

108TH CONGRESS
1ST SESSION

H. R. 3154

To promote programs for the beneficial use of sand.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2003

Mr. SHAW introduced the following bill; which was referred to the Committee
on Transportation and Infrastructure

A BILL

To promote programs for the beneficial use of sand.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sand Conservation and
5 Taxpayer Savings Act of 2003”.

6 **SEC. 2. REGIONAL PROGRAMS TO CONSERVE BEACH QUAL-**
7 **ITY SAND AND SAVE TAXPAYER DOLLARS.**

8 (a) IN GENERAL.—Section 204 of the Water Re-
9 sources Development Act of 1992 (33 U.S.C. 2326) is
10 amended by striking subsections (c) through (g) and in-
11 serting the following:

1 “(c) REGIONAL SEDIMENT MANAGEMENT PLAN-
2 NING.—In consultation and cooperation with appropriate
3 regional, State and Federal agencies, the Secretary, acting
4 through the Chief of Engineers, shall investigate and de-
5 velop, at Federal expense, plans and demonstration
6 projects for regional management of material dredged in
7 conjunction with the construction, operation, or mainte-
8 nance of navigation or flood control projects, including po-
9 tential beneficial uses of dredged material for construc-
10 tion, repair, or rehabilitation of public projects for naviga-
11 tion, flood damage reduction, hydroelectric power, munic-
12 ipal and industrial water supply, agricultural water sup-
13 ply, recreation, hurricane and storm damage reduction,
14 aquatic plant control, and environmental protection and
15 restoration.

16 “(d) REGIONAL DREDGED MATERIAL PLACE-
17 MENT.—The Secretary, acting through the Chief of Engi-
18 neers, shall carry out projects to transport and place beach
19 quality sand dredged in connection with the construction,
20 operation, or maintenance of an authorized navigation or
21 flood control project on beaches or in nearshore disposal
22 areas that are not considered the least cost disposal option
23 if such option has been selected by a non-Federal public
24 entity to maintain shoreline or to provide for recreation,

1 hurricane and storm damage reduction, aquatic plant con-
2 trol, or environmental protection and restoration.

3 “(e) COOPERATIVE AGREEMENT.—Any project un-
4 dertaken pursuant to subsection (d) shall be initiated only
5 after non-Federal interests have entered into a cost-shar-
6 ing agreement with the Secretary in which the non-Fed-
7 eral interests agree to pay up to 35 percent of the incre-
8 mental costs of such project.

9 “(f) DETERMINATION OF INCREMENTAL COSTS.—
10 Incremental costs associated with implementation of a
11 project under subsection (d) shall be limited solely to the
12 costs that are in excess of the costs necessary to dispose
13 of sediments for construction, operation, or maintenance
14 of the authorized navigation or flood control project under
15 the least cost option, consistent with economic, engineer-
16 ing, and environmental criteria.

17 “(g) EFFECT ON OTHER PROJECTS.—The Secretary,
18 to the greatest extent practicable, shall ensure that sched-
19 uled operations and maintenance of Federal navigation
20 projects will not be delayed due to alternative disposal op-
21 tions authorized by subsection (d).

22 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to carry out this section
24 \$35,000,000 annually. Such sums shall remain available
25 until expended.

1 “(i) NONPROFIT ENTITIES.—Notwithstanding sec-
2 tion 221 of the Flood Control Act of 1970 (42 U.S.C. 24
3 1962d-5b), for any project carried out under this section,
4 a non-Federal interest may include a nonprofit entity, with
5 the consent of the affected local government.”.

6 (b) REPEAL.—

7 (1) IN GENERAL.—Section 145 of the Water
8 Resources Development Act of 1976 (33 U.S.C. 21
9 426j) is repealed.

10 (2) HOLD HARMLESS.—The repeal made by
11 paragraph (1) shall not affect the authority of the
12 Secretary to complete any project being carried out
13 under such section 145 on the day before the date
14 of enactment of this Act.

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