

Union Calendar No. 418

103D CONGRESS
2D SESSION

H. R. 4460

[Report No. 103-770]

A BILL

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.

SEPTEMBER 30, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1994

Mr. MINETA (for himself and Mr. APPLGATE) (both by request) introduced the following bill; which was referred to the Committee on Public Works and Transportation

SEPTEMBER 30, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 19, 1994]

A BILL

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”.*

6 (b) *TABLE OF CONTENTS.*—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.

Sec. 102. Project modifications.

Sec. 103. Small flood control projects.

Sec. 104. Small bank stabilization projects.

Sec. 105. Small navigation projects.

Sec. 106. Small shoreline protection projects.

Sec. 107. Small bank stabilization and beach erosion control project, Watson Is-
land Park, Miami, Florida.

Sec. 108. Small snagging and sediment removal project, Mississippi River, Little
Falls, Minnesota.

Sec. 109. Upper Truckee River, El Dorado County, California.

Sec. 110. Muskingum River, Ohio.

Sec. 111. Project reauthorizations.

Sec. 112. Continuation of authorization of certain projects.

Sec. 113. Reuse of waste water.

Sec. 114. Studies.

Sec. 115. Project deauthorizations.

Sec. 116. Namings.

TITLE II—GENERALLY APPLICABLE PROVISIONS

Sec. 201. Recreation policy and user fees.

Sec. 202. Recovery of costs.

Sec. 203. Cost sharing of environmental projects.

Sec. 204. Construction of flood control projects by non-Federal interests.

Sec. 205. Collaborative research and development.

Sec. 206. National inventory of dams.

Sec. 207. Maintenance, rehabilitation, and modernization of facilities.

Sec. 208. Federal lump-sum payments for Federal operation and maintenance
costs.

Sec. 209. Long-term sediment management strategies.

Sec. 210. Emergency response.

Sec. 211. Obstruction removal requirement.

Sec. 212. Small project authorizations.

Sec. 213. Aquatic plant control.

Sec. 214. Beneficial uses of dredged material.

Sec. 215. Sediments decontamination technology.

Sec. 216. Project deauthorizations.

- Sec. 217. Foreign travel.*
- Sec. 218. Support of Army civil works program.*
- Sec. 219. Hopper dredge fleet.*
- Sec. 220. Restoration of environmental quality.*
- Sec. 221. Cost sharing for creation of dredged material disposal areas.*
- Sec. 222. Loss of life prevention.*
- Sec. 223. Sense of Congress; requirement regarding notice.*
- Sec. 224. Reservoir Management Technical Advisory Committee.*
- Sec. 225. Technical corrections.*

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Watershed management, restoration, and development.*
- Sec. 302. Lakes program.*
- Sec. 303. Environmental infrastructure.*
- Sec. 304. Environmental dredging.*
- Sec. 305. Chesapeake Bay restoration and protection program.*
- Sec. 306. Saint Lawrence Seaway collection of tolls.*
- Sec. 307. River basin plan for lower Mississippi.*
- Sec. 308. Extension of jurisdiction of Mississippi River Commission.*
- Sec. 309. Great Lakes dredged material testing and evaluation manual.*
- Sec. 310. Great Lakes sediment reduction.*
- Sec. 311. Confined disposal facilities.*
- Sec. 312. Alternative to annual passes.*
- Sec. 313. Recreation partnership initiative.*
- Sec. 314. Water quality projects.*
- Sec. 315. New England Division headquarters facility.*
- Sec. 316. Quarantine facility.*
- Sec. 317. Benton and Washington Counties, Arkansas.*
- Sec. 318. Calaveras County, California.*
- Sec. 319. Lake Elsinore, California.*
- Sec. 320. Beneficial use of dredged material, Montezuma, California.*
- Sec. 321. Prado Dam safety improvements.*
- Sec. 322. San Jose, California.*
- Sec. 323. Tampa, Florida.*
- Sec. 324. Kankakee River Basin, Illinois.*
- Sec. 325. Watershed management plan for Deep River Basin, Indiana.*
- Sec. 326. Restoration projects for Maryland, West Virginia, and Kentucky.*
- Sec. 327. Beneficial use of dredged material, Poplar Island, Maryland.*
- Sec. 328. Erosion control measures, Smith Island, Maryland.*
- Sec. 329. Beneficial use of dredged material, Worton Point, Kent County, Maryland.*
- Sec. 330. Lake St. Claire, Michigan.*
- Sec. 331. St. John's Bayou—New Madrid Floodway.*
- Sec. 332. Durham, New Hampshire.*
- Sec. 333. New York Bight and Harbor study.*
- Sec. 334. New York State canal system.*
- Sec. 335. New York City watershed.*
- Sec. 336. Northeastern Ohio.*
- Sec. 337. Ohio River.*
- Sec. 338. Removal or remediation of contaminated sediments, Mahoning River, Ohio and Pennsylvania.*
- Sec. 339. Columbia River Basin, Oregon.*
- Sec. 340. South central Pennsylvania.*
- Sec. 341. Broad top region of Pennsylvania.*

Sec. 342. Hopper dredge McFarland.

Sec. 343. Seven Points Visitors Center, Raystown Lake, Pennsylvania.

Sec. 344. Blackstone River Valley, Rhode Island, and Massachusetts.

Sec. 345. Earthquake Preparedness Center of Expertise extension.

Sec. 346. Repeal of termination date for construction of Virgin Islands projects
by the Secretary.

Sec. 347. Huntington, West Virginia.

Sec. 348. Southern West Virginia.

Sec. 349. Removal or remediation of contaminated sediments, Lower Fox River,
Wisconsin.

1 **SEC. 2. DEFINITIONS.**

2 *For purposes of this Act, the term “Secretary” means*
3 *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 the*
10 *Secretary substantially in accordance with the plans, and*
11 *subject to the conditions, recommended in the respective re-*
12 *ports designated in this section:*

13 *(1) SANTA BARBARA HARBOR, CALIFORNIA.—The*
14 *project for navigation, Santa Barbara Harbor, Cali-*
15 *fornia: Report of the Chief Engineers, dated April 26,*
16 *1994, at a total cost of \$5,530,000, with an estimated*
17 *Federal cost of \$4,420,000 and an estimated non-Fed-*
18 *eral cost of \$1,110,000.*

19 *(2) SAN LORENZO RIVER, SANTA CRUZ, CALIFOR-*
20 *NIA.—The project for flood control, San Lorenzo*

1 *River, Santa Cruz, California: Report of the Chief*
2 *Engineers, dated June 30, 1994, at a total cost of*
3 *\$15,670,000, with an estimated Federal cost of*
4 *\$7,910,000 and an estimated non-Federal cost of*
5 *\$7,760,000.*

6 (3) *MARIN COUNTY SHORELINE, SAN RAFAEL,*
7 *CALIFORNIA.—The project for storm damage reduc-*
8 *tion, Marin County shoreline, San Rafael, California:*
9 *Report of the Chief Engineers, dated January 28,*
10 *1994, at a total cost of \$26,300,000, with an esti-*
11 *mated Federal cost of \$17,100,000 and an estimated*
12 *non-Federal cost of \$9,200,000.*

13 (4) *ATLANTIC INTRACOASTAL WATERWAY, ST.*
14 *JOHNS COUNTY, FLORIDA.—The project for naviga-*
15 *tion, Atlantic intracoastal waterway, St. Johns Coun-*
16 *ty, Florida: Report of the Chief Engineers, dated June*
17 *24, 1994, at a total Federal cost of \$15,083,000. Oper-*
18 *ation, maintenance, repair, replacement, and reha-*
19 *bilitation shall be a local responsibility and the local*
20 *interest must assume ownership of the bridge.*

21 (5) *LAKE MICHIGAN, ILLINOIS.—The project for*
22 *storm damage reduction and shoreline erosion protec-*
23 *tion, Lake Michigan, Illinois, from Wilmette, Illinois,*
24 *to the Illinois-Indiana State line: Report of the Chief*
25 *Engineers, dated April 14, 1994, at a total cost of*

1 *\$192,251,000, with an estimated Federal cost of*
2 *\$104,435,000 and an estimated non-Federal cost of*
3 *\$87,816,000. The project shall include the breakwater*
4 *near the South Water Filtration Plant described in*
5 *the report as a separate element of the project, at a*
6 *total cost of \$8,169,000, with an estimated Federal*
7 *cost of \$5,310,000 and an estimated non-Federal cost*
8 *of \$2,859,000.*

9 (6) *WHITE RIVER, INDIANAPOLIS, INDIANA.—The*
10 *project for flood control and recreation, White River,*
11 *Indianapolis, Indiana, at a total cost of \$52,700,000,*
12 *with an estimated first Federal cost of \$32,425,000*
13 *and an estimated first non-Federal cost of*
14 *\$20,275,000, is authorized to be prosecuted by the*
15 *Secretary in accordance with a final report of the*
16 *Chief of Engineers and with such modifications as are*
17 *recommended by the Secretary. No construction on the*
18 *project may be initiated until such a report of the*
19 *Chief of Engineers is issued and approved by the Sec-*
20 *retary.*

21 (7) *KENTUCKY LOCK AND DAM, TENNESSEE*
22 *RIVER, KENTUCKY.—The project for navigation, Ken-*
23 *tucky Lock and Dam, Tennessee River, Kentucky: Re-*
24 *port of the Chief Engineers, dated June 4, 1992, at*
25 *a total cost of \$490,000,000. The costs of construction*

1 of the project are to be paid $\frac{1}{2}$ from amounts appro-
2 priated from the general fund of the Treasury and $\frac{1}{2}$
3 from amounts appropriated from the Inland Water-
4 ways Trust Fund.

5 (8) POND CREEK, JEFFERSON COUNTY, KEN-
6 TUCKY.—The project for flood control, Pond Creek,
7 Jefferson County, Kentucky: Report of the Chief Engi-
8 neers, dated June 28, 1994, at a total cost of
9 \$16,374,000, with an estimated Federal cost of
10 \$11,039,000 and an estimated non-Federal cost of
11 \$5,335,000.

12 (9) WOLF CREEK DAM AND LAKE CUMBERLAND,
13 KENTUCKY.—The project for hydropower, Wolf Creek
14 Dam and Lake Cumberland, Kentucky: Report of the
15 Chief Engineers, dated June 28, 1994, at a total cost
16 of \$49,200,000, with an estimated non-Federal cost of
17 \$49,200,000. Funds derived by the Tennessee Valley
18 Authority from its power program may be used for
19 all or part of any cost sharing requirements for the
20 project.

21 (10) PORT FOURCHON, LAFOURCHE PARISH,
22 LOUISIANA.—A project for navigation, Belle Pass and
23 Bayou Lafourche, Louisiana: Report of the Chief of
24 Engineers, dated December 1994, at a total cost of
25 \$3,313,000, with an estimated Federal cost of

1 *\$2,211,000 and an estimated non-Federal cost of*
2 *\$1,102,000.*

3 (11) *WOOD RIVER, GRAND ISLAND, NEBRASKA.—*
4 *The project for flood control, Wood River, Grand Is-*
5 *land, Nebraska: Report of the Chief Engineers, dated*
6 *May 3, 1994, at a total cost of \$10,200,000, with an*
7 *estimated Federal cost of \$5,100,000 and an estimated*
8 *non-Federal cost of \$5,100,000.*

9 (12) *WILMINGTON HARBOR, CAPE FEAR RIVER,*
10 *NORTH CAROLINA.—The project for navigation, Wil-*
11 *mington Harbor, Cape Fear and Northeast Cape Fear*
12 *Rivers, North Carolina: Report of the Chief Engi-*
13 *neers, dated June 24, 1994, at a total cost of*
14 *\$22,000,000, with an estimated Federal cost of*
15 *\$14,700,000 and an estimated non-Federal cost of*
16 *\$7,300,000.*

17 (13) *DUCK CREEK, CINCINNATI, OHIO.—The*
18 *project for flood control, Duck Creek, Cincinnati,*
19 *Ohio: Report of the Chief Engineers, dated July 28,*
20 *1994, at a total cost of \$14,817,000, with an esti-*
21 *mated Federal cost of \$11,113,000 and an estimated*
22 *non-Federal cost of \$3,704,000.*

23 (14) *COOS BAY, OREGON.—The project for deep*
24 *draft navigation, Coos Bay, Oregon: Report of the*
25 *Chief Engineers, dated June 30, 1994, at a total cost*

1 of \$13,700,000, with an estimated Federal cost of
2 \$8,800,000 and an estimated non-Federal cost of
3 \$4,900,000.

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

10 (16) *BIG SIOUX RIVER AND SKUNK CREEK, SIOUX*
11 *FALLS, SOUTH DAKOTA.*—The project for flood control,
12 Big Sioux River and Skunk Creek, Sioux Falls, South
13 Dakota: Report of the Chief Engineers, dated June 30,
14 1994, at a total cost of \$30,700,000, with an esti-
15 mated Federal cost of \$22,900,000 and an estimated
16 non-Federal cost of \$7,800,000.

17 (17) *WATERTOWN, SOUTH DAKOTA.*—The project
18 for flood control, Watertown and Vicinity, South Da-
19 kota: Report of the Chief of Engineers, dated August
20 31, 1994, at a total cost of \$16,092,000, with an esti-
21 mated Federal cost of \$11,835,000 and an estimated
22 non-Federal cost of \$4,257,000.

23 (18) *ATLANTIC INTRACOASTAL WATERWAY,*
24 *CHESAPEAKE, VIRGINIA.*—The project for navigation,
25 Atlantic intracoastal waterway, Great Bridge, Chesa-

1 *peake, Virginia: Report of the Chief Engineers, dated*
2 *July 1, 1994, at a total cost of \$23,007,000, with an*
3 *estimated Federal cost of \$19,771,000 and an esti-*
4 *mated non-Federal cost of \$3,236,000.*

5 (19) *MARMET LOCK, KANAWHA RIVER, WEST VIR-*
6 *GINIA.—The project for navigation, Marmet Lock,*
7 *Kanawha River, West Virginia: Report of the Chief*
8 *Engineers, dated June 24, 1994, at a total cost of*
9 *\$261,000,000. The costs of construction of the project*
10 *are to be paid one-half from amounts appropriated*
11 *from the general fund of the Treasury and one-half*
12 *from amounts appropriated from the Inland Water-*
13 *ways Trust Fund. In conducting any real estate ac-*
14 *quisition activities, the Secretary shall give priority*
15 *consideration to those individuals who would be di-*
16 *rectly affected by any physical displacement due to*
17 *project design and shall consider the financial cir-*
18 *cumstances of such individuals. The Secretary shall*
19 *proceed with real estate acquisition in connection*
20 *with the project expeditiously.*

21 **SEC. 102. PROJECT MODIFICATIONS.**

22 (a) *NOGALES WASH AND TRIBUTARIES, ARIZONA.—*
23 *The project for flood control, Nogales Wash and tributaries,*
24 *Arizona, authorized by section 101(a)(4) of the Water Re-*
25 *sources Development Act of 1990 (104 Stat. 4606), is modi-*

1 *fied to direct the Secretary to permit the non-Federal con-*
2 *tribution for the project to be determined in accordance*
3 *with sections 103(k) and 103(m) of the Water Resources De-*
4 *velopment Act of 1986 and to direct the Secretary to enter*
5 *into negotiations with non-Federal interests pursuant to*
6 *section 103(l) of such Act concerning the timing of the ini-*
7 *tial payment of the non-Federal contribution.*

8 (b) *OAKLAND INNER HARBOR, CALIFORNIA.—The*
9 *project for deep-draft navigation, authorized by section*
10 *202(a) of the Water Resources Development Act of 1986*
11 *(100 Stat. 4092), is modified to authorize the Secretary to*
12 *construct the project at a total cost of \$57,000,000, with*
13 *an estimated Federal cost of \$35,900,000, and an estimated*
14 *non-Federal cost of \$21,100,000.*

15 (c) *POTOMAC RIVER, WASHINGTON, DISTRICT OF CO-*
16 *LUMBIA.—The project for flood protection, Potomac River,*
17 *Washington, District of Columbia, authorized by section 5*
18 *of the Flood Control Act of June 22, 1936 (74 Stat. 1574),*
19 *is modified to provide for completion of the project substan-*
20 *tially in accordance with the General Design Memorandum*
21 *dated May 1992, the General Design Memorandum Supple-*
22 *ment dated May 1994, and a letter report dated August*
23 *9, 1994, at a Federal cost of \$1,800,000.*

24 (d) *TYBEE ISLAND, GEORGIA.—The project for beach*
25 *erosion control, Tybee Island, Georgia, authorized pursuant*

1 *to section 201 of the Flood Control Act of 1965 (42 U.S.C.*
2 *1962d-5), is modified to include as part of the project the*
3 *portion of the ocean shore of Tybee Island located south of*
4 *the extension of 9th Street.*

5 *(e) CHICAGO, ILLINOIS.—The project for flood control,*
6 *Chicagoland Underflow Plan, Illinois, authorized by section*
7 *3(a)(5) of the Water Resources Development Act of 1988*
8 *(102 Stat. 4013), is modified to limit the capacity of the*
9 *reservoir project not to exceed 11,000,000,000 gallons or*
10 *32,000 acre-feet in volume, to provide that the reservoir*
11 *project may not be located north of 55th Street or west of*
12 *East Avenue in the vicinity of McCook, Illinois, and to pro-*
13 *vide that the reservoir project may only be constructed on*
14 *the basis of a specific plan that has been evaluated by the*
15 *United States Army Corps of Engineers under the provi-*
16 *sions of the National Environmental Policy Act of 1969.*

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

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

8 (h) *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 to
12 construct the project at a total cost of \$35,700,000, with
13 an estimated Federal cost of \$26,600,000 and an estimated
14 non-Federal cost of \$9,100,000.

