

103^D CONGRESS
2^D SESSION

H. R. 4460

AN ACT

To provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Water Resources Development Act of 1994”.

1 (b) TABLE OF CONTENTS.—

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- Sec. 2. Definitions.

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- Sec. 105. Small navigation projects.
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- Sec. 336. New York Bight and Harbor study.
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Wisconsin.
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1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act, the term “Secretary”
3 means the Secretary of the Army.

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

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

7 Except as provided in this section, the following
8 projects for water resources development and conservation
9 and other purposes are authorized to be carried out by
10 the Secretary substantially in accordance with the plans,
11 and subject to the conditions, recommended in the respec-
12 tive reports designated in this section:

13 (1) SANTA BARBARA HARBOR, CALIFORNIA.—

14 The project for navigation, Santa Barbara Harbor,
15 California: Report of the Chief of Engineers, dated
16 April 26, 1994, at a total cost of \$5,530,000, with
17 an estimated Federal cost of \$4,420,000 and an es-
18 timated non-Federal cost of \$1,110,000.

19 (2) SAN LORENZO RIVER, SANTA CRUZ, CALI-

20 FORNIA.—The project for flood control, San Lorenzo
21 River, Santa Cruz, California: Report of the Chief of
22 Engineers, dated June 30, 1994, at a total cost of
23 \$15,670,000, with an estimated Federal cost of

1 \$7,910,000 and an estimated non-Federal cost of
2 \$7,760,000.

3 (3) MARIN COUNTY SHORELINE, SAN RAFAEL,
4 CALIFORNIA.—The project for storm damage reduc-
5 tion, Marin County shoreline, San Rafael, California:
6 Report of the Chief of Engineers, dated January 28,
7 1994, at a total cost of \$26,300,000, with an esti-
8 mated Federal cost of \$17,100,000 and an esti-
9 mated non-Federal cost of \$9,200,000.

10 (4) ANACOSTIA RIVER AND TRIBUTARIES, DIS-
11 TRICT OF COLUMBIA AND MARYLAND.—The project
12 for environmental restoration, Anacostia River and
13 Tributaries, District of Columbia and Maryland: Re-
14 port of the Chief of Engineers, dated October 1994,
15 at a total cost of \$18,820,000, with an estimated
16 Federal cost of \$14,120,000 and an estimated non-
17 Federal cost of \$4,700,000.

18 (5) ATLANTIC INTRACOASTAL WATERWAY, ST.
19 JOHNS COUNTY, FLORIDA.—The project for naviga-
20 tion, Atlantic intracoastal waterway, St. Johns
21 County, Florida: Report of the Chief of Engineers,
22 dated June 24, 1994, at a total Federal cost of
23 \$15,083,000. Operation, maintenance, repair, re-
24 placement, and rehabilitation shall be a local respon-

1 sibility and the local interest must assume ownership
2 of the bridge.

3 (6) LAKE MICHIGAN, ILLINOIS.—The project
4 for storm damage reduction and shoreline erosion
5 protection, Lake Michigan, Illinois, from Wilmette,
6 Illinois, to the Illinois-Indiana State line: Report of
7 the Chief of Engineers, dated April 14, 1994, at a
8 total cost of \$192,251,000, with an estimated Fed-
9 eral cost of \$104,435,000 and an estimated non-
10 Federal cost of \$87,816,000. The project shall in-
11 clude the breakwater near the South Water Filtra-
12 tion Plant described in the report as a separate ele-
13 ment of the project, at a total cost of \$8,169,000,
14 with an estimated Federal cost of \$5,310,000 and
15 an estimated non-Federal cost of \$2,859,000.

16 (7) WHITE RIVER, INDIANAPOLIS, INDIANA.—
17 The project for flood control and recreation, White
18 River, Indianapolis, Indiana, at a total cost of
19 \$52,700,000, with an estimated first Federal cost of
20 \$32,425,000 and an estimated first non-Federal cost
21 of \$20,275,000, is authorized to be prosecuted by
22 the Secretary in accordance with a final report of
23 the Chief of Engineers and with such modifications
24 as are recommended by the Secretary. No construc-
25 tion on the project may be initiated until such a re-

1 port of the Chief of Engineers is issued and ap-
2 proved by the Secretary.

3 (8) KENTUCKY LOCK AND DAM, TENNESSEE
4 RIVER, KENTUCKY.—The project for navigation,
5 Kentucky Lock and Dam, Tennessee River, Ken-
6 tucky: Report of the Chief of Engineers, dated June
7 4, 1992, at a total cost of \$490,000,000. The costs
8 of construction of the project are to be paid $\frac{1}{2}$ from
9 amounts appropriated from the general fund of the
10 Treasury and $\frac{1}{2}$ from amounts appropriated from
11 the Inland Waterways Trust Fund.

12 (9) POND CREEK, JEFFERSON COUNTY, KEN-
13 TUCKY.—The project for flood control, Pond Creek,
14 Jefferson County, Kentucky: Report of the Chief of
15 Engineers, dated June 28, 1994, at a total cost of
16 \$16,374,000, with an estimated Federal cost of
17 \$11,039,000 and an estimated non-Federal cost of
18 \$5,335,000.

19 (10) WOLF CREEK DAM AND LAKE CUM-
20 BERLAND, KENTUCKY.—The project for hydropower,
21 Wolf Creek Dam and Lake Cumberland, Kentucky:
22 Report of the Chief of Engineers, dated June 28,
23 1994, at a total cost of \$49,200,000, with an esti-
24 mated non-Federal cost of \$49,200,000. Funds de-
25 rived by the Tennessee Valley Authority from its

1 power program and funds derived from any private
2 or public entity designated by the Southeastern
3 Power Administration may be used for all or part of
4 any cost sharing requirements for the project.

5 (11) PORT FOURCHON, LAFOURCHE PARISH,
6 LOUISIANA.—A project for navigation, Belle Pass
7 and Bayou Lafourche, Louisiana: Report of the
8 Chief of Engineers, dated December 1994, at a total
9 cost of \$3,313,000, with an estimated Federal cost
10 of \$2,211,000 and an estimated non-Federal cost of
11 \$1,102,000.

12 (12) WOOD RIVER, GRAND ISLAND, NE-
13 BRASKA.—The project for flood control, Wood River,
14 Grand Island, Nebraska: Report of the Chief of En-
15 gineers, dated May 3, 1994, at a total cost of
16 \$10,200,000, with an estimated Federal cost of
17 \$5,100,000 and an estimated non-Federal cost of
18 \$5,100,000.

19 (13) WILMINGTON HARBOR, CAPE FEAR RIVER,
20 NORTH CAROLINA.—The project for navigation, Wil-
21 mington Harbor, Cape Fear and Northeast Cape
22 Fear Rivers, North Carolina: Report of the Chief of
23 Engineers, dated June 24, 1994, at a total cost of
24 \$22,000,000, with an estimated Federal cost of

1 \$14,700,000 and an estimated non-Federal cost of
2 \$7,300,000.

3 (14) DUCK CREEK, CINCINNATI, OHIO.—The
4 project for flood control, Duck Creek, Cincinnati,
5 Ohio: Report of the Chief of Engineers, dated July
6 28, 1994, at a total cost of \$14,817,000, with an es-
7 timated Federal cost of \$11,113,000 and an esti-
8 mated non-Federal cost of \$3,704,000.

9 (15) COOS BAY, OREGON.—The project for deep
10 draft navigation, Coos Bay, Oregon: Report of the
11 Chief of Engineers, dated June 30, 1994, at a total
12 cost of \$13,700,000, with an estimated Federal cost
13 of \$8,800,000 and an estimated non-Federal cost of
14 \$4,900,000.

15 (16) RIO GRANDE DE ARECIBO, PUERTO
16 RICO.—The project for flood control, Rio Grande de
17 Arecibo, Puerto Rico: Report of the Chief of Engi-
18 neers, dated April 5, 1994, at a total cost of
19 \$18,857,000, with an estimated Federal cost of
20 \$9,913,000 and an estimated non-Federal cost of
21 \$8,944,000.

22 (17) BIG SIOUX RIVER AND SKUNK CREEK,
23 SIOUX FALLS, SOUTH DAKOTA.—The project for
24 flood control, Big Sioux River and Skunk Creek,
25 Sioux Falls, South Dakota: Report of the Chief of

1 Engineers, dated June 30, 1994, at a total cost of
2 \$30,700,000, with an estimated Federal cost of
3 \$22,900,000 and an estimated non-Federal cost of
4 \$7,800,000.

5 (18) WATERTOWN, SOUTH DAKOTA.—The
6 project for flood control, Watertown and Vicinity,
7 South Dakota: Report of the Chief of Engineers,
8 dated August 31, 1994, at a total cost of
9 \$16,092,000, with an estimated Federal cost of
10 \$11,835,000 and an estimated non-Federal cost of
11 \$4,257,000.

12 (19) ATLANTIC INTRACOASTAL WATERWAY,
13 CHESAPEAKE, VIRGINIA.—The project for naviga-
14 tion, Atlantic intracoastal waterway, Great Bridge,
15 Chesapeake, Virginia: Report of the Chief of Engi-
16 neers, dated July 1, 1994, at a total cost of
17 \$23,007,000, with an estimated Federal cost of
18 \$19,771,000 and an estimated non-Federal cost of
19 \$3,236,000.

20 (20) MARMET LOCK, KANAWHA RIVER, WEST
21 VIRGINIA.—The project for navigation, Marmet
22 Lock, Kanawha River, West Virginia: Report of the
23 Chief of Engineers, dated June 24, 1994, at a total
24 cost of \$261,000,000. The costs of construction of
25 the project are to be paid ½ from amounts appro-

1 priated from the general fund of the Treasury and
2 ½ from amounts appropriated from the Inland Wa-
3 terways Trust Fund. In conducting any real estate
4 acquisition activities, the Secretary shall give prior-
5 ity consideration to those individuals who would be
6 directly affected by any physical displacement due to
7 project design and shall consider the financial cir-
8 cumstances of such individuals. The Secretary shall
9 proceed with real estate acquisition in connection
10 with the project expeditiously.

11 **SEC. 102. PROJECT MODIFICATIONS.**

12 (a) NOGALES WASH AND TRIBUTARIES, ARIZONA.—
13 The project for flood control, Nogales Wash and tribu-
14 taries, Arizona, authorized by section 101(a)(4) of the
15 Water Resources Development Act of 1990 (104 Stat.
16 4606), is modified to direct the Secretary to permit the
17 non-Federal contribution for the project to be determined
18 in accordance with sections 103(k) and 103(m) of the
19 Water Resources Development Act of 1986 and to direct
20 the Secretary to enter into negotiations with non-Federal
21 interests pursuant to section 103(l) of such Act concerning
22 the timing of the initial payment of the non-Federal con-
23 tribution.

24 (b) OAKLAND INNER HARBOR, CALIFORNIA.—The
25 project for deep-draft navigation, authorized by section

1 202(a) of the Water Resources Development Act of 1986
2 (100 Stat. 4092), is modified to authorize the Secretary
3 to construct the project at a total cost of \$57,000,000,
4 with an estimated Federal cost of \$35,900,000, and an
5 estimated non-Federal cost of \$21,100,000.

6 (c) POTOMAC RIVER, WASHINGTON, DISTRICT OF
7 COLUMBIA.—The project for flood protection, Potomac
8 River, Washington, District of Columbia, authorized by
9 section 5 of the Flood Control Act of June 22, 1936 (74
10 Stat. 1574), is modified to provide for completion of the
11 project substantially in accordance with the General De-
12 sign Memorandum dated May 1992, the General Design
13 Memorandum Supplement dated May 1994, and a letter
14 report dated August 9, 1994, at a Federal cost of
15 \$1,800,000.

16 (d) CENTRAL AND SOUTHERN FLORIDA, CANAL 51
17 (C-51).—The project for flood protection of West Palm
18 Beach, Florida (C-51), authorized by section 203 of the
19 Flood Control Act of 1962 (76 Stat. 1183), is modified
20 to provide for the construction of an enlarged stormwater
21 detention area, Storm Water Treatment Area 1 East, gen-
22 erally in accordance with the plan of improvements de-
23 scribed in the February 15, 1994, report entitled “Ever-
24 glades Protection Project, Palm Beach County, Florida,
25 Conceptual Design”, with such modifications as are ap-

1 proved by the Secretary. The additional work authorized
2 by this subsection shall be accomplished at Federal ex-
3 pense. Operation and maintenance of the stormwater de-
4 tention area shall be consistent with regulations prescribed
5 by the Secretary for the Central and Southern Florida
6 project, and all costs of such operation and maintenance
7 shall be provided by non-Federal interests.

8 (e) CENTRAL AND SOUTHERN FLORIDA, CANAL 111
9 (C-111).—

10 (1) IN GENERAL.—The project for Central and
11 Southern Florida, authorized by the Flood Control
12 Act of June 30, 1948, and modified by section 203
13 of the Flood Control Act of 1968 (82 Stat. 740–
14 741), is modified to authorize the Secretary to im-
15 plement the recommended plan of improvement con-
16 tained in a report entitled “Central and Southern
17 Florida Project, Final Integrated General Reevalua-
18 tion Report and Environmental Impact Statement,
19 Canal 111 (C-111), South Dade County, Florida”,
20 dated May 1994, including acquisition of such por-
21 tions of the Frog Pond and Rocky Glades areas as
22 are needed for the project.

23 (2) COST SHARING.—

1 (A) FEDERAL SHARE.—The Federal share
2 of the cost of implementing the plan of im-
3 provement shall be 50 percent.

4 (B) DEPARTMENT OF INTERIOR RESPON-
5 SIBILITY.—The Department of the Interior
6 shall pay 25 percent of the cost of acquiring
7 such portions of the Frog Pond and Rocky
8 Glades areas as are needed for the project. The
9 amount paid by the Department of the Interior
10 shall be included as part of the Federal share
11 of the cost of implementing the plan.

12 (C) OPERATION AND MAINTENANCE.—The
13 non-Federal share of operation and mainte-
14 nance costs of the improvements undertaken
15 pursuant to this subsection shall be 100 per-
16 cent; except that the Federal Government shall
17 reimburse the non-Federal project sponsor 60
18 percent of the costs of operating and maintain-
19 ing pump stations that pump water into Taylor
20 Slough in the Everglades National Park.

21 (f) TYBEE ISLAND, GEORGIA.—The project for beach
22 erosion control, Tybee Island, Georgia, authorized pursu-
23 ant to section 201 of the Flood Control Act of 1965 (42
24 U.S.C. 1962d–5), is modified to include as part of the

1 project the portion of the ocean shore of Tybee Island lo-
2 cated south of the extension of 9th Street.

3 (g) CHICAGO, ILLINOIS.—The project for flood con-
4 trol, Chicagoland Underflow Plan, Illinois, authorized by
5 section 3(a)(5) of the Water Resources Development Act
6 of 1988 (102 Stat. 4013), is modified to limit the capacity
7 of the reservoir project not to exceed 11,000,000,000 gal-
8 lons or 32,000 acre-feet, to provide that the reservoir
9 project may not be located north of 55th Street or west
10 of East Avenue in the vicinity of McCook, Illinois, and
11 to provide that the reservoir project may only be con-
12 structed on the basis of a specific plan that has been eval-
13 uated by the Secretary under the provisions of the Na-
14 tional Environmental Policy Act of 1969.

15 (h) NORTH BRANCH OF CHICAGO RIVER, ILLI-
16 NOIS.—The project for flood protection, North Branch of
17 the Chicago River, Illinois, authorized by section 401(a)
18 of the Water Resources Development Act of 1986 (100
19 Stat. 4115), is modified to authorize the Secretary to
20 carry out the project in accordance with the Report of the
21 Chief of Engineers dated March 1994, at a total cost of
22 \$34,800,000, with an estimated Federal cost of
23 \$20,774,000 and an estimated non-Federal cost of
24 \$14,026,000.

1 (i) REND LAKE, ILLINOIS.—The project for flood
2 control, Rend Lake, Illinois, authorized by section 203 of
3 the Flood Control Act of 1962 (76 Stat. 1189), is modified
4 to direct the Secretary to correct the design deficiency in
5 the Rend Lake Subimpoundment, Benton, Jefferson
6 County, Illinois, at full Federal expense, with an estimated
7 cost of \$5,300,000.

8 (j) ARKANSAS CITY, KANSAS.—The project for flood
9 control, Arkansas City, Kansas, authorized by section
10 401(a) of the Water Resources Development Act of 1986
11 (100 Stat. 4116), is modified to authorize the Secretary
12 to construct the project at a total cost of \$35,700,000,
13 with an estimated Federal cost of \$26,600,000 and an es-
14 timated non-Federal cost of \$9,100,000.

15 (k) HALSTEAD, KANSAS.—The project for flood con-
16 trol, Halstead, Kansas, authorized by section 401(a) of the
17 Water Resources Development Act of 1986 (100 Stat.
18 4116), is modified to authorize the Secretary to carry out
19 the project in accordance with the Report of the Chief of
20 Engineers dated March 19, 1993, at a total cost of
21 \$11,100,000, with an estimated Federal cost of
22 \$8,325,000 and an estimated non-Federal cost of
23 \$2,775,000.

24 (l) LEVISA AND TUG FORKS OF THE BIG SANDY
25 RIVER AND CUMBERLAND RIVER, KENTUCKY, WEST VIR-

1 GINIA, AND VIRGINIA.—The project for flood control,
2 Levisa and Tug Forks of the Big Sandy River and Cum-
3 berland River, Kentucky, West Virginia, and Virginia, au-
4 thorized by section 202(a) of the Energy and Water Devel-
5 opment Appropriation Act, 1981 (94 Stat. 1339), is modi-
6 fied to provide that the minimum level of flood protection
7 to be afforded by the project shall be the level required
8 to provide protection from a 100-year flood or from the
9 flood of April 1977, whichever level of protection is
10 greater.

