications.*

*Sec. 103. Project deauthorizations.*

*Sec. 104. Studies.*

## *TITLE II—GENERAL PROVISIONS*

- Sec. 201. Flood hazard mitigation and riverine ecosystem restoration program.*
- Sec. 202. Shore protection.*
- Sec. 203. Small flood control authority.*
- Sec. 204. Use of non-Federal funds for compiling and disseminating information on floods and flood damages.*
- Sec. 205. Aquatic ecosystem restoration.*
- Sec. 206. Beneficial uses of dredged material.*
- Sec. 207. Voluntary contributions by States and political subdivisions.*
- Sec. 208. Recreation user fees.*
- Sec. 209. Water resources development studies for the Pacific region.*
- Sec. 210. Missouri and Middle Mississippi Rivers enhancement project.*
- Sec. 211. Outer Continental Shelf.*
- Sec. 212. Environmental dredging.*
- Sec. 213. Benefit of primary flood damages avoided included in benefit-cost analysis.*
- Sec. 214. Control of aquatic plant growth.*
- Sec. 215. Environmental infrastructure.*
- Sec. 216. Watershed management, restoration, and development.*
- Sec. 217. Lakes program.*
- Sec. 218. Sediments decontamination policy.*
- Sec. 219. Disposal of dredged material on beaches.*
- Sec. 220. Fish and wildlife mitigation.*
- Sec. 221. Reimbursement of non-Federal interest.*
- Sec. 222. National Contaminated Sediment Task Force.*
- Sec. 223. John Glenn Great Lakes Basin program.*
- Sec. 224. Projects for improvement of the environment.*
- Sec. 225. Water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation.*
- Sec. 226. Irrigation diversion protection and fisheries enhancement assistance.*
- Sec. 227. Small storm damage reduction projects.*
- Sec. 228. Shore damage prevention or mitigation.*
- Sec. 229. Atlantic coast of New York.*
- Sec. 230. Accelerated adoption of innovative technologies for contaminated sediments.*
- Sec. 231. Mississippi River Commission.*
- Sec. 232. Use of private enterprises.*

## *TITLE III—PROJECT-RELATED PROVISIONS*

- Sec. 301. Dredging of salt ponds in the State of Rhode Island.*
- Sec. 302. Upper Susquehanna River basin, Pennsylvania and New York.*
- Sec. 303. Small flood control projects.*
- Sec. 304. Small navigation projects.*
- Sec. 305. Streambank protection projects.*
- Sec. 306. Aquatic ecosystem restoration, Springfield, Oregon.*
- Sec. 307. Guilford and New Haven, Connecticut.*
- Sec. 308. Francis Bland Floodway Ditch.*
- Sec. 309. Caloosahatchee River basin, Florida.*
- Sec. 310. Cumberland, Maryland, flood project mitigation.*
- Sec. 311. City of Miami Beach, Florida.*
- Sec. 312. Sardis Reservoir, Oklahoma.*

- Sec. 313. Upper Mississippi River and Illinois waterway system navigation modernization.*
- Sec. 314. Upper Mississippi River management.*
- Sec. 315. Research and development program for Columbia and Snake Rivers salmon survival.*
- Sec. 316. Nine Mile Run habitat restoration, Pennsylvania.*
- Sec. 317. Larkspur Ferry Channel, California.*
- Sec. 318. Comprehensive Flood Impact-Response Modeling System.*
- Sec. 319. Study regarding innovative financing for small and medium-sized ports.*
- Sec. 320. Candy Lake project, Osage County, Oklahoma.*
- Sec. 321. Salcha River and Piledriver Slough, Fairbanks, Alaska.*
- Sec. 322. Eyak River, Cordova, Alaska.*
- Sec. 323. North Padre Island storm damage reduction and environmental restoration project.*
- Sec. 324. Kanopolis Lake, Kansas.*
- Sec. 325. New York City watershed.*
- Sec. 326. City of Charlevoix reimbursement, Michigan.*
- Sec. 327. Hamilton Dam flood control project, Michigan.*
- Sec. 328. Holes Creek flood control project, Ohio.*
- Sec. 329. Overflow management facility, Rhode Island.*
- Sec. 330. Anacostia River aquatic ecosystem restoration, District of Columbia and Maryland.*
- Sec. 331. Everglades and south Florida ecosystem restoration.*
- Sec. 332. Pine Flat Dam, Kings River, California.*
- Sec. 333. Levees in Elba and Geneva, Alabama.*
- Sec. 334. Toronto Lake and El Dorado Lake, Kansas.*
- Sec. 335. San Jacinto disposal area, Galveston, Texas.*
- Sec. 336. Environmental infrastructure.*
- Sec. 337. Water monitoring station.*
- Sec. 338. Upper Mississippi River comprehensive plan.*
- Sec. 339. McNary Lock and Dam, Washington.*
- Sec. 340. McNary National Wildlife Refuge.*

**TITLE IV—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION**

- Sec. 401. Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration.*

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

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

***TITLE I—WATER RESOURCES  
PROJECTS***

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

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

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

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

*(3) TUCSON DRAINAGE AREA, ARIZONA.—The project for flood damage reduction, environmental restoration, and recreation, Tucson drainage area, Ari-*

1        *zona: Report of the Chief of Engineers dated May 20,*  
2        *1998, at a total cost of \$29,900,000, with an esti-*  
3        *mated Federal cost of \$16,768,000 and an estimated*  
4        *non-Federal cost of \$13,132,000.*

5            (4)    *AMERICAN RIVER WATERSHED, CALI-*  
6        *FORNIA.—*

7            (A)    *IN GENERAL.—The project for flood*  
8        *damage reduction described as the Folsom*  
9        *Stepped Release Plan in the Corps of Engineers*  
10       *Supplemental Information Report for the Amer-*  
11       *ican River Watershed Project, California, dated*  
12       *March 1996, at a total cost of \$505,400,000, with*  
13       *an estimated Federal cost of \$329,300,000 and*  
14       *an estimated non-Federal cost of \$176,100,000.*

15           (B)    *IMPLEMENTATION.—*

16           (i)    *IN GENERAL.—Implementation of*  
17        *the measures by the Secretary pursuant to*  
18        *subparagraph (A) shall be undertaken after*  
19        *completion of the levee stabilization and*  
20        *strengthening and flood warning features*  
21        *authorized by section 101(a)(1) of the Water*  
22        *Resources Development Act of 1996 (110*  
23        *Stat. 3662).*

24           (ii)   *FOLSOM DAM AND RESERVOIR.—*  
25        *The Secretary may undertake measures at*

1           *the Folsom Dam and Reservoir authorized*  
2           *under subparagraph (A) only after review-*  
3           *ing the design of such measures to deter-*  
4           *mine if modifications are necessary to ac-*  
5           *count for changed hydrologic conditions and*  
6           *any other changed conditions in the project*  
7           *area, including operational and construc-*  
8           *tion impacts that have occurred since com-*  
9           *pletion of the report referred to in subpara-*  
10          *graph (A). The Secretary shall conduct the*  
11          *review and develop the modifications to the*  
12          *Folsom Dam and Reservoir with the full*  
13          *participation of the Secretary of the Inte-*  
14          *rior.*

15                   *(iii) REMAINING DOWNSTREAM ELE-*  
16                   *MENTS.—*

17                           *(I) IN GENERAL.—Implementa-*  
18                           *tion of the remaining downstream ele-*  
19                           *ments authorized pursuant to subpara-*  
20                           *graph (A) may be undertaken only*  
21                           *after the Secretary, in consultation*  
22                           *with affected Federal, State, regional,*  
23                           *and local entities, has reviewed the ele-*  
24                           *ments to determine if modifications are*  
25                           *necessary to address changes in the hy-*

1           drologic conditions, any other changed  
2           conditions in the project area that have  
3           occurred since completion of the report  
4           referred to in subparagraph (A) and  
5           any design modifications for the Fol-  
6           som Dam and Reservoir made by the  
7           Secretary in implementing the meas-  
8           ures referred to in clause (ii), and has  
9           issued a report on the review.

10                   (II) *PRINCIPLES AND GUIDE-*  
11                   *LINES.*—The review shall be prepared  
12                   in accordance with the economic and  
13                   environmental principles and guide-  
14                   lines for water and related land re-  
15                   sources implementation studies, and no  
16                   construction may be initiated unless  
17                   the Secretary determines that the re-  
18                   maining downstream elements are  
19                   technically sound, environmentally ac-  
20                   ceptable, and economically justified.

21                   (5) *LLAGAS CREEK, CALIFORNIA.*—The project  
22                   for completion of the remaining reaches of the Nat-  
23                   ural Resources Conservation Service flood control  
24                   project at Llagas Creek, California, undertaken pur-  
25                   suant to section 5 of the Watershed Protection and

1 *Flood Prevention Act (16 U.S.C. 1005), substantially*  
2 *in accordance with the requirements of local coopera-*  
3 *tion as specified in section 4 of that Act (16 U.S.C.*  
4 *1004) at a total cost of \$45,000,000, with an esti-*  
5 *mated Federal cost of \$21,800,000 and an estimated*  
6 *non-Federal cost of \$23,200,000.*

7 (6) *SOUTH SACRAMENTO COUNTY STREAMS,*  
8 *CALIFORNIA.—The project for flood control, environ-*  
9 *mental restoration, and recreation, South Sacramento*  
10 *County streams, California: Report of the Chief of*  
11 *Engineers dated October 6, 1998, at a total cost of*  
12 *\$65,500,000, with an estimated Federal cost of*  
13 *\$41,200,000 and an estimated non-Federal cost of*  
14 *\$24,300,000.*

15 (7) *UPPER GUADALUPE RIVER, CALIFORNIA.—*  
16 *Construction of the locally preferred plan for flood*  
17 *damage reduction and recreation, Upper Guadalupe*  
18 *River, California, described as the Bypass Channel*  
19 *Plan of the Chief of Engineers dated August 19, 1998,*  
20 *at a total cost of \$137,600,000, with an estimated*  
21 *Federal cost of \$44,000,000 and an estimated non-*  
22 *Federal cost of \$93,600,000.*

23 (8) *YUBA RIVER BASIN, CALIFORNIA.—The*  
24 *project for flood damage reduction, Yuba River Basin,*  
25 *California: Report of the Chief of Engineers dated No-*



1        *vember 25, 1998, at a total cost of \$26,600,000, with*  
2        *an estimated Federal cost of \$17,350,000 and an esti-*  
3        *mated non-Federal cost of \$9,250,000.*

4                (9) *DELAWARE BAY COASTLINE: DELAWARE AND*  
5        *NEW JERSEY-BROADKILL BEACH, DELAWARE.—*

6                (A) *IN GENERAL.—The project for hurricane*  
7        *and storm damage reduction and shore protec-*  
8        *tion, Delaware Bay coastline: Delaware and New*  
9        *Jersey-Broadkill Beach, Delaware, Report of the*  
10       *Chief of Engineers dated August 17, 1998, at a*  
11       *total cost of \$9,049,000, with an estimated Fed-*  
12       *eral cost of \$5,674,000 and an estimated non-*  
13       *Federal cost of \$3,375,000.*

14               (B) *PERIODIC NOURISHMENT.—Periodic*  
15       *nourishment is authorized for a 50-year period*  
16       *at an estimated average annual cost of \$538,200,*  
17       *with an estimated annual Federal cost of*  
18       *\$349,800 and an estimated annual non-Federal*  
19       *cost of \$188,400.*

20               (10) *DELAWARE BAY COASTLINE: DELAWARE AND*  
21       *NEW JERSEY-PORT MAHON, DELAWARE.—*

22               (A) *IN GENERAL.—The project for ecosystem*  
23       *restoration and shore protection, Delaware Bay*  
24       *coastline: Delaware and New Jersey-Port Mahon,*  
25       *Delaware: Report of the Chief of Engineers dated*

1        *September 28, 1998, at a total cost of*  
2        *\$7,644,000, with an estimated Federal cost of*  
3        *\$4,969,000 and an estimated non-Federal cost of*  
4        *\$2,675,000.*

5                *(B) PERIODIC NOURISHMENT.—Periodic*  
6        *nourishment is authorized for a 50-year period*  
7        *at an estimated average annual cost of \$234,000,*  
8        *with an estimated annual Federal cost of*  
9        *\$152,000 and an estimated annual non-Federal*  
10       *cost of \$82,000.*

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

20               *(12) INDIAN RIVER COUNTY, FLORIDA.—Notwith-*  
21       *standing section 1001(a) of the Water Resources De-*  
22       *velopment Act of 1986 (33 U.S.C. 579a(a)), the*  
23       *project for shoreline protection, Indian River County,*  
24       *Florida, authorized by section 501(a) of that Act (100*

1     *Stat. 4134), shall remain authorized for construction*  
2     *through December 31, 2002.*

3             (13) *LIDO KEY BEACH, SARASOTA, FLORIDA.—*

4                     (A) *IN GENERAL.—The project for shore*  
5             *protection at Lido Key Beach, Sarasota, Florida,*  
6             *authorized by section 101 of the River and Har-*  
7             *bor Act of 1970 (84 Stat. 1819) and deauthorized*  
8             *by operation of section 1001(b) of the Water Re-*  
9             *sources Development Act of 1986 (33 U.S.C.*  
10            *579a(b)), is authorized to be carried out by the*  
11            *Secretary at a total cost of \$5,200,000, with an*  
12            *estimated Federal cost of \$3,380,000 and an esti-*  
13            *mated non-Federal cost of \$1,820,000.*

14                    (B) *PERIODIC NOURISHMENT.—Periodic*  
15            *nourishment is authorized for a 50-year period*  
16            *at an estimated average annual cost of \$602,000,*  
17            *with an estimated annual Federal cost of*  
18            *\$391,000 and an estimated annual non-Federal*  
19            *cost of \$211,000.*

20             (14) *TAMPA HARBOR-BIG BEND CHANNEL, FLOR-*  
21     *IDA.—The project for navigation, Tampa Harbor-Big*  
22     *Bend Channel, Florida: Report of the Chief of Engi-*  
23     *neers dated October 13, 1998, at a total cost of*  
24     *\$12,356,000, with an estimated Federal cost of*

1       \$6,235,000 and an estimated non-Federal cost of  
2       \$6,121,000.

3           (15)   BRUNSWICK   HARBOR,    GEORGIA.—*The*  
4       *project for navigation, Brunswick Harbor, Georgia:*  
5       *Report of the Chief of Engineers dated October 6,*  
6       *1998, at a total cost of \$50,717,000, with an esti-*  
7       *mated Federal cost of \$32,966,000 and an estimated*  
8       *non-Federal cost of \$17,751,000.*

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

15          (17)   AMITE   RIVER   AND   TRIBUTARIES,   LOU-  
16      ISIANA, EAST BATON ROUGE PARISH WATERSHED.—  
17      *The project for flood damage reduction and recre-*  
18      *ation, Amite River and Tributaries, Louisiana, East*  
19      *Baton Rouge Parish Watershed: Report of the Chief of*  
20      *Engineers, dated December 23, 1996, at a total cost*  
21      *of \$112,900,000, with an estimated Federal cost of*  
22      *\$73,400,000 and an estimated non-Federal cost of*  
23      *\$39,500,000.*

24          (18)   BALTIMORE   HARBOR   ANCHORAGES   AND  
25      CHANNELS, MARYLAND AND VIRGINIA.—

1           (A) *IN GENERAL.*—*The project for naviga-*  
2           *tion, Baltimore Harbor Anchorages and Chan-*  
3           *nels, Maryland and Virginia, Report of the Chief*  
4           *of Engineers dated June 8, 1998, at a total cost*  
5           *of \$28,426,000, with an estimated Federal cost of*  
6           *\$18,994,000 and an estimated non-Federal cost*  
7           *of \$9,432,000.*

8           (B) *CREDIT OR REIMBURSEMENT.*—*If a*  
9           *project cooperation agreement is entered into, the*  
10          *non-Federal interest shall receive credit or reim-*  
11          *bursement of the Federal share of project costs for*  
12          *construction work performed by the non-Federal*  
13          *interest before execution of the project coopera-*  
14          *tion agreement if the Secretary finds the work to*  
15          *be integral to the project.*

16          (C) *STUDY OF MODIFICATIONS.*—*During the*  
17          *preconstruction engineering and design phase of*  
18          *the project, the Secretary shall conduct a study*  
19          *to determine the feasibility of undertaking fur-*  
20          *ther modifications to the Dundalk Marine Ter-*  
21          *minal access channels, consisting of—*

22               (i) *deepening and widening the Dun-*  
23               *dalk access channels to a depth of 50 feet*  
24               *and a width of 500 feet;*

1           (ii) *widening the flares of the access*  
2           *channels; and*

3           (iii) *providing a new flare on the west*  
4           *side of the entrance to the east access chan-*  
5           *nel.*

6           (D) *REPORT.—*

7           (i) *IN GENERAL.—Not later than*  
8           *March 1, 2000, the Secretary shall submit*  
9           *to Congress a report on the study under*  
10          *subparagraph (C).*

11          (ii) *CONTENTS.—The report shall in-*  
12          *clude a determination of—*

13               (I) *the feasibility of performing*  
14               *the project modifications described in*  
15               *subparagraph (C); and*

16               (II) *the appropriateness of cred-*  
17               *iting or reimbursing the Federal share*  
18               *of the cost of the work performed by the*  
19               *non-Federal interest on the project*  
20               *modifications.*

21          (19) *RED LAKE RIVER AT CROOKSTON, MIN-*  
22          *NESOTA.—The project for flood damage reduction,*  
23          *Red Lake River at Crookston, Minnesota: Report of*  
24          *the Chief of Engineers, dated April 20, 1998, at a*  
25          *total cost of \$8,950,000, with an estimated Federal*

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

3 *(20) NEW JERSEY SHORE PROTECTION, TOWN-*  
4 *SENDS INLET TO CAPE MAY INLET, NEW JERSEY.—*

5 *(A) IN GENERAL.—The project for hurricane*  
6 *and storm damage reduction, ecosystem restora-*  
7 *tion, and shore protection, New Jersey coastline,*  
8 *Townsends Inlet to Cape May Inlet, New Jersey:*  
9 *Report of the Chief of Engineers dated September*  
10 *28, 1998, at a total cost of \$56,503,000, with an*  
11 *estimated Federal cost of \$36,727,000 and an es-*  
12 *timated non-Federal cost of \$19,776,000.*

13 *(B) PERIODIC NOURISHMENT.—Periodic*  
14 *nourishment is authorized for a 50-year period*  
15 *at an estimated average annual cost of*  
16 *\$2,000,000, with an estimated annual Federal*  
17 *cost of \$1,300,000 and an estimated annual non-*  
18 *Federal cost of \$700,000.*

19 *(21) PARK RIVER, NORTH DAKOTA.—*

20 *(A) IN GENERAL.—Subject to the condition*  
21 *stated in subparagraph (B), the project for flood*  
22 *control, Park River, Grafton, North Dakota, au-*  
23 *thorized by section 401(a) of the Water Resources*  
24 *Development Act of 1986 (100 Stat. 4121) and*  
25 *deauthorized under section 1001(a) of the Water*

1       *Resources Development Act of 1986 (33 U.S.C.*  
2       *579a), at a total cost of \$28,100,000, with an es-*  
3       *timated Federal cost of \$18,265,000 and an esti-*  
4       *mated non-Federal cost of \$9,835,000.*

5               *(B) CONDITION.—No construction may be*  
6       *initiated unless the Secretary determines through*  
7       *a general reevaluation report using current data,*  
8       *that the project is technically sound, environ-*  
9       *mentally acceptable, and economically justified.*

10       *(22) SALT CREEK, GRAHAM, TEXAS.—The project*  
11       *for flood control, environmental restoration, and*  
12       *recreation, Salt Creek, Graham, Texas: Report of the*  
13       *Chief of Engineers dated October 6, 1998, at a total*  
14       *cost of \$10,080,000, with an estimated Federal cost of*  
15       *\$6,560,000 and an estimated non-Federal cost of*  
16       *\$3,520,000.*

17       *(b) PROJECTS SUBJECT TO A FINAL REPORT.—The*  
18       *following projects for water resources development and con-*  
19       *servation and other purposes are authorized to be carried*  
20       *out by the Secretary substantially in accordance with the*  
21       *plans, and subject to the conditions recommended in a final*  
22       *report of the Chief of Engineers as approved by the Sec-*  
23       *retary, if a favorable report of the Chief is completed not*  
24       *later than December 31, 1999:*



1           (1) *NOME HARBOR IMPROVEMENTS, ALASKA.*—  
2       *The project for navigation, Nome Harbor Improve-*  
3       *ments, Alaska, at a total cost of \$24,608,000, with an*  
4       *estimated first Federal cost of \$19,660,000 and an es-*  
5       *timated first non-Federal cost of \$4,948,000.*

6           (2) *SEWARD HARBOR, ALASKA.*—*The project for*  
7       *navigation, Seward Harbor, Alaska, at a total cost of*  
8       *\$12,240,000, with an estimated first Federal cost of*  
9       *\$4,364,000 and an estimated first non-Federal cost of*  
10      *\$7,876,000.*

11          (3) *ARROYO PASAJERO, CALIFORNIA.*—*The*  
12      *project for flood damage reduction, Arroyo Pasajero,*  
13      *California, at a total cost of \$260,700,000, with an*  
14      *estimated first Federal cost of \$170,100,000 and an*  
15      *estimated first non-Federal cost of \$90,600,000.*

16          (4) *HAMILTON AIRFIELD WETLAND RESTORA-*  
17      *TION, CALIFORNIA.*—*The project for environmental*  
18      *restoration at Hamilton Airfield, California, at a*  
19      *total cost of \$55,200,000, with an estimated Federal*  
20      *cost of \$41,400,000 and an estimated non-Federal cost*  
21      *of \$13,800,000.*

22          (5) *OAKLAND, CALIFORNIA.*—

23              (A) *IN GENERAL.*—*The project for naviga-*  
24      *tion and environmental restoration, Oakland,*  
25      *California, at a total cost of \$214,340,000, with*

1        *an estimated Federal cost of \$143,450,000 and*  
 2        *an estimated non-Federal cost of \$70,890,000.*

3                *(B) BERTHING AREAS AND OTHER LOCAL*  
 4        *SERVICE FACILITIES.—The non-Federal interests*  
 5        *shall provide berthing areas and other local serv-*  
 6        *ice facilities necessary for the project at an esti-*  
 7        *mated cost of \$42,310,000.*

8                *(6) SUCCESS DAM, TULE RIVER BASIN, CALI-*  
 9        *FORNIA.—The project for flood damage reduction and*  
 10        *water supply, Success Dam, Tule River basin, Cali-*  
 11        *fornia, at a total cost of \$17,900,000, with an esti-*  
 12        *mated first Federal cost of \$11,635,000 and an esti-*  
 13        *mated first non-Federal cost of \$6,265,000.*

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

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

1                   (B) *PERIODIC NOURISHMENT.*—*Periodic*  
 2                   *nourishment is authorized for a 50-year period*  
 3                   *at an estimated average annual cost of \$196,000,*  
 4                   *with an estimated annual Federal cost of*  
 5                   *\$152,000 and an estimated annual non-Federal*  
 6                   *cost of \$44,000.*