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

23 (j) *LEVISA AND TUG FORK OF THE BIG SANDY RIVER*
24 *AND CUMBERLAND RIVER, KENTUCKY, WEST VIRGINIA,*
25 *AND VIRGINIA.*—The project for flood control, Levisa and

1 *Tug Fork of the Big Sandy River and Cumberland River,*
2 *Kentucky, West Virginia, and Virginia, authorized by sec-*
3 *tion 202(a) of the Energy and Water Development Appro-*
4 *priation Act, 1981 (94 Stat. 1339), is modified to provide*
5 *that the minimum level of flood protection to be afforded*
6 *by the project shall be the level required to provide protec-*
7 *tion from a 100-year flood or from the flood of April 1977,*
8 *whichever level of protection is greater.*

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

20 (l) *MISSISSIPPI RIVER OUTLETS, VENICE, LOUISI-*
21 *ANA.—The project for navigation, Mississippi River Out-*
22 *lets, Venice, Louisiana, authorized by section 101 of the*
23 *River and Harbor Act of 1968 (82 Stat. 731), is modified*
24 *to provide for the extension of the 16-foot deep by 250-foot*
25 *wide Baptiste Collette Bayou entrance channel to approxi-*

1 *mately Mile 8 of the Mississippi River-Gulf Outlet naviga-*
2 *tion channel, at a total estimated Federal cost of \$80,000.*

3 *(m) BONNEVILLE LOCK AND DAM, COLUMBIA RIVER,*
4 *OREGON AND WASHINGTON.—*

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

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

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

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

4 (D) *That portion of Parcel B lying south of*
5 *the existing city boundary, west of the sewage*
6 *treatment plant, and north of the drainage ditch*
7 *that is located adjacent to the northerly limit of*
8 *the Hamilton Island landfill, provided the Sec-*
9 *retary determines, at the time of the proposed*
10 *conveyance, that the Army has taken all action*
11 *necessary to protect human health and the envi-*
12 *ronment.*

13 (E) *Such portions of Parcel H which can be*
14 *conveyed without a requirement for further in-*
15 *vestigation, inventory or other action by the De-*
16 *partment of the Army under the provisions of the*
17 *National Historic Preservation Act.*

18 (F) *Such easements as the Secretary deems*
19 *necessary for—*

20 (i) *sewer and water line crossings of*
21 *relocated Washington State Highway 14;*
22 *and*

23 (ii) *reasonable public access to the Co-*
24 *lumbia River across those portions of Ham-*

1 *ilton Island that remain under the owner-*
2 *ship of the United States.*

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

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

14 (4) *ACKNOWLEDGEMENT OF PAYMENT; RELEASE*
15 *OF CLAIMS RELATING TO RELOCATION OF CITY.*—*As a*
16 *prerequisite to such conveyances, the city of North*
17 *Bonneville shall execute an acknowledgement of pay-*
18 *ment of just compensation and shall execute a release*
19 *of any and all claims for relief of any kind against*
20 *the United States growing out of the relocation of the*
21 *city of North Bonneville, or any prior Federal legisla-*
22 *tion relating thereto, and shall dismiss, with preju-*
23 *dice, any pending litigation, if any, involving such*
24 *matters.*

1 (5) *RELEASE BY ATTORNEY GENERAL.*—Upon re-
2 *ceipt of the city’s acknowledgment and release referred*
3 *to in paragraph (4), the Attorney General of the*
4 *United States shall dismiss any pending litigation, if*
5 *any, arising out of the relocation of the city of North*
6 *Bonneville, and execute a release of any and all rights*
7 *to damages of any kind under the February 20, 1987,*
8 *judgment of the United States Claims Court, includ-*
9 *ing any interest thereon.*

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

20 (7) *EFFECTS ON CITY.*—Beginning on the date of
21 *the enactment of this Act, the city of North Bonne-*
22 *ville, or any successor in interest thereto, shall—*

23 (A) *be precluded from exercising any juris-*
24 *isdiction over any lands owned in whole or in*
25 *part by the United States and administered by*

1 *the United States Army Corps of Engineers in*
2 *connection with the Bonneville project; and*

3 *(B) be authorized to change the zoning des-*
4 *ignations of, sell, or resell Parcels S35 and S56,*
5 *which are presently designated as open spaces.*

6 *(n) FALL RIVER HARBOR, MASSACHUSETTS AND*
7 *RHODE ISLAND.—The project for navigation, Fall River*
8 *Harbor, Massachusetts and Rhode Island, authorized by sec-*
9 *tion 101 of the River and Harbor Act of 1968 (82 Stat.*
10 *731), is modified to provide that alteration of the drawspan*
11 *of the Brightman Street Bridge to provide a channel width*
12 *of 300 feet shall not be required after the date of the enact-*
13 *ment of this Act.*

14 *(o) MANISTIQUE HARBOR, SCHOOLCRAFT COUNTY,*
15 *MICHIGAN.—The project for navigation, Manistique Har-*
16 *bor, Schoolcraft County, Michigan, authorized by the Rivers*
17 *and Harbors Appropriations Act of March 3, 1905 (33 Stat.*
18 *1136), is modified to provide for an authorized project*
19 *depth of 12 feet.*

20 *(p) SAGINAW RIVER, MICHIGAN.—The project for flood*
21 *protection, Saginaw River, Michigan, authorized by section*
22 *203 of the Flood Control Act of 1958 (72 Stat. 311) is modi-*
23 *fied to include as part of the project the design and con-*
24 *struction of an inflatable dam on the Flint River, Michigan,*
25 *at a total cost of \$800,000.*

1 (q) SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICHIGAN.—
2 GAN.—

3 (1) IN GENERAL.—The project for navigation,
4 Sault Sainte Marie, Chippewa County, Michigan, au-
5 thorized by section 1149 of the Water Resources Devel-
6 opment Act of 1986 (100 Stat. 4254–4255), is modi-
7 fied as provided by this subsection.

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

11 (A) That portion of the non-Federal share
12 which the Secretary determines is attributable to
13 use of the lock by vessels calling at Canadian
14 ports shall be paid by the United States.

15 (B) The remaining portion of the non-Fed-
16 eral share shall be paid by the Great Lakes
17 States pursuant to an agreement entered into by
18 such States.

19 (3) PAYMENT TERM OF ADDITIONAL PERCENT-
20 AGE.—The amount to be paid by non-Federal inter-
21 ests pursuant to section 101(a) of the Water Resources
22 Development Act of 1986 (33 U.S.C. 2211(a)) and
23 this subsection with respect to the project referred to
24 in paragraph (1) may be paid over a period of 50

1 *years or the expected life of the project, whichever is*
2 *shorter.*

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

8 (r) *NEW MADRID HARBOR, MISSOURI.*—*The project*
9 *for navigation, New Madrid Harbor, Missouri, authorized*
10 *pursuant to section 107 of the River and Harbor Act of*
11 *1960 (33 U.S.C. 577) and modified by section 102(n) of*
12 *the Water Resources Development Act of 1992 (106 Stat.*
13 *4807), is further modified to direct the Secretary to assume*
14 *responsibility for maintenance of the existing Federal chan-*
15 *nel referred to in such section 102(n) in addition to main-*
16 *taining New Madrid County Harbor.*

17 (s) *CAPE GIRARDEAU, MISSOURI.*—*The project for*
18 *flood control, Cape Girardeau, Jackson Metropolitan Area,*
19 *Missouri, authorized by section 401(a) of the Water Re-*
20 *sources Development Act of 1986 (100 Stat. 4118–4119), is*
21 *modified to authorize the Secretary to construct the project,*
22 *including implementation of nonstructural measures, at a*
23 *total cost of \$44,200,000, with an estimated Federal cost*
24 *of \$32,300,000 and an estimated non-Federal cost of*
25 *\$11,900,000.*

1 (t) *JONES INLET, NEW YORK.*—The project for naviga-
2 tion, Jones Inlet, New York, authorized by section 2 of the
3 Rivers and Harbors Act of March 2, 1945 (59 Stat. 13),
4 is modified to direct the Secretary to place uncontaminated
5 dredged material on beach areas downdrift from the feder-
6 ally maintained channel for the purpose of mitigating the
7 interruption of littoral system natural processes caused by
8 the jetty and continued dredging of the federally main-
9 tained channel.

10 (u) *RAMAPO AND MAHWAH RIVERS, NEW JERSEY AND*
11 *NEW YORK.*—The project for flood control, Ramapo and
12 Mahwah Rivers, New Jersey and New York, authorized by
13 section 401(a) of the Water Resources Development Act of
14 1986 (100 Stat. 4120), is modified to authorize the Sec-
15 retary to carry out the project in accordance with the Re-
16 port of the Chief of Engineers dated May 1994, at a total
17 cost of \$10,800,000, with an estimated Federal cost of
18 \$8,120,000 and an estimated non-Federal cost of
19 \$2,680,000.

20 (v) *WILMINGTON HARBOR-NORTHEAST CAPE FEAR*
21 *RIVER, NORTH CAROLINA.*—The project for navigation,
22 Wilmington Harbor-Northeast Cape Fear River, North
23 Carolina, authorized by section 202(a) of the Water Re-
24 sources Development Act of 1986 (100 Stat. 4095), is modi-
25 fied to authorize the Secretary to construct the project sub-

1 *stantially in accordance with the General Design Memorandum*
2 *dum dated April 1990 and the General Design Memorandum*
3 *Supplement dated February 1994, at a total cost of*
4 *\$43,900,000, with an estimated Federal cost of \$20,100,000*
5 *and an estimated non-Federal cost of \$23,800,000.*

6 *(w) GARRISON DAM, NORTH DAKOTA.—The project for*
7 *flood control, Garrison Dam, North Dakota, authorized by*
8 *section 9 of the Flood Control Act of December 22, 1944*
9 *(58 Stat. 891), is modified to authorize the Secretary to*
10 *acquire permanent flowage and saturation easements over*
11 *the lands in Williams County, North Dakota, extending*
12 *from the riverward margin of the Buford-Trenton Irriga-*
13 *tion District main canal to the north bank of the Missouri*
14 *River, beginning at the Buford-Trenton Irrigation District*
15 *pumping station located in the northeast quarter of section*
16 *17, township 152 north, range 104 west, and continuing*
17 *northeasterly downstream to the land referred to as the East*
18 *Bottom, and any other lands outside of the boundaries of*
19 *the Buford-Trenton Irrigation District which have been ad-*
20 *versely affected by rising ground water and surface flooding.*
21 *Any easement acquired by the Secretary pursuant to this*
22 *subsection shall include the right, power, and privilege of*
23 *the Government to submerge, overflow, percolate, and satu-*
24 *rate the surface and subsurface of the land. The cost of ac-*
25 *quiring such easements shall not exceed 90 percent, or be*

1 *less than 75 percent, of the unaffected fee value of the lands.*
2 *The project is further modified to authorize the Secretary*
3 *to provide a lump sum payment of \$60,000 to the Buford-*
4 *Trenton Irrigation District for power requirements associ-*
5 *ated with operation of the drainage pumps and to relin-*
6 *quish all right, title, and interest of the United States to*
7 *the drainage pumps located within the boundaries of the*
8 *Irrigation District.*

9 (x) *WISTER LAKE, OKLAHOMA.—The flood control*
10 *project for Wister Lake, LeFlore County, Oklahoma, author-*
11 *ized by section 4 of the Flood Control Act of June 28, 1938*
12 *(52 Stat. 1218), is modified to increase the level of the con-*
13 *servation pool by 1 foot and to adjust the seasonal pool op-*
14 *eration to accommodate the change in the conservation pool*
15 *elevation.*

16 (y) *SAW MILL RUN, PENNSYLVANIA.—The project for*
17 *flood control, Saw Mill Run, Pittsburgh, Pennsylvania, au-*
18 *thorized by section 401(a) of the Water Resources Develop-*
19 *ment Act of 1986 (100 Stat. 4124), is modified to authorize*
20 *the Secretary to carry out the project in accordance with*
21 *the Report of the Chief of Engineers dated January 31,*
22 *1994, at a total cost of \$12,140,000, with an estimated Fed-*
23 *eral cost of \$9,105,000 and an estimated non-Federal cost*
24 *of \$3,035,000.*

1 (z) *SAN JUAN HARBOR, PUERTO RICO.*—The project
2 for navigation, San Juan Harbor, Puerto Rico, authorized
3 by section 202(a) of the Water Resources Development Act
4 of 1986 (100 Stat. 4097), is modified to authorize the Sec-
5 retary to deepen the bar channel to depths varying from
6 49 feet to 56 feet below mean low water with other modifica-
7 tions to authorized interior channels as generally described
8 in the General Reevaluation Report and Environmental As-
9 sessment, dated March 1994, at a total cost of \$43,993,000,
10 with an estimated Federal cost of \$27,341,000 and an esti-
11 mated non-Federal cost of \$16,652,000.

12 (aa) *INDIA POINT RAILROAD BRIDGE, SEEKONK*
13 *RIVER, PROVIDENCE, RHODE ISLAND.*—The project for the
14 removal and demolition of the India Point Railroad Bridge,
15 Seekonk River, Providence, Rhode Island, authorized by sec-
16 tion 1166(c) of the Water Resources Development Act of
17 1986 (100 Stat. 4258), is modified to authorize the Sec-
18 retary to demolish and remove the center span of the bridge,
19 at a total cost of \$1,300,000, with an estimated Federal cost
20 of \$650,000 and an estimated non-Federal cost of \$650,000.