11 (m) WEST BANK HURRICANE PROTECTION LEVEE,
12 JEFFERSON PARISH, LOUISIANA.—The project for hurri-
13 cane protection, West Bank Hurricane Protection Levee,
14 Jefferson Parish, Louisiana, authorized by section 401(b)
15 of the Water Resources Development Act of 1986 (100
16 Stat. 4128), is modified to authorize the Secretary to
17 carry out the project in accordance with the Report of the
18 Chief of Engineers dated November 1994, at a total cost
19 of \$119,700,000, with an estimated Federal cost of
20 \$77,800,000 and an estimated non-Federal cost of
21 \$41,900,000.

22 (n) MISSISSIPPI RIVER OUTLETS, VENICE, LOUISI-
23 ANA.—The project for navigation, Mississippi River Out-
24 lets, Venice, Louisiana, authorized by section 101 of the
25 River and Harbor Act of 1968 (82 Stat. 731), is modified

1 to provide for the extension of the 16-foot deep by 250-
2 foot wide Baptiste Collette Bayou entrance channel to ap-
3 proximately Mile 8 of the Mississippi River-Gulf Outlet
4 navigation channel, at a total estimated Federal cost of
5 \$80,000.

6 (o) BONNEVILLE LOCK AND DAM, COLUMBIA RIVER,
7 OREGON AND WASHINGTON.—

8 (1) IN GENERAL.—The project for Bonneville
9 Lock and Dam, Columbia River, Oregon and Wash-
10 ington, authorized by the Act of August 20, 1937
11 (50 Stat. 731), and modified by section 83 of the
12 Water Resources Development Act of 1974 (88 Stat.
13 35), is further modified to authorize the Secretary to
14 convey to the city of North Bonneville, Washington,
15 at no further cost to the city, all right, title and in-
16 terest of the United States in and to the following:

17 (A) Any municipal facilities, utilities fix-
18 tures, and equipment for the relocated city, and
19 any remaining lands designated as open spaces
20 or municipal lots not previously conveyed to the
21 city, specifically, Lots M1 through M15, M16
22 (the “community center lot”), M18, M19, M22,
23 M24, S42 through S45, and S52 through S60.

1 (B) The “school lot” described as Lot 2,
2 block 5, on the plat of relocated North Bonne-
3 ville.

4 (C) Parcels 2 and C, but only upon the
5 completion of any environmental response ac-
6 tions required under applicable law.

7 (D) That portion of Parcel B lying south
8 of the existing city boundary, west of the sew-
9 age treatment plant, and north of the drainage
10 ditch that is located adjacent to the northerly
11 limit of the Hamilton Island landfill, provided
12 the Secretary determines, at the time of the
13 proposed conveyance, that the Army has taken
14 all action necessary to protect human health
15 and the environment.

16 (E) Such portions of Parcel H which can
17 be conveyed without a requirement for further
18 investigation, inventory or other action by the
19 Department of the Army under the provisions
20 of the National Historic Preservation Act.

21 (F) Such easements as the Secretary
22 deems necessary for—

23 (i) sewer and water line crossings of
24 relocated Washington State Highway 14;
25 and

1 (ii) reasonable public access to the Co-
2 lumbia River across those portions of
3 Hamilton Island that remain under the
4 ownership of the United States.

5 (2) TIME PERIOD FOR CONVEYANCES.—The
6 conveyances referred to in paragraphs (1)(A),
7 (1)(B), (1)(E), and (1)(F)(i) shall be completed
8 within 180 days after the United States receives the
9 release referred to in paragraph (4). All other con-
10 veyances shall be completed expeditiously, subject to
11 any conditions specified in the applicable subsection.

12 (3) PURPOSE.—The purpose of the conveyances
13 authorized by paragraph (1) is to resolve all out-
14 standing issues between the United States and the
15 city of North Bonneville.

16 (4) ACKNOWLEDGEMENT OF PAYMENT; RE-
17 LEASE OF CLAIMS RELATING TO RELOCATION OF
18 CITY.—As a prerequisite to such conveyances, the
19 city of North Bonneville shall execute an acknowl-
20 edgement of payment of just compensation and shall
21 execute a release of any and all claims for relief of
22 any kind against the United States growing out of
23 the relocation of the city of North Bonneville, or any
24 prior Federal legislation relating thereto, and shall

1 dismiss, with prejudice, any pending litigation, if
2 any, involving such matters.

3 (5) RELEASE BY ATTORNEY GENERAL.—Upon
4 receipt of the city's acknowledgment and release re-
5 ferred to in paragraph (4), the Attorney General of
6 the United States shall dismiss any pending litiga-
7 tion, if any, arising out of the relocation of the city
8 of North Bonneville, and execute a release of any
9 and all rights to damages of any kind under the
10 February 20, 1987, judgment of the United States
11 Claims Court, including any interest thereon.

12 (6) ACKNOWLEDGMENT OF ENTITLEMENTS; RE-
13 LEASE BY CITY OF CLAIMS UNDER THIS SUB-
14 SECTION.—Within 60 days after the conveyances au-
15 thorized by paragraph (1) (other than subparagraph
16 (F)(ii)) have been completed, the city shall execute
17 an acknowledgement that all entitlements under
18 such paragraph have been completed and shall exe-
19 cute a release of any and all claims for relief of any
20 kind against the United States arising out of this
21 subsection.

22 (7) EFFECTS ON CITY.—Beginning on the date
23 of the enactment of this Act, the city of North Bon-
24 neville, or any successor in interest thereto, shall—

1 (A) be precluded from exercising any juris-
2 diction over any lands owned in whole or in
3 part by the United States and administered by
4 the United States Army Corps of Engineers in
5 connection with the Bonneville project; and

6 (B) be authorized to change the zoning
7 designations of, sell, or resell Parcels S35 and
8 S56, which are presently designated as open
9 spaces.

10 (p) FALL RIVER HARBOR, MASSACHUSETTS AND
11 RHODE ISLAND.—The project for navigation, Fall River
12 Harbor, Massachusetts and Rhode Island, authorized by
13 section 101 of the River and Harbor Act of 1968 (82 Stat.
14 731), is modified to provide that alteration of the
15 drawspan of the Brightman Street Bridge to provide a
16 channel width of 300 feet shall not be required after the
17 date of the enactment of this Act.

18 (q) MANISTIQUE HARBOR, SCHOOLCRAFT COUNTY,
19 MICHIGAN.—The project for navigation, Manistique Har-
20 bor, Schoolcraft County, Michigan, authorized by the Riv-
21 ers and Harbors Appropriations Act of March 3, 1905 (33
22 Stat. 1136), is modified to provide for an authorized
23 project depth of 12 feet.

24 (r) SAGINAW RIVER, MICHIGAN.—The project for
25 flood protection, Saginaw River, Michigan, authorized by

1 section 203 of the Flood Control Act of 1958 (72 Stat.
2 311) is modified to include as part of the project the de-
3 sign and construction of an inflatable dam on the Flint
4 River, Michigan, at a total cost of \$800,000.

5 (s) SAULT SAINTE MARIE, CHIPPEWA COUNTY,
6 MICHIGAN.—

7 (1) IN GENERAL.—The project for navigation,
8 Sault Sainte Marie, Chippewa County, Michigan, au-
9 thorized by section 1149 of the Water Resources De-
10 velopment Act of 1986 (100 Stat. 4254–4255), is
11 modified as provided by this subsection.

12 (2) PAYMENT OF NON-FEDERAL SHARE.—The
13 non-Federal share of the cost of the project referred
14 to in paragraph (1) shall be paid as follows:

15 (A) That portion of the non-Federal share
16 which the Secretary determines is attributable
17 to use of the lock by vessels calling at Canadian
18 ports shall be paid by the United States.

19 (B) The remaining portion of the non-Fed-
20 eral share shall be paid by the Great Lakes
21 States pursuant to an agreement entered into
22 by such States.

23 (3) PAYMENT TERM OF ADDITIONAL PERCENT-
24 AGE.—The amount to be paid by non-Federal inter-
25 ests pursuant to section 101(a) of the Water Re-

1 sources Development Act of 1986 (33 U.S.C.
2 2211(a)) and this subsection with respect to the
3 project referred to in paragraph (1) may be paid
4 over a period of 50 years or the expected life of the
5 project, whichever is shorter.

6 (4) GREAT LAKES STATES DEFINED.—For the
7 purposes of this subsection, the term “Great Lakes
8 States” means the States of Illinois, Indiana, Michi-
9 gan, Minnesota, New York, Ohio, Pennsylvania, and
10 Wisconsin.

11 (t) NEW MADRID HARBOR, MISSOURI.—The project
12 for navigation, New Madrid Harbor, Missouri, authorized
13 pursuant to section 107 of the River and Harbor Act of
14 1960 (33 U.S.C. 577) and modified by section 102(n) of
15 the Water Resources Development Act of 1992 (106 Stat.
16 4807), is further modified to direct the Secretary to as-
17 sume responsibility for maintenance of the existing Fed-
18 eral channel referred to in such section 102(n) in addition
19 to maintaining New Madrid County Harbor.

20 (u) CAPE GIRARDEAU, MISSOURI.—The project for
21 flood control, Cape Girardeau, Jackson Metropolitan Area,
22 Missouri, authorized by section 401(a) of the Water Re-
23 sources Development Act of 1986 (100 Stat. 4118–4119),
24 is modified to authorize the Secretary to construct the
25 project, including implementation of nonstructural meas-

1 ures, at a total cost of \$44,200,000, with an estimated
2 Federal cost of \$32,300,000 and an estimated non-Fed-
3 eral cost of \$11,900,000.

4 (v) JONES INLET, NEW YORK.—The project for navi-
5 gation, Jones Inlet, New York, authorized by section 2 of
6 the Rivers and Harbors Act of March 2, 1945 (59 Stat.
7 13), is modified to direct the Secretary to place
8 uncontaminated dredged material on beach areas
9 downdrift from the federally maintained channel for the
10 purpose of mitigating the interruption of littoral system
11 natural processes caused by the jetty and continued dredg-
12 ing of the federally maintained channel.

13 (w) RAMAPO AND MAHWAH RIVERS, NEW JERSEY
14 AND NEW YORK.—The project for flood control, Ramapo
15 and Mahwah Rivers, New Jersey and New York, author-
16 ized by section 401(a) of the Water Resources Develop-
17 ment Act of 1986 (100 Stat. 4120), is modified to author-
18 ize the Secretary to carry out the project in accordance
19 with the Report of the Chief of Engineers dated May
20 1994, at a total cost of \$10,800,000, with an estimated
21 Federal cost of \$8,120,000 and an estimated non-Federal
22 cost of \$2,680,000.

23 (x) WILMINGTON HARBOR-NORTHEAST CAPE FEAR
24 RIVER, NORTH CAROLINA.—The project for navigation,
25 Wilmington Harbor-Northeast Cape Fear River, North

1 Carolina, authorized by section 202(a) of the Water Re-
2 sources Development Act of 1986 (100 Stat. 4095), is
3 modified to authorize the Secretary to construct the
4 project substantially in accordance with the General De-
5 sign Memorandum dated April 1990 and the General De-
6 sign Memorandum Supplement dated February 1994, at
7 a total cost of \$43,900,000, with an estimated Federal
8 cost of \$20,100,000 and an estimated non-Federal cost
9 of \$23,800,000.

10 (y) GARRISON DAM, NORTH DAKOTA.—The project
11 for flood control, Garrison Dam, North Dakota, author-
12 ized by section 9 of the Flood Control Act of December
13 22, 1944 (58 Stat. 891), is modified to authorize the Sec-
14 retary to acquire permanent flowage and saturation ease-
15 ments over the lands in Williams County, North Dakota,
16 extending from the riverward margin of the Buford-Tren-
17 ton Irrigation District main canal to the north bank of
18 the Missouri River, beginning at the Buford-Trenton Irri-
19 gation District pumping station located in the northeast
20 quarter of section 17, township 152 north, range 104
21 west, and continuing northeasterly downstream to the land
22 referred to as the East Bottom, and any other lands out-
23 side of the boundaries of the Buford-Trenton Irrigation
24 District which have been adversely affected by rising
25 ground water and surface flooding. Any easement acquired

1 by the Secretary pursuant to this subsection shall include
2 the right, power, and privilege of the Government to sub-
3 merge, overflow, percolate, and saturate the surface and
4 subsurface of the land. The cost of acquiring such ease-
5 ments shall not exceed 90 percent, or be less than 75 per-
6 cent, of the unaffected fee value of the lands. The project
7 is further modified to authorize the Secretary to provide
8 a lump sum payment of \$60,000 to the Buford-Trenton
9 Irrigation District for power requirements associated with
10 operation of the drainage pumps and to relinquish all
11 right, title, and interest of the United States to the drain-
12 age pumps located within the boundaries of the Irrigation
13 District.

14 (z) WISTER LAKE, OKLAHOMA.—The flood control
15 project for Wister Lake, LeFlore County, Oklahoma, au-
16 thorized by section 4 of the Flood Control Act of June
17 28, 1938 (52 Stat. 1218), is modified to increase the level
18 of the conservation pool by 1 foot and to adjust the sea-
19 sonal pool operation to accommodate the change in the
20 conservation pool elevation.

21 (aa) SAW MILL RUN, PENNSYLVANIA.—The project
22 for flood control, Saw Mill Run, Pittsburgh, Pennsylvania,
23 authorized by section 401(a) of the Water Resources De-
24 velopment Act of 1986 (100 Stat. 4124), is modified to
25 authorize the Secretary to carry out the project in accord-

1 ance with the Report of the Chief of Engineers dated Jan-
2 uary 31, 1994, at a total cost of \$12,140,000, with an
3 estimated Federal cost of \$9,105,000 and an estimated
4 non-Federal cost of \$3,035,000.

5 (bb) SAN JUAN HARBOR, PUERTO RICO.—The
6 project for navigation, San Juan Harbor, Puerto Rico, au-
7 thorized by section 202(a) of the Water Resources Devel-
8 opment Act of 1986 (100 Stat. 4097), is modified to au-
9 thorize the Secretary to deepen the bar channel to depths
10 varying from 49 feet to 56 feet below mean low water with
11 other modifications to authorized interior channels as gen-
12 erally described in the General Reevaluation Report and
13 Environmental Assessment, dated March 1994, at a total
14 cost of \$43,993,000, with an estimated Federal cost of
15 \$27,341,000 and an estimated non-Federal cost of
16 \$16,652,000.

17 (cc) INDIA POINT RAILROAD BRIDGE, SEEKONK
18 RIVER, PROVIDENCE, RHODE ISLAND.—The project for
19 the removal and demolition of the India Point Railroad
20 Bridge, Seekonk River, Providence, Rhode Island, author-
21 ized by section 1166(c) of the Water Resources Develop-
22 ment Act of 1986 (100 Stat. 4258), is modified to author-
23 ize the Secretary to demolish and remove the center span
24 of the bridge, at a total cost of \$1,300,000, with an esti-

1 mated Federal cost of \$650,000 and an estimated non-
2 Federal cost of \$650,000.

3 (dd) DALLAS FLOODWAY EXTENSION, DALLAS,
4 TEXAS.—

5 (1) IN GENERAL.—The project for flood con-
6 trol, Dallas Floodway Extension, Dallas, Texas, au-
7 thorized by section 301 of the River and Harbor Act
8 of 1965 (79 Stat. 1091), is modified to provide that,
9 notwithstanding the last sentence of subsection (c)
10 of section 104 of the Water Resources Development
11 Act of 1986, non-Federal interests may apply for
12 crediting under such section 104, against the non-
13 Federal share of the cost of the project, the cost of
14 work performed by the non-Federal interests in con-
15 structing flood protection works for Rochester Park
16 and the north section of the Central Wastewater
17 Treatment Plant.

18 (2) DETERMINATION OF AMOUNT.—The
19 amount to be credited under paragraph (1) shall be
20 determined by the Secretary. In determining such
21 amount, the Secretary may permit crediting only for
22 that portion of the work performed by the non-Fed-
23 eral interests which is compatible with the project
24 referred to in paragraph (1), including any modifica-

1 tion thereof, and which is required for construction
2 of such project.

3 (3) CASH CONTRIBUTION.—Nothing in this sub-
4 section shall be construed to limit the applicability of
5 the requirement contained in section 103(a)(1)(A) of
6 the Water Resources Development Act of 1986 to
7 the project referred to in paragraph (1).

8 (ee) LITTLE DELL DAM AND RESERVOIR, SALT
9 LAKE CITY STREAMS, UTAH.—The project for flood con-
10 trol, Little Dell Dam and Reservoir, Salt Lake City
11 Streams, Utah, authorized by section 203 of the Flood
12 Control Act of 1968 (82 Stat. 744) and modified by sec-
13 tion 170 of the Water Resources Development Act of 1976
14 (90 Stat. 2936), is further modified to allocate the flood
15 control and water supply costs in accordance with the per-
16 centages set forth in item 6h of table 16 of the Corps of
17 Engineers Sacramento District Reexamination Report,
18 dated February 1984, and to provide that cost-sharing be
19 in accordance with section 103 of the Water Resources
20 Development Act of 1986 (33 U.S.C. 2213).

21 (ff) UPPER JORDAN RIVER, UTAH.—The project for
22 flood control, Upper Jordan River, Utah, authorized by
23 section 101(a)(23) of the Water Resources Development
24 Act of 1990 (104 Stat. 4610), is modified to authorize
25 the Secretary to construct the project at a total cost of

1 \$12,100,000, with an estimated Federal cost of
2 \$8,000,000 and an estimated non-Federal cost of
3 \$4,100,000.

