Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
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Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—203

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
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Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
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Hensarling
Herger
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Kanjorski
Keller
King (IA)
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Kingston
Kirk
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Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Boehner
Cantor
Cubin
Davis, Jo Ann
Fattah
Higgins
Israel
Jones (NC)
Lampson
Millender-McDonald
Rohrabacher
Walsh (NY)
Whitfield
Wicker

□ 1608

Mr. BERRY changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. WEINER). Pursuant to section 3 of H. Res. 317, H.R. 1433 is laid on the table and H.R. 1906 is laid on the table.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 1495 and include extraneous material in the RECORD on that legislation which will be considered by the House presently.

The SPEAKER pro tempore (Mr. WEINER). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

COMMUNICATION FROM STAFF MEMBER OF THE HON. VIRGIL H. GOODE, JR., MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Esther Page, Caseworker, Office of the Honorable VIRGIL H. GOODE, Jr., Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 5, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the General District Court for Charlottesville, Virginia, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

ESTHER PAGE,
Caseworker.

WATER RESOURCES DEVELOPMENT ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1495.

□ 1611

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1495) to provide for the 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, with Mr. ROSS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong support of H.R. 1495, the Water Resources Development Act of 2007, a bill long in the making, 6 years in the making, a bill that has ultimately passed the House, not passed the Senate, passed the House, passed the Senate, not gone to conference.

We tried in the closing hours of the 109th Congress to wrap this measure up, then-Chairman DON YOUNG and I, working with our counterparts in the other body, attempting to reach an agreement, but it just proved insurmountable, too insurmountable an obstacle to get there.

In this 110th Congress, we resumed on the base of the legislation that has built up over 6 years, over three Congresses, and working with the distinguished gentleman from Florida (Mr. MICA), the ranking member on the Committee on Transportation and Infrastructure, we spent a great deal of time together thinking through how to proceed with this legislation.

We agreed on basic principles that we would start with the bill that passed the House. There was no conference ever consummated in the 109th Congress. So we decided that the benchmark bill for this Congress would be only those measures that were in the bill of the 109th Congress, and we started from there. And then we have worked our way through myriad issues, Members who wanted new projects or amendments or additions to existing projects; and in all cases, we made very, very difficult, but I think honest and consistent, decisions about the legislation we bring before you today.

I want to assure Members that are concerned, that have issues that have arisen since the 109th Congress, that those issues that need to be addressed by projects of the Corps of Engineers will be addressed in subsequent legislation. As soon as we are able to move this bill through the House, through conference with the Senate, which I am confident can be done before the middle of June, maybe earlier if the other body will be able to free itself to work with us in conference, we can get this done very quickly, and then begin on the next round of water resources projects which I guarantee is not going to take 7 years.

□ 1615

We are going to deal with somebody, maybe in the next 7 or 8 months after the conclusion of this legislation. Again, I express my appreciation to the gentleman from Florida for consistently working to move this critically important legislation.

The Committee on Transportation and Infrastructure is the proud inheritor of a long tradition of work, of investment in America's transportation needs, water resources, where the very first concerns of the new Nation in 1789 and the first act of the first Congress, 1789, was to authorize the establishment of a lighthouse, at the entry to Hampton Roads in Virginia.

Starting from that point, this committee continued the direction of the Constitution to build and maintain post roads. Well, not all roads were built just for the postal service; but, again, it was the spirit of the Constitution, the spirit of the new Nation that we needed mobility. The Nation was founded along the waterways, the salt water coasts, the inland waterways. It has been our task to assure mobility, movement of people and goods through waterways, and then the highways, later the railways, and then the airways.

Here we come with this massive bill, because the President, because Congress hasn't done its work; and the last time a President signed a Water Resources Development Act was in 2000. Well, we hope that the next one will be this year, which we fully expect.

There are many issues that have arisen in the intervening years, some that were weighing heavily upon us when we began this process in 2000 of crafting the current WRDA bill on the Great Lakes. Invasive species are threatening our native aquatic species, biota and flora, as well as a new issue called a deadly fish virus, a hemorrhagic virus that destroys the fisheries and is carried in ballast waters from one region of the Great Lakes to another.

We have language in this bill that will initiate an emergency program by the Corps of Engineers to protect the vital food supply and the quality of the waters.

Lake Superior, because of a drought in the Great Lakes watershed, has seen the water level drop 8 inches in the past 3 years and will drop another 2 inches this year with the beginning of the major shipping season. It will be at nearly its lowest level in history. That has meant that vessels carrying iron ore from the upper lakes to the lower lakes steel mills have gone out 7,500 tons light.

It means two or three extra voyages per vessel per season, raising the cost of iron ore, raising the cost of steel, affecting our competitiveness. We have legislation, we have language in this legislation that will direct the Corps to undertake an accelerated dredging program making up for the 15 years they haven't done the dredging because we have had high waters on the Great Lakes.

We authorize locks, improved extended locks on the Mississippi River system, seven extended locks to take the 600-foot locks to make them 1,200-foot locks. A barge tow leaving Clinton, Iowa, round-trip to New Orleans, back to Clinton, Iowa, takes 820 hours. New Orleans is the world's most important grain export facility.

We can cut 60 hours off that round-trip by extending the locks at 1,200 feet so the tows that are 1,200 feet don't have to be broken in half, sent through 600 feet at a time, lashed together, go through the next lock and do it all over again. We are in a world competitive market on which grain moves on as little as an eighth of a cent a bushel. Every time you have to spend those extra hours going through the locks, you are raising the cost of our commodities, which makes us less competitive with, say, Brazil, which is mounting a massive soybean export facility at Recife, which is 2,500 miles further out in the Atlantic Ocean than New Orleans is.

We have legislation here, language in this legislation to deal with the restoration of the Everglades, a matter of great interest to the gentleman from Florida, for which he has been an eloquent advocate. They are in a state of disrepair. The buffer to protect them from storms is weak because of our inaction, and we are going to deal with that issue, as well as the wetlands along the Gulf of Mexico from Texas, Louisiana, Mississippi, Alabama, all the way on to Florida.

We are insistent on addressing the needs of the Everglades, the needs of the Louisiana coastal region and in Louisiana, New Orleans area, the Mississippi River gulf outlet, which allowed salt water intrusion to come up from the gulf, kill the wetlands. It allowed the overtopping of St. Bernard Parish. We have got to restore that wetland, and this legislation will do that at the request and insistence of the Louisiana delegation.

There are many other important features in this legislation. In all, 56 chiefs' reports, we had a request of over 1,500 projects. There are over 700 projects in this legislation. More than 300 Members of the House have a direct interest in the legislation. We welcome their interest in this participation. We bring to this body a very critical and supportable piece of legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. MICA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I would like to urge all Members of the House on both sides of the aisle to support H.R. 1495, which is known as the Water Resources Development Act of 2007.

As we have heard from the chairman, this bill authorizes and directs the Corps of Engineers to carry out various studies, projects and programs relating to navigation, flood damage reduction, shoreline protection, dam safety, shoreline protection and recreation and environmental restoration and protection.

Our subcommittee, led by Mr. BAKER of Louisiana, held two days of hearings on projects, programs and policies during the development of this legislation. After a careful review, the committee was able to approve the authorization of more than 50 projects with the chiefs' reports relating to flood damage reduction, navigation, hurricane and storm damage reduction, and environmental restoration.

We also have in this legislation, navigation and ecosystem restoration projects for the upper Mississippi River. Illinois waterway system, and Everglades restoration project, which I would like to talk about in just a moment, and conserving and restoring the Louisiana coastal area.

We have in the bill a provision for streamlining and expediting the Corps of Engineers' project delivery and permits system. We have provisions for improvement of the Corps of Engineers' planning and project development process, including independent peer review of larger and more controversial studies. We also have authorization of a number of smaller project modifications, investigations, related to our civil works programs of the Corps of Engineers. I think all in all we have a good piece of legislation that we have worked on in a bipartisan fashion, and you see the product before us today.

Now, I know the administration has issued a position opposing this legislation. However, I want to talk to a couple of points that they have raised. They do have a responsibility to be good trustees of the public monies and

the difficult situation we find ourselves in financially.

But in this legislation between 3 and $4 billion would be typically spent during a WRDA cycle or authorization process on this type of legislation. We have not had a bill since the year 2000. So actually if you do simple math on that, you can see that the total cost of this bill in Federal dollars, $13.1 billion, is reasonable. The total cost with the State participation is $17.8 billion. But we do, indeed, have a backlog of projects over what would amount to at least three cycles. So this WRDA bill, this authorization legislation, in fact, combines the equivalent of all of those years of backlog of projects. The price tag, in fact, is consistent with that assumption.

While this bill is considered costly by some, the 2005 WRDA legislation contained almost 900 projects. That is another complaint of the administration, too many projects. This bill contains 682 project provisions. Not that Mr. OBERSTAR, myself, Ms. JOHNSON, Mr. BAKER haven't had Members throughout the Congress come to us and beg and plead to have additional projects that are critical to their district included in this legislation. I think we, too, have been good custodians and responsible in crafting this legislation.

Let me say that the administration also raised some questions about cost benefits. We have gone through this. Mr. OBERSTAR, myself, Mr. BAKER, Ms. JOHNSON, we have looked at cost benefits. We have done our very best to ensure that the taxpayers' dollars again are well spent and there is a good return for the investment that is being made here by the Federal taxpayer.

So those are the reasons that I disagree with my administration on this. I actively support this. I think we have done this in a very good fashion.

Finally, I want to talk to some of the measures that are in the bill. You have heard the chairman talk about some of the measures that are in this bill. This bill is important to me, not only as a Member of Congress, and I don't represent the Everglades, but I do represent the State of Florida. It is interesting how it takes time to undo some of the damage that mankind has done to our natural resources and national treasures.

I have a copy of the Palm Beach Post, which I kept in a file, from Sunday, April 11, 1993, irony, same month a number of years ago, talking about the Everglades, reversing man's mistakes. I started working on that along with the Clinton administration, Secretary Babbitt. Hear is an article from July 4, 1994, about a $465 million government industry agreement to start cleaning up the Everglades, which had been damaged by man's abuse.

Here is another article I pulled from the news journal Daytona Beach News-Journal that says: ''Representative John Mica and the other Members of central Florida's House delegation are in a fortunate position to finish the work the Senate started.'' This is the year 2000. Here we are in 2007.

Now, in 2000 we authorized a study. What is important about this bill is we authorize for the first time projects that actually do construction and work in restoring our precious national treasure, and Florida's national environmental treasure, the Everglades.

□ 1630

So that is one reason why I am excited about this piece of legislation. It does take a long time and a lot of money.

Finally, I do want to also cite that I just inherited the responsibility of the Transportation leader on the Republican side, and I never realized how important these projects are to individual Members. For example, not on our side of the aisle, but Ms. MATSUI, a Democrat Member, she has a project in here that would provide a 100-year level of flood protection for the city of Sacramento. Almost a million Americans live in the capital of California, more than twice the population of the pre-Katrina New Orleans that today has only an 80-year level of flood protection. No other community in America of this size has this little flood protection. This is a project important to Ms. MATSUI.

There are not Republican projects, there are not Democrat projects; there are projects for the people that are important to their survival. And we have seen the mistakes and the errors of our ways in Katrina. Mr. BAKER can speak to what he has gone through in Louisiana. We need not repeat those errors.

So here we have in this legislation an opportunity to help her and 299 other districts. I wish it was 435. So it has been put together in a bipartisan way.

And finally, on my effort, I tried to do it in a transparent way. All of the Republican projects have been on file, open to the public, and any of the earmarks, open to public and press scrutiny. So I have tried to do it in a manner that restores public faith, because I would rather have elected Members of Congress make those decisions, fight for them, and have it done and conducted in a transparent fashion rather than have some bureaucrat down there decide where the taxpayer money, which they just paid in in huge amounts over the past week to Washington, get expended. That is our responsibility, it is elected officials' responsibility, not appointed bureaucrats who don't have the responsibility we have under the Constitution.

So, again, I recognize my colleagues on the other side of the aisle, Mr. OBERSTAR, Ms. JOHNSON and Mr. BAKER. I also want to thank Mr. COSTELLO, who is no longer the Chair or the ranking member, and Mr. DUNCAN, who was the Chair because this is an inherited work. Again, several bills are combined that are long overdue. So I urge their passage.

Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute to express my great appreciation again to the gentleman from Florida for his thoughtful discussion. I join him in his statement on the administration's statement of policy. I think they have it wrong, and the gentleman stated it just right.

Over the past 6 years, if we had passed the water resources bill in a timely fashion, it would have been in the range of $2 billion a year. That is normal. So what we are dealing with is a huge, pent-up backlog.

Again, as the gentleman said, this is an investment in America, and Members of Congress representing their constituents, their businesses, their water resources, know what they need. They have come forward with thoughtful recommendations, and this bill reflects those recommendations.

We have served as a filter to weed out those in our best judgment that did not measure up on cost-benefit analysis. So we have set a standard for the future and we have, in accordance with the rules of the House, made all of the Member projects available, and will continue to do that.

I would like to acknowledge the splendid work of the Chair of the Subcommittee on Water Resources, Ms. EDDIE BERNICE JOHNSON. She has devoted years of her service in the Congress to consideration of water resources vital to her State of Texas. She has taken ownership of these issues and led the subcommittee hearings. Even this afternoon, she has hearings going on in our committee room while she is here to help manage the bill.

Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you, Mr. Chairman.

I am pleased to rise to support H.R. 1495, the Water Resources Development Act of 2007.

This bill authorizes water resources projects and the U.S. Army Corps of Engineers policy and programmatic changes that our Congress has failed to consider for far too long.

Water resources legislation is most effective when it is considered biennially. I support this 2-year cycle, as it provides stability to the program and assurance to the non-Federal sponsors who support Corps projects.

When we let them go, they get to be more costly. And, unfortunately, no water resources bill has been enacted since 2000, the entire term of our current administration. This is a result, in part, of a failure of the current administration to engage in this important legislation, as well as a failure of the Congress to reach agreement.

Last year, we came very close to resolving our differences with the other body in conference. However, we ultimately ran out of time. I hope this legislation that we consider today can take us to that point and further, releasing this backlog of authorizations to fix our existing infrastructure and

to authorize new flood control, navigation and environmental restoration projects.

We are trying very hard to move a little ahead of the next flooding. We must do that. And they are not going to kick out Democrats or Republicans for flooding, it is going to be whoever is in the way. It is purposeful that we have brought this bill to the floor as early as we have in this session.

The authorizations in the language are time sensitive, and there should be no surprise that this bill contains a substantial number of provisions. Many of these authorizations have been waiting for action more than 6 years.

Within the 110th Congress, the committee intends to move two water resources bill. This first one contains a logjam of more than 6 years of issues. The second bill will consider new projects and policy changes that we were not able to add to this legislation, that we will consider today. This approach may not be traditional, but it is necessary.

Since Congress last passed a Water Resources Development Act, we have seen Hurricanes Katrina and Rita tear up the gulf coast and my home State of Texas, flooding cities, damaging economies and businesses, and threatening public health.

The Florida Everglades continue to need attention and restoration to save the unique treasures it brings to the State and our country.

This bill also contains smaller projects that may be less publicized but just as vital to communities that rely on various water resources for their livelihood.

As in the past, these projects were not considered on a partisan basis, but on individual merit. Their approval should not be considered solely on whether they are Democratic projects or Republican projects; these are human projects. They should be considered on their contributions to public safety and economics.

H.R. 1495 authorizes programmatic changes to the Corps of Engineers that previously have passed the House, but have stalled in the failed conference negotiations. During the 109th Congress we came close to resolving these differences with the Senate. I urge my colleagues to once again support these provisions. Everybody who has been here more than 6 years ought to know what everything is in this bill because they have seen it over and over and over again. We must engage the other body and together produce the best package for Corps reform.

I would like to acknowledge Chairman OBERSTAR for his leadership and eloquence in the Committee on Transportation and Infrastructure, as well as the interest and expertise that he shares on water resources issues.

I also would like to thank our ranking member, Mr. MICA, and the ranking member of the subcommittee, Mr. BAKER, for their knowledge and effort and partnership with me, and for their support.

I strongly support this legislation. I hope and urge my colleagues to vote in favor of its final passage. The time is now.

Mr. BAKER. Mr. Chairman, at this time I recognize a valued member of the committee, Mr. BROWN, for 2 minutes.

(Mr. BROWN of South Carolina asked and was given permission to revise and extend his remarks.)

Mr. BROWN of South Carolina. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of this critical legislation. I want to thank so many on this committee for their hard work and long dedication to this legislation, especially our chairman, Mr. OBERSTAR, and our ranking member, Mr. MICA; and the subcommittee chairwoman, Ms. EDDIE BERNICE JOHNSON, and Mr. BAKER, the ranking member. I also thank Mr. DUNCAN, the former chairman, and Mr. COSTELLO, who is the ranking member.

We have been working on this bill now for my term in Congress, and this is my fourth term, and I am happy today we are here to present it again.

One of the most important elements in this bill are reforms made to the processes and procedures of the Army Corps. The infrastructure needs of our Nation have never been at a higher level. We need to do all we can to ensure that the limited dollars available are spent wisely, and the reforms in this bill will give the Corps the tools to make that happen.

In addition, the bill makes significant changes to the project delivery process used by the Army Corps. The process the Corps has to go through now to deliver a project are long and hard, to say the least. This bill makes commonsense change to streamline that process to help our communities.

Improving infrastructure is not a partisan issue, it is a commitment we as a Nation must ensure is met. If we do not, then we as a Nation will be facing significantly greater environmental and economic challenges than we do currently.

In closing, I want to say again that I strongly support this legislation and I am confident we will enact a bill this year. I also want to thank my friends and colleagues on the committee as we all have joined to invest so much effort into this particular legislation.

I am proud to stand with you in support of its passage.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), an alumnus of the committee.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy, and I am proud of the time that I was able to work with you for 10 years on this subcommittee.

I rise in support of the bill. As was referenced by the Chair of the committee and the subcommittee, this is an important and complex bill with 682 projects. They are important economically. They are important environmentally. We found out less than 2 years ago how critical they are to the Nation. Hurricane Katrina revealed it can literally be a matter of life or death.

This legislation has been hung up since the year 2000, in part because of disagreements about the reform agenda with the Corps of Engineers. I am pleased that we have signaled an effort to try and move forward, to be able to break that impasse with this legislation, the provisions in it and others that will follow.

I am also pleased to have an opportunity to offer an amendment to update the principles and guidelines that would help the Corps move even closer to developing environmentally, fiscally, and structurally sound projects.

Let me be clear. The amendment will not impact any project currently under way or anything covered in this legislation. It would simply tell the Corps of Engineers to update their own principles and guidelines, the playbook for developing water resources projects that are over 25 years old. The National Academy of Sciences has said they are woefully out of date. And the Corps and the Congress' inability to update these principles and guidelines is one of the reasons why the Corps has drawn criticism from the Government Accountability Office, the National Academy of Sciences, and the OMB, along with internal Pentagon reviews.

It is one of the reasons why we have had trouble passing WRDA in the last 6 years and reconciling it with the Senate which has similar provisions. It does not affect anything in the bill currently; and I think it will be an opportunity for us not just passing the bill, but it would be a reason for the President to sign it, given the problems they have had.

I appreciate the hard work that has been done. I appreciate the opportunity to speak in support of the bill, and look forward to having support for the amendment for updating the principles and guidelines later in the afternoon.

Mr. BAKER. Mr. Chairman, I yield 1½ minutes to the gentlewoman from West Virginia (Mrs. CAPITO), a valued member of the committee.

Mrs. CAPITO. Mr. Chairman, I rise in strong support for the reauthorization of the Water Resources Development Act. I would like to thank Chairman OBERSTAR, Ranking Member MICA, Subcommittee Chairman JOHNSON and Ranking Member BAKER for their hard work in getting this legislation to the floor.

It has been too long since the water resources bill has become law, and it is important that we continue to move this and make this reauthorization a reality. Projects authorized in this bill are critical to our national waterways transportation system that businesses and industry in every State and congressional district rely on to move their products.

In my State of West Virginia, a well-maintained system of navigable waterways is crucial to moving coal from our mines to plants across the country to power this Nation's economy. The bill addresses local needs. I am pleased that this legislation recognizes the important water and wastewater challenges in West Virginia by continuing the authorization for the Central West Virginia Environmental Infrastructure Program.

□ 1645

This program has provided access to clean water and wastewater treatment to many rural West Virginians who otherwise would be without these critical utilities. I am pleased that this Corps of Engineers program will be able to continue assisting local public service districts to address these important community needs.

I want to thank the committee for their hard work. I look forward to the final passage and the President's signature on this bill.

Mr. OBERSTAR. Could the Chair advise the time remaining on both sides.

The CHAIRMAN. The gentleman from Minnesota has 13 minutes remaining. The gentleman from Louisiana has 17 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. Mr. Chairman, I want to thank the gentleman from Minnesota (Mr. OBERSTAR) for yielding, and I would like to recognize him, as well as the ranking member, for the exceptional leadership on this critical issue.

Mr. Chairman, I rise today in support of H.R. 1495, the Water Resources Development Act of 2007. I urge the swift passage of the measure. Passage of this bill is long overdue.

My communities are desperately waiting for infrastructure projects which are of major importance to their districts.

My district includes hundreds of small communities that have narrow economic and tax bases. Small communities like these often are unable to address the significant infrastructure needs. Water infrastructure is vital to the economy and stability of these small communities.

My rural communities rely on antiquated water systems, and they need to be updated. Without the means to update old systems, many of our constituents and communities nationwide have been living in substandard conditions.

It is not only an environmental health issue. A lack of sufficient water resources can effectively prevent the community from moving forward with critical infrastructure, like additional housing for its inhabitants.

This bill is an important and necessary step in protecting our Nation's water infrastructure. Quite simply, Mr. Chairman, we cannot afford not to pass this critical legislation.

I urge my colleagues to support this investment in water resource development and conservation projects and the passage of this much-needed bill.

Mr. BAKER. Mr. Chairman, at this time I would like to yield 2 minutes to my distinguished colleague from Louisiana who has worked tirelessly on assisting the people of the storm-stricken area, Dr. BOUSTANY.