7                   (8) *DELAWARE COAST FROM CAPE HENELOPEN*  
 8                   *TO FENWICK ISLAND, BETHANY BEACH/SOUTH BETH-*  
 9                   *ANY BEACH, DELAWARE.*—

10                   (A) *IN GENERAL.*—*The project for hurricane*  
 11                   *and storm damage reduction and shore protec-*  
 12                   *tion, Delaware Coast from Cape Henelopen to*  
 13                   *Fenwick Island, Bethany Beach/South Bethany*  
 14                   *Beach, Delaware, at a total cost of \$22,205,000,*  
 15                   *with an estimated Federal cost of \$14,433,000*  
 16                   *and an estimated non-Federal cost of \$7,772,000.*

17                   (B) *PERIODIC NOURISHMENT.*—*Periodic*  
 18                   *nourishment is authorized for a 50-year period*  
 19                   *at an estimated average annual cost of*  
 20                   *\$1,584,000, with an estimated annual Federal*  
 21                   *cost of \$1,030,000 and an estimated annual non-*  
 22                   *Federal cost of \$554,000.*

23                   (9) *JACKSONVILLE HARBOR, FLORIDA.*—*The*  
 24                   *project for navigation, Jacksonville Harbor, Florida,*  
 25                   *at a total cost of \$26,116,000, with an estimated Fed-*

1        *eral cost of \$9,129,000 and an estimated non-Federal*  
2        *cost of \$16,987,000.*

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

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

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

18                (A) *IN GENERAL.—Subject to subparagraph*  
19                (B), *the Secretary may carry out the project for*  
20                *navigation, Savannah Harbor expansion, Geor-*  
21                *gia, substantially in accordance with the plans,*  
22                *and subject to the conditions, recommended in a*  
23                *final report of the Chief of Engineers, with such*  
24                *modifications as the Secretary deems appro-*  
25                *priate, at a total cost of \$230,174,000 (of which*

1        *amount a portion is authorized for implementa-*  
2        *tion of the mitigation plan), with an estimated*  
3        *Federal cost of \$145,160,000 and an estimated*  
4        *non-Federal cost of \$85,014,000.*

5                *(B) CONDITIONS.—The project authorized*  
6        *by subparagraph (A) may be carried out only*  
7        *after—*

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

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

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

21                                *(ii) the Secretary of the Interior, the*  
22                                *Secretary of Commerce, and the Adminis-*  
23                                *trator of the Environmental Protection*  
24                                *Agency, with the Secretary, have approved*  
25                                *the selected plan and have determined that*

1           *the mitigation plan adequately addresses*  
2           *the potential environmental impacts of the*  
3           *project.*

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

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

15          (14) *DELAWARE BAY COASTLINE, OAKWOOD*  
16          *BEACH, NEW JERSEY.—*

17                (A) *IN GENERAL.—The project for hurricane*  
18                *and storm damage reduction, Delaware Bay*  
19                *coastline, Oakwood Beach, New Jersey, at a total*  
20                *cost of \$3,380,000, with an estimated Federal*  
21                *cost of \$2,197,000 and an estimated non-Federal*  
22                *cost of \$1,183,000.*

23                (B) *PERIODIC NOURISHMENT.—Periodic*  
24                *nourishment is authorized for a 50-year period*  
25                *at an estimated average annual cost of \$90,000,*

1           *with an estimated annual Federal cost of*  
2           *\$58,000 and an estimated annual non-Federal*  
3           *cost of \$32,000.*

4           (15) *DELAWARE BAY COASTLINE, REEDS BEACH*  
5           *AND PIERCES POINT, NEW JERSEY.—The project for*  
6           *environmental restoration, Delaware Bay coastline,*  
7           *Reeds Beach and Pierces Point, New Jersey, at a*  
8           *total cost of \$4,057,000, with an estimated Federal*  
9           *cost of \$2,637,000 and an estimated non-Federal cost*  
10          *of \$1,420,000.*

11          (16) *DELAWARE BAY COASTLINE, VILLAS AND VI-*  
12          *CINITY, NEW JERSEY.—The project for environmental*  
13          *restoration, Delaware Bay coastline, Villas and vicin-*  
14          *ity, New Jersey, at a total cost of \$7,520,000, with an*  
15          *estimated Federal cost of \$4,888,000 and an estimated*  
16          *non-Federal cost of \$2,632,000.*

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

19                (A) *IN GENERAL.—The project for naviga-*  
20                *tion mitigation, ecosystem restoration, shore pro-*  
21                *tection, and hurricane and storm damage reduc-*  
22                *tion, Lower Cape May Meadows, Cape May*  
23                *Point, New Jersey, at a total cost of \$15,952,000,*  
24                *with an estimated Federal cost of \$12,118,000*  
25                *and an estimated non-Federal cost of \$3,834,000.*

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

(18) *NEW JERSEY SHORE PROTECTION, BRIGANTINE INLET TO GREAT EGG HARBOR, BRIGANTINE ISLAND, NEW JERSEY.*—

(A) *IN GENERAL.*—*The project for hurricane and storm damage reduction and shore protection, New Jersey Shore protection, Brigantine Inlet to Great Egg Harbor, Brigantine Island, New Jersey, at a total cost of \$4,970,000, with an estimated Federal cost of \$3,230,000 and an estimated non-Federal cost of \$1,740,000.*

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

(19) *COLUMBIA RIVER CHANNEL DEEPENING, OREGON AND WASHINGTON.*—



1           (A) *IN GENERAL.*—*The project for naviga-*  
 2           *tion, Columbia River channel deepening, Oregon*  
 3           *and Washington, at a total cost of \$176,700,000,*  
 4           *with an estimated Federal cost of \$116,900,000*  
 5           *and an estimated non-Federal cost of*  
 6           *\$59,800,000.*

7           (B) *BERTHING AREAS AND OTHER LOCAL*  
 8           *SERVICE FACILITIES.*—*The non-Federal interests*  
 9           *shall provide berthing areas and other local serv-*  
 10          *ice facilities necessary for the project at an esti-*  
 11          *mated cost of \$1,200,000.*

12          (20) *MEMPHIS HARBOR, MEMPHIS, TEN-*  
 13          *NESSEE.*—

14           (A) *IN GENERAL.*—*Subject to subparagraph*  
 15           *(B), the project for navigation, Memphis Harbor,*  
 16           *Memphis, Tennessee, authorized by section*  
 17           *601(a) of the Water Resources Development Act*  
 18           *of 1986 (100 Stat. 4145) and deauthorized under*  
 19           *section 1001(a) of that Act (33 U.S.C. 579a(a))*  
 20           *is authorized to be carried out by the Secretary.*

21           (B) *CONDITION.*—*No construction may be*  
 22           *initiated unless the Secretary determines through*  
 23           *a general reevaluation report using current data,*  
 24           *that the project is technically sound, environ-*  
 25           *mentally acceptable, and economically justified.*

1           (21) *JOHNSON CREEK, ARLINGTON, TEXAS.—The*  
 2           *project for flood damage reduction, environmental res-*  
 3           *toration, and recreation, Johnson Creek, Arlington,*  
 4           *Texas, at a total cost of \$20,300,000, with an esti-*  
 5           *mated Federal cost of \$12,000,000 and an estimated*  
 6           *non-Federal cost of \$8,300,000.*

7           (22) *HOWARD HANSON DAM, WASHINGTON.—The*  
 8           *project for water supply and ecosystem restoration,*  
 9           *Howard Hanson Dam, Washington, at a total cost of*  
 10          *\$75,600,000, with an estimated Federal cost of*  
 11          *\$36,900,000 and an estimated non-Federal cost of*  
 12          *\$38,700,000.*

13 **SEC. 102. PROJECT MODIFICATIONS.**

14       (a) *PROJECTS WITH REPORTS.—*

15          (1) *SAN LORENZO RIVER, CALIFORNIA.—The*  
 16          *project for flood control, San Lorenzo River, Cali-*  
 17          *fornia, authorized by section 101(a)(5) of the Water*  
 18          *Resources Development Act of 1996 (110 Stat. 3663),*  
 19          *is modified to authorize the Secretary to include as*  
 20          *a part of the project streambank erosion control meas-*  
 21          *ures to be undertaken substantially in accordance*  
 22          *with the report entitled “Bank Stabilization Concept,*  
 23          *Laurel Street Extension”, dated April 23, 1998, at a*  
 24          *total cost of \$4,000,000, with an estimated Federal*

1 *cost of \$2,600,000 and an estimated non-Federal cost*  
2 *of \$1,400,000.*

3 (2) *ST. JOHNS COUNTY SHORE PROTECTION,*  
4 *FLORIDA.—*

5 (A) *IN GENERAL.—The project for hurricane*  
6 *and storm damage reduction and shore protec-*  
7 *tion, St. Johns County, Florida, authorized by*  
8 *section 501(a) of the Water Resources Develop-*  
9 *ment Act of 1986 (100 Stat. 4133) is modified*  
10 *to authorize the Secretary to include navigation*  
11 *mitigation as a purpose of the project in accord-*  
12 *ance with the report of the Corps of Engineers*  
13 *dated November 18, 1998, at a total cost of*  
14 *\$16,086,000, with an estimated Federal cost of*  
15 *\$12,949,000 and an estimated non-Federal cost*  
16 *of \$3,137,000.*

17 (B) *PERIODIC NOURISHMENT.—Periodic*  
18 *nourishment is authorized for a 50-year period*  
19 *at an estimated average annual cost of*  
20 *\$1,251,000, with an estimated annual Federal*  
21 *cost of \$1,007,000 and an estimated annual non-*  
22 *Federal cost of \$244,000.*

23 (3) *WOOD RIVER, GRAND ISLAND, NEBRASKA.—*  
24 *The project for flood control, Wood River, Grand Is-*  
25 *land, Nebraska, authorized by section 101(a)(19) of*

1     *the Water Resources Development Act of 1996 (110*  
2     *Stat. 3665) is modified to authorize the Secretary to*  
3     *construct the project in accordance with the Corps of*  
4     *Engineers report dated June 29, 1998, at a total cost*  
5     *of \$17,039,000, with an estimated Federal cost of*  
6     *\$9,730,000 and an estimated non-Federal cost of*  
7     *\$7,309,000.*

8             (4) *ABSECON ISLAND, NEW JERSEY.—The project*  
9     *for Absecon Island, New Jersey, authorized by section*  
10    *101(b)(13) of the Water Resources Development Act of*  
11    *1996 (110 Stat. 3668) is amended to authorize the*  
12    *Secretary to reimburse the non-Federal interests for*  
13    *all work performed, consistent with the authorized*  
14    *project.*

15            (5) *ARTHUR KILL, NEW YORK AND NEW JER-*  
16    *SEY.—*

17                (A) *IN GENERAL.—The project for naviga-*  
18    *tion, Arthur Kill, New York and New Jersey, au-*  
19    *thorized by section 202(b) of the Water Resources*  
20    *Development Act of 1986 (100 Stat. 4098) and*  
21    *modified by section 301(b)(11) of the Water Re-*  
22    *sources Development Act of 1996 (110 Stat.*  
23    *3711), is further modified to authorize the Sec-*  
24    *retary to construct the project at a total cost of*  
25    *\$276,800,000, with an estimated Federal cost of*

1           \$183,200,000 and an estimated non-Federal cost  
2           of \$93,600,000.

3           (B) *BERTHING AREAS AND OTHER LOCAL*  
4           *SERVICE FACILITIES.*—*The non-Federal interests*  
5           *shall provide berthing areas and other local serv-*  
6           *ice facilities necessary for the project at an esti-*  
7           *mated cost of \$38,900,000.*

8           (6) *WAURIKA LAKE, OKLAHOMA, WATER CONVEY-*  
9           *ANCE FACILITIES.*—*The requirement for the Waurika*  
10          *Project Master Conservancy District to repay the*  
11          *\$2,900,000 in costs (including interest) resulting from*  
12          *the October 1991 settlement of the claim of the Trav-*  
13          *elers Insurance Company before the United States*  
14          *Claims Court related to construction of the water con-*  
15          *veyance facilities authorized by the first section of*  
16          *Public Law 88–253 (77 Stat. 841) is waived.*

17          (b) *PROJECTS SUBJECT TO REPORTS.*—*The following*  
18          *projects are modified as follows, except that no funds may*  
19          *be obligated to carry out work under such modifications*  
20          *until completion of a final report by the Chief of Engineers,*  
21          *as approved by the Secretary, finding that such work is*  
22          *technically sound, environmentally acceptable, and eco-*  
23          *nomically justified, as applicable:*

24                (1) *FORT PIERCE SHORE PROTECTION, FLOR-*  
25                *IDA.*—

(A) *IN GENERAL.*—*The Fort Pierce, Florida, shore protection and harbor mitigation project authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1092) and section 506(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3757) is modified to include an additional 1-mile extension of the project and increased Federal participation in accordance with section 101(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(c)), as described in the general reevaluation report approved by the Chief of Engineers, at an estimated total cost of \$9,128,000, with an estimated Federal cost of \$7,074,000 and an estimated non-Federal cost of \$2,054,000.*

(B) *PERIODIC NOURISHMENT.*—*Periodic nourishment is authorized for a 50-year period for the modified project, at an estimated annual cost of \$559,000, with an estimated annual Federal cost of \$433,000 and an estimated annual non-Federal cost of \$126,000.*

(2) *THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.*—

(A) *IN GENERAL.*—*The Thornton Reservoir project, an element of the project for flood con-*

1        *trol, Chicagoland Underflow Plan, Illinois, au-*  
 2        *thorized by section 3(a)(5) of the Water Re-*  
 3        *sources Development Act of 1988 (102 Stat.*  
 4        *4013), is modified to authorize the Secretary to*  
 5        *include additional permanent flood control stor-*  
 6        *age attributable to the Natural Resources Con-*  
 7        *servation Service Thornton Reservoir (Structure*  
 8        *84), Little Calumet River Watershed, Illinois,*  
 9        *approved under the Watershed Protection and*  
 10       *Flood Prevention Act (16 U.S.C. 1001 et seq.).*

11            *(B) COST SHARING.—Costs for the Thornton*  
 12        *Reservoir project shall be shared in accordance*  
 13        *with section 103 of the Water Resources Develop-*  
 14        *ment Act of 1986 (33 U.S.C. 2213).*

15            *(C) TRANSITIONAL STORAGE.—The Sec-*  
 16        *retary of Agriculture may cooperate with non-*  
 17        *Federal interests to provide, on a transitional*  
 18        *basis, flood control storage for the Natural Re-*  
 19        *sources Conservation Service Thornton Reservoir*  
 20        *(Structure 84) project in the west lobe of the*  
 21        *Thornton quarry.*

22            *(D) CREDITING.—The Secretary may credit*  
 23        *against the non-Federal share of the Thornton*  
 24        *Reservoir project all design and construction*

1        *costs incurred by the non-Federal interests before*  
 2        *the date of enactment of this Act.*

3                (E) *REEVALUATION REPORT.—The Sec-*  
 4        *retary shall determine the credits authorized by*  
 5        *subparagraph (D) that are integral to the Thorn-*  
 6        *ton Reservoir project and the current total*  
 7        *project costs based on a limited reevaluation re-*  
 8        *port.*

9        (3) *WELLS HARBOR, WELLS, MAINE.—*

10                (A) *IN GENERAL.—The project for naviga-*  
 11        *tion, Wells Harbor, Maine, authorized by section*  
 12        *101 of the River and Harbor Act of 1960 (74*  
 13        *Stat. 480), is modified to authorize the Secretary*  
 14        *to realign the channel and anchorage areas based*  
 15        *on a harbor design capacity of 150 craft.*

16                (B) *DEAUTHORIZATION OF CERTAIN POR-*  
 17        *TIONS.—The following portions of the project are*  
 18        *not authorized after the date of enactment of this*  
 19        *Act:*

20                        (i) *The portion of the 6-foot channel*  
 21        *the boundaries of which begin at a point*  
 22        *with coordinates N177,992.00, E394,831.00,*  
 23        *thence running south 83 degrees 58 minutes*  
 24        *14.8 seconds west 10.38 feet to a point*  
 25        *N177,990.91, E394,820.68, thence running*



1 south 11 degrees 46 minutes 47.7 seconds  
 2 west 991.76 feet to a point N177,020.04,  
 3 E394,618.21, thence running south 78 de-  
 4 grees 13 minutes 45.7 seconds east 10.00 feet  
 5 to a point N177,018.00, E394,628.00, thence  
 6 running north 11 degrees 46 minutes 22.8  
 7 seconds east 994.93 feet to the point of ori-  
 8 gin.

9 (ii) The portion of the 6-foot anchorage  
 10 the boundaries of which begin at a point  
 11 with coordinates N177,778.07, E394,336.96,  
 12 thence running south 51 degrees 58 minutes  
 13 32.7 seconds west 15.49 feet to a point  
 14 N177,768.53, E394,324.76, thence running  
 15 south 11 degrees 46 minutes 26.5 seconds  
 16 west 672.87 feet to a point N177,109.82,  
 17 E394,187.46, thence running south 78 de-  
 18 grees 13 minutes 45.7 seconds east 10.00 feet  
 19 to a point N177,107.78, E394,197.25, thence  
 20 running north 11 degrees 46 minutes 25.4  
 21 seconds east 684.70 feet to the point of ori-  
 22 gin.

23 (iii) The portion of the 10-foot settling  
 24 basin the boundaries of which begin at a  
 25 point with coordinates N177,107.78,

1                    *E394,197.25, thence running north 78 de-*  
 2                    *grees 13 minutes 45.7 seconds west 10.00*  
 3                    *feet to a point N177,109.82, E394,187.46,*  
 4                    *thence running south 11 degrees 46 minutes*  
 5                    *15.7 seconds west 300.00 feet to a point*  
 6                    *N176,816.13, E394,126.26, thence running*  
 7                    *south 78 degrees 12 minutes 21.4 seconds*  
 8                    *east 9.98 feet to a point N176,814.09,*  
 9                    *E394,136.03, thence running north 11 de-*  
 10                   *grees 46 minutes 29.1 seconds east 300.00*  
 11                   *feet to the point of origin.*

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

(C) *REDESIGNATIONS AS PART OF THE 6-FOOT ANCHORAGE.*—*The following portions of the project shall be redesignated as part of the 6-foot anchorage:*

(i) *The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,990.91, E394,820.68, thence running south 83 degrees 58 minutes 40.8 seconds west 94.65 feet to a point N177,980.98, E394,726.55, thence running south 11 degrees 46 minutes 22.4 seconds west 962.83 feet to a point N177,038.40, E394,530.10, thence running south 78 degrees 13 minutes 45.7 seconds east 90.00 feet to a point N177,020.04, E394,618.21, thence running north 11 degrees 46 minutes 47.7 seconds east 991.76 feet to the point of origin.*

(ii) *The portion of the 10-foot inner harbor settling basin the boundaries of which begin at a point with coordinates N177,020.04, E394,618.21, thence running north 78 degrees 13 minutes 30.5 seconds west 160.00 feet to a point N177,052.69, E394,461.58, thence running south 11 de-*

1                   grees 46 minutes 45.4 seconds west 299.99  
 2                   feet to a point N176,759.02, E394,400.34,  
 3                   thence running south 78 degrees 13 minutes  
 4                   17.9 seconds east 160 feet to a point  
 5                   N176,726.36, E394,556.97, thence running  
 6                   north 11 degrees 46 minutes 44.0 seconds  
 7                   east 300.00 feet to the point of origin.

8                   (D) REDESIGNATION AS PART OF THE 6-  
 9                   FOOT CHANNEL.—The following portion of the  
 10                  project shall be redesignated as part of the 6-foot  
 11                  channel: the portion the boundaries of which  
 12                  begin at a point with coordinates N178,102.26,  
 13                  E394,751.83, thence running south 51 degrees 59  
 14                  minutes 42.1 seconds west 526.51 feet to a point  
 15                  N177,778.07, E394,336.96, thence running south  
 16                  11 degrees 46 minutes 26.6 seconds west 511.83  
 17                  feet to a point N177,277.01, E394,232.52, thence  
 18                  running south 78 degrees 13 minutes 17.9 sec-  
 19                  onds east 80.00 feet to a point N177,260.68,  
 20                  E394,310.84, thence running north 11 degrees 46  
 21                  minutes 24.8 seconds east 482.54 feet to a point  
 22                  N177,733.07, E394,409.30, thence running north  
 23                  51 degrees 59 minutes 41.0 seconds east 402.63  
 24                  feet to a point N177,980.98, E394,726.55, thence

1       *running north 11 degrees 46 minutes 27.6 sec-*  
2       *onds east 123.89 feet to the point of origin.*

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

19               (F) *RELOCATION.*—*The Secretary may relo-*  
20       *cate the settling basin feature of the project to the*  
21       *outer harbor between the jetties.*

22               (G) *CONSERVATION EASEMENT.*—*The Sec-*  
23       *retary of the Interior, acting through the Direc-*  
24       *tor of the United States Fish and Wildlife Serv-*  
25       *ice, may accept a conveyance of the right, but*

1        *not the obligation, to enforce a conservation ease-*  
 2        *ment to be held by the State of Maine over cer-*  
 3        *tain land owned by the town of Wells, Maine,*  
 4        *that is adjacent to the Rachel Carson National*  
 5        *Wildlife Refuge.*

6        (4) *NEW YORK HARBOR AND ADJACENT CHAN-*  
 7        *NELS, PORT JERSEY, NEW JERSEY.—*

8                (A) *IN GENERAL.—The project for naviga-*  
 9        *tion, New York Harbor and adjacent channels,*  
 10        *Port Jersey, New Jersey, authorized by section*  
 11        *201(b) of the Water Resources Development Act*  
 12        *of 1986 (100 Stat. 4091), is modified to author-*  
 13        *ize the Secretary to construct the project at a*  
 14        *total cost of \$102,545,000, with an estimated*  
 15        *Federal cost of \$76,909,000 and an estimated*  
 16        *non-Federal cost of \$25,636,000.*

17                (B) *BERTHING AREAS AND OTHER LOCAL*  
 18        *FACILITIES.—The non-Federal interests shall*  
 19        *provide berthing areas and other local service fa-*  
 20        *cilities necessary for the project at an estimated*  
 21        *cost of \$722,000.*

22        (5) *WILLAMETTE RIVER TEMPERATURE CON-*  
 23        *TROL, MCKENZIE SUBBASIN, OREGON.—The project*  
 24        *for environmental restoration, Willamette River Tem-*  
 25        *perature Control, McKenzie Subbasin, Oregon, au-*

1 *thorized by section 101(a)(25) of the Water Resources*  
 2 *Development Act of 1996 (110 Stat. 3665), is modi-*  
 3 *fied to authorize the Secretary to construct the project*  
 4 *at a total Federal cost of \$64,741,000.*

5 (6) *WHITE RIVER BASIN, ARKANSAS AND MIS-*  
 6 *SOURI.—*

7 (A) *IN GENERAL.—The project for flood con-*  
 8 *trol, power generation and other purposes at the*  
 9 *White River Basin, Arkansas and Missouri, au-*  
 10 *thorized by section 4 of the Act of June 28, 1938*  
 11 *(52 Stat. 1218, chapter 795), and modified by*  
 12 *House Document 917, Seventy-sixth Congress,*  
 13 *Third Session, and House Document 290, Sev-*  
 14 *enty-seventh Congress, First Session, approved*  
 15 *August 18, 1941, and House Document 499,*  
 16 *Eighty-third Congress, Second Session, approved*  
 17 *September 3, 1954, and by section 304 of the*  
 18 *Water Resources Development Act of 1996 (110*  
 19 *Stat. 3711) is modified to authorize the Sec-*  
 20 *retary to provide minimum flows necessary to*  
 21 *sustain tail water trout fisheries by reallocating*  
 22 *the following amounts of project storage: Beaver*  
 23 *Lake, 3.5 feet; Table Rock, 2 feet; Bull Shoals*  
 24 *Lake, 5 feet; Norfolk Lake, 3.5 feet; and Greers*  
 25 *Ferry Lake, 3 feet. The Secretary shall complete*

1           *such report and submit it to the Congress by*  
2           *July 30, 2000.*

3           *(B) REPORT.—The report of the Chief of*  
4           *Engineers, required by this subsection, shall also*  
5           *include a determination that the modification of*  
6           *the project in subparagraph (A) does not ad-*  
7           *versely affect other authorized project purposes,*  
8           *and that no Federal costs are incurred.*

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

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

22          *(e) TROPICANA WASH AND FLAMINGO WASH, NE-*  
23          *VADA.—Any Federal costs associated with the Tropicana*  
24          *and Flamingo Washes, Nevada, authorized by section*  
25          *101(13) of the Water Resources Development Act of 1992*



1 (106 Stat. 4803), incurred by the non-Federal interest to  
 2 accelerate or modify construction of the project, in coopera-  
 3 tion with the Corps of Engineers, shall be considered to be  
 4 eligible for reimbursement by the Secretary.

