

§ 1962d-5d. Authorization of Secretary of the Army to contract with States and political subdivisions for increased law enforcement services during peak visitation periods; authorization of appropriations

(a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to contract with States and their political subdivisions for the purpose of obtaining increased law enforcement services at water resources development projects under the jurisdiction of the Secretary of the Army to meet needs during peak visitation periods.

(b) There is authorized to be appropriated \$10,000,000 per fiscal year for each fiscal year beginning after September 30, 1986, to carry out this section.

(Pub. L. 94-587, §120, Oct. 22, 1976, 90 Stat. 2924; Pub. L. 99-662, title IX, §920, Nov. 17, 1986, 100 Stat. 4193.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 1976, and not as part of the Water Resources Planning Act which comprises this chapter.

AMENDMENTS

1986—Subsec. (b). Pub. L. 99-662 amended subsec. (b) generally, substituting “\$10,000,000 per fiscal year for each fiscal year beginning after September 30, 1986” for “\$6,000,000 per fiscal year for the fiscal years ending September 30, 1978, and September 30, 1979”.

§ 1962d-5e. Wetland areas

(a) Authorization of Secretary of the Army to plan and establish wetland areas; criteria for establishment

The Secretary of the Army, acting through the Chief of Engineers, is authorized to plan and establish wetland areas as part of an authorized water resources development project under his jurisdiction. Establishment of any wetland area in connection with the dredging required for such a water resources development project may be undertaken in any case where the Chief of Engineers in his judgment finds that—

(1) environmental, economic, and social benefits of the wetland area justifies the increased cost thereof above the cost required for alternative methods of disposing of dredged material for such project; and

(2) the increased cost of such wetland area will not exceed \$400,000; and

(3) there is reasonable evidence that the wetland area to be established will not be substantially altered or destroyed by natural or man-made causes.

(b) Reports to Congress

Whenever the Secretary of the Army, acting through the Chief of Engineers, submits to Congress a report on a water resources development project after October 22, 1976, such report shall include, where appropriate, consideration of the establishment of wetland areas.

(c) Cost

In the computation of benefits and cost of any water resources development project the bene-

fits of establishing of any wetland area shall be deemed to be at least equal to the cost of establishing such area. All costs of establishing a wetland area shall be borne by the United States.

(Pub. L. 94-587, §150, Oct. 22, 1976, 90 Stat. 2931.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 1976, and not as part of the Water Resources Planning Act which comprises this chapter.

§ 1962d-5f. Beach nourishment

(a) In general

The Secretary of the Army, acting through the Chief of Engineers, is authorized to provide periodic beach nourishment in the case of each water resources development project where such nourishment has been authorized for a limited period for such additional period as he determines necessary but in no event shall such additional period extend beyond the fiftieth year which begins after the date of initiation of construction of such project.

(b) Review

(1) In general

Notwithstanding subsection (a), the Secretary shall, at the request of the non-Federal interest, carry out a study to determine the feasibility of extending the period of nourishment described in subsection (a) for a period not to exceed 50 additional years beyond the maximum period described in subsection (a).

(2) Timing

The additional years provided under paragraph (1) shall begin on the date of initiation of construction of congressionally authorized nourishment.

(c) Plan for reducing risk to people and property

(1) In general

As part of the review described in subsection (b), the non-Federal interest shall submit to the Secretary a plan for reducing risk to people and property during the life of the project.

(2) Inclusion of plan in recommendation to Congress

The Secretary shall include the plan described in subsection (a) in the recommendations to Congress described in subsection (d).

(d) Report to Congress

Upon completion of the review described in subsection (b), the Secretary shall—

(1) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives any recommendations of the Secretary related to the review; and

(2) include in the subsequent annual report to Congress required under section 2282d of title 33, any recommendations that require specific congressional authorization.

(e) Special rule

Notwithstanding any other provision of this section, for any existing authorized water re-