Mr. BOUSTANY. Mr. Chairman, I want to thank my colleague from Louisiana for yielding time.

Mr. Chairman, I rise in support of this bill. WRDA reauthorization is long overdue, and it is vital that we pass H.R. 1495 and get a bill signed into law this year.

WRDA authorizes nearly $2.1 billion for the Louisiana coastal area, and it will allow the Army Corps of Engineers to move forward on many critical coastal restoration and hurricane protection projects statewide.

I also want to thank Chairman OBERSTAR for accepting my amendment in committee to add projects identified in the Southwest Louisiana Coastal Hurricane Storm and Reduction Study to the list of priority projects and projects to be expedited under this bill. Thank you, Mr. Chairman.

This study is the first comprehensive assessment of hurricane and flood protection needs of southwest Louisiana. The Corps has nearly completed the reconnaissance phase, and I anticipate that we will enter into an agreement with the State to proceed with the feasibility phase in the near future.

It is important that we expedite these projects, not only for southwest Louisiana, but for the entire Nation because in southwest Louisiana our waterways protect much of the vital and necessary energy infrastructure that keeps this country running.

We have one of the largest strategic petroleum reserves in my district that is affected here. Also, the Henry Hub, which is where pricing is set for natural gas for the country, is in my district. And it was actually flooded in Hurricane Rita.

And nearly 25 percent of the liquefied natural gas will run through my district by 2015.

These waterways and coastal wetlands are far more than just commercial routes or playgrounds. They are a critical buffer to protect homes, business and our energy infrastructure and our way of life in Louisiana. What we are talking about is America's energy coast, a working coast.

So I urge my colleagues to support this bill.

Mr. BAKER. Mr. Chairman, at this time I would like to recognize a Member who has expressed interest in this subject matter, Mr. HULSHOF, for 2½ minutes.

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. Mr. Chairman, I rise in support of H.R. 1495. I grew up in the shadow of levees along the Mississippi River in southeast Missouri. And while the river, at times destructive, the river has been a provider for me and my family, delivering the grain from our farm to international markets.

And I will tell you, as the gentleman from Minnesota has stated, the nickels and dimes that we saved by shipping via barge were often the difference between our farm ending up in the red or ending up in the black. Those few cents have helped keep food on our table; clothes on our back; and, over the years, kept our farm even within our own family.

Title VIII of the legislation, lock modernization, will insure that farmers in northeast Missouri and farmers in Iowa and Illinois, Minnesota, Wisconsin and elsewhere will continue to have the same benefit that my family had, the ability to ship crops to international markets via the most cost-effective method.

I will tell you that a recent study by the Food and Ag Policy Research Institute, FAPRI, found that if the Mississippi River and Illinois waterways were forced to close, possibly because of a massive lock failure, that farmers, our own U.S. farmers, would lose between $645 million and $806 million a year, a year in increased transportation costs. We experienced a glimpse of that in the aftermath of Hurricane Katrina when the river was shut down, navigation was shut down for a short time during the fall of 2005. Farmers endured a 60-cent-per-bushel penalty on a bushel of corn during that critical time in September of 2005. And a massive failure, unfortunately, is a distinct possibility.

These locks are standing just out of habit, or as my constituent, Senator KIT BOND, is fond of saying, ''These locks belong in the National Register of Historic Locations.'' They were built in the 1930s to accommodate steamboats for the next 50 years. As the gentleman pointed out, these locks are no longer navigation aids, but hindrances. They are 600 feet long. The modern barge is close to 1,200 feet, often three across and five long.

What I want to emphasize again to my friend from Oregon who spoke, and others, these locks benefit the American public in other ways. The typical tow removes 870 18-wheel tractor trailer trucks from our already congested roads, bridges, and interstate highways. A gallon of diesel fuel will push one ton of freight 2½ times further by barge than by locomotive; nine times farther than by truck. Moreover, according to the Environmental Protection Agency, towboats emit 35 to 60 percent fewer pollutants than locomotives or trucks. All in all, all worthy.

I urge its support.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1¾ minutes, and I yield to the gentleman from Wisconsin.

Mr. KAGEN. Mr. Chairman, in the last Congress the House approved a

water resources bill that included language to modify the navigation channel for the Fox River in Wisconsin. This provision, which was inserted by my predecessor, would have modified part of the navigational channel from 150 feet wide to 75 feet and from an authorized depth of 18 feet to 6 feet. However, the Congress adjourned and the work never was completed.

This year I requested that this language not be included in the water resources bill because of my concern that it might impair the navigability of the Fox River and the potential for future commerce. It is my understanding that a 9-foot authorization depth is considered the minimal depth for a navigational channel to safely handle barge traffic.

I would like to work with the Congress, with the chairman in conference to ensure that whatever language is included in the conference agreement, it will not adversely impact the navigability of the Fox River and will accomplish the goals of a safe cleanup of the Fox River.

Mr. OBERSTAR. I thank the gentleman for his leadership on this issue. The question of the Fox River has been on the agenda of the committee for over 20 years.

And the gentleman has stated the issue very well: that 6-foot channel depth is simply not viable for today's barge traffic.

And there is also the issue of PCB contamination in the lower Fox River. The gentleman has shown real foresight in dealing with the issue both of navigation and of cleanup. So the Superfund really ought to deal with this problem. It is not going to. We are going to be vigilant on the matter. If there is an opportunity in conference to address the issue in an appropriate manner, we will do that. If not, we will do it in a subsequent water resources bill. And I look forward to coming to Green Bay to see the gentleman's district and the lower Fox River.

Mr. BAKER. Mr. Chairman, at this time I would like to yield 2 minutes to a gentleman who is a former chairman of the Water Resources Subcommittee and who put an enormous amount of work into the product on the House floor today, Mr. DUNCAN.

Mr. DUNCAN. Mr. Chairman, I first want to commend Chairman OBERSTAR, Ranking Member MICA, Chairwoman JOHNSON, with whom I spent so many hours. She was my ranking member during the entire 6 years that I had the privilege of chairing the Water Resources and Environment, or during part of the time that I chaired the Water Resources and Environment Subcommittee, and such a good friend, and Ranking Member BAKER, for bringing this bill to the floor today and for their good and hard work on this legislation. And I urge its support.

This is a very conservative bill, Mr. Chairman. It is a bill that passed this House with only eight dissenting votes a few years ago and then later only 14 dissenting votes. The bill passed with over 400 votes in favor of it each time in the House. We did our work, but then it got held up in the other body.

Some people say that these projects should be paid for entirely on a local basis. But I can tell you there is a very important Federal role in regard to our water resources because people in California or New York or Michigan use the water in Tennessee. And people expect us to have a good wastewater and clean water system in this country. And yet it is something that people take for granted probably more than anything else that I can think of. And we have got to improve and strengthen our water resource system in this country.

Over the last few years, we have spent many billions on the water system, our wastewater and clean water systems in Iraq. But we have fallen down at the Federal level on what we are doing on our wastewater and clean water systems in this country. And most of the spending has been done by the State and local governments and particularly by the ratepayers. And so this is a very necessary, very overdue bill, as many have pointed out. And I urge support for this legislation.

Mr. OBERSTAR. Mr. Chairman, I yield to the distinguished gentleman from Florida (Mr. MAHONEY) 1½ minutes.

Mr. MAHONEY of Florida. Mr. Chairman, I rise today in strong support of H.R. 1495, the Water Resources Development Act of 2007.

Seven years ago Congress, in the spirit of bipartisanship, had the wisdom to protect for future generations one of America's most precious natural areas, the Everglades, by authorizing the largest environmental restoration project in our Nation's history, the Comprehensive Everglades Restoration Plan (CERP).

This ambitious plan consists of over 40 projects that, when completed, would restore much of the Everglades. The plan, from its inception, was a joint venture, an equal partnership with the people of my State of Florida to share in the costs.

I am sorry to say that Washington has failed to honor its word and live up to its commitment. In fact, to the shame of the Republican-controlled Congress and the current administration, not a single WRDA bill has been passed since 2000. Not a single penny spent.

I am proud to say that during this same period of time, Florida has spent over $2 billion to get CERP going. In fact, this is so important in my district that the good people from Martin County voted to increase their taxes to help pay.

In my 16th Congressional District we are going to get the opportunity to restore the Indian River Lagoon.

Stuart, Florida, which straddles the lagoon, is the sailfish capital of the world and was built on tourism based on its world-renowned fishing. I have seen the black and white photos of wagons overflowing with fish. I have seen the photos of kids swimming in the lagoon.

It is time to quit talking about fixing it. It is time for our kids to go fishing. It is time for this Congress to have the courage and leadership to pass H.R. 1495.

Mr. BAKER. Mr. Chairman, at this time I would yield 1 minute to Mrs. BIGGERT.

Mrs. BIGGERT. Mr. Chairman, I rise in strong support of H.R. 1495. My district in Illinois represents the front line in the fight to keep the Asian carp from decimating the ecosystem of the Great Lakes and endangering a multimillion dollar commercial fishing industry.

□ 1700

Competing with native species for food, living space, and spawning areas, these voracious fish grow to between 50 and 150 pounds, eat up to 40 percent of their body weight every day, and each female can carry up to a million eggs.

The bill before us today will enable the Army Corps of Engineers to fortify its aquatic and invasive species dispersal barrier, an invisible, underwater, electric fence on the Chicago Ship and Sanitary Canal in Illinois that repulses fish like the Asian carp.

That is why I rise today, to thank Chairman OBERSTAR and Ranking Member MICA, as well as Subcommittee Chairman JOHNSON and Ranking Member BAKER, for recognizing the continuing threat of the Asian carp and including provisions in this bill to protect the Great Lakes. Our Great Lakes are too important just to leave them vulnerable to invasive species like the Asian carp.

Mr. OBERSTAR. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Mr. Chairman, I rise as a strong supporter and cosponsor of this Water Resources Development Act of 2007.

This new Democratic Congress has made reauthorizing WRDA a top priority. I thank Chairman OBERSTAR and Subcommittee Chairwoman JOHNSON for their work in quickly moving this bill of national significance to help protect America's waterways.

These projects are vital to my home State of Missouri. Our local economy is driven by use of such important routes as the Mississippi, Missouri, and Illinois Rivers. Commerce on these rivers will be greatly benefited by this bill's strong commitment to repair current locks and reconstruct new locks on the Mississippi River.

As a member of the Subcommittee on Water Resources and Environment, I have fought on behalf of my constituents to secure new levels of funding to help throughout our region. In particular, the bill authorizes $35 million for combined sewer overflow elimination in St. Louis. Some of our wastewater infrastructure dates back to the Lincoln administration.

The great flood of 1993 exposed serious flaws in the St. Louis flood wall. This bill addresses that.

Lastly, this bill continues the exciting progress of the Great Rivers Greenway in St. Louis City and County. By creating an aquatic ecosystem restoration, constructing bike paths, and increasing access to the Mississippi River, my constituents will gain more use of one of our national treasures.

These projects are important to the strength of our community and the health of our waterways. I stand in strong support of H.R. 1495.

Mr. BAKER. Mr. Chairman, at this time I would like to yield 3 minutes to the gentlewoman from California (Mrs. BONO).

Mrs. BONO. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today to offer my concerns regarding a provision that was not included in this legislation, yet it is of significant importance to all of southern California. My concerns pertain to the importance of addressing the issues associated with the Salton Sea in southern California, which is California's largest lake.

This body of water is significant not only because of its role in becoming an economic engine for the future, but also because of the impacts that will be felt in our local economy and environment if action is not taken.

In order to address the problems associated with the Salton Sea, I have worked to include moneys within WRDA in prior congressional sessions. My goal is that moneys can be included to fund pilot projects in my district that would begin the proper steps to restore the sea.

To meet this need, yesterday I offered an amendment in the Rules Committee that would provide $26 million for the restoration projects. Unfortunately, today we do not have the chance to vote on this important funding.

It is important to note that my amendment would have directly mirrored language that was included in the final version of the WRDA legislation in the 109th Congress, H.R. 2864. At that time, displaying the bipartisan nature of this proposal, both the chairman and the ranking member, and now chairman, Mr. OBERSTAR, agreed that this language was important and worthy of inclusion.

The support of the Senate remains consistent with their approval in conference of this project last year and its recent inclusion in their WRDA legislation reported from the Environment and Public Works Committee just a few weeks ago. I am grateful that we have the support from the other body on a Salton Sea provision.

The time is right to act, as the State of California is on the verge of determining a plan that will permanently save the Salton Sea. The status quo, Mr. Chairman, is simply not an option. Massive yearly fish die and the potential for the deterioration in local air quality due to blowing sediments are a very serious reality. These problems will likely only worsen in the future, depending on the actions the State of California and our Federal Government take.

I now yield to the gentleman from Florida in the hopes of entering into a colloquy.

Mr. MICA. Mr. Chairman, I thank the gentlewoman for yielding.

First of all, I know, Mrs. BONO, that you have worked tirelessly on behalf of restoration of the Salton Sea project. Only through a technicality in our agreement for moving forward with this legislation has your Bono Salton Sea restoration provision been left from this bill. But you have my assurance that you will have top priority for consideration for the conference on something you have worked year after year and so hard for. So before this gets to the President's desk, you have my assurance that it will be part of the President's bill, if we have a bill.

Mrs. BONO. Mr. Chairman, reclaiming my time, I thank the gentleman.

And I just want to reiterate that since my coming to Congress, I took over this issue actually from my late husband, Sonny Bono, and we did pass the Sonny Bono Memorial Act in 1998. I thank the gentleman very much for his understanding of how important this is and southern California's willingness to help me as we move forward in conference.

Mr. OBERSTAR. Mr. Chairman, will the gentlewoman yield?

Mrs. BONO. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I concur in the remarks of the distinguished ranking member, and we are committed to working together either in conference or subsequently in resolving this matter.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise in strong support of H.R. 1495, the Water Resources Development Act.

In particular, I want to call attention to section 3065 and to thank Chairman OBERSTAR and the Chair of the subcommittee, Ms. JOHNSON, for their support of the city of Saco, Maine.

Section 3065 authorizes construction of modifications to an Army Corps of Engineers jetty at the mouth of the Saco River in the Camp Ellis neighborhood of Saco. The Corps built the jetty more than 130 years ago and subsequently has lengthened, smoothed, and raised it.

Unfortunately, the jetty is destroying the Camp Ellis neighborhood by contributing to what the Maine State geologist has called the worst coastal erosion in the State. Thirty-eight homes have been lost to the sea. Currently, homes that were once six rows back from the shoreline are in danger of being destroyed. During winter nor'easter storms, one part of Camp Ellis often becomes an island.

These dangerous conditions are caused by a structure erected, improved, and maintained by the United States Government. For that reason I believe that the Federal Government must act to alleviate the problem. Section 3065 funds a spur jetty and a series of breakwaters that will diminish the force of wave action on the beach. For the past 7 years, I have been actively involved with Federal, State, and local officials, as well as with Camp Ellis residents, all dedicated to fixing the Camp Ellis erosion problem.

Passage of WRDA could not be more timely. On Monday I was there in the middle of the storm surge, and during this week's nor'easter, Camp Ellis lost at least two homes to the sea. If the proposed modifications to the jetty had been made, these homes would not have been destroyed.

I urge passage of this bill.

Mr. BAKER. Mr. Chairman, at this time I yield 2 minutes to my distinguished colleague from Louisiana (Mr. JINDAL).

Mr. JINDAL. Mr. Chairman, I want to thank Chairman OBERSTAR, Chairwoman JOHNSON, and Ranking Members MICA and BAKER for their excellent work on H.R. 1495.

This legislation is critical to the entire country, but for Louisiana in particular it provides much-needed authority and direction for the U.S. Army Corps of Engineers to design and construct a comprehensive hurricane, flood, and coastal protection program safeguarding hundreds of thousands of lives and tens of billions of dollars in industry and infrastructure vital to our Nation's economy.

WRDA specifically allocates approximately $1.2 billion for actions to restore Louisiana's coastal wetlands over the next decade, including a plan for the closure and environmental restoration of the MRGO, the Inner Harbor Navigational Canal Lock, other projects like the Ouachita River levees and the Red River basin and several other projects throughout the State.

Among the critical projects included in the WRDA bill is the Morganza to the Gulf Hurricane Protection project. This project is the best solution to protecting exposed areas in the bayou region of Louisiana.

I am very pleased that the administration softened its stance on Morganza to the Gulf, which will provide essential hurricane protections to those in Terrebonne and Lafourche Parishes. When complete, this project will provide category 3 protection for 200,000 citizens and approximately $8 billion of public and private infrastructure.

Though I certainly would have preferred an unqualified endorsement for Morganza to the Gulf from the administration, I look forward to working with my colleagues in the House to ensure that Morganza and other important projects remain intact in the final bill. I urge my colleagues to support H.R. 1495.

I want to thank again the chairman, and ranking member, Mr. BAKER, in particular, for their work on this bill.

Mr. OBERSTAR. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Illinois (Mr. COSTELLO), former ranking member of the subcommittee, who devoted an enormous amount of his time, along with Mr. DUNCAN, in shaping this bill in the previous Congress and now leads us on aviation as the chairman of the Aviation Subcommittee.

Mr. COSTELLO. Mr. Chairman, I thank Chairman OBERSTAR for yielding time to me.

Mr. Chairman, today we are considering the Water Resources Development Act of 2007. This bill addresses what the Congress has failed to do in previous years, enact a WRDA bill that addresses the critical infrastructure needs of our country.

I would like to thank Chairman OBERSTAR, Chairwoman JOHNSON, Mr. MICA, Mr. BAKER, and the former chairman of the subcommittee, Mr. DUNCAN, for a job well done in bringing this bill to the floor today. Without their leadership and their persistence, we would not have a bill here to consider on the floor.

H.R. 1495 authorizes projects for major flood control, navigation, environmental restoration, and other water projects and authorizes several important projects to restore and enhance the Nation's environmental infrastructure.

The United States transportation system has an extensive system of highways, ports, locks and dams, and airports. Yet we continue to neglect upgrading and modernizing our infrastructure. We should not build our infrastructure and then walk away from it without maintaining and modernizing it as it becomes antiquated, like we have done with the Upper Mississippi and the Illinois Waterways lock and dam system.

In H.R. 1495 we are again authorizing the Upper Mississippi and Illinois Waterways system. This bill authorizes the replacement of 600-foot navigation locks with seven new 1,200-foot locks. In addition, the bill authorizes the largest environmental restoration program next to the Florida Everglades project to ensure that the project goes forward while respecting the environment and minimizing any adverse impact.

Our current system loses about 10 percent of its capacity due to the system failure and breakdowns because it has exceeded its life expectancy by over 20 years. The system cannot handle today's traffic in an efficient, cost-effective manner, and it is costing taxpayers tens of millions of dollars to patch it together, let alone the cost in time and money to the users. Modernizing that infrastructure is the right thing to do. It is a necessity, and I am glad to see that this bill is moving forward on such a significant project to our economy and our commerce.

Mr. Chairman, again I salute Chairman OBERSTAR, Chairwoman JOHNSON, Mr. MICA, Mr. BAKER, and Mr. DUNCAN for their leadership and hard work. And I strongly support this legislation and urge my colleagues to support it.

Mr. BAKER. Mr. Chairman, at this time I yield 1 minute to the gentlewoman from Ohio (Mrs. SCHMIDT).

(Mrs. SCHMIDT asked and was given permission to revise and extend her remarks.)

Mrs. SCHMIDT. Mr. Chairman, I rise today in support of this legislation because it is long overdue. Seven years is a long time and much has changed.

This bill includes language important to my own district, but more importantly, it has national importance. We need this legislation to authorize new Army Corps of Engineer water infrastructure studies and projects. And it is not just about new projects, but how the Corps manages them, and for Congress to have an opportunity to exercise its oversight authority over current and future projects. This legislation is long overdue.

I want to commend our committee leadership on both sides for working in a bipartisan fashion to move this so quickly. I thank everyone for their hard work, and I look forward to voting for this this evening.

□ 1715

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from Illinois (Mr. HARE).

Mr. HARE. I thank the gentleman for yielding.

Mr. Chairman, I rise today in strong support of the Water Resources Development Act of 2007.

This bill authorizes important long-overdue flood control, dam safety and environmental restoration projects. In my district, the Great Flood of 1993 took the lives of 47 people and resulted in over $15 billion in catastrophic damages throughout much of the Mississippi River basin. I support this bill for the safety of my constituents.

Additionally, over 50 percent of our locks and dams have aged beyond their life cycle, and they are crumbling. WRDA authorizes repair of these structures and includes critical provisions to modernize seven new locks and dams on the upper Mississippi and Illinois Rivers. These improvement will expand navigation capacity, reduce shipping delays, and accommodate larger barge tows, which is critical for the $12 billion worth of products that the river transports ever year, as well as the agriculture, commercial and labor interests of my State of Illinois.

This bill includes a much-needed program to restore the upper Mississippi River ecosystem and authorizes completion of the Emiquon Wildlife Preserve in my district. This preserve is one of the largest flood plain restoration projects in the country outside the Florida Everglades, and I am proud to have sponsored its inclusion in this bill today.

I urge my colleagues to support the Water Resources Development Act. By improving our water resources infrastructure, we will make our river communities safer and strengthen our Nation's economy and environmental welfare.

Mr. BAKER. Mr. Chairman, I claim the remainder of our time.

I want to express my appreciation to Chairman OBERSTAR, Chairman JOHNSON and of course my ranking member, Mr. MICA, for their very diligent and hard work; more specifically, for the time spent in the great State of Louisiana after the landfall of Hurricane Katrina. The committee has come down, Members often more than once, to observe for themselves the damage that has been caused by this unbelievable natural catastrophe.

The bill under consideration today will begin an enormous and monumental project for the restoration of coastal Louisiana. It is not just about keeping people with the ability to live on the water's edge; it is giving the ability to stop the storm surge coming inland and bringing about the type of devastation that we have painfully experienced again.

