

103D CONGRESS  
1ST SESSION

# S. 1407

To direct the Secretary of the Army to conduct a study to assess the adequacy of current flood control measures on the Upper Mississippi River and its tributaries, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 6 (legislative day, JUNE 30), 1993

Ms. MOSELEY-BRAUN (for herself, Mr. SIMON, Mr. BOND, Mr. DANFORTH, Mr. FEINGOLD, Mr. GRASSLEY, Mr. HARKIN, and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To direct the Secretary of the Army to conduct a study to assess the adequacy of current flood control measures on the Upper Mississippi River and its tributaries, 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. PURPOSES.**

4       The purposes of this Act are as follows:

5               (1) To improve the flood protection on the  
6       Upper Mississippi River and its tributaries in order

1 to protect public health and safety, maintain com-  
2 merce, and reduce economic losses due to flooding.

3 (2) To assess the adequacy of current flood  
4 control measures in use at the time of the assess-  
5 ment (referred to in this Act as “then current flood  
6 control measures”), both Federal and non-Federal,  
7 on the Upper Mississippi River and its tributaries  
8 and recommend improvements to protect critical  
9 public facilities and prevent the release of hazardous  
10 materials into flood waters.

11 (3) To examine the Federal and non-Federal  
12 roles in funding the construction and maintenance of  
13 flood control measures on the Mississippi River and  
14 its tributaries and recommend changes to improve  
15 flood protection for high priority facilities.

16 **SEC. 2. FLOOD CONTROL MEASURES ON UPPER MIS-**  
17 **SISSIPPI RIVER AND TRIBUTARIES.**

18 (a) STUDY.—The Secretary of the Army shall con-  
19 duct a study to assess the adequacy of then current flood  
20 control measures on the Upper Mississippi River and its  
21 tributaries.

22 (b) CONTENTS.—In conducting the study under sub-  
23 section (a), the Secretary shall—

1           (1) identify critical water, sewer, transpor-  
2           tation, and other essential public facilities that cur-  
3           rently do not have adequate flood protection;

4           (2) identify high priority industrial, petrochemi-  
5           cal, hazardous waste, and other facilities that re-  
6           quire additional flood protection due to the special  
7           health and safety risks caused by flooding;

8           (3)(A) evaluate then current Federal, State,  
9           and local flood impact review requirements for infra-  
10          structure improvements and other development in  
11          the flood plain; and

12          (B) recommend changes to reduce the potential  
13          loss of life, property damage, economic losses, and  
14          threats to health and safety caused by flooding;

15          (4) examine the differences in Federal cost-  
16          sharing for construction and maintenance of flood  
17          control projects on the Upper and Lower Mississippi  
18          River systems and assess the effect of the dif-  
19          ferences on the level of flood protection on the  
20          Upper Mississippi River and its tributaries;

21          (5)(A) assess the then current Federal policy on  
22          pre-event repair and maintenance of both Federal  
23          and non-Federal levees; and

24          (B) recommend actions to help prevent the fail-  
25          ure of the levees during flooding;

1           (6)(A) assess the impact of the then current  
2           system of levees and flood control projects on the  
3           flood levels experienced on the Upper Mississippi  
4           River and its tributaries in 1993; and

5           (B) evaluate the cost-effectiveness of alternative  
6           flood control measures, such as the preservation and  
7           restoration of wetlands;

8           (7) recommend flood control improvements,  
9           changes in Federal cost-sharing, and other measures  
10          to reduce economic losses, damage to critical public  
11          facilities, and the release of hazardous materials  
12          from industrial, petrochemical, hazardous waste, and  
13          other facilities caused by flooding of the Upper Mis-  
14          sissippi River and its tributaries; and

15          (8) assess the environmental impact of then  
16          current flood control measures and the flood control  
17          improvements recommended pursuant to this sec-  
18          tion.

19          (c) REPORT.—Not later than January 1, 1995, the  
20          Secretary shall submit to Congress a report on the results  
21          of the study conducted under subsection (a).

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