4 (gg) HAYSI LAKE, VIRGINIA.—The Haysi Lake, Vir-
5 ginia, feature of the project for flood control, Tug Fork
6 of the Big Sandy River, Kentucky, West Virginia, and Vir-
7 ginia, authorized by section 202(a) of the Energy and
8 Water Development Appropriation Act, 1981 (94 Stat.
9 1339), is modified to add recreation as a project purpose.

10 (hh) RUDEE INLET, VIRGINIA BEACH, VIRGINIA.—
11 The project for navigation and shoreline protection, Rudee
12 Inlet, Virginia Beach, Virginia, authorized by section
13 501(a) of the Water Resources Development Act of 1986
14 (100 Stat. 4148), is modified to authorize the Secretary
15 to continue maintenance of the project for the life of the
16 project. The Federal share of the cost of such maintenance
17 shall be determined in accordance with title I of the Water
18 Resources Development Act of 1986.

19 (ii) BLUESTONE LAKE, WEST VIRGINIA.—Section
20 102(ff) of the Water Resources Development Act of 1992
21 (106 Stat. 4810) is amended by inserting “except for that
22 organic matter necessary to maintain and enhance the bio-
23 logical resources of such waters,” after “project,” the first
24 place it appears.

25 (jj) KICKAPOO RIVER, WISCONSIN.—

1 (1) IN GENERAL.—The project for flood control
2 and allied purposes, Kickapoo River, Wisconsin, au-
3 thorized by section 203 of the Flood Control Act of
4 1962 (76 Stat. 1190) and modified by section 814
5 of the Water Resources Development Act of 1986
6 (100 Stat. 4169), is further modified as provided by
7 this subsection.

8 (2) TRANSFER OF PROPERTY.—

9 (A) IN GENERAL.—Subject to the require-
10 ments of this subsection, the Secretary shall
11 transfer to the State of Wisconsin, without con-
12 sideration, all right, title, and interest of the
13 United States to the lands described in sub-
14 paragraph (B), including all works, structures,
15 and other improvements to such lands.

16 (B) LAND DESCRIPTION.—The lands to be
17 transferred pursuant to subparagraph (A) are
18 the approximately 8,569 acres of land associ-
19 ated with the LaFarge Dam and Lake portion
20 of the project referred to in paragraph (1) in
21 Vernon County, Wisconsin, in the following sec-
22 tions:

23 (i) Section 31, Township 14 North,
24 Range 1 West of the 4th Principal Merid-
25 ian.

1 (ii) Sections 2 through 11, and 16,
2 17, 20, and 21, Township 13 North,
3 Range 2 West of the 4th Principal Merid-
4 ian.

5 (iii) Sections 15, 16, 21 through 24,
6 26, 27, 31, and 33 through 36, Township
7 14 North, Range 2 West of the 4th Prin-
8 cipal Meridian.

9 (C) TERMS AND CONDITIONS.—The trans-
10 fer under subparagraph (A) shall be made on
11 the condition that the State of Wisconsin enters
12 into a written agreement with the Secretary to
13 hold the United States harmless from all claims
14 arising from or through the operation of the
15 lands and improvements subject to the transfer.
16 If title to the lands described in subparagraph
17 (B) is sold or transferred by the State, then the
18 State shall reimburse the United States for the
19 price originally paid by the United States for
20 purchasing such lands.

21 (D) DEADLINES.—Not later than July 1,
22 1995, the Secretary shall transmit to the State
23 of Wisconsin an offer to make the transfer
24 under this paragraph. Such offer shall provide
25 for the transfer to be made in the period begin-

ning on November 1, 1995, and ending on December 31, 1995.

(E) DEAUTHORIZATION.—The LaFarge Dam and Lake portion of the project referred to in paragraph (1) is not authorized after the date of the transfer under this paragraph.

(F) INTERIM MANAGEMENT AND MAINTENANCE.—The Secretary shall continue to manage and maintain the LaFarge Dam and Lake portion of the project referred to in paragraph (1) until the date of the transfer under this subsection.

(3) COMPLETION OF PROJECT FEATURES.—

(A) REQUIREMENT.—The Secretary shall undertake the completion of the following features of the project referred to in paragraph (1):

(i) The continued relocation of State highway route 131 and county highway routes P and F substantially in accordance with plans contained in Design Memorandum No. 6, Relocation-LaFarge Reservoir, dated June 1970; except that the relocation shall generally follow the existing road rights-of-way through the Kickapoo Valley.

1 (ii) Environmental cleanup and site
2 restoration of abandoned wells, farm sites,
3 and safety modifications to the water con-
4 trol structures.

5 (iii) Cultural resource activities to
6 meet the requirements of Federal law.

7 (B) PARTICIPATION BY STATE OF WISCON-
8 SIN.—In undertaking the completion of the fea-
9 tures described in subparagraph (A), the Sec-
10 retary shall determine the requirements of the
11 State of Wisconsin on the location and design
12 of each such feature.

13 (4) FUNDING.—There is authorized to be ap-
14 propriated to carry out this subsection for fiscal
15 years beginning after September 30, 1994,
16 \$17,000,000.

17 **SEC. 103. SMALL FLOOD CONTROL PROJECTS.**

18 The Secretary shall conduct a study for each of the
19 following projects and, if the Secretary determines that
20 the project is feasible, shall carry out the project under
21 section 205 of the Flood Control Act of 1948 (33 U.S.C.
22 701s):

23 (1) ST. LOUIS, MISSOURI.—A project for flood
24 control in Carondelet and Germania neighborhoods
25 in St. Louis, Missouri.

1 (2) FULMER CREEK, VILLAGE OF MOHAWK,
2 NEW YORK.—A project for flood control, Fulmer
3 Creek, Village of Mohawk, New York.

4 (3) MOYER CREEK, VILLAGE OF FRANKFORT,
5 NEW YORK.—A project for flood control, Moyer
6 Creek, Village of Frankfort, New York.

7 (4) SAUQUOIT CREEK, WHITESBORO, NEW
8 YORK.—A project for flood control, Sauquoit Creek,
9 Whitesboro, New York.

10 (5) STEELE CREEK, VILLAGE OF ILION, NEW
11 YORK.—A project for flood control, Steele Creek,
12 Village of Ilion, New York.

13 (6) SUNBURY, PENNSYLVANIA.—A project for
14 flood control, Susquehanna River, at Sunbury, Penn-
15 sylvania, to rehabilitate existing flood control struc-
16 tures.

17 **SEC. 104. SMALL BANK STABILIZATION PROJECTS.**

18 The Secretary shall conduct a study for each of the
19 following projects and, if the Secretary determines that
20 the project is feasible, shall carry out the project under
21 section 14 of the Flood Control Act of 1946 (33 U.S.C.
22 701r):

23 (1) WABASH RIVER, NEW HARMONY, INDI-
24 ANA.—A project for bank stabilization to prevent

1 further erosion of the east bank of the Wabash River
2 in the vicinity of New Harmony, Indiana.

3 (2) HICKMAN BLUFF, HICKMAN, KENTUCKY.—
4 A project for bank stabilization, Hickman Bluff,
5 Hickman, Kentucky.

6 (3) WICKLIFFE, BALLARD COUNTY, KEN-
7 TUCKY.—A project for bank stabilization, Wickliffe,
8 Ballard County, Kentucky, on the Mississippi River
9 between the existing Wickliffe and Mayfield revet-
10 ments.

11 (4) ALLEGHENY RIVER AT OIL CITY, PENN-
12 SYLVANIA.—A project for bank stabilization to ad-
13 dress erosion problems affecting the pipeline cross-
14 ing the Allegheny River at Oil City, Pennsylvania,
15 including measures to address erosion affecting the
16 pipeline in the bed of the Allegheny River and its ad-
17 jacent banks.

18 **SEC. 105. SMALL NAVIGATION PROJECTS.**

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

1 (1) AKUTAN, ALASKA.—A navigation project for
2 Akutan, Alaska, consisting of a bulkhead and a wave
3 barrier.

4 (2) KING COVE, ALASKA.—A navigation project
5 for King Cove, Alaska, consisting of a small rubble
6 mound structure and a vertical wave screen.

7 (3) TACONITE, MINNESOTA.—A navigation
8 project for Taconite, Minnesota.

9 (4) TWO HARBORS, MINNESOTA.—A navigation
10 project for Two Harbors, Minnesota.

11 (5) BROOKLYN, NEW YORK.—A project for
12 navigation, Brooklyn, New York, including restora-
13 tion of the pier and related navigation support struc-
14 tures, at the Sixty-Ninth Street Pier.

15 **SEC. 106. SMALL SHORELINE PROTECTION PROJECTS.**

16 (a) PROJECT AUTHORIZATIONS.—The Secretary
17 shall conduct a study for each of the following projects,
18 and if the Secretary determines that the project is feasible,
19 shall carry out the project under section 3 of the Shoreline
20 Protection Act of August 13, 1946 (33 U.S.C. 426g):

21 (1) FAULKNER'S ISLAND, CONNECTICUT.—A
22 project for shoreline protection, Faulkner's Island,
23 Connecticut.

24 (2) SYLVAN BEACH BREAKWATER, TOWN OF
25 VERONA, ONEIDA COUNTY, NEW YORK.—A project

1 for shoreline protection, Sylvan Beach Breakwater,
2 town of Verona, Oneida County, New York.

3 (b) COST SHARING AGREEMENT.—In carrying out
4 the project authorized by subsection (a)(1), the Secretary
5 shall enter into an agreement with the property owner of
6 the project to determine allocation of the project costs.

7 **SEC. 107. SMALL BANK STABILIZATION AND BEACH ERO-**
8 **SION CONTROL PROJECT, WATSON ISLAND**
9 **PARK, MIAMI, FLORIDA.**

10 The Secretary shall conduct a study for a project for
11 bank stabilization and beach erosion control, Watson Is-
12 land Park, Miami, Florida, and, if the Secretary deter-
13 mines that the project is feasible, shall carry out the
14 project under section 14 of the Flood Control Act of 1946
15 (33 U.S.C. 701r) and section 103 of the River and Harbor
16 Act of 1962 (33 U.S.C. 426g).

17 **SEC. 108. SMALL SNAGGING AND SEDIMENT REMOVAL**
18 **PROJECT, MISSISSIPPI RIVER, LITTLE FALLS,**
19 **MINNESOTA.**

20 The Secretary shall conduct a study for a project for
21 snagging and sediment removal, Mississippi River, Little
22 Falls, Minnesota, and, if the Secretary determines that the
23 project is feasible, shall carry out the project under section
24 3 of the River and Harbor Act of March 2, 1945 (33
25 U.S.C. 603a; 59 Stat. 23).

1 **SEC. 109. UPPER TRUCKEE RIVER, EL DORADO COUNTY,**
2 **CALIFORNIA.**

3 The Secretary shall conduct a study for a project for
4 environmental restoration, Upper Truckee River, El Do-
5 rado County, California, including measures for restora-
6 tion of degraded wetlands and wildlife enhancement, and,
7 if the Secretary determines that the project is feasible,
8 shall carry out the project under section 1135 of the
9 Water Resources Development Act of 1986 (33 U.S.C.
10 2309a).

11 **SEC. 110. MUSKINGUM RIVER, OHIO.**

12 The Secretary shall conduct a study of the feasibility
13 of carrying out a major rehabilitation project for the locks
14 on the Muskingum River, Ohio, constructed under the Na-
15 tional Industrial Recovery Act and, if the Secretary deter-
16 mines that project is feasible, carry out the project.

17 **SEC. 111. PROJECT REAUTHORIZATIONS.**

18 (a) GRAND PRAIRIE REGION AND BAYOU METO
19 BASIN, ARKANSAS.—The project for flood control, Grand
20 Prairie Region and Bayou Meto Basin, Arkansas, author-
21 ized by section 204 of the Flood Control Act of 1950 (64
22 Stat. 174) and deauthorized pursuant to section
23 1001(b)(1) of the Water Resources Development Act of
24 1986 (33 U.S.C. 579a(b)(1)), is authorized to be carried
25 out by the Secretary.

1 (b) WHITE RIVER, ARKANSAS.—The project for navi-
2 gation, White River Navigation to Batesville, Arkansas,
3 authorized by section 601(a) of the Water Resources De-
4 velopment Act of 1986 (100 Stat. 4139) and deauthorized
5 by section 52(b) of the Water Resources Development Act
6 of 1988 (102 Stat. 4045), is authorized to be carried out
7 by the Secretary.

8 **SEC. 112. CONTINUATION OF AUTHORIZATION OF CERTAIN**
9 **PROJECTS.**

10 (a) GENERAL RULE.—Notwithstanding section 1001
11 of the Water Resources Development Act of 1986 (33
12 U.S.C. 579a), the following projects shall remain author-
13 ized to be carried out by the Secretary:

14 (1) ONTONAGON HARBOR, ONTONAGON COUN-
15 TY, MICHIGAN.—The project for navigation,
16 Ontonagon Harbor, Ontonagon County, Michigan,
17 authorized by section 101 of the River and Harbor
18 Act of 1962 (76 Stat. 1176).

19 (2) ALPENA HARBOR, MICHIGAN.—The project
20 for navigation, Alpena Harbor, Michigan, authorized
21 by section 301 of the River and Harbor Act of 1965
22 (79 Stat. 1090).

23 (3) CEDAR RIVER HARBOR, MICHIGAN.—The
24 project for navigation, Cedar River Harbor, Michi-

1 gan, authorized by section 301 of the River and
2 Harbor Act of 1965 (79 Stat. 1090).

3 (4) CROSS VILLAGE HARBOR, MICHIGAN.—The
4 project for navigation, Cross Village Harbor, Michi-
5 gan, authorized by section 101 of the River and
6 Harbor Act of 1966 (80 Stat. 1405).

7 (5) KNIFE RIVER HARBOR, MINNESOTA.—The
8 project for navigation, Knife River Harbor, Min-
9 nesota, authorized by section 100 of the Water Re-
10 sources Development Act of 1974 (88 Stat. 41).

11 (b) LIMITATION.—A project described in subsection
12 (a) shall not be authorized for construction after the last
13 day of the 5-year period that begins on the date of the
14 enactment of this Act unless, during such period, funds
15 have been obligated for the construction (including plan-
16 ning and design) of the project.

17 **SEC. 113. REUSE OF WASTE WATER.**

18 (a) IN GENERAL.—The Secretary is authorized to
19 provide assistance to non-Federal interests for carrying
20 out projects described in subsection (c) for the beneficial
21 reuse of waste water. Such assistance may be in the form
22 of technical, planning, design, and construction assistance.
23 If the Secretary is to provide any design or engineering
24 assistance to carry out a project under this section, the
25 Secretary shall obtain by procurement from private

1 sources all services necessary for the Secretary to provide
2 such assistance, unless the Secretary finds that—

3 (1) the service would require the use of a new
4 technology unavailable in the private sector; or

5 (2) a solicitation or request for proposal has
6 failed to attract 2 or more bids or proposals.

7 (b) FEDERAL SHARE.—The Federal share of the cost
8 of assistance provided under this section shall be 55 per-
9 cent. The non-Federal share shall be subject to the ability
10 of the non-Federal interest to pay, including the proce-
11 dures and regulations relating to ability to pay established
12 under section 103(m) of the Water Resources Develop-
13 ment Act of 1986.

14 (c) PROJECT DESCRIPTIONS.—The projects for which
15 the Secretary is authorized to provide assistance under
16 subsection (a) are as follows:

17 (1) WEST DADE REGIONAL REUSE FACILITY,
18 FLORIDA.—The West Dade Regional reuse facility,
19 Florida, to increase water supply to the Everglades
20 National Park and associated natural systems.

21 (2) CHARLOTTE COUNTY, FLORIDA.—Charlotte
22 County, Florida, for aquifer storage and recovery of
23 reclaimed water.

24 (3) ALAMEDA COUNTY, CALIFORNIA.—Alameda
25 County Phase I waste water reclamation project

1 serving the cities of Fremont, Union City, and New-
2 ark, California.

3 (4) SUNNYVALE, CALIFORNIA.—The city of
4 Sunnyvale, California, Phase II water reclamation
5 project.

6 (5) PALO ALTO, CALIFORNIA.—The city of Palo
7 Alto, Phase I water reclamation project.

8 (6) SOUTH BAYSIDE, CALIFORNIA.—The South
9 Bayside System Authority for Phase I of the Red-
10 wood City-South Bayside System Authority water
11 reclamation program serving Redwood City, Menlo
12 Park, and San Carlos, California.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out this section
15 \$39,000,000. Such sums shall remain available until ex-
16 pended.

17 **SEC. 114. STUDIES.**

18 (a) GILA RIVER, GILLESPIE DAM TO YUMA, ARI-
19 ZONA.—The Secretary shall conduct a study of the fea-
20 sibility of implementing water conservation measures at
21 the Gila River, Gillespie Dam to Yuma, Arizona, including
22 an evaluation of the reoperation of Painted Rock Reservoir
23 as well as other structural and nonstructural features.

24 (b) NOGALES WASH AND TRIBUTARIES, ARIZONA.—

1 (1) STUDY.—The Secretary shall conduct a
2 study of the relationship of flooding in Nogales, Ari-
3 zona, and floodflows emanating from Mexico.

4 (2) REPORT.—The Secretary shall transmit to
5 Congress a report on the results of the study con-
6 ducted under paragraph (1), together with rec-
7 ommendations concerning the appropriate level of
8 non-Federal participation in the project for flood
9 control, Nogales Wash and tributaries, Arizona, au-
10 thorized by section 101(a)(4) of the Water Re-
11 sources Development Act of 1990 (104 Stat. 4606).