5 (f) REDIVERSION PROJECT, COOPER RIVER, CHARLES-  
 6 TON HARBOR, SOUTH CAROLINA.—

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

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

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

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

8           (h) *BEACH EROSION CONTROL AND HURRICANE PRO-*  
9           *TECTION, VIRGINIA BEACH, VIRGINIA.*—

10           (1) *ACCEPTANCE OF FUNDS.*—*In any fiscal year*  
11           *that the Corps of Engineers does not receive appro-*  
12           *priations sufficient to meet expected project expendi-*  
13           *tures for that year, the Secretary shall accept from the*  
14           *city of Virginia Beach, Virginia, for purposes of the*  
15           *project for beach erosion control and hurricane protec-*  
16           *tion, Virginia Beach, Virginia, authorized by section*  
17           *501(a) of the Water Resources Development Act of*  
18           *1986 (100 Stat. 4136), such funds as the city may*  
19           *advance for the project.*

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

1       (i) *ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.—Not-*  
 2 *withstanding any other provision of law, after the date of*  
 3 *enactment of this Act, the city of Chesapeake, Virginia, shall*  
 4 *not be obligated to make the annual cash contribution re-*  
 5 *quired under paragraph 1(9) of the Local Cooperation*  
 6 *Agreement dated December 12, 1978, between the Govern-*  
 7 *ment and the city for the project for navigation, southern*  
 8 *branch of Elizabeth River, Chesapeake, Virginia.*

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

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

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

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

4               “(i) *the Secretary determines that—*

5                       “(I) *the work performed by the*  
 6                       *non-Federal sponsors will substantially*  
 7                       *expedite completion of a critical res-*  
 8                       *toration project; and*

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

11                       “(ii) *the credit or reimbursement is*  
 12                       *granted pursuant to a project-specific agree-*  
 13                       *ment that prescribes the terms and condi-*  
 14                       *tions of the credit or reimbursement.”.*

15       *(l) LAKE MICHIGAN, ILLINOIS.—*

16               *(1) IN GENERAL.—The project for storm damage*  
 17       *reduction and shoreline protection, Lake Michigan, Il-*  
 18       *linois, from Wilmette, Illinois, to the Illinois-Indiana*  
 19       *State line, authorized by section 101(a)(12) of the*  
 20       *Water Resources Development Act of 1996 (110 Stat.*  
 21       *3664), is modified to provide for reimbursement for*  
 22       *additional project work undertaken by the non-Fed-*  
 23       *eral interest.*

24               *(2) CREDIT OR REIMBURSEMENT.—The Sec-*  
 25       *retary shall credit or reimburse the non-Federal inter-*

1        *est for the Federal share of project costs incurred by*  
 2        *the non-Federal interest in designing, constructing, or*  
 3        *reconstructing reach 2F (700 feet south of Fullerton*  
 4        *Avenue and 500 feet north of Fullerton Avenue), reach*  
 5        *3M (Meigs Field), and segments 7 and 8 of reach 4*  
 6        *(43rd Street to 57th Street), if the non-Federal inter-*  
 7        *est carries out the work in accordance with plans ap-*  
 8        *proved by the Secretary, at an estimated total cost of*  
 9        *\$83,300,000.*

10            (3) *REIMBURSEMENT.*—*The Secretary shall re-*  
 11        *imburse the non-Federal interest for the Federal share*  
 12        *of project costs incurred by the non-Federal interest*  
 13        *in reconstructing the revetment structures protecting*  
 14        *Solidarity Drive in Chicago, Illinois, before the sign-*  
 15        *ing of the project cooperation agreement, at an esti-*  
 16        *mated total cost of \$7,600,000.*

17            (m) *MEASUREMENTS OF LAKE MICHIGAN DIVER-*  
 18        *SIONS, ILLINOIS.*—*Section 1142(b) of the Water Resources*  
 19        *Development Act of 1986 (100 Stat. 4253) is amended by*  
 20        *striking “\$250,000 per fiscal year for each fiscal year begin-*  
 21        *ning after September 30, 1986” and inserting “a total of*  
 22        *\$1,250,000 for each of fiscal years 1999 through 2003”.*

23            (n) *PROJECT FOR NAVIGATION, DUBUQUE, IOWA.*—  
 24        *The project for navigation at Dubuque, Iowa, authorized*  
 25        *by section 101 of the River and Harbor Act of 1960 (74*

1 *Stat. 482), is modified to authorize the development of a*  
 2 *wetland demonstration area of approximately 1.5 acres to*  
 3 *be developed and operated by the Dubuque County Histor-*  
 4 *ical Society or a successor nonprofit organization.*

5       *(o) LOUISIANA STATE PENITENTIARY LEVEE.—The*  
 6 *Secretary may credit against the non-Federal share work*  
 7 *performed in the project area of the Louisiana State Peni-*  
 8 *tentiary Levee, Mississippi River, Louisiana, authorized by*  
 9 *section 401(a) of the Water Resources Development Act of*  
 10 *1986 (100 Stat. 4117).*

11       *(p) JACKSON COUNTY, MISSISSIPPI.—The project for*  
 12 *environmental infrastructure, Jackson County, Mississippi,*  
 13 *authorized by section 219(c)(5) of the Water Resources De-*  
 14 *velopment Act of 1992 (106 Stat. 4835) and modified by*  
 15 *section 504 of the Water Resources Development Act of 1996*  
 16 *(110 Stat. 3757), is modified to direct the Secretary to pro-*  
 17 *vide a credit, not to exceed \$5,000,000, against the non-*  
 18 *Federal share of the cost of the project for the costs incurred*  
 19 *by the Jackson County Board of Supervisors since February*  
 20 *8, 1994, in constructing the project, if the Secretary deter-*  
 21 *mines that such costs are for work that the Secretary deter-*  
 22 *mines was compatible with and integral to the project.*

23       *(q) RICHARD B. RUSSELL DAM AND LAKE, SOUTH*  
 24 *CAROLINA.—*

1           (1) *IN GENERAL.*—*Except as otherwise provided*  
2           *in this paragraph, the Secretary shall convey to the*  
3           *State of South Carolina all right, title, and interest*  
4           *of the United States in the parcels of land described*  
5           *in paragraph (2)(A) that are currently being man-*  
6           *aged by the South Carolina Department of Natural*  
7           *Resources for fish and wildlife mitigation purposes*  
8           *for the Richard B. Russell Dam and Lake, South*  
9           *Carolina, project authorized by the Flood Control Act*  
10          *of 1966 and modified by the Water Resources Devel-*  
11          *opment Act of 1986.*

12          (2) *LAND DESCRIPTION.*—

13                (A) *IN GENERAL.*—*The parcels of land to be*  
14                *conveyed are described in Exhibits A, F, and H*  
15                *of Army Lease No. DACW21-1-93-0910 and as-*  
16                *sociated supplemental agreements or are des-*  
17                *ignated in red in Exhibit A of Army License No.*  
18                *DACW21-3-85-1904, excluding all designated*  
19                *parcels in the license that are below elevation*  
20                *346 feet mean sea level or that are less than 300*  
21                *feet measured horizontally from the top of the*  
22                *power pool.*

23                (B) *MANAGEMENT OF EXCLUDED PAR-*  
24                *CELS.*—*Management of the excluded parcels shall*  
25                *continue in accordance with the terms of Army*

1       *License No. DACW21-3-85-1904 until the Sec-*  
 2       *retary and the State enter into an agreement*  
 3       *under paragraph (6).*

4               *(C) SURVEY.—The exact acreage and legal*  
 5       *description of the land shall be determined by a*  
 6       *survey satisfactory to the Secretary, with the cost*  
 7       *of the survey borne by the State.*

8               *(3) COSTS OF CONVEYANCE.—The State shall be*  
 9       *responsible for all costs, including real estate trans-*  
 10       *action and environmental compliance costs, associated*  
 11       *with the conveyance.*

12               *(4) PERPETUAL STATUS.—*

13               *(A) IN GENERAL.—All land conveyed under*  
 14       *this paragraph shall be retained in public own-*  
 15       *ership and shall be managed in perpetuity for*  
 16       *fish and wildlife mitigation purposes in accord-*  
 17       *ance with a plan approved by the Secretary.*

18               *(B) REVERSION.—If any parcel of land is*  
 19       *not managed for fish and wildlife mitigation*  
 20       *purposes in accordance with the plan, title to the*  
 21       *parcel shall revert to the United States.*

22               *(5) ADDITIONAL TERMS AND CONDITIONS.—The*  
 23       *Secretary may require such additional terms and*  
 24       *conditions in connection with the conveyance as the*



1       *Secretary considers appropriate to protect the inter-*  
2       *ests of the United States.*

3               (6) *FISH AND WILDLIFE MITIGATION AGREE-*  
4       *MENT.—*

5               (A) *IN GENERAL.—The Secretary may pay*  
6       *the State of South Carolina not more than*  
7       *\$4,850,000 subject to the Secretary and the State*  
8       *entering into a binding agreement for the State*  
9       *to manage for fish and wildlife mitigation pur-*  
10      *poses in perpetuity the lands conveyed under this*  
11      *paragraph and excluded parcels designated in*  
12      *Exhibit A of Army License No. DACW21–3–85–*  
13      *1904.*

14              (B) *FAILURE OF PERFORMANCE.—The*  
15      *agreement shall specify the terms and conditions*  
16      *under which payment will be made and the*  
17      *rights of, and remedies available to, the Federal*  
18      *Government to recover all or a portion of the*  
19      *payment if the State fails to manage any parcel*  
20      *in a manner satisfactory to the Secretary.*

21      (r) *LAND CONVEYANCE, CLARKSTON, WASHINGTON.—*

22              (1) *IN GENERAL.—The Secretary shall convey to*  
23      *the Port of Clarkston, Washington, all right, title, and*  
24      *interest of the United States in and to a portion of*  
25      *the land described in the Department of the Army*

1       lease No. DACW68–1–97–22, consisting of approxi-  
2       mately 31 acres, the exact boundaries of which shall  
3       be determined by the Secretary and the Port of  
4       Clarkston.

5               (2) *ADDITIONAL LAND.*—*The Secretary may con-*  
6       *vey to the Port of Clarkston, Washington, such addi-*  
7       *tional land located in the vicinity of Clarkston, Wash-*  
8       *ington, as the Secretary determines to be excess to the*  
9       *needs of the Columbia River Project and appropriate*  
10       *for conveyance.*

11              (3) *TERMS AND CONDITIONS.*—*The conveyances*  
12       *made under paragraphs (1) and (2) shall be subject*  
13       *to such terms and conditions as the Secretary deter-*  
14       *mines to be necessary to protect the interests of the*  
15       *United States, including a requirement that the Port*  
16       *of Clarkston pay all administrative costs associated*  
17       *with the conveyances, including the cost of land sur-*  
18       *veys and appraisals and costs associated with compli-*  
19       *ance with applicable environmental laws (including*  
20       *regulations).*

21              (4) *USE OF LAND.*—*The Port of Clarkston shall*  
22       *be required to pay the fair market value, as deter-*  
23       *mined by the Secretary, of any land conveyed pursu-*  
24       *ant to paragraphs (1) and (2) that is not retained in*  
25       *public ownership and used for public park or recre-*

1        *ation purposes, except that the Secretary shall have a*  
 2        *right of reverter to reclaim possession and title to any*  
 3        *such land.*

4        *(s) WHITE RIVER, INDIANA.—The project for flood con-*  
 5        *trol, Indianapolis on West Fork of the White River, Indi-*  
 6        *ana, authorized by section 5 of the Act entitled “An Act*  
 7        *authorizing the construction of certain public works on riv-*  
 8        *ers and harbors for flood control, and other purposes”, ap-*  
 9        *proved June 22, 1936 (49 Stat. 1586, chapter 688), as*  
 10       *modified by section 323 of the Water Resources Development*  
 11       *Act of 1996 (110 Stat. 3716), is modified to authorize the*  
 12       *Secretary to undertake the riverfront alterations described*  
 13       *in the Central Indianapolis Waterfront Concept Plan, dated*  
 14       *February 1994, for the Canal Development (Upper Canal*  
 15       *feature) and the Beveridge Paper feature, at a total cost*  
 16       *not to exceed \$25,000,000, of which \$12,500,000 is the esti-*  
 17       *mated Federal cost and \$12,500,000 is the estimated non-*  
 18       *Federal cost, except that no such alterations may be under-*  
 19       *taken unless the Secretary determines that the alterations*  
 20       *authorized by this subsection, in combination with the al-*  
 21       *terations undertaken under section 323 of the Water Re-*  
 22       *sources Development Act of 1996 (110 Stat. 3716), are eco-*  
 23       *nomically justified.*

24       *(t) FOX POINT HURRICANE BARRIER, PROVIDENCE,*  
 25       *RHODE ISLAND.—The project for hurricane-flood protec-*

tion, Fox Point, Providence, Rhode Island, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 306) is modified to direct the Secretary to undertake the necessary repairs to the barrier, as identified in the Condition Survey and Technical Assessment dated April 1998 with Supplement dated August 1998, at a total cost of \$3,000,000, with an estimated Federal cost of \$1,950,000 and an estimated non-Federal cost of \$1,050,000.

(u) LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA.—

(1) IN GENERAL.—The project for shoreline protection, Lee County, Captiva Island segment, Florida, authorized by section 506(b)(3)(A) of the Water Resources Development Act of 1996 (110 Stat. 3758), is modified to direct the Secretary to enter into an agreement with the non-Federal interest to carry out the project in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1).

(2) DECISION DOCUMENT.—The design memorandum approved in 1996 shall be the decision document supporting continued Federal participation in cost sharing of the project.

(v) COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON.—

1           (1) *IN GENERAL.*—*The project for navigation,*  
2           *Columbia River between Vancouver, Washington, and*  
3           *The Dalles, Oregon, authorized by the first section of*  
4           *the Act of July 24, 1946 (60 Stat. 637, chapter 595),*  
5           *is modified to authorize the Secretary to construct an*  
6           *alternate barge channel to traverse the high span of*  
7           *the Interstate Route 5 bridge between Portland, Or-*  
8           *egon, and Vancouver, Washington, to a depth of 17*  
9           *feet, with a width of approximately 200 feet through*  
10          *the high span of the bridge and a width of approxi-*  
11          *mately 300 feet upstream of the bridge.*

12          (2) *DISTANCE UPSTREAM.*—*The channel shall*  
13          *continue upstream of the bridge approximately 2,500*  
14          *feet to about river mile 107, then to a point of conver-*  
15          *gence with the main barge channel at about river*  
16          *mile 108.*

17          (3) *DISTANCE DOWNSTREAM.*—

18                (A) *SOUTHERN EDGE.*—*The southern edge*  
19                *of the channel shall continue downstream of the*  
20                *bridge approximately 1,500 feet to river mile*  
21                *106+10, then turn northwest to tie into the edge*  
22                *of the Upper Vancouver Turning Basin.*

23                (B) *NORTHERN EDGE.*—*The northern edge*  
24                *of the channel shall continue downstream of the*  
25                *bridge to the Upper Vancouver Turning Basin.*

1 **SEC. 103. PROJECT DEAUTHORIZATIONS.**

2       (a) *BRIDGEPORT HARBOR, CONNECTICUT.*—*The por-*  
 3 *tion of the project for navigation, Bridgeport Harbor, Con-*  
 4 *necticut, authorized by section 101 of the River and Harbor*  
 5 *Act of 1958 (72 Stat. 297), consisting of a 2.4-acre anchor-*  
 6 *age area 9 feet deep and an adjacent 0.60-acre anchorage*  
 7 *area 6 feet deep, located on the west side of Johnsons River,*  
 8 *Connecticut, is not authorized after the date of enactment*  
 9 *of this Act.*

10       (b) *BASS HARBOR, MAINE.*—

11           (1) *DEAUTHORIZATION.*—*The portions of the*  
 12 *project for navigation, Bass Harbor, Maine, author-*  
 13 *ized on May 7, 1962, under section 107 of the River*  
 14 *and Harbor Act of 1960 (33 U.S.C. 577) described in*  
 15 *paragraph (2) are not authorized after the date of en-*  
 16 *actment of this Act.*

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

19           (A) *Beginning at a bend in the project,*  
 20           *N149040.00, E538505.00, thence running eas-*  
 21           *terly about 50.00 feet along the northern limit of*  
 22           *the project to a point, N149061.55, E538550.11,*  
 23           *thence running southerly about 642.08 feet to a*  
 24           *point, N148477.64, E538817.18, thence running*  
 25           *southwesterly about 156.27 feet to a point on the*  
 26           *westerly limit of the project, N148348.50,*

1        *E538737.02, thence running northerly about*  
 2        *149.00 feet along the westerly limit of the project*  
 3        *to a bend in the project, N148489.22,*  
 4        *E538768.09, thence running northwesterly about*  
 5        *610.39 feet along the westerly limit of the project*  
 6        *to the point of origin.*

7            *(B) Beginning at a point on the westerly*  
 8        *limit of the project, N148118.55, E538689.05,*  
 9        *thence running southeasterly about 91.92 feet to*  
 10       *a point, N148041.43, E538739.07, thence run-*  
 11       *ning southerly about 65.00 feet to a point,*  
 12       *N147977.86, E538725.51, thence running south-*  
 13       *westerly about 91.92 feet to a point on the west-*  
 14       *erly limit of the project, N147927.84,*  
 15       *E538648.39, thence running northerly about*  
 16       *195.00 feet along the westerly limit of the project*  
 17       *to the point of origin.*

18       *(c) BOOTHBAY HARBOR, MAINE.—The project for*  
 19       *navigation, Boothbay Harbor, Maine, authorized by the Act*  
 20       *of July 25, 1912 (37 Stat. 201, chapter 253), is not author-*  
 21       *ized after the date of enactment of this Act.*

22       *(d) CARVERS HARBOR, VINALHAVEN, MAINE.—*

23            *(1) DEAUTHORIZATION.—The portion of the*  
 24       *project for navigation, Carvers Harbor, Vinalhaven,*  
 25       *Maine, authorized by the Act of June 3, 1896 (com-*

1        *monly known as the “River and Harbor Appropria-*  
 2        *tions Act of 1896”)* (29 Stat. 202, chapter 314), de-  
 3        *scribed in paragraph (2) is not authorized after the*  
 4        *date of enactment of this Act.*

5            (2) *DESCRIPTION.—The portion of the project re-*  
 6        *ferred to in paragraph (1) is the portion of the 16-*  
 7        *foot anchorage beginning at a point with coordinates*  
 8        *N137,502.04, E895,156.83, thence running south 6 de-*  
 9        *grees 34 minutes 57.6 seconds west 277.660 feet to a*  
 10       *point N137,226.21, E895,125.00, thence running*  
 11       *north 53 degrees, 5 minutes 42.4 seconds west 127.746*  
 12       *feet to a point N137,302.92, E895022.85, thence run-*  
 13       *ning north 33 degrees 56 minutes 9.8 seconds east*  
 14       *239.999 feet to the point of origin.*

15        (e) *EAST BOOTHBAY HARBOR, MAINE.—Section 364*  
 16       *of the Water Resources Development Act of 1996 (110 Stat.*  
 17       *3731) is amended by striking paragraph (9) and inserting*  
 18       *the following:*

19            “(9) *EAST BOOTHBAY HARBOR, MAINE.—The*  
 20        *project for navigation, East Boothbay Harbor, Maine,*  
 21        *authorized by the first section of the Act entitled ‘An*  
 22        *Act making appropriations for the construction, re-*  
 23        *pair, and preservation of certain public works on riv-*  
 24        *ers and harbors, and for other purposes’, approved*  
 25        *June 25, 1910 (36 Stat. 657).”.*



1       (f) *SEARSPORT HARBOR, SEARSPORT, MAINE.*—

2               (1) *DEAUTHORIZATION.*—*The portion of the*  
 3       *project for navigation, Searsport Harbor, Searsport,*  
 4       *Maine, authorized by section 101 of the River and*  
 5       *Harbor Act of 1962 (76 Stat. 1173), described in*  
 6       *paragraph (2) is not authorized after the date of en-*  
 7       *actment of this Act.*

8               (2) *DESCRIPTION.*—*The portion of the project re-*  
 9       *ferred to in paragraph (1) is the portion of the 35-*  
 10       *foot turning basin beginning at a point with coordi-*  
 11       *nates N225,008.38, E395,464.26, thence running*  
 12       *north 43 degrees 49 minutes 53.4 seconds east 362.001*  
 13       *feet to a point N225,269.52, E395,714.96, thence run-*  
 14       *ning south 71 degrees 27 minutes 33.0 seconds east*  
 15       *1,309.201 feet to a point N224,853.22, E396,956.21,*  
 16       *thence running north 84 degrees 3 minutes 45.7 sec-*  
 17       *onds west 1,499.997 feet to the point of origin.*

18   **SEC. 104. STUDIES.**

19       (a) *CADDO LEVEE, RED RIVER BELOW DENISON DAM,*  
 20       *ARIZONA, LOUISIANA, OKLAHOMA, AND TEXAS.*—*The Sec-*  
 21       *retary shall conduct a study to determine the feasibility of*  
 22       *undertaking a project for flood control, Caddo Levee, Red*  
 23       *River Below Denison Dam, Arizona, Louisiana, Oklahoma,*  
 24       *and Texas, including incorporating the existing levee, along*  
 25       *Twelve Mile Bayou from its juncture with the existing Red*