21 (bb) *DALLAS FLOODWAY EXTENSION, DALLAS,*
22 *TEXAS.*—

23 (1) *IN GENERAL.*—The project for flood control,
24 Dallas Floodway Extension, Dallas, Texas, authorized
25 by section 301 of the River and Harbor Act of 1965

1 (79 Stat. 1091), is modified to provide that, notwith-
2 standing the last sentence of subsection (c) of section
3 104 of the Water Resources Development Act of 1986,
4 non-Federal interests may apply for crediting under
5 such section 104, against the non-Federal share of the
6 cost of the project, the cost of work performed by the
7 non-Federal interests in constructing flood protection
8 works for Rochester Park and the north section of the
9 Central Wastewater Treatment Plant.

10 (2) DETERMINATION OF AMOUNT.—The amount
11 to be credited under paragraph (1) shall be deter-
12 mined by the Secretary. In determining such amount,
13 the Secretary may permit crediting only for that por-
14 tion of the work performed by the non-Federal inter-
15 ests which is compatible with the project referred to
16 in paragraph (1), including any modification thereof,
17 and which is required for construction of such project.

18 (3) CASH CONTRIBUTION.—Nothing in this sub-
19 section shall be construed to limit the applicability of
20 the requirement contained in section 103(a)(1)(A) of
21 the Water Resources Development Act of 1986 to the
22 project referred to in paragraph (1).

23 (cc) LITTLE DELL DAM AND RESERVOIR, SALT LAKE
24 CITY STREAMS, UTAH.—The project for flood control, Little
25 Dell Dam and Reservoir, Salt Lake City Streams, Utah,

1 *authorized by section 203 of the Flood Control Act of 1968*
2 *(82 Stat. 744) and modified by section 170 of the Water*
3 *Resources Development Act of 1976 (90 Stat. 2936), is fur-*
4 *ther modified to allocate the flood control and water supply*
5 *costs in accordance with the percentages set forth in item*
6 *6 of table 16 of the Corps of Engineers Sacramento District*
7 *Reexamination Report, dated February 1984, and to pro-*
8 *vide that cost-sharing be in accordance with section 103 of*
9 *the Water Resources Development Act of 1986 (33 U.S.C.*
10 *2213).*

11 *(dd) UPPER JORDAN RIVER, UTAH.—The project for*
12 *flood control, Upper Jordan River, Utah, authorized by sec-*
13 *tion 101(a)(23) of the Water Resources Development Act of*
14 *1990 (104 Stat. 4610), is modified to authorize the Sec-*
15 *retary to construct the project at a total cost of \$12,100,000,*
16 *with an estimated Federal cost of \$8,000,000 and an esti-*
17 *mated non-Federal cost of \$4,100,000.*

18 *(ee) HAYSI LAKE, VIRGINIA.—The Haysi Lake, Vir-*
19 *ginia, feature of the project for flood control, Tug Fork of*
20 *the Big Sandy River, Kentucky, West Virginia, and Vir-*
21 *ginia, authorized by section 202(a) of the Energy and*
22 *Water Development Appropriation Act, 1981 (94 Stat.*
23 *1339), is modified to add recreation as a project purpose.*

24 *(ff) RUDEE INLET, VIRGINIA BEACH, VIRGINIA.—The*
25 *project for navigation and shoreline protection, Rudee Inlet,*

1 *Virginia Beach, Virginia, authorized by section 501(a) of*
2 *the Water Resources Development Act of 1986 (100 Stat.*
3 *4148), is modified to authorize the Secretary to continue*
4 *maintenance of the project for the life of the project. The*
5 *Federal share of the cost of such maintenance shall be deter-*
6 *mined in accordance with title I of the Water Resources*
7 *Development Act of 1986.*

8 *(gg) BLUESTONE LAKE, WEST VIRGINIA.—Section*
9 *102(ff) of the Water Resources Development Act of 1992*
10 *(106 Stat. 4810) is amended by inserting “except for that*
11 *organic matter necessary to maintain and enhance the bio-*
12 *logical resources of such waters,” after “project,” the first*
13 *place it appears.*

14 *(hh) KICKAPOO RIVER, WISCONSIN.—*

15 *(1) IN GENERAL.—The project for flood control*
16 *and allied purposes, Kickapoo River, Wisconsin, au-*
17 *thorized by section 203 of the Flood Control Act of*
18 *1962 (76 Stat. 1190) and modified by section 814 of*
19 *the Water Resources Development Act of 1986 (100*
20 *Stat. 4169), is further modified as provided by this*
21 *subsection.*

22 *(2) TRANSFER OF PROPERTY.—*

23 *(A) IN GENERAL.—Subject to the require-*
24 *ments of this subsection, the Secretary shall*
25 *transfer to the State of Wisconsin, without con-*

1 *sideration, all right, title, and interest of the*
2 *United States to the lands described in subpara-*
3 *graph (B), including all works, structures, and*
4 *other improvements to such lands.*

5 *(B) LAND DESCRIPTION.—The lands to be*
6 *transferred pursuant to subparagraph (A) are*
7 *the approximately 8,569 acres of land associated*
8 *with the LaFarge Dam and Lake portion of the*
9 *project referred to in paragraph (1) in Vernon*
10 *County, Wisconsin, in the following sections:*

11 *(i) Section 31, Township 14 North,*
12 *Range 1 West of the 4th Principal Merid-*
13 *ian.*

14 *(ii) Sections 2 through 11, and 16, 17,*
15 *20, and 21, Township 13 North, Range 2*
16 *West of the 4th Principal Meridian.*

17 *(iii) Sections 15, 16, 21 through 24,*
18 *26, 27, 31, and 33 through 36, Township 14*
19 *North, Range 2 West of the 4th Principal*
20 *Meridian.*

21 *(C) TERMS AND CONDITIONS.—The transfer*
22 *under subparagraph (A) shall be made on the*
23 *condition that the State of Wisconsin enters into*
24 *a written agreement with the Secretary to hold*
25 *the United States harmless from all claims aris-*

1 *ing from or through the operation of the lands*
2 *and improvements subject to the transfer. If title*
3 *to the lands described in subparagraph (B) is*
4 *sold or transferred by the State, then the State*
5 *shall reimburse the United States for the price*
6 *originally paid by the United States for pur-*
7 *chasing such lands.*

8 (D) *DEADLINES.*—*Not later than July 1,*
9 *1995, the Secretary shall transmit to the State of*
10 *Wisconsin an offer to make the transfer under*
11 *this paragraph. Such offer shall provide for the*
12 *transfer to be made in the period beginning on*
13 *November 1, 1995, and ending on December 31,*
14 *1995.*

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

19 (F) *INTERIM MANAGEMENT AND MAINTENANCE.*—*The Secretary shall continue to manage*
20 *and maintain the LaFarge Dam and Lake por-*
21 *tion of the project referred to in paragraph (1)*
22 *until the date of the transfer under this sub-*
23 *section.*

24 (3) *COMPLETION OF PROJECT FEATURES.*—
25

1 (A) *REQUIREMENT.*—*The Secretary shall*
2 *undertake the completion of the following fea-*
3 *tures of the project referred to in paragraph (1):*

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

12 (ii) *Environmental cleanup and site*
13 *restoration of abandoned wells, farm sites,*
14 *and safety modifications to the water con-*
15 *trol structures.*

16 (iii) *Cultural resource activities to*
17 *meet the requirements of Federal law.*

18 (B) *PARTICIPATION BY STATE OF WISCON-*
19 *SIN.*—*In undertaking the completion of the fea-*
20 *tures described in subparagraph (A), the Sec-*
21 *retary shall determine the requirements of the*
22 *State of Wisconsin on the location and design of*
23 *each such feature.*

1 (4) *FUNDING.*—*There is authorized to be appro-*
2 *priated to carry out this subsection for fiscal years be-*
3 *ginning after September 30, 1994, \$17,000,000.*

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

5 *The Secretary shall conduct a study for each of the*
6 *following projects and, if the Secretary determines that the*
7 *project is feasible, shall carry out the project under section*
8 *205 of the Flood Control Act of 1948 (33 U.S.C. 701s):*

9 (1) *ST. LOUIS, MISSOURI.*—*A project for flood*
10 *control in Carondelet and Germania neighborhoods in*
11 *St. Louis, Missouri.*

12 (2) *FULMER CREEK, VILLAGE OF MOHAWK, NEW*
13 *YORK.*—*A project for flood control, Fulmer Creek, Vil-*
14 *lage of Mohawk, New York.*

15 (3) *MOYER CREEK, VILLAGE OF FRANKFORT,*
16 *NEW YORK.*—*A project for flood control, Moyer Creek,*
17 *Village of Frankfort, New York.*

18 (4) *SAUQUOIT CREEK, WHITESBORO, NEW*
19 *YORK.*—*A project for flood control, Sauquoit Creek,*
20 *Whitesboro, New York.*

21 (5) *STEELE CREEK, VILLAGE OF ILION, NEW*
22 *YORK.*—*A project for flood control, Steele Creek, Vil-*
23 *lage of Ilion, New York.*

24 (6) *SUNBURY, PENNSYLVANIA.*—*A project for*
25 *flood control, Susquehanna River, at Sunbury, Penn-*

1 sylvania, to rehabilitate existing flood control struc-
2 tures.

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

4 *The Secretary shall conduct a study for each of the*
5 *following projects and, if the Secretary determines that the*
6 *project is feasible, shall carry out the project under section*
7 *14 of the Flood Control Act of 1946 (33 U.S.C. 701r):*

8 (1) *WABASH RIVER, NEW HARMONY, INDIANA.—*
9 *A project for bank stabilization to prevent further ero-*
10 *sion of the east bank of the Wabash River in the vi-*
11 *city of New Harmony, Indiana.*

12 (2) *HICKMAN BLUFF, HICKMAN, KENTUCKY.—A*
13 *project for bank stabilization, Hickman Bluff, Hick-*
14 *man, Kentucky.*

15 (3) *WICKLIFFE, BALLARD COUNTY, KENTUCKY.—*
16 *A project for bank stabilization, Wickliffe, Ballard*
17 *County, Kentucky, on the Mississippi River between*
18 *the existing Wickliffe and Mayfield revetments.*

19 (4) *ALLEGHENY RIVER AT OIL CITY, PENNSYLVANIA.—A*
20 *project for bank stabilization to address ero-*
21 *sion problems affecting the pipeline crossing the Alle-*
22 *gheny River at Oil City, Pennsylvania, including*
23 *measures to address erosion affecting the pipeline in*
24 *the bed of the Allegheny River and its adjacent banks.*

1 **SEC. 105. SMALL NAVIGATION PROJECTS.**

2 *The Secretary shall conduct a study for each of the*
3 *following projects and, if the Secretary determines that the*
4 *project is feasible, shall carry out the project under section*
5 *107 of the River and Harbor Act of 1960 (33 U.S.C. 577):*

6 (1) *AKUTAN, ALASKA.—A navigation project for*
7 *Akutan, Alaska, consisting of a bulkhead and a wave*
8 *barrier.*

9 (2) *KING COVE, ALASKA.—A navigation project*
10 *for King Cove, Alaska, consisting of a small rubble*
11 *mound structure and a vertical wave screen.*

12 (3) *TACONITE, MINNESOTA.—A navigation*
13 *project for Taconite, Minnesota.*

14 (4) *TWO HARBORS, MINNESOTA.—A navigation*
15 *project for Two Harbors, Minnesota.*

16 (5) *BROOKLYN, NEW YORK.—A project for navi-*
17 *gation, Brooklyn, New York, including restoration of*
18 *the pier and related navigation support structures, at*
19 *the Sixty-Ninth Street Pier.*

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

21 (a) *PROJECT AUTHORIZATIONS.—The Secretary shall*
22 *conduct a study for each of the following projects, and if*
23 *the Secretary determines that the project is feasible, shall*
24 *carry out the project under section 3 of the Shoreline Protec-*
25 *tion Act of August 13, 1946 (33 U.S.C. 426g):*

1 **SEC. 108. SMALL SNAGGING AND SEDIMENT REMOVAL**
2 **PROJECT, MISSISSIPPI RIVER, LITTLE FALLS,**
3 **MINNESOTA.**

4 *The Secretary shall conduct a study for a project for*
5 *snagging and sediment removal, Mississippi River, Little*
6 *Falls, Minnesota, and, if the Secretary determines that the*
7 *project is feasible, shall carry out the project under section*
8 *3 of the River and Harbor Act of March 2, 1945 (33 U.S.C.*
9 *603a; 59 Stat. 23).*

10 **SEC. 109. UPPER TRUCKEE RIVER, EL DORADO COUNTY,**
11 **CALIFORNIA.**

12 *The Secretary shall conduct a study for a project for*
13 *environmental restoration, Upper Truckee River, El Do-*
14 *rado County, California, including measures for restoration*
15 *of degraded wetlands and wildlife enhancement, and, if the*
16 *Secretary determines that the project is feasible, shall carry*
17 *out the project under section 1135 of the Water Resources*
18 *Development Act of 1986 (33 U.S.C. 2309a).*

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

20 *The Secretary shall conduct a study of the feasibility*
21 *of carrying out a major rehabilitation project for the locks*
22 *on the Muskingum River, Ohio, constructed under the Na-*
23 *tional Industrial Recovery Act and, if the Secretary deter-*
24 *mines that project is feasible, carry out the project.*

1 **SEC. 111. PROJECT REAUTHORIZATIONS.**

2 (a) *GRAND PRAIRIE REGION AND BAYOU METO BASIN,*
3 *ARKANSAS.*—*The project for flood control, Grand Prairie*
4 *Region and Bayou Meto Basin, Arkansas, authorized by*
5 *section 204 of the Flood Control Act of 1950 (64 Stat. 174)*
6 *and deauthorized pursuant to section 1001(b)(1) of the*
7 *Water Resources Development Act of 1986 (33 U.S.C.*
8 *579a(b)(1)), is authorized to be carried out by the Sec-*
9 *retary.*

10 (b) *WHITE RIVER, ARKANSAS.*—*The project for navi-*
11 *gation, White River Navigation to Batesville, Arkansas, au-*
12 *thorized by section 601(a) of the Water Resources Develop-*
13 *ment Act of 1986 (100 Stat. 4139) and deauthorized by sec-*
14 *tion 52(b) of the Water Resources Development Act of 1988*
15 *(102 Stat. 4045), is authorized to be carried out by the Sec-*
16 *retary.*

17 **SEC. 112. CONTINUATION OF AUTHORIZATION OF CERTAIN**
18 **PROJECTS.**

19 (a) *GENERAL RULE.*—*Notwithstanding section 1001 of*
20 *the Water Resources Development Act of 1986 (33 U.S.C.*
21 *579a), the following projects shall remain authorized to be*
22 *carried out by the Secretary:*

23 (1) *ONTONAGON HARBOR, ONTONAGON COUNTY,*
24 *MICHIGAN.*—*The project for navigation, Ontonagon*
25 *Harbor, Ontonagon County, Michigan, authorized by*

1 *section 101 of the River and Harbor Act of 1962 (76*
2 *Stat. 1176).*

3 (2) *ALPENA HARBOR, MICHIGAN.—The project*
4 *for navigation, Alpena Harbor, Michigan, authorized*
5 *by section 301 of the River and Harbor Act of 1965*
6 *(79 Stat. 1090).*

7 (3) *CEDAR RIVER HARBOR, MICHIGAN.—The*
8 *project for navigation, Cedar River Harbor, Michi-*
9 *gan, authorized by section 301 of the River and Har-*
10 *bor Act of 1965 (79 Stat. 1090).*

11 (4) *CROSS VILLAGE HARBOR, MICHIGAN.—The*
12 *project for navigation, Cross Village Harbor, Michi-*
13 *gan, authorized by section 101 of the River and Har-*
14 *bor Act of 1966 (80 Stat. 1405).*

15 (5) *KNIFE RIVER HARBOR, MINNESOTA.—The*
16 *project for navigation, Knife River Harbor, Min-*
17 *nesota, authorized by section 100 of the Water Re-*
18 *sources Development Act of 1974 (88 Stat. 41).*

19 (b) *LIMITATION.—A project described in subsection (a)*
20 *shall not be authorized for construction after the last day*
21 *of the 5-year period that begins on the date of the enactment*
22 *of this Act unless, during such period, funds have been obli-*
23 *gated for the construction (including planning and design)*
24 *of the project.*

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

2 (a) *IN GENERAL.*—The Secretary is authorized to pro-
3 vide assistance to non-Federal interests for carrying out
4 projects described in subsection (c) for the beneficial reuse
5 of waste water. Such assistance may be in the form of tech-
6 nical, planning, design, and construction assistance. If the
7 Secretary is to provide any design or engineering assistance
8 to carry out a project under this section, the Secretary shall
9 obtain by procurement from private sources all services nec-
10 essary for the Secretary to provide such assistance, unless
11 the Secretary finds that—

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

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

16 (b) *FEDERAL SHARE.*—The Federal share of the cost
17 of assistance provided under this section shall be 55 percent.
18 The non-Federal share shall be subject to the ability of the
19 non-Federal interest to pay, including the procedures and
20 regulations relating to ability to pay established under sec-
21 tion 103(m) of the Water Resources Development Act of
22 1986.