12 (c) LAKE ELSINORE, RIVERSIDE COUNTY, CALIFOR-
13 NIA.—The Secretary shall conduct a study of the advis-
14 ability of modifying the project for flood control, Lake
15 Elsinore, Riverside County, California, authorized pursu-
16 ant to section 205 of the Flood Control Act of 1948 (33
17 U.S.C. 701s), in order to provide for water conservation
18 storage up to 1249 feet mean sea level.

19 (d) SANTA MONICA BREAKWATER, CALIFORNIA.—
20 The Secretary shall complete the feasibility study for the
21 breakwater project, Santa Monica, California, and shall
22 consider as commercial benefits for purposes of section
23 119 of the River and Harbor Act of 1970 benefits from
24 reestablishment of past charter fishing vessel accommoda-

1 tion activities which existed in the area prior to damage
2 of the breakwater structure.

3 (e) YOLO BYPASS, SACRAMENTO-SAN JOAQUIN
4 DELTA, CALIFORNIA.—The Secretary shall study the ad-
5 visability of acquiring land in the vicinity of the Yolo By-
6 pass in the Sacramento-San Joaquin Delta, California, for
7 the purpose of environmental mitigation for the flood con-
8 trol project for Sacramento, California, and other water
9 resources projects in the area.

10 (f) CHICAGO LOCK AND THOMAS J. O'BRIEN LOCK,
11 ILLINOIS.—The Secretary shall conduct a study to deter-
12 mine the feasibility of making such structural repairs as
13 are necessary to prevent leakage through the Chicago
14 Lock and the Thomas J. O'Brien Lock, Illinois, and to
15 determine the need for installing permanent flow measure-
16 ment equipment at such locks to measure any leakage.

17 (g) BEAUTY CREEK WATERSHED, VALPARAISO CITY,
18 PORTER COUNTY, INDIANA.—The Secretary shall conduct
19 a study to assess the feasibility of implementing
20 streambank erosion control measures and flood control
21 measures within the Beauty Creek watershed, Valparaiso
22 City, Porter County, Indiana.

23 (h) INDIANA HARBOR CANAL, EAST CHICAGO, LAKE
24 COUNTY, INDIANA.—The Secretary shall conduct a study
25 of the feasibility of including environmental and rec-

1 reational features, including a vegetation buffer, as part
2 of the project for navigation, Indiana Harbor Canal, East
3 Chicago, Lake County, Indiana, authorized by the Rivers
4 and Harbors Appropriations Act of June 25, 1910 (36
5 Stat. 658).

6 (i) JEFFERSONVILLE, INDIANA.—

7 (1) STUDY.—The Secretary shall conduct a
8 study of the feasibility of carrying out major reha-
9 bilitation of the levee at Jeffersonville, Indiana, au-
10 thorized pursuant to section 4 of the Rivers and
11 Harbors Act of June 28, 1938 (52 Stat. 1217).

12 (2) REPORT.—Not later than 18 months after
13 the date of the enactment of this Act, the Secretary
14 shall transmit to Congress a report on the results of
15 the study conducted under paragraph (1).

16 (j) KNIGHT TOWNSHIP LEVEE, EVANSVILLE, INDI-
17 ANA.—

18 (1) STUDY.—The Secretary shall conduct a
19 study of the feasibility of carrying out major reha-
20 bilitation of the Knight Township levee at Evans-
21 ville, Indiana, authorized pursuant to section 4 of
22 the Rivers and Harbors Act of June 28, 1938 (52
23 Stat. 1217).

24 (2) REPORT.—Not later than 18 months after
25 the date of the enactment of this Act, the Secretary

1 shall transmit to Congress a report on the results of
2 the study conducted under paragraph (1).

3 (k) KOONTZ LAKE, INDIANA.—The Secretary shall
4 conduct a study of the feasibility of implementing meas-
5 ures to restore Koontz Lake, Indiana, including measures
6 to remove silt, sediment, nutrients, aquatic growth, and
7 other noxious materials from Koontz Lake, measures to
8 improve public access facilities to Koontz Lake, and meas-
9 ures to prevent or abate the deposit of sediments and nu-
10 trients in Koontz Lake.

11 (l) LITTLE CALUMET RIVER, INDIANA.—

12 (1) STUDY.—The Secretary shall conduct a
13 study of the impact of the project for flood control,
14 Little Calumet River, Indiana, authorized by section
15 401(a) of the Water Resources Development Act of
16 1986 (100 Stat. 4115), on flooding and water qual-
17 ity in the vicinity of the Black Oak area of Gary, In-
18 diana.

19 (2) REPORT.—Not later than 1 year after the
20 date of the enactment of this Act, the Secretary
21 shall transmit to Congress a report on the results of
22 the study conducted under paragraph (1), together
23 with recommendations for cost-effective remediation
24 of impacts described in paragraph (1).

1 (3) FEDERAL SHARE.—The Federal share of
2 the cost of the study to be conducted under para-
3 graph (1) shall be 100 percent.

4 (m) CALCASIEU PARISH, LOUISIANA.—The Secretary
5 shall conduct a study of the economic, engineering, and
6 environmental feasibility of providing additional water
7 supply for Calcasieu Parish and vicinity in southwest Lou-
8 isiana, with a view toward providing for future regional
9 increases in municipal and industrial water demand and
10 for increasing agricultural production.

11 (n) CALCASIEU SHIP CHANNEL, HACKBERRY, LOU-
12 ISIANA.—The Secretary shall conduct a study to deter-
13 mine the need for improved navigation and related support
14 service structures in the vicinity of the Calcasieu Ship
15 Channel, Hackberry, Louisiana.

16 (o) CROWLEY, LOUISIANA.—The Secretary shall con-
17 duct a study of the feasibility of implementing measures
18 for controlling erosion on Bayou Blanc immediately down-
19 stream from the Louisiana State Highway Route 13
20 bridge crossing.

21 (p) RIVER DES PERES, SAINT LOUIS COUNTY, MIS-
22 SOURI.—In conducting the feasibility study of potential
23 flood control measures for the River Des Peres, Saint
24 Louis County, Missouri, the Secretary shall include poten-
25 tial storm water runoff and related improvements and

1 shall cooperate with the Metropolitan Saint Louis Sewer
2 District.

3 (q) PORT OF NEW YORK-NEW JERSEY.—

4 (1) STUDY OF MEASURES TO REDUCE SEDI-
5 MENT DEPOSITION.—The Secretary shall conduct a
6 study of measures that could be used to reduce sedi-
7 ment deposition in the vicinity of the Port of New
8 York-New Jersey for the purpose of reducing the
9 volumes to be dredged for navigation projects in the
10 Port.

11 (2) DREDGED MATERIAL DISPOSAL STUDY.—
12 The Secretary shall conduct a study to determine
13 the feasibility of constructing and operating an un-
14 derwater confined dredged material disposal site in
15 the Port of New York-New Jersey which could ac-
16 commodate as much as 250,000 cubic yards of
17 dredged materials for the purpose of demonstrating
18 the feasibility of underwater confined disposal pit as
19 an environmentally suitable method of containing
20 certain sediments.

21 (3) REPORT.—The Secretary shall transmit to
22 Congress a report on the results of the studies con-
23 ducted under this subsection, together with any rec-
24 ommendations of the Secretary concerning reduction
25 of sediment deposition referred to in paragraph (1).

1 (r) MAUMEE RIVER, OHIO.—The Secretary shall
2 study the feasibility of realigning and extending the Fed-
3 eral channel, Maumee River, Lucas County, Ohio.

4 (s) SNAKE AND COLUMBIA RIVERS, OREGON, WASH-
5 INGTON, AND IDAHO.—

6 (1) STUDY.—The Secretary shall conduct a
7 study to assess the authority of the Secretary to im-
8 plement salmon protection measures in operating
9 dams on the Snake and Columbia Rivers, Oregon,
10 Washington, and Idaho.

11 (2) REPORT.—Not later than 6 months after
12 the date of the enactment of this Act, the Secretary
13 shall transmit to Congress a report on the results of
14 the study conducted under paragraph (1), including
15 recommendations for any additional authority need-
16 ed to implement such protection measures.

17 (t) CUMBERLAND RIVER, DAVIDSON COUNTY, TEN-
18 NESSEE.—

19 (1) STUDY.—The Secretary shall conduct a
20 study of the benefits of establishing a greenway
21 along the Cumberland River, Davidson County, Ten-
22 nessee.

23 (2) REPORT.—Not later than 1 year after the
24 date of the enactment of this Act, the Secretary

1 shall transmit to Congress a report on the results of
2 the study conducted under paragraph (1).

3 (u) JOHN H. KERR AND PHILPOTT RESERVOIRS,
4 VIRGINIA AND NORTH CAROLINA.—The Secretary shall
5 conduct a study of the advisability of modifying the multi-
6 purpose project for the John H. Kerr and Philpott Res-
7 ervoirs, Virginia and North Carolina, authorized by sec-
8 tion 10 of the Flood Control Act of December 22, 1944
9 (58 Stat. 894)—

10 (1) to include environmental enhancement, pub-
11 lic recreational opportunities, regional economic de-
12 velopment, and increased public participation in
13 shoreline management as management goals of the
14 project; and

15 (2) to authorize the use of power sale revenues
16 for operation, maintenance, and capital improve-
17 ments for the project.

18 **SEC. 115. PROJECT DEAUTHORIZATIONS.**

19 (a) IN GENERAL.—The following projects are not au-
20 thorized after the date of the enactment of this Act:

21 (1) BRIDGEPORT HARBOR, CONNECTICUT.—The
22 following portion of the project for navigation,
23 Bridgeport Harbor, Connecticut, authorized by sec-
24 tion 101 of the River and Harbor Act of 1958 (72
25 Stat. 297): A 2-acre anchorage area with a depth of

1 6 feet at the head of Johnsons River between the ex-
2 isting Federal channel and Hollisters Dam.

3 (2) JOHNSONS RIVER CHANNEL, BRIDGEPORT
4 HARBOR, CONNECTICUT.—The following portion of
5 the project for navigation, Johnsons River Channel,
6 Bridgeport Harbor, Connecticut, authorized by the
7 first section of the Rivers and Harbors Act of July
8 24, 1946 (60 Stat. 634): Northerly of a line across
9 the Federal channel. The coordinates of such line
10 are N 123318.35, E 486301.68 and N 123257.15,
11 E 486380.77.

12 (3) SOUTHPORT HARBOR, CONNECTICUT.—

13 (A) DEAUTHORIZATION PORTION OF
14 PROJECT.—The following portions of the
15 project for navigation, Southport Harbor, Con-
16 necticut, authorized by the first section of the
17 Rivers and Harbors Act of August 30, 1935
18 (49 Stat. 1029):

19 (i) The 6-foot deep anchorage located
20 at the head of the project.

21 (ii) The portion of the 9-foot deep
22 channel beginning at a bend in the channel
23 whose coordinates are north 109131.16,
24 east 452653.32 running thence in a north-
25 easterly direction about 943.01 feet to a

1 point whose coordinates are north
2 109635.22, east 453450.31 running thence
3 in a southeasterly direction about 22.66
4 feet to a point whose coordinates are north
5 109617.15, east 453463.98 running thence
6 in a southwesterly direction about 945.18
7 feet to the point of beginning.

8 (B) REMAINDER.—The remaining portion
9 of the project referred to in subparagraph (A)
10 northerly of a line whose coordinates are north
11 108699.15, east 452768.36 and north
12 108655.66, east 452858.73 shall be redesign-
13 nated as an anchorage.

14 (4) FALMOUTH, MASSACHUSETTS.—The follow-
15 ing portions of the project for navigation, Falmouth
16 Harbor, Massachusetts, authorized by section 101 of
17 the River and Harbor Act of 1948 (62 Stat. 1172):

18 (A) The portion commencing at a point
19 north 199286.37 east 844394.81 a line running
20 north 73 degrees 09 minutes 24.6 seconds east
21 440.44 feet to a point north 199413.99 east
22 844816.36, thence turning and running north
23 43 degrees 09 minutes 34.5 seconds east
24 119.99 feet to a point north 199501.52 east
25 844898.44, thence turning and running south

1 66 degrees 52 minutes 04.4 seconds east
2 547.66 feet returning to a point north
3 199286.37 east 844394.81.

4 (B) The portion commencing at a point
5 north 199647.42 east 845035.25 a line running
6 north 43 degrees 09 minutes 35.0 seconds east
7 767.14 feet to a point north 200207.01 east
8 845560.00, thence turning and running north
9 11 degrees 04 minutes 24.3 seconds west
10 380.08 feet to a point north 200580.01 east
11 845487.00, thence turning and running north
12 22 degrees 05 minutes 50.8 seconds east
13 1332.36 feet to a point north 201814.50 east
14 845988.21, thence turning and running north
15 02 degrees 54 minutes 15.7 seconds east 15.0
16 feet to a point north 201829.48 east
17 845988.97, thence turning and running south
18 23 degrees 36 minutes 31.9 seconds west
19 2381.38 feet returning to the point north
20 199647.42 east 845035.25.

21 (5) OSWEGATCHIE RIVER, OGDENSBURG NEW
22 YORK.—The portion of the Federal channel of the
23 project for navigation, Ogdensburg Harbor, New
24 York, authorized by the first section of the Rivers
25 and Harbors Appropriations Act of June 25, 1910

1 (36 Stat. 635), as modified by the first section of
2 the Rivers and Harbors Act of August 30, 1935 (49
3 Stat. 1037), which is in the Oswegatchie River in
4 Ogdensburg, New York, from the southernmost
5 alignment of the Route 68 bridge upstream to the
6 northernmost alignment of the Lake Street bridge.

7 (b) REDESIGNATION.—The portion of the project for
8 navigation Falmouth, Massachusetts, referred to in sub-
9 section (a)(4) upstream of a line designated by the 2
10 points north 199463.18 east 844496.40 and north
11 199350.36 east 844544.60 is redesignated as an anchor-
12 age area.

13 **SEC. 116. NAMINGS.**

14 (a) MILT BRANDT VISITORS CENTER, CALIFOR-
15 NIA.—

16 (1) DESIGNATION.—The visitors center at
17 Warm Springs Dam, California, authorized by sec-
18 tion 203 of the Flood Control Act of 1962 (76 Stat.
19 1192), shall be known and designated as the “Milt
20 Brandt Visitors Center”.

21 (2) LEGAL REFERENCES.—Any reference in a
22 law, map, regulation, document, paper, or other
23 record of the United States to the visitors center re-
24 ferred to in paragraph (1) shall be deemed to be a
25 reference to the “Milt Brandt Visitors Center”.

1 (b) WILLIAM H. NATCHER BRIDGE, MACEO, KEN-
2 TUCKY, AND ROCKPORT, INDIANA.—

3 (1) DESIGNATION.—The bridge on United
4 States Route 231 which crosses the Ohio River be-
5 tween Maceo, Kentucky, and Rockport, Indiana,
6 shall be known and designated as the “William H.
7 Natcher Bridge”.

8 (2) LEGAL REFERENCES.—Any reference in a
9 law, map, regulation, document, paper, or other
10 record of the United States to the bridge referred to
11 in paragraph (1) shall be deemed to be a reference
12 to the “William H. Natcher Bridge”.

13 (c) J. EDWARD ROUSH LAKE, INDIANA.—

14 (1) REDESIGNATION.—The lake on the Wabash
15 River in Huntington and Wells Counties, Indiana,
16 authorized by section 203 of the Flood Control Act
17 of 1958 (72 Stat. 312), and known as Huntington
18 Lake, shall be known and designated as the “J. Ed-
19 ward Roush Lake”.

20 (2) LEGAL REFERENCES.—Any reference in a
21 law, map, regulation, document, paper, or other
22 record of the United States to the lake referred to
23 in paragraph (1) shall be deemed to be a reference
24 to the “J. Edward Roush Lake”.

1 (d) LOCK AND DAM 4, RED RIVER WATERWAY, LOU-
2 ISIANA.—

3 (1) DESIGNATION.—Lock and Dam 4 of the
4 Red River Waterway, Louisiana, shall be known and
5 designated as the “Russell B. Long Lock and
6 Dam”.

7 (2) LEGAL REFERENCES.—A reference in any
8 law, map, regulation, document, paper, or other
9 record of the United States to the lock and dam re-
10 ferred to in paragraph (1) shall be deemed to be a
11 reference to the “Russell B. Long Lock and Dam”.

12 (e) LOCK AND DAM 3, RED RIVER WATERWAY, LOU-
13 ISIANA.—

14 (1) DESIGNATION.—Lock and Dam 3 of the
15 Red River Waterway, Louisiana, shall be known and
16 designated the “Edwin W. Edwards Lock and
17 Dam”.

18 (2) LEGAL REFERENCES.—A reference in any
19 law, map, regulation, document, paper, or other
20 record of the United States to the lock and dam re-
21 ferred to in paragraph (1) shall be deemed to be a
22 reference to the “Edwin W. Edwards Lock and
23 Dam”.

**TITLE II—GENERALLY
APPLICABLE PROVISIONS**

SEC. 201. RECREATION POLICY AND USER FEES.

(a) RECREATION POLICIES.—

(1) IN GENERAL.—The Secretary shall provide increased emphasis on and opportunities for recreation at water resources projects operated, maintained, or constructed by the Corps of Engineers.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on specific measures taken to implement this subsection.