This legislation is a landmark, certainly for the traditional reasons. Many Members have interests in projects for economic development reasons, for control of public water systems, for enhancing water runoff and minimizing agricultural and other sources of contamination to our water systems. But this bill is really important for maintenance of life and quality of life in our State, and it will begin the meaningful restoration of what is a tremendous natural asset, coastal Louisiana.

I would emphasize what has already been stated repeatedly: this is a process resulting in over 600 projects which has come about over a 6-year period. And so it is my deepest hope that this House will this evening favorably adopt 1495, that the Senate will work expeditiously with us in moving forward, and that the administration will find a way to sign this important jobs bill into law.

$13.1 billion is a lot of money, and when coupled with the local matched dollars which are required, it will be a significant shot in the economic arm for the construction industry across this country. So I am most appreciative of the opportunity to have participated in this process.

I am grateful to my Democratic colleagues for their kind and hard work on this subject and listening to the people of Louisiana in their hour of need. For that we are and will always be most appreciative.

Mr. Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Mr. Chairman, how much time do we have remaining on our side?

The CHAIRMAN. The gentleman from Minnesota has 1½ minutes remaining.

Mr. OBERSTAR. There is an old saying among seafarers: ''No helmsman is tested in fair water.'' The gentleman from Louisiana was tested in the aftermath of Katrina, and I saw him at the helm in Baton Rouge when our committee made a tour of the devastation wreaked by Hurricane Katrina. I was impressed then and continue to be by his composure, his grasp of facts, grasp of the magnitude of the problem, and his willingness to address the issues in a coordinated and bipartisan manner. I salute him for his continued leadership and service not only to the State, but to the Nation.

Again, I express my appreciation to the gentleman from Florida (Mr. MICA) for similarly taking the helm in a time of turbulence when we had this work of 6 years thrust upon us, trying to sort it out, do the right thing and serve our Members, their districts, and our Nation at the same time and measure each project against the yardstick of balance that has historically guided the Corps of Engineers and guided the work of this committee, and I think we have come here with a good product.

And I especially appreciate, once again, the splendid work of the gentlewoman from Texas, Ms. JOHNSON, who is the Chair of the subcommittee and who has put her heart and soul into seeing this bill move forward.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise to support H.R. 1495, the Water Resources Development Act of 2007. This bill, which authorizes water projects through the Army Corps of Engineers, is essential to maintaining and improving our Nation's vital water resources and infrastructure.

This bill is long overdue. Congress has been unable to enact a comprehensive WRDA bill since the year 2000. Without Federal resources authorized in this bill, critical projects needed to sustain and protect America's water needs into the future have been stalled. I commend Chairman OBERSTAR for his leadership and steadfast commitment to this vital issue. I thank his hardworking staff, who worked long hours to complete this bill, which is a top priority of our new Democratic Congress.

As a representative from southern California where water is a scare and precious resource, I appreciate the distinguished Chairman's efforts to put forth a bill that advances essential water resource infrastructure projects in the region.

I am particularly pleased that this legislation includes an historic authorization for revitalization efforts along the Los Angeles River. The $20 million authorization contained within the bill will mark a significant Federal commitment to transforming the LA River from an unsightly concrete flood control channel into green space that will promote badly needed recreation, housing and job creation opportunities. In addition, the legislation will enable the Army Corps of Engineers to develop a plan to improve water quality, restore historic habitats, and enhance the river's flood protection function.

For years, I have worked with my colleagues from Los Angeles to obtain Federal funding for studies on promising revitalization projects along the River. Our efforts have secured over $3 million for studies at various sites, including the Cornfields site in downtown Los Angeles. With the inclusion of the LA River projects in the WRDA authorization, the Army Corps of Engineers can begin to break ground on these revitalization activities.

I want to take this opportunity to recognize my local community and public officials who have worked tirelessly to make the Los Angeles River revitalization project a success. The LA River revitalization plan reflects the vision of City Councilman Ed Reyes, who for many years has led the effort at the local level. I commend him for his commitment to enhancing the quality of life for the communities along the River and for all Angelenos.

I also applaud the strong support of Mayor Antonio Villaraigosa and the local stakeholders who continue to explore ways to convert the land adjacent to the Los Angeles River into parks, housing, and economic opportunities for our local communities.

The passage of WRDA with the LA River revitalization project will continue an exciting alliance between the federal government, the City of Los Angeles and Los Angeles County. We have worked in particular to enrich the lives of the many families who live in the communities along the River and to enhance opportunities for economic development associated with revitalization.

I look forward to continuing to work with my colleagues to build upon this exciting opportunity to transform the LA River from an unsightly and environmentally void industrial space to a communal recreational space in which all Angelenos can take pride.

I thank the Committee for its hard work and urge my colleagues to support this important legislationy.

Mr. LEVIN. Mr. Chairman, I rise in strong support of the Water Resources Development Act and urge its passage by the House. I want to compliment Chairman OBERSTAR and the Transportation and Infrastructure Committee for making early passage of this legislation a priority. The last Water Resources bill was signed into law over 6 years ago by President Clinton. It is Congress' job to renew this law every 2 years, but for whatever reason, we have been unable to reach agreement with the other body and get a final bill to the President for his signature.

The Nation's water and environmental infrastructure problems won't wait forever. We need to overcome our past differences and move this bill to upgrade and modernize our Federal programs relating to navigation, flood damage reduction, shoreline protection, dam safety, water supply, recreation, and environmental restoration.

I want to express my thanks to Chairman OBERSTAR for including a project I requested to authorize Federal funding to implement restoration projects in Lake St. Clair. In the past, Lake St. Clair has been described as ''the forgotten lake.'' No longer. Today, many of my constituents refer to Lake St. Clair as the ''Heart of the Great Lakes.'' We need to protect and restore it. Lake St. Clair is not the largest body of water in the Great Lakes System, but it is absolutely one of the most heavily used portions of the Lakes in terms of fishing, boating and drinking water.

Two years ago, the Corps of Engineers completed a comprehensive management plan for Lake St. Clair and the St. Clair River. Congress paid for this plan. The recommendations contained in the management plan will help shape Lake St. Clair's future, but only if they are implemented. Having come this far, we can't let the report and its recommendations become another study that sits on a shelf and gathers dust. Everyone, including the federal government, has to step forward and take responsibility for turning these recommendations into action.

Again, I support the bill before the House and urge its adoption.

Mr. KIND. Mr. Chairman, I rise in strong support of this bill that will finally move forward important construction, navigation, and ecosystem restoration projects along the Mississippi River, Great Lakes, and elsewhere. In particular, H.R. 1495 will authorize the corps of engineers' sustainability plan for the upper Mississippi River.

On the eve of Earth Day, founded by the great Senator from Wisconsin Gaylord Nelson, what better gift to the people of the upper Mississippi River basin than the largest ever investment in ecosystem restoration in the river's history? This bill will have a tremendous impact on water quality, wildlife habitat, and recreation in the upper Mississippi River region.

Reauthorization of the Water Resources Development Act has been a long time coming, and it has seen some improvement over the years. The current bill, for instance, includes an important provision, that I included, requiring that construction and restoration projects on the upper Mississippi achieve equal progress so that construction and navigation improvements do not degrade the river ecosystem. The WRDA bill of 1986 established the upper Mississippi River system as the only waterbody in the Nation recognized by Congress as both a ''nationally significant ecosystem and a nationally significant commercial navigation system,'' so it is important that the needs of these two aspects of the river are met in tandem.

The Bush administration also has recognized the ecological importance of the basin by making the upper Mississippi River Basin environmental management program a priority project in the corps budget. A relatively modest program with authorized funding of $33.5 million, the EMP has demonstrated remarkable results in restoring river habitats all along my congressional district in western Wisconsin and beyond. And its long-term resource monitoring program has produced invaluable data and knowledge.

Mr. Chairman, it is especially fitting that we pass this bill today in light of the 20th anniversary that EMP celebrated last year. This bill, H.R. 1495, and the accompanying manager's amendment contain language assuring that the navigation and ecosystem sustainability plan will continue the EMP's mission, including long-term resource monitoring.

But this bill will address long-standing needs well beyond the upper Mississippi. This country's water resources infrastructure was largely constructed 70 or more years ago, and much of it has fallen into various states of disrepair and neglect. Hurricane Katrina so clearly demonstrated to the world the consequences of this lack of attention. Reauthorization of WRDA is a necessary first step in meeting the needs of our citizens, industry, and environment.

I urge all of my colleagues to join me in support of this vital legislation so that residents of low-lying areas can be reassured that

the levees that protect them will be made adequate, so that farmers will know they will be able to ship their grain downriver to be exported to foreign markets, and hunters, anglers, and birdwatchers will know that the habitat they know and love will be maintained.

Mr. BISHOP of New York. Mr. Chairman, I would like to thank Chairman OBERSTAR and Ranking Member MICA, as well as Subcommittee Chairwoman JOHNSON and Ranking Member BAKER for their hard work and leadership on this important legislation—the first water improvement and conservation package in seven years.

Following several earlier impasses, I want to take this opportunity to commend the spirit of bipartisanship and compromise on this important measure. I hope it extends to a bicameral bipartisanship in the weeks to come.

This bill benefits all Americans and their families who use and enjoy our Nation's waterways, public beaches—including over 300 miles of coastline along my district—and for U.S. businesses that depend on healthy and viable waterways throughout the country.

My district benefits from the good work that the Army Corps of Engineers does for coastal communities by helping small towns deal with multiple concerns ranging from erosion to longstanding environmental challenges. The Corps is currently working on several projects on eastern Long Island that will dredge inlets, restore damaged ecosystems, and study coastal health.

In addition, H.R. 1495 will go a long way toward supplying the Corps with all the resources it needs to protect coastal communities and vacationers by modernizing project planning and approval.

Mr. Chairman, I thank the Chairman and Ranking Member again for their hard work on this issue, and I look forward to working with my colleagues to make sure that we get a WRDA bill to the President as soon as we can. We simply cannot afford to let another year go by without passing this legislation.

Mr. EMANUEL. Mr. Chairman, I rise today in strong support of H.R. 1945, the Water Resources Development Act (WRDA). As the Democratic Majority begins our second 100 days, we are continuing to move America forward, and WRDA does just that.

This bill will help commerce by improving navigation on waterways and making it easier to bring products to market. This bill will invest in our future by modernizing the locks and dams on the Mississippi River and elsewhere. This bill will protect the Great Lakes by finally making the Asian Carp barrier permanent. This bill invests in rural and urban America alike by renewing our commitment to protecting the environment and the economy.

The Water Resources Development Act is a good bill that has been written in a bipartisan process to address the needs of the whole country, but there are two parts of the bill in particular that I am especially proud are included.

The locks on the Mississippi River and Illinois Waterways are in need of repair, and WRDA finally addresses the long overdue need for lock modernization. Navigation in the upper Mississippi supports more than 400,000 jobs and 90,000 high-paying manufacturing jobs, and passage of WRDA will create more jobs in the region. Every year, shipping in the upper Mississippi River adds up to about $1.2 billion to our economy. Modernizing the locks will go a long way to ensuring the livelihoods of the men and women that rely on these waterways.

Another project in WRDA that is critical to the Great Lakes and important to all of Chicago is the Asian Carp barrier. As the residents of the Fifth Congressional District know, invasive species pose a severe threat to Lake Michigan, capable of billions of dollars in economic losses and inestimable environmental damage.

The Asian Carp in particular has affected Great Lakes fisheries, and I have been working with my Great Lakes colleagues in making sure that this barrier is funded and operational to protect the Great Lakes from Asian Carp.

Mr. Chairman, the Water Resources Development Act is a hat trick—it's good for the environment, it's good for the economy, and it's good for America's future. I want to thank Mr. OBERSTAR and Mr. MICA for all of their good work, and I am glad that we are getting this bill done. I yield back the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2007''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 1001. Project authorizations.
Sec. 1002. Small projects for flood damage reduction.
Sec. 1003. Small projects for emergency streambank protection.
Sec. 1004. Small projects for navigation.
Sec. 1005. Small projects for improvement of the quality of the environment.
Sec. 1006. Small projects for aquatic ecosystem restoration.
Sec. 1007. Small projects for shoreline protection.
Sec. 1008. Small projects for snagging and sediment removal.

TITLE II—GENERAL PROVISIONS

Sec. 2001. Non-Federal contributions.
Sec. 2002. Harbor cost sharing.
Sec. 2003. Funding to process permits.
Sec. 2004. National shoreline erosion control development and demonstration program.
Sec. 2005. Small shore and beach restoration and protection projects.
Sec. 2006. Aquatic ecosystem restoration.
Sec. 2007. Small flood damage reduction projects.
Sec. 2008. Modification of projects for improvement of the quality of the environment.
Sec. 2009. Written agreement for water resources projects.
Sec. 2010. Assistance for remediation, restoration, and reuse.
Sec. 2011. Compilation of laws.
Sec. 2012. Dredged material disposal.
Sec. 2013. Wetlands mitigation.
Sec. 2014. Mitigation for fish and wildlife losses.
Sec. 2015. Remote and subsistence harbors.
Sec. 2016. Beneficial uses of dredged material.
Sec. 2017. Cost-sharing provisions for certain areas.
Sec. 2018. Use of other Federal funds.
Sec. 2019. Revision of project partnership agreement.
Sec. 2020. Cost sharing.
Sec. 2021. Expedited actions for emergency flood damage reduction.
Sec. 2022. Watershed and river basin assessments.
Sec. 2023. Tribal partnership program.
Sec. 2024. Wildfire firefighting.
Sec. 2025. Technical assistance.
Sec. 2026. Lakes program.
Sec. 2027. Coordination and scheduling of Federal, State, and local actions.
Sec. 2028. Project streamlining.
Sec. 2029. Cooperative agreements.
Sec. 2030. Training funds.
Sec. 2031. Access to water resource data.
Sec. 2032. Shore protection projects.
Sec. 2033. Ability to pay.
Sec. 2034. Leasing authority.
Sec. 2035. Cost estimates.
Sec. 2036. Project planning.
Sec. 2037. Independent peer review.
Sec. 2038. Studies and reports for water resources projects.
Sec. 2039. Offshore oil and gas fabrication port.
Sec. 2040. Use of firms employing local residents.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 3001. Cook Inlet, Alaska.
Sec. 3002. King Cove Harbor, Alaska.
Sec. 3003. Sitka, Alaska.
Sec. 3004. Tatitlek, Alaska.
Sec. 3005. Rio De Flag, Flagstaff, Arizona.
Sec. 3006. Osceola Harbor, Arkansas.
Sec. 3007. Pine Mountain Dam, Arkansas.
Sec. 3008. American and Sacramento Rivers, California.
Sec. 3009. Compton Creek, California.
Sec. 3010. Grayson Creek/Murderer's Creek, California.
Sec. 3011. Hamilton Airfield, California.
Sec. 3012. John F. Baldwin Ship Channel and Stockton Ship Channel, California.
Sec. 3013. Kaweah River, California.
Sec. 3014. Larkspur Ferry Channel, Larkspur, California.
Sec. 3015. Llagas Creek, California.
Sec. 3016. Magpie Creek, California.
Sec. 3017. Pacific Flyway Center, Sacramento, California.
Sec. 3018. Pinole Creek, California.
Sec. 3019. Prado Dam, California.
Sec. 3020. Sacramento and American Rivers flood control, California.
Sec. 3021. Sacramento Deep Water Ship Channel, California.
Sec. 3022. Santa Cruz Harbor, California.
Sec. 3023. Seven Oaks Dam, California.
Sec. 3024. Upper Guadalupe River, California.
Sec. 3025. Walnut Creek Channel, California.
Sec. 3026. Wildcat/San Pablo Creek Phase I, California.
Sec. 3027. Wildcat/San Pablo Creek Phase II, California.
Sec. 3028. Yuba River Basin project, California.
Sec. 3029. South Platte River Basin, Colorado.
Sec. 3030. Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland.
Sec. 3031. Brevard County, Florida.
Sec. 3032. Broward County and Hillsboro Inlet, Florida.
Sec. 3033. Canaveral Harbor, Florida.
Sec. 3034. Gasparilla and Estero Islands, Florida.
Sec. 3035. Jacksonville Harbor, Florida.
Sec. 3036. Lido Key Beach, Sarasota, Florida.

Sec. 3037. Miami Harbor, Florida.
Sec. 3038. Peanut Island, Florida.
Sec. 3039. Tampa Harbor-Big Bend Channel, Florida.
Sec. 3040. Tampa Harbor Cut B, Florida.
Sec. 3041. Allatoona Lake, Georgia.
Sec. 3042. Latham River, Glynn County, Georgia.
Sec. 3043. Dworshak Dam and Reservoir improvements, Idaho.
Sec. 3044. Beardstown Community Boat Harbor, Beardstown, Illinois.
Sec. 3045. Cache River Levee, Illinois.
Sec. 3046. Chicago River, Illinois.
Sec. 3047. Chicago Sanitary and Ship Canal dispersal barriers project, Illinois.
Sec. 3048. Emiquon, Illinois.
Sec. 3049. Lasalle, Illinois.
Sec. 3050. Spunky Bottoms, Illinois.
Sec. 3051. Fort Wayne and vicinity, Indiana.
Sec. 3052. Koontz Lake, Indiana.
Sec. 3053. White River, Indiana.
Sec. 3054. Des Moines River and Greenbelt, Iowa.
Sec. 3055. Prestonsburg, Kentucky.
Sec. 3056. Amite River and tributaries, Louisiana, East Baton Rouge Parish Watershed.
Sec. 3057. Atchafalaya Basin, Louisiana.
Sec. 3058. Atchafalaya Basin Floodway System, Louisiana.
Sec. 3059. Bayou Plaquemine, Louisiana.
Sec. 3060. J. Bennett Johnston Waterway, Mississippi River to Shreveport, Louisiana.
Sec. 3061. Melville, Louisiana.
Sec. 3062. Mississippi Delta Region, Louisiana.
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Sec. 3070. Ada, Minnesota.
Sec. 3071. Duluth Harbor, McQuade Road, Minnesota.
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Sec. 3073. Grand Portage Harbor, Minnesota.
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Sec. 3075. Knife River Harbor, Minnesota.
Sec. 3076. Red Lake River, Minnesota.
Sec. 3077. Silver Bay, Minnesota.
Sec. 3078. Taconite Harbor, Minnesota.
Sec. 3079. Two Harbors, Minnesota.
Sec. 3080. Deer Island, Harrison County, Mississippi.
Sec. 3081. Pearl River Basin, Mississippi.
Sec. 3082. Festus and Crystal City, Missouri.
Sec. 3083. L–15 levee, Missouri.
Sec. 3084. Monarch-Chesterfield, Missouri.
Sec. 3085. River Des Peres, Missouri.
Sec. 3086. Antelope Creek, Lincoln, Nebraska.
Sec. 3087. Sand Creek Watershed, Wahoo, Nebraska.
Sec. 3088. Lower Cape May Meadows, Cape May Point, New Jersey.
Sec. 3089. Passaic River Basin flood management, New Jersey.
Sec. 3090. Buffalo Harbor, New York.
Sec. 3091. Orchard Beach, Bronx, New York.
Sec. 3092. Port of New York and New Jersey, New York and New Jersey.
Sec. 3093. New York State Canal System.
Sec. 3094. Lower Girard Lake Dam, Ohio.
Sec. 3095. Mahoning River, Ohio.
Sec. 3096. Delaware River, Pennsylvania, New Jersey, and Delaware.
Sec. 3097. Raystown Lake, Pennsylvania.
Sec. 3098. Sheraden Park Stream and Chartiers Creek, Allegheny County, Pennsylvania.
Sec. 3099. Solomon's Creek, Wilkes-Barre, Pennsylvania.
Sec. 3100. South Central Pennsylvania.
Sec. 3101. Wyoming Valley, Pennsylvania.
Sec. 3102. Cedar Bayou, Texas.
Sec. 3103. Freeport Harbor, Texas.
Sec. 3104. Lake Kemp, Texas.
Sec. 3105. Lower Rio Grande Basin, Texas.
Sec. 3106. North Padre Island, Corpus Christi Bay, Texas.
Sec. 3107. Pat Mayse Lake, Texas.
Sec. 3108. Proctor Lake, Texas.
Sec. 3109. San Antonio Channel, San Antonio, Texas.
Sec. 3110. Lee, Russell, Scott, Smyth, Tazewell, and Wise Counties, Virginia.
Sec. 3111. Tangier Island Seawall, Virginia.
Sec. 3112. Duwamish/Green, Washington.
Sec. 3113. Yakima River, Port of Sunnyside, Washington.
Sec. 3114. Greenbrier River Basin, West Virginia.
Sec. 3115. Lesage/Greenbottom Swamp, West Virginia.
Sec. 3116. Northern West Virginia.
Sec. 3117. Manitowoc Harbor, Wisconsin.
Sec. 3118. Mississippi River headwaters reservoirs.
Sec. 3119. Continuation of project authorizations.
Sec. 3120. Project reauthorizations.
Sec. 3121. Project deauthorizations.
Sec. 3122. Land conveyances.
Sec. 3123. Extinguishment of reversionary interests and use restrictions.