23 (c) *PROJECT DESCRIPTIONS.*—The projects for which
24 the Secretary is authorized to provide assistance under sub-
25 section (a) are as follows:

1 (1) *WEST DADE REGIONAL REUSE FACILITY,*
2 *FLORIDA.—The West Dade Regional reuse facility,*
3 *Florida, to increase water supply to the Everglades*
4 *National Park and associated natural systems.*

5 (2) *CHARLOTTE COUNTY, FLORIDA.—Charlotte*
6 *County, Florida, for aquifer storage and recovery of*
7 *reclaimed water.*

8 (3) *ALAMEDA COUNTY, CALIFORNIA.—Alameda*
9 *County Phase I waste water reclamation project serv-*
10 *ing the cities of Fremont, Union City, and Newark,*
11 *California.*

12 (4) *SUNNYVALE, CALIFORNIA.—The city of*
13 *Sunnyvale, California, Phase II water reclamation*
14 *project.*

15 (5) *PALO ALTO, CALIFORNIA.—The city of Palo*
16 *Alto, Phase I water reclamation project.*

17 (6) *SOUTH BAYSIDE, CALIFORNIA.—The South*
18 *Bayside System Authority for Phase I of the Redwood*
19 *City-South Bayside System Authority water reclama-*
20 *tion program serving Redwood City, Menlo Park, and*
21 *San Carlos, California.*

22 (d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
23 *authorized to be appropriated to carry out this section*
24 *\$39,000,000. Such sums shall remain available until ex-*
25 *pendent.*

1 **SEC. 114. STUDIES.**

2 (a) *GILA RIVER, GILLESPIE DAM TO YUMA, ARI-*
3 *ZONA.*—*The Secretary shall conduct a study of the feasibil-*
4 *ity of implementing water conservation measures at the*
5 *Gila River, Gillespie Dam to Yuma, Arizona, including an*
6 *evaluation of the reoperation of Painted Rock Reservoir as*
7 *well as other structural and nonstructural features.*

8 (b) *NOGALES WASH AND TRIBUTARIES, ARIZONA.*—

9 (1) *STUDY.*—*The Secretary shall conduct a study*
10 *of the relationship of flooding in Nogales, Arizona,*
11 *and floodflows emanating from Mexico.*

12 (2) *REPORT.*—*The Secretary shall transmit to*
13 *Congress a report on the results of the study con-*
14 *ducted under paragraph (1), together with rec-*
15 *ommendations concerning the appropriate level of*
16 *non-Federal participation in the project for flood con-*
17 *trol, Nogales Wash and tributaries, Arizona, author-*
18 *ized by section 101(a)(4) of the Water Resources De-*
19 *velopment Act of 1990 (104 Stat. 4606).*

20 (c) *LAKE ELSINORE, RIVERSIDE COUNTY, CALIFOR-*
21 *NIA.*—*The Secretary shall conduct a study of the advisabil-*
22 *ity of modifying the project for flood control, Lake Elsinore,*
23 *Riverside County, California, authorized pursuant to sec-*
24 *tion 205 of the Flood Control Act of 1948 (33 U.S.C. 701s),*
25 *in order to provide for water conservation storage up to*
26 *1249 feet mean sea level.*

1 (d) *SANTA MONICA BREAKWATER, CALIFORNIA.*—The
2 Secretary shall complete the feasibility study for the break-
3 water project, Santa Monica, California, and shall consider
4 as commercial benefits for purposes of section 119 of the
5 River and Harbor Act of 1970 benefits from reestablishment
6 of past charter fishing vessel accommodation activities
7 which existed in the area prior to damage of the breakwater
8 structure.

9 (e) *YOLO BYPASS, SACRAMENTO-SAN JOAQUIN DELTA,*
10 *CALIFORNIA.*—The Secretary shall study the advisability of
11 acquiring land in the vicinity of the Yolo Bypass in the
12 Sacramento-San Joaquin Delta, California, for the purpose
13 of environmental mitigation for the flood control project for
14 Sacramento, California, and other water resources projects
15 in the area.

16 (f) *CHICAGO LOCK AND THOMAS J. O'BRIEN LOCK,*
17 *ILLINOIS.*—The Secretary shall conduct a study to deter-
18 mine the feasibility of making such structural repairs as
19 are necessary to prevent leakage through the Chicago Lock
20 and the Thomas J. O'Brien Lock, Illinois, and to determine
21 the need for installing permanent flow measurement equip-
22 ment at such locks to measure any leakage.

23 (g) *BEAUTY CREEK WATERSHED, VALPARAISO CITY,*
24 *PORTER COUNTY, INDIANA.*—The Secretary shall conduct
25 a study to assess the feasibility of implementing streambank

1 *erosion control measures and flood control measures within*
2 *the Beauty Creek watershed, Valparaiso City, Porter Coun-*
3 *ty, Indiana.*

4 (h) *INDIANA HARBOR CANAL, EAST CHICAGO, LAKE*
5 *COUNTY, INDIANA.—The Secretary shall conduct a study of*
6 *the feasibility of including environmental and recreational*
7 *features, including a vegetation buffer, as part of the project*
8 *for navigation, Indiana Harbor Canal, East Chicago, Lake*
9 *County, Indiana, authorized by the Rivers and Harbors*
10 *Appropriations Act of June 25, 1910 (36 Stat. 658).*

11 (i) *JEFFERSONVILLE, INDIANA.—*

12 (1) *STUDY.—The Secretary shall conduct a study*
13 *of the feasibility of carrying out major rehabilitation*
14 *of the levee at Jeffersonville, Indiana, authorized pur-*
15 *suant to section 4 of the Rivers and Harbors Act of*
16 *June 28, 1938 (52 Stat. 1217).*

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

21 (j) *KNIGHT TOWNSHIP LEVEE, EVANSVILLE, INDI-*
22 *ANA.—*

23 (1) *STUDY.—The Secretary shall conduct a study*
24 *of the feasibility of carrying out major rehabilitation*
25 *of the Knight Township levee at Evansville, Indiana,*

1 *authorized pursuant to section 4 of the Rivers and*
2 *Harbors Act of June 28, 1938 (52 Stat. 1217).*

3 (2) *REPORT.*—*Not later than 18 months after the*
4 *date of the enactment of this Act, the Secretary shall*
5 *transmit to Congress a report on the results of the*
6 *study conducted under paragraph (1).*

7 (k) *KOONTZ LAKE, INDIANA.*—*The Secretary shall con-*
8 *duct a study of the feasibility of implementing measures*
9 *to restore Koontz Lake, Indiana, including measures to re-*
10 *move silt, sediment, nutrients, aquatic growth, and other*
11 *noxious materials from Koontz Lake, measures to improve*
12 *public access facilities to Koontz Lake, and measures to pre-*
13 *vent or abate the deposit of sediments and nutrients in*
14 *Koontz Lake.*

15 (l) *LITTLE CALUMET RIVER, INDIANA.*—

16 (1) *STUDY.*—*The Secretary shall conduct a study*
17 *of the impact of the project for flood control, Little*
18 *Calumet River, Indiana, authorized by section 401(a)*
19 *of the Water Resources Development Act of 1986 (100*
20 *Stat. 4115), on flooding and water quality in the vi-*
21 *cinity of the Black Oak area of Gary, Indiana.*

22 (2) *REPORT.*—*Not later than 1 year after the*
23 *date of the enactment of this Act, the Secretary shall*
24 *transmit to Congress a report on the results of the*
25 *study conducted under paragraph (1), together with*

1 *recommendations for cost-effective remediation of im-*
2 *pacts described in paragraph (1).*

3 (3) *FEDERAL SHARE.*—*The Federal share of the*
4 *cost of the study to be conducted under paragraph (1)*
5 *shall be 100 percent.*

6 (m) *ATCHAFALAYA RIVER, LOUISIANA.*—*The Secretary*
7 *shall conduct a study of possible floodproofing techniques*
8 *for the Atchafalaya River, Louisiana, including individual*
9 *levees, flood walls, and raising of structures, to protect riv-*
10 *erside facilities in the vicinity of Morgan City and Berwick,*
11 *Louisiana.*

12 (n) *CALCASIEU PARISH, LOUISIANA.*—*The Secretary*
13 *shall conduct a study of the economic, engineering, and en-*
14 *vironmental feasibility of providing additional water sup-*
15 *ply for Calcasieu Parish and vicinity in southwest Louisi-*
16 *ana, with a view toward providing for future regional in-*
17 *creases in municipal and industrial water demand and for*
18 *increasing agricultural production.*

19 (o) *CALCASIEU SHIP CHANNEL, HACKBERRY, LOUISI-*
20 *ANA.*—*The Secretary shall conduct a study to determine the*
21 *need for improved navigation and related support service*
22 *structures in the vicinity of the Calcasieu Ship Channel,*
23 *Hackberry, Louisiana.*

24 (p) *CROWLEY, LOUISIANA.*—*The Secretary shall con-*
25 *duct a study of the feasibility of implementing measures*

1 *for controlling erosion on Bayou Blanc immediately down-*
2 *stream from the Louisiana State Highway Route 13 bridge*
3 *crossing.*

4 (q) *RIVER DES PERES, SAINT LOUIS COUNTY, MIS-*
5 *SOURI.—In conducting the feasibility study of potential*
6 *flood control measures for the River Des Peres, Saint Louis*
7 *County, Missouri, the Secretary shall include potential*
8 *storm water runoff and related improvements and shall co-*
9 *operate with the Metropolitan Saint Louis Sewer District.*

10 (r) *PORT OF NEW YORK-NEW JERSEY.—*

11 (1) *STUDY OF MEASURES TO REDUCE SEDIMENT*
12 *DEPOSITION.—The Secretary shall conduct a study of*
13 *measures that could be used to reduce sediment depo-*
14 *sition in the vicinity of the Port of New York-New*
15 *Jersey for the purpose of reducing the volumes to be*
16 *dredged for navigation projects in the Port.*

17 (2) *DREDGED MATERIAL DISPOSAL STUDY.—The*
18 *Secretary shall conduct a study to determine the fea-*
19 *sibility of constructing and operating an underwater*
20 *confined dredged material disposal site in the Port of*
21 *New York-New Jersey which could accommodate as*
22 *much as 250,000 cubic yards of dredged materials for*
23 *the purpose of demonstrating the feasibility of under-*
24 *water confined disposal pit as an environmentally*
25 *suitable method of containing certain sediments.*

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

6 (s) *MAUMEE RIVER, OHIO.*—*The Secretary shall study*
7 *the feasibility of realigning and extending the Federal chan-*
8 *nel, Maumee River, Lucas County, Ohio.*

9 (t) *SNAKE AND COLUMBIA RIVERS, OREGON, WASH-*
10 *INGTON, AND IDAHO.*—

11 (1) *STUDY.*—*The Secretary shall conduct a study*
12 *to assess the authority of the Secretary to implement*
13 *salmon protection measures in operating dams on the*
14 *Snake and Columbia Rivers, Oregon, Washington,*
15 *and Idaho.*

16 (2) *REPORT.*—*Not later than 6 months after the*
17 *date of the enactment of this Act, the Secretary shall*
18 *transmit to Congress a report on the results of the*
19 *study conducted under paragraph (1), including rec-*
20 *ommendations for any additional authority needed to*
21 *implement such protection measures.*

22 (u) *COWANESQUE LAKE, PENNSYLVANIA.*—

23 (1) *STUDY.*—*The Secretary shall conduct a study*
24 *on whether the contract entered into between Penn-*
25 *sylvania Power & Light/General Public Utilities and*

1 *the Secretary for the use of water in Cowanesque*
2 *Lake, Pennsylvania, authorized by section 203 of the*
3 *Flood Control Act of 1958 (72 Stat. 306–307) was*
4 *consistent with applicable law, including section 301*
5 *of the Water Supply Act of 1958 (43 U.S.C. 390b; 72*
6 *Stat. 319–320).*

7 (2) *REPORT.—Not later than 1 year after the*
8 *date of the enactment of this Act, the Secretary shall*
9 *transmit to Congress a report on the results of the*
10 *study conducted under paragraph (1), including an*
11 *estimate of overpayments and underpayments paid by*
12 *the utilities under the contract.*

13 (v) *CUMBERLAND RIVER, DAVIDSON COUNTY, TEN-*
14 *NESSEE.—*

15 (1) *STUDY.—The Secretary shall conduct a study*
16 *of the benefits of establishing a greenway along the*
17 *Cumberland River, Davidson County, Tennessee.*

18 (2) *REPORT.—Not later than 1 year after the*
19 *date of the enactment of this Act, the Secretary shall*
20 *transmit to Congress a report on the results of the*
21 *study conducted under paragraph (1).*

22 (w) *JOHN H. KERR AND PHILPOTT RESERVOIRS, VIR-*
23 *GINIA AND NORTH CAROLINA.—The Secretary shall conduct*
24 *a study of the advisability of modifying the multi-purpose*
25 *project for the John H. Kerr and Philpott Reservoirs, Vir-*

1 *ginia and North Carolina, authorized by section 10 of the*
2 *Flood Control Act of December 22, 1944 (58 Stat. 894)—*

3 *(1) to include environmental enhancement, pub-*
4 *lic recreational opportunities, regional economic de-*
5 *velopment, and increased public participation in*
6 *shoreline management as management goals of the*
7 *project; and*

8 *(2) to authorize the use of power sale revenues*
9 *for operation, maintenance, and capital improve-*
10 *ments for the project.*

11 **SEC. 115. PROJECT DEAUTHORIZATIONS.**

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

14 *(1) BRIDGEPORT HARBOR, CONNECTICUT.—The*
15 *following portion of the project for navigation,*
16 *Bridgeport Harbor, Connecticut, authorized by sec-*
17 *tion 101 of the River and Harbor Act of 1958 (72*
18 *Stat. 297): A 2-acre anchorage area with a depth of*
19 *6 feet at the head of Johnsons River between the exist-*
20 *ing Federal channel and Hollisters Dam.*

21 *(2) JOHNSONS RIVER CHANNEL, BRIDGEPORT*
22 *HARBOR, CONNECTICUT.—The following portion of the*
23 *project for navigation, Johnsons River Channel,*
24 *Bridgeport Harbor, Connecticut, authorized by the*
25 *first section of the Rivers and Harbors Act of July 24,*

1 1946 (60 Stat. 634): Northerly of a line across the
2 Federal channel. The coordinates of such line are N
3 123318.35, E 486301.68 and N 123257.15, E
4 486380.77.