(b) RECREATION USER FEES.—Section 210(b) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)) is amended by adding at the end the following:

“(5) USE OF FEES COLLECTED AT FACILITY.—The Secretary of the Army shall ensure that at least an amount equal to the total amount of fees collected at any project under this subsection in a fiscal year beginning after September 30, 1994, are expended in the succeeding fiscal year at such project for operation and maintenance of recreational facilities at such project.”.

1 **SEC. 202. RECOVERY OF COSTS.**

2 Amounts recovered under section 107 of the Com-
3 prehensive Environmental Response, Compensation, and
4 Liability Act of 1980 (42 U.S.C. 9607) for any response
5 action taken by the Secretary in support of the Army Civil
6 Works program shall be credited to the appropriate trust
7 fund account from which the cost of such response action
8 has been paid or will be charged.

9 **SEC. 203. COST SHARING OF ENVIRONMENTAL PROJECTS.**

10 Section 103(c) of the Water Resources Development
11 Act of 1986 (33 U.S.C. 2213(c)) is amended—

12 (1) by striking “and” at the end of paragraph
13 (5);

14 (2) by striking the period at the end of para-
15 graph (6) and inserting “; and”; and

16 (3) by inserting after paragraph (6) the follow-
17 ing new paragraph:

18 “(7) subject to section 906 of this Act, environ-
19 mental protection and restoration: 25 percent.”.

20 **SEC. 204. CONSTRUCTION OF FLOOD CONTROL PROJECTS**
21 **BY NON-FEDERAL INTERESTS.**

22 (a) **AUTHORITY.**—Non-Federal interests are author-
23 ized to undertake flood control projects in the United
24 States, subject to obtaining any permits required pursuant
25 to Federal and State laws, in advance of actual construc-
26 tion.

1 (b) STUDIES AND ENGINEERING.—

2 (1) BY NON-FEDERAL INTERESTS.—A non-Fed-
3 eral interest may prepare, for review and approval
4 by the Secretary, the necessary studies and engi-
5 neering for any construction to be undertaken pur-
6 suant to subsection (a).

7 (2) BY SECRETARY.—Upon request of an ap-
8 propriate non-Federal interest, the Secretary may
9 undertake all necessary studies and engineering for
10 any construction to be undertaken pursuant to sub-
11 section (a) and provide technical assistance in ob-
12 taining all necessary permits for such construction if
13 the non-Federal interest contracts with the Sec-
14 retary to furnish the United States funds for the
15 studies and engineering during the period that the
16 studies and engineering will be conducted.

17 (c) COMPLETION OF STUDIES.—The Secretary is au-
18 thorized to complete and transmit to the appropriate non-
19 Federal interests any study for flood control which was
20 initiated before the date of the enactment of this Act or,
21 upon the request of such non-Federal interests, to termi-
22 nate the study and transmit the partially completed study
23 to such non-Federal interests for completion. Studies sub-
24 ject to this subsection shall be completed without regard
25 to the requirements of subsection (b).

1 (d) AUTHORITY TO CARRY OUT IMPROVEMENT.—

2 (1) IN GENERAL.—Any non-Federal interest
3 which has received from the Secretary pursuant to
4 subsection (b) or (c) a favorable recommendation to
5 carry out a flood control project or separable ele-
6 ment thereof based on the results of completed stud-
7 ies and engineering for the project or element, may
8 carry out the project or element if a final environ-
9 mental impact statement has been filed for the
10 project or element.

11 (2) PERMITS.—Any plan of improvement pro-
12 posed to be implemented in accordance with this
13 subsection shall be deemed to satisfy the require-
14 ments for obtaining the appropriate permits required
15 under the Secretary's authority and such permits
16 shall be granted subject to the non-Federal interest's
17 acceptance of the terms and conditions of such per-
18 mits if the Secretary determines that the applicable
19 regulatory criteria and procedures have been satis-
20 fied.

21 (3) MONITORING.—The Secretary shall monitor
22 any project for which a permit is granted under this
23 subsection in order to ensure that such project is
24 constructed (and, in those cases where such activi-
25 ties will not be the responsibility of the Secretary,

1 operated and maintained) in accordance with the
2 terms and conditions of such permit.

3 (e) REIMBURSEMENT.—

4 (1) GENERAL RULE.—Subject to appropriation
5 Acts, the Secretary is authorized to reimburse any
6 non-Federal interest an amount equal to the esti-
7 mate of the Federal share, without interest, of the
8 cost of any authorized flood control project, or sepa-
9 rable element thereof, constructed pursuant to this
10 section—

11 (A) if, after authorization and before initi-
12 ation of construction of the project or separable
13 element, the Secretary approves the plans for
14 construction of such project by the non-Federal
15 interest; and

16 (B) if the Secretary finds, after a review of
17 studies and engineering prepared pursuant to
18 this section, that construction of the project or
19 separable element is economically justified and
20 environmentally acceptable.

21 (2) MATTERS TO BE CONSIDERED IN REVIEW-
22 ING PLANS.—In reviewing plans under this sub-
23 section, the Secretary shall consider budgetary and
24 programmatic priorities and other factors that the
25 Secretary deems appropriate.

1 (3) MONITORING.—The Secretary shall regu-
2 larly monitor and audit any project for flood control
3 constructed under this section by a non-Federal in-
4 terest in order to ensure that such construction is in
5 compliance with the plans approved by the Secretary
6 and that the costs are reasonable.

7 (4) LIMITATION ON REIMBURSEMENTS.—No re-
8 imbursement shall be made under this section unless
9 and until the Secretary has certified that the work
10 for which reimbursement is requested has been per-
11 formed in accordance with applicable permits and
12 approved plans.

13 (f) TREATMENT OF FLOOD DAMAGE PREVENTION
14 MEASURES.—For the purposes of this section, flood dam-
15 age prevention measures at or in the vicinity of Morgan
16 City and Berwick, Louisiana, shall be treated as an au-
17 thorized element of the Atchafalaya Basin feature of the
18 project for flood control, Mississippi River and Tribu-
19 taries.

20 **SEC. 205. COLLABORATIVE RESEARCH AND DEVELOPMENT.**

21 Section 7 of the Water Resources Development Act
22 of 1988 (102 Stat. 4022–4023) is amended—

23 (1) in subsection (a) by inserting “civil works”
24 before “mission”;

1 (2) by redesignating subsections (b), (c), (d),
2 and (e) as subsections (c), (d), (e), and (f), respec-
3 tively;

4 (3) in subsection (d), as so redesignated, by
5 striking “(b)” and inserting “(c)”;

6 (4) by striking subsection (f), as so redesign-
7 ated; and

8 (5) by inserting after subsection (a) the follow-
9 ing new subsection:

10 “(b) PRE-AGREEMENT TEMPORARY PROTECTION OF
11 TECHNOLOGY.—If the Secretary determines that informa-
12 tion developed as a result of research and development ac-
13 tivities conducted by the Corps of Engineers is likely to
14 be subject to a cooperative research and development
15 agreement within 2 years of its development and that such
16 information would be a trade secret or commercial or fi-
17 nancial information that would be privileged or confiden-
18 tial if the information had been obtained from a non-Fed-
19 eral party participating in a cooperative research and de-
20 velopment agreement under section 12 of the Stevenson-
21 Wydler Technology Innovation Act of 1980, the Secretary
22 may provide appropriate protection against the dissemina-
23 tion of such information, including exemption from sub-
24 chapter II of chapter 5 of title 5, United States Code, until
25 the earlier of the date the Secretary enters into such an

1 agreement with respect to such technology or the last day
2 of the 2-year period beginning on the date of such deter-
3 mination. Any technology covered by this section which be-
4 comes the subject of a cooperative research and develop-
5 ment agreement shall be accorded the protection provided
6 under section 12(c)(7)(B) of such Act (15 U.S.C.
7 3710a(c)(7)(B)) as if such technology had been developed
8 under a cooperative research and development agree-
9 ment.”.

10 **SEC. 206. NATIONAL INVENTORY OF DAMS.**

11 Section 13 of Public Law 92–367 (33 U.S.C. 467l),
12 is amended by striking the second sentence and inserting
13 the following: “There is authorized to be appropriated
14 \$500,000 for each fiscal year for the purpose of carrying
15 out this section.”.

16 **SEC. 207. MAINTENANCE, REHABILITATION, AND MOD-**
17 **ERNIZATION OF FACILITIES.**

18 (a) IN GENERAL.—In accomplishing the mainte-
19 nance, rehabilitation, and modernization of hydroelectric
20 power generating facilities at water resources projects
21 under the jurisdiction of the Department of the Army, the
22 Secretary is authorized to increase the efficiency of energy
23 production and the capacity of these facilities if, after con-
24 sulting with other appropriate Federal and State agencies,
25 the Secretary determines that such uprating—

1 (1) is economically justified and financially fea-
2 sible;

3 (2) will not result in significant adverse effects
4 on the other purposes for which the project is au-
5 thorized;

6 (3) will not result in significant adverse envi-
7 ronmental impacts; and

8 (4) will not involve major structural or oper-
9 ation changes in the project.

10 (b) LIMITATION ON STATUTORY CONSTRUCTION.—

11 Nothing in subsection (a) shall be construed as affecting
12 the authority of the Secretary and the Administrator of
13 the Bonneville Power Administration under section 2406
14 of the Energy Policy Act of 1992 (16 U.S.C. 839d–1).

15 **SEC. 208. FEDERAL LUMP-SUM PAYMENTS FOR FEDERAL**
16 **OPERATION AND MAINTENANCE COSTS.**

17 (a) IN GENERAL.—At a water resources project
18 where the non-Federal interest is responsible for perform-
19 ing the operation, maintenance, replacement, and rehabili-
20 tation of the project and the Federal Government is re-
21 sponsible for paying a portion of the operation, mainte-
22 nance, replacement, and rehabilitation costs, the Secretary
23 may provide, under terms and conditions acceptable to the
24 Secretary and the non-Federal interest, a payment of the
25 estimated total Federal share of such costs to the non-

1 Federal interest after completion of construction of the
2 project or a separable element thereof.

3 (b) DETERMINATION OF AMOUNT.—The amount to
4 be paid shall be equal to the present value of the Federal
5 payments over the life of the project, as agreed by the
6 Federal Government and the non-Federal interest, and
7 shall be computed using an interest rate determined by
8 the Secretary of the Treasury taking into consideration
9 current market yields on outstanding marketable obliga-
10 tions of the United States with maturities comparable to
11 the remaining life of the project.

12 (c) AGREEMENT.—The Secretary may make a pay-
13 ment under this section only if the non-Federal interest
14 has entered into a binding agreement with the Secretary
15 to perform the operation, maintenance, replacement, and
16 rehabilitation of the project or separable element. The
17 agreement must be in accordance with the requirements
18 of section 221 of the Flood Control Act of 1970 (84 Stat.
19 1831) and must contain provisions specifying the terms
20 and conditions under which a payment may be made under
21 this section and the rights of, and remedies available to,
22 the Federal Government to recover all or a portion of a
23 payment made under this section in the event the non-
24 Federal interest suspends or terminates its performance
25 of operation, maintenance, replacement, and rehabilitation

1 of the project or separable element or fails to perform such
2 activities in a manner consistent with the agreement be-
3 tween the Secretary and the non-Federal interest.

4 (d) RELIEF FROM FUTURE OBLIGATIONS.—Except
5 as provided in subsection (c), a payment provided to the
6 non-Federal interest under this section shall relieve the
7 Government of any future obligations for paying any of
8 the operation, maintenance, replacement, and rehabilita-
9 tion costs for the project or separable element.

10 **SEC. 209. LONG-TERM SEDIMENT MANAGEMENT STRATE-**
11 **GIES.**

12 (a) DEVELOPMENT.—The Secretary shall enter into
13 cooperative agreements with non-Federal sponsors of navi-
14 gation projects for development of long-term management
15 strategies for controlling sediments in such projects.

16 (b) CONTENTS OF STRATEGIES.—Each strategy de-
17 veloped under this section for a navigation project—

18 (1) shall include assessments of the following
19 with respect to the project: sediment rates and com-
20 position, sediment reduction options, dredging prac-
21 tices, long-term management of any dredged mate-
22 rial disposal facilities, remediation of such facilities,
23 and alternative disposal and reuse options;

24 (2) shall include a timetable for implementation
25 of the strategy; and

1 (3) shall incorporate, as much as possible, rel-
2 evant ongoing planning efforts, including remedial
3 action planning, dredged material management plan-
4 ning, harbor and waterfront development planning,
5 and watershed management planning.

6 (c) CONSULTATION.—In developing strategies under
7 this section, the Secretary shall consult with interested
8 Federal agencies, States, and Indian tribes and the public.

9 **SEC. 210. EMERGENCY RESPONSE.**

10 Section 5(a)(1) of the Act entitled “An Act authoriz-
11 ing the construction of certain public works on rivers and
12 harbors for flood control, and for other purposes”, ap-
13 proved August 18, 1941 (33 U.S.C. 701n(a)(1)), is
14 amended by inserting before the first semicolon the follow-
15 ing: “, or in implementation of nonstructural alternatives
16 to the repair or restoration of such flood control work if
17 requested by the non-Federal sponsor”.

18 **SEC. 211. OBSTRUCTION REMOVAL REQUIREMENT.**

19 (a) PENALTY.—Section 16 of the Act of March 3,
20 1899 (30 Stat. 1153; 33 U.S.C. 411), is amended—

21 (1) by striking “thirteen, fourteen, and fifteen”
22 and inserting “13, 14, 15, 19, and 20”; and

23 (2) by striking “not exceeding twenty-five hun-
24 dred dollars nor less than five hundred dollars” and
25 inserting “of up to \$25,000 per day”.

1 (b) GENERAL AUTHORITY.—Section 20 of the Act of
2 March 3, 1899 (30 Stat. 1154; 33 U.S.C. 415), is amend-
3 ed—

4 (1) by striking “expense” the first place it ap-
5 pears in subsection (a) and inserting “actual ex-
6 pense, including administrative expenses,”;

7 (2) in subsection (b) by striking “cost” and in-
8 serting “actual cost, including administrative
9 costs,”;

10 (3) by redesignating subsection (b) as sub-
11 section (c); and

12 (4) by inserting after subsection (a) the follow-
13 ing new subsection:

14 “(b) REMOVAL REQUIREMENT.—Within 24 hours
15 after the Secretary of the Department in which the Coast
16 Guard is operating issues an order to stop or delay naviga-
17 tion in any navigable waters of the United States because
18 of conditions related to the sinking or grounding of a ves-
19 sel, the owner or operator of the vessel, with the approval
20 of the Secretary of the Army, shall begin removal of the
21 vessel using the most expeditious removal method avail-
22 able or, if appropriate, secure the vessel pending removal
23 to allow navigation to resume. If the owner or operator
24 fails to begin removal or to secure the vessel pending re-
25 moval or fails to complete removal as soon as possible,

1 the Secretary of the Army shall remove or destroy the ves-
2 sel using the summary removal procedures under sub-
3 section (a) of this section.”.

4 **SEC. 212. SMALL PROJECT AUTHORIZATIONS.**

5 Section 14 of the Flood Control Act of 1946 (33
6 U.S.C. 701r) is amended—

7 (1) by striking “\$12,500,000” and inserting
8 “\$15,000,000”; and

9 (2) by striking “\$500,000” and inserting
10 “\$1,500,000”.

11 **SEC. 213. AQUATIC PLANT CONTROL.**

12 Section 104(b) of the River and Harbor Act of 1958
13 (33 U.S.C. 610(b)) is amended by striking “\$12,000,000”
14 and inserting “\$25,000,000”.

15 **SEC. 214. BENEFICIAL USES OF DREDGED MATERIAL.**

16 Section 204(e) of the Water Resources Development
17 Act of 1992 (33 U.S.C. 2326) is amended by striking
18 “\$15,000,000” and inserting “\$50,000,000”.

19 **SEC. 215. SEDIMENTS DECONTAMINATION TECHNOLOGY.**

20 (a) **PROJECT PURPOSE.**—Section 405(a) of the
21 Water Resources Development Act of 1992 (106 Stat.
22 4863; 33 U.S.C. 2239 note) is amended by adding at the
23 end the following:

24 “(3) **PROJECT PURPOSE.**—The purpose of the
25 project to be carried out under this section is to pro-

1 vide for the development of 1 or more sediment de-
2 contamination technologies on a pilot scale dem-
3 onstrating a capacity of at least 400 cubic yards per
4 day.”.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—The first
6 sentence of section 405(c) of such Act is amended to read
7 as follows: “There is authorized to be appropriated to
8 carry out this section \$5,000,000 for fiscal years 1993 and
9 1994 and \$10,000,000 for fiscal years beginning after
10 September 30, 1994.”.

11 (c) REPORTS.—Section 405 of such Act is amended
12 by adding at the end the following:

13 “(d) REPORTS.—Not later than September 30, 1996,
14 and periodically thereafter, the Administrator and the Sec-
15 retary shall transmit to Congress a report on the results
16 of the project to be carried out under this section, includ-
17 ing an assessment of the progress made in achieving the
18 intent of the program set forth in subsection (a)(3).”.

19 **SEC. 216. PROJECT DEAUTHORIZATIONS.**

20 (a) IN GENERAL.—Section 1001(b)(2) of the Water
21 Resources Development Act of 1986 (33 U.S.C.
22 579a(b)(2)) is amended—

23 (1) by striking “Before” at the beginning of the
24 second sentence and inserting “Upon”; and

1 (2) by inserting “planning, designing, or” be-
2 fore “construction” in the last sentence.

3 (b) TECHNICAL AMENDMENT.—Section 52 of the
4 Water Resources Development Act of 1988 (33 U.S.C.
5 579a note; 102 Stat. 4044) is amended—

6 (1) by striking subsection (a); and

7 (2) by redesignating subsections (b), (c), (d),
8 and (e) as subsections (a), (b), (c), and (d), respec-
9 tively.