TITLE IV—STUDIES

Sec. 4001. John Glenn Great Lakes Basin Program.
Sec. 4002. Lake Erie dredged material disposal sites.
Sec. 4003. Southwestern United States drought study.
Sec. 4004. Delaware River.
Sec. 4005. Knik Arm, Cook Inlet, Alaska.
Sec. 4006. Kuskokwim River, Alaska.
Sec. 4007. St. George Harbor, Alaska.
Sec. 4008. Susitna River, Alaska.
Sec. 4009. Gila Bend, Maricopa, Arizona.
Sec. 4010. Searcy County, Arkansas.
Sec. 4011. Elkhorn Slough Estuary, California.
Sec. 4012. Fresno, Kings, and Kern Counties, California.
Sec. 4013. Los Angeles River revitalization study, California.
Sec. 4014. Lytle Creek, Rialto, California.
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Sec. 4018. Rialto, Fontana, and Colton, California.
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Sec. 4020. San Diego County, California.
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Sec. 4023. Twentynine Palms, California.
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Sec. 4026. Delaware and Christina Rivers and Shellpot Creek, Wilmington, Delaware.
Sec. 4027. Collier County Beaches, Florida.
Sec. 4028. Lower St. Johns River, Florida.
Sec. 4029. Vanderbilt Beach Lagoon, Florida.
Sec. 4030. Meriwether County, Georgia.
Sec. 4031. Tybee Island, Georgia.
Sec. 4032. Boise River, Idaho.
Sec. 4033. Ballard's Island Side Channel, Illinois.
Sec. 4034. Salem, Indiana.
Sec. 4035. Buckhorn Lake, Kentucky.
Sec. 4036. Dewey Lake, Kentucky.
Sec. 4037. Louisville, Kentucky.
Sec. 4038. Fall River Harbor, Massachusetts and Rhode Island.
Sec. 4039. Clinton River, Michigan.
Sec. 4040. Hamburg and Green Oak Townships, Michigan.
Sec. 4041. Duluth-Superior Harbor, Minnesota and Wisconsin.
Sec. 4042. Northeast Mississippi.
Sec. 4043. St. Louis, Missouri.
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Sec. 4054. Niagara River, New York.
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Sec. 4056. Upper Delaware River Watershed, New York.
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Sec. 4066. Western Pennsylvania flood damage reduction, Pennsylvania.
Sec. 4067. Williamsport, Pennsylvania.
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Sec. 4071. Broad River, York County, South Carolina.
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Sec. 4073. Cleveland, Tennessee.
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Sec. 4075. Lewis, Lawrence, and Wayne Counties, Tennessee.
Sec. 4076. Wolf River and Nonconnah Creek, Memphis Tennessee.
Sec. 4077. Abilene, Texas.
Sec. 4078. Coastal Texas ecosystem protection and restoration, Texas.
Sec. 4079. Johnson Creek, Arlington, Texas.
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Sec. 4081. Grand County and Moab, Utah.
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Sec. 4084. Elliott Bay Seawall, Seattle, Washington.
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TITLE V—MISCELLANEOUS

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Sec. 5003. Dam safety.
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Sec. 5007. Expedited completion of reports and construction for certain projects.
Sec. 5008. Expedited completion of reports for certain projects.
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Sec. 5010. Upper Mississippi River environmental management program.
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Sec. 5012. Great Lakes fishery and ecosystem restoration.
Sec. 5013. Great Lakes remedial action plans and sediment remediation.
Sec. 5014. Great Lakes tributary models.
Sec. 5015. Great Lakes navigation.
Sec. 5016. Upper Mississippi River dispersal barrier project.
Sec. 5017. Susquehanna, Delaware, and Potomac River Basins, Delaware, Maryland, Pennsylvania, and Virginia.
Sec. 5018. Chesapeake Bay environmental restoration and protection program.
Sec. 5019. Hypoxia assessment.
Sec. 5020. Potomac River watershed assessment and tributary strategy evaluation and monitoring program.
Sec. 5021. Lock and dam security.
Sec. 5022. Rehabilitation.
Sec. 5023. Research and development program for Columbia and Snake River salmon survival.
Sec. 5024. Auburn, Alabama.
Sec. 5025. Pinhook Creek, Huntsville, Alabama.
Sec. 5026. Alaska.
Sec. 5027. Barrow, Alaska.
Sec. 5028. Coffman Cove, Alaska.
Sec. 5029. Fire Island, Alaska.
Sec. 5030. Fort Yukon, Alaska.
Sec. 5031. Kotzebue Harbor, Alaska.
Sec. 5032. Lowell Creek Tunnel, Seward, Alaska.
Sec. 5033. St. Herman and St. Paul Harbors, Kodiak, Alaska.
Sec. 5034. Tanana River, Alaska.
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Sec. 5038. Augusta and Clarendon, Arkansas.
Sec. 5039. Des Arc levee protection, Arkansas.
Sec. 5040. Loomis Landing, Arkansas.
Sec. 5041. St. Francis River Basin, Arkansas and Missouri.
Sec. 5042. Cambria, California.
Sec. 5043. Contra Costa Canal, Oakley and Knightsen, California; Mallard Slough, Pittsburg, California.
Sec. 5044. Dana Point Harbor, California.
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Sec. 5047. Los Osos, California.
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Sec. 5049. Raymond Basin, Six Basins, Chino Basin, and San Gabriel Basin, California.
Sec. 5050. San Francisco, California.
Sec. 5051. San Francisco, California, waterfront area.
Sec. 5052. San Pablo Bay, California, watershed and Suisun Marsh ecosystem restoration.
Sec. 5053. Stockton, California.
Sec. 5054. Charles Hervey Townshend Breakwater, New Haven Harbor, Connecticut.
Sec. 5055. Florida Keys water quality improvements.
Sec. 5056. Lake Worth, Florida.
Sec. 5057. Riley Creek Recreation Area, Idaho.
Sec. 5058. Reconstruction of Illinois flood protection projects.
Sec. 5059. Illinois River Basin restoration.
Sec. 5060. Kaskaskia River Basin, Illinois, restoration.
Sec. 5061. Floodplain mapping, Little Calumet River, Chicago, Illinois.
Sec. 5062. Promontory Point, Lake Michigan, Illinois.
Sec. 5063. Burns Waterway Harbor, Indiana.
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Sec. 5073. Anacostia River, District of Columbia and Maryland.
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Sec. 5111. Dallas Floodway, Dallas Texas.
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Sec. 5113. Onion Creek, Texas.
Sec. 5114. Eastern Shore and southwest Virginia.
Sec. 5115. Dyke Marsh, Fairfax County, Virginia.
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Sec. 5120. West Virginia and Pennsylvania flood control.
Sec. 5121. Central West Virginia.
Sec. 5122. Southern West Virginia.
Sec. 5123. Construction of flood control projects by non-Federal interests.

TITLE VI—FLORIDA EVERGLADES

Sec. 6001. Hillsboro and Okeechobee Aquifer, Florida.
Sec. 6002. Pilot projects.
Sec. 6003. Maximum costs.
Sec. 6004. Project authorization.
Sec. 6005. Credit.
Sec. 6006. Outreach and assistance.
Sec. 6007. Critical restoration projects.
Sec. 6008. Modified water deliveries.
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TITLE VII—LOUISIANA COASTAL AREA

Sec. 7001. Definitions.
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Sec. 7005. Project modifications.
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TITLE VIII—UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-WAY SYSTEM

Sec. 8001. Definitions.
Sec. 8002. Navigation improvements and restoration.
Sec. 8003. Authorization of construction of navigation improvements.
Sec. 8004. Ecosystem restoration authorization.
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SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

SEC. 1001. PROJECT AUTHORIZATIONS.

Except as otherwise provided in this section, the following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this section:

(1) HAINES, ALASKA.—The project for navigation, Haines, Alaska: Report of the Chief of Engineers dated December 20, 2004, at a total cost of $14,040,000, with an estimated Federal cost of $11,232,000 and an estimated non-Federal cost of $2,808,000.

(2) PORT LIONS, ALASKA.—The project for navigation, Port Lions, Alaska: Report of the Chief of Engineers dated June 14, 2006, at a total cost of $9,530,000, with an estimated Federal cost of $7,624,000 and an estimated non-Federal cost of $1,906,000.

(3) RIO SALADO OESTE, ARIZONA.—The project for environmental restoration, Rio Salado Oeste, Arizona: Report of the Chief of Engineers dated December 19, 2006, at a total cost of $166,650,000, with an estimated Federal cost of $106,629,000 and an estimated non-Federal cost of $60,021,000.

(4) SANTA CRUZ RIVER, PASEO DE LAS IGLESIAS, ARIZONA.—The project for environmental restoration, Santa Cruz River, Pima County, Arizona: Report of the Chief of Engineers dated March 28, 2006, at a total cost of $97,700,000, with an estimated Federal cost of $63,300,000 and an estimated non-Federal cost of $34,400,000.

(5) TANQUE VERDE CREEK, PIMA COUNTY, ARIZONA.—The project for environmental restoration, Tanque Verde Creek, Pima County, Arizona: Report of the Chief of Engineers dated July 22, 2003, at a total cost of $5,906,000, with an estimated Federal cost of $3,836,000 and an estimated non-Federal cost of $2,070,000.

(6) SALT RIVER (VA SHLYAY' AKIMEL), MARICOPA COUNTY, ARIZONA.—The project for environmental restoration, Salt River (Va Shlyay' Akimel), Arizona: Report of the Chief of Engineers dated January 3, 2005, at a total cost of $162,100,000, with an estimated Federal cost of $105,200,000 and an estimated non-Federal cost of $56,900,000.

(7) MAY BRANCH, FORT SMITH, ARKANSAS.—The project for flood damage reduction, May Branch, Fort Smith, Arkansas, Report of the Chief of Engineers dated December 19, 2006, at a

total cost of $30,850,000, with an estimated Federal cost of $15,010,000 and an estimated non-Federal cost of $15,840,000.

(8) HAMILTON CITY, CALIFORNIA.—The project for flood damage reduction and environmental restoration, Hamilton City, California: Report of the Chief of Engineers dated December 22, 2004, at a total cost of $52,400,000, with an estimated Federal cost of $34,100,000 and estimated non-Federal cost of $18,300,000.

(9) IMPERIAL BEACH, CALIFORNIA.—The project for storm damage reduction, Imperial Beach, California: Report of the Chief of Engineers dated December 30, 2003, at a total cost of $13,700,000, with an estimated Federal cost of $8,521,000 and an estimated non-Federal cost of $5,179,000, and at an estimated total cost of $42,500,000 for periodic beach nourishment over the 50-year life of the project, with an estimated Federal cost of $21,250,000 and an estimated non-Federal cost of $21,250,000.

(10) MATILIJA DAM, VENTURA COUNTY, CALIFORNIA.—The project for environmental restoration, Matilija Dam, Ventura County, California: Report of the Chief of Engineers dated December 20, 2004, at a total cost of $144,500,000, with an estimated Federal cost of $89,700,000 and an estimated non-Federal cost of $54,800,000.

(11) MIDDLE CREEK, LAKE COUNTY, CALIFORNIA.—The project for flood damage reduction and environmental restoration, Middle Creek, Lake County, California: Report of the Chief of Engineers dated November 29, 2004, at a total cost of $45,200,000, with an estimated Federal cost of $29,500,000 and an estimated non-Federal cost of $15,700,000.

(12) NAPA RIVER SALT MARSH RESTORATION, CALIFORNIA.—

(A) IN GENERAL.—The project for environmental restoration, Napa River Salt Marsh Restoration, Napa, California: Report of the Chief of Engineers dated December 22, 2004, at a total cost of $134,500,000, with an estimated Federal cost of $87,500,000 and an estimated non-Federal cost of $47,000,000.

(B) ADMINISTRATION.—In carrying out the project authorized by this paragraph, the Secretary shall—

(i) construct a recycled water pipeline extending from the Sonoma Valley County Sanitation District Waste Water Treatment Plant and the Napa Sanitation District Waste Water Treatment Plant to the project; and

(ii) restore or enhance Salt Ponds 1, 1A, 2, and 3.

(13) DENVER COUNTY REACH, SOUTH PLATTE RIVER, DENVER, COLORADO.—The project for environmental restoration, Denver County Reach, South Platte River, Denver, Colorado: Report of the Chief of Engineers dated May 16, 2003, at a total cost of $21,050,000, with an estimated Federal cost of $13,680,000 and an estimated non-Federal cost of $7,370,000.

(14) MIAMI HARBOR, MIAMI-DADE COUNTY, FLORIDA.—

(A) IN GENERAL.—The project for navigation, Miami Harbor, Miami-Dade County, Florida: Report of the Chief of Engineers dated April 25, 2005, at a total cost of $125,270,000, with an estimated Federal cost of $75,140,000 and an estimated non-Federal cost of $50,130,000.

(B) GENERAL REEVALUATION REPORT.—The non-Federal share of the cost of the general reevaluation report that resulted in the report of the Chief of Engineers referred to in subparagraph (A) shall be the same percentage as the non-Federal share of cost of construction of the project.

(C) AGREEMENT.—The Secretary shall enter into a new partnership with the non-Federal interest to reflect the cost sharing required by subparagraph (B).

(15) EAST ST. LOUIS AND VICINITY, ILLINOIS.—The project for environmental restoration and recreation, East St. Louis and Vicinity, Illinois: Report of the Chief of Engineers dated December 22, 2004, at a total cost of $208,260,000, with an estimated Federal cost of $134,910,000 and an estimated non-Federal cost of $73,350,000.

(16) PEORIA RIVERFRONT DEVELOPMENT, ILLINOIS.—The project for environmental restoration, Peoria Riverfront Development, Illinois: Report of the Chief of Engineers dated July 28, 2003, at a total cost of $18,220,000, with an estimated Federal cost of $11,840,000 and an estimated non-Federal cost of $6,380,000.

(17) WOOD RIVER LEVEE SYSTEM RECONSTRUCTION, MADISON COUNTY, ILLINOIS.—The project for flood damage reduction, Wood River Levee System Reconstruction, Madison County, Illinois: Report of the Chief of Engineers dated July 18, 2006, at a total cost of $17,220,000, with an estimated Federal cost of $11,193,000 and an estimated non-Federal cost of $6,027,000.

(18) DES MOINES AND RACCOON RIVERS, DES MOINES, IOWA.—The project for flood damage reduction, Des Moines and Raccoon Rivers, Des Moines, Iowa: Report of the Chief of Engineers dated March 28, 2006, at a total cost of $10,780,000, with an estimated Federal cost of $6,967,000 and an estimated non-Federal cost of $3,813,000.

(19) LICKING RIVER BASIN, CYNTHIANA, KENTUCKY.—The project for flood damage reduction, Licking River Basin, Cynthiana, Kentucky: Report of the Chief of Engineers dated October 24, 2006, at a total cost of $18,200,000, with an estimated Federal cost of $11,830,000 and an estimated non-Federal cost of $6,370,000.

(20) BAYOU SORREL LOCK, LOUISIANA.—The project for navigation, Bayou Sorrel Lock, Louisiana: Report of the Chief of Engineers dated January 3, 2005, at a total cost of $9,680,000. The costs of construction of the project are to be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(21) MORGANZA TO THE GULF OF MEXICO, LOUISIANA.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, Morganza to the Gulf of Mexico, Louisiana: Reports of the Chief of Engineers dated August 23, 2002, and July 22, 2003, at a total cost of $886,700,000, with an estimated Federal cost of $576,355,000 and an estimated non-Federal cost of $310,345,000.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(22) PORT OF IBERIA, LOUISIANA.—The project for navigation, Port of Iberia, Louisiana, Report of the Chief of Engineers dated December 31, 2006, at a total cost of $131,250,000, with an estimated Federal cost of $105,315,000 and an estimated non-Federal cost of $25,935,000.

(23) SMITH ISLAND, SOMERSET COUNTY, MARYLAND.—The project for environmental restoration, Smith Island, Somerset County, Maryland: Report of the Chief of Engineers dated October 29, 2001, at a total cost of $15,580,000, with an estimated Federal cost of $10,127,000 and an estimated non-Federal cost of $5,453,000.

(24) ROSEAU RIVER, ROSEAU, MINNESOTA.—The project for flood damage reduction, Roseau River, Roseau, Minnesota, Report of the Chief of Engineers dated December 19, 2006, at a total cost of $25,100,000, with an estimated Federal cost of $13,820,000 and an estimated non-Federal cost of $11,280,000.

(25) MISSISSIPPI COASTAL, MISSISSIPPI.—The project for hurricane and storm damage reduction and environmental restoration, Mississippi Coastal, Mississippi, Report of the Chief of Engineers dated December 31, 2006, at a total cost of $107,690,000, with an estimated Federal cost of $70,000,000 and an estimated non-Federal cost of $37,690,000.

(26) KANSAS CITYS LEVEES, MISSOURI AND KANSAS.—The project for flood damage reduction, Kansas Citys levees, Missouri and Kansas, Report of the Chief of Engineers dated December 19, 2006, at a total cost of $65,430,000, with an estimated Federal cost of $42,530,000 and an estimated non-Federal cost of $22,900,000.

(27) SWOPE PARK INDUSTRIAL AREA, BLUE RIVER, KANSAS CITY, MISSOURI.—The project for flood damage reduction, Swope Park Industrial Area, Blue River, Kansas City, Missouri: Report of the Chief of Engineers dated December 30, 2003, at a total cost of $16,980,000, with an estimated Federal cost of $11,037,000 and an estimated non-Federal cost of $5,943,000.

(28) GREAT EGG HARBOR INLET TO TOWNSENDS INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Great Egg Harbor Inlet to Townsends Inlet, New Jersey: Report of the Chief of Engineers dated October 24, 2006, at a total cost of $54,360,000, with an estimated Federal cost of $35,069,000 and an estimated non-Federal cost of $19,291,000, and at an estimated total cost of $202,500,000 for periodic nourishment over the 50-year life of the project, with an estimated Federal cost of $101,250,000 and an estimated non-Federal cost of $101,250,000.

(29) HUDSON RARITAN ESTUARY, LIBERTY STATE PARK, NEW JERSEY.—

(A) IN GENERAL.—The project for environmental restoration, Hudson Raritan Estuary, Liberty State Park, New Jersey: Report of the Chief of Engineers dated August 25, 2006, at a total cost of $34,100,000, with an estimated Federal cost of $22,200,000 and an estimated non-Federal cost of $11,900,000.

(B) RESTORATION TEAMS.—In carrying out the project, the Secretary shall establish and utilize watershed restoration teams composed of estuary restoration experts from the Corps of Engineers, the New Jersey department of environmental protection, and the Port Authority of New York and New Jersey and other experts designated by the Secretary for the purpose of developing habitat restoration and water quality enhancement.

(30) MANASQUAN INLET TO BARNEGAT INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Manasquan Inlet to Barnegat Inlet, New Jersey: Report of the Chief of Engineers dated December 30, 2003, at a total cost of $71,900,000, with an estimated Federal cost of $46,735,000 and an estimated non-Federal cost of $25,165,000, and at an estimated total cost of $119,680,000 for periodic beach nourishment over the 50-year life of the project, with an estimated Federal cost of $59,840,000 and an estimated non-Federal cost of $59,840,000.

(31) RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Union Beach, New Jersey: Report of the Chief of Engineers dated January 4, 2006, at a total cost of $115,000,000, with an estimated Federal cost of $74,800,000 and an estimated non-Federal cost of $40,200,000, and at an estimated total cost of $6,500,000 for periodic nourishment over the 50-year life of the project, with an estimated Federal cost of $3,250,000 and an estimated non-Federal cost of $3,250,000.

(32) SOUTH RIVER, RARITAN RIVER BASIN, NEW JERSEY.—The project for hurricane and storm damage reduction and environmental restoration, South River, Raritan River Basin, New Jersey: Report of the Chief of Engineers dated July 22, 2003, at a total cost of $122,300,000, with an estimated Federal cost of $79,500,000 and an estimated non-Federal cost of $42,800,000.

(33) SOUTHWEST VALLEY, BERNALILLO COUNTY, NEW MEXICO.—The project for flood damage reduction, Southwest Valley, Bernalillo County, New Mexico: Report of the Chief of Engineers dated November 29, 2004, at a total cost of $24,840,000, with an estimated Federal cost of $16,150,000 and an estimated non-Federal cost of $8,690,000.

(34) MONTAUK POINT, NEW YORK.—The project for hurricane and storm damage reduction, Montauk Point, New York: Report of the Chief of Engineers dated March 31, 2006, at a total cost of $14,600,000, with an estimated Federal cost of $7,300,000 and an estimated non-Federal cost of $7,300,000.

(35) HOCKING RIVER, MONDAY CREEK SUBBASIN, OHIO.—The project for environmental restoration, Hocking River, Monday Creek Subbasin, Ohio: Report of the Chief of Engineers dated August 24, 2006, at a total cost of $20,980,000, with an estimated Federal cost of $13,440,000 and an estimated non-Federal cost of $7,540,000.

(36) TOWN OF BLOOMSBURG, COLUMBIA COUNTY, PENNSYLVANIA.—The project for flood damage reduction, town of Bloomsburg, Columbia County, Pennsylvania: Report of the Chief of Engineers dated January 25, 2006, at a total cost of $44,500,000, with an estimated Federal cost of $28,925,000 and an estimated non-Federal cost of $15,575,000.

(37) PAWLEY'S ISLAND, SOUTH CAROLINA.—The project for hurricane and storm damage reduction, Pawley's Island, South Carolina, Report of the Chief of Engineers dated December 19, 2006, at a total cost of $8,980,000, with an estimated Federal cost of $5,840,000 and an estimated non-Federal cost of $3,140,000, and at an estimated total cost of $21,200,000 for periodic nourishment over the 50-year life of the project, with an estimated Federal cost of $10,600,000 and an estimated non-Federal cost of $10,600,000.

(38) CORPUS CHRISTI SHIP CHANNEL, CORPUS CHRISTI, TEXAS.—The project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas: Report of the Chief of Engineers dated June 2, 2003, at a total cost of $188,110,000, with an estimated Federal cost of $87,810,000 and an estimated non-Federal cost of $100,300,000.

(39) GULF INTRACOASTAL WATERWAY, MATAGORDA BAY RE-ROUTE, TEXAS.—The project for navigation, Gulf Intracoastal Waterway, Matagorda Bay Re-Route, Texas: Report of the Chief of Engineers dated December 24, 2002, at a total cost of $17,280,000. The costs of construction of the project are to be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(40) GULF INTRACOASTAL WATERWAY, HIGH ISLAND TO BRAZOS RIVER, TEXAS.—The project for navigation, Gulf Intracoastal Waterway, High Island to Brazos River, Texas: Report of the Chief of Engineers dated April 16, 2004, at a total cost of $14,450,000. The costs of construction of the project are to be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(41) LOWER COLORADO RIVER BASIN PHASE I, TEXAS.—The project for flood damage reduction and environmental restoration, Lower Colorado River Basin Phase I, Texas, Report of the Chief of Engineers dated December 31, 2006, at a total cost of $110,730,000, with an estimated Federal cost of $69,640,000 and an estimated non-Federal cost of $41,090,000.