1 *River Below Denison Dam Levee approximately 26 miles*  
2 *upstream to its terminus at high ground in the vicinity*  
3 *of Black Bayou, Louisiana.*

4 (b) *BOYDSVILLE, ARKANSAS.—The Secretary shall*  
5 *conduct a study to determine the feasibility of reservoir and*  
6 *associated improvements to provide for flood control, recre-*  
7 *ation, water quality, water supply, and fish and wildlife*  
8 *purposes in the vicinity of Boydsville, Arkansas.*

9 (c) *UNION COUNTY, ARKANSAS.—The Secretary shall*  
10 *conduct a study to determine the feasibility of municipal*  
11 *and industrial water supply for Union County, Arkansas.*

12 (d) *WHITE RIVER BASIN, ARKANSAS AND MIS-*  
13 *SOURI.—*

14 (1) *IN GENERAL.—The Secretary shall conduct a*  
15 *study of the project for flood control, power genera-*  
16 *tion, and other purposes at the White River Basin,*  
17 *Arkansas and Missouri, authorized by section 4 of the*  
18 *Act of June 28, 1938 (52 Stat. 1218, chapter 795),*  
19 *and modified by H. Doc. 917, 76th Cong., 3d Sess.,*  
20 *and H. Doc. 290, 77th Cong., 1st Sess., approved Au-*  
21 *gust 18, 1941, and H. Doc. 499, 83d Cong., 2d Sess.,*  
22 *approved September 3, 1954, and by section 304 of*  
23 *the Water Resources Development Act of 1996 (110*  
24 *Stat. 3711) to determine the feasibility of modifying*

1        *the project to provide minimum flows necessary to*  
 2        *sustain the tail water trout fisheries.*

3            (2) *REPORT.*—*Not later than July 30, 2000, the*  
 4        *Secretary shall submit to Congress a report on the*  
 5        *study and any recommendations on reallocation of*  
 6        *storage at Beaver Lake, Table Rock, Bull Shoals*  
 7        *Lake, Norfolk Lake, and Greers Ferry Lake.*

8            (e) *FIELDS LANDING CHANNEL, HUMBOLDT HARBOR,*  
 9        *CALIFORNIA.*—*The Secretary—*

10            (1) *shall conduct a study for the project for navi-*  
 11        *gation, Fields Landing Channel, Humboldt Harbor*  
 12        *and Bay, California, to a depth of minus 35 feet*  
 13        *(MLLW), and for that purpose may use any feasi-*  
 14        *bility report prepared by the non-Federal sponsor*  
 15        *under section 203 of the Water Resources Development*  
 16        *Act of 1986 (33 U.S.C. 2231) for which reimburse-*  
 17        *ment of the Federal share of the study is authorized*  
 18        *subject to the availability of appropriations; and*

19            (2) *may carry out the project under section 107*  
 20        *of the River and Harbor Act of 1960 (33 U.S.C. 577),*  
 21        *if the Secretary determines that the project is feasible.*

22            (f) *FRAZIER CREEK, TULARE COUNTY, CALIFORNIA.*—  
 23        *The Secretary shall conduct a study to determine—*

24            (1) *the feasibility of restoring Frazier Creek,*  
 25        *Tulare County, California; and*

1           (2) *the Federal interest in flood control, environ-*  
2           *mental restoration, conservation of fish and wildlife*  
3           *resources, recreation, and water quality of the creek.*

4           (g) *STRAWBERRY CREEK, BERKELEY, CALIFORNIA.—*  
5           *The Secretary shall conduct a study to determine the feasi-*  
6           *bility of restoring Strawberry Creek, Berkeley, California,*  
7           *and the Federal interest in environmental restoration, con-*  
8           *servation of fish and wildlife resources, recreation, and*  
9           *water quality.*

10          (h) *WEST SIDE STORM WATER RETENTION FACILITY,*  
11          *CITY OF LANCASTER, CALIFORNIA.—The Secretary shall*  
12          *conduct a study to determine the feasibility of undertaking*  
13          *measures to construct the West Side Storm Water Retention*  
14          *Facility in the city of Lancaster, California.*

15          (i) *APALACHICOLA RIVER, FLORIDA.—The Secretary*  
16          *shall conduct a study for the purpose of identifying—*

17                 (1) *alternatives for the management of material*  
18                 *dredged in connection with operation and mainte-*  
19                 *nance of the Apalachicola River Navigation Project;*  
20                 *and*

21                 (2) *alternatives that reduce the requirements for*  
22                 *such dredging.*

23          (j) *BROWARD COUNTY, SAND BYPASSING AT PORT EV-*  
24          *ERGLADES, FLORIDA.—The Secretary shall conduct a study*

1 *to determine the feasibility of constructing a sand bypass-*  
 2 *ing project at the Port Everglades Inlet, Florida.*

3 *(k) CITY OF DESTIN-NORIEGA POINT BREAKWATER,*  
 4 *FLORIDA.—The Secretary shall conduct a study to deter-*  
 5 *mine the feasibility of—*

6 *(1) restoring Noriega Point, Florida, to serve as*  
 7 *a breakwater for Destin Harbor; and*

8 *(2) including Noriega Point as part of the East*  
 9 *Pass, Florida, navigation project.*

10 *(l) GATEWAY TRIANGLE REDEVELOPMENT AREA,*  
 11 *FLORIDA.—*

12 *(1) IN GENERAL.—The Secretary shall conduct a*  
 13 *study to determine the feasibility of undertaking*  
 14 *measures to reduce the flooding problems in the vicin-*  
 15 *ity of Gateway Triangle Redevelopment Area, Flor-*  
 16 *ida.*

17 *(2) STUDIES AND REPORTS.—The study shall in-*  
 18 *clude a review and consideration of studies and re-*  
 19 *ports completed by the non-Federal interests.*

20 *(m) CITY OF PLANT CITY, FLORIDA.—*

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

1           (2) *STUDIES AND REPORTS.*—*In conducting the*  
2           *study, the Secretary shall review and consider studies*  
3           *and reports completed by the non-Federal interests.*

4           (n) *BOISE, IDAHO.*—*The Secretary shall conduct a*  
5           *study to determine the feasibility of undertaking flood con-*  
6           *trol on the Boise River in Boise, Idaho.*

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

13          (p) *LITTLE WOOD RIVER, GOODING, IDAHO.*—*The*  
14          *Secretary shall conduct a study to determine the feasibility*  
15          *of restoring and repairing the Lava Rock Little Wood River*  
16          *Containment System to prevent flooding in the city of*  
17          *Gooding, Idaho.*

18          (q) *BANK STABILIZATION, SNAKE RIVER, LEWISTON,*  
19          *IDAHO.*—*The Secretary shall conduct a study to determine*  
20          *the feasibility of undertaking bank stabilization and flood*  
21          *control on the Snake River at Lewiston, Idaho.*

22          (r) *SNAKE RIVER AND PAYETTE RIVER, IDAHO.*—*The*  
23          *Secretary shall conduct a study to determine the feasibility*  
24          *of a flood control project along the Snake River and Payette*  
25          *River, in the vicinity of Payette, Idaho.*

1       (s) *ACADIANA NAVIGATION CHANNEL, LOUISIANA.—*  
 2       *The Secretary shall conduct a study to determine the feasi-*  
 3       *bility of assuming operations and maintenance for the*  
 4       *Acadiana Navigation Channel located in Iberia and*  
 5       *Vermillion Parishes, Louisiana.*

6       (t) *CAMERON PARISH WEST OF CALCASIEU RIVER,*  
 7       *LOUISIANA.—The Secretary shall conduct a study to deter-*  
 8       *mine the feasibility of a storm damage reduction and eco-*  
 9       *system restoration project for Cameron Parish west of*  
 10       *Calcasieu River, Louisiana.*

11       (u) *BENEFICIAL USE OF DREDGED MATERIAL, COAST-*  
 12       *AL LOUISIANA.—The Secretary shall conduct a study to de-*  
 13       *termine the feasibility of using dredged material from*  
 14       *maintenance activities at Federal navigation projects in*  
 15       *coastal Louisiana to benefit coastal areas in the State.*

16       (v) *CONTRABAND BAYOU NAVIGATION CHANNEL, LOU-*  
 17       *ISIANA.—The Secretary shall conduct a study to determine*  
 18       *the feasibility of assuming the maintenance at Contraband*  
 19       *Bayou, Calcasieu River Ship Canal, Louisiana.*

20       (w) *GOLDEN MEADOW LOCK, LOUISIANA.—The Sec-*  
 21       *retary shall conduct a study to determine the feasibility of*  
 22       *converting the Golden Meadow floodgate into a navigation*  
 23       *lock to be included in the Larose to Golden Meadow Hurri-*  
 24       *cane Protection Project, Louisiana.*

1       (x) *GULF INTRACOASTAL WATERWAY ECOSYSTEM*  
 2 *PROTECTION, CHEF MENTEUR TO SABINE RIVER, LOU-*  
 3 *ISIANA.—*

4           (1) *IN GENERAL.—The Secretary shall conduct a*  
 5 *study to determine the feasibility of undertaking eco-*  
 6 *system restoration and protection measures along the*  
 7 *Gulf Intracoastal Waterway from Chef Menteur to*  
 8 *Sabine River, Louisiana.*

9           (2) *MATTERS TO BE ADDRESSED.—The study*  
 10 *shall address saltwater intrusion, tidal scour, erosion,*  
 11 *compaction, subsidence, wind and wave action, bank*  
 12 *failure, and other problems relating to water resources*  
 13 *in the area.*

14       (y) *LAKE PONTCHARTRAIN, LOUISIANA, AND VICINITY,*  
 15 *ST. CHARLES PARISH PUMPS.—The Secretary shall con-*  
 16 *duct a study to determine the feasibility of modifying the*  
 17 *Lake Pontchartrain Hurricane Protection Project to in-*  
 18 *clude the St. Charles Parish Pumps and the modification*  
 19 *of the seawall fronting protection along Lake Pontchartrain*  
 20 *in Orleans Parish, from New Basin Canal on the west to*  
 21 *the Inner Harbor Navigation Canal on the east.*

22       (z) *LAKE PONTCHARTRAIN AND VICINITY SEAWALL*  
 23 *RESTORATION, LOUISIANA.—The Secretary shall conduct a*  
 24 *study to determine the feasibility of undertaking structural*  
 25 *modifications of that portion of the seawall fronting protec-*



1 *tion along the south shore of Lake Pontchartrain in Orleans*  
 2 *Parish, Louisiana, extending approximately 5 miles from*  
 3 *the new basin Canal on the west to the Inner Harbor Navi-*  
 4 *gation Canal on the east as a part of the Lake Pont-*  
 5 *chartrain and Vicinity Hurricane Protection Project, au-*  
 6 *thorized by section 204 of the Flood Control Act of 1965*  
 7 *(79 Stat. 1077).*

8 *(aa) MUDDY RIVER, BROOKLINE AND BOSTON, MASSA-*  
 9 *CHUSETTS.—*

10 *(1) IN GENERAL.—The Secretary shall evaluate*  
 11 *the January 1999 study commissioned by the Boston*  
 12 *Parks and Recreation Department, Boston, Massachu-*  
 13 *setts, and entitled “The Emerald Necklace Environ-*  
 14 *mental Improvement Master Plan, Phase I Muddy*  
 15 *River Flood Control, Water Quality and Habitat En-*  
 16 *hancement”, to determine whether the plans outlined*  
 17 *in the study for flood control, water quality, habitat*  
 18 *enhancements, and other improvements to the Muddy*  
 19 *River in Brookline and Boston, Massachusetts, are*  
 20 *cost-effective, technically sound, environmentally ac-*  
 21 *ceptable, and in the Federal interest.*

22 *(2) REPORT.—Not later than December 31, 1999,*  
 23 *the Secretary shall report to Congress the results of*  
 24 *the evaluation.*

1       (bb) *DETROIT RIVER, MICHIGAN, GREENWAY COR-*  
2 *RIDOR STUDY.*—

3           (1) *IN GENERAL.*—*The Secretary shall conduct a*  
4 *study to determine the feasibility of a project for*  
5 *shoreline protection, frontal erosion, and associated*  
6 *purposes in the Detroit River shoreline area from the*  
7 *Belle Isle Bridge to the Ambassador Bridge in De-*  
8 *troit, Michigan.*

9           (2) *POTENTIAL MODIFICATIONS.*—*As a part of*  
10 *the study, the Secretary shall review potential project*  
11 *modifications to any existing Corps projects within*  
12 *the same area.*

13       (cc) *ST. CLAIR SHORES FLOOD CONTROL, MICH-*  
14 *IGAN.*—*The Secretary shall conduct a study to determine the*  
15 *feasibility of constructing a flood control project at St. Clair*  
16 *Shores, Michigan.*

17       (dd) *WOODTICK PENINSULA, MICHIGAN, AND TOLEDO*  
18 *HARBOR, OHIO.*—*The Secretary shall conduct a study to*  
19 *determine the feasibility of utilizing dredged material from*  
20 *Toledo Harbor, Ohio, to provide erosion reduction, naviga-*  
21 *tion, and ecosystem restoration at Woodtick Peninsula,*  
22 *Michigan.*

23       (ee) *DREDGED MATERIAL MANAGEMENT, PASCAGOULA*  
24 *HARBOR, MISSISSIPPI.*—

1           (1) *IN GENERAL.*—*The Secretary shall conduct a*  
 2           *study to determine an alternative plan for dredged*  
 3           *material management for the Pascagoula River por-*  
 4           *tion of the project for navigation, Pascagoula Harbor,*  
 5           *Mississippi, authorized by section 202(a) of the Water*  
 6           *Resources Development Act of 1986 (100 Stat. 4094).*

7           (2) *CONTENTS.*—*The study under paragraph (1)*  
 8           *shall—*

9                     (A) *include an analysis of the feasibility of*  
 10            *expanding the Singing River Island Disposal*  
 11            *Area or constructing a new dredged material dis-*  
 12            *posal facility; and*

13                    (2) *identify methods of managing and re-*  
 14            *ducing sediment transport into the Federal navi-*  
 15            *gation channel.*

16           (ff) *TUNICA LAKE WEIR, MISSISSIPPI.*—

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

22           (2) *ECONOMIC ANALYSIS.*—*In carrying out the*  
 23            *study, the Secretary shall include as a part of the eco-*  
 24            *nomics analysis the benefits derived from recreation*

1        *uses at the Lake and economic benefits associated*  
 2        *with restoration of fish and wildlife habitat.*

3        *(gg) PROTECTIVE FACILITIES FOR THE ST. LOUIS,*  
 4        *MISSOURI, RIVERFRONT AREA.—*

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

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

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

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

16                *(3) REPORT.—Not later than April 15, 2000, the*  
 17        *Secretary shall submit to Congress a report on the re-*  
 18        *sults of the study.*

19        *(hh) YELLOWSTONE RIVER, MONTANA.—*

20                *(1) STUDY.—The Secretary shall conduct a com-*  
 21        *prehensive study of the Yellowstone River from Gar-*  
 22        *diner, Montana to the confluence of the Missouri*  
 23        *River to determine the hydrologic, biological, and so-*  
 24        *cioeconomic cumulative impacts on the river.*

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

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

11          (ii) *LAS VEGAS VALLEY, NEVADA.*—

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

15           (2) *OBJECTIVES.*—*The study shall identify prob-*  
 16           *lems and opportunities related to ecosystem restora-*  
 17           *tion, water quality, particularly the quality of surface*  
 18           *runoff, water supply, and flood control.*

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

23          (kk) *PORT OF NEW YORK-NEW JERSEY NAVIGATION*  
 24          *STUDY AND ENVIRONMENTAL RESTORATION STUDY.*—

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

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

20          (3) *REPORT.*—*The Secretary may use funds*  
21          *from the ongoing navigation study for New York and*  
22          *New Jersey Harbor to complete a reconnaissance re-*  
23          *port for environmental restoration by December 31,*  
24          *1999. The navigation study to deepen New York and*

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

3        *(ll) CLEVELAND HARBOR, CLEVELAND, OHIO.—The*  
4        *Secretary shall conduct a study to determine the feasibility*  
5        *of undertaking repairs and related navigation improve-*  
6        *ments at Dike 14, Cleveland, Ohio.*

7        *(mm) CHAGRIN, OHIO.—*

8                *(1) IN GENERAL.—The Secretary shall conduct a*  
9        *study to determine the feasibility of undertaking flood*  
10       *damage reduction at Chagrin, Ohio.*

11               *(2) ICE RETENTION STRUCTURE.—In conducting*  
12       *the study, the Secretary may consider construction of*  
13       *an ice retention structure as a potential means of*  
14       *providing flood damage reduction.*

15       *(nn) TOUSSAINT RIVER, CARROLL TOWNSHIP,*  
16       *OHIO.—The Secretary shall conduct a study to determine*  
17       *the feasibility of undertaking navigation improvements at*  
18       *Toussaint River, Carroll Township, Ohio.*

19       *(oo) SANTEE DELTA WETLAND HABITAT, SOUTH*  
20       *CAROLINA.—Not later than 18 months after the date of en-*  
21       *actment of this Act, the Secretary shall complete a com-*  
22       *prehensive study of the ecosystem in the Santee Delta focus*  
23       *area of South Carolina to determine the feasibility of under-*  
24       *taking measures to enhance the wetland habitat in the area.*

1       (pp) WACCAMAW RIVER, SOUTH CAROLINA.—*The Sec-*  
 2   *retary shall conduct a study to determine the feasibility of*  
 3   *a flood control project for the Waccamaw River in Horry*  
 4   *County, South Carolina.*

5       (qq) UPPER SUSQUEHANNA-LACKAWANNA, PENNSYL-  
 6   VANIA, WATERSHED MANAGEMENT AND RESTORATION  
 7   STUDY.—

8           (1) IN GENERAL.—*The Secretary shall conduct a*  
 9       *study to determine the feasibility of a comprehensive*  
 10      *flood plain management and watershed restoration*  
 11      *project for the Upper Susquehanna-Lackawanna Wa-*  
 12      *tershed, Pennsylvania.*

13          (2) GEOGRAPHIC INFORMATION SYSTEM.—*In*  
 14      *conducting the study, the Secretary shall use a geo-*  
 15      *graphic information system.*

16          (3) PLANS.—*The study shall formulate plans for*  
 17      *comprehensive flood plain management and environ-*  
 18      *mental restoration.*

19          (4) CREDITING.—*Non-Federal interests may re-*  
 20      *ceive credit for in-kind services and materials that*  
 21      *contribute to the study. The Secretary may credit*  
 22      *non-Corps Federal assistance provided to the non-*  
 23      *Federal interest toward the non-Federal share of*  
 24      *study costs to the maximum extent authorized by law.*



1       (rr) *CONTAMINATED DREDGED MATERIAL AND SEDI-*  
2 *MENT MANAGEMENT, SOUTH CAROLINA COASTAL AREAS.—*

3           (1) *IN GENERAL.—The Secretary shall review*  
4 *pertinent reports and conduct other studies and field*  
5 *investigations to determine the best available science*  
6 *and methods for management of contaminated*  
7 *dredged material and sediments in the coastal areas*  
8 *of South Carolina.*

9           (2) *FOCUS.—In carrying out subsection (a), the*  
10 *Secretary shall place particular focus on areas where*  
11 *the Corps of Engineers maintains deep draft naviga-*  
12 *tion projects, such as Charleston Harbor, Georgetown*  
13 *Harbor, and Port Royal, South Carolina.*

14          (3) *COOPERATION.—The studies shall be con-*  
15 *ducted in cooperation with the appropriate Federal*  
16 *and State environmental agencies.*

17       (ss) *NIOBRARA RIVER AND MISSOURI RIVER SEDI-*  
18 *MENTATION STUDY, SOUTH DAKOTA.—The Secretary shall*  
19 *conduct a study of the Niobrara River watershed and the*  
20 *operations of Fort Randall Dam and Gavins Point Dam*  
21 *on the Missouri River to determine the feasibility of alle-*  
22 *viating the bank erosion, sedimentation, and related prob-*  
23 *lems in the lower Niobrara River and the Missouri River*  
24 *below Fort Randall Dam.*

25       (tt) *SANTA CLARA RIVER, UTAH.—*

1           (1) *IN GENERAL.*—*The Secretary shall conduct a*  
 2           *study to determine the feasibility of undertaking*  
 3           *measures to alleviate damage caused by flooding, bank*  
 4           *erosion, and sedimentation along the watershed of the*  
 5           *Santa Clara River, Utah, above the Gunlock Res-*  
 6           *ervoir.*

7           (2) *CONTENTS.*—*The study shall include an*  
 8           *analysis of watershed conditions and water quality,*  
 9           *as related to flooding and bank erosion, along the*  
 10          *Santa Clara River in the vicinity of the town of Gun-*  
 11          *lock, Utah.*

12          *(uu) MOUNT ST. HELENS ENVIRONMENTAL RESTORA-*  
 13          *TION, WASHINGTON.*—

14               (1) *IN GENERAL.*—*The Secretary shall conduct a*  
 15               *study to determine the feasibility of ecosystem restora-*  
 16               *tion improvements throughout the Cowlitz and Toutle*  
 17               *River basins, Washington, including the 6,000 acres*  
 18               *of wetland, riverine, riparian, and upland habitats*  
 19               *lost or altered due to the eruption of Mount St. Hel-*  
 20               *ens in 1980 and subsequent emergency actions.*

21               (2) *REQUIREMENTS.*—*In carrying out the study,*  
 22               *the Secretary shall—*

23                       (A) *work in close coordination with local*  
 24                       *governments, watershed entities, the State of*  
 25                       *Washington, and other Federal agencies; and*

1                   (B) place special emphasis on—

2                   (i) conservation and restoration strate-  
 3                   gies to benefit species that are listed or pro-  
 4                   posed for listing as threatened or endan-  
 5                   gered species under the Endangered Species  
 6                   Act of 1973 (16 U.S.C. 1531 et seq.); and

7                   (ii) other watershed restoration objec-  
 8                   tives.

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

15       (wv) APRA HARBOR SEAWALL, GUAM.—The Secretary  
 16   shall conduct a study to determine the feasibility of under-  
 17   taking measures to repair, upgrade, and extend the seawall  
 18   protecting Apra Harbor, Guam, and to ensure continued  
 19   access to the harbor via Route 11B.