10 **SEC. 217. FOREIGN TRAVEL.**

11 Section 211 of the Flood Control Act of 1950 (64
12 Stat. 183) is repealed.

13 **SEC. 218. SUPPORT OF ARMY CIVIL WORKS PROGRAM.**

14 (a) GENERAL AUTHORITY.—In carrying out research
15 and development in support of the civil works program of
16 the Department of the Army, the Secretary may utilize
17 contracts, cooperative research and development agree-
18 ments, cooperative agreements, and grants with non-Fed-
19 eral entities, including State and local governments, col-
20 leges and universities, consortia, professional and tech-
21 nical societies, public and private scientific and technical
22 foundations, research institutions, educational organiza-
23 tions, and non-profit organizations.

24 (b) SPECIAL RULES.—With respect to contracts for
25 research and development, the Secretary may include re-

1 quirements that have potential commercial application and
2 may also use such potential application as an evaluation
3 factor where appropriate.

4 **SEC. 219. HOPPER DREDGE FLEET.**

5 (a) IN GENERAL.—In order to more effectively man-
6 age and protect the commercial viability of the Nation's
7 vital deep draft seaports, the Secretary—

8 (1) shall conduct advanced maintenance suffi-
9 cient to ensure that authorized deep draft channel
10 dimensions are continuously maintained;

11 (2) may conduct analysis and demonstration of
12 experimental maintenance dredging techniques or
13 improved environmental techniques in federally au-
14 thorized deep draft navigation channels in order to
15 evaluate the ability of such techniques to increase
16 the reliability of channel dimensions; except that any
17 dredging undertaken pursuant to this paragraph
18 shall be limited and shall not replace or be sub-
19 stituted for routine maintenance dredging;

20 (3) shall, to the maximum extent practicable,
21 utilize sediments dredged under paragraphs (1) and
22 (2) for beneficial purposes; and

23 (4) shall contract for private dredging services
24 to perform priority-expedited dredging work unless
25 the appropriate District Engineer of Corps of Engi-

1 neers determines that a Federal dredge can be
2 brought on scene more quickly or is operationally
3 better suited to undertake the work than any avail-
4 able non-Federal dredge.

5 With respect to priority-expedited dredging work under-
6 taken under paragraph (4), the District Engineer shall
7 employ innovative, expedited contracting procedures to en-
8 sure a timely response. In the case of contract disputes,
9 the District Engineer is authorized to employ whatever
10 measures are necessary to accomplish the priority-expe-
11 dited dredging work.

12 (b) HOPPER DREDGE FLEET REQUIREMENTS.—In
13 order to ensure the continued viability of the Federal hop-
14 per dredge fleet and private industry hopper dredge fleet,
15 the Secretary—

16 (1) shall, except as provided in section 342 of
17 this Act, relating to the hopper dredge, McFarland,
18 maintain the Federal minimum hopper dredge fleet
19 for at least 4 years or more beginning in fiscal year
20 1995 in a fully operational and active status;

21 (2) may undertake measures to maintain or im-
22 prove the efficiency, operation, and design of the
23 Federal hopper dredge fleet; and

24 (3) shall, for fiscal years beginning in fiscal
25 year 1995 and ending in fiscal year 1998, advertise

1 for competitive bid at least 7,500,000 cubic yards of
2 hopper dredge work formerly accomplished by the
3 Government fleet in years preceding fiscal year 1992
4 consistent with the policies developed by the Sec-
5 retary to implement the requirements of section 106
6 of the Energy and Water Development Appropria-
7 tions Act, 1993 (106 Stat. 1326) and section 106 of
8 the Energy and Water Development Appropriations
9 Act, 1994 (107 Stat. 1320); except that (A) hopper
10 dredge work which results from activities undertaken
11 in accordance with subsection (a)(1) or (a)(2) shall
12 be advertised for competitive bid and shall not be
13 counted toward the 7,500,000 cubic yards required
14 to be advertised by this paragraph; and (B) oper-
15 ation of the Corps of Engineers hopper dredge fleet
16 resulting from activities undertaken in accordance
17 with subsections (a)(2) and (a)(4) shall not be used
18 to determine days of operation of the Corps of Engi-
19 neers hopper dredge fleet necessary to achieve the
20 7,500,000 cubic yards required to be advertised by
21 this paragraph.

22 (c) PRIORITY-EXPEDITED DREDGING WORK DE-
23 FINED.—For purposes of this section, the term “priority-
24 expedited dredging work” means work necessary to main-
25 tain a federally authorized deep draft navigation channel

1 at project dimensions whenever the appropriate District
2 Engineer of the Corps of Engineers determines that siltation,
3 sedimentation, or other events altering channel dimensions
4 has caused, or is anticipated to cause, imminent
5 impairment of ongoing commercial navigation.

6 (d) USE OF CORPS DREDGE FLEET.—Notwithstanding
7 the provisions of this section, the Secretary is authorized
8 to use the dredge fleet of the Corps of Engineers to
9 undertake projects when industry does not perform as required
10 by the contract specifications or when the bids are
11 more than 25 percent in excess of what the Secretary determines
12 to be a fair and reasonable estimated cost of a
13 well-equipped contractor doing the work or to respond to
14 emergency requirements.

15 **SEC. 220. RESTORATION OF ENVIRONMENTAL QUALITY.**

16 Section 1135 of the Water Resources Development
17 Act of 1986 (100 Stat. 4251–4252; 33 U.S.C. 2309a) is
18 amended—

19 (1) by striking the period at the end of subsection
20 (a) and inserting the following: “and to determine if the operation
21 of such projects has contributed to the degradation of the quality of
22 the environment.”;

24 (2) by striking the last 2 sentences of subsection
25 (b);

1 (3) by redesignating subsections (c), (d), and
2 (e) as subsections (e), (f), and (g), respectively; and
3 (4) by inserting after subsection (b) the follow-
4 ing new subsections:

5 “(c) RESTORATION OF ENVIRONMENTAL QUALITY.—
6 If the Secretary determines that operation of a water re-
7 sources project constructed by the Secretary has contrib-
8 uted to the degradation of the quality of the environment,
9 the Secretary may undertake measures for restoration of
10 environmental quality if such measures are feasible and
11 consistent with the authorized project purposes.

12 “(d) NON-FEDERAL SHARE; LIMITATION ON MAXI-
13 MUM FEDERAL EXPENDITURE.—The non-Federal share
14 of the cost of any modifications or measures carried out
15 or undertaken pursuant to subsection (b) or (c) of this
16 section shall be 25 percent. Not more than 80 percent of
17 the non-Federal share may be in kind, including a facility,
18 supply, or service that is necessary to carry out the modi-
19 fication. No more than \$5,000,000 in Federal funds may
20 be expended on any single modification or measure carried
21 out or undertaken pursuant to this section.”.

1 **SEC. 221. COST SHARING FOR CREATION OF DREDGED MA-**
2 **TERIAL DISPOSAL AREAS.**

3 (a) **FEDERAL SHARE.**—Section 101(b) of the Water
4 Resources Development Act of 1986 (33 U.S.C. 2211(b))
5 is amended—

6 (1) by inserting “(1) **IN GENERAL.**—” before
7 “The Federal share”;

8 (2) by indenting and moving paragraph (1), as
9 so designated, 2 ems to the right; and

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

11 “(2) **CONFINED DISPOSAL FACILITIES.**—The
12 Federal share of the cost of project features that are
13 necessary for the creation of dredged material dis-
14 posal areas, including capping, retaining dikes, bulk-
15 heads, embankments, and associated structures,
16 shall be determined in accordance with subsection
17 (a)(1).”.

18 (b) **CONFORMING AMENDMENTS.**—Section 101 of
19 such Act (33 U.S.C. 2211) is amended—

20 (1) in the second sentence of subsection
21 (a)(2)—

22 (A) by inserting “and” after “rights-of-
23 way,”; and

24 (B) by striking “, and dredged material
25 disposal areas”;

26 (2) in subsection (a)(3)—

1 (A) by inserting “and” after “rights-of-
2 way,”; and

3 (B) by striking “, and dredged material
4 disposal areas” and inserting “, including those
5 required for dredged material disposal areas,”;
6 and

7 (3) in subsection (e)(1) by striking “, and to
8 provide dredged material disposal areas”.

9 (c) APPLICABILITY.—The amendments made by sub-
10 sections (a) and (b) shall apply to construction of dredged
11 material disposal areas for which a contract for construc-
12 tion has not been awarded before the date of the enact-
13 ment of this Act. The Secretary may amend any coopera-
14 tion agreement entered into before such date of enactment
15 that does not provide for a Federal share of project costs
16 of dredged material disposal areas as determined in ac-
17 cordance with such amendments if the non-Federal inter-
18 est agrees to the amendment of the contract.

19 **SEC. 222. LOSS OF LIFE PREVENTION.**

20 Section 904 of the Water Resources Development Act
21 of 1986 (33 U.S.C. 2281) is amended by inserting “in-
22 cluding the loss of life which may be associated with flood-
23 ing and coastal storm events,” after “costs,”.

1 **SEC. 223. SENSE OF CONGRESS; REQUIREMENT REGARD-**
2 **ING NOTICE.**

3 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT
4 AND PRODUCTS.—It is the sense of Congress that, to the
5 greatest extent practicable, all equipment and products
6 purchased with funds made available under this Act
7 should be American-made.

8 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
9 providing financial assistance under this Act, the Sec-
10 retary, to the greatest extent practicable, shall provide to
11 each recipient of the assistance a notice describing the
12 statement made in subsection (a).

13 **SEC. 224. RESERVOIR MANAGEMENT TECHNICAL ADVISORY**
14 **COMMITTEE.**

15 Section 310 of the Water Resources Development Act
16 of 1990 (33 U.S.C. 2319; 104 Stat. 4639) is amended—

17 (1) by striking subsection (a); and

18 (2) by striking “(b) PUBLIC PARTICIPA-
19 TION.—”.

20 **SEC. 225. TECHNICAL CORRECTIONS.**

21 (a) SECTION 203 OF 1992 ACT.—Section 203(b) of
22 the Water Resources Development Act of 1992 (106 Stat.
23 4826) is amended by striking “(8662)” and inserting
24 “(8862)”.

25 (b) SECTION 225 OF 1992 ACT.—Section 225(c) of
26 the Water Resources Development Act of 1992 (106 Stat.

1 4838) is amended by striking “(8662)” in the second sen-
2 tence and inserting “(8862)”.

3 **TITLE III—MISCELLANEOUS**
4 **PROVISIONS**

5 **SEC. 301. WATERSHED MANAGEMENT, RESTORATION, AND**
6 **DEVELOPMENT.**

7 (a) IN GENERAL.—The Secretary is authorized to
8 provide technical, planning, and design assistance to non-
9 Federal interests for carrying out watershed management,
10 restoration, and development projects at the locations de-
11 scribed in subsection (d).

12 (b) SPECIFIC MEASURES.—Projects carried out pur-
13 suant to subsection (a) may include the following pur-
14 poses:

15 (1) Management and restoration of water qual-
16 ity.

17 (2) Control and remediation of toxic sediments.

18 (3) Restoration of degraded streams, rivers,
19 wetlands, and other waterbodies to their natural
20 state as a means to control flooding, excessive ero-
21 sion, and sedimentation.

22 (4) Protection and restoration of watersheds,
23 including urban watersheds.

24 (c) NON-FEDERAL SHARE.—The non-Federal share
25 of the cost of a project for which assistance is provided

1 under this section shall be 50 percent. The non-Federal
2 share shall be subject to the ability of the non-Federal in-
3 terest to pay, including application of the procedures and
4 regulations relating to ability to pay established under sec-
5 tion 103(m) of the Water Resources Development Act of
6 1986.

7 (d) PROJECT LOCATIONS.—The Secretary may pro-
8 vide assistance under subsection (a) for projects at the fol-
9 lowing locations:

10 (1) Colusa basin, California.

11 (2) Los Angeles River basin, California.

12 (3) Russian River watershed, California.

13 (4) Sacramento River watershed, California.

14 (5) Nancy Creek, Utoy Creek, and North
15 Peachtree Creek and South Peachtree Creek basin,
16 Georgia.

17 (6) Morgan, Floyd, Pulaski, Wayne, Laurel,
18 Knox, Pike, Menifee, Perry, Harlan, Breathitt, Mar-
19 tin, Jackson, Wolfe, Clay, Magoffin, Owsley, John-
20 son, Leslie, Lawrence, Knott, Bell, McCreary,
21 Rockcastle, Whitley, Lee, and Letcher Counties,
22 Kentucky.

23 (7) Lower Platte River watershed, Nebraska.

24 (8) Upper Potomac River watershed, Grant and
25 Mineral Counties, West Virginia.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$50,000,000 for fiscal years beginning after September
4 30, 1994. Such sums shall remain available until ex-
5 pended.

6 **SEC. 302. LAKES PROGRAM.**

7 Section 602(a) of the Water Resources Development
8 Act of 1986 (100 Stat. 4148–4149) is amended—

9 (1) by striking “and” at the end of paragraph
10 (10);

11 (2) by striking the period at the end of para-
12 graph (11) and inserting a semicolon; and

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

14 “(12) Oneida Lake, Oneida County, New York,
15 removal of silt and aquatic growth;

16 “(13) Skaneateles and Owasco Lakes, New
17 York, removal of silt and aquatic growth and preven-
18 tion of sediment deposit; and

19 “(14) Twin Lakes, Paris, Illinois, removal of
20 silt and excess aquatic vegetation, including meas-
21 ures to address excessive sedimentation, high nutri-
22 ent concentration, and shoreline erosion.”.

1 **SEC. 303. ENVIRONMENTAL INFRASTRUCTURE.**

2 Section 219(d) of the Water Resources Development
3 Act of 1992 (106 Stat. 4836) is amended by striking
4 “\$5,000,000” and inserting “\$50,000,000”.

5 **SEC. 304. ENVIRONMENTAL DREDGING.**

6 Section 312 of the Water Resources Development Act
7 of 1990 (104 Stat. 4639–4640) is amended—

8 (1) in each of subsections (a), (b), and (c) by
9 inserting “and remediate” after “remove” each place
10 it appears;

11 (2) in subsection (b)(1) by inserting “and reme-
12 diation” after “removal” each place it appears;

13 (3) in subsection (b)(2) by striking
14 “\$10,000,000” and inserting “\$50,000,000”; and

15 (4) by striking subsection (f).

16 **SEC. 305. CHESAPEAKE BAY RESTORATION AND PROTEC-**
17 **TION PROGRAM.**

18 (a) ESTABLISHMENT.—

19 (1) IN GENERAL.—The Secretary shall establish
20 a pilot program to provide assistance to non-Federal
21 interests in the Chesapeake Bay watershed.

22 (2) FORM.—The assistance shall be in the form
23 of technical, planning, and design assistance for
24 water-related environmental infrastructure and re-
25 source protection and development projects affecting
26 the Chesapeake Bay, including projects for sediment

1 and erosion control, protection of eroding shorelines,
2 protection of essential public works, waste water
3 treatment and related facilities, water supply and re-
4 lated facilities, and beneficial uses of dredged mate-
5 rial, and other related projects.

6 (b) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
7 retary may provide assistance for a project under this sec-
8 tion only if the project is publicly owned, and will be pub-
9 licly operated and maintained.

10 (c) LOCAL COOPERATION AGREEMENT.—

11 (1) IN GENERAL.—Before providing assistance
12 under this section, the Secretary shall enter into a
13 local cooperation agreement pursuant to section 221
14 of the Flood Control Act of 1970 (84 Stat. 1818)
15 with a non-Federal interest to provide for technical,
16 planning, and design assistance for the project.

17 (2) REQUIREMENTS.—Each local cooperation
18 agreement entered into under this subsection shall
19 provide for the following:

20 (A) PLAN.—Development by the Secretary,
21 in consultation with appropriate Federal, State,
22 and local officials, of a plan, including appro-
23 priate engineering plans and specifications and
24 an estimate of expected benefits.

1 (B) LEGAL AND INSTITUTIONAL STRUC-
2 TURES.—Establishment of such legal and insti-
3 tutional structures as are necessary to ensure
4 the effective long-term operation and mainte-
5 nance of the project by the non-Federal inter-
6 est.

7 (d) APPLICABILITY OF OTHER FEDERAL AND STATE
8 LAWS AND AGREEMENTS.—

9 (1) IN GENERAL.—Nothing in this section
10 waives, limits, or otherwise affects the applicability
11 of any provision of Federal or State law that would
12 otherwise apply to a project carried out with assist-
13 ance provided under this section.

14 (2) COOPERATION.—In carrying out this sec-
15 tion, the Secretary shall cooperate with the heads of
16 appropriate Federal agencies.

17 (e) REPORT.—Not later than December 31, 1998, the
18 Secretary shall transmit to Congress a report on the re-
19 sults of the program carried out under this section, to-
20 gether with a recommendation concerning whether or not
21 the program should be implemented on a national basis.

22 (f) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 \$10,000,000 for fiscal year 1995. Such sums shall remain
25 available until expended.

1 **SEC. 306. SAINT LAWRENCE SEAWAY COLLECTION OF**
2 **TOLLS.**

3 Section 13 of the Act of May 13, 1954 (33 U.S.C.
4 988a) is amended to read as follows:

5 **“SEC. 13. WAIVER OF COLLECTION OF CHARGES AND**
6 **TOLLS.**

7 “(a) WAIVER.—Notwithstanding section 12 or any
8 other provision of law, the Corporation shall not collect
9 any charge or toll established pursuant to section 12 with
10 respect to a commercial vessel (as defined by section
11 4462(a)(4) of the Internal Revenue Code of 1986).