5 (3) *SOUTHPORT HARBOR, CONNECTICUT.*—

6 (A) *DEAUTHORIZATION PORTION OF*
7 *PROJECT.*—The following portions of the project
8 for navigation, Southport Harbor, Connecticut,
9 authorized by the first section of the Rivers and
10 Harbors Act of August 30, 1935 (49 Stat. 1029):

11 (i) *The 6-foot deep anchorage located*
12 *at the head of the project.*

13 (ii) *The portion of the 9-foot deep*
14 *channel beginning at a bend in the channel*
15 *whose coordinates are north 109131.16, east*
16 *452653.32 running thence in a northeast-*
17 *erly direction about 943.01 feet to a point*
18 *whose coordinates are north 109635.22, east*
19 *453450.31 running thence in a southeast-*
20 *erly direction about 22.66 feet to a point*
21 *whose coordinates are north 109617.15, east*
22 *453463.98 running thence in a southwest-*
23 *erly direction about 945.18 feet to the point*
24 *of beginning.*

1 (B) *REMAINDER.*—*The remaining portion*
2 *of the project referred to in subparagraph (A)*
3 *northerly of a line whose coordinates are north*
4 *108699.15, east 452768.36 and north 108655.66,*
5 *east 452858.73 shall be redesignated as an an-*
6 *chorage.*

7 (4) *FALMOUTH, MASSACHUSETTS.*—*The follow-*
8 *ing portions of the project for navigation, Falmouth*
9 *Harbor, Massachusetts, authorized by section 101 of*
10 *the River and Harbor Act of 1948 (62 Stat. 1172):*

11 (A) *The portion commencing at a point*
12 *north 199286.37 east 844394.81 a line running*
13 *north 73 degrees 09 minutes 24.6 seconds east*
14 *440.44 feet to a point north 199413.99 east*
15 *844816.36, thence turning and running north 43*
16 *degrees 09 minutes 34.5 seconds east 119.99 feet*
17 *to a point north 199501.52 east 844898.44,*
18 *thence turning and running south 66 degrees 52*
19 *minutes 04.4 seconds east 547.66 feet returning*
20 *to a point north 199286.37 east 844394.81.*

21 (B) *The portion commencing at a point*
22 *north 199647.42 east 845035.25 a line running*
23 *north 43 degrees 09 minutes 35.0 seconds east*
24 *767.14 feet to a point north 200207.01 east*
25 *845560.00, thence turning and running north 11*

1 degrees 04 minutes 24.3 seconds west 380.08 feet
2 to a point north 200580.01 east 845487.00,
3 thence turning and running north 22 degrees 05
4 minutes 50.8 seconds east 1332.36 feet to a point
5 north 201814.50 east 845988.21, thence turning
6 and running north 02 degrees 54 minutes 15.7
7 seconds east 15.0 feet to a point north 201829.48
8 east 845988.97, thence turning and running
9 south 23 degrees 36 minutes 31.9 seconds west
10 2381.38 feet returning to the point north
11 199647.42 east 845035.25.

12 (5) OSWEGATCHIE RIVER, OGDENSBURG NEW
13 YORK.—The portion of the Federal channel of the
14 project for navigation, Ogdensburg Harbor, New York,
15 authorized by the first section of the Rivers and Har-
16 bors Appropriations Act of June 25, 1910 (36 Stat.
17 635), as modified by the first section of the Rivers
18 and Harbors Act of August 30, 1935 (49 Stat. 1037),
19 which is in the Oswegatchie River in Ogdensburg,
20 New York, from the southernmost alignment of the
21 Route 68 bridge upstream to the northernmost align-
22 ment of the Lake Street bridge.

23 (b) REDESIGNATION.—The portion of the project for
24 navigation Falmouth, Massachusetts, referred to in sub-
25 section (a)(4) upstream of a line designated by the 2 points

1 north 199463.18 east 844496.40 and north 199350.36 east
2 844544.60 is redesignated as an anchorage area.

3 **SEC. 116. NAMINGS.**

4 (a) *MILT BRANDT VISITORS CENTER, CALIFORNIA.*—

5 (1) *DESIGNATION.*—The visitors center at Warm
6 Springs Dam, California, authorized by section 203
7 of the Flood Control Act of 1962 (76 Stat. 1192), shall
8 be known and designated as the “Milt Brandt Visitors
9 Center”.

10 (2) *LEGAL REFERENCES.*—Any reference in a
11 law, map, regulation, document, paper, or other
12 record of the United States to the visitors center re-
13 ferred to in paragraph (1) shall be deemed to be a ref-
14 erence to the “Milt Brandt Visitors Center”.

15 (b) *WILLIAM H. NATCHER BRIDGE, MACEO, KEN-*
16 *TUCKY, AND ROCKPORT, INDIANA.*—

17 (1) *DESIGNATION.*—The bridge on United States
18 Route 231 which crosses the Ohio River between
19 Maceo, Kentucky, and Rockport, Indiana, shall be
20 known and designated as the “William H. Natcher
21 Bridge”.

22 (2) *LEGAL REFERENCES.*—Any reference in a
23 law, map, regulation, document, paper, or other
24 record of the United States to the bridge referred to

1 *in paragraph (1) shall be deemed to be a reference to*
2 *the “William H. Natcher Bridge”.*

3 *(c) J. EDWARD ROUSH LAKE, INDIANA.—*

4 *(1) REDESIGNATION.—The lake on the Wabash*
5 *River in Huntington and Wells Counties, Indiana,*
6 *authorized by section 203 of the Flood Control Act of*
7 *1958 (72 Stat. 312), and known as Huntington Lake,*
8 *shall be known and designated as the “J. Edward*
9 *Roush Lake”.*

10 *(2) LEGAL REFERENCES.—Any reference in a*
11 *law, map, regulation, document, paper, or other*
12 *record of the United States to the lake referred to in*
13 *paragraph (1) shall be deemed to be a reference to the*
14 *“J. Edward Roush Lake”.*

15 *(d) RED RIVER WATERWAY, LOUISIANA.—*

16 *(1) DESIGNATION.—Lock and Dam 4 of the Red*
17 *River Waterway, Louisiana, shall be known and des-*
18 *ignated as the “Russell B. Long Lock and Dam”.*

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

1 **TITLE II—GENERALLY**
2 **APPLICABLE PROVISIONS**

3 **SEC. 201. RECREATION POLICY AND USER FEES.**

4 (a) *RECREATION POLICIES.*—

5 (1) *IN GENERAL.*—*The Secretary shall provide*
6 *increased emphasis on and opportunities for recre-*
7 *ation at water resources projects operated, main-*
8 *tained, or constructed by the Corps of Engineers.*

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

13 (b) *RECREATION USER FEES.*—*Section 210(b) of the*
14 *Flood Control Act of 1968 (16 U.S.C. 460d–3(b)) is amend-*
15 *ed by adding at the end the following:*

16 “(5) *USE OF FEES COLLECTED AT FACILITY.*—
17 *The Secretary of the Army shall ensure that at least*
18 *an amount equal to the total amount of fees collected*
19 *at any project under this subsection in a fiscal year*
20 *beginning after September 30, 1994, are expended in*
21 *the succeeding fiscal year at such project for operation*
22 *and maintenance of recreational facilities at such*
23 *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 Act*
11 *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 authorized*
23 *to undertake flood control projects in the United States, sub-*
24 *ject to obtaining any permits required pursuant to Federal*
25 *and State laws, in advance of actual construction.*

26 *(b) STUDIES AND ENGINEERING.—*

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

6 (2) *BY SECRETARY.*—Upon request of an appro-
7 priate non-Federal interest, the Secretary may under-
8 take all necessary studies and engineering for any
9 construction to be undertaken pursuant to subsection
10 (a) and provide technical assistance in obtaining all
11 necessary permits for such construction if the non-
12 Federal interest contracts with the Secretary to fur-
13 nish the United States funds for the studies and engi-
14 neering during the period that the studies and engi-
15 neering will be conducted.

16 (c) *COMPLETION OF STUDIES.*—The Secretary is au-
17 thorized to complete and transmit to the appropriate non-
18 Federal interests any study for flood control which was ini-
19 tiated before the date of the enactment of this Act or, upon
20 the request of such non-Federal interests, to terminate the
21 study and transmit the partially completed study to such
22 non-Federal interests for completion. Studies subject to this
23 subsection shall be completed without regard to the require-
24 ments of subsection (b).

25 (d) *AUTHORITY TO CARRY OUT IMPROVEMENT.*—

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

9 (2) *PERMITS.*—Any plan of improvement pro-
10 posed to be implemented in accordance with this sub-
11 section shall be deemed to satisfy the requirements for
12 obtaining the appropriate permits required under the
13 Secretary’s authority and such permits shall be grant-
14 ed subject to the non-Federal interest’s acceptance of
15 the terms and conditions of such permits if the Sec-
16 retary determines that the applicable regulatory cri-
17 teria and procedures have been satisfied.

18 (3) *MONITORING.*—The Secretary shall monitor
19 any project for which a permit is granted under this
20 subsection in order to ensure that such project is con-
21 structed (and, in those cases where such activities will
22 not be the responsibility of the Secretary, operated
23 and maintained) in accordance with the terms and
24 conditions of such permit.

25 (e) *REIMBURSEMENT.*—

1 (1) *GENERAL RULE.*—Subject to appropriation
2 Acts, the Secretary is authorized to reimburse any
3 non-Federal interest an amount equal to the estimate
4 of the Federal share, without interest, of the cost of
5 any authorized flood control project, or separable ele-
6 ment thereof, constructed pursuant to this section—

7 (A) if, after authorization and before initi-
8 ation of construction of the project or separable
9 element, the Secretary approves the plans for
10 construction of such project by the non-Federal
11 interest; and

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

17 (2) *MATTERS TO BE CONSIDERED IN REVIEWING*
18 *PLANS.*—In reviewing plans under this subsection, the
19 Secretary shall consider budgetary and programmatic
20 priorities and other factors that the Secretary deems
21 appropriate.

22 (3) *MONITORING.*—The Secretary shall regularly
23 monitor and audit any project for flood control con-
24 structed under this section by a non-Federal interest
25 in order to ensure that such construction is in com-

1 *pliance with the plans approved by the Secretary and*
2 *that the costs are reasonable.*

3 (4) *LIMITATION ON REIMBURSEMENTS.—No re-*
4 *imbursement shall be made under this section unless*
5 *and until the Secretary has certified that the work for*
6 *which reimbursement is requested has been performed*
7 *in accordance with applicable permits and approved*
8 *plans.*

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

10 *Section 7 of the Water Resources Development Act of*
11 *1988 (102 Stat. 4022–4023) is amended—*

12 (1) *in subsection (a) by inserting “civil works”*
13 *before “mission”;*

14 (2) *by redesignating subsections (b), (c), (d), and*
15 *(e) as subsections (c), (d), (e), and (f), respectively;*

16 (3) *in subsection (d), as so redesignated, by*
17 *striking “(b)” and inserting “(c)”;*

18 (4) *by striking subsection (f), as so redesignated;*
19 *and*

20 (5) *by inserting after subsection (a) the following*
21 *new subsection:*

22 *“(b) PRE-AGREEMENT TEMPORARY PROTECTION OF*
23 *TECHNOLOGY.—If the Secretary determines that informa-*
24 *tion developed as a result of research and development ac-*
25 *tivities conducted by the Corps of Engineers is likely to be*

1 *subject to a cooperative research and development agreement*
2 *within 2 years of its development and that such information*
3 *would be a trade secret or commercial or financial informa-*
4 *tion that would be privileged or confidential if the informa-*
5 *tion had been obtained from a non-Federal party partici-*
6 *pating in a cooperative research and development agree-*
7 *ment under section 12 of the Stevenson-Wydler Technology*
8 *Innovation Act of 1980, the Secretary may provide appro-*
9 *priate protection against the dissemination of such infor-*
10 *mation, including exemption from subchapter II of chapter*
11 *5 of title 5, United States Code, until the earlier of the date*
12 *the Secretary enters into such an agreement with respect*
13 *to such technology or the last day of the 2-year period begin-*
14 *ning on the date of such determination. Any technology cov-*
15 *ered by this section which becomes the subject of a coopera-*
16 *tive research and development agreement shall be accorded*
17 *the protection provided under section 12(c)(7)(B) of such*
18 *Act (15 U.S.C. 3710a(c)(7)(B)) as if such technology had*
19 *been developed under a cooperative research and develop-*
20 *ment agreement.”.*

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

22 *Section 13 of Public Law 92–367 (33 U.S.C. 467l),*
23 *is amended by striking the second sentence and inserting*
24 *the following: “There is authorized to be appropriated*

1 \$500,000 for each fiscal year for the purpose of carrying
2 out this section.”.

3 **SEC. 207. MAINTENANCE, REHABILITATION, AND MOD-**
4 **ERNIZATION OF FACILITIES.**

5 (a) *IN GENERAL.*—In accomplishing the maintenance,
6 rehabilitation, and modernization of hydroelectric power
7 generating facilities at water resources projects under the
8 jurisdiction of the Department of the Army, the Secretary
9 is authorized to increase the efficiency of energy production
10 and the capacity of these facilities if, after consulting with
11 other appropriate Federal and State agencies, the Secretary
12 determines that such uprating—

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

15 (2) will not result in significant adverse effects
16 on the other purposes for which the project is author-
17 ized;

18 (3) will not result in significant adverse environ-
19 mental impacts; and

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

22 (b) *LIMITATION ON STATUTORY CONSTRUCTION.*—
23 Nothing in subsection (a) shall be construed as affecting the
24 authority of the Secretary and the Administrator of the

1 *Bonneville Power Administration under section 2406 of the*
2 *Energy Policy Act of 1992 (16 U.S.C. 839d-1).*

3 **SEC. 208. FEDERAL LUMP-SUM PAYMENTS FOR FEDERAL**
4 **OPERATION AND MAINTENANCE COSTS.**

5 (a) *IN GENERAL.*—At a water resources project where
6 the non-Federal interest is responsible for performing the
7 operation, maintenance, replacement, and rehabilitation of
8 the project and the Federal Government is responsible for
9 paying a portion of the operation, maintenance, replace-
10 ment, and rehabilitation costs, the Secretary may provide,
11 under terms and conditions acceptable to the Secretary and
12 the non-Federal interest, a payment of the estimated total
13 Federal share of such costs to the non-Federal interest after
14 completion of construction of the project or a separable ele-
15 ment thereof.

16 (b) *DETERMINATION OF AMOUNT.*—The amount to be
17 paid shall be equal to the present value of the Federal pay-
18 ments over the life of the project, as agreed by the Federal
19 Government and the non-Federal interest, and shall be com-
20 puted using an interest rate determined by the Secretary
21 of the Treasury taking into consideration current market
22 yields on outstanding marketable obligations of the United
23 States with maturities comparable to the remaining life of
24 the project.