(42) ATLANTIC INTRACOASTAL WATERWAY BRIDGE REPLACEMENT, DEEP CREEK, CHESAPEAKE, VIRGINIA.—The project for Atlantic Intracoastal Waterway Bridge Replacement, Deep Creek, Chesapeake, Virginia: Report of the Chief of Engineers dated March 3, 2003, at a total cost of $37,200,000.

(43) CRANEY ISLAND EASTWARD EXPANSION, NORFOLK HARBOR AND CHANNELS, VIRGINIA.—The project for navigation, Craney Island Eastward Expansion, Norfolk Harbor and Channels, Virginia: Report of Chief of Engineers dated October 24, 2006, at a total cost of $712,103,000, with an estimated Federal cost of $31,229,000 and an estimated non-Federal cost of $680,874,000.

SEC. 1002. SMALL PROJECTS FOR FLOOD DAMAGE REDUCTION.

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

(1) HALEYVILLE, ALABAMA.—Project for flood damage reduction, Haleyville, Alabama.

(2) WEISS LAKE, ALABAMA.—Project for flood damage reduction, Weiss Lake, Alabama.

(3) LITTLE COLORADO RIVER LEVEE, ARIZONA.—Project for flood damage reduction, Little Colorado River Levee, Arizona.

(4) CACHE RIVER BASIN, GRUBBS, ARKANSAS.—Project for flood damage reduction, Cache River Basin, Grubbs, Arkansas.

(5) BARREL SPRINGS WASH, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Barrel Springs Wash, Palmdale, California.

(6) BORREGO SPRINGS, CALIFORNIA.—Project for flood damage reduction, Borrego Springs, California.

(7) COLTON, CALIFORNIA.—Project for flood damage reduction, Colton, California.

(8) DUNLAP STREAM, YUCAIPA, CALIFORNIA.—Project for flood damage reduction, Dunlap Stream, Yucaipa, California.

(9) HUNTS CANYON WASH, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Hunts Canyon Wash, Palmdale, California.

(10) ONTARIO AND CHINO, CALIFORNIA.—Project for flood damage reduction, Ontario and Chino, California.

(11) SANTA VENETIA, CALIFORNIA.—Project for flood damage reduction, Santa Venetia, California.

(12) WHITTIER, CALIFORNIA.—Project for flood damage reduction, Whittier, California.

(13) WILDWOOD CREEK, YUCAIPA, CALIFORNIA.—Project for flood damage reduction, Wildwood Creek, Yucaipa, California.

(14) ST. FRANCISVILLE, LOUSIANA.—Project for flood damage reduction, St. Francisville, Louisiana.

(15) SALEM, MASSACHUSETTS.—Project for flood damage reduction, Salem, Massachusetts.

(16) CASS RIVER, MICHIGAN.—Project for flood damage reduction, Cass River, Vassar and vicinity, Michigan.

(17) CROW RIVER, ROCKFORD, MINNESOTA.—Project for flood damage reduction, Crow River, Rockford, Minnesota.

(18) MARSH CREEK, MINNESOTA.—Project for flood damage reduction, Marsh Creek, Minnesota.

(19) SOUTH BRANCH OF THE WILD RICE RIVER, BORUP, MINNESOTA.—Project for flood damage reduction, South Branch of the Wild Rice River, Borup, Minnesota.

(20) BLACKSNAKE CREEK, ST. JOSEPH, MISSOURI.—Project for flood damage reduction, Blacksnake Creek, St. Joseph, Missouri.

(21) ACID BROOK, POMPTON LAKES, NEW JERSEY.—Project for flood damage reduction, Acid Brook, Pompton Lakes, New Jersey.

(22) CANNISTEO RIVER, ADDISON, NEW YORK.—Project for flood damage reduction, Cannisteo River, Addison, New York.

(23) COHOCTON RIVER, CAMPBELL, NEW YORK.—Project for flood damage reduction, Cohocton River, Campbell, New York.

(24) DRY AND OTTER CREEKS, CORTLAND, NEW YORK.—Project for flood damage reduction, Dry and Otter Creeks, Cortland, New York.

(25) EAST RIVER, SILVER BEACH, NEW YORK CITY, NEW YORK.—Project for flood damage reduction, East River, Silver Beach, New York City, New York.

(26) EAST VALLEY CREEK, ANDOVER, NEW YORK.—Project for flood damage reduction, East Valley Creek, Andover, New York.

(27) SUNNYSIDE BROOK, WESTCHESTER COUNTY, NEW YORK.—Project for flood damage reduction, Sunnyside Brook, Westchester County, New York.

(28) LITTLE YANKEE RUN, OHIO.—Project for flood damage reduction, Little Yankee Run, Ohio.

(29) LITTLE NESHAMINY CREEK, WARRENTON, PENNSYLVANIA.—Project for flood damage reduction, Little Neshaminy Creek, Warrenton, Pennsylvania.

(30) SOUTHAMPTON CREEK WATERSHED, SOUTHAMPTON, PENNSYLVANIA.—Project for flood damage reduction, Southampton Creek watershed, Southampton, Pennsylvania.

(31) SPRING CREEK, LOWER MACUNGIE TOWNSHIP, PENNSYLVANIA.—Project for flood damage reduction, Spring Creek, Lower Macungie Township, Pennsylvania.

(32) YARDLEY AQUEDUCT, SILVER AND BROCK CREEKS, YARDLEY, PENNSYLVANIA.—Project for flood damage reduction, Yardley Aqueduct, Silver and Brock Creeks, Yardley, Pennsylvania.

(33) SURFSIDE BEACH, SOUTH CAROLINA.—Project for flood damage reduction, Surfside Beach and vicinity, South Carolina.

(34) CONGELOSI DITCH, MISSOURI CITY, TEXAS.—Project for flood damage reduction, Congelosi Ditch, Missouri City, Texas.

(35) DILLEY, TEXAS.—Project for flood damage reduction, Dilley, Texas.

(b) SPECIAL RULES.—

(1) CACHE RIVER BASIN, GRUBBS, ARKANSAS.—The Secretary may proceed with the project for the Cache River Basin, Grubbs, Arkansas, referred to in subsection (a), notwithstanding that the project is located within the boundaries of the flood control project, Cache River Basin, Arkansas and Missouri, authorized by section 204 of the Flood Control Act of 1950, (64 Stat. 172) and modified by section 99 of the Water Resources Development Act of 1974 (88 Stat. 41).

(2) ONTARIO AND CHINO, CALIFORNIA.—The Secretary shall carry out the project for flood damage reduction, Ontario and Chino, California, referred to in subsection (a) if the Secretary determines that the project is feasible.

(3) SANTA VENETIA, CALIFORNIA.—The Secretary shall carry out the project for flood damage reduction, Santa Venetia, California, referred to in subsection (a) if the Secretary determines that the project is feasible and shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

(4) WHITTIER, CALIFORNIA.—The Secretary shall carry out the project for flood damage reduction, Whittier, California, referred to in subsection (a) if the Secretary determines that the project is feasible.

(5) SOUTH BRANCH OF THE WILD RICE RIVER, BORUP, MINNESOTA.—In carrying out the project for flood damage reduction, South Branch of the Wild Rice River, Borup, Minnesota, referred to in subsection (a) the Secretary may consider national ecosystem restoration benefits in determining the Federal interest in the project and shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

(6) ACID BROOK, POMPTON LAKES, NEW JERSEY.—The Secretary shall carry out the project for flood damage reduction, Acid Brook, Pompton Lakes, New Jersey, referred to in subsection (a) if the Secretary determines that the project is feasible.

(7) DILLEY, TEXAS.—The Secretary shall carry out the project for flood damage reduction, Dilley, Texas, referred to in subsection (a) if the Secretary determines that the project is feasible.

SEC. 1003. SMALL PROJECTS FOR EMERGENCY STREAMBANK PROTECTION.

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

(1) ST. JOHNS BLUFF TRAINING WALL, DUVAL COUNTY, FLORIDA.—Project for emergency streambank protection, St. Johns Bluff Training Wall, Duval County, Florida.

(2) GULF INTRACOASTAL WATERWAY, IBERVILLE PARISH, LOUISIANA.—Projects for emergency streambank restoration, Gulf Intracoastal Waterway, Iberville Parish, Louisiana.

(3) OUACHITA AND BLACK RIVERS, ARKANSAS AND LOUISIANA.—Projects for emergency streambank protection, Ouachita and Black Rivers, Arkansas and Louisiana.

(4) PINEY POINT LIGHTHOUSE, ST. MARY'S COUNTY, MARYLAND.—Project for emergency streambank protection, Piney Point Lighthouse, St. Mary's County, Maryland.

(5) PUG HOLE LAKE, MINNESOTA.—Project for emergency streambank protection, Pug Hole Lake, Minnesota.

(6) MIDDLE FORK GRAND RIVER, GENTRY COUNTY, MISSOURI.—Project for emergency streambank protection, Middle Fork Grand River, Gentry County, Missouri.

(7) PLATTE RIVER, PLATTE CITY, MISSOURI.—Project for emergency streambank protection, Platte River, Platte City, Missouri.

(8) RUSH CREEK, PARKVILLE, MISSOURI.—Project for emergency streambank protection, Rush Creek, Parkville, Missouri, including measures to address degradation of the creek bed.

(9) DRY AND OTTER CREEKS, CORTLAND COUNTY, NEW YORK.—Project for emergency streambank protection, Dry and Otter Creeks, Cortland County, New York.

(10) KEUKA LAKE, HAMMONDSPORT, NEW YORK.—Project for emergency streambank protection, Keuka Lake, Hammondsport, New York.

(11) KOWAWESE UNIQUE AREA AND HUDSON RIVER, NEW WINDSOR, NEW YORK.—Project for emergency streambank protection, Kowawese Unique Area and Hudson River, New Windsor, New York.

(12) OWEGO CREEK, TIOGA COUNTY, NEW YORK.—Project for emergency streambank protection, Owego Creek, Tioga County, New York.

(13) HOWARD ROAD OUTFALL, SHELBY COUNTY, TENNESSEE.—Project for emergency streambank protection, Howard Road outfall, Shelby County, Tennessee.

(14) MITCH FARM DITCH AND LATERAL D, SHELBY COUNTY, TENNESSEE.—Project for emergency streambank protection, Mitch Farm Ditch and Lateral D, Shelby County, Tennessee.

(15) WOLF RIVER TRIBUTARIES, SHELBY COUNTY, TENNESSEE.—Project for emergency streambank protection, Wolf River tributaries, Shelby County, Tennessee.

(16) JOHNSON CREEK, ARLINGTON, TEXAS.—Project for emergency streambank protection, Johnson Creek, Arlington, Texas.

(17) WELLS RIVER, NEWBURY, VERMONT.—Project for emergency streambank protection, Wells River, Newbury, Vermont.

SEC. 1004. SMALL PROJECTS FOR NAVIGATION.

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

(1) MISSISSIPPI RIVER SHIP CHANNEL, LOUISIANA.—Project for navigation, Mississippi River Ship Channel, Louisiana.

(2) EAST BASIN, CAPE COD CANAL, SANDWICH, MASSACHUSETTS.—Project for navigation, East Basin, Cape Cod Canal, Sandwich, Massachusetts.

(3) LYNN HARBOR, LYNN, MASSACHUSETTS.—Project for navigation, Lynn Harbor, Lynn, Massachusetts.

(4) MERRIMACK RIVER, HAVERHILL, MASSACHUSETTS.—Project for navigation, Merrimack River, Haverhill, Massachusetts.

(5) OAK BLUFFS HARBOR, OAK BLUFFS, MASSACHUSETTS.—Project for navigation, Oak Bluffs Harbor, Oak Bluffs, Massachusetts.

(6) WOODS HOLE GREAT HARBOR, FALMOUTH, MASSACHUSETTS.—Project for navigation, Woods Hole Great Harbor, Falmouth, Massachusetts.

(7) AU SABLE RIVER, MICHIGAN.—Project for navigation, Au Sable River in the vicinity of Oscoda, Michigan.

(8) TRAVERSE CITY HARBOR, TRAVERSE CITY, MICHIGAN.—Project for navigation, Traverse City Harbor, Traverse City, Michigan.

(9) TOWER HARBOR, TOWER, MINNESOTA.—Project for navigation, Tower Harbor, Tower, Minnesota.

(10) OLCOTT HARBOR, OLCOTT, NEW YORK.—Project for navigation, Olcott Harbor, Olcott, New York.

(b) SPECIAL RULES.—

(1) TRAVERSE CITY HARBOR, TRAVERSE CITY, MICHIGAN.—The Secretary shall review the locally prepared plan for the project for navigation, Traverse City Harbor, Michigan, referred to in subsection (a), and, if the Secretary determines that the plan meets the evaluation and design standards of the Corps of Engineers and that the plan is feasible, the Secretary may use the plan to carry out the project and shall provide credit toward the non-Federal share of the cost of the project for the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(2) TOWER HARBOR, TOWER MINNESOTA.—The Secretary shall carry out the project for navigation, Tower Harbor, Tower, Minnesota, referred to in subsection (a) if the Secretary determines that the project is feasible.

SEC. 1005. SMALL PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a):

(1) BALLONA CREEK, LOS ANGELES COUNTY, CALIFORNIA.—Project for improvement of the quality of the environment, Ballona Creek, Los Angeles County, California.

(2) BALLONA LAGOON TIDE GATES, MARINA DEL REY, CALIFORNIA.—Project for improvement of the quality of the environment, Ballona Lagoon Tide Gates, Marina Del Rey, California.

(3) FT. GEORGE INLET, DUVAL COUNTY, FLORIDA.—Project for improvement of the quality of the environment, Ft. George Inlet, Duval County, Florida.

(4) RATHBUN LAKE, IOWA.—Project for improvement of the quality of the environment, Rathbun Lake, Iowa.

(5) SMITHVILLE LAKE, MISSOURI.—Project for improvement of the quality of the environment, Smithville Lake, Missouri.

(6) DELAWARE BAY, NEW JERSEY AND DELAWARE.—Project for improvement of the quality of the environment, Delaware Bay, New Jersey and Delaware, for the purpose of oyster restoration.

(7) TIOGA-HAMMOND LAKES, PENNSYLVANIA.—Project for improvement of the quality of the environment, Tioga-Hammond Lakes, Pennsylvania.

SEC. 1006. SMALL PROJECTS FOR AQUATIC ECOSYSTEM RESTORATION.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) CYPRESS CREEK, MONTGOMERY, ALABAMA.—Project for aquatic ecosystem restoration, Cypress Creek, Montgomery, Alabama.

(2) BLACK LAKE, ALASKA.—Project for aquatic ecosystem restoration, Black Lake, Alaska, at the head of the Chignik watershed.

(3) BEN LOMOND DAM, SANTA CRUZ, CALIFORNIA.—Project for aquatic ecosystem restoration, Ben Lomond Dam, Santa Cruz, California.

(4) DOCKWEILER BLUFFS, LOS ANGELES COUNTY, CALIFORNIA.—Project for aquatic ecosystem restoration, Dockweiler Bluffs, Los Angeles County, California.

(5) SALT RIVER, CALIFORNIA.—Project for aquatic ecosystem restoration, Salt River, California.

(6) SANTA ROSA CREEK, SANTA ROSA, CALIFORNIA.—Project for aquatic ecosystem restoration, Santa Rosa Creek in the vicinity of the Prince Memorial Greenway, Santa Rosa, California.

(7) STOCKTON DEEP WATER SHIP CHANNEL AND LOWER SAN JOAQUIN RIVER, CALIFORNIA.—Project for aquatic ecosystem restoration, Stockton Deep Water Ship Channel and lower San Joaquin River, California.

(8) SWEETWATER RESERVOIR, SAN DIEGO COUNTY, CALIFORNIA.—Project for aquatic ecosystem restoration, Sweetwater Reservoir, San Diego County, California, including efforts to address aquatic nuisance species.

(9) BISCAYNE BAY, FLORIDA.—Project for aquatic ecosystem restoration, Biscayne Bay, Key Biscayne, Florida.

(10) CLAM BAYOU AND DINKINS BAYOU, SANIBEL ISLAND, FLORIDA.—Project for aquatic ecosystem restoration, Clam Bayou and Dinkins Bayou, Sanibel Island, Florida.

(11) CHATTAHOOCHEE FALL LINE, GEORGIA AND ALABAMA.—Project for aquatic ecosystem restoration, Chattahoochee Fall Line, Georgia and Alabama.

(12) LONGWOOD COVE, GAINESVILLE, GEORGIA.—Project for aquatic ecosystem restoration, Longwood Cove, Gainesville, Georgia.

(13) CITY PARK, UNIVERSITY LAKES, LOUISIANA.—Project for aquatic ecosystem restoration, City Park, University Lakes, Louisiana.

(14) MILL POND, LITTLETON, MASSACHUSETTS.—Project for aquatic ecosystem restoration, Mill Pond, Littleton, Massachusetts.

(15) PINE TREE BROOK, MILTON, MASSACHUSETTS.—Project for aquatic ecosystem restoration, Pine Tree Brook, Milton, Massachusetts.

(16) RUSH LAKE, MINNESOTA.—Project for aquatic ecosystem restoration, Rush Lake, Minnesota.

(17) SOUTH FORK OF THE CROW RIVER, HUTCHINSON, MINNESOTA.—Project for aquatic ecosystem restoration, South Fork of the Crow River, Hutchinson, Minnesota.

(18) ST. LOUIS, MISSOURI.—Project for aquatic ecosystem restoration, St. Louis, Missouri.

(19) TRUCKEE RIVER, RENO, NEVADA.—Project for aquatic ecosystem restoration, Truckee River, Reno, Nevada, including features for fish passage for Washoe County.

(20) GROVER'S MILL POND, NEW JERSEY.—Project for aquatic ecosystem restoration, Grover's Mill Pond, New Jersey.

(21) DUGWAY CREEK, BRATENAHL, OHIO.—Project for aquatic ecosystem restoration, Dugway Creek, Bratenahl, Ohio.

(22) JOHNSON CREEK, GRESHAM, OREGON.—Project for aquatic ecosystem restoration, Johnson Creek, Gresham, Oregon.

(23) BEAVER CREEK, BEAVER AND SALEM, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Beaver Creek, Beaver and Salem, Pennsylvania.

(24) CEMENTON DAM, LEHIGH RIVER, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Cementon Dam, Lehigh River, Pennsylvania.

(25) SAUCON CREEK, NORTHAMPTON COUNTY, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Saucon Creek, Northampton County, Pennsylvania.

(26) BLACKSTONE RIVER, RHODE ISLAND.—Project for aquatic ecosystem restoration, Blackstone River, Rhode Island.

(27) WILSON BRANCH, CHERAW, SOUTH CAROLINA.—Project for aquatic ecosystem restoration, Wilson Branch, Cheraw, South Carolina.

(28) WHITE RIVER, BETHEL, VERMONT.—Project for aquatic ecosystem restoration, White River, Bethel, Vermont.

(b) SPECIAL RULE.—The Secretary shall carry out the project for aquatic ecosystem restoration, Black Lake, Alaska referred to in subsection (a) if the Secretary determines that the project is feasible.

SEC. 1007. SMALL PROJECTS FOR SHORELINE PROTECTION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary

determines that a project is feasible, may carry out the project under section 3 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426g):

(1) NELSON LAGOON, ALASKA.—Project for shoreline protection, Nelson Lagoon, Alaska.

(2) SANIBEL ISLAND, FLORIDA.—Project for shoreline protection, Sanibel Island, Florida.

(3) APRA HARBOR, GUAM.—Project for shoreline protection, Apra Harbor, Guam.

(4) PITI, CABRAS ISLAND, GUAM.—Project for shoreline protection, Piti, Cabras Island, Guam.

(5) NARROWS AND GRAVESEND BAY, UPPER NEW YORK BAY, BROOKLYN, NEW YORK.—Project for shoreline protection in the vicinity of the confluence of the Narrows and Gravesend Bay, Upper New York Bay, Shore Parkway Greenway, Brooklyn, New York.

(6) DELAWARE RIVER, PHILADELPHIA NAVAL SHIPYARD, PENNSYLVANIA.—Project for shoreline protection, Delaware River in the vicinity of the Philadelphia Naval Shipyard, Pennsylvania.

(7) PORT ARANSAS, TEXAS.—Project for shoreline protection, Port Aransas, Texas.

SEC. 1008. SMALL PROJECTS FOR SNAGGING AND SEDIMENT REMOVAL.

The Secretary shall conduct a study for the following project and, if the Secretary determines that the project is feasible, the Secretary may carry out the project under section 2 of the Flood Control Act of August 28, 1937 (33 U.S.C. 701g): Project for removal of snags and clearing and straightening of channels for flood control, Kowawese Unique Area and Hudson River, New Windsor, New York.

TITLE II—GENERAL PROVISIONS

SEC. 2001. NON-FEDERAL CONTRIBUTIONS.

Section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213) is amended by adding at the end the following:

''(n) NON-FEDERAL CONTRIBUTIONS.—

''(1) PROHIBITION ON SOLICITATION OF EXCESS CONTRIBUTIONS.—The Secretary may not—

''(A) solicit contributions from non-Federal interests for costs of constructing authorized water resources projects or measures in excess of the non-Federal share assigned to the appropriate project purposes listed in subsections (a), (b), and (c); or

''(B) condition Federal participation in such projects or measures on the receipt of such contributions.

''(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to affect the Secretary's authority under section 903(c).''.

SEC. 2002. HARBOR COST SHARING.

(a) PAYMENTS DURING CONSTRUCTION.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1); 100 Stat. 4082) is amended in each of subparagraphs (B) and (C) by striking ''45 feet'' and inserting ''53 feet''.

(b) OPERATION AND MAINTENANCE.—Section 101(b)(1) of such Act (33 U.S.C. 2211(b)(1)) is amended by striking ''45 feet'' and inserting ''53 feet''.

(c) DEFINITIONS.—Section 214 of such Act (33 U.S.C. 2241; 100 Stat. 4108) is amended in each of paragraphs (1) and (3) by striking ''45 feet'' and inserting ''53 feet''.