12 “(b) RECORD.—The Corporation shall maintain a
13 record of the annual amount of each charge or toll that
14 would have been collected with respect to a commercial
15 vessel described in subsection (a) but for the requirement
16 of subsection (a).”.

17 **SEC. 307. RIVER BASIN PLAN FOR LOWER MISSISSIPPI.**

18 (a) DEVELOPMENT.—The Secretary shall develop a
19 comprehensive river basin management plan that address-
20 es the long-term ecological, economic, and flood control
21 needs of the basin of the Lower Mississippi River system.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section
24 \$5,000,000 for fiscal years beginning after September 30,
25 1994. Such sums shall remain available until expended.

1 **SEC. 308. EXTENSION OF JURISDICTION OF MISSISSIPPI**
2 **RIVER COMMISSION.**

3 The jurisdiction of the Mississippi River Commission,
4 established by the Act of June 29, 1879 (33 U.S.C. 641),
5 is extended to include all of the area between the eastern
6 side of the Bayou Lafourche Ridge from Donaldsonville,
7 Louisiana, to the Gulf of Mexico and the west guide levee
8 of the Mississippi River from Donaldsonville, Louisiana,
9 to the Gulf of Mexico.

10 **SEC. 309. GREAT LAKES DREDGED MATERIAL TESTING AND**
11 **EVALUATION MANUAL.**

12 The Secretary, in cooperation with the Administrator
13 of the Environmental Protection Agency, shall provide
14 technical assistance to non-Federal interests on testing
15 procedures contained in the Great Lakes Dredged Mate-
16 rial Testing and Evaluation Manual developed pursuant
17 to section 230.2(c) of title 40, Code of Federal Regula-
18 tions.

19 **SEC. 310. GREAT LAKES SEDIMENT REDUCTION.**

20 (a) GREAT LAKES TRIBUTARY SEDIMENT TRANS-
21 PORT MODEL.—For each major river system or set of
22 major river systems depositing sediment into a Great
23 Lakes federally authorized commercial harbor, channel
24 maintenance project site, or Area of Concern, the Sec-
25 retary, in consultation and coordination with the Great

1 Lakes States, shall develop a tributary sediment transport
2 model.

3 (b) REQUIREMENTS FOR MODELS.—In developing a
4 tributary sediment transport model under this section, the
5 Secretary shall—

6 (1) build upon data and monitoring infrastruc-
7 ture generated in earlier studies and programs of
8 the Great Lakes and their tributaries; and

9 (2) complete models for 30 major river systems
10 within the 5-year period beginning on the date of the
11 enactment of this Act.

12 **SEC. 311. CONFINED DISPOSAL FACILITIES.**

13 (a) ASSESSMENT.—The Secretary shall conduct an
14 assessment of the general conditions of confined disposal
15 facilities in the Great Lakes.

16 (b) REPORT.—Not later than 3 years after the date
17 of the enactment of this Act, the Secretary shall transmit
18 to Congress a report on the results of the assessment con-
19 ducted under subsection (a), including the following:

20 (1) A description of the cumulative effects of
21 confined disposal facilities in the Great Lakes.

22 (2) Recommendations for specific remediation
23 actions for each confined disposal facility in the
24 Great Lakes.

1 (3) An evaluation of, and recommendations for,
2 confined disposal facility management practices and
3 technologies to conserve capacity at such facilities
4 and to minimize adverse environmental effects at
5 such facilities throughout the Great Lakes system.

6 **SEC. 312. ALTERNATIVE TO ANNUAL PASSES.**

7 (a) IN GENERAL.—The Secretary shall carry out a
8 project to evaluate the feasibility of implementing an alter-
9 native to the \$25 annual pass that the Secretary currently
10 offers to users of recreation facilities at water resources
11 projects of the Corps of Engineers.

12 (b) ANNUAL PASS.—The project to be carried out
13 under this section shall include the establishment of an
14 annual pass which costs \$10 or less for the use of recre-
15 ation facilities at Raystown Lake, Pennsylvania.

16 (c) REPORT.—Not later than December 31, 1997, the
17 Secretary shall transmit to Congress a report on the re-
18 sults of the project carried out under this section, together
19 with recommendations concerning whether annual passes
20 for individual projects should be offered on a nationwide
21 basis.

22 **SEC. 313. RECREATION PARTNERSHIP INITIATIVE.**

23 (a) IN GENERAL.—The Secretary shall promote Fed-
24 eral, non-Federal, and private sector cooperation in creat-
25 ing public recreation opportunities and developing the nec-

1 essary supporting infrastructure at water resources
2 projects of the Corps of Engineers.

3 (b) INFRASTRUCTURE IMPROVEMENTS.—

4 (1) RECREATION INFRASTRUCTURE IMPROVE-
5 MENTS.—In demonstrating the feasibility of the
6 public-private cooperative, the Secretary shall pro-
7 vide, at Federal expense, such infrastructure im-
8 provements as are necessary to support a potential
9 private recreational development at the Raystown
10 Lake Project, Pennsylvania, generally in accordance
11 with the Master Plan Update (1994) for the project.

12 (2) AGREEMENT.—The Secretary shall enter
13 into an agreement with an appropriate non-Federal
14 public entity to ensure that the infrastructure im-
15 provements constructed by the Secretary on non-
16 project lands pursuant to paragraph (1) are trans-
17 ferred to and operated and maintained by the non-
18 Federal public entity.

19 (3) AUTHORIZATION OF APPROPRIATIONS.—
20 There is authorized to be appropriated to carry out
21 this subsection \$4,500,000 for fiscal years beginning
22 after September 30, 1994. Such sums shall remain
23 available until expended.

24 (c) REPORT.—Not later than December 31, 1997, the
25 Secretary shall transmit to Congress a report on the re-

1 sults of the cooperative efforts carried out under this sec-
2 tion, including the improvements required by subsection
3 (b).

4 **SEC. 314. WATER QUALITY PROJECTS.**

5 Section 307(d) of the Water Resources Development
6 Act of 1992 (106 Stat. 4841) is amended by striking
7 “\$70,000,000” and inserting “\$100,000,000”.

8 **SEC. 315. NEW ENGLAND DIVISION HEADQUARTERS FACIL-**
9 **ITY.**

10 (a) **GENERAL AUTHORITY.**—The Secretary may use
11 Plant Replacement and Improvement Program funds to
12 design and construct a new headquarters facility for the
13 New England Division of the United States Army Corps
14 of Engineers.

15 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There is
16 authorized to be appropriated for fiscal years beginning
17 after September 30, 1994, \$30,000,000 to carry out this
18 section.

19 **SEC. 316. QUARANTINE FACILITY.**

20 Section 108(c) of the Water Resources Development
21 Act of 1992 (106 Stat. 4816) is amended by striking
22 “\$1,000,000” and inserting “\$4,000,000”.

1 **SEC. 317. BENTON AND WASHINGTON COUNTIES, ARKAN-**
2 **SAS.**

3 Section 220 of the Water Resources Development Act
4 of 1992 (106 Stat. 4836–4837) is amended by adding at
5 the end the following new subsection:

6 “(c) USE OF FEDERAL FUNDS.—The Secretary may
7 make available to the non-Federal interests funds not to
8 exceed an amount equal to the Federal share of the total
9 project cost to be used by the non-Federal interests to un-
10 dertake the work directly or by contract.”.

11 **SEC. 318. CALAVERAS COUNTY, CALIFORNIA.**

12 The Secretary, in cooperation with Federal, State,
13 and local agencies, is authorized—

14 (1) to conduct investigations and surveys of the
15 watershed of the Lower Mokelumne River in
16 Calaveras County, California; and

17 (2) to provide technical, planning, and design
18 assistance for abatement and mitigation of degrada-
19 tion caused by abandoned mines and mining activity
20 in the vicinity of such river.

21 **SEC. 319. LAKE ELSINORE, CALIFORNIA.**

22 (a) MAXIMUM ALLOTMENT.—The maximum amount
23 which may be allotted under section 205 of the Flood Con-
24 trol Act of 1948 (33 U.S.C. 701s) for the project for flood
25 control, Lake Elsinore, Riverside County, California, shall
26 be \$7,500,000 instead of \$5,000,000.

1 (b) REVISION OF LOCAL COOPERATION AGREE-
2 MENT.—The Secretary shall revise the local cooperation
3 agreement for the project referred to in subsection (a) in
4 order to take into account the increase in the Federal par-
5 ticipation in such project pursuant to subsection (a).

6 (c) COST SHARING.—Nothing in this section shall be
7 construed to affect any cost-sharing requirement applica-
8 ble to the project referred to in subsection (a) under the
9 Water Resources Development Act of 1986.

10 **SEC. 320. BENEFICIAL USE OF DREDGED MATERIAL, MON-**
11 **TEZUMA, CALIFORNIA.**

12 The Secretary shall carry out a project for the bene-
13 ficial use of dredged material at Montezuma, California,
14 pursuant to section 204 of the Water Resources Develop-
15 ment Act of 1992.

16 **SEC. 321. PRADO DAM SAFETY IMPROVEMENTS.**

17 The Secretary, in coordination with the State of Cali-
18 fornia, shall provide technical assistance to Orange Coun-
19 ty, California, in developing appropriate public safety and
20 access improvements associated with that portion of Cali-
21 fornia State Route 71 being relocated for the Prado Dam
22 feature of the project authorized as part of the project
23 for flood control, Santa Ana River Mainstem, California,
24 by section 401(a) of the Water Resources Development
25 Act of 1986 (100 Stat. 4113).

1 **SEC. 322. SAN JOSE, CALIFORNIA.**

2 (a) IN GENERAL.—The Secretary shall transfer
3 funds appropriated to carry out this section to the Admin-
4 istrator of the Environmental Protection Agency for mak-
5 ing grants to the city of San Jose, California, and the
6 Santa Clara Valley Water District, San Jose, California,
7 to promote and implement the use of treated waste water
8 for critical water supply purposes and for the protection
9 of San Francisco Bay.

10 (b) PURPOSES OF ASSISTANCE.—Assistance may be
11 provided under this section for projects for the planning,
12 design, and construction of facilities to reuse waste water
13 in the San Jose area, including necessary distribution fa-
14 cilities. Design and construction of such projects shall be
15 carried out by non-Federal interests.

16 (c) APPROVAL OF PLANS.—Upon approval of nec-
17 essary plans and specifications, the Administrator is au-
18 thorized to make grants under this section in accordance
19 with the existing grant procedures of the Environmental
20 Protection Agency.

21 (d) TRANSFER OF FUNDS.—The transfer of funds
22 under subsection (a) shall occur pursuant to a memoran-
23 dum of agreement between the Secretary and the Adminis-
24 trator. Such memorandum of agreement shall be entered
25 into on or before the 60th day after the date upon which

1 funds are made available to the Secretary to carry out this
2 section.

3 (e) COST SHARING.—The Federal share of the cost
4 of a project carried out under this section shall be 55 per-
5 cent. Other Federal funds may be contributed to the
6 project, and the non-Federal sponsors shall receive credit
7 for lands, easements, rights-of-way, and relocations to-
8 ward its share of project costs. Operation and mainte-
9 nance costs shall be 100 percent non-Federal.

10 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to the Secretary to carry
12 out this section \$71,500,000. Such sums shall remain
13 available until expended and shall be in addition to and
14 not in lieu of any other amounts authorized to be appro-
15 priated under any other Act, including title II of the Fed-
16 eral Water Pollution Control Act.

17 **SEC. 323. TAMPA, FLORIDA.**

18 The Secretary may enter into a cooperative agree-
19 ment under section 218 of this Act with the Museum of
20 Science and Industry, Tampa, Florida, to provide tech-
21 nical, planning, and design assistance to demonstrate the
22 water quality functions found in wetlands, at an estimated
23 total Federal cost of \$500,000.

1 **SEC. 324. KANKAKEE RIVER BASIN, ILLINOIS.**

2 (a) MASTER PLAN.—Not later than 1 year after the
3 date of the enactment of this Act, the Secretary, in co-
4 operation with other interested Federal, State, and local
5 agencies and private citizens, shall study, and prepare a
6 comprehensive master plan for the management of, the
7 Kankakee River Basin, Illinois. The study shall focus pri-
8 marily on basinwide management methods for flood dam-
9 age reduction, environmental enhancement, and erosion
10 control and may evaluate water quality, land use manage-
11 ment, and other related topics.

12 (b) FEASIBILITY REPORT.—Not later than 30
13 months after the date of completion of the study and plan
14 under subsection (a), the Secretary shall prepare, in ac-
15 cordance with section 905 of the Water Resources Devel-
16 opment Act of 1986 (33 U.S.C. 2282), a feasibility report
17 concerning the measures described in the plan.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated \$500,000 for the study
20 and preparation of the plan required under subsection (a)
21 and such sums as may be necessary to prepare the feasibil-
22 ity report required under subsection (b).

23 **SEC. 325. WATERSHED MANAGEMENT PLAN FOR DEEP**
24 **RIVER BASIN, INDIANA.**

25 (a) DEVELOPMENT.—The Secretary, in consultation
26 with the Soil Conservation Service of the Department of

1 Agriculture, shall develop a watershed management plan
2 for the Deep River Basin, Indiana, which includes Deep
3 River, Lake George, Turkey Creek, and other related trib-
4 utaries in Indiana.

5 (b) CONTENTS.—The plan to be developed by the
6 Secretary under subsection (a) shall address specific con-
7 cerns related to the Deep River Basin area, including sedi-
8 ment flow into Deep River, Turkey Creek, and other tribu-
9 taries; control of sediment quality in Lake George; flood-
10 ing problems; the safety of the Lake George Dam; and
11 watershed management.

12 **SEC. 326. RESTORATION PROJECTS FOR MARYLAND, PENN-**
13 **SYLVANIA, WEST VIRGINIA, AND KENTUCKY.**

14 The Secretary, in cooperation with Federal, State,
15 and local agencies, is authorized—

16 (1) to conduct investigations and surveys of the
17 watersheds of the North Branch of the Potomac
18 River, Maryland, Pennsylvania, and West Virginia;
19 New River, West Virginia; and Pond Creek, Ken-
20 tucky; and

21 (2) to provide technical, planning, and design
22 assistance for abatement and mitigation of surface
23 water quality degradation caused by abandoned
24 mines and mining activity in the vicinity of such riv-
25 ers and creek.

1 **SEC. 327. BENEFICIAL USE OF DREDGED MATERIAL, POP-**
2 **LAR ISLAND, MARYLAND.**

3 The Secretary shall carry out a project for the bene-
4 ficial use of dredged material at Poplar Island, Maryland,
5 pursuant to section 204 of the Water Resources Develop-
6 ment Act of 1992.

7 **SEC. 328. EROSION CONTROL MEASURES, SMITH ISLAND,**
8 **MARYLAND.**

9 (a) IN GENERAL.—The Secretary shall implement
10 erosion control measures in the vicinity of Rhodes Point,
11 Smith Island, Maryland, at an estimated total Federal
12 cost of \$450,000.

13 (b) IMPLEMENTATION ON EMERGENCY BASIS.—The
14 project under subsection (a) shall be carried out on an
15 emergency basis in view of the national, historic, and cul-
16 tural value of the island and in order to protect the Fed-
17 eral investment in infrastructure facilities.

18 (c) COST SHARING.—Cost sharing applicable to hur-
19 ricane and storm damage reduction shall be applicable to
20 the project to be carried out under subsection (a).

21 **SEC. 329. BENEFICIAL USE OF DREDGED MATERIAL,**
22 **WORTON POINT, KENT COUNTY, MARYLAND.**

23 The Secretary shall carry out a project for the bene-
24 ficial use of dredged material at Worton Point, Kent
25 County, Maryland, pursuant to section 204 of the Water
26 Resources Development Act of 1992.

1 **SEC. 330. MASSACHUSETTS COASTAL SALTMARSH RES-**
2 **TORATION AUTHORIZATION.**

3 Subject to the cost sharing provisions of the Water
4 Resources Development Act of 1986, the Secretary shall,
5 as part of the long-term goal of Corps of Engineers water
6 resources development program of increasing the quality
7 and quantity of the Nation's wetlands, investigate and
8 carry out saltmarsh restoration projects along the coast-
9 line of Massachusetts.

10 **SEC. 331. BOSTON, MASSACHUSETTS, ALTERNATIVE TECH-**
11 **NOLOGY PROJECT.**

12 (a) **PROJECT AUTHORIZATION.**—The Secretary shall
13 develop and implement alternative methods for disposal of
14 contaminated dredged material at the Port of Boston,
15 Boston, Massachusetts, using innovative and environ-
16 mental technologies, including thermal remediation.

17 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There is
18 authorized to be appropriated for fiscal years beginning
19 after September 30, 1994, to carry out this section
20 \$2,000,000. Such sums shall remain available until ex-
21 pended.

22 **SEC. 332. LAKE ST. CLAIRE, MICHIGAN.**

23 The Secretary shall carry out a program to control
24 aquatic plants in Lake St. Claire, Michigan, under section
25 104(b) of the River and Harbor Act of 1958 (33 U.S.C.
26 610(b)).

1 **SEC. 333. DULUTH, MINNESOTA, ALTERNATIVE TECH-**
2 **NOLOGY PROJECT.**

3 (a) PROJECT AUTHORIZATION.—The Secretary shall
4 develop and implement alternative methods for decon-
5 tamination and disposal of contaminated dredged material
6 at the Port of Duluth, Minnesota.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated for fiscal years beginning
9 after September 30, 1994, to carry out this section
10 \$1,000,000. Such sums shall remain available until ex-
11 pended.