1 (c) *AGREEMENT.*—*The Secretary may make a pay-*
2 *ment under this section only if the non-Federal interest has*
3 *entered into a binding agreement with the Secretary to per-*
4 *form the operation, maintenance, replacement, and reha-*
5 *bilitation of the project or separable element. The agreement*
6 *must be in accordance with the requirements of section 221*
7 *of the Flood Control Act of 1970 (84 Stat. 1831) and must*
8 *contain provisions specifying the terms and conditions*
9 *under which a payment may be made under this section*
10 *and the rights of, and remedies available to, the Federal*
11 *Government to recover all or a portion of a payment made*
12 *under this section in the event the non-Federal interest sus-*
13 *pends or terminates its performance of operation, mainte-*
14 *nance, replacement, and rehabilitation of the project or sep-*
15 *arable element or fails to perform such activities in a man-*
16 *ner consistent with the agreement between the Secretary and*
17 *the non-Federal interest.*

18 (d) *RELIEF FROM FUTURE OBLIGATIONS.*—*Except as*
19 *provided in subsection (c), a payment provided to the non-*
20 *Federal interest under this section shall relieve the Govern-*
21 *ment of any future obligations for paying any of the oper-*
22 *ation, maintenance, replacement, and rehabilitation costs*
23 *for the project or separable element.*

1 **SEC. 209. LONG-TERM SEDIMENT MANAGEMENT STRATE-**
2 **GIES.**

3 (a) *DEVELOPMENT.*—*The Secretary shall enter into co-*
4 *operative agreements with non-Federal sponsors of naviga-*
5 *tion projects for development of long-term management*
6 *strategies for controlling sediments in such projects.*

7 (b) *CONTENTS OF STRATEGIES.*—*Each strategy devel-*
8 *oped under this section for a navigation project—*

9 (1) *shall include assessments of the following*
10 *with respect to the project: sediment rates and com-*
11 *position, sediment reduction options, dredging prac-*
12 *tices, long-term management of any dredged material*
13 *disposal facilities, remediation of such facilities, and*
14 *alternative disposal and reuse options;*

15 (2) *shall include a timetable for implementation*
16 *of the strategy; and*

17 (3) *shall incorporate, as much as possible, rel-*
18 *evant ongoing planning efforts, including remedial*
19 *action planning, dredged material management plan-*
20 *ning, harbor and waterfront development planning,*
21 *and watershed management planning.*

22 (c) *CONSULTATION.*—*In developing strategies under*
23 *this section, the Secretary shall consult with interested Fed-*
24 *eral agencies, States, and Indian tribes and the public.*

1 **SEC. 210. EMERGENCY RESPONSE.**

2 Section 5(a)(1) of the Act entitled “An Act authorizing
3 the construction of certain public works on rivers and har-
4 bors for flood control, and for other purposes”, approved
5 August 18, 1941 (33 U.S.C. 701n(a)(1)), is amended by in-
6 serting before the first semicolon the following: “, or in im-
7 plementation of nonstructural alternatives to the repair or
8 restoration of such flood control work if requested by the
9 non-Federal sponsor”.

10 **SEC. 211. OBSTRUCTION REMOVAL REQUIREMENT.**

11 (a) *PENALTY.*—Section 16 of the Act of March 3, 1899
12 (30 Stat. 1153; 33 U.S.C. 411), is amended—

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

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

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

21 (1) by striking “expense” the first place it ap-
22 pears in subsection (a) and inserting “actual expense,
23 including administrative expenses,”;

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

1 (3) by redesignating subsection (b) as subsection
2 (c); and

3 (4) by inserting after subsection (a) the following
4 new subsection:

5 “(b) *REMOVAL REQUIREMENT.*—Within 24 hours after
6 the Secretary of the Department in which the Coast Guard
7 is operating issues an order to stop or delay navigation in
8 any navigable waters of the United States because of condi-
9 tions related to the sinking or grounding of a vessel, the
10 owner or operator of the vessel, with the approval of the
11 Secretary of the Army, shall begin removal of the vessel
12 using the most expeditious removal method available or, if
13 appropriate, secure the vessel pending removal to allow
14 navigation to resume. If the owner or operator fails to begin
15 removal or to secure the vessel pending removal or fails to
16 complete removal as soon as possible, the Secretary of the
17 Army shall remove or destroy the vessel using the summary
18 removal procedures under subsection (a) of this section.”.

19 **SEC. 212. SMALL PROJECT AUTHORIZATIONS.**

20 Section 14 of the Flood Control Act of 1946 (33 U.S.C.
21 701r) is amended—

22 (1) by striking “\$12,500,000” and inserting
23 “\$15,000,000”; and

24 (2) by striking “\$500,000” and inserting
25 “\$1,500,000”.

1 **SEC. 213. AQUATIC PLANT CONTROL.**

2 *Section 104(b) of the River and Harbor Act of 1958*
3 *(33 U.S.C. 610(b)) is amended by striking “\$12,000,000”*
4 *and inserting “\$25,000,000”.*

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

6 *Section 204(e) of the Water Resources Development Act*
7 *of 1992 (33 U.S.C. 2326) is amended by striking*
8 *“\$15,000,000” and inserting “\$50,000,000”.*

9 **SEC. 215. SEDIMENTS DECONTAMINATION TECHNOLOGY.**

10 *(a) PROJECT PURPOSE.—Section 405(a) of the Water*
11 *Resources Development Act of 1992 (106 Stat. 4863; 33*
12 *U.S.C. 2239 note) is amended by adding at the end the fol-*
13 *lowing:*

14 *“(3) PROJECT PURPOSE.—The purpose of the*
15 *project to be carried out under this section is to pro-*
16 *vide for the development of 1 or more sediment decon-*
17 *tamination technologies on a pilot scale demonstrat-*
18 *ing a capacity of at least 400 cubic yards per day.”.*

19 *(b) AUTHORIZATION OF APPROPRIATIONS.—The first*
20 *sentence of section 405(c) of such Act is amended to read*
21 *as follows: “There is authorized to be appropriated to carry*
22 *out this section \$5,000,000 for fiscal years 1993 and 1994*
23 *and \$10,000,000 for fiscal years beginning after September*
24 *30, 1994.”.*

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

1 “(d) *REPORTS*.—Not later than September 30, 1996,
2 and periodically thereafter, the Administrator and the Sec-
3 retary shall transmit to Congress a report on the results
4 of the project to be carried out under this section, including
5 an assessment of the progress made in achieving the intent
6 of the program set forth in subsection (a)(3).”.

7 **SEC. 216. PROJECT DEAUTHORIZATIONS.**

8 (a) *IN GENERAL*.—Section 1001(b)(2) of the Water Re-
9 sources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is
10 amended—

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

13 (2) by inserting “planning, designing, or” before
14 “construction” in the last sentence.

15 (b) *TECHNICAL AMENDMENT*.—Section 52 of the Water
16 Resources Development Act of 1988 (33 U.S.C. 579a note;
17 102 Stat. 4044) is amended—

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

19 (2) by redesignating subsections (b), (c), (d), and
20 (e) as subsections (a), (b), (c), and (d), respectively.

21 **SEC. 217. FOREIGN TRAVEL.**

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

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

2 (a) *GENERAL AUTHORITY.*—In carrying out research
3 and development in support of the civil works program of
4 the Department of the Army, the Secretary may utilize con-
5 tracts, cooperative research and development agreements,
6 cooperative agreements, and grants with non-Federal enti-
7 ties, including State and local governments, colleges and
8 universities, consortia, professional and technical societies,
9 public and private scientific and technical foundations, re-
10 search institutions, educational organizations, and non-
11 profit organizations.

12 (b) *SPECIAL RULES.*—With respect to contracts for re-
13 search and development, the Secretary may include require-
14 ments that have potential commercial application and may
15 also use such potential application as an evaluation factor
16 where appropriate.

17 **SEC. 219. HOPPER DREDGE FLEET.**

18 (a) *IN GENERAL.*—In order to more effectively manage
19 and protect the commercial viability of the Nation's vital
20 deep draft seaports, the Secretary—

21 (1) shall conduct advanced maintenance suffi-
22 cient to ensure that authorized deep draft channel di-
23 mensions are continuously maintained;

24 (2) may conduct analysis and demonstration of
25 experimental maintenance dredging techniques or im-
26 proved environmental techniques in federally author-

1 *ized deep draft navigation channels in order to evalu-*
2 *ate the ability of such techniques to increase the reli-*
3 *ability of channel dimensions; except that any dredg-*
4 *ing undertaken pursuant to this paragraph shall be*
5 *limited and shall not replace or be substituted for*
6 *routine maintenance dredging;*

7 *(3) shall, to the maximum extent practicable,*
8 *utilize sediments dredged under paragraphs (1) and*
9 *(2) for beneficial purposes; and*

10 *(4) shall contract for private dredging services to*
11 *perform priority-expedited dredging work unless the*
12 *appropriate District Engineer of Corps of Engineers*
13 *determines that a Federal dredge can be brought on*
14 *scene more quickly or is operationally better suited to*
15 *undertake the work than any available non-Federal*
16 *dredge.*

17 *With respect to priority-expedited dredging work under-*
18 *taken under paragraph (4), the District Engineer shall em-*
19 *ploy innovative, expedited contracting procedures to ensure*
20 *a timely response. In the case of contract disputes, the Dis-*
21 *trict Engineer is authorized to employ whatever measures*
22 *are necessary to accomplish the priority-expedited dredging*
23 *work.*

24 *(b) HOPPER DREDGE FLEET REQUIREMENTS.—In*
25 *order to ensure the continued viability of the Federal hopper*

1 dredge fleet and private industry hopper dredge fleet, the
2 Secretary—

3 (1) shall, except as provided in section 342 of
4 this Act, relating to the hopper dredge, McFarland,
5 maintain the Federal minimum hopper dredge fleet
6 for at least 4 years or more beginning in fiscal year
7 1995 in a fully operational and active status;

8 (2) may undertake measures to maintain or im-
9 prove the efficiency, operation, and design of the Fed-
10 eral hopper dredge fleet; and

11 (3) shall, for fiscal years beginning in fiscal year
12 1995 and ending in fiscal year 1998, advertise for
13 competitive bid at least 7,500,000 cubic yards of hop-
14 per dredge work formerly accomplished by the Gov-
15 ernment fleet in years preceding fiscal year 1992 con-
16 sistent with the policies developed by the Secretary to
17 implement the requirements of section 106 of the En-
18 ergy and Water Development Appropriations Act,
19 1993 (106 Stat. 1326) and section 106 of the Energy
20 and Water Development Appropriations Act, 1994
21 (107 Stat. 1320); except that (A) hopper dredge work
22 which results from activities undertaken in accord-
23 ance with subsection (a)(1) or (a)(2) shall be adver-
24 tised for competitive bid and shall not be counted to-
25 ward the 7,500,000 cubic yards required to be adver-

1 *tised by this paragraph; and (B) operation of the*
2 *Corps of Engineers hopper dredge fleet resulting from*
3 *activities undertaken in accordance with subsections*
4 *(a)(2) and (a)(4) shall not be used to determine days*
5 *of operation of the Corps of Engineers hopper dredge*
6 *fleet necessary to achieve the 7,500,000 cubic yards re-*
7 *quired to be advertised by this paragraph.*

8 *(c) PRIORITY-EXPEDITED DREDGING WORK DE-*
9 *FINED.—For purposes of this section, the term “priority-*
10 *expedited dredging work” means work necessary to main-*
11 *tain a federally authorized deep draft navigation channel*
12 *at project dimensions whenever the appropriate District*
13 *Engineer of the Corps of Engineers determines that silta-*
14 *tion, sedimentation, or other events altering channel dimen-*
15 *sions has caused, or is anticipated to cause, imminent im-*
16 *pairment of ongoing commercial navigation.*

17 *(d) USE OF CORPS DREDGE FLEET.—Notwithstand-*
18 *ing the provisions of this section, the Secretary is author-*
19 *ized to use the dredge fleet of the Corps of Engineers to un-*
20 *dertake projects when industry does not perform as required*
21 *by the contract specifications or when the bids are more*
22 *than 25 percent in excess of what the Secretary determines*
23 *to be a fair and reasonable estimated cost of a well-equipped*
24 *contractor doing the work or to respond to emergency re-*
25 *quirements.*

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

2 *Section 1135 of the Water Resources Development Act*
3 *of 1986 (100 Stat. 4251–4252; 33 U.S.C. 2309a) is amend-*
4 *ed—*

5 *(1) by striking the period at the end of sub-*
6 *section (a) and inserting the following: “and to deter-*
7 *mine if the operation of such projects has contributed*
8 *to the degradation of the quality of the environment.”;*

9 *(2) by striking the last 2 sentences of subsection*
10 *(b);*

11 *(3) by redesignating subsections (c), (d), and (e)*
12 *as subsections (e), (f), and (g), respectively; and*

13 *(4) by inserting after subsection (b) the following*
14 *new subsections:*

15 *“(c) RESTORATION OF ENVIRONMENTAL QUALITY.—If*
16 *the Secretary determines that operation of a water resources*
17 *project constructed by the Secretary has contributed to the*
18 *degradation of the quality of the environment, the Secretary*
19 *may undertake measures for restoration of environmental*
20 *quality if such measures are feasible and consistent with*
21 *the authorized project purposes.*

22 *“(d) NON-FEDERAL SHARE; LIMITATION ON MAXIMUM*
23 *FEDERAL EXPENDITURE.—The non-Federal share of the*
24 *cost of any modifications or measures carried out or under-*
25 *taken pursuant to subsection (b) or (c) of this section shall*
26 *be 25 percent. Not more than 80 percent of the non-Federal*

1 *share may be in kind, including a facility, supply, or serv-*
2 *ice that is necessary to carry out the modification. No more*
3 *than \$5,000,000 in Federal funds may be expended on any*
4 *single modification or measure carried out or undertaken*
5 *pursuant to this section.”.*

6 **SEC. 221. COST SHARING FOR CREATION OF DREDGED MA-**
7 **TERIAL DISPOSAL AREAS.**

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

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

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

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

16 “(2) *CONFINED DISPOSAL FACILITIES.*—The Fed-
17 eral share of the cost of project features that are nec-
18 essary for the creation of dredged material disposal
19 areas, including capping, retaining dikes, bulkheads,
20 embankments, and associated structures, shall be de-
21 termined in accordance with subsection (a)(1).”.

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

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

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

3 (B) by striking “, and dredged material dis-
4 posal areas”;

5 (2) in subsection (a)(3)—

6 (A) by inserting “and” after “rights-of-
7 way,”; and

8 (B) by striking “, and dredged material dis-
9 posal areas” and inserting “, including those re-
10 quired for dredged material disposal areas,”; and

11 (3) in subsection (e)(1) by striking “, and to pro-
12 vide dredged material disposal areas”.

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

14 Section 904 of the Water Resources Development Act
15 of 1986 (33 U.S.C. 2281) is amended by inserting “includ-
16 ing the loss of life which may be associated with flooding
17 and coastal storm events,” after “costs,”.

18 **SEC. 223. SENSE OF CONGRESS; REQUIREMENT REGARDING**

19 **NOTICE.**

20 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND
21 PRODUCTS.—It is the sense of Congress that, to the greatest
22 extent practicable, all equipment and products purchased
23 with funds made available under this Act should be Amer-
24 ican-made.

1 **TITLE III—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 301. WATERSHED MANAGEMENT, RESTORATION, AND**
4 **DEVELOPMENT.**

5 (a) *IN GENERAL.*—The Secretary is authorized to pro-
6 vide technical, planning, and design assistance to non-Fed-
7 eral interests for carrying out watershed management, res-
8 toration, and development projects at the locations described
9 in subsection (d).