(d) APPLICABILITY.—The amendments made by subsections (a), (b), and (c) shall apply only to a project, or separable element of a project, on which a contract for physical construction has not been awarded before October 1, 2003.

(e) REVISION OF PARTNERSHIP AGREEMENT.—The Secretary shall revise any partnership agreement entered into after October 1, 2003, for any project to which the amendments made by subsections (a), (b), and (c) apply to take into account the change in non-Federal participation in the project as a result of such amendments.

SEC. 2003. FUNDING TO PROCESS PERMITS.

Section 214(c) of the Water Resources Development Act of 2000 (33 U.S.C. 2201 note; 114 Stat. 2594; 117 Stat. 1836; 119 Stat. 2169; 120 Stat. 318; 120 Stat. 3197) is amended by striking ''2008'' and inserting ''2010''.

SEC. 2004. NATIONAL SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATION PROGRAM.

(a) EXTENSION OF PROGRAM.—Section 5(a) of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426h(a)), is amended by striking ''7 years'' and inserting ''10 years''.

(b) EXTENSION OF PLANNING, DESIGN, AND CONSTRUCTION PHASE.—Section 5(b)(1)(A) of such Act (33 U.S.C. 426h(b)(1)(A)) is amended by striking ''3 years'' and inserting ''6 years''.

(c) COST SHARING; REMOVAL OF PROJECTS.—Section 5(b) of such Act (33 U.S.C. 426h(b)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) COST SHARING.—The Secretary may enter into a cost sharing agreement with a non-Federal interest to carry out a project, or a phase of a project, under the erosion control program in cooperation with the non-Federal interest.

''(4) REMOVAL OF PROJECTS.—The Secretary may pay all or a portion of the costs of removing a project, or an element of a project, constructed under the erosion control program if the Secretary determines during the term of the program that the project or element is detrimental to the environment, private property, or public safety.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 5(e)(2) of such Act (33 U.S.C. 426h(e)(2)) is amended by striking ''$25,000,000'' and inserting ''$31,000,000''.

SEC. 2005. SMALL SHORE AND BEACH RESTORATION AND PROTECTION PROJECTS.

Section 3 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426g), is amended by striking ''$3,000,000'' and inserting ''$5,000,000''.

SEC. 2006. AQUATIC ECOSYSTEM RESTORATION.

Section 206(e) of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended by striking ''$25,000,000'' and inserting ''$40,000,000''.

SEC. 2007. SMALL FLOOD DAMAGE REDUCTION PROJECTS.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended by striking ''$50,000,000'' and inserting ''$60,000,000''.

SEC. 2008. MODIFICATION OF PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

Section 1135(h) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(h)) is amended by striking ''$25,000,000'' and inserting ''$30,000,000''.

SEC. 2009. WRITTEN AGREEMENT FOR WATER RESOURCES PROJECTS.

(a) IN GENERAL.—Section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) is amended—

(1) by striking ''SEC. 221'' and inserting the following:

''SEC. 221. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.'';

(2) by striking subsection (a) and inserting the following:

''(a) COOPERATION OF NON-FEDERAL INTEREST.—

''(1) IN GENERAL.—After December 31, 1970, the construction of any water resources project, or an acceptable separable element thereof, by the Secretary of the Army, acting through the Chief of Engineers, or by a non-Federal interest where such interest will be reimbursed for such construction under any provision of law, shall not be commenced until each non-Federal interest has entered into a written partnership agreement with the Secretary (or, where appropriate, the district engineer for the district in which the project will be carried out) under which each party agrees to carry out its responsibilities and requirements for implementation or construction of the project or the appropriate element of the project, as the case may be; except that no such agreement shall be required if the Secretary determines that the administrative costs associated with negotiating, executing, or administering the agreement would exceed the amount of the contribution required from the non-Federal interest and are less than $25,000.

''(2) LIQUIDATED DAMAGES.—A partnership agreement described in paragraph (1) may include a provision for liquidated damages in the event of a failure of one or more parties to perform.

''(3) OBLIGATION OF FUTURE APPROPRIATIONS.—In any partnership agreement described in paragraph (1) and entered into by a State, or a body politic of the State which derives its powers from the State constitution, or a governmental entity created by the State legislature, the agreement may reflect that it does not obligate future appropriations for such performance and payment when obligating future appropriations would be inconsistent with constitutional or statutory limitations of the State or a political subdivision of the State.

''(4) CREDIT FOR IN-KIND CONTRIBUTIONS.—

''(A) IN GENERAL.—A partnership agreement described in paragraph (1) may provide with respect to a project that the Secretary shall credit toward the non-Federal share of the cost of the project, including a project implemented without specific authorization in law, the value of in-kind contributions made by the non-Federal interest, including—

''(i) the costs of planning (including data collection), design, management, mitigation, construction, and construction services that are provided by the non-Federal interest for implementation of the project;

''(ii) the value of materials or services provided before execution of the partnership agreement, including efforts on constructed elements incorporated into the project; and

''(iii) the value of materials and services provided after execution of the partnership agreement.

''(B) CONDITION.—The Secretary shall credit an in-kind contribution under subparagraph (A) if the Secretary determines that the material or service provided as an in-kind contribution is integral to the project.

''(C) WORK PERFORMED BEFORE PARTNERSHIP AGREEMENT.—In any case in which the non-Federal interest is to receive credit under subparagraph (A)(ii) for the cost of work carried out by the non-Federal interest and such work has not been carried out as of the date of enactment of this subparagraph, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work, and only work carried out following the execution of the agreement shall be eligible for credit.

''(D) LIMITATIONS.—Credit authorized under this paragraph for a project—

''(i) shall not exceed the non-Federal share of the cost of the project;

''(ii) shall not alter any other requirement that a non-Federal interest provide lands, easements or rights-of-way, or areas for disposal of dredged material for the project;

''(iii) shall not alter any requirement that a non-Federal interest pay a portion of the costs of construction of the project under sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211; 33 U.S.C. 2213); and

''(iv) shall not exceed the actual and reasonable costs of the materials, services, or other things provided by the non-Federal interest, as determined by the Secretary.

''(E) APPLICABILITY.—

''(i) IN GENERAL.—This paragraph shall apply to water resources projects authorized after November 16, 1986, including projects initiated after November 16, 1986, without specific authorization in law.

''(ii) LIMITATION.—In any case in which a specific provision of law provides for a non-Federal interest to receive credit toward the non-Federal share of the cost of a study for, or construction or operation and maintenance of, a water resources project, the specific provision of law shall apply instead of this paragraph.''.

(b) NON-FEDERAL INTEREST.—Section 221(b) of such Act is amended to read as follows:

''(b) DEFINITION OF NON-FEDERAL INTEREST.—The term 'non-Federal interest' means a legally constituted public body (including a federally recognized Indian tribe), and a nonprofit entity with the consent of the affected local government, that has full authority and capability to perform the terms of its agreement and to pay damages, if necessary, in the event of failure to perform.''.

(c) PROGRAM ADMINISTRATION.—Section 221 of such Act is further amended—

(1) by redesignating subsection (e) as subsection (h); and

(2) by inserting after subsection (d) the following:

''(e) DELEGATION OF AUTHORITY.—Not later than September 30, 2008, the Secretary shall issue policies and guidelines for partnership agreements that delegate to the district engineers, at a minimum—

''(1) the authority to approve any policy in a partnership agreement that has appeared in an agreement previously approved by the Secretary;

''(2) the authority to approve any policy in a partnership agreement the specific terms of which are dictated by law or by a final feasibility study, final environmental impact statement, or other final decision document for a water resources project;

''(3) the authority to approve any partnership agreement that complies with the policies and guidelines issued by the Secretary; and

''(4) the authority to sign any partnership agreement for any water resources project unless, within 30 days of the date of authorization of the project, the Secretary notifies the district engineer in which the project will be carried out that the Secretary wishes to retain the prerogative to sign the partnership agreement for that project.

''(f) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this subsection, and every year thereafter, the Secretary shall submit to Congress a report detailing the following:

''(1) The number of partnership agreements signed by district engineers and the number of partnership agreements signed by the Secretary.

''(2) For any partnership agreement signed by the Secretary, an explanation of why delegation to the district engineer was not appropriate.

''(g) PUBLIC AVAILABILITY.—Not later than 120 days after the date of enactment of this subsection, the Chief of Engineers shall—

''(1) ensure that each district engineer has made available to the public, including on the Internet, all partnership agreements entered into under this section within the preceding 10 years and all partnership agreements for water resources projects currently being carried out in that district; and

''(2) make each partnership agreement entered into after such date of enactment available to the public, including on the Internet, not later than 7 days after the date on which such agreement is entered into.''.

(d) LOCAL COOPERATION.—Section 912(b) of the Water Resources Development Act of 1986 (101 Stat. 4190) is amended—

(1) in paragraph (2)—

(A) by striking ''shall'' the first place it appears and inserting ''may''; and

(B) by striking the last sentence; and

(2) in paragraph (4)—

(A) by inserting after ''injunction, for'' the following: ''payment of damages or, for'';

(B) by striking ''to collect a civil penalty imposed under this section,''; and

(C) by striking ''any civil penalty imposed under this section,'' and inserting ''any damages,''.

(e) APPLICABILITY.—The amendments made by subsections (a), (b), and (d) only apply to partnership agreements entered into after the date of enactment of this Act; except that, at the request of a non-Federal interest for a project, the district engineer for the district in which the project is located may amend a project partnership agreement entered into on or before such date and under which construction on the project has not been initiated as of such date of enactment for the purpose of incorporating such amendments.

(f) PARTNERSHIP AND COOPERATIVE ARRANGEMENTS; REFERENCES.—

(1) IN GENERAL.—A goal of agreements entered into under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) shall be to further partnership and cooperative arrangements, and the agreements shall be referred to as ''partnership agreements''.

(2) REFERENCES TO COOPERATION AGREEMENTS.—Any reference in a law, regulation, document, or other paper of the United States to a ''cooperation agreement'' or ''project cooperation agreement'' shall be deemed to be a reference to a ''partnership agreement'' or a ''project partnership agreement'', respectively.

(3) REFERENCES TO PARTNERSHIP AGREEMENTS.—Any reference to a ''partnership agreement'' or ''project partnership agreement'' in this Act (other than this section) shall be deemed to be a reference to a ''cooperation agreement'' or a ''project cooperation agreement'', respectively.

SEC. 2010. ASSISTANCE FOR REMEDIATION, RESTORATION, AND REUSE.

(a) IN GENERAL.—The Secretary may provide to State and local governments assessment, planning, and design assistance for remediation, environmental restoration, or reuse of areas located within the boundaries of such State or local governments where such remediation, environmental restoration, or reuse will contribute to the improvement of water quality or the conservation of water and related resources of drainage basins and watersheds within the United States.

(b) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance provided under subsection (a) shall be 50 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2008 through 2012.

SEC. 2011. COMPILATION OF LAWS.

(a) COMPILATION OF LAWS ENACTED AFTER NOVEMBER 8, 1966.—Not later than one year after the date of enactment of this Act, the Secretary and the Chief of Engineers shall prepare a compilation of the laws of the United States relating to the improvement of rivers and harbors, flood damage reduction, beach and shoreline erosion, hurricane and storm damage reduction, ecosystem and environmental restoration, and other water resources development enacted after November 8, 1966, and before January 1, 2008, and have such compilation printed for the use of the Department of the Army, Congress, and the general public.

(b) REPRINT OF LAWS ENACTED BEFORE NOVEMBER 8, 1966.—The Secretary shall have the volumes containing the laws referred to in subsection (a) enacted before November 8, 1966, reprinted.

(c) INDEX.—The Secretary shall include an index in each volume compiled, and each volume reprinted, pursuant to this section.

(d) CONGRESSIONAL COPIES.—Not later than December 1, 2008, the Secretary shall transmit at least 25 copies of each volume compiled, and of each volume reprinted, pursuant to this section to each of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(e) AVAILABILITY.—The Secretary shall ensure that each volume compiled, and each volume reprinted, pursuant to this section are available through electronic means, including the Internet.

SEC. 2012. DREDGED MATERIAL DISPOSAL.

Section 217 of the Water Resources Development Act of 1996 (33 U.S.C. 2326a) is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

''(c) DREDGED MATERIAL FACILITY.—

''(1) IN GENERAL.—The Secretary may enter into a partnership agreement under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) with one or more non-Federal interests with respect to a water resources project, or group of water resources projects within a geographic region, if appropriate, for the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility (including any facility used to demonstrate potential beneficial uses of dredged material, which may include effective sediment contaminant reduction technologies) using funds provided in whole or in part by the Federal Government.

''(2) PERFORMANCE.—One or more of the parties to a partnership agreement under this subsection may perform the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility.

''(3) MULTIPLE PROJECTS.—If a facility to which this subsection applies serves to manage dredged material from multiple water resources projects located in the geographic region of the facility, the Secretary may combine portions of such projects with appropriate combined costsharing between the various projects in a partnership agreement for the facility under this subsection.

''(4) SPECIFIED FEDERAL FUNDING SOURCES AND COST SHARING.—

''(A) SPECIFIED FEDERAL FUNDING.—A partnership agreement with respect to a facility under this subsection shall specify—

''(i) the Federal funding sources and combined cost-sharing when applicable to multiple water resources projects; and

''(ii) the responsibilities and risks of each of the parties relating to present and future dredged material managed by the facility.

''(B) MANAGEMENT OF SEDIMENTS.—

''(i) IN GENERAL.—A partnership agreement under this subsection may include the management of sediments from the maintenance dredging of Federal water resources projects that do not have partnership agreements.

''(ii) PAYMENTS.—A partnership agreement under this subsection may allow the non-Federal interest to receive reimbursable payments from the Federal Government for commitments made by the non-Federal interest for disposal or placement capacity at dredged material processing, treatment, contaminant reduction, or disposal facilities.

''(C) CREDIT.—A partnership agreement under this subsection may allow costs incurred by the non-Federal interest before execution of the partnership agreement to be credited in accordance with section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)).

''(5) CREDIT.—

''(A) EFFECT ON EXISTING AGREEMENTS.—Nothing in this subsection supersedes or modifies an agreement in effect on the date of enactment of this paragraph between the Federal Government and any non-Federal interest for the cost-sharing, construction, and operation and maintenance of a water resources project.

''(B) CREDIT FOR FUNDS.—Subject to the approval of the Secretary and in accordance with law (including regulations and policies) in effect on the date of enactment of this paragraph, a non-Federal interest for a water resources project may receive credit for funds provided for the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility to the extent the facility is used to manage dredged material from the project.

''(C) NON-FEDERAL INTEREST RESPONSIBILITIES.—A non-Federal interest entering into a partnership agreement under this subsection for a facility shall—

''(i) be responsible for providing all necessary lands, easements, rights-of-way, and relocations associated with the facility; and

''(ii) receive credit toward the non-Federal share of the cost of the project with respect to which the agreement is being entered into for those items.''; and

(3) in paragraphs (1) and (2)(A) of subsection (d) (as redesignated by paragraph (1))—

(A) by inserting ''and maintenance'' after ''operation'' each place it appears; and

(B) by inserting ''processing, treatment, contaminant reduction, or'' after ''dredged material'' the first place it appears in each of those paragraphs.

SEC. 2013. WETLANDS MITIGATION.

In carrying out a water resources project that involves wetlands mitigation and that has impacts that occur within the same watershed of a mitigation bank, the Secretary, to the maximum extent practicable and where appropriate, shall first consider the use of the mitigation bank if the bank contains sufficient available credits to offset the impact and the bank is approved in accordance with the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605) or other applicable Federal law (including regulations).

SEC. 2014. MITIGATION FOR FISH AND WILDLIFE LOSSES.

(a) MITIGATION PLAN CONTENTS.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)) is amended by adding at the end the following:

''(3) CONTENTS.—A mitigation plan shall include—

''(A) a description of the physical action to be undertaken to achieve the mitigation objectives within the watershed in which such losses occur and, in any case in which mitigation must take place outside the watershed, a justification detailing the rationale for undertaking the mitigation outside of the watershed;

''(B) a description of the lands or interests in lands to be acquired for mitigation and the basis for a determination that such lands are available for acquisition;

''(C) the type, amount, and characteristics of the habitat being restored;

''(D) success criteria for mitigation based on replacement of lost functions and values of the habitat, including hydrologic and vegetative characteristics; and

''(E) a plan for any necessary monitoring to determine the success of the mitigation, including the cost and duration of any monitoring and, to the extent practicable, the entities responsible for any monitoring.

''(4) RESPONSIBILITY FOR MONITORING.—In any case in which it is not practicable to identify in a mitigation plan for a water resources project, the entity responsible for monitoring at the time of a final report of the Chief of Engineers or other final decision document for the project, such entity shall be identified in the partnership agreement entered into with the non-Federal interest.''.

(b) STATUS REPORT.—

(1) IN GENERAL.—Concurrent with the President's submission to Congress of the President's request for appropriations for the Civil Works Program for a fiscal year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the status of construction of projects that require mitigation under section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283; 100 Stat. 4186) and the status of such mitigation.

(2) PROJECTS INCLUDED.—The status report shall include the status of all projects that are under construction, all projects for which the President requests funding for the next fiscal year, and all projects that have completed construction, but have not completed the mitigation required under section 906 of the Water Resources Development Act of 1986.

SEC. 2015. REMOTE AND SUBSISTENCE HARBORS.

(a) IN GENERAL.—In conducting a study of harbor and navigation improvements, the Secretary may recommend a project without the need to demonstrate that the project is justified solely by national economic development benefits if the Secretary determines that—

(1)(A) the community to be served by the project is at least 70 miles from the nearest surface accessible commercial port and has no direct rail or highway link to another community served by a surface accessible port or harbor; or

(B) the project would be located in the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, or American Samoa;

(2) the harbor is economically critical such that over 80 percent of the goods transported through the harbor would be consumed within the community served by the harbor and navigation improvement; and

(3) the long-term viability of the community would be threatened without the harbor and navigation improvement.

(b) JUSTIFICATION.—In considering whether to recommend a project under subsection (a), the Secretary shall consider the benefits of the project to—

(1) public health and safety of the local community, including access to facilities designed to protect public health and safety;

(2) access to natural resources for subsistence purposes;

(3) local and regional economic opportunities;

(4) welfare of the local population; and

(5) social and cultural value to the community.

SEC. 2016. BENEFICIAL USES OF DREDGED MATERIAL.

(a) IN GENERAL.—Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by striking subsections (c) through (g) and inserting the following:

''(c) IN GENERAL.—The Secretary may carry out projects to transport and place sediment obtained in connection with the construction, operation, or maintenance of an authorized water resources project at locations selected by a non-Federal entity for use in the construction, repair, or rehabilitation of projects determined by the Secretary to be in the public interest and associated with navigation, flood damage reduction, hydroelectric power, municipal and industrial water supply, agricultural water supply, recreation, hurricane and storm damage reduction, aquatic plant control, and environmental protection and restoration.

''(d) COOPERATIVE AGREEMENT.—Any project undertaken pursuant to this section shall be initiated only after non-Federal interests have entered into an agreement with the Secretary in which the non-Federal interests agree to pay the non-Federal share of the cost of construction of the project and 100 percent of the cost of operation, maintenance, replacement, and rehabilitation of the project in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

''(e) SPECIAL RULE.—Construction of a project under subsection (a) for one or more of the purposes of protection, restoration, or creation of aquatic and ecologically related habitat, the cost of which does not exceed $750,000 and which will be located in a disadvantaged community as determined by the Secretary, may be carried out at Federal expense.

''(f) DETERMINATION OF CONSTRUCTION COSTS.—Costs associated with construction of a project under this section shall be limited solely to construction costs that are in excess of those costs necessary to carry out the dredging for construction, operation, or maintenance of the authorized water resources project in the most cos- effective way, consistent with economic, engineering, and environmental criteria.

''(g) SELECTION OF SEDIMENT DISPOSAL METHOD.—In developing and carrying out a water resources project involving the disposal of sediment, the Secretary may select, with the consent of the non-Federal interest, a disposal method that is not the least cost option if the Secretary determines that the incremental costs of such disposal method are reasonable in relation to the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion. The Federal share of such incremental costs shall be determined in accordance with subsections (d) and (f).

''(h) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $30,000,000 annually for projects under this section of which not more than $3,000,000 annually may be used for construction of projects described in subsection (e). Such sums shall remain available until expended.

''(j) REGIONAL SEDIMENT MANAGEMENT PLANNING.—In consultation with appropriate State and Federal agencies, the Secretary may develop, at Federal expense, plans for regional management of sediment obtained in conjunction with the construction, operation, or maintenance of water resources projects, including potential beneficial uses of sediment for construction, repair, or rehabilitation of public projects for navigation, flood damage reduction, hydroelectric power, municipal and industrial water supply, agricultural water supply, recreation, hurricane and storm damage reduction, aquatic plant control, and environmental protection and restoration.

''(k) USE OF FUNDS.—

''(1) NON-FEDERAL INTEREST.—The non-Federal interest for a project described in this section may use, and the Secretary shall accept, funds provided under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of such project if such funds are authorized to be used to carry out such project.

''(2) OTHER FEDERAL AGENCIES.—The non-Federal share of the cost of construction of a project under this section may be met through contributions from a Federal agency made directly to the Secretary, with the consent of the affected local government, if such funds are authorized to be used to carry out such project. Before initiating a project to which this paragraph applies, the Secretary shall enter into an agreement with a non-Federal interest in which the non-Federal interest agrees to pay 100 percent of the cost of operation, maintenance, replacement, and rehabilitation of the project.''.

(b) REPEAL.—

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

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

(c) PRIORITY AREAS.—In carrying out section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326), the Secretary shall give priority to the following:

(1) A project at Little Rock Slackwater Harbor, Arkansas.

(2) A project at Egmont Key, Florida.

(3) A project in the vicinity of Calcasieu Ship Channel, Louisiana.

(4) A project in the vicinity of the Smith Point Park Pavilion and the TWA Flight 800 Memorial, Brookhaven, New York.

(5) A project in the vicinity of Morehead City, North Carolina.