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

1       (yy) *MAINTENANCE DREDGING OF HARBOR PIERS,*  
 2 *GUAM.—The Secretary shall conduct a study to determine*  
 3 *the feasibility of Federal maintenance of areas adjacent to*  
 4 *piers at harbors in Guam, including Apra Harbor, Agat*  
 5 *Harbor, and Agana Marina.*

6       (zz) *ALTERNATIVE WATER SOURCES STUDY.—*

7           (1) *IN GENERAL.—The Administrator of the En-*  
 8 *vironmental Protection Agency shall conduct a study*  
 9 *of the water supply needs of States that are not cur-*  
 10 *rently eligible for assistance under title XVI of the*  
 11 *Reclamation Projects Authorization and Adjustment*  
 12 *Act of 1992 (43 U.S.C. 390h et seq.).*

13          (2) *REQUIREMENTS.—The study shall—*

14           (A) *identify the water supply needs (includ-*  
 15 *ing potable, commercial, industrial, recreational*  
 16 *and agricultural needs) of each State described*  
 17 *in paragraph (1) through 2020, making use of*  
 18 *such State, regional, and local plans, studies,*  
 19 *and reports as are available;*

20           (B) *evaluate the feasibility of various alter-*  
 21 *native water source technologies such as reuse*  
 22 *and reclamation of wastewater and stormwater*  
 23 *(including indirect potable reuse), aquifer stor-*  
 24 *age and recovery, and desalination to meet the*

1           *anticipated water supply needs of the States;*  
 2           *and*

3           (C) *assess how alternative water sources*  
 4           *technologies can be utilized to meet the identified*  
 5           *needs.*

6           (3) *REPORT.—The Administrator shall report to*  
 7           *Congress on the results of the study not more than*  
 8           *180 days after the date of enactment of this Act.*

9           (aaa) *GREAT LAKES NAVIGATIONAL SYSTEM.—In con-*  
 10          *sultation with the St. Lawrence Seaway Development Cor-*  
 11          *poration, the Secretary shall review the Great Lakes Con-*  
 12          *necting Channel and Harbors Report dated March 1985 to*  
 13          *determine the feasibility of any modification of the rec-*  
 14          *ommendations made in the report to improve commercial*  
 15          *navigation on the Great Lakes navigation system, including*  
 16          *locks, dams, harbors, ports, channels, and other related fea-*  
 17          *tures.*

## 18    ***TITLE II—GENERAL PROVISIONS***

### 19    ***SEC. 201. FLOOD HAZARD MITIGATION AND RIVERINE ECO-*** 20          ***SYSTEM RESTORATION PROGRAM.***

21          (a) *IN GENERAL.—*

22               (1) *AUTHORIZATION.—The Secretary may carry*  
 23               *out a program to reduce flood hazards and restore the*  
 24               *natural functions and values of riverine ecosystems*  
 25               *throughout the United States.*

1           (2) *STUDIES.*—*In carrying out the program, the*  
2           *Secretary shall conduct studies to identify appro-*  
3           *priate flood damage reduction, conservation, and res-*  
4           *toration measures and may design and implement*  
5           *watershed management and restoration projects.*

6           (3) *PARTICIPATION.*—*The studies and projects*  
7           *carried out under the program shall be conducted, to*  
8           *the extent practicable, with the full participation of*  
9           *the appropriate Federal agencies, including the De-*  
10          *partment of Agriculture, the Federal Emergency Man-*  
11          *agement Agency, the Department of the Interior, the*  
12          *Environmental Protection Agency, and the Depart-*  
13          *ment of Commerce.*

14          (4) *NONSTRUCTURAL APPROACHES.*—*The studies*  
15          *and projects shall, to the extent practicable, emphasize*  
16          *nonstructural approaches to preventing or reducing*  
17          *flood damages.*

18          (b) *COST-SHARING REQUIREMENTS.*—

19               (1) *STUDIES.*—*The cost of studies conducted*  
20               *under subsection (a) shall be shared in accordance*  
21               *with section 105 of the Water Resources Development*  
22               *Act of 1986 (33 Stat. 2215).*

23               (2) *PROJECTS.*—*The non-Federal interests shall*  
24               *pay 35 percent of the cost of any project carried out*  
25               *under this section.*

1           (3) *IN-KIND CONTRIBUTIONS.*—*The non-Federal*  
 2           *interests shall provide all land, easements, rights-of-*  
 3           *way, dredged material disposal areas, and relocations*  
 4           *necessary for the projects. The value of the land, ease-*  
 5           *ments, rights-of-way, dredged material disposal areas,*  
 6           *and relocations shall be credited toward the payment*  
 7           *required under this subsection.*

8           (4) *RESPONSIBILITIES OF THE NON-FEDERAL IN-*  
 9           *TERESTS.*—*The non-Federal interests shall be respon-*  
 10          *sible for all costs associated with operating, maintain-*  
 11          *ing, replacing, repairing, and rehabilitating all*  
 12          *projects carried out under this section.*

13          (c) *PROJECT JUSTIFICATION.*—

14               (1) *IN GENERAL.*—*The Secretary may implement*  
 15          *a project under this section if the Secretary deter-*  
 16          *mines that the project—*

17                       (A) *will significantly reduce potential flood*  
 18                       *damages;*

19                       (B) *will improve the quality of the environ-*  
 20                       *ment; and*

21                       (C) *is justified considering all costs and*  
 22                       *beneficial outputs of the project.*

23               (2) *SELECTION CRITERIA; POLICIES AND PROCE-*  
 24          *DURES.*—*Not later than 180 days after the date of en-*  
 25          *actment of this Act, the Secretary shall—*

1           (A) develop criteria for selecting and rating  
2           the projects to be carried out as part of the pro-  
3           gram authorized by this section; and

4           (B) establish policies and procedures for  
5           carrying out the studies and projects undertaken  
6           under this section.

7       (d) *REPORTING REQUIREMENT.*—The Secretary may  
8       not implement a project under this section until—

9           (1) the Secretary provides to the Committee on  
10          Environment and Public Works of the Senate and the  
11          Committee on Transportation and Infrastructure of  
12          the House of Representatives a written notification  
13          describing the project and the determinations made  
14          under subsection (c); and

15          (2) a period of 21 calendar days has expired fol-  
16          lowing the date on which the notification was received  
17          by the Committees.

18       (e) *PRIORITY AREAS.*—In carrying out this section,  
19       the Secretary shall examine the potential for flood damage  
20       reductions at appropriate locations, including—

21           (1) Los Angeles County drainage area, Cali-  
22          fornia;

23           (2) Napa River Valley watershed, California;

24           (3) Le May, Missouri;

25           (4) the upper Delaware River basin, New York;



- 1           (5) *Mill Creek, Cincinnati, Ohio;*
- 2           (6) *Tillamook County, Oregon;*
- 3           (7) *Willamette River basin, Oregon;*
- 4           (8) *Delaware River, Pennsylvania;*
- 5           (9) *Schuylkill River, Pennsylvania; and*
- 6           (10) *Providence County, Rhode Island.*

7           (f) *PER-PROJECT LIMITATION.—Not more than*  
 8 *\$25,000,000 in Army Civil Works appropriations may be*  
 9 *expended on any single project undertaken under this sec-*  
 10 *tion.*

11          (g) *AUTHORIZATION OF APPROPRIATIONS.—*

12           (1) *IN GENERAL.—There is authorized to be ap-*  
 13 *propriated to carry out this section \$75,000,000 for*  
 14 *the period of fiscal years 2000 and 2001.*

15           (2) *PROGRAM FUNDING LEVELS.—All studies*  
 16 *and projects undertaken under this authority from*  
 17 *Army Civil Works appropriations shall be fully fund-*  
 18 *ed within the program funding levels provided in this*  
 19 *subsection.*

20 **SEC. 202. SHORE PROTECTION.**

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

23           (1) *by striking “Costs of constructing” and in-*  
 24 *serting the following:*

1           “(1) *CONSTRUCTION.—Costs of constructing*”;  
 2       *and*

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

4           “(2) *PERIODIC NOURISHMENT.—In the case of a*  
 5       *project authorized for construction after December 31,*  
 6       *1999, or for which a feasibility study is completed*  
 7       *after that date, the non-Federal cost of the periodic*  
 8       *nourishment of projects or measures for shore protec-*  
 9       *tion or beach erosion control shall be 50 percent, ex-*  
 10      *cept that—*

11           “(A) *all costs assigned to benefits to pri-*  
 12       *vately owned shores (where use of such shores is*  
 13       *limited to private interests) or to prevention of*  
 14       *losses of private land shall be borne by non-Fed-*  
 15       *eral interests; and*

16           “(B) *all costs assigned to the protection of*  
 17       *federally owned shores shall be borne by the*  
 18       *United States.”.*

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

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

22           (1) *in the first sentence, by striking “construc-*  
 23       *tion of small projects” and inserting “implementation*  
 24       *of small structural and nonstructural projects”; and*

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

3 **SEC. 204. USE OF NON-FEDERAL FUNDS FOR COMPILING**  
4 **AND DISSEMINATING INFORMATION ON**  
5 **FLOODS AND FLOOD DAMAGES.**

6           Section 206(b) of the Flood Control Act of 1960 (33  
7 U.S.C. 709a(b)) is amended in the third sentence by insert-  
8 ing before the period at the end the following: “, but the  
9 Secretary of the Army may accept funds voluntarily con-  
10 tributed by such entities for the purpose of expanding the  
11 scope of the services requested by the entities”.

12 **SEC. 205. AQUATIC ECOSYSTEM RESTORATION.**

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

15           (1) by striking “Construction” and inserting the  
16 following:

17           “(1) *IN GENERAL*.—Construction”; and

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

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

1 **SEC. 206. BENEFICIAL USES OF DREDGED MATERIAL.**

2 *Section 204 of the Water Resources Development Act*  
 3 *of 1992 (33 U.S.C. 2326) is amended by adding at the end*  
 4 *the following:*

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

10 **SEC. 207. VOLUNTARY CONTRIBUTIONS BY STATES AND PO-**  
 11 **LITICAL SUBDIVISIONS.**

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

15 **SEC. 208. RECREATION USER FEES.**

16 (a) *WITHHOLDING OF AMOUNTS.*—

17 (1) *IN GENERAL.*—During fiscal years 1999  
 18 through 2002, the Secretary may withhold from the  
 19 special account established under section 4(i)(1)(A) of  
 20 the Land and Water Conservation Fund Act of 1965  
 21 (16 U.S.C. 460l–6a(i)(1)(A)) 100 percent of the  
 22 amount of receipts above a baseline of \$34,000,000  
 23 per each fiscal year received from fees imposed at  
 24 recreation sites under the administrative jurisdiction  
 25 of the Department of the Army under section 4(b) of  
 26 that Act (16 U.S.C. 460l–6a(b)).

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

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

7           (b) *USE OF AMOUNTS WITHHELD.—In order to in-*  
 8           *crease the quality of the visitor experience at public rec-*  
 9           *reational areas and to enhance the protection of resources,*  
 10          *the amounts withheld under subsection (a) may be used*  
 11          *only for—*

12                 (1) *repair and maintenance projects (including*  
 13                 *projects relating to health and safety);*

14                 (2) *interpretation;*

15                 (3) *signage;*

16                 (4) *habitat or facility enhancement;*

17                 (5) *resource preservation;*

18                 (6) *annual operation (including fee collection);*

19                 (7) *maintenance; and*

20                 (8) *law enforcement related to public use.*

21           (c) *AVAILABILITY.—Each amount withheld by the Sec-*  
 22           *retary shall be available for expenditure, without further*  
 23           *Act of appropriation, at the specific project from which the*  
 24           *amount, above baseline, is collected.*

1 **SEC. 209. WATER RESOURCES DEVELOPMENT STUDIES FOR**  
 2 **THE PACIFIC REGION.**

3 *Section 444 of the Water Resources Development Act*  
 4 *of 1996 (110 Stat. 3747) is amended by striking “interest*  
 5 *of navigation” and inserting “interests of water resources*  
 6 *development (including navigation, flood damage reduction,*  
 7 *and environmental restoration)”.*

8 **SEC. 210. MISSOURI AND MIDDLE MISSISSIPPI RIVERS EN-**  
 9 **HANCEMENT PROJECT.**

10 (a) *DEFINITIONS.—In this section:*

11 (1) *MIDDLE MISSISSIPPI RIVER.—The term*  
 12 *“middle Mississippi River” means the reach of the*  
 13 *Mississippi River from the mouth of the Ohio River*  
 14 *(river mile 0, upper Mississippi River) to the mouth*  
 15 *of the Missouri River (river mile 195).*

16 (2) *MISSOURI RIVER.—The term “Missouri*  
 17 *River” means the main stem and floodplain of the*  
 18 *Missouri River (including reservoirs) from its con-*  
 19 *fluence with the Mississippi River at St. Louis, Mis-*  
 20 *souri, to its headwaters near Three Forks, Montana.*

21 (3) *PROJECT.—The term “project” means the*  
 22 *project authorized by this section.*

23 (b) *PROTECTION AND ENHANCEMENT ACTIVITIES.—*

24 (1) *PLAN.—*

25 (A) *DEVELOPMENT.—Not later than 180*  
 26 *days after the date of enactment of this Act, the*

1        *Secretary shall develop a plan for a project to*  
2        *protect and enhance fish and wildlife habitat of*  
3        *the Missouri River and the middle Mississippi*  
4        *River.*

5                *(B) ACTIVITIES.—*

6                *(i) IN GENERAL.—The plan shall pro-*  
7        *vide for such activities as are necessary to*  
8        *protect and enhance fish and wildlife habi-*  
9        *tat without adversely affecting—*

10               *(I) the water-related needs of the*  
11               *region surrounding the Missouri River*  
12               *and the middle Mississippi River, in-*  
13               *cluding flood control, navigation, recre-*  
14               *ation, and enhancement of water sup-*  
15               *ply; and*

16               *(II) private property rights.*

17               *(ii) REQUIRED ACTIVITIES.—The plan*  
18        *shall include—*

19               *(I) modification and improvement*  
20               *of navigation training structures to*  
21               *protect and enhance fish and wildlife*  
22               *habitat;*

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

1                   (III) restoration and creation of  
2                   island fish and wildlife habitat;

3                   (IV) creation of riverine fish and  
4                   wildlife habitat;

5                   (V) establishment of criteria for  
6                   prioritizing the type and sequencing of  
7                   activities based on cost-effectiveness  
8                   and likelihood of success; and

9                   (VI) physical and biological moni-  
10                  toring for evaluating the success of the  
11                  project, to be performed by the River  
12                  Studies Center of the United States Ge-  
13                  ological Survey in Columbia, Missouri.

14               (2) IMPLEMENTATION OF ACTIVITIES.—

15               (A) IN GENERAL.—Using funds made avail-  
16               able to carry out this section, the Secretary shall  
17               carry out the activities described in the plan.

18               (B) USE OF EXISTING AUTHORITY FOR  
19               UNCONSTRUCTED FEATURES OF THE PROJECT.—  
20               Using funds made available to the Secretary  
21               under other law, the Secretary shall design and  
22               construct any feature of the project that may be  
23               carried out using the authority of the Secretary  
24               to modify an authorized project, if the Secretary



1           *determines that the design and construction*  
2           *will—*

3                     *(i) accelerate the completion of activi-*  
4                     *ties to protect and enhance fish and wildlife*  
5                     *habitat of the Missouri River or the middle*  
6                     *Mississippi River; and*

7                     *(ii) be compatible with the project pur-*  
8                     *poses described in this section.*

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

10                    *(1) IN GENERAL.—In carrying out the activities*  
11                    *described in subsection (b), the Secretary shall inte-*  
12                    *grate the activities with other Federal, State, and*  
13                    *tribal activities.*

14                    *(2) NEW AUTHORITY.—Nothing in this section*  
15                    *confers any new regulatory authority on any Federal*  
16                    *or non-Federal entity that carries out any activity*  
17                    *authorized by this section.*

18           *(d) PUBLIC PARTICIPATION.—In developing and car-*  
19           *rying out the plan and the activities described in subsection*  
20           *(b), the Secretary shall provide for public review and com-*  
21           *ment in accordance with applicable Federal law,*  
22           *including—*

23                    *(1) providing advance notice of meetings;*

24                    *(2) providing adequate opportunity for public*  
25            *input and comment;*

1           (3) *maintaining appropriate records; and*

2           (4) *compiling a record of the proceedings of*  
3           *meetings.*

4           (e) *COMPLIANCE WITH APPLICABLE LAW.—In car-*  
5           *rying out the activities described in subsections (b) and (c),*  
6           *the Secretary shall comply with any applicable Federal*  
7           *law, including the National Environmental Policy Act of*  
8           *1969 (42 U.S.C. 4321 et seq.).*

9           (f) *COST SHARING.—*

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

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

15           (3) *OPERATION AND MAINTENANCE.—The oper-*  
16           *ation and maintenance of the project shall be a non-*  
17           *Federal responsibility.*

18           (g) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
19           *authorized to be appropriated to pay the Federal share of*  
20           *the cost of carrying out activities under this section*  
21           *\$30,000,000 for the period of fiscal years 2000 and 2001.*

22   **SEC. 211. OUTER CONTINENTAL SHELF.**

23           (a) *SAND, GRAVEL, AND SHELL.—Section 8(k)(2)(B)*  
24           *of the Outer Continental Shelf Lands Act (43 U.S.C.*  
25           *1337(k)(2)(B)) is amended in the second sentence by insert-*

1 *ing before the period at the end the following: “or any other*  
 2 *non-Federal interest subject to an agreement entered into*  
 3 *under section 221 of the Flood Control Act of 1970 (42*  
 4 *U.S.C. 1962d–5b)”.*

5 *(b) REIMBURSEMENT FOR LOCAL INTERESTS.—Any*  
 6 *amounts paid by non-Federal interests for beach erosion*  
 7 *control, hurricane protection, shore protection, or storm*  
 8 *damage reduction projects as a result of an assessment*  
 9 *under section 8(k) of the Outer Continental Shelf Lands Act*  
 10 *(43 U.S.C. 1337(k)) shall be fully reimbursed.*

11 **SEC. 212. ENVIRONMENTAL DREDGING.**

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

15 *“(6) Snake Creek, Bixby, Oklahoma.*

16 *“(7) Willamette River, Oregon.”.*

17 **SEC. 213. BENEFIT OF PRIMARY FLOOD DAMAGES AVOIDED**  
 18 **INCLUDED IN BENEFIT-COST ANALYSIS.**

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

21 *(1) in the heading of subsection (a), by striking*  
 22 *“BENEFIT-COST ANALYSIS” and inserting “ELE-*  
 23 *MENTS EXCLUDED FROM COST-BENEFIT ANALYSIS”;*

24 *(2) by redesignating subsections (b) through (e)*  
 25 *as subsections (c) through (f), respectively;*

1           (3) *by inserting after subsection (a) the fol-*  
 2       *lowing:*

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

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

10   **SEC. 214. CONTROL OF AQUATIC PLANT GROWTH.**

11       *Section 104(a) of the River and Harbor Act of 1958*  
 12       *(33 U.S.C. 610(a)) is amended in the first sentence by strik-*  
 13       *ing “water-hyacinth, alligatorweed, Eurasian water milfoil,*  
 14       *melaleuca,” and inserting “Alligatorweed, Aquaticum,*  
 15       *Arundo Dona, Brazilian Elodea, Cabomba, Melaleuca,*  
 16       *Myrophyllum, Spicatum, Tarmarix, Water Hyacinth,”.*

17   **SEC. 215. ENVIRONMENTAL INFRASTRUCTURE.**

18       *Section 219(c) of the Water Resources Development Act*  
 19       *of 1992 (106 Stat. 4835) is amended by adding at the end*  
 20       *the following:*

21           “(19) *LAKE TAHOE, CALIFORNIA AND NEVADA.—*  
 22       *Regional water system for Lake Tahoe, California*  
 23       *and Nevada.*

1           “(20) LANCASTER, CALIFORNIA.—*Fox Field In-*  
 2           *dustrial Corridor water facilities, Lancaster, Cali-*  
 3           *fornia.*

4           “(21) SAN RAMON, CALIFORNIA.—*San Ramon*  
 5           *Valley recycled water project, San Ramon, Cali-*  
 6           *fornia.”.*

7   **SEC. 216. WATERSHED MANAGEMENT, RESTORATION, AND**  
 8           **DEVELOPMENT.**

9           *Section 503 of the Water Resources Development Act*  
 10          *of 1996 (110 Stat. 3756) is amended—*

11                  *(1) in subsection (d)—*

12                          *(A) by striking paragraph (10) and insert-*  
 13                          *ing the following:*

14                  “(10) *Regional Atlanta Watershed, Atlanta,*  
 15                  *Georgia, and Lake Lanier of Forsyth and Hall Coun-*  
 16                  *ties, Georgia.”; and*

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

18                  “(14) *Clear Lake watershed, California.*

19                  “(15) *Fresno Slough watershed, California.*

20                  “(16) *Hayward Marsh, Southern San Francisco*  
 21                  *Bay watershed, California.*

22                  “(17) *Kaweah River watershed, California.*

23                  “(18) *Lake Tahoe watershed, California and Ne-*  
 24                  *vada.*

25                  “(19) *Malibu Creek watershed, California.*

1 “(20) *Truckee River basin, Nevada.*

2 “(21) *Walker River basin, Nevada.*

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

4 “(23) *Catawba River watershed, North Carolina.*

5 “(24) *Columbia Slough watershed, Oregon.*”;

6 (2) *by redesignating subsection (e) as subsection*  
 7 *(f); and*

8 (3) *by inserting after subsection (d) the fol-*  
 9 *lowing:*

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

15 **SEC. 217. LAKES PROGRAM.**

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

18 (1) *in paragraph (15), by striking “and” at the*  
 19 *end;*

20 (2) *in paragraph (16), by striking the period at*  
 21 *the end; and*

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

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

1           “(18) *Flints Pond, Hollis, New Hampshire, re-*  
2           *moval of excessive aquatic vegetation; and*

3           “(19) *Osgood Pond, Milford, New Hampshire, re-*  
4           *moval of excessive aquatic vegetation.*”.

5   **SEC. 218. SEDIMENTS DECONTAMINATION POLICY.**

6           *Section 405 of the Water Resources Development Act*  
7           *of 1992 (33 U.S.C. 2239 note; Public Law 102-580) is*  
8           *amended—*

9           (1) *in subsection (a), by adding at the end the*  
10          *following:*

11          “(4) *PRACTICAL END-USE PRODUCTS.—Tech-*  
12          *nologies selected for demonstration at the pilot scale*  
13          *shall result in practical end-use products.*

14          “(5) *ASSISTANCE BY THE SECRETARY.—The Sec-*  
15          *retary shall assist the project to ensure expeditious*  
16          *completion by providing sufficient quantities of con-*  
17          *taminated dredged material to conduct the full-scale*  
18          *demonstrations to stated capacity.*”; and

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

1 **SEC. 219. DISPOSAL OF DREDGED MATERIAL ON BEACHES.**

2 (a) *IN GENERAL.*—Section 145 of the Water Resources  
3 Development Act of 1976 (33 U.S.C. 426j) is amended in  
4 the first sentence by striking “50” and inserting “35”.

5 (b) *GREAT LAKES BASIN.*—The Secretary shall work  
6 with the State of Ohio, other Great Lakes States, and polit-  
7 ical subdivisions of the States to fully implement and maxi-  
8 mize beneficial reuse of dredged material as provided under  
9 section 145 of the Water Resources Development Act of 1976  
10 (33 U.S.C. 426j).

11 **SEC. 220. FISH AND WILDLIFE MITIGATION.**

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

18 **SEC. 221. REIMBURSEMENT OF NON-FEDERAL INTEREST.**

19 Section 211(e)(2)(A) of the Water Resources Develop-  
20 ment Act of 1996 (33 U.S.C. 701b–13(e)(2)(A)) is amended  
21 by striking “subject to amounts being made available in  
22 advance in appropriations Acts” and inserting “subject to  
23 the availability of appropriations”.