10 (b) *SPECIFIC MEASURES.*—Projects carried out pursu-
11 ant to subsection (a) may include the following purposes:

12 (1) *Management and restoration of water qual-*
13 *ity.*

14 (2) *Control and remediation of toxic sediments.*

15 (3) *Restoration of degraded streams, rivers, wet-*
16 *lands, and other waterbodies to their natural state as*
17 *a means to control flooding, excessive erosion, and*
18 *sedimentation.*

19 (4) *Protection and restoration of watersheds, in-*
20 *cluding urban watersheds.*

21 (c) *NON-FEDERAL SHARE.*—The non-Federal share of
22 the cost of a project for which assistance is provided under
23 this section shall be 50 percent.

1 (d) *PROJECT LOCATIONS.*—*The Secretary may provide*
2 *assistance under subsection (a) for projects at the following*
3 *locations:*

4 (1) *Colusa basin, California.*

5 (2) *Los Angeles River basin, California.*

6 (3) *Russian River watershed, California.*

7 (4) *Sacramento River watershed, California.*

8 (5) *Nancy Creek, Utoy Creek, and North Peach-*
9 *tree Creek and South Peachtree Creek basin, Georgia.*

10 (6) *Southern and eastern Kentucky.*

11 (7) *Lower Platte River watershed, Nebraska.*

12 (8) *Upper Potomac River watershed, Grant and*
13 *Mineral Counties, West Virginia.*

14 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
15 *authorized to be appropriated to carry out this section*
16 *\$50,000,000 for fiscal years beginning after September 30,*
17 *1994. Such sums shall remain available until expended.*

18 **SEC. 302. LAKES PROGRAM.**

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

21 (1) *by striking “and” at the end of paragraph*

22 *(10);*

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

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

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

3 “(13) Skaneateles and Owasco Lakes, New York,
4 removal of silt and aquatic growth and prevention of
5 sediment deposit; and

6 “(14) Twin Lakes, Paris, Illinois, removal of silt
7 and excess aquatic vegetation, including measures to
8 address excessive sedimentation, high nutrient con-
9 centration, and shoreline erosion.”.

10 **SEC. 303. ENVIRONMENTAL INFRASTRUCTURE.**

11 Section 219(d) of the Water Resources Development
12 Act of 1992 (106 Stat. 4836) is amended by striking
13 “\$5,000,000” and inserting “\$50,000,000”.

14 **SEC. 304. ENVIRONMENTAL DREDGING.**

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

17 (1) in each of subsections (a), (b), and (c) by in-
18 serting “and remediate” after “remove” each place it
19 appears;

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

22 (3) in subsection (b)(2) by striking
23 “\$10,000,000” and inserting “\$50,000,000”; and

24 (4) by striking subsection (f).

1 **SEC. 305. CHESAPEAKE BAY RESTORATION AND PROTEC-**
2 **TION PROGRAM.**

3 (a) *ESTABLISHMENT.*—

4 (1) *IN GENERAL.*—*The Secretary shall establish*
5 *a pilot program to provide assistance to non-Federal*
6 *interests in the Chesapeake Bay watershed.*

7 (2) *FORM.*—*The assistance shall be in the form*
8 *of technical, planning, and design assistance for*
9 *water-related environmental infrastructure and re-*
10 *source protection and development projects affecting*
11 *the Chesapeake Bay, including projects for sediment*
12 *and erosion control, protection of eroding shorelines,*
13 *protection of essential public works, waste water*
14 *treatment and related facilities, water supply and re-*
15 *lated facilities, and beneficial uses of dredged mate-*
16 *rial, and other related projects.*

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

21 (c) *LOCAL COOPERATION AGREEMENT.*—

22 (1) *IN GENERAL.*—*Before providing assistance*
23 *under this section, the Secretary shall enter into a*
24 *local cooperation agreement pursuant to section 221*
25 *of the Flood Control Act of 1970 (84 Stat. 1818) with*

1 *a non-Federal interest to provide for technical, plan-*
2 *ning, and design assistance for the project.*

3 (2) *REQUIREMENTS.—Each local cooperation*
4 *agreement entered into under this subsection shall*
5 *provide for the following:*

6 (A) *PLAN.—Development by the Secretary,*
7 *in consultation with appropriate Federal, State,*
8 *and local officials, of a plan, including appro-*
9 *priate engineering plans and specifications and*
10 *an estimate of expected benefits.*

11 (B) *LEGAL AND INSTITUTIONAL STRUC-*
12 *TURES.—Establishment of such legal and insti-*
13 *tutional structures as are necessary to ensure the*
14 *effective long-term operation and maintenance of*
15 *the project by the non-Federal interest.*

16 (d) *APPLICABILITY OF OTHER FEDERAL AND STATE*
17 *LAWS AND AGREEMENTS.—*

18 (1) *IN GENERAL.—Nothing in this section*
19 *waives, limits, or otherwise affects the applicability of*
20 *any provision of Federal or State law that would oth-*
21 *erwise apply to a project carried out with assistance*
22 *provided under this section.*

23 (2) *COOPERATION.—In carrying out this section,*
24 *the Secretary shall cooperate with the heads of appro-*
25 *priate Federal agencies.*

1 (e) *REPORT.*—Not later than December 31, 1998, the
2 Secretary shall transmit to Congress a report on the results
3 of the program carried out under this section, together with
4 a recommendation concerning whether or not the program
5 should be implemented on a national basis.

6 (f) *AUTHORIZATION OF APPROPRIATIONS.*—There are
7 authorized to be appropriated to carry out this section
8 \$10,000,000 for fiscal year 1995. Such sums shall remain
9 available until expended.

10 **SEC. 306. SAINT LAWRENCE SEAWAY COLLECTION OF**
11 **TOLLS.**

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

14 **“SEC. 13. WAIVER OF COLLECTION OF CHARGES AND**
15 **TOLLS.**

16 “(a) *WAIVER.*—Notwithstanding section 12 or any
17 other provision of law, the Corporation shall not collect any
18 charge or toll established pursuant to section 12 with respect
19 to a commercial vessel (as defined by section 4462(a)(4) of
20 the Internal Revenue Code of 1986).

21 “(b) *RECORD.*—The Corporation shall maintain a
22 record of the annual amount of each charge or toll that
23 would have been collected with respect to a commercial ves-
24 sel described in subsection (a) but for the requirement of
25 subsection (a).”.

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

2 (a) *DEVELOPMENT.*—*The Secretary shall develop a*
3 *comprehensive river basin management plan that addresses*
4 *the long-term ecological, economic, and flood control needs*
5 *of the basin of the Lower Mississippi River system.*

6 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
7 *authorized to be appropriated to carry out this section*
8 *\$5,000,000 for fiscal years beginning after September 30,*
9 *1994. Such sums shall remain available until expended.*

10 **SEC. 308. EXTENSION OF JURISDICTION OF MISSISSIPPI**
11 **RIVER COMMISSION.**

12 *The jurisdiction of the Mississippi River Commission,*
13 *established by the Act of June 29, 1879 (33 U.S.C. 641),*
14 *is extended to include all of the area between the eastern*
15 *side of the Bayou Lafourche Ridge from Donaldsonville,*
16 *Louisiana, to the Gulf of Mexico and the west guide levee*
17 *of the Mississippi River from Donaldsonville, Louisiana, to*
18 *the Gulf of Mexico.*

19 **SEC. 309. GREAT LAKES DREDGED MATERIAL TESTING AND**
20 **EVALUATION MANUAL.**

21 *The Secretary, in cooperation with the Administrator*
22 *of the Environmental Protection Agency, shall provide tech-*
23 *nical assistance to non-Federal interests on testing proce-*
24 *dures contained in the Great Lakes Dredged Material Test-*
25 *ing and Evaluation Manual developed pursuant to section*
26 *230.2(c) of title 40, Code of Federal Regulations.*

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

2 (a) *GREAT LAKES TRIBUTARY SEDIMENT TRANSPORT*
3 *MODEL.*—For each major river system or set of major river
4 systems depositing sediment into a Great Lakes federally
5 authorized commercial harbor, channel maintenance project
6 site, or Area of Concern, the Secretary, in consultation and
7 coordination with the Great Lakes States, shall develop a
8 tributary sediment transport model.

9 (b) *REQUIREMENTS FOR MODELS.*—In developing a
10 tributary sediment transport model under this section, the
11 Secretary shall—

12 (1) build upon data and monitoring infrastruc-
13 ture generated in earlier studies and programs of the
14 Great Lakes and their tributaries; and

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

18 **SEC. 311. CONFINED DISPOSAL FACILITIES.**

19 (a) *ASSESSMENT.*—The Secretary shall conduct an as-
20 sessment of the general conditions of confined disposal fa-
21 cilities in the Great Lakes.

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

1 (1) *A description of the cumulative effects of con-*
2 *fin ed disposal facilities in the Great Lakes.*

3 (2) *Recommendations for specific remediation*
4 *actions for each confined disposal facility in the*
5 *Great Lakes.*

6 (3) *An evaluation of, and recommendations for,*
7 *confined disposal facility management practices and*
8 *technologies to conserve capacity at such facilities and*
9 *to minimize adverse environmental effects at such fa-*
10 *ilities throughout the Great Lakes system.*

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

12 (a) *IN GENERAL.*—*The Secretary shall carry out a*
13 *project to evaluate the feasibility of implementing an alter-*
14 *native to the \$25 annual pass that the Secretary currently*
15 *offers to users of recreation facilities at water resources*
16 *projects of the Corps of Engineers.*

17 (b) *ANNUAL PASS.*—*The project to be carried out*
18 *under this section shall include the establishment of an an-*
19 *nual pass which costs \$10 or less for the use of recreation*
20 *facilities at Raystown Lake, Pennsylvania.*

21 (c) *REPORT.*—*Not later than December 31, 1997, the*
22 *Secretary shall transmit to Congress a report on the results*
23 *of the project carried out under this section, together with*
24 *recommendations concerning whether annual passes for in-*
25 *dividual projects should be offered on a nationwide basis.*

1 **SEC. 313. RECREATION PARTNERSHIP INITIATIVE.**

2 (a) *IN GENERAL.*—The Secretary shall promote Fed-
3 eral, non-Federal, and private sector cooperation in creat-
4 ing public recreation opportunities and developing the nec-
5 essary supporting infrastructure at water resources projects
6 of the Corps of Engineers.

7 (b) *INFRASTRUCTURE IMPROVEMENTS.*—

8 (1) *RECREATION INFRASTRUCTURE IMPROVE-*
9 *MENTS.*—In demonstrating the feasibility of the pub-
10 lic-private cooperative, the Secretary shall provide, at
11 Federal expense, such infrastructure improvements as
12 are necessary to support a potential private rec-
13 reational development at the Raystown Lake Project,
14 Pennsylvania, generally in accordance with the Mas-
15 ter Plan Update (1994) for the project.

16 (2) *AGREEMENT.*—The Secretary shall enter into
17 an agreement with an appropriate non-Federal public
18 entity to ensure that the infrastructure improvements
19 constructed by the Secretary on non-project lands
20 pursuant to paragraph (1) are transferred to and op-
21 erated and maintained by the non-Federal public en-
22 tity.

23 (3) *AUTHORIZATION OF APPROPRIATIONS.*—
24 There is authorized to be appropriated to carry out
25 this subsection \$4,500,000 for fiscal years beginning

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 ex-*
8 *ceed an amount equal to the Federal share of the total*
9 *project cost to be used by the non-Federal interests to under-*
10 *take the work directly or by contract.”*

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

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

14 *(1) to conduct investigations and surveys of the*
15 *watershed of the Lower Mokelumne River in Calaveras*
16 *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 AGREEMENT.*—
2 *The Secretary shall revise the local cooperation agreement*
3 *for the project referred to in subsection (a) in order to take*
4 *into account the increase in the Federal participation in*
5 *such project pursuant to subsection (a).*

6 (c) *COST SHARING.*—*Nothing in this section shall be*
7 *construed to affect any cost-sharing requirement applicable*
8 *to the project referred to in subsection (a) under the Water*
9 *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 Development*
15 *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 County,*
19 *California, in developing appropriate public safety and ac-*
20 *cess improvements associated with that portion of Califor-*
21 *nia State Route 71 being relocated for the Prado Dam fea-*
22 *ture of the project authorized as part of the project for flood*
23 *control, Santa Ana River Mainstem, California, by section*
24 *401(a) of the Water Resources Development Act of 1986*
25 *(100 Stat. 4113).*

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

2 (a) *IN GENERAL.*—The Secretary shall transfer funds
3 appropriated to carry out this section to the Administrator
4 of the Environmental Protection Agency for making grants
5 to the city of San Jose, California, and the Santa Clara
6 Valley Water District, San Jose, California, to promote and
7 implement the use of treated waste water for critical water
8 supply purposes and for the protection of San Francisco
9 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 of*
4 *a project carried out under this section shall be 55 percent.*
5 *Other Federal funds may be contributed to the project, and*
6 *the non-Federal sponsors shall receive credit for lands, ease-*
7 *ments, rights-of-way, and relocations toward its share of*
8 *project costs. Operation and maintenance costs shall be 100*
9 *percent non-Federal.*

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

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

18 *The Secretary may enter into a cooperative agreement*
19 *under section 218 of this Act with the Museum of Science*
20 *and Industry, Tampa, Florida, to provide technical, plan-*
21 *ning, and design assistance to demonstrate the water qual-*
22 *ity functions found in wetlands, at an estimated total Fed-*
23 *eral 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 coopera-
4 tion with other interested Federal, State, and local agencies
5 and private citizens, shall study, and prepare a comprehen-
6 sive master plan for the management of, the Kankakee
7 River Basin, Illinois. The study shall focus primarily on
8 basinwide management methods for flood damage reduc-
9 tion, environmental enhancement, and erosion control and
10 may evaluate water quality, land use management, and
11 other related topics.

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

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

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

5 *(b) CONTENTS.—The plan to be developed by the Sec-*
6 *retary under subsection (a) shall address specific concerns*
7 *related to the Deep River Basin area, including sediment*
8 *flow into Deep River, Turkey Creek, and other tributaries;*
9 *control of sediment quality in Lake George; flooding prob-*
10 *lems; the safety of the Lake George Dam; and watershed*
11 *management.*

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

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

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

20 *(2) to provide technical, planning, and design*
21 *assistance for abatement and mitigation of surface*
22 *water quality degradation caused by abandoned*
23 *mines and mining activity in the vicinity of such riv-*
24 *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 Development*
6 *Act of 1992.*

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

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

13 *(b) IMPLEMENTATION ON EMERGENCY BASIS.—The*
14 *project under subsection (a) shall be carried out on an emer-*
15 *gency basis in view of the national, historic, and cultural*
16 *value of the island and in order to protect the Federal in-*
17 *vestment in infrastructure facilities.*

18 *(c) COST SHARING.—Cost sharing applicable to hurri-*
19 *cane and storm damage reduction shall be applicable to the*
20 *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 Coun-*
25 *ty, Maryland, pursuant to section 204 of the Water Re-*
26 *sources Development Act of 1992.*

1 **SEC. 330. LAKE ST. CLAIRE, MICHIGAN.**

2 *The Secretary shall carry out a program to control*
3 *aquatic plants in Lake St. Claire, Michigan, under section*
4 *104(b) of the River and Harbor Act of 1958 (33 U.S.C.*
5 *610(b)).*

6 **SEC. 331. ST. JOHN'S BAYOU—NEW MADRID FLOODWAY.**

7 *The Secretary is directed to review the project for flood*
8 *control, St. John's Bayou and New Madrid Floodway, Mis-*
9 *souri, authorized by section 401(a) of the Water Resources*
10 *Development Act of 1986 (100 Stat. 4118), to determine the*
11 *ability of the non-Federal interests to pay the project costs,*
12 *including operation and maintenance costs, in accordance*
13 *with section 103(m) of the Water Resources Development*
14 *Act of 1986 (33 U.S.C. 2213(m)) and in light of locally*
15 *prevailing conditions which would limit the ability of local*
16 *interests to participate as non-Federal project sponsors in*
17 *accordance with established cost-sharing formulas.*

18 **SEC. 332. DURHAM, NEW HAMPSHIRE.**

19 *The Secretary may enter into a cooperative agreement*
20 *under section 218 of this Act with the University of New*
21 *Hampshire to provide technical assistance for a water treat-*
22 *ment technology center addressing the needs of small com-*
23 *munities.*

1 **SEC. 333. NEW YORK BIGHT AND HARBOR STUDY.**

2 *Section 326(f) of the Water Resources Development Act*
3 *of 1992 (106 Stat. 4851) is amended by striking*
4 *“\$1,000,000” and inserting “\$10,000,000”.*

5 **SEC. 334. NEW YORK STATE CANAL SYSTEM.**

6 *(a) IN GENERAL.—The Secretary is authorized to*
7 *make capital improvements to the New York State Canal*
8 *System.*

9 *(b) AGREEMENTS.—The Secretary shall, with the con-*
10 *sent of appropriate local and State entities, enter into such*
11 *arrangements, contracts, and leases with public and private*
12 *entities as may be necessary for the purposes of rehabilita-*
13 *tion, renovation, preservation, and maintenance of the New*
14 *York State Canal System and its related facilities, includ-*
15 *ing trailside facilities and other recreational projects along*
16 *the waterways of the canal system.*

17 *(c) NEW YORK STATE CANAL SYSTEM DEFINED.—In*
18 *this section, the term “New York State Canal System”*
19 *means the Erie, Oswego, Champlain, and Cayuga-Seneca*
20 *Canals.*

21 *(d) FEDERAL SHARE.—The Federal share of the cost*
22 *of capital improvements under this section shall be 50 per-*
23 *cent.*

24 *(e) AUTHORIZATION OF APPROPRIATIONS.—There is*
25 *authorized to be appropriated to carry out this section*

1 \$5,000,000 for fiscal years beginning after September 30,
2 1994. Such sums shall remain available until expended.