(6) A project in the vicinity of Galveston Bay, Texas.

(7) A project at Benson Beach, Washington.

SEC. 2017. COST-SHARING PROVISIONS FOR CERTAIN AREAS.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310; 100 Stat. 4256) is amended to read as follows:

"SEC. 1156. COST-SHARING PROVISIONS FOR CERTAIN AREAS.

''The Secretary shall waive local cost-sharing requirements up to $500,000 for all studies and projects—

''(1) in the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands;

''(2) in Indian country (as defined in section 1151 of title 18, United States Code, and including lands that are within the jurisdictional area of an Oklahoma Indian tribe, as determined by the Secretary of the Interior, and are recognized by the Secretary of the Interior as eligible for trust land status under part 151 of title 25, Code of Federal Regulations); or

''(3) on land in the State of Alaska owned by an Alaska Native Regional Corporation or an Alaska Native Village Corporation (as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) or the Metlakatla Indian community.''.

SEC. 2018. USE OF OTHER FEDERAL FUNDS.

The non-Federal interest for a water resources study or project may use, and the Secretary shall accept, funds provided by a Federal agency under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of the study or project if such funds are authorized to be used to carry out the study or project.

SEC. 2019. REVISION OF PROJECT PARTNERSHIP AGREEMENT.

Upon authorization by law of an increase in the maximum amount of Federal funds that may be allocated for a water resources project or an increase in the total cost of a water resources project authorized to be carried out by the Secretary, the Secretary shall revise the partnership agreement for the project to take into account the change in Federal participation in the project.

SEC. 2020. COST SHARING.

An increase in the maximum amount of Federal funds that may be allocated for a water resources project, or an increase in the total cost of a water resources project, authorized to be carried out by the Secretary shall not affect any cost-sharing requirement applicable to the project.

SEC. 2021. EXPEDITED ACTIONS FOR EMERGENCY FLOOD DAMAGE REDUCTION.

The Secretary shall expedite any authorized planning, design, and construction of any project for flood damage reduction for an area that, within the preceding 5 years, has been subject to flooding that resulted in the loss of life and caused damage of sufficient severity and magnitude to warrant a declaration of a major disaster by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 2022. WATERSHED AND RIVER BASIN ASSESSMENTS.

(a) IN GENERAL.—Section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a; 114 Stat. 2587–2588; 100 Stat. 4164) is amended—

(1) in subsection (d)—

(A) by striking ''and'' at the end of paragraph (4);

(B) by striking the period at the end of paragraph (5) and inserting ''';'''; and

(C) by adding at the end the following:

''(6) Tuscarawas River Basin, Ohio;

''(7) Sauk River Basin, Snohomish and Skagit Counties, Washington;

''(8) Niagara River Basin, New York;

''(9) Genesee River Basin, New York; and

''(10) White River Basin, Arkansas and Missouri.''';

(2) by striking paragraph (1) of subsection (f) and inserting the following:

''(1) NON-FEDERAL SHARE.—The non-Federal share of the costs of an assessment carried out under this section on or after December 11, 2000, shall be 25 percent.''; and

(3) by striking subsection (g).

(b) REVISION OF PARTNERSHIP AGREEMENT.—The Secretary shall revise the partnership agreement for any assessment being carried out under such section 729 to take into account the change in non-Federal participation in the assessment as a result of the amendments made by subsection (a).

SEC. 2023. TRIBAL PARTNERSHIP PROGRAM.

(a) SCOPE.—Section 203(b)(1)(B) of the Water Resources Development Act of 2000 (33 U.S.C. 2269(b)(1)(B); 114 Stat. 2589) is amended by inserting after ''Code'' the following: '', and including lands that are within the jurisdictional area of an Oklahoma Indian tribe, as determined by the Secretary of the Interior, and are recognized by the Secretary of the Interior as eligible for trust land status under part 151 of title 25, Code of Federal Regulations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 203(e) of such Act is amended by striking ''2006'' and inserting ''2012''.

SEC. 2024. WILDFIRE FIREFIGHTING.

Section 309 of Public Law 102–154 (42 U.S.C. 1856a–1; 105 Stat. 1034) is amended by inserting ''the Secretary of the Army,'' after ''the Secretary of Energy,''.

SEC. 2025. TECHNICAL ASSISTANCE.

Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a) by striking ''(a) The Secretary'' and inserting the following:

''(a) FEDERAL STATE COOPERATION.—

''(1) COMPREHENSIVE PLANS.—The Secretary'';

(2) by inserting after the last sentence in subsection (a) the following:

''(2) TECHNICAL ASSISTANCE.—

''(A) IN GENERAL.—At the request of a governmental agency or non-Federal interest, the Secretary may provide, at Federal expense, technical assistance to such agency or non-Federal interest in managing water resources.

''(B) TYPES OF ASSISTANCE.—Technical assistance under this paragraph may include provision and integration of hydrologic, economic, and environmental data and analyses.'';

(3) in subsection (b)(1) by striking ''this section'' each place it appears and inserting ''subsection (a)(1)'';

(4) in subsection (b)(3) by striking ''Up to ½ of the'' and inserting ''The'';

(5) in subsection (c) by striking ''(c) There is'' and inserting the following:

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) FEDERAL AND STATE COOPERATION.—There is'';

(6) in subsection (c)(1) (as designated by paragraph (5))—

(A) by striking ''the provisions of this section'' and inserting ''subsection (a)(1)''; and

(B) by striking ''$500,000'' and inserting ''$1,000,000'';

(7) by inserting at the end of subsection (c) the following:

''(2) TECHNICAL ASSISTANCE.—There is authorized to be appropriated $5,000,000 annually to carry out subsection (a)(2), of which not more than $2,000,000 annually may be used by the Secretary to enter into cooperative agreements with nonprofit organizations to provide assistance to rural and small communities.'';

(8) by redesignating subsection (d) as subsection (e); and

(9) by inserting after subsection (c) the following:

''(d) ANNUAL SUBMISSION OF PROPOSED ACTIVITIES.—Concurrent with the President's submission to Congress of the President's request for appropriations for the Civil Works Program for a fiscal year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the individual activities proposed for funding under subsection (a)(1) for that fiscal year.''.

SEC. 2026. LAKES PROGRAM.

Section 602(a) of the Water Resources Development Act of 1986 (100 Stat. 4148; 110 Stat. 3758; 113 Stat. 295) is amended—

(1) by striking ''and'' at end of paragraph (18);

(2) by striking the period at the end of paragraph (19) and inserting a semicolon; and

(3) by adding at the end the following:

''(20) Kinkaid Lake, Jackson County, Illinois, removal of silt and aquatic growth and measures to address excessive sedimentation;

''(21) McCarter Pond, Borough of Fairhaven, New Jersey, removal of silt and measures to address water quality;

''(22) Rogers Pond, Franklin Township, New Jersey, removal of silt and restoration of structural integrity;

''(23) Greenwood Lake, New York and New Jersey, removal of silt and aquatic growth;

''(24) Lake Rodgers, Creedmoor, North Carolina, removal of silt and excessive nutrients and restoration of structural integrity; and

''(25) Lake Luxembourg, Pennsylvania.''.

SEC. 2027. COORDINATION AND SCHEDULING OF FEDERAL, STATE, AND LOCAL ACTIONS.

(a) NOTICE OF INTENT.—Upon request of the non-Federal interest in the form of a written notice of intent to construct or modify a non-Federal water supply, wastewater infrastructure, flood damage reduction, storm damage reduction, ecosystem restoration, or navigation project that requires the approval of the Secretary, the Secretary shall initiate, subject to subsection (g)(1), procedures to establish a schedule for consolidating Federal, State, and local agency and Indian tribe environmental assessments, project reviews, and issuance of all permits for the construction or modification of the project. The non-Federal interest shall submit to the Secretary, with the notice of intent, studies and documentation, including environmental reviews, that may be required by Federal law for decisionmaking on the proposed project. All States and Indian tribes having jurisdiction over the proposed project shall be invited by the Secretary, but shall not be required, to participate in carrying out this section with respect to the project.

(b) PROCEDURAL REQUIREMENTS.—Within 15 days after receipt of notice under subsection (a), the Secretary shall publish such notice in the Federal Register. The Secretary also shall provide written notification of the receipt of a notice under subsection (a) to all State and local agencies and Indian tribes that may be required to issue permits for the construction of the project or related activities. The Secretary shall solicit the cooperation of those agencies and request their entry into a memorandum of agreement described in subsection (c) with respect to the project. Within 30 days after publication of the notice in the Federal Register, State and local agencies and Indian tribes that intend to enter into the memorandum of agreement with respect to the project shall notify the Secretary of their intent in writing.

(c) SCHEDULING AGREEMENT.—Within 90 days after the date of receipt of notice under subsection (a) with respect to a project, the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency, as necessary, and any State or local agencies that have notified the Secretary under subsection (b) shall enter into an agreement with the Secretary establishing a schedule of decisionmaking for approval of the project and permits associated with the project and with related activities.

(d) CONTENTS OF AGREEMENT.—An agreement entered into under subsection (c) with respect to a project, to the extent practicable, shall consolidate hearing and comment periods, procedures for data collection and report preparation, and the environmental review and permitting processes associated with the project and related activities. The agreement shall detail, to the extent possible, the non-Federal interest's responsibilities for data development and information that may be necessary to process each permit required for the project, including a schedule when the information and data will be provided to the appropriate Federal, State, or local agency or Indian tribe.

(e) REVISION OF AGREEMENT.—The Secretary may revise an agreement entered into under subsection (c) with respect to a project once to extend the schedule to allow the non-Federal interest the minimum amount of additional time necessary to revise its original application to meet the objections of a Federal, State, or local agency or Indian tribe that is a party to the agreement.

(f) FINAL DECISION.—Not later than the final day of a schedule established by an agreement entered into under subsection (c) with respect to a project, the Secretary shall notify the non-Federal interest of the final decision on the project and whether the permit or permits have been issued.

(g) COSTS OF COORDINATION.—The costs incurred by the Secretary to establish and carry out a schedule to consolidate Federal, State, and local agency and Indian tribe environmental assessments, project reviews, and permit issuance for a project under this section shall be paid by the non-Federal interest.

(h) REPORT ON TIMESAVINGS METHODS.—Not later than 3 years after the date of enactment of this section, the Secretary shall prepare and transmit to Congress a report estimating the time required for the issuance of all Federal, State, local, and tribal permits for the construction of non-Federal projects for water supply, wastewater infrastructure, flood damage reduction, storm damage reduction, ecosystem restoration, and navigation. The Secretary shall include in that report recommendations for further reducing the amount of time required for the issuance of those permits, including any proposed changes in existing law.

SEC. 2028. PROJECT STREAMLINING.

(a) POLICY.—The benefits of water resources projects are important to the Nation's economy and environment, and recommendations to Congress regarding such projects should not be delayed due to uncoordinated or inefficient reviews or the failure to timely resolve disputes during the development of water resources projects.

(b) SCOPE.—This section shall apply to each study initiated after the date of enactment of this Act to develop a feasibility report under section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282), or a reevaluation report, for a water resources project if the Secretary determines that such study requires an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) WATER RESOURCES PROJECT REVIEW PROCESS.—The Secretary shall develop and implement a coordinated review process for the development of water resources projects.

(d) COORDINATED REVIEWS.—

(1) IN GENERAL.—The coordinated review process under this section shall provide that all reviews, analyses, opinions, permits, licenses, and approvals that must be issued or made by a Federal, State, or local government agency or Indian tribe for the development of a water resources project described in subsection (b) will be conducted, to the maximum extent practicable, concurrently and completed within a time period established by the Secretary, in cooperation with the agencies identified under subsection (e) with respect to the project.

(2) AGENCY PARTICIPATION.—Each Federal agency identified under subsection (e) with respect to the development of a water resources project shall formulate and implement administrative policy and procedural mechanisms to enable the agency to ensure completion of reviews, analyses, opinions, permits, licenses, and approvals described in paragraph (1) for the project in a timely and environmentally responsible manner.

(e) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to the development of each water resources project, the Secretary shall identify, as soon as practicable all Federal, State, and local government agencies and Indian tribes that may—

(1) have jurisdiction over the project;

(2) be required by law to conduct or issue a review, analysis, or opinion for the project; or

(3) be required to make a determination on issuing a permit, license, or approval for the project.

(f) STATE AUTHORITY.—If the coordinated review process is being implemented under this section by the Secretary with respect to the development of a water resources project described in subsection (b) within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

(1) have jurisdiction over the project;

(2) are required to conduct or issue a review, analysis, or opinion for the project; or

(3) are required to make a determination on issuing a permit, license, or approval for the project.

(g) MEMORANDUM OF UNDERSTANDING.—The coordinated review process developed under this section may be incorporated into a memorandum of understanding for a water resources project between the Secretary, the heads of Federal, State, and local government agencies, Indian tribes identified under subsection (e), and the non-Federal interest for the project.

(h) EFFECT OF FAILURE TO MEET DEADLINE.—

(1) NOTIFICATION OF CONGRESS AND CEQ.—If the Secretary determines that a Federal, State, or local government agency, Indian tribe, or non-Federal interest that is participating in the coordinated review process under this section with respect to the development of a water resources project has not met a deadline established under subsection (d) for the project, the Secretary shall notify, within 30 days of the date of such determination, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, the Council on Environmental Quality, and the agency, Indian tribe, or non-Federal interest involved about the failure to meet the deadline.

(2) AGENCY REPORT.—Not later than 30 days after the date of receipt of a notice under paragraph (1), the Federal, State, or local government agency, Indian tribe, or non-Federal interest involved may submit a report to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Council on Environmental Quality explaining why the agency, Indian tribe, or non-Federal interest did not meet the deadline and what actions it intends to take to complete or issue the required review, analysis, or opinion or determination on issuing a permit, license, or approval.

(i) PURPOSE AND NEED AND DETERMINATION OF REASONABLE ALTERNATIVES.—

(1) IN GENERAL.—The Secretary, as the Federal lead agency responsible for carrying out a study for a water resources project and the associated process for meeting the requirements of the National Environmental Policy Act of 1969, shall—

(A) define the project's purpose and need for purposes of any document which the Secretary is responsible for preparing for the project and shall determine the range of alternatives for consideration in any document which the Secretary is responsible for preparing for the project; and

(B) determine, in collaboration with participating agencies at appropriate times during the study process, the methodologies to be used and the level of detail required in the analysis of each alternative for the project.

(2) PREFERRED ALTERNATIVE.—At the discretion of the Secretary, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives.

(j) LIMITATIONS.—Nothing in this section shall preempt or interfere with—

(1) any statutory requirement for seeking public comment;

(2) any power, jurisdiction, or authority that a Federal, State, or local government agency, Indian tribe, or non-Federal interest has with respect to carrying out a water resources project; or

(3) any obligation to comply with the provisions of the National Environmental Policy Act of 1969 and the regulations issued by the Council on Environmental Quality to carry out such Act.

SEC. 2029. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—For the purpose of expediting the cost-effective design and construction of wetlands restoration that is part of an authorized water resources project, the Secretary may enter into cooperative agreements under section 6305 of title 31, United States Code, with nonprofit organizations with expertise in wetlands restoration to carry out such design and construction on behalf of the Secretary.

(b) LIMITATIONS.—

(1) PER PROJECT LIMIT.—A cooperative agreement under this section shall not obligate the Secretary to pay the nonprofit organization more than $1,000,000 for any single wetlands restoration project.

(2) ANNUAL LIMIT.—The total value of work carried out under cooperative agreements under this section may not exceed $5,000,000 in any fiscal year.

SEC. 2030. TRAINING FUNDS.

(a) IN GENERAL.—The Secretary may include individuals not employed by the Department of the Army in training classes and courses offered by the Corps of Engineers in any case in which the Secretary determines that it is in the best interest of the Federal Government to include those individuals as participants.

(b) EXPENSES.—

(1) IN GENERAL.—An individual not employed by the Department of the Army attending a training class or course described in subsection (a) shall pay the full cost of the training provided to the individual.

(2) PAYMENTS.—Payments made by an individual for training received under paragraph (1), up to the actual cost of the training—

(A) may be retained by the Secretary;

(B) shall be credited to an appropriations account used for paying training costs; and

(C) shall be available for use by the Secretary, without further appropriation, for training purposes.

(3) EXCESS AMOUNTS.—Any payments received under paragraph (2) that are in excess of the actual cost of training provided shall be credited as miscellaneous receipts to the Treasury of the United States.

SEC. 2031. ACCESS TO WATER RESOURCE DATA.

(a) IN GENERAL.—The Secretary shall carry out a program to provide public access to water resources and related water quality data in the custody of the Corps of Engineers.

(b) DATA.—Public access under subsection (a) shall—

(1) include, at a minimum, access to data generated in water resources project development and regulation under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(2) appropriately employ geographic information system technology and linkages to water resource models and analytical techniques.

(c) PARTNERSHIPS.—To the maximum extent practicable, in carrying out activities under this section, the Secretary shall develop partnerships, including cooperative agreements with State, tribal, and local governments and other Federal agencies.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each fiscal year.

SEC. 2032. SHORE PROTECTION PROJECTS.

(a) IN GENERAL.—In accordance with the Act of July 3, 1930 (33 U.S.C. 426), and notwithstanding administrative actions, it is the policy of the United States to promote beach nourishment for the purposes of flood damage reduction and hurricane and storm damage reduction and related research that encourage the protection, restoration, and enhancement of sandy beaches, including beach restoration and periodic beach renourishment for a period of 50 years, on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprises.

(b) PREFERENCE.—In carrying out the policy under subsection (a), preference shall be given to—

(1) areas in which there has been a Federal investment of funds for the purposes described in subsection (a); and

(2) areas with respect to which the need for prevention or mitigation of damage to shores and beaches is attributable to Federal navigation projects or other Federal activities.

(c) APPLICABILITY.—The Secretary shall apply the policy under subsection (a) to each shore protection and beach renourishment project (including shore protection and beach renourishment projects constructed before the date of enactment of this Act).

SEC. 2033. ABILITY TO PAY.

(a) CRITERIA AND PROCEDURES.—Section 103(m)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(2)) is amended by striking ''180 days after such date of enactment'' and inserting ''September 30, 2007''.

(b) PROJECTS.—The Secretary shall apply the criteria and procedures referred to in section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) to the following projects:

(1) ST. JOHNS BAYOU AND NEW MADRID FLOODWAY, MISSOURI.—The project for flood control, St. Johns Bayou and New Madrid Floodway, Missouri, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4118).

(2) LOWER RIO GRANDE BASIN, TEXAS.—The project for flood control, Lower Rio Grande Basin, Texas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4125).

(3) WEST VIRGINIA AND PENNSYLVANIA PROJECTS.—The projects for flood control authorized by section 581 of the Water Resources Development Act of 1996 (110 Stat. 3790–3791).

SEC. 2034. LEASING AUTHORITY.

Section 4 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes'', approved December 22, 1944 (16 U.S.C. 460d), is amended—

(1) by inserting ''federally recognized Indian tribes and'' before ''Federal'' the first place it appears;

(2) by inserting ''Indian tribes or'' after ''considerations, to such''; and

(3) by inserting ''federally recognized Indian tribe'' after ''That in any such lease or license to a''.

SEC. 2035. COST ESTIMATES.

The estimated Federal and non-Federal costs of projects authorized to be carried out by the Secretary before, on, or after the date of enactment of this Act are for informational purposes only and shall not be interpreted as affecting the cost sharing responsibilities established by law.

SEC. 2036. PROJECT PLANNING.

(a) DETERMINATION OF CERTAIN NATIONAL BENEFITS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that, consistent with the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies (1983), the Secretary may select a water resources project alternative that does not maximize net national economic development benefits or net national ecosystem restoration benefits if there is an overriding reason based on other Federal, State, local, or international concerns.

(2) FLOOD DAMAGE REDUCTION, NAVIGATION, AND HURRICANE STORM DAMAGE REDUCTION PROJECTS.—With respect to a water resources project the primary purpose of which is flood damage reduction, navigation, or hurricane and storm damage reduction, an overriding reason for selecting a plan other than the plan that maximizes net national economic development benefits may be if the Secretary determines, and the non-Federal interest concurs, that an alternative plan is feasible and achieves the project purposes while providing greater ecosystem restoration benefits.

(3) ECOSYSTEM RESTORATION PROJECTS.—With respect to a water resources project the primary purpose of which is ecosystem restoration, an overriding reason for selecting a plan other than the plan that maximizes net national ecosystem restoration benefits may be if the Secretary determines, and the non-Federal interest concurs, that an alternative plan is feasible and achieves the project purposes while providing greater economic development benefits.

(b) IDENTIFYING ADDITIONAL BENEFITS AND PROJECTS.—

(1) PRIMARILY ECONOMIC BENEFITS.—In conducting a study of the feasibility of a project where the primary benefits are expected to be economic, the Secretary may identify ecosystem restoration benefits that may be achieved in the study area and, after obtaining the participation of a non-Federal interest, may study and recommend construction of additional measures, a separate project, or separable project element to achieve those benefits.

(2) PRIMARILY ECOSYSTEM RESTORATION BENEFITS.—In conducting a study of the feasibility of a project where the primary benefits are expected to be associated with ecosystem restoration, the Secretary may identify economic benefits that may be achieved in the study area and, after obtaining the participation of a non-Federal interest, may study and recommend construction of additional measures, a separate project, or separable project element to achieve those benefits.

(3) RULES APPLICABLE TO CERTAIN MEASURES, PROJECTS, AND ELEMENTS.—Any additional measures, separate project, or separable element identified under paragraph (1) or (2) and recommended for construction shall not be considered integral to the underlying project and, if authorized, shall be subject to a separate partnership agreement, unless a non-Federal interest agrees to share in the cost of the additional measures, project, or separable element.

(c) CALCULATION OF BENEFITS AND COSTS FOR FLOOD DAMAGE REDUCTION PROJECTS.—A feasibility study for a project for flood damage reduction shall include, as part of the calculation of benefits and costs—

(1) a calculation of the residual risk of flooding following completion of the proposed project;

(2) a calculation of any upstream or downstream impacts of the proposed project; and

(3) calculations to ensure that the benefits and costs associated with structural and nonstructural alternatives are evaluated in an equitable manner.