1 **SEC. 222. NATIONAL CONTAMINATED SEDIMENT TASK**  
2 **FORCE.**

3 (a) *DEFINITION OF TASK FORCE.*—*In this section, the*  
4 *term “Task Force” means the National Contaminated Sedi-*  
5 *ment Task Force established by section 502 of the National*  
6 *Contaminated Sediment Assessment and Management Act*  
7 *(33 U.S.C. 1271 note; Public Law 102–580).*

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

11 (c) *REPORTING ON REMEDIAL ACTION.*—

12 (1) *IN GENERAL.*—*Not later than 1 year after*  
13 *the date of enactment of this Act, the Task Force shall*  
14 *submit to Congress a report on the status of remedial*  
15 *actions at aquatic sites in the areas described in*  
16 *paragraph (2).*

17 (2) *AREAS.*—*The report under paragraph (1)*  
18 *shall address remedial actions in—*

19 (A) *areas of probable concern identified in*  
20 *the survey of data regarding aquatic sediment*  
21 *quality required by section 503(a) of the Na-*  
22 *tional Contaminated Sediment Assessment and*  
23 *Management Act (33 U.S.C. 1271);*

24 (B) *areas of concern within the Great*  
25 *Lakes, as identified under section 118(f) of the*

1       *Federal Water Pollution Control Act (33 U.S.C.*  
2       *1268(f));*

3               *(C) estuaries of national significance identi-*  
4       *fied under section 320 of the Federal Water Pol-*  
5       *lution Control Act (33 U.S.C. 1330);*

6               *(D) areas for which remedial action has*  
7       *been authorized under any of the Water Re-*  
8       *sources Development Acts; and*

9               *(E) as appropriate, any other areas where*  
10       *sediment contamination is identified by the Task*  
11       *Force.*

12       (3) *ACTIVITIES.—Remedial actions subject to re-*  
13       *porting under this subsection include remedial actions*  
14       *under—*

15               *(A) the Comprehensive Environmental Re-*  
16       *sponse, Compensation, and Liability Act of 1980*  
17       *(42 U.S.C. 9601 et seq.) or other Federal or*  
18       *State law containing environmental remediation*  
19       *authority;*

20               *(B) any of the Water Resources Develop-*  
21       *ment Acts;*

22               *(C) section 404 of the Federal Water Pollu-*  
23       *tion Control Act (33 U.S.C. 1344); or*

24               *(D) section 10 of the Act of March 3, 1899*  
25       *(30 Stat. 1151, chapter 425).*

1           (4) *CONTENTS.*—*The report under paragraph (1)*  
2           *shall provide, with respect to each remedial action de-*  
3           *scribed in the report, a description of—*

4                   (A) *the authorities and sources of funding*  
5                   *for conducting the remedial action;*

6                   (B) *the nature and sources of the sediment*  
7                   *contamination, including volume and concentra-*  
8                   *tion, where appropriate;*

9                   (C) *the testing conducted to determine the*  
10                  *nature and extent of sediment contamination*  
11                  *and to determine whether the remedial action is*  
12                  *necessary;*

13                  (D) *the action levels or other factors used to*  
14                  *determine that the remedial action is necessary;*

15                  (E) *the nature of the remedial action*  
16                  *planned or undertaken, including the levels of*  
17                  *protection of public health and the environment*  
18                  *to be achieved by the remedial action;*

19                  (F) *the ultimate disposition of any material*  
20                  *dredged as part of the remedial action;*

21                  (G) *the status of projects and the obstacles*  
22                  *or barriers to prompt conduct of the remedial ac-*  
23                  *tion; and*

24                  (H) *contacts and sources of further informa-*  
25                  *tion concerning the remedial action.*

1 **SEC. 223. JOHN GLENN GREAT LAKES BASIN PROGRAM.**

2 (a) *STRATEGIC PLANS.*—

3 (1) *IN GENERAL.*—Not later than 18 months  
4 after the date of enactment of this Act, and every 2  
5 years thereafter, the Secretary shall report to Congress  
6 on a plan for programs of the Corps of Engineers in  
7 the Great Lakes basin.

8 (2) *CONTENTS.*—The plan shall include details of  
9 the projected environmental and navigational projects  
10 in the Great Lakes basin, including—

11 (A) *navigational maintenance and oper-*  
12 *ations for commercial and recreational vessels;*

13 (B) *environmental restoration activities;*

14 (C) *water level maintenance activities;*

15 (D) *technical and planning assistance to*  
16 *States and remedial action planning committees;*

17 (E) *sediment transport analysis, sediment*  
18 *management planning, and activities to support*  
19 *prevention of excess sediment loadings;*

20 (F) *flood damage reduction and shoreline*  
21 *erosion prevention;*

22 (G) *all other activities of the Corps of Engi-*  
23 *neers; and*

24 (H) *an analysis of factors limiting use of*  
25 *programs and authorities of the Corps of Engi-*  
26 *neers in existence on the date of enactment of*

1           *this Act in the Great Lakes basin, including the*  
2           *need for new or modified authorities.*

3           (b) *GREAT LAKES BIOHYDROLOGICAL INFORMA-*  
4           *TION.—*

5           (1) *INVENTORY.—*

6                   (A) *IN GENERAL.—Not later than 90 days*  
7                   *after the date of enactment of this Act, the Sec-*  
8                   *retary shall request each Federal agency that*  
9                   *may possess information relevant to the Great*  
10                   *Lakes biohydrological system to provide an in-*  
11                   *ventory of all such information in the possession*  
12                   *of the agency.*

13                   (B) *RELEVANT INFORMATION.—For the pur-*  
14                   *pose of subparagraph (A), relevant information*  
15                   *includes information on—*

16                           (i) *ground and surface water hydrol-*  
17                           *ogy;*

18                           (ii) *natural and altered tributary dy-*  
19                           *namics;*

20                           (iii) *biological aspects of the system in-*  
21                           *fluenced by and influencing water quantity*  
22                           *and water movement;*

23                           (iv) *meteorological projections and*  
24                           *weather impacts on Great Lakes water lev-*  
25                           *els; and*

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

4           (2) *REPORT.—*

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

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

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

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

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

1           (A) shall include recommendations relating to  
2           the resources and funds necessary for imple-  
3           menting improvement of the information base.

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

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

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

21          (c) *GREAT LAKES RECREATIONAL BOATING.*—Not  
22          later than 18 months after the date of enactment of this  
23          Act, the Secretary shall, using information and studies in  
24          existence on the date of enactment of this Act to the max-  
25          imum extent practicable, and in cooperation with the Great

1 *Lakes States, submit to Congress a report detailing the eco-*  
 2 *nomie benefits of recreational boating in the Great Lakes*  
 3 *basin, particularly at harbors benefiting from operation*  
 4 *and maintenance projects of the Corps of Engineers.*

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

7 (1) *encourage public participation; and*

8 (2) *cooperate, and, as appropriate, collaborate,*  
 9 *with Great Lakes States, tribal governments, and Ca-*  
 10 *nadian federal, provincial, tribal governments.*

11 (e) WATER USE ACTIVITIES AND POLICIES.—*The Sec-*  
 12 *retary may provide technical assistance to the Great Lakes*  
 13 *States to develop interstate guidelines to improve the con-*  
 14 *sistency and efficiency of State-level water use activities*  
 15 *and policies in the Great Lakes basin.*

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

20 **SEC. 224. PROJECTS FOR IMPROVEMENT OF THE ENVIRON-**  
 21 **MENT.**

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

24 (1) *by striking “The Secretary” and inserting*  
 25 *the following:*



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

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

3 “(2) *CONTROL OF SEA LAMPREY.*—*Congress finds*  
4 *that—*

5 “(A) *the Great Lakes navigation system has*  
6 *been instrumental in the spread of sea lamprey*  
7 *and the associated impacts to its fishery; and*

8 “(B) *the use of the authority under this sub-*  
9 *section for control of sea lamprey at any Great*  
10 *Lakes basin location is appropriate.”.*

11 **SEC. 225. WATER QUALITY, ENVIRONMENTAL QUALITY,**  
12 **RECREATION, FISH AND WILDLIFE, FLOOD**  
13 **CONTROL, AND NAVIGATION.**

14 (a) *IN GENERAL.*—*The Secretary may investigate,*  
15 *study, evaluate, and report on—*

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

22 (2) *measures to improve water quality, environ-*  
23 *mental quality, recreation, fish and wildlife, flood*  
24 *control, and navigation in the western Lake Erie*  
25 *basin.*

1       (b) *COOPERATION.*—*In carrying out studies and inves-*  
2 *tigations under subsection (a), the Secretary shall cooperate*  
3 *with Federal, State, and local agencies and nongovern-*  
4 *mental organizations to ensure full consideration of all*  
5 *views and requirements of all interrelated programs that*  
6 *those agencies may develop independently or in coordina-*  
7 *tion with the Corps of Engineers.*

8       **SEC. 226. IRRIGATION DIVERSION PROTECTION AND FISH-**  
9                   **ERIES ENHANCEMENT ASSISTANCE.**

10       *The Secretary may provide technical planning and de-*  
11 *sign assistance to non-Federal interests and may conduct*  
12 *other site-specific studies to formulate and evaluate fish*  
13 *screens, fish passages devices, and other measures to de-*  
14 *crease the incidence of juvenile and adult fish inadvertently*  
15 *entering into irrigation systems. Measures shall be devel-*  
16 *oped in cooperation with Federal and State resource agen-*  
17 *cies and not impair the continued withdrawal of water for*  
18 *irrigation purposes. In providing such assistance priority*  
19 *shall be given based on the objectives of the Endangered Spe-*  
20 *cies Act, cost-effectiveness, and the potential for reducing*  
21 *fish mortality. Non-Federal interests shall agree by contract*  
22 *to contribute 50 percent of the cost of such assistance. Not*  
23 *more than one-half of such non-Federal contribution may*  
24 *be made by the provision of services, materials, supplies,*  
25 *or other in-kind services. No construction activities are au-*

1 *thorized by this section. Not later than 2 years after the*  
 2 *date of enactment of this section, the Secretary shall report*  
 3 *to Congress on fish mortality caused by irrigation water*  
 4 *intake devices, appropriate measures to reduce mortality,*  
 5 *the extent to which such measures are currently being em-*  
 6 *ployed in the arid States, the construction costs associated*  
 7 *with such measures, and the appropriate Federal role, if*  
 8 *any, to encourage the use of such measures.*

9 **SEC. 227. SMALL STORM DAMAGE REDUCTION PROJECTS.**

10 *Section 3 of the Act of August 13, 1946 (33 U.S.C.*  
 11 *426g), is amended by striking “\$2,000,000” and inserting*  
 12 *“\$3,000,000”.*

13 **SEC. 228. SHORE DAMAGE PREVENTION OR MITIGATION.**

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

16 *(1) in the first sentence, by striking “The Sec-*  
 17 *retary” and inserting “(a) IN GENERAL.—The Sec-*  
 18 *retary”;*

19 *(2) in the second sentence, by striking “The*  
 20 *costs” and inserting the following:*

21 *“(b) COST SHARING.—The costs”;*

22 *(3) in the third sentence—*

23 *(A) by striking “No such” and inserting the*  
 24 *following:*

1 “(c) *REQUIREMENT FOR SPECIFIC AUTHORIZATION.*—

2 *No such*”; and

3 (B) by striking “\$2,000,000” and inserting

4 “\$5,000,000”; and

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

6 “(d) *COORDINATION.*—The Secretary shall—

7 “(1) coordinate the implementation of the meas-  
8 ures under this section with other Federal and non-  
9 Federal shore protection projects in the same geo-  
10 graphic area; and

11 “(2) to the extent practicable, combine mitiga-  
12 tion projects with other shore protection projects in  
13 the same area into a comprehensive regional project.”.

14 **SEC. 229. ATLANTIC COAST OF NEW YORK.**

15 Section 404(c) of the Water Resources Development Act  
16 of 1992 (106 Stat. 4863) is amended by inserting after  
17 “1997” the following: “and an additional total of  
18 \$2,500,000 for fiscal years thereafter”.

19 **SEC. 230. ACCELERATED ADOPTION OF INNOVATIVE TECH-**  
20 **NOLOGIES FOR CONTAMINATED SEDIMENTS.**

21 Section 8 of the Water Resources Development Act of  
22 1988 (33 U.S.C. 2314) is amended—

23 (1) by redesignating subsections (b) and (c) as  
24 subsections (c) and (d), respectively; and

1           (2) *by inserting after subsection (a) the fol-*  
 2       *lowing:*

3       “(b) *ACCELERATED ADOPTION OF INNOVATIVE TECH-*  
 4       *NOLOGIES FOR MANAGEMENT OF CONTAMINATED SEDI-*  
 5       *MENTS.—*

6           “(1) *TEST PROJECTS.—The Secretary shall ap-*  
 7       *prove an appropriate number of projects to test,*  
 8       *under actual field conditions, innovative technologies*  
 9       *for environmentally sound management of contami-*  
 10      *nated sediments.*

11          “(2) *DEMONSTRATION PROJECTS.—The Sec-*  
 12      *retary may approve an appropriate number of*  
 13      *projects to demonstrate innovative technologies that*  
 14      *have been pilot tested under paragraph (1).*

15          “(3) *CONDUCT OF PROJECTS.—Each pilot project*  
 16      *under paragraph (1) and demonstration project*  
 17      *under paragraph (2) shall be conducted by a univer-*  
 18      *sity with proven expertise in the research and devel-*  
 19      *opment of contaminated sediment treatment tech-*  
 20      *nologies and innovative applications using waste ma-*  
 21      *terials.”.*

22   **SEC. 231. MISSISSIPPI RIVER COMMISSION.**

23       *Notwithstanding any other provision of law, a member*  
 24      *of the Mississippi River Commission (other than the presi-*

1 *dent of the Commission) shall receive annual pay of*  
 2 *\$21,500.*

3 ***SEC. 232. USE OF PRIVATE ENTERPRISES.***

4 *(a) INVENTORY AND REVIEW.—The Secretary shall in-*  
 5 *ventory and review all activities of the Corps of Engineers*  
 6 *that are not inherently governmental in nature in accord-*  
 7 *ance with the Federal Activities Inventory Reform Act of*  
 8 *1998 (31 U.S.C. 501 note; Public Law 105–270).*

9 *(b) CONSIDERATIONS.—In determining whether to*  
 10 *commit to private enterprise the performance of architec-*  
 11 *tural or engineering services (including surveying and*  
 12 *mapping services), the Secretary shall take into consider-*  
 13 *ation professional qualifications as well as cost.*

14 ***TITLE III—PROJECT-RELATED***  
 15 ***PROVISIONS***

16 ***SEC. 301. DREDGING OF SALT PONDS IN THE STATE OF***  
 17 ***RHODE ISLAND.***

18 *The Secretary may acquire for the State of Rhode Is-*  
 19 *land a dredge and associated equipment with the capacity*  
 20 *to dredge approximately 100 cubic yards per hour for use*  
 21 *by the State in dredging salt ponds in the State.*

1 **SEC. 302. UPPER SUSQUEHANNA RIVER BASIN, PENNSYL-**  
 2 **VANIA AND NEW YORK.**

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

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

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

9 *Section 102 of the Water Resources Development Act*  
 10 *of 1996 (110 Stat. 3668) is amended—*

11 *(1) by redesignating paragraphs (15) through*  
 12 *(22) as paragraphs (16) through (23), respectively;*

13 *(2) by inserting after paragraph (14) the fol-*  
 14 *lowing:*

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

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

21 “(24) *IRONDEQUOIT CREEK, NEW YORK.—Project*  
 22 *for flood control, Irondequoit Creek watershed, New*  
 23 *York.*

24 “(25) *TIOGA COUNTY, PENNSYLVANIA.—Project*  
 25 *for flood control, Tioga River and Cowanesque River*  
 26 *and their tributaries, Tioga County, Pennsylvania.”.*

1 **SEC. 304. SMALL NAVIGATION PROJECTS.**

2 *Section 104 of the Water Resources Development Act*  
3 *of 1996 (110 Stat. 3669) is amended—*

4 *(1) by redesignating paragraphs (9) through (12)*  
5 *as paragraphs (11) through (14), respectively; and*

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

8 *“(9) FORTESCUE INLET, DELAWARE BAY, NEW*  
9 *JERSEY.—Project for navigation for Fortescue Inlet,*  
10 *Delaware Bay, New Jersey.*

11 *“(10) BRADDOCK BAY, GREECE, NEW YORK.—*  
12 *Project for navigation, Braddock Bay, Greece, New*  
13 *York.”.*

14 **SEC. 305. STREAMBANK PROTECTION PROJECTS.**

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

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

25 *(c) YELLOWSTONE RIVER, BILLINGS, MONTANA.—The*  
26 *streambank protection project at Coulson Park, along the*



1 *Yellowstone River, Billings, Montana, shall be eligible for*  
 2 *assistance under section 14 of the Flood Control Act of 1946*  
 3 *(33 U.S.C. 701r).*

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

10 **SEC. 306. AQUATIC ECOSYSTEM RESTORATION, SPRING-**  
 11 **FIELD, OREGON.**

12 *Under section 206 of the Water Resources Development*  
 13 *Act of 1996 (33 U.S.C. 2330), the Secretary shall conduct*  
 14 *measures to address water quality, water flows, and fish*  
 15 *habitat restoration in the historic Springfield, Oregon, mill-*  
 16 *race through the reconfiguration of the existing millpond,*  
 17 *if the Secretary determines that harmful impacts have oc-*  
 18 *curred as the result of a previously constructed flood control*  
 19 *project by the Corps of Engineers.*

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

21 *The Secretary shall expeditiously complete the activi-*  
 22 *ties authorized under section 346 of the Water Resources*  
 23 *Development Act of 1992 (106 Stat. 4858), including activi-*  
 24 *ties associated with Sluice Creek in Guilford, Connecticut,*  
 25 *and Lighthouse Point Park in New Haven, Connecticut.*

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

2       (a) *REDESIGNATION*.—*The project for flood control,*  
 3 *Eight Mile Creek, Paragould, Arkansas, authorized by sec-*  
 4 *tion 401(a) of the Water Resources Development Act of 1986*  
 5 *(100 Stat. 4112) and known as “Eight Mile Creek,*  
 6 *Paragould, Arkansas”, shall be known and designated as*  
 7 *the “Francis Bland Floodway Ditch”.*

8       (b) *LEGAL REFERENCES*.—*Any reference in any law,*  
 9 *map, regulation, document, paper, or other record of the*  
 10 *United States to the project and creek referred to in sub-*  
 11 *section (a) shall be deemed to be a reference to the Francis*  
 12 *Bland Floodway Ditch.*

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

14       Section 528(e)(4) of the Water Resources Development  
 15 Act of 1996 (110 Stat. 3770) is amended in the first sen-  
 16 tence by inserting before the period at the end the following:  
 17 “, including potential land acquisition in the  
 18 Caloosahatchee River basin or other areas”.

19 **SEC. 310. CUMBERLAND, MARYLAND, FLOOD PROJECT MITI-**  
 20 **GATION.**

21       (a) *IN GENERAL*.—*The project for flood control and*  
 22 *other purposes, Cumberland, Maryland, authorized by sec-*  
 23 *tion 5 of the Act of June 22, 1936 (commonly known as*  
 24 *the “Flood Control Act of 1936”) (49 Stat. 1574, chapter*  
 25 *688), is modified to authorize the Secretary to undertake,*  
 26 *as a separate part of the project, restoration of the historic*

1 *Chesapeake and Ohio Canal substantially in accordance*  
 2 *with the Chesapeake and Ohio Canal National Historic*  
 3 *Park, Cumberland, Maryland, Rewatering Design Analysis,*  
 4 *dated February 1998, at a total cost of \$15,000,000, with*  
 5 *an estimated Federal cost of \$9,750,000 and an estimated*  
 6 *non-Federal cost of \$5,250,000.*

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

9 *(1) may provide all or a portion of the non-Fed-*  
 10 *eral share of project costs in the form of in-kind serv-*  
 11 *ices; and*

12 *(2) shall receive credit toward the non-Federal*  
 13 *share of project costs for design and construction work*  
 14 *performed by the non-Federal interest before execution*  
 15 *of a project cooperation agreement and for land, ease-*  
 16 *ments, and rights-of-way required for the restoration*  
 17 *and acquired by the non-Federal interest before execu-*  
 18 *tion of such an agreement.*

19 *(c) OPERATION AND MAINTENANCE.—The operation*  
 20 *and maintenance of the restoration project under subsection*  
 21 *(a) shall be the full responsibility of the National Park*  
 22 *Service.*

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

24 *Section 5(b)(3)(C)(i) of the Act of August 13, 1946 (33*  
 25 *U.S.C. 426h), is amended by inserting before the semicolon*

1 *the following: “, including the city of Miami Beach, Flor-*  
 2 *ida”.*

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

4 *(a) IN GENERAL.—The Secretary shall accept from the*  
 5 *State of Oklahoma or an agent of the State an amount,*  
 6 *as determined under subsection (b), as prepayment of 100*  
 7 *percent of the water supply cost obligation of the State*  
 8 *under Contract No. DACW56–74–JC–0314 for water sup-*  
 9 *ply storage at Sardis Reservoir, Oklahoma.*

10 *(b) DETERMINATION OF AMOUNT.—The amount to be*  
 11 *paid by the State of Oklahoma under subsection (a) shall*  
 12 *be subject to adjustment in accordance with accepted dis-*  
 13 *count purchase methods for Government properties as deter-*  
 14 *mined by an independent accounting firm designated by*  
 15 *the Director of the Office of Management and Budget.*

16 *(c) EFFECT.—Nothing in this section shall otherwise*  
 17 *affect any of the rights or obligations of the parties to the*  
 18 *contract referred to in subsection (a).*

19 **SEC. 313. UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-**  
 20 **WAY SYSTEM NAVIGATION MODERNIZATION.**

21 *(a) FINDINGS.—Congress finds that—*

22 *(1) exports are necessary to ensure job creation*  
 23 *and an improved standard of living for the people of*  
 24 *the United States;*

1           (2) *the ability of producers of goods in the*  
2           *United States to compete in the international market-*  
3           *place depends on a modern and efficient transpor-*  
4           *tation network;*

5           (3) *a modern and efficient waterway system is*  
6           *a transportation option necessary to provide United*  
7           *States shippers a safe, reliable, and competitive*  
8           *means to win foreign markets in an increasingly*  
9           *competitive international marketplace;*

10          (4) *the need to modernize is heightened because*  
11          *the United States is at risk of losing its competitive*  
12          *edge as a result of the priority that foreign competi-*  
13          *tors are placing on modernizing their own waterway*  
14          *systems;*

15          (5) *growing export demand projected over the*  
16          *coming decades will force greater demands on the wa-*  
17          *terway system of the United States and increase the*  
18          *cost to the economy if the system proves inadequate*  
19          *to satisfy growing export opportunities;*

20          (6) *the locks and dams on the upper Mississippi*  
21          *River and Illinois River waterway system were built*  
22          *in the 1930s and have some of the highest average*  
23          *delays to commercial tows in the country;*

24          (7) *inland barges carry freight at the lowest unit*  
25          *cost while offering an alternative to truck and rail*

1        *transportation that is environmentally sound, is en-*  
2        *ergy efficient, is safe, causes little congestion, produces*  
3        *little air or noise pollution, and has minimal social*  
4        *impact; and*

5            *(8) it should be the policy of the Corps of Engi-*  
6        *neers to pursue aggressively modernization of the wa-*  
7        *terway system authorized by Congress to promote the*  
8        *relative competitive position of the United States in*  
9        *the international marketplace.*

10        *(b) PRECONSTRUCTION ENGINEERING AND DESIGN.—*  
11        *In accordance with the Upper Mississippi River-Illinois*  
12        *Waterway System Navigation Study, the Secretary shall*  
13        *proceed immediately to prepare engineering design, plans,*  
14        *and specifications for extension of locks 20, 21, 22, 24, 25*  
15        *on the Mississippi River and the LaGrange and Peoria*  
16        *Locks on the Illinois River, to provide lock chambers 110*  
17        *feet in width and 1,200 feet in length, so that construction*  
18        *can proceed immediately upon completion of studies and*  
19        *authorization of projects by Congress.*

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

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

23            *(1) in subsection (e)—*

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

4           “(e) UNDERTAKINGS.—

5           “(1) IN GENERAL.—

6           “(A) AUTHORITY.—The Secretary, in con-  
7           sultation with the Secretary of the Interior and  
8           the States of Illinois, Iowa, Minnesota, Missouri,  
9           and Wisconsin, is authorized to undertake—

10           “(i) a program for the planning, con-  
11           struction, and evaluation of measures for  
12           fish and wildlife habitat rehabilitation and  
13           enhancement; and

14           “(ii) implementation of a program of  
15           long-term resource monitoring, computer-  
16           ized data inventory and analysis, and ap-  
17           plied research.