3 **SEC. 335. NEW YORK CITY WATERSHED.**

4 (a) *ESTABLISHMENT.*—

5 (1) *IN GENERAL.*—The Secretary shall establish
6 a program for providing environmental assistance to
7 non-Federal interests in the New York City Water-
8 shed.

9 (2) *FORM.*—Assistance provided under this sec-
10 tion may be in the form of design and construction
11 assistance for water-related environmental infrastruc-
12 ture and resource protection and development projects
13 in the New York City Watershed, including projects
14 for water supply, storage, treatment, and distribution
15 facilities, and surface water resource protection and
16 development.

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

20 (c) *ELIGIBLE PROJECTS.*—

21 (1) *CERTIFICATION.*—A project shall be eligible
22 for financial assistance under this section only if the
23 State director for the project certifies to the Secretary
24 that the project will contribute to the protection and

1 *enhancement of the quality or quantity of the New*
2 *York City water supply.*

3 (2) *SPECIAL CONSIDERATION.*—*In certifying*
4 *projects to the Secretary, the State director shall give*
5 *special consideration to those projects implementing*
6 *plans, agreements, and measures which preserve and*
7 *enhance the economic and social character of the wa-*
8 *tershed communities.*

9 (3) *PROJECT DESCRIPTIONS.*—*Projects eligible*
10 *for assistance under this section shall include the fol-*
11 *lowing:*

12 (A) *Implementation of intergovernmental*
13 *agreements for coordinating regulatory and*
14 *management responsibilities.*

15 (B) *Acceleration of whole farm planning to*
16 *implement best management practices to main-*
17 *tain or enhance water quality and to promote*
18 *agricultural land use.*

19 (C) *Acceleration of whole community plan-*
20 *ning to promote intergovernmental cooperation*
21 *in the regulation and management of activities*
22 *consistent with the goal of maintaining or en-*
23 *hancing water quality.*

24 (D) *Natural resources stewardship on public*
25 *and private lands to promote land uses that pre-*

1 *serve and enhance the economic and social char-*
2 *acter of the watershed communities and protect*
3 *and enhance water quality.*

4 *(d) LOCAL COOPERATION AGREEMENTS.—Before pro-*
5 *viding assistance under this section, the Secretary shall*
6 *enter into a cooperative agreement with the State director*
7 *for the project to be carried out with such assistance.*

8 *(e) COST SHARING.—*

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

18 *(2) INTEREST.—In the event of delays in the re-*
19 *imbursement of the non-Federal share of a project, the*
20 *non-Federal interest shall receive credit for reasonable*
21 *interest to provide the non-Federal share of a project's*
22 *cost.*

23 *(3) LANDS, EASEMENTS, AND RIGHTS-OF-WAY*
24 *CREDIT.—The non-Federal interest shall receive credit*
25 *for lands, easements, rights-of-way, and relocations*

1 *toward its share of project costs, including direct costs*
2 *associated with obtaining permits necessary for the*
3 *placement of such project on public owned or con-*
4 *trolled lands, but not to exceed 25 percent of total*
5 *project costs.*

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

10 (f) *APPLICABILITY OF OTHER FEDERAL AND STATE*
11 *LAWS.*—*Nothing in this section shall be construed to waive,*
12 *limit, or otherwise affect the applicability of any provision*
13 *of Federal or State law that would otherwise apply to a*
14 *project carried out with assistance provided under this sec-*
15 *tion.*

16 (g) *REPORT.*—*Not later than December 31, 2000, the*
17 *Secretary shall transmit to Congress a report on the results*
18 *of the program carried out under this section, together with*
19 *recommendations concerning whether such program should*
20 *be implemented on a national basis.*

21 (h) *NEW YORK CITY WATERSHED DEFINED.*—*For*
22 *purposes of this section, the term “New York City Water-*
23 *shed” means the land area within the counties of Delaware,*
24 *Greene, Schoharie, Ulster, Sullivan, Westchester, Putnam,*

1 *and Duchess which contributes water to the water supply*
2 *system of New York City.*

3 (i) *AUTHORIZATION OF APPROPRIATIONS.—There is*
4 *authorized to be appropriated to carry out this section*
5 *\$10,000,000 for fiscal years beginning after September 30,*
6 *1994.*

7 ***SEC. 336. NORTHEASTERN OHIO.***

8 *The Secretary is authorized to provide technical assist-*
9 *ance to local interests for planning the establishment of a*
10 *regional water authority in northeastern Ohio to address*
11 *the water problems of the region. The Federal share of the*
12 *costs of such planning shall not exceed 75 percent.*

13 ***SEC. 337. OHIO RIVER.***

14 (a) *CENTER FOR ENVIRONMENTAL STUDIES FOR*
15 *LARGE RIVERS.—The Secretary shall establish a Center for*
16 *Environmental Studies of Large Rivers at Jefferson Tech-*
17 *nical College, Ohio.*

18 (b) *STUDY.—*

19 (1) *COOPERATIVE AGREEMENT.—The Secretary*
20 *shall enter into a cooperative agreement with the Ohio*
21 *River Valley Water Sanitation Commission to develop*
22 *the necessary methodologies to make improvements in,*
23 *and assess the environmental health of, the Ohio*
24 *River.*

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

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

10 **SEC. 338. REMOVAL OR REMEDIATION OF CONTAMINATED**
11 **SEDIMENTS, MAHONING RIVER, OHIO AND**
12 **PENNSYLVANIA.**

13 *The Secretary shall remove or remediate contaminated*
14 *sediments from the Mahoning River, Northeast Ohio and*
15 *Western Pennsylvania, pursuant to section 312 of the Water*
16 *Resources Development Act of 1990 (33 U.S.C. 1252 note).*

17 **SEC. 339. COLUMBIA RIVER BASIN, OREGON.**

18 *The costs of measures undertaken to mitigate the ad-*
19 *verse effects on fish and wildlife of water resources projects*
20 *constructed by the Secretary within the McKenzie River*
21 *Sub-Basin within the Columbia River Basin, Oregon, shall*
22 *be allocated as provided in section 906 of the Water Re-*
23 *sources Development Act of 1986 (33 U.S.C. 2283).*

1 **SEC. 340. SOUTH CENTRAL PENNSYLVANIA.**

2 (a) *IN GENERAL.*—Section 313 of the Water Resources
3 Development Act of 1992 (106 Stat. 4845–4847) is amend-
4 ed—

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

7 (2) in subsection (c) by inserting “with State, re-
8 gional, and local officials, including, where applica-
9 ble,” after “consult”;

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

12 (4) in subsection (g)(1) by striking
13 “\$17,000,000” and inserting “\$50,000,000”; and

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

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

23 “(3) *COST SHARING.*—

24 “(A) *IN GENERAL.*—Total project costs
25 under each local cooperation agreement entered
26 into under this subsection shall be shared at 75

1 *percent Federal and 25 percent non-Federal. The*
2 *non-Federal interest shall receive credit for the*
3 *reasonable costs of design work completed by*
4 *such interest prior to entering into a local co-*
5 *operation agreement with the Secretary for a*
6 *project. The Federal share may be in the form of*
7 *grants or reimbursements of project costs.*

8 “(B) *INTEREST.—In the event of delays in*
9 *the reimbursement of the non-Federal share of a*
10 *project, the non-Federal interest shall receive*
11 *credit for reasonable interest to provide the non-*
12 *Federal share of a project’s cost.*

13 “(C) *LANDS, EASEMENTS, AND RIGHTS-OF-*
14 *WAY CREDIT.—The non-Federal interest shall re-*
15 *ceive credit for lands, easements, rights-of-way,*
16 *and relocations toward its share of project costs,*
17 *including direct costs associated with obtaining*
18 *permits necessary for the placement of such*
19 *project on public owned or controlled lands, but*
20 *not to exceed 25 percent of total project costs.*

21 “(D) *OPERATION AND MAINTENANCE CRED-*
22 *IT.—Operation and maintenance costs for*
23 *projects constructed with assistance provided*
24 *under this section shall be 100 percent non-Fed-*
25 *eral.”.*

1 **SEC. 341. BROAD TOP REGION OF PENNSYLVANIA.**

2 *Section 304(c) of the Water Resources Development Act*
3 *of 1992 (106 Stat. 4840) is amended by striking*
4 *“\$5,500,000” and inserting “\$11,000,000”.*

5 **SEC. 342. HOPPER DREDGE MCFARLAND.**

6 *(a) PROJECT AUTHORIZATION.—The Secretary shall*
7 *carry out a project at the Philadelphia Naval Shipyard,*
8 *Pennsylvania, to make modernization and efficiency im-*
9 *provements to the hopper dredge McFarland.*

10 *(b) REQUIREMENTS.—In carrying out the project*
11 *under subsection (a), the Secretary shall—*

12 *(1) determine whether the McFarland should be*
13 *returned to active service or the reserve fleet after the*
14 *project is completed; and*

15 *(2) establish minimum standards of dredging*
16 *service to be met in areas served by the McFarland*
17 *while the drydocking is taking place.*

18 *(c) AUTHORIZATION OF APPROPRIATIONS.—There is*
19 *authorized to be appropriated to carry out this section*
20 *\$20,000,000 for fiscal years beginning after September 30,*
21 *1994.*

22 **SEC. 343. SEVEN POINTS VISITORS CENTER, RAYSTOWN**
23 **LAKE, PENNSYLVANIA.**

24 *(a) IN GENERAL.—The Secretary shall construct a*
25 *visitors center and related public use facilities at the Seven*
26 *Points Recreation Area at Raystown Lake, Pennsylvania,*

1 *generally in accordance with the Master Plan Update*
2 *(1994) for the Raystown Lake Project.*

3 (b) *AUTHORIZATION OF APPROPRIATIONS.—There is*
4 *authorized to be appropriated to carry out this section*
5 *\$1,500,000. Such sums shall remain available until ex-*
6 *pended.*

7 **SEC. 344. BLACKSTONE RIVER VALLEY, RHODE ISLAND, AND**
8 **MASSACHUSETTS.**

9 (a) *IN GENERAL.—The Secretary, in coordination*
10 *with Federal, State, and local interests, shall provide tech-*
11 *nical, planning, and design assistance in the development*
12 *and restoration of the Blackstone River Valley National*
13 *Heritage Corridor, Rhode Island, and Massachusetts.*

14 (b) *FEDERAL SHARE.—Funds made available under*
15 *this section for planning and design of a project may not*
16 *exceed 75 percent of the total cost of such planning and*
17 *design.*

18 **SEC. 345. EARTHQUAKE PREPAREDNESS CENTER OF EXPER-**
19 **TISE EXTENSION.**

20 *The Secretary shall establish an extension of the Earth-*
21 *quake Preparedness Center of Expertise for the central*
22 *United States at an existing district office of the Corps of*
23 *Engineers near the New Madrid fault.*

1 **SEC. 346. REPEAL OF TERMINATION DATE FOR CONSTRUC-**
2 **TION OF VIRGIN ISLANDS PROJECTS BY THE**
3 **SECRETARY.**

4 *Section 406 of the Water Resources Development Act*
5 *of 1990 (48 U.S.C. 1405c note) is amended by striking sub-*
6 *section (c).*

7 **SEC. 347. HUNTINGTON, WEST VIRGINIA.**

8 *The Secretary may enter into a cooperative agreement*
9 *under section 218 of this Act with Marshall University,*
10 *Huntington, West Virginia, to provide technical assistance*
11 *to the Center for Environmental, Geotechnical and Applied*
12 *Sciences.*

13 **SEC. 348. SOUTHERN WEST VIRGINIA.**

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

17 *“(3) COST SHARING.—*

18 *“(A) IN GENERAL.—Total project costs*
19 *under each local cooperation agreement entered*
20 *into under this subsection shall be shared at 75*
21 *percent Federal and 25 percent non-Federal. The*
22 *non-Federal interest shall receive credit for the*
23 *reasonable costs of design work completed by*
24 *such interest prior to entering into a local co-*
25 *operation agreement with the Secretary for a*

1 *project. The Federal share may be in the form of*
2 *grants or reimbursements of project costs.*

3 “(B) *INTEREST.*—*In the event of delays in*
4 *the reimbursement of the non-Federal share of a*
5 *project, the non-Federal interest shall receive*
6 *credit for reasonable interest to provide the non-*
7 *Federal share of a project’s cost.*

8 “(C) *LANDS, EASEMENTS, AND RIGHTS-OF-*
9 *WAY CREDIT.*—*The non-Federal interest shall re-*
10 *ceive credit for lands, easements, rights-of-way,*
11 *and relocations toward its share of project costs,*
12 *including direct costs associated with obtaining*
13 *permits necessary for the placement of such*
14 *project on public owned or controlled lands, but*
15 *not to exceed 25 percent of total project costs.*

16 “(D) *OPERATION AND MAINTENANCE.*—*Op-*
17 *eration and maintenance costs for projects con-*
18 *structed with assistance provided under this sec-*
19 *tion shall be 100 percent non-Federal.”.*

20 (b) *FUNDING.*—*Section 340(g) of the Water Resources*
21 *Development Act of 1992 (106 Stat. 4856) is amended by*
22 *striking “\$5,000,000” and inserting “\$10,000,000”.*

1 **SEC. 349. REMOVAL OR REMEDIATION OF CONTAMINATED**
2 **SEDIMENTS, LOWER FOX RIVER, WISCONSIN.**

3 *The Secretary shall remove or remediate contaminated*
4 *sediments from the Lower Fox River, Lake Winnebago to*
5 *Green Bay, Wisconsin, pursuant to section 312 of the Water*
6 *Resources Development Act of 1990 (33 U.S.C. 1252 note).*

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