SEC. 2037. INDEPENDENT PEER REVIEW.

(a) PROJECT STUDIES SUBJECT TO INDEPENDENT PEER REVIEW.—

(1) IN GENERAL.—Project studies shall be subject to a peer review by an independent panel of experts as determined under this section.

(2) SCOPE.—The peer review may include a review of the economic and environmental assumptions and projections, project evaluation data, economic analyses, environmental analyses, engineering analyses, formulation of alternative plans, methods for integrating risk and uncertainty, models used in evaluation of economic or environmental impacts of proposed projects, and any biological opinions of the project study.

(3) PROJECT STUDIES SUBJECT TO PEER REVIEW.—

(A) MANDATORY.—A project study shall be subject to peer review under paragraph (1)—

(i) if the project has an estimated total cost of more than $50,000,000, including mitigation costs, and is not determined by the Chief of Engineers to be exempt from peer review under paragraph (6); or

(ii) the Governor of an affected State requests a peer review by an independent panel of experts.

(B) DISCRETIONARY.—A project study may be subject to peer review if—

(i) the head of a Federal or State agency charged with reviewing the project study determines that the project is likely to have a significant adverse impact on environmental, cultural, or other resources under the jurisdiction of the agency after implementation of proposed mitigation plans and requests a peer review by an independent panel of experts; or

(ii) the Chief of Engineers determines that the project study is controversial.

(4) CONTROVERSIAL PROJECTS.—Upon receipt of a written request under paragraph (3)(B) or on the initiative of the Chief of Engineers, the Chief of Engineers shall determine whether a project study is controversial.

(5) FACTORS TO CONSIDER.—In determining whether a project study is controversial, the Chief of Engineers shall consider if—

(A) there is a significant public dispute as to the size, nature, or effects of the project; or

(B) there is a significant public dispute as to the economic or environmental costs or benefits of the project.

(6) PROJECT STUDIES EXCLUDED FROM PEER REVIEW.—Project studies that may be excluded from peer review under paragraph (1) are—

(A) a study for a project the Chief of Engineers determines—

(i) is not controversial;

(ii) has no more than negligible adverse impacts on scarce or unique cultural, historic, or tribal resources;

(iii) has no substantial adverse impacts on fish and wildlife species and their habitat prior to the implementation of mitigation measures; and

(iv) has, before implementation of mitigation measures, no more than a negligible adverse impact on a species listed as endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1539 et seq.) or the critical habitat of such species designated under such Act; and

(B) a study for a project pursued under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), section 2 of the Flood Control Act of August 28, 1937 (33 U.S.C. 701g), section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), section 107(a) of the River and Harbor Act of

1960 (33 U.S.C. 577(a)), section 3 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426g), section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i), section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), or section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).

(7) APPEAL.—The decision of the Chief of Engineers whether to peer review a project study shall be published in the Federal Register and shall be subject to appeal by a person referred to in paragraph (3)(B)(i) or (3)(B)(ii) to the Secretary of the Army if such appeal is made within the 30-day period following the date of such publication.

(8) DETERMINATION OF PROJECT COST.—For purposes of determining the estimated total cost of a project under paragraph (3)(A), the project cost shall be based upon the reasonable estimates of the Chief of Engineers at the completion of the reconnaissance study for the project. If the reasonable estimate of project costs is subsequently determined to be in excess of the amount in paragraph (3)(A), the Chief of Engineers shall make a determination whether a project study should be reviewed under this section.

(b) TIMING OF PEER REVIEW.—The Chief of Engineers shall determine the timing of a peer review of a project study under subsection (a). In all cases, the peer review shall occur during the period beginning on the date of the completion of the reconnaissance study for the project and ending on the date the draft report of the Chief of Engineers for the project is made available for public comment. Where the Chief of Engineers has not initiated a peer review of a project study, the Chief of Engineers shall consider, at a minimum, whether to initiate a peer review at the time that—

(1) the without-project conditions are identified;

(2) the array of alternatives to be considered are identified; and

(3) the preferred alternative is identified.

Nothing in this subsection shall be construed to require the Chief of Engineers to conduct multiple peer reviews for a project study.

(c) ESTABLISHMENT OF PANELS.—

(1) IN GENERAL.—For each project study subject to peer review under subsection (a), as soon as practicable after the Chief of Engineers determines that a project study will be subject to peer review, the Chief of Engineers shall contract with the National Academy of Sciences (or a similar independent scientific and technical advisory organization), or an eligible organization, to establish a panel of experts to peer review the project study for technical and scientific sufficiency.

(2) MEMBERSHIP.—A panel of experts established for a project study under this section shall be composed of independent experts who represent a balance of areas of expertise suitable for the review being conducted.

(3) LIMITATION ON APPOINTMENTS.—An individual may not be selected to serve on a panel of experts established for a project study under this section if the individual has a financial or close professional association with any organization or group with a strong financial or organizational interest in the project.

(4) CONGRESSIONAL NOTIFICATION.—Upon identification of a project study for peer review under this section, but prior to initiation of any review, the Chief of Engineers shall notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of such review.

(d) DUTIES OF PANELS.—A panel of experts established for a peer review for a project study under this section shall, consistent with the scope of the referral for review—

(1) conduct a peer review for the project study submitted to the panel for review;

(2) assess the adequacy and acceptability of the economic and environmental methods, models, and analyses used by the Chief of Engineers;

(3) provide timely written and oral comments to the Chief of Engineers throughout the development of the project study, as requested; and

(4) submit to the Chief of Engineers a final report containing the panel's economic, engineering, and environmental analysis of the project study, including the panel's assessment of the adequacy and acceptability of the economic and environmental methods, models, and analyses used by the Chief of Engineers, to accompany the publication of the project study.

(e) DURATION OF PROJECT STUDY PEER REVIEWS.—

(1) DEADLINE.—A panel of experts shall—

(A) complete its peer review under this section for a project study and submit a report to the Chief of Engineers under subsection (d)(4) within 180 days after the date of establishment of the panel, or, if the Chief of Engineers determines that a longer period of time is necessary, such period of time established by the Chief of Engineers, but in no event later than 90 days after the date a draft project study is made available for public review; and

(B) terminate on the date of submission of the report.

(2) FAILURE TO MEET DEADLINE.—If a panel does not complete its peer review of a project study under this section and submit a report to the Chief of Engineers under subsection (d)(4) on or before the deadline established by paragraph (1) for the project study, the Chief of Engineers shall continue the project study for the project that is subject to peer review by the panel without delay.

(f) RECOMMENDATIONS OF PANEL.—

(1) CONSIDERATION BY THE CHIEF OF ENGINEERS.—After receiving a report on a project study from a panel of experts under this section and before entering a final record of decision for the project, the Chief of Engineers shall consider any recommendations contained in the report and prepare a written response for any recommendations adopted or not adopted.

(2) PUBLIC AVAILABILITY AND TRANSMITTAL TO CONGRESS.—After receiving a report on a project study from a panel of experts under this section, the Chief of Engineers shall—

(A) make a copy of the report and any written response of the Chief of Engineers on recommendations contained in the report available to the public; and

(B) transmit to Congress a copy of the report, together with any such written response, on the date of a final report of the Chief of Engineers or other final decision document for a project study that is subject to peer review by the panel.

(g) COSTS.—

(1) IN GENERAL.—The costs of a panel of experts established for a peer review under this section—

(A) shall be a Federal expense; and

(B) shall not exceed $500,000.

(2) WAIVER.—The Chief of Engineers may waive the $500,000 limitation contained in paragraph (1)(B) in cases that the Chief of Engineers determines appropriate.

(h) APPLICABILITY.—This section shall apply to—

(1) project studies initiated during the 2-year period preceding the date of enactment of this Act and for which the array of alternatives to be considered has not been identified; and

(2) project studies initiated during the period beginning on such date of enactment and ending 4 years after such date of enactment.

(i) REPORT.—Within 4½ years of the date of enactment of this section, the Chief of Engineers shall submit a report to Congress on the implementation of this section.

(j) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any peer review panel established under this section.

(k) SAVINGS CLAUSE.—Nothing in this section shall be construed to affect any authority of the Chief of Engineers to cause or conduct a peer review of a water resources project existing on the date of enactment of this section.

(l) DEFINITIONS.—In this section, the following definitions apply:

(1) PROJECT STUDY.—The term ''project study'' means a feasibility study or reevaluation study for a project. The term also includes any other study associated with a modification or update of a project that includes an environmental impact statement, including the environmental impact statement.

(2) AFFECTED STATE.—The term ''affected State'', as used with respect to a project, means a State all or a portion of which is within the drainage basin in which the project is or would be located and would be economically or environmentally affected as a consequence of the project.

(3) ELIGIBLE ORGANIZATION.—The term ''eligible organization'' means an organization that—

(A) is described in section 501(c)(3), and exempt from Federal tax under section 501(a), of the Internal Revenue Code of 1986;

(B) is independent;

(C) is free from conflicts of interest;

(D) does not carry out or advocate for or against Federal water resources projects; and

(E) has experience in establishing and administering peer review panels.

SEC. 2038. STUDIES AND REPORTS FOR WATER RESOURCES PROJECTS.

(a) STUDIES.—

(1) COST-SHARING REQUIREMENTS.—Section 105(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)) is amended by adding at the end the following:

''(3) DETAILED PROJECT REPORTS.—The requirements of this subsection that apply to a feasibility study also shall apply to a study that results in a detailed project report, except that—

''(A) the first $100,000 of the costs of a study that results in a detailed project report shall be a Federal expense; and

''(B) paragraph (1)(C)(ii) shall not apply to such a study.''.

(2) PLANNING AND ENGINEERING.—Section 105(b) of such Act (33 U.S.C. 2215(b)) is amended by striking ''authorized by this Act''.

(3) DEFINITIONS.—Section 105 of such Act (33 U.S.C. 2215) is amended by adding at the end the following:

''(d) DEFINITIONS.—In this section, the following definitions apply:

''(1) DETAILED PROJECT REPORT.—The term 'detailed project report' means a report for a project not specifically authorized by Congress in law or otherwise that determines the feasibility of the project with a level of detail appropriate to the scope and complexity of the recommended solution and sufficient to proceed directly to the preparation of contract plans and specifications. The term includes any associated environmental impact statement and mitigation plan. For a project for which the Federal cost does not exceed $1,000,000, the term includes a planning and design analysis document.

''(2) FEASIBILITY STUDY.—The term 'feasibility study' means a study that results in a feasibility report under section 905, and any associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project. The term includes a study that results in a project implementation report prepared under title VI of the Water Resources Development Act of 2000 (114 Stat. 2680–2694), a general reevaluation report, and a limited reevaluation report.''.

(b) REPORTS.—

(1) PREPARATION.—Section 905(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)) is amended—

(A) by striking ''(a) In the case of any'' and inserting the following:

''(a) PREPARATION OF REPORTS.—

''(1) IN GENERAL.—In the case of any'';

(B) by striking ''the Secretary, the Secretary shall'' and inserting ''the Secretary that results in recommendations concerning a project or the operation of a project and that requires specific authorization by Congress in law or otherwise, the Secretary shall perform a reconnaissance study and'';

(C) by striking ''Such feasibility report'' and inserting the following:

''(2) CONTENTS OF FEASIBILITY REPORTS.—A feasibility report'';

(D) by striking ''The feasibility report'' and inserting ''A feasibility report''; and

(E) by striking the last sentence and inserting the following:

''(3) APPLICABILITY.—This subsection shall not apply to—

''(A) any study with respect to which a report has been submitted to Congress before the date of enactment of this Act;

''(B) any study for a project, which project is authorized for construction by this Act and is not subject to section 903(b);

''(C) any study for a project which does not require specific authorization by Congress in law or otherwise; and

''(D) general studies not intended to lead to recommendation of a specific water resources project.

''(4) FEASIBILITY REPORT DEFINED.—In this subsection, the term 'feasibility report' means each feasibility report, and any associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project. The term includes a project implementation report prepared under title VI of the Water Resources Development Act of 2000 (114 Stat. 2680–2694), a general reevaluation report, and a limited reevaluation report.''.

(2) PROJECTS NOT SPECIFICALLY AUTHORIZED BY CONGRESS.—Section 905 of such Act is further amended—

(A) in subsection (b) by inserting ''RECONNAISSANCE STUDIES.—'' before ''Before initiating'';

(B) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively;

(C) by inserting after subsection (b) the following:

''(c) PROJECTS NOT SPECIFICALLY AUTHORIZED BY CONGRESS.—In the case of any water resources project-related study authorized to be undertaken by the Secretary without specific authorization by Congress in law or otherwise, the Secretary shall prepare a detailed project report.'';

(D) in subsection (d) (as so redesignated) by inserting ''INDIAN TRIBES.—'' before ''For purposes of''; and

(E) in subsection (e) (as so redesignated) by inserting ''STANDARD AND UNIFORM PROCEDURES AND PRACTICES.—'' before ''The Secretary shall''.

SEC. 2039. OFFSHORE OIL AND GAS FABRICATION PORT.

(a) IN GENERAL.—In conducting a feasibility study for the project for navigation, Atchafalaya River, Bayous Chene, Boeuf, and Black, Louisiana, being conducted under section 430 of the Water Resources Development Act of 2000 (114 Stat. 2639), the Secretary shall include in the calculation of national economic development benefits all economic benefits associated with contracts for new energy exploration and contracts for the fabrication of energy infrastructure that would result from carrying out the project.

(b) REPEAL.—Section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) is repealed.

SEC. 2040. USE OF FIRMS EMPLOYING LOCAL RESIDENTS.

(a) CONTRACTS OR AGREEMENTS WITH PRIVATE ENTITIES.—In carrying out construction of a water resources project, the Secretary may enter into a contract or agreement with a private entity only if the private entity provides assurances satisfactory to the Secretary that, to the maximum extent practicable—

(1) local residents in the area of the project will comprise not less than 50 percent of the workforce employed by the entity to perform the contract or agreement; and

(2) local residents in the area of the project will comprise not less than 50 percent of the workforce employed by each subcontractor at each tier in connection with the contract or agreement.

(b) EXEMPTIONS.—

(1) IN GENERAL.—The Secretary may waive the application of subsection (a) with respect to a contract or agreement if the Secretary determines that compliance with subsection (a) is not feasible due to—

(A) a lack of qualified local residents to permit satisfaction of the requirements of subsection (a);

(B) a lack of sufficient numbers of specialized workers necessary to carry out the project; or

(C) the need to comply with small business or minority contracting requirements under Federal law.

(2) DOCUMENTATION.—Any determination by the Secretary under paragraph (1) to waive the application of subsection (a) with respect to a contract or agreement shall be justified in writing.

(c) REGULATIONS.—The Secretary shall issue regulations establishing local residency and other requirements to facilitate compliance with this section.

(d) PRIOR CONTRACTS.—Nothing in this section shall be construed to affect any contract or agreement entered into before the effective date of this section.

(e) EFFECTIVE DATE.—This section shall become effective 180 days after the date of enactment of this Act.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 3001. COOK INLET, ALASKA.

Section 118(a)(3) of the Energy and Water Development Appropriations Act, 2005 (title I of division C of the Consolidated Appropriations Act, 2005; 118 Stat. 2945) is amended by inserting ''as part of the operation and maintenance of such project modification'' after ''by the Secretary''.

SEC. 3002. KING COVE HARBOR, ALASKA.

The maximum amount of Federal funds that may be expended for the project for navigation, King Cove Harbor, Alaska, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), shall be $8,000,000.

SEC. 3003. SITKA, ALASKA.

The Sitka, Alaska, element of the project for navigation, Southeast Alaska Harbors of Refuge, Alaska, authorized by section 101(1) of the Water Resources Development Act of 1992 (106 Stat. 4801), is modified to direct the Secretary to take such action as is necessary to correct design deficiencies in the Sitka Harbor Breakwater, at full Federal expense. The estimated cost is $6,300,000.

SEC. 3004. TATITLEK, ALASKA.

The maximum amount of Federal funds that may be expended for the project for navigation, Tatitlek, Alaska, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), shall be $10,000,000.

SEC. 3005. RIO DE FLAG, FLAGSTAFF, ARIZONA.

The project for flood damage reduction, Rio De Flag, Flagstaff, Arizona, authorized by section 101(b)(3) of the Water Resources Development Act of 2000 (114 Stat. 2576), is modified to authorize the Secretary to construct the project at a total cost of $54,100,000, with an estimated Federal cost of $35,000,000 and a non-Federal cost of $19,100,000.

SEC. 3006. OSCEOLA HARBOR, ARKANSAS.

(a) IN GENERAL.—The project for navigation, Osceola Harbor, Arkansas, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to allow non-Federal interests to construct a mooring facility within the existing authorized harbor channel, subject to all necessary permits, certifications, and other requirements.

(b) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as affecting the responsibility of the Secretary to maintain the general navigation features of the project at a bottom width of 250 feet.

SEC. 3007. PINE MOUNTAIN DAM, ARKANSAS.

The Pine Mountain Dam feature of the project for flood protection, Lee Creek, Arkansas and Oklahoma, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1078), is modified—

(1) to add environmental restoration as a project purpose; and

(2) to direct the Secretary to finance the non-Federal share of the cost of the project over a 30-year period in accordance with section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)).

SEC. 3008. AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA. .

(a) IN GENERAL.—The project for flood control, American and Sacramento Rivers, California, authorized by section 101(a)(6)(A) of the Water Resources Development Act of 1999 (113 Stat. 274), as modified by section 128 of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2259), is further modified to authorize the Secretary to construct the auxiliary spillway generally in accordance with the Post Authorization Change Report, American River Watershed Project (Folsom Dam Modification and Folsom Dam Raise Projects), dated December 2006, at a total cost of $683,000,000, with an estimated Federal cost of $444,000,000 and an estimated non-Federal cost of $239,000,000.

(b) DAM SAFETY ACTIVITIES.—Nothing in this section shall be construed to limit the authority of the Secretary of the Interior to carry out dam safety activities in connection with the auxiliary spillway in accordance with the Bureau of Reclamation Safety of Dams Program.

(c) TRANSFER OF FUNDS.—The Secretary and the Secretary of the Interior are authorized to transfer between their respective agencies appropriated amounts and other available funds (including funds contributed by non-Federal interests) for the purpose of planning, design, and construction of the auxiliary spillway. Any transfer made pursuant to this subsection shall be subject to such terms and conditions as agreed upon by the Secretary and the Secretary of the Interior.

SEC. 3009. COMPTON CREEK, CALIFORNIA.

The project for flood control, Los Angeles Drainage Area, California, authorized by section 101(b) of the Water Resources Development Act of 1990 (104 Stat. 4611), is modified to add environmental restoration and recreation as project purposes.

SEC. 3010. GRAYSON CREEK/MURDERER'S CREEK, CALIFORNIA.

The project for aquatic ecosystem restoration, Grayson Creek/Murderer's Creek, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest in the project.

SEC. 3011. HAMILTON AIRFIELD, CALIFORNIA.

The project for environmental restoration, Hamilton Airfield, California, authorized by section 101(b)(3) of the Water Resources Development Act of 1999 (113 Stat. 279), is modified to direct the Secretary to construct the project substantially in accordance with the report of the

Chief of Engineers dated July 19, 2004, at a total cost of $228,100,000, with an estimated Federal cost of $171,100,000 and an estimated non-Federal cost of $57,000,000.

SEC. 3012. JOHN F. BALDWIN SHIP CHANNEL AND STOCKTON SHIP CHANNEL, CALIFORNIA.

The project for navigation, San Francisco to Stockton, California, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1091) is modified—

(1) to provide that the non-Federal share of the cost of the John F. Baldwin Ship Channel and Stockton Ship Channel element of the project may be provided in the form of in-kind services and materials; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of such element the cost of planning and design work carried out by the non-Federal interest before the date of an agreement for such planning and design if the Secretary determines that such work is integral to such element.

SEC. 3013. KAWEAH RIVER, CALIFORNIA.

The project for flood control, Terminus Dam, Kaweah River, California, authorized by section 101(b)(5) of the Water Resources Development Act of 1996 (110 Stat. 3658), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project, or provide reimbursement not to exceed $800,000, for the costs of any work carried out by the non-Federal interest before, on, or after the date of the project partnership agreement if the Secretary determines that the work is integral to the project.

SEC. 3014. LARKSPUR FERRY CHANNEL, LARKSPUR, CALIFORNIA.

The project for navigation, Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148), is modified to direct the Secretary to determine whether maintenance of the project is feasible, and if the Secretary determines that maintenance of the project is feasible, to carry out such maintenance.

SEC. 3015. LLAGAS CREEK, CALIFORNIA.

(a) IN GENERAL.—The project for flood damage reduction, Llagas Creek, California, authorized by section 501(a) of the Water Resources Development Act of 1999 (113 Stat. 333), is modified to authorize the Secretary to carry out the project at a total cost of $105,000,000, with an estimated Federal cost of $65,000,000, and an estimated non-Federal cost of $40,000,000.

(b) SPECIAL RULE.—In evaluating and implementing the project, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

SEC. 3016. MAGPIE CREEK, CALIFORNIA.

(a) IN GENERAL.—The project for Magpie Creek, California, authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modified to direct the Secretary to apply the cost-sharing requirements of section 103(b) of the Water Resources Development Act of 1986 (100 Stat. 4085) for the portion of the project consisting of land acquisition to preserve and enhance existing floodwater storage.

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3017. PACIFIC FLYWAY CENTER, SACRAMENTO, CALIFORNIA.

The project for aquatic ecosystem restoration, Pacific Flyway Center, Sacramento, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to authorize the Secretary to expend $2,000,000 to enhance public access to the project.

SEC. 3018. PINOLE CREEK, CALIFORNIA.

The project for improvement of the quality of the environment, Pinole Creek Phase I, California, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3019. PRADO DAM, CALIFORNIA.

Upon completion of the modifications to the Prado Dam element of the project for flood control, Santa Ana River Mainstem, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4113), the Memorandum of Agreement for the