18           “(B) REQUIREMENTS FOR PROJECTS.—  
19           Each project carried out under subparagraph  
20           (A)(i) shall—

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

23           “(ii) include an outreach and edu-  
24           cation component; and

1                   “(iii) on completion of the assessment  
2                   under subparagraph (D), address identified  
3                   habitat and natural resource needs.

4                   “(C) *ADVISORY COMMITTEE.*—In carrying  
5                   out subparagraph (A), the Secretary shall create  
6                   an independent technical advisory committee to  
7                   review projects, monitoring plans, and habitat  
8                   and natural resource needs assessments.

9                   “(D) *HABITAT AND NATURAL RESOURCE*  
10                  *NEEDS ASSESSMENT.*—

11                  “(i) *AUTHORITY.*—The Secretary is  
12                  authorized to undertake a systemic, river  
13                  reach, and pool scale assessment of habitat  
14                  and natural resource needs to serve as a  
15                  blueprint to guide habitat rehabilitation  
16                  and long-term resource monitoring.

17                  “(ii) *DATA.*—The habitat and natural  
18                  resource needs assessment shall, to the max-  
19                  imum extent practicable, use data in exist-  
20                  ence at the time of the assessment.

21                  “(iii) *TIMING.*—The Secretary shall  
22                  complete a habitat and natural resource  
23                  needs assessment not later than 3 years  
24                  after the date of enactment of this subpara-  
25                  graph.



1           “(2) *REPORTS*.—On December 31, 2005, in con-  
2           sultation with the Secretary of the Interior and the  
3           States of Illinois, Iowa, Minnesota, Missouri, and  
4           Wisconsin, the Secretary shall prepare and submit to  
5           Congress a report that—

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

8                   “(B) describes the accomplishments of each  
9                   program;

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

12                  “(D) identifies any needed adjustments in  
13                  the authorization under paragraph (1) or the au-  
14                  thorized appropriations under paragraphs (3),  
15                  (4), and (5).”;

16                  (B) in paragraph (3)—

17                          (i) by striking “paragraph (1)(A)” and  
18                          inserting “paragraph (1)(A)(i)”; and

19                          (ii) by striking “Secretary not to ex-  
20                          ceed” and all that follows and inserting  
21                          “Secretary not to exceed \$22,750,000 for  
22                          each of fiscal years 1999 through 2009.”;

23                  (C) in paragraph (4)—

24                          (i) by striking “paragraph (1)(B)”  
25                          and inserting “paragraph (1)(A)(ii)”; and

1                   (ii) by striking “\$7,680,000” and all  
 2                   that follows and inserting “\$10,420,000 for  
 3                   each of fiscal years 1999 through 2009.”;

4                   (D) by striking paragraphs (5) and (6) and  
 5                   inserting the following:

6                   “(5) *AUTHORIZATION OF APPROPRIATIONS.—*  
 7                   *There is authorized to be appropriated to carry out*  
 8                   *paragraph (1)(C) not to exceed \$350,000 for each of*  
 9                   *fiscal years 1999 through 2009.*

10                  “(6) *TRANSFER OF AMOUNTS.—*

11                   “(A) *IN GENERAL.—For each fiscal year be-*  
 12                   *ginning after September 30, 1992, the Secretary,*  
 13                   *in consultation with the Secretary of the Interior*  
 14                   *and the States of Illinois, Iowa, Minnesota, Mis-*  
 15                   *souri, and Wisconsin, may transfer appropriated*  
 16                   *amounts between the programs under clauses (i)*  
 17                   *and (ii) of paragraph (1)(A) and paragraph*  
 18                   *(1)(C).*

19                   “(B) *APPORTIONMENT OF COSTS.—In car-*  
 20                   *rying out paragraph (1)(D), the Secretary may*  
 21                   *apportion the costs between the programs author-*  
 22                   *ized by paragraph (1)(A) in amounts that are*  
 23                   *proportionate to the amounts authorized to be*  
 24                   *appropriated to carry out those programs, re-*  
 25                   *spectively.”; and*

1                   (E) in paragraph (7)—

2                   (i) in subparagraph (A)—

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

5                   (II) by inserting before the period  
6                   at the end the following: “and, in the  
7                   case of any project requiring non-Fed-  
8                   eral cost sharing, the non-Federal share  
9                   of the cost of the project shall be 35  
10                  percent”; and

11                  (ii) in subparagraph (B), by striking  
12                  “paragraphs (1)(B) and (1)(C) of this sub-  
13                  section” and inserting “paragraph  
14                  (1)(A)(ii)”;

15                  (2) in subsection (f)(2)—

16                  (A) in subparagraph (A), by striking “(A)”;  
17                  and

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

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

20                  “(k) *ST. LOUIS AREA URBAN WILDLIFE HABITAT.*—  
21                  *The Secretary shall investigate and, if appropriate, carry*  
22                  *out restoration of urban wildlife habitat, with a special em-*  
23                  *phasis on the establishment of greenways in the St. Louis,*  
24                  *Missouri, area and surrounding communities.”.*

1 **SEC. 315. RESEARCH AND DEVELOPMENT PROGRAM FOR**  
2 **COLUMBIA AND SNAKE RIVERS SALMON SUR-**  
3 **VIVAL.**

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

8 “(a) *SALMON SURVIVAL ACTIVITIES.*—

9 “(1) *IN GENERAL.*—*In conjunction with the Sec-*  
10 *retary of Commerce and Secretary of the Interior, the*  
11 *Secretary shall accelerate ongoing research and devel-*  
12 *opment activities, and may carry out or participate*  
13 *in additional research and development activities, for*  
14 *the purpose of developing innovative methods and*  
15 *technologies for improving the survival of salmon, es-*  
16 *pecially salmon in the Columbia/Snake River Basin.*

17 “(2) *ACCELERATED ACTIVITIES.*—*Accelerated re-*  
18 *search and development activities referred to in para-*  
19 *graph (1) may include research and development re-*  
20 *lated to—*

21 “(A) *impacts from water resources projects*  
22 *and other impacts on salmon life cycles;*

23 “(B) *juvenile and adult salmon passage;*

24 “(C) *light and sound guidance systems;*

25 “(D) *surface-oriented collector systems;*

26 “(E) *transportation mechanisms; and*

1                   “(F) dissolved gas monitoring and abate-  
2                   ment.

3                   “(3) *ADDITIONAL ACTIVITIES.*—Additional re-  
4                   search and development activities referred to in para-  
5                   graph (1) may include research and development re-  
6                   lated to—

7                   “(A) studies of juvenile salmon survival in  
8                   spawning and rearing areas;

9                   “(B) estuary and near-ocean juvenile and  
10                  adult salmon survival;

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

13                  “(D) cryopreservation of fish gametes and  
14                  formation of a germ plasm repository for threat-  
15                  ened and endangered populations of native fish;  
16                  and

17                  “(E) other innovative technologies and ac-  
18                  tions intended to improve fish survival, includ-  
19                  ing the survival of resident fish.

20                  “(4) *COORDINATION.*—The Secretary shall co-  
21                  ordinate any activities carried out under this sub-  
22                  section with appropriate Federal, State, and local  
23                  agencies, affected Indian tribes, and the Northwest  
24                  Power Planning Council.

1           “(5) *REPORT*.—Not later than 3 years after the  
2           date of enactment of this section, the Secretary shall  
3           submit to Congress a report on the research and devel-  
4           opment activities carried out under this subsection,  
5           including any recommendations of the Secretary con-  
6           cerning the research and development activities.

7           “(6) *AUTHORIZATION OF APPROPRIATIONS*.—  
8           There is authorized to be appropriated \$10,000,000 to  
9           carry out research and development activities under  
10          paragraph (3).

11          “(b) *ADVANCED TURBINE DEVELOPMENT*.—

12           “(1) *IN GENERAL*.—In conjunction with the Sec-  
13          retary of Energy, the Secretary shall accelerate efforts  
14          toward developing and installing in Corps of Engi-  
15          neers-operated dams innovative, efficient, and envi-  
16          ronmentally safe hydropower turbines, including de-  
17          sign of fish-friendly turbines, for use on the Columbia/  
18          Snake River hydrosystem.

19           “(2) *AUTHORIZATION OF APPROPRIATIONS*.—  
20          There is authorized to be appropriated \$35,000,000 to  
21          carry out this subsection.

22          “(c) *MANAGEMENT OF PREDATION ON COLUMBIA/  
23          SNAKE RIVER SYSTEM NATIVE FISHES*.—

24           “(1) *NESTING AVIAN PREDATORS*.—In conjunc-  
25          tion with the Secretary of Commerce and the Sec-

“(d) *IMPLEMENTATION.*—Nothing in this section af-  
fects the authority of the Secretary to implement the results  
of the research and development carried out under this sec-  
tion or any other law.”.

17        *If the Secretary determines that the documentation is*  
18 *integral to the project, the Secretary shall credit against*  
19 *the non-Federal share such costs, not to exceed \$1,000,000,*  
20 *as are incurred by the non-Federal interests in preparing*  
21 *the environmental restoration report, planning and design-*  
22 *phase scientific and engineering technical services docu-*  
23 *mentation, and other preconstruction documentation for the*  
24 *habitat restoration project, Nine Mile Run, Pennsylvania.*

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

2       *The Secretary shall work with the Secretary of Trans-*  
 3 *portation on a proposed solution to carry out the project*  
 4 *to maintain the Larkspur Ferry Channel, Larkspur, Cali-*  
 5 *fornia, authorized by section 601(d) of the Water Resources*  
 6 *Development Act of 1986 (100 Stat. 4148).*

7 **SEC. 318. COMPREHENSIVE FLOOD IMPACT-RESPONSE**  
 8 **MODELING SYSTEM.**

9       *(a) IN GENERAL.—The Secretary may study and im-*  
 10 *plement a Comprehensive Flood Impact-Response Modeling*  
 11 *System for the Coralville Reservoir and the Iowa River wa-*  
 12 *tershed, Iowa.*

13       *(b) STUDY.—The study shall include—*

14               *(1) an evaluation of the combined hydrologic,*  
 15 *geomorphic, environmental, economic, social, and rec-*  
 16 *reational impacts of operating strategies within the*  
 17 *watershed;*

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

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

22       *(c) REPORT TO CONGRESS.—Not later than 5 years*  
 23 *after the date of enactment of this Act, the Secretary shall*  
 24 *transmit a report to Congress on the results of the study*  
 25 *and modeling system and such recommendations as the Sec-*  
 26 *retary determines to be appropriate.*



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

4 **SEC. 319. STUDY REGARDING INNOVATIVE FINANCING FOR**  
 5 **SMALL AND MEDIUM-SIZED PORTS.**

6       (a) *STUDY.*—*The Comptroller General of the United*  
 7 *States shall conduct a study and analysis of various alter-*  
 8 *natives for innovative financing of future construction, op-*  
 9 *eration, and maintenance of projects in small and medium-*  
 10 *sized ports.*

11       (b) *REPORT.*—*Not later than 270 days after the date*  
 12 *of enactment of this Act, the Comptroller General shall sub-*  
 13 *mit to the Committee on Environment and Public Works*  
 14 *of the Senate and Committee on Transportation and Infra-*  
 15 *structure of the House of Representatives and the results*  
 16 *of the study and any related legislative recommendations*  
 17 *for consideration by Congress.*

18 **SEC. 320. CANDY LAKE PROJECT, OSAGE COUNTY, OKLA-**  
 19 **HOMA.**

20       (a) *DEFINITIONS.*—*In this section:*

21               (1) *FAIR MARKET VALUE.*—*The term “fair mar-*  
 22 *ket value” means the amount for which a willing*  
 23 *buyer would purchase and a willing seller would sell*  
 24 *a parcel of land, as determined by a qualified, inde-*  
 25 *pendent land appraiser.*

1           (2) *PREVIOUS OWNER OF LAND.*—*The term “pre-*  
 2           *vious owner of land” means a person (including a*  
 3           *corporation) that conveyed, or a descendant of a de-*  
 4           *ceased individual who conveyed, land to the Corps of*  
 5           *Engineers for use in the Candy Lake project in Osage*  
 6           *County, Oklahoma.*

7           (3) *SECRETARY.*—*The term “Secretary” means*  
 8           *the Secretary of the Army.*

9           (b) *LAND CONVEYANCES.*—

10           (1) *IN GENERAL.*—*The Secretary shall convey, in*  
 11           *accordance with this section, all right, title, and in-*  
 12           *terest of the United States in and to the land ac-*  
 13           *quired by the United States for the Candy Lake*  
 14           *project in Osage County, Oklahoma.*

15           (2) *PREVIOUS OWNERS OF LAND.*—

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

19           (B) *APPLICATION.*—

20           (i) *IN GENERAL.*—*A previous owner of*  
 21           *land that desires to purchase the land de-*  
 22           *scribed in paragraph (1) that was owned by*  
 23           *the previous owner of land, or by the indi-*  
 24           *vidual from whom the previous owner of*  
 25           *land is descended, shall file an application*

1           to purchase the land with the Secretary not  
2           later than 180 days after the official date of  
3           notice to the previous owner of land under  
4           subsection (c).

5           (ii) *FIRST TO FILE HAS FIRST OP-*  
6           *TION.—If more than 1 application is filed*  
7           *for a parcel of land described in paragraph*  
8           *(1), first options to purchase the parcel of*  
9           *land shall be allotted in the order in which*  
10          *applications for the parcel of land were*  
11          *filed.*

12          (C) *IDENTIFICATION OF PREVIOUS OWNERS*  
13          *OF LAND.—As soon as practicable after the date*  
14          *of enactment of this Act, the Secretary shall, to*  
15          *the extent practicable, identify each previous*  
16          *owner of land.*

17          (D) *CONSIDERATION.—Consideration for*  
18          *land conveyed under this subsection shall be the*  
19          *fair market value of the land.*

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

24          (4) *EXTINGUISHMENT OF EASEMENTS.—All flow-*  
25          *age easements acquired by the United States for use*

1       *in the Candy Lake project in Osage County, Okla-*  
2       *homa, are extinguished.*

3       *(c) NOTICE.—*

4             *(1) IN GENERAL.—The Secretary shall notify—*

5                 *(A) each person identified as a previous*  
6                 *owner of land under subsection (b)(2)(C), not*  
7                 *later than 90 days after identification, by*  
8                 *United States mail; and*

9                 *(B) the general public, not later than 90*  
10                *days after the date of enactment of this Act, by*  
11                *publication in the Federal Register.*

12            *(2) CONTENTS OF NOTICE.—Notice under this*  
13            *subsection shall include—*

14                 *(A) a copy of this section;*

15                 *(B) information sufficient to separately*  
16                 *identify each parcel of land subject to this sec-*  
17                 *tion; and*

18                 *(C) specification of the fair market value of*  
19                 *each parcel of land subject to this section.*

20            *(3) OFFICIAL DATE OF NOTICE.—The official*  
21            *date of notice under this subsection shall be the later*  
22            *of—*

23                 *(A) the date on which actual notice is*  
24                 *mailed; or*

1                   (B) the date of publication of the notice in  
2                   the Federal Register.

3 **SEC. 321. SALCHA RIVER AND PILED RIVER SLOUGH, FAIR-**  
4 **BANKS, ALASKA.**

5           The Secretary shall evaluate and, if justified under sec-  
6 tion 205 of the Flood Control Act of 1948 (33 U.S.C. 701s),  
7 carry out flood damage reduction measures along the lower  
8 Salcha River and on Piledriver Slough, from its headwaters  
9 at the mouth of the Salcha River to the Chena Lakes Flood  
10 Control Project, in the vicinity of Fairbanks, Alaska, to  
11 protect against surface water flooding.

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

13           The Secretary shall evaluate and, if justified under sec-  
14 tion 205 of the Flood Control Act of 1948 (33 U.S.C. 701s),  
15 carry out flood damage reduction measures along the Eyak  
16 River at the town of Cordova, Alaska.

17 **SEC. 323. NORTH PADRE ISLAND STORM DAMAGE REDUC-**  
18 **TION AND ENVIRONMENTAL RESTORATION**  
19 **PROJECT.**

20           The Secretary shall carry out a project for ecosystem  
21 restoration and storm damage reduction at North Padre Is-  
22 land, Corpus Christi Bay, Texas, at a total estimated cost  
23 of \$30,000,000, with an estimated Federal cost of  
24 \$19,500,000 and an estimated non-Federal cost of  
25 \$10,500,000, if the Secretary finds that the work is tech-

1 *nically sound, environmentally acceptable, and economi-*  
 2 *cally justified. The Secretary shall make such a finding not*  
 3 *later than 270 days after the date of enactment of this Act.*

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

5 *(a) WATER SUPPLY.—*

6 *(1) IN GENERAL.—Not later than 1 year after*  
 7 *the date of enactment of this Act, the Secretary, in co-*  
 8 *operation with the State of Kansas or another non-*  
 9 *Federal interest, shall complete a water supply re-*  
 10 *allocation study at the project for flood control,*  
 11 *Kanopolis Lake, Kansas, as a basis on which the Sec-*  
 12 *retary shall enter into negotiations with the State of*  
 13 *Kansas or another non-Federal interest for the terms*  
 14 *and conditions of a reallocation of the water supply.*

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

18 *(A) Financial terms of storage reallocation.*

19 *(B) Protection of future Federal water re-*  
 20 *leases from Kanopolis Dam, consistent with*  
 21 *State water law, to ensure that the benefits ex-*  
 22 *pected from releases are provided.*

23 *(C) Potential establishment of a water as-*  
 24 *surance district consistent with other such dis-*  
 25 *tricts established by the State of Kansas.*

1                   (D) *Protection of existing project purposes*  
 2                   *at Kanopolis Dam to include flood control, recre-*  
 3                   *ation, and fish and wildlife.*

4           (b) *IN-KIND CREDIT.*—

5                   (1) *IN GENERAL.*—*The Secretary may negotiate*  
 6                   *a credit for a portion of the financial repayment to*  
 7                   *the Federal Government for work performed by the*  
 8                   *State of Kansas, or another non-Federal interest, on*  
 9                   *land adjacent or in close proximity to the project, if*  
 10                   *the work provides a benefit to the project.*

11                   (2) *WORK INCLUDED.*—*The work for which cred-*  
 12                   *it may be granted may include watershed protection*  
 13                   *and enhancement, including wetland construction*  
 14                   *and ecosystem restoration.*

15   **SEC. 325. NEW YORK CITY WATERSHED.**

16           *Section 552(d) of the Water Resources Development*  
 17   *Act of 1996 (110 Stat. 3780) is amended by striking “for*  
 18   *the project to be carried out with such assistance” and in-*  
 19   *serting “, or a public entity designated by the State direc-*  
 20   *tor, to carry out the project with such assistance, subject*  
 21   *to the project’s meeting the certification requirement of sub-*  
 22   *section (c)(1)”.*

1 **SEC. 326. CITY OF CHARLEVOIX REIMBURSEMENT, MICHIGAN.**  
 2 **GAN.**

3 *The Secretary shall review and, if consistent with au-*  
 4 *thorized project purposes, reimburse the city of Charlevoix,*  
 5 *Michigan, for the Federal share of costs associated with con-*  
 6 *struction of the new revetment connection to the Federal*  
 7 *navigation project at Charlevoix Harbor, Michigan.*

8 **SEC. 327. HAMILTON DAM FLOOD CONTROL PROJECT,**  
 9 **MICHIGAN.**

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

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

14 *(a) IN GENERAL.—Notwithstanding any other provi-*  
 15 *sion of law, the non-Federal share of project costs for the*  
 16 *project for flood control, Holes Creek, Ohio, shall not exceed*  
 17 *the sum of—*

18 *(1) the total amount projected as the non-Federal*  
 19 *share as of September 30, 1996, in the Project Co-*  
 20 *operation Agreement executed on that date; and*

21 *(2) 100 percent of the amount of any increases*  
 22 *in the cost of the locally preferred plan over the cost*  
 23 *estimated in the Project Cooperation Agreement.*

24 *(b) REIMBURSEMENT.—The Secretary shall reimburse*  
 25 *the non-Federal interest any amount paid by the non-Fed-*  
 26 *eral interest in excess of the non-Federal share.*



1 **SEC. 329. OVERFLOW MANAGEMENT FACILITY, RHODE IS-**  
2 **LAND.**

3 *Section 585(a) of the Water Resources Development*  
4 *Act of 1996 (110 Stat. 3791) is amended by striking “river”*  
5 *and inserting “sewer”.*

6 **SEC. 330. ANACOSTIA RIVER AQUATIC ECOSYSTEM RES-**  
7 **TORATION, DISTRICT OF COLUMBIA AND**  
8 **MARYLAND.**

9 *The Secretary may use the balance of funds appro-*  
10 *priated for the improvement of the environment as part of*  
11 *the Anacostia River Flood Control and Navigation Project*  
12 *under section 1135 of the Water Resources Development Act*  
13 *of 1986 (33 U.S.C. 2309a) to construct aquatic ecosystem*  
14 *restoration projects in the Anacostia River watershed under*  
15 *section 206 of the Water Resources Development Act of 1996*  
16 *(33 U.S.C. 2330).*

17 **SEC. 331. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM**  
18 **RESTORATION.**

19 *Subparagraphs (B) and (C)(i) of section 528(b)(3) of*  
20 *the Water Resources Development Act of 1996 (110 Stat.*  
21 *3769) are amended by striking “1999” and inserting*  
22 *“2003”.*

23 **SEC. 332. PINE FLAT DAM, KINGS RIVER, CALIFORNIA.**

24 *Under the authority of section 1135(a) of the Water*  
25 *Resources Development Act of 1986 (33 U.S.C. 2309a), the*  
26 *Secretary shall carry out a project to construct a turbine*