12 **SEC. 334. ST. JOHN'S BAYOU—NEW MADRID FLOODWAY.**

13 The Secretary is directed to review the project for
14 flood control, St. John's Bayou and New Madrid
15 Floodway, Missouri, authorized by section 401(a) of the
16 Water Resources Development Act of 1986 (100 Stat.
17 4118), to determine the ability of the non-Federal inter-
18 ests to pay the project costs, including operation and
19 maintenance costs, in accordance with section 103(m) of
20 the Water Resources Development Act of 1986 (33 U.S.C.
21 2213(m)) and in light of locally prevailing conditions
22 which would limit the ability of local interests to partici-
23 pate as non-Federal project sponsors in accordance with
24 established cost-sharing formulas.

1 **SEC. 335. DURHAM, NEW HAMPSHIRE.**

2 The Secretary may enter into a cooperative agree-
3 ment under section 218 of this Act with the University
4 of New Hampshire to provide technical assistance for a
5 water treatment technology center addressing the needs
6 of small communities.

7 **SEC. 336. NEW YORK BIGHT AND HARBOR STUDY.**

8 Section 326(f) of the Water Resources Development
9 Act of 1992 (106 Stat. 4851) is amended by striking
10 “\$1,000,000” and inserting “\$10,000,000”.

11 **SEC. 337. NEW YORK STATE CANAL SYSTEM.**

12 (a) IN GENERAL.—The Secretary is authorized to
13 make capital improvements to the New York State Canal
14 System.

15 (b) AGREEMENTS.—The Secretary shall, with the
16 consent of appropriate local and State entities, enter into
17 such arrangements, contracts, and leases with public and
18 private entities as may be necessary for the purposes of
19 rehabilitation, renovation, preservation, and maintenance
20 of the New York State Canal System and its related facili-
21 ties, including trailside facilities and other recreational
22 projects along the waterways of the canal system.

23 (c) NEW YORK STATE CANAL SYSTEM DEFINED.—
24 In this section, the term “New York State Canal System”
25 means the Erie, Oswego, Champlain, and Cayuga-Seneca
26 Canals.

1 (d) FEDERAL SHARE.—The Federal share of the cost
2 of capital improvements under this section shall be 50 per-
3 cent.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section
6 \$5,000,000 for fiscal years beginning after September 30,
7 1994. Such sums shall remain available until expended.

8 **SEC. 338. NEW YORK CITY WATERSHED.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—The Secretary shall establish
11 a program for providing environmental assistance to
12 non-Federal interests in the New York City Water-
13 shed.

14 (2) FORM.—Assistance provided under this sec-
15 tion may be in the form of design and construction
16 assistance for water-related environmental infra-
17 structure and resource protection and development
18 projects in the New York City Watershed, including
19 projects for water supply, storage, treatment, and
20 distribution facilities, and surface water resource
21 protection and development.

22 (b) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
23 retary may provide assistance for a project under this sec-
24 tion only if the project is publicly owned.

25 (c) ELIGIBLE PROJECTS.—

1 (1) CERTIFICATION.—A project shall be eligible
2 for financial assistance under this section only if the
3 State director for the project certifies to the Sec-
4 retary that the project will contribute to the protec-
5 tion and enhancement of the quality or quantity of
6 the New York City water supply.

7 (2) SPECIAL CONSIDERATION.—In certifying
8 projects to the Secretary, the State director shall
9 give special consideration to those projects imple-
10 menting plans, agreements, and measures which pre-
11 serve and enhance the economic and social character
12 of the watershed communities.

13 (3) PROJECT DESCRIPTIONS.—Projects eligible
14 for assistance under this section shall include the
15 following:

16 (A) Implementation of intergovernmental
17 agreements for coordinating regulatory and
18 management responsibilities.

19 (B) Acceleration of whole farm planning to
20 implement best management practices to main-
21 tain or enhance water quality and to promote
22 agricultural land use.

23 (C) Acceleration of whole community plan-
24 ning to promote intergovernmental cooperation
25 in the regulation and management of activities

1 consistent with the goal of maintaining or en-
2 hancing water quality.

3 (D) Natural resources stewardship on pub-
4 lic and private lands to promote land uses that
5 preserve and enhance the economic and social
6 character of the watershed communities and
7 protect and enhance water quality.

8 (d) LOCAL COOPERATION AGREEMENTS.—Before
9 providing assistance under this section, the Secretary shall
10 enter into a cooperative agreement with the State director
11 for the project to be carried out with such assistance.

12 (e) COST SHARING.—

13 (1) IN GENERAL.—Total project costs under
14 each local cooperation agreement entered into under
15 this section shall be shared at 75 percent Federal
16 and 25 percent non-Federal. The non-Federal inter-
17 est shall receive credit for the reasonable costs of de-
18 sign work completed by such interest prior to enter-
19 ing into a local cooperation agreement with the Sec-
20 retary for a project. The Federal share may be in
21 the form of grants or reimbursements of project
22 costs.

23 (2) INTEREST.—In the event of delays in the
24 reimbursement of the non-Federal share of a
25 project, the non-Federal interest shall receive credit

1 for reasonable interest to provide the non-Federal
2 share of a project's cost.

3 (3) LANDS, EASEMENTS, AND RIGHTS-OF-WAY
4 CREDIT.—The non-Federal interest shall receive
5 credit for lands, easements, rights-of-way, and relo-
6 cations toward its share of project costs, including
7 direct costs associated with obtaining permits nec-
8 essary for the placement of such project on public
9 owned or controlled lands, but not to exceed 25 per-
10 cent of total project costs.

11 (4) OPERATION AND MAINTENANCE.—Oper-
12 ation and maintenance costs for projects constructed
13 with assistance provided under this section shall be
14 100 percent non-Federal.

15 (f) APPLICABILITY OF OTHER FEDERAL AND STATE
16 LAWS.—Nothing in this section shall be construed to
17 waive, limit, or otherwise affect the applicability of any
18 provision of Federal or State law that would otherwise
19 apply to a project carried out with assistance provided
20 under this section.

21 (g) REPORT.—Not later than December 31, 2000,
22 the Secretary shall transmit to Congress a report on the
23 results of the program carried out under this section, to-
24 gether with recommendations concerning whether such
25 program should be implemented on a national basis.

1 (h) NEW YORK CITY WATERSHED DEFINED.—For
2 purposes of this section, the term “New York City Water-
3 shed” means the land area within the counties of Dela-
4 ware, Greene, Schoharie, Ulster, Sullivan, Westchester,
5 Putnam, and Dutchess which contributes water to the
6 water supply system of New York City.

7 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section
9 \$10,000,000 for fiscal years beginning after September
10 30, 1994.

11 **SEC. 339. NORTHEASTERN OHIO.**

12 The Secretary is authorized to provide technical as-
13 sistance to local interests for planning the establishment
14 of a regional water authority in northeastern Ohio to ad-
15 dress the water problems of the region. The Federal share
16 of the costs of such planning shall not exceed 75 percent.

17 **SEC. 340. OHIO RIVER.**

18 (a) CENTER FOR ENVIRONMENTAL STUDIES FOR
19 LARGE RIVERS.—The Secretary shall establish a Center
20 for Environmental Studies of Large Rivers at Jefferson
21 Technical College, Ohio.

22 (b) STUDY.—

23 (1) COOPERATIVE AGREEMENT.—The Secretary
24 shall enter into a cooperative agreement with the
25 Ohio River Valley Water Sanitation Commission to

1 develop the necessary methodologies to make im-
2 provements in, and assess the environmental health
3 of, the Ohio River.

4 (2) REPORT.—Not later than December 31,
5 1996, the Secretary shall submit a report to Con-
6 gress on the results of the study conducted under
7 paragraph (1), together with recommendations on
8 reducing and eliminating pollution in the Ohio River.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated for fiscal years beginning
11 after September 30, 1994, \$2,000,000 to carry out sub-
12 section (a) and \$1,000,000 to carry out subsection (b).

13 **SEC. 341. REMOVAL OR REMEDIATION OF CONTAMINATED**
14 **SEDIMENTS, MAHONING RIVER, OHIO AND**
15 **PENNSYLVANIA.**

16 The Secretary shall remove or remediate contami-
17 nated sediments from the Mahoning River, Northeast
18 Ohio and Western Pennsylvania, pursuant to section 312
19 of the Water Resources Development Act of 1990 (33
20 U.S.C. 1252 note).

21 **SEC. 342. COLUMBIA RIVER BASIN, OREGON.**

22 The costs of measures undertaken to mitigate the ad-
23 verse effects on fish and wildlife of water resources
24 projects constructed by the Secretary within the McKenzie
25 River Sub-Basin within the Columbia River Basin, Or-

1 egon, shall be allocated as provided in section 906 of the
2 Water Resources Development Act of 1986 (33 U.S.C.
3 2283).

4 **SEC. 343. SOUTH CENTRAL PENNSYLVANIA.**

5 (a) IN GENERAL.—Section 313 of the Water Re-
6 sources Development Act of 1992 (106 Stat. 4845–4847)
7 is amended—

8 (1) in the heading to subsection (c) by striking
9 “WITH SARCD COUNCIL”;

10 (2) in subsection (c) by inserting “with State,
11 regional, and local officials, including, where applica-
12 ble,” after “consult”;

13 (3) in subsection (d)(2)(A) by inserting “,
14 where applicable,” after “Council”;

15 (4) in subsection (g)(1) by striking
16 “\$17,000,000” and inserting “\$50,000,000”; and

17 (5) in subsection (h)(2) by striking “Bedford,
18 Blair, Cambria, Fulton, Huntingdon, and Somerset”
19 and inserting “Armstrong, Bedford, Blair, Cambria,
20 Clearfield, Fayette, Franklin, Fulton, Huntingdon,
21 Indiana, Juniata, Mifflin, Somerset, Snyder, and
22 Westmoreland”.

23 (b) COST SHARING.—Section 313(d)(3) of the Water
24 Resources Development Act of 1992 (106 Stat. 4846) is
25 amended to read as follows:

1 “(3) COST SHARING.—

2 “(A) IN GENERAL.—Total project costs
3 under each local cooperation agreement entered
4 into under this subsection shall be shared at 75
5 percent Federal and 25 percent non-Federal.
6 The non-Federal interest shall receive credit for
7 the reasonable costs of design work completed
8 by such interest prior to entering into a local
9 cooperation agreement with the Secretary for a
10 project. The Federal share may be in the form
11 of grants or reimbursements of project costs.

12 “(B) INTEREST.—In the event of delays in
13 the reimbursement of the non-Federal share of
14 a project, the non-Federal interest shall receive
15 credit for reasonable interest to provide the
16 non-Federal share of a project’s cost.

17 “(C) LANDS, EASEMENTS, AND RIGHTS-OF-
18 WAY CREDIT.—The non-Federal interest shall
19 receive credit for lands, easements, rights-of-
20 way, and relocations toward its share of project
21 costs, including direct costs associated with ob-
22 taining permits necessary for the placement of
23 such project on public owned or controlled
24 lands, but not to exceed 25 percent of total
25 project costs.

1 “(D) OPERATION AND MAINTENANCE
2 CREDIT.—Operation and maintenance costs for
3 projects constructed with assistance provided
4 under this section shall be 100 percent non-
5 Federal.”.

6 **SEC. 344. BROAD TOP REGION OF PENNSYLVANIA.**

7 Section 304(c) of the Water Resources Development
8 Act of 1992 (106 Stat. 4840) is amended by striking
9 “\$5,500,000” and inserting “\$11,000,000”.

10 **SEC. 345. HOPPER DREDGE MCFARLAND.**

11 (a) PROJECT AUTHORIZATION.—The Secretary shall
12 carry out a project at the Philadelphia Naval Shipyard,
13 Pennsylvania, to make modernization and efficiency im-
14 provements to the hopper dredge McFarland.

15 (b) REQUIREMENTS.—In carrying out the project
16 under subsection (a), the Secretary shall—

17 (1) determine whether the McFarland should be
18 returned to active service or the reserve fleet after
19 the project is completed; and

20 (2) establish minimum standards of dredging
21 service to be met in areas served by the McFarland
22 while the drydocking is taking place.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this section

1 \$20,000,000 for fiscal years beginning after September
2 30, 1994.

3 **SEC. 346. SEVEN POINTS VISITORS CENTER, RAYSTOWN**
4 **LAKE, PENNSYLVANIA.**

5 (a) IN GENERAL.—The Secretary shall construct a
6 visitors center and related public use facilities at the Seven
7 Points Recreation Area at Raystown Lake, Pennsylvania,
8 generally in accordance with the Master Plan Update
9 (1994) for the Raystown Lake Project.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section
12 \$1,500,000. Such sums shall remain available until ex-
13 pended.

14 **SEC. 347. BLACKSTONE RIVER VALLEY, RHODE ISLAND,**
15 **AND MASSACHUSETTS.**

16 (a) IN GENERAL.—The Secretary, in coordination
17 with Federal, State, and local interests, shall provide tech-
18 nical, planning, and design assistance in the development
19 and restoration of the Blackstone River Valley National
20 Heritage Corridor, Rhode Island, and Massachusetts.

21 (b) FEDERAL SHARE.—Funds made available under
22 this section for planning and design of a project may not
23 exceed 75 percent of the total cost of such planning and
24 design.

1 **SEC. 348. EARTHQUAKE PREPAREDNESS CENTER OF EX-**
2 **PERTISE EXTENSION.**

3 The Secretary shall establish an extension of the
4 Earthquake Preparedness Center of Expertise for the
5 central United States at an existing district office of the
6 Corps of Engineers near the New Madrid fault.

7 **SEC. 349. MURFREESBORO, TENNESSEE.**

8 The Secretary shall carry out a project for environ-
9 mental enhancement, Murfreesboro, Tennessee, in accord-
10 ance with the Report and Environmental Assessment,
11 Black Fox, Murfree and Oaklands Spring Wetlands,
12 Murfreesboro, Rutherford County, Tennessee, dated Au-
13 gust 1994.

14 **SEC. 350. REPEAL OF TERMINATION DATE FOR CONSTRUC-**
15 **TION OF VIRGIN ISLANDS PROJECTS BY THE**
16 **SECRETARY.**

17 Section 406 of the Water Resources Development Act
18 of 1990 (48 U.S.C. 1405c note) is amended by striking
19 subsection (c).

20 **SEC. 351. HUNTINGTON, WEST VIRGINIA.**

21 The Secretary may enter into a cooperative agree-
22 ment under section 218 of this Act with Marshall Univer-
23 sity, Huntington, West Virginia, to provide technical as-
24 sistance to the Center for Environmental, Geotechnical
25 and Applied Sciences.

1 **SEC. 352. SOUTHERN WEST VIRGINIA.**

2 (a) **COST SHARING.**—Section 340(c)(3) of the Water
3 Resources Development Act of 1992 (106 Stat. 4856) is
4 amended to read as follows:

5 “(3) **COST SHARING.**—

6 “(A) **IN GENERAL.**—Total project costs
7 under each local cooperation agreement entered
8 into under this subsection shall be shared at 75
9 percent Federal and 25 percent non-Federal.
10 The non-Federal interest shall receive credit for
11 the reasonable costs of design work completed
12 by such interest prior to entering into a local
13 cooperation agreement with the Secretary for a
14 project. The Federal share may be in the form
15 of grants or reimbursements of project costs.

16 “(B) **INTEREST.**—In the event of delays in
17 the reimbursement of the non-Federal share of
18 a project, the non-Federal interest shall receive
19 credit for reasonable interest to provide the
20 non-Federal share of a project’s cost.

21 “(C) **LANDS, EASEMENTS, AND RIGHTS-OF-**
22 **WAY CREDIT.**—The non-Federal interest shall
23 receive credit for lands, easements, rights-of-
24 way, and relocations toward its share of project
25 costs, including direct costs associated with ob-
26 taining permits necessary for the placement of

1 such project on public owned or controlled
2 lands, but not to exceed 25 percent of total
3 project costs.

4 “(D) OPERATION AND MAINTENANCE.—
5 Operation and maintenance costs for projects
6 constructed with assistance provided under this
7 section shall be 100 percent non-Federal.”.

8 (b) FUNDING.—Section 340(g) of the Water Re-
9 sources Development Act of 1992 (106 Stat. 4856) is
10 amended by striking “\$5,000,000” and inserting
11 “\$10,000,000”.

12 **SEC. 353. REMOVAL OR REMEDIATION OF CONTAMINATED**
13 **SEDIMENTS, LOWER FOX RIVER, WISCONSIN.**

14 The Secretary shall remove or remediate contami-
15 nated sediments from the Lower Fox River, Lake Winne-
16 bago to Green Bay, Wisconsin, pursuant to section 312
17 of the Water Resources Development Act of 1990 (33
18 U.S.C. 1252 note).

19 **SEC. 354. SAVINGS CLAUSE.**

20 Nothing in section 204, section 207, or any other pro-
21 vision of this Act or any amendment made by this Act
22 shall be construed to authorize the construction, operation,
23 or maintenance of any dam, water conduit, reservoir,
24 power house, transmission line, or other project works for
25 which a license or exemption is required under the Federal

1 Power Act. Nothing in such sections or any other provi-
2 sion of this Act or any amendment made by this Act shall
3 by construed to affect the authority or jurisdiction of the
4 Federal Energy Regulatory Commission under the Fed-
5 eral Power Act or under any other provision of law.

Passed the House of Representatives October 3,
1994.

Attest:

Clerk.

103^D CONGRESS
2^D SESSION

H. R. 4460

AN ACT

To provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.