1 *bypass at Pine Flat Dam, Kings River, California, in ac-*  
2 *cordance with the Project Modification Report and Envi-*  
3 *ronmental Assessment dated September 1996.*

4 **SEC. 333. LEVEES IN ELBA AND GENEVA, ALABAMA.**

5 (a) *ELBA, ALABAMA.*—

6 (1) *IN GENERAL.*—*The Secretary may repair*  
7 *and rehabilitate a levee in the city of Elba, Alabama,*  
8 *at a total cost of \$12,900,000.*

9 (2) *COST SHARING.*—*The non-Federal share of*  
10 *the cost of repair and rehabilitation under paragraph*  
11 *(1) shall be 35 percent.*

12 (b) *GENEVA, ALABAMA.*—

13 (1) *IN GENERAL.*—*The Secretary may repair*  
14 *and rehabilitate a levee in the city of Geneva, Ala-*  
15 *bama, at a total cost of \$16,600,000.*

16 (2) *COST SHARING.*—*The non-Federal share of*  
17 *the cost of repair and rehabilitation under paragraph*  
18 *(1) shall be 35 percent.*

19 **SEC. 334. TORONTO LAKE AND EL DORADO LAKE, KANSAS.**

20 (a) *IN GENERAL.*—*The Secretary shall convey to the*  
21 *State of Kansas, by quitclaim deed and without consider-*  
22 *ation, all right, title, and interest of the United States in*  
23 *and to the 2 parcels of land described in subsection (b) on*  
24 *which correctional facilities operated by the Kansas Depart-*  
25 *ment of Corrections are situated.*

1       (b) *LAND DESCRIPTION.*—*The parcels of land referred*  
2 *to in subsection (a) are—*

3           (1) *the parcel located in Butler County, Kansas,*  
4 *adjacent to the El Dorado Lake Project, consisting of*  
5 *approximately 32.98 acres; and*

6           (2) *the parcel located in Woodson County, Kan-*  
7 *sas, adjacent to the Toronto Lake Project, consisting*  
8 *of approximately 51.98 acres.*

9       (c) *CONDITIONS.*—

10           (1) *USE OF LAND.*—*A conveyance of a parcel*  
11 *under subsection (a) shall be subject to the condition*  
12 *that all right, title, and interest in and to the parcel*  
13 *conveyed under subsection (a) shall revert to the*  
14 *United States if the parcel is used for a purpose other*  
15 *than that of a correctional facility.*

16           (2) *COSTS.*—*The Secretary may require such ad-*  
17 *ditional terms, conditions, reservations, and restric-*  
18 *tions in connection with the conveyance as the Sec-*  
19 *retary determines are necessary to protect the inter-*  
20 *ests of the United States, including a requirement*  
21 *that the State pay all reasonable administrative costs*  
22 *associated with the conveyance.*

1 **SEC. 335. SAN JACINTO DISPOSAL AREA, GALVESTON,**  
2 **TEXAS.**

3 *Section 108 of the Energy and Water Development Ap-*  
4 *propriations Act, 1994 (107 Stat. 1320), is amended in the*  
5 *first sentence of subsection (a) and in subsection (b)(1) by*  
6 *striking “fee simple absolute title” each place it appears*  
7 *and inserting “fee simple title to the surface estate (without*  
8 *the right to use the surface of the property for the produc-*  
9 *tion of minerals)”.*

10 **SEC. 336. ENVIRONMENTAL INFRASTRUCTURE.**

11 *Section 219(e)(1) of the Water Resources Development*  
12 *Act of 1992 (106 Stat. 4835; 110 Stat. 3757) is amended*  
13 *by striking “\$10,000,000” and inserting “\$15,000,000”.*

14 **SEC. 337. WATER MONITORING STATION.**

15 *Section 584(b) of the Water Resources Development Act*  
16 *of 1996 (110 Stat. 3791) is amended by striking “\$50,000”*  
17 *and inserting “\$100,000”.*

18 **SEC. 338. UPPER MISSISSIPPI RIVER COMPREHENSIVE**  
19 **PLAN.**

20 *(a) DEVELOPMENT.—The Secretary shall develop a*  
21 *plan to address water and related land resources problems*  
22 *in the upper Mississippi River basin and the Illinois River*  
23 *basin, extending from Cairo, Illinois, to the headwaters of*  
24 *the Mississippi River, to determine the feasibility of sys-*  
25 *temic flood damage reduction by means of—*

1           (1) *structural and nonstructural flood control*  
2           *and floodplain management strategies;*

3           (2) *continued maintenance of the navigation*  
4           *project;*

5           (3) *management of bank caving, erosion, water-*  
6           *shed nutrients and sediment, habitat, and recreation;*  
7           *and*

8           (4) *other related means.*

9           (b) *CONTENTS.—The plan shall contain recommenda-*  
10          *tions for—*

11           (1) *management plans and actions to be carried*  
12           *out by Federal and non-Federal entities;*

13           (2) *construction of a systemic flood control*  
14           *project in accordance with a plan for the upper Mis-*  
15           *sissippi River;*

16           (3) *Federal action, where appropriate; and*

17           (4) *follow-on studies for problem areas for which*  
18           *data or current technology does not allow immediate*  
19           *solutions.*

20           (c) *CONSULTATION AND USE OF EXISTING DATA.—In*  
21          *developing the plan, the Secretary shall—*

22           (1) *consult with appropriate State and Federal*  
23           *agencies; and*

24           (2) *make maximum use of—*

1                   (A) data and programs in existence on the  
2                   date of enactment of this Act; and

3                   (B) efforts of States and Federal agencies.

4           (d) *REPORT*.—Not later than 3 years after the date  
5 of enactment of this Act, the Secretary shall submit to the  
6 Committee on Transportation and Infrastructure of the  
7 House of Representatives and the Committee on Environ-  
8 ment and Public Works of the Senate a report that includes  
9 the plan.

10 **SEC. 339. MCNARY LOCK AND DAM, WASHINGTON.**

11           (a) *IN GENERAL*.—The Secretary may convey to a port  
12 district or a port authority—

13                   (1) without the payment of additional consider-  
14 ation, any remaining right, title, and interest of the  
15 United States in property acquired for the McNary  
16 Lock and Dam, Washington, project and subsequently  
17 conveyed to the port district or a port authority  
18 under section 108 of the River and Harbor Act of  
19 1960 (33 U.S.C. 578); and

20                   (2) at fair market value, as determined by the  
21 Secretary, all right, title, and interest of the United  
22 States in such property under the jurisdiction of the  
23 Secretary relating to the project as the Secretary con-  
24 siders appropriate.

1       (b) *CONDITIONS, RESERVATIONS, AND RESTRIC-*  
2 *TIONS.—A conveyance under subsection (a) shall be subject*  
3 *to—*

4           (1) *such conditions, reservations, and restrictions*  
5 *as the Secretary determines to be necessary for the de-*  
6 *velopment, maintenance, or operation or the project*  
7 *or otherwise in the public interest; and*

8           (2) *the payment by the port district or port au-*  
9 *thority of all administrative costs associated with the*  
10 *conveyance.*

11 **SEC. 340. MCNARY NATIONAL WILDLIFE REFUGE.**

12       (a) *TRANSFER OF ADMINISTRATIVE JURISDICTION.—*  
13 *Administrative jurisdiction over the McNary National*  
14 *Wildlife Refuge is transferred from the Secretary to the Sec-*  
15 *retary of the Interior.*

16       (b) *LAND EXCHANGE WITH THE PORT OF WALLA*  
17 *WALLA, WASHINGTON.—*

18           (1) *IN GENERAL.—Not later than 1 year after*  
19 *the date of enactment of this Act, the Secretary of the*  
20 *Interior may exchange approximately 188 acres of*  
21 *land located south of Highway 12 and comprising a*  
22 *portion of the McNary National Wildlife Refuge for*  
23 *approximately 122 acres of land owned by the Port*  
24 *of Walla Walla, Washington, and located at the con-*  
25 *fluence of the Snake River and the Columbia River.*

1           (2) *TERMS AND CONDITIONS.*—*The land ex-*  
2           *change under paragraph (1) shall be carried out in*  
3           *accordance with such terms and conditions as the*  
4           *Secretary of the Interior determines to be necessary to*  
5           *protect the interests of the United States, including a*  
6           *requirement that the Port pay—*

7                     (A) *reasonable administrative costs (not to*  
8                     *exceed \$50,000) associated with the exchange;*  
9                     *and*

10                    (B) *any excess (as determined by the Sec-*  
11                    *retary of the Interior) of the fair market value*  
12                    *of the parcel conveyed by the Secretary of the In-*  
13                    *terior over the fair market value of the parcel*  
14                    *conveyed by the Port.*

15           (3) *USE OF FUNDS.*—*The Secretary of the Inte-*  
16           *rior may retain any funds received under paragraph*  
17           *(2)(B) and, without further Act of appropriation,*  
18           *may use the funds to acquire replacement habitat for*  
19           *the Mid-Columbia River National Wildlife Refuge*  
20           *Complex.*

21           (c) *MANAGEMENT.*—*The McNary National Wildlife*  
22           *Refuge and land conveyed by the Port of Walla Walla,*  
23           *Washington, under subsection (b) shall be managed in ac-*  
24           *cordance with applicable laws, including section 120(h) of*  
25           *the Comprehensive Environmental Response, Compensa-*



tion, and Liability Act of 1980 (42 U.S.C. 9620(h)) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*).

**TITLE IV—CHEYENNE RIVER  
SIOUX TRIBE, LOWER BRULE  
SIOUX TRIBE, AND STATE OF  
SOUTH DAKOTA TERRES-  
TRIAL WILDLIFE HABITAT  
RESTORATION**

**SEC. 401. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE  
SIOUX TRIBE, AND STATE OF SOUTH DAKOTA  
TERRESTRIAL WILDLIFE HABITAT RESTORA-  
TION.**

(a) *DEFINITIONS.*—Section 601 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–660), is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

“(1) *COMMISSION.*—The term ‘Commission’ means the South Dakota Cultural Resources Advisory Commission established by section 605(j).”; and

(3) by inserting after paragraph (2) (as redesignated by paragraph (1)) the following:

1           “(3) *SECRETARY*.—The term ‘Secretary’ means  
2           the Secretary of the Army.”.

3           (b) *TERRESTRIAL WILDLIFE HABITAT RESTORA-*  
4 *TION*.—Section 602 of division C of the Omnibus Consoli-  
5 dated and Emergency Supplemental Appropriations Act,  
6 1999 (112 Stat. 2681–660), is amended—

7           (1) in subsection (a)(4)—

8                   (A) in subparagraph (A)(ii), by striking  
9                   “803” and inserting “603”;

10                  (B) in subparagraph (B)(ii), by striking  
11                  “804” and inserting “604”; and

12                  (C) in subparagraph (C)—

13                          (i) in clause (i)(II), by striking  
14                          “803(d)(3) and 804(d)(3)” and inserting  
15                          “603(d)(3) and 604(d)(3)”; and

16                          (ii) in clause (ii)(II)—

17                                  (I) by striking “803(d)(3)(A)(i)”  
18                                  and inserting “603(d)(3)(A)(i)”; and

19                                  (II) by striking “804(d)(3)(A)(i)”  
20                                  and inserting “604(d)(3)(A)(i)”; and

21           (2) in subsection (b)—

22                          (A) in paragraph (1), by striking  
23                          “803(d)(3)(A)(iii)” and inserting  
24                          “603(d)(3)(A)(ii)(III)”; and

25                          (B) in paragraph (4)—

1                   (i) in subparagraph (A), by striking  
 2                   “803(d)(3)(A)(iii)”           and           inserting  
 3                   “603(d)(3)(A)(ii)(III)”; and  
 4                   (ii) in subparagraph (B), by striking  
 5                   “804(d)(3)(A)(iii)”           and           inserting  
 6                   “604(d)(3)(A)(ii)(III)”; and  
 7           (3) in subsection (c), by striking “803 and 804”  
 8           and inserting “603 and 604”.

9           (c) *SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT*  
 10 *RESTORATION TRUST FUND*.—Section 603 of division C of  
 11 *the Omnibus Consolidated and Emergency Supplemental*  
 12 *Appropriations Act, 1999* (112 Stat. 2681–663), is  
 13 *amended—*

14           (1) in subsection (c)—  
 15                   (A) by striking “The Secretary” and insert-  
 16                   ing the following:  
 17                   “(1) *IN GENERAL*.—The Secretary”; and  
 18                   (B) by adding at the end the following:  
 19                   “(2) *INTEREST RATE*.—The Secretary of the  
 20                   Treasury shall invest amounts in the fund in obliga-  
 21                   tions that carry the highest rate of interest among  
 22                   available obligations of the required maturity.”; and  
 23           (2) in subsection (d)—

1                   (A) in paragraph (2), by striking  
 2                   “802(a)(4)(A)” and inserting “602(a)(4)(A”;  
 3                   and

4                   (B) in paragraph (3)(A)—

5                   (i) in clause (i)—

6                               (I) by striking “802(a)” and in-  
 7                               serting “602(a”); and

8                               (II) by striking “and” at the end;  
 9                   and

10                   (ii) in clause (ii)—

11                               (I) in subclause (III), by striking  
 12                               “802(b)” and inserting “602(b”); and

13                               (II) in subclause (IV)—

14                                       (aa) by striking “802” and  
 15                                       inserting “602”; and

16                                       (bb) by striking “and” at the  
 17                                       end.

18           (d) *CHEYENNE RIVER SIOUX TRIBE AND LOWER*  
 19 *BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT*  
 20 *RESTORATION TRUST FUNDS.*—Section 604 of division C  
 21 of the Omnibus Consolidated and Emergency Supplemental  
 22 Appropriations Act, 1999 (112 Stat. 2681–664), is  
 23 amended—

24                   (1) in subsection (c)—

1                   (A) by striking “The Secretary” and insert-  
2                   ing the following:

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

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

5                   “(2) *INTEREST RATE.*—*The Secretary of the*  
6                   *Treasury shall invest amounts in the fund in obliga-*  
7                   *tions that carry the highest rate of interest among*  
8                   *available obligations of the required maturity.*”; and

9                   (2) in subsection (d)—

10                   (A) in paragraph (2), by striking  
11                   “802(a)(4)(B)” and inserting “602(a)(4)(B)”;  
12                   and

13                   (B) in paragraph (3)(A)—

14                   (i) in clause (i), by striking “802(a)”  
15                   and inserting “602(a)”;

16                   (ii) in clause (ii)—

17                   (I) in subclause (III), by striking  
18                   “802(b)” and inserting “602(b)”;

19                   (II) in subclause (IV), by striking  
20                   “802” and inserting “602”.

21                   (e) *TRANSFER OF FEDERAL LAND TO STATE OF*  
22                   *SOUTH DAKOTA.*—*Section 605 of division C of the Omnibus*  
23                   *Consolidated and Emergency Supplemental Appropriations*  
24                   *Act, 1999 (112 Stat. 2681–665), is amended—*

1           (1) in subsection (a)(2)(B), by striking “802”  
2           and inserting “602”;

3           (2) in subsection (c), in the mater preceding  
4           paragraph (1), by striking “waters” and inserting  
5           “facilities”;

6           (3) in subsection (e)(2), by striking “803” and  
7           inserting “603”;

8           (4) by striking subsection (g) and inserting the  
9           following:

10          “(g) *HUNTING AND FISHING.*—

11               “(1) *IN GENERAL.*—Except as provided in this  
12               section, nothing in this title affects jurisdiction over  
13               the waters of the Missouri River below the water’s  
14               edge and outside the exterior boundaries of an Indian  
15               reservation in South Dakota.

16          “(2) *JURISDICTION.*—

17               “(A) *TRANSFERRED LAND.*—On transfer of  
18               the land under this section to the State of South  
19               Dakota, jurisdiction over the land shall be the  
20               same as that over other land owned by the State  
21               of South Dakota.

22               “(B) *LAND BETWEEN THE MISSOURI RIVER*  
23               *WATER’S EDGE AND THE LEVEL OF THE EXCLU-*  
24               *SIVE FLOOD POOL.*—Jurisdiction over land be-  
25               tween the Missouri River water’s edge and the

1        *level of the exclusive flood pool outside Indian*  
2        *reservations in the State of South Dakota shall*  
3        *be the same as that exercised by the State on*  
4        *other land owned by the State, and that jurisdic-*  
5        *tion shall follow the fluctuations of the water's*  
6        *edge.*

7                *“(D) FEDERAL LAND.—Jurisdiction over*  
8        *land and water owned by the Federal govern-*  
9        *ment within the boundaries of the State of South*  
10       *Dakota that are not affected by this Act shall re-*  
11       *main unchanged.*

12                *“(3) EASEMENTS AND ACCESS.—The Secretary*  
13       *shall provide the State of South Dakota with ease-*  
14       *ments and access on land and water below the level*  
15       *of the exclusive flood pool outside Indian reservations*  
16       *in the State of South Dakota for recreational and*  
17       *other purposes (including for boat docks, boat ramps,*  
18       *and related structures), so long as the easements*  
19       *would not prevent the Corps of Engineers from car-*  
20       *rying out its mission under the Act entitled “An Act*  
21       *authorizing the construction of certain public works*  
22       *on rivers and harbors for flood control, and for other*  
23       *purposes”, approved December 22, 1944 (commonly*  
24       *known as the ‘Flood Control Act of 1944’) (58 Stat.*  
25       *887)).”;* and

1           (5) *by adding at the end the following:*

2           “(i) *IMPACT AID.*—*The land transferred under sub-*  
 3 *section (a) shall be deemed to continue to be owned by the*  
 4 *United States for purposes of section 8002 of the Elemen-*  
 5 *tary and Secondary Education Act of 1965 (20 U.S.C.*  
 6 *7702).*”

7           (f) *TRANSFER OF CORPS OF ENGINEERS LAND FOR IN-*  
 8 *DIAN TRIBES.*—*Section 606 of division C of the Omnibus*  
 9 *Consolidated and Emergency Supplemental Appropriations*  
 10 *Act, 1999 (112 Stat. 2681–667), is amended—*

11           (1) *in subsection (a)(1), by inserting before the*  
 12 *period at the end the following: “for their use in per-*  
 13 *petuity”;*

14           (2) *in subsection (c), in the matter preceding*  
 15 *paragraph (1), by striking “waters” and inserting*  
 16 *“facilities”;*

17           (3) *in subsection (f), by striking paragraph (2)*  
 18 *and inserting the following:*

19           “(2) *HUNTING AND FISHING.*—

20           “(A) *IN GENERAL.*—*Except as provided in*  
 21 *this section, nothing in this title affects jurisdic-*  
 22 *tion over the waters of the Missouri River below*  
 23 *the water’s edge and within the exterior bound-*  
 24 *aries of the Cheyenne River Sioux and Lower*  
 25 *Brule Sioux Tribe reservations.*



1           “(B) *JURISDICTION.*—On transfer of the  
2           *land to the respective tribes under this section,*  
3           *jurisdiction over the land and on land between*  
4           *the water’s edge and the level of the exclusive*  
5           *flood pool within the respective Tribe’s reserva-*  
6           *tion boundaries shall be the same as that over*  
7           *land held in trust by the Secretary of the Inte-*  
8           *rior on the Cheyenne River Sioux Reservation*  
9           *and the Lower Brule Sioux Reservation, and*  
10          *that jurisdiction shall follow the fluctuations of*  
11          *the water’s edge.*

12          “(C) *EASEMENTS AND ACCESS.*—The Sec-  
13          *retary shall provide the Tribes with such ease-*  
14          *ments and access on land and water below the*  
15          *level of the exclusive flood pool inside the respec-*  
16          *tive Indian reservations for recreational and*  
17          *other purposes (including for boat docks, boat*  
18          *ramps, and related structures), so long as the*  
19          *easements would not prevent the Corps of Engi-*  
20          *neers from carrying out its mission under the*  
21          *Act entitled “An Act authorizing the construc-*  
22          *tion of certain public works on rivers and har-*  
23          *bors for flood control, and for other purposes”,*  
24          *approved December 22, 1944 (commonly known*

1           *as the ‘Flood Control Act of 1944’ (58 Stat.*  
 2           *887)).”;*

3           *(4) in subsection (e)(2), by striking “804” and*  
 4           *inserting “604”; and*

5           *(5) by adding at the end the following:*

6           “(g) *EXTERIOR INDIAN RESERVATION BOUNDARIES.—*  
 7           *Notheing in this section diminishes, changes, or otherwise*  
 8           *affects the exterior boundaries of a reservation of an Indian*  
 9           *tribe.”.*

10          (g) *ADMINISTRATION.—Section 607(b) of division C of*  
 11          *the Omnibus Consolidated and Energy Supplemental Ap-*  
 12          *propriations Act, 1999 (112 Stat. 2681–669), is amended*  
 13          *by striking “land” and inserting “property”.*

14          (h) *STUDY.—Section 608 of division C of the Omnibus*  
 15          *Consolidated and Emergency Supplemental Appropriations*  
 16          *Act, 1999 (112 Stat. 2681–670), is amended—*

17                 *(1) in subsection (a)—*

18                         *(A) by striking “Not late than 1 year after*  
 19                         *the date of enactment of this Act, the Secretary”*  
 20                         *and inserting “The Secretary”;*

21                         *(B) by striking “to conduct” and inserting*  
 22                         *“to complete, not later than October 31, 1999,”;*  
 23                         *and*

24                         *(C) by striking “805(b) and 806(b)” and*  
 25                         *inserting “605(b) and 606(b)”;*

1           (2) in subsection (b), by striking “805(b) or  
2           806(b)” and inserting “606(b) or 606(b)”; and

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

4           “(c) *STATE WATER RIGHTS*.—The results of the study  
5 shall not affect, and shall not be taken into consideration  
6 in, any proceeding to quantify the water rights of any  
7 State.

8           “(d) *INDIAN WATER RIGHTS*.—The results of the study  
9 shall not affect, and shall not be taken into consideration  
10 in, any proceeding to quantify the water rights of any In-  
11 dian tribe or tribal nation.”.

12          (i) *AUTHORIZATION OF APPROPRIATIONS*.—Section  
13 609(a) of division C of the Omnibus Consolidated and  
14 Emergency Supplemental Appropriations Act, 1999 (112  
15 Stat. 2681–670), is amended—

16           (1) in paragraph (1), by striking “and” at the  
17 end;

18           (2) in paragraph (2)—

19                   (A) by striking “802(a)” and inserting  
20 “605(a)”; and

21                   (B) by striking “803(d)(3) and 804(d)(3).”  
22 and inserting “603(d)(3) and 604(d)(3); and”;  
23 and

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

1           “(3) to fund the annual expenses (not to exceed  
2       the Federal cost as of the date of enactment of this  
3       Act) of operating recreation areas to be transferred  
4       under sections 605(c) and 606(c) or leased by the  
5       State of South Dakota or Indian tribes, until such  
6       time as the trust funds under sections 603 and 604  
7       are fully capitalized.”.

Attest:

*Secretary.*

106TH CONGRESS  
1ST SESSION

**H. R. 1480**

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**AMENDMENT**

HR 1480 EAS—2  
HR 1480 EAS—3  
HR 1480 EAS—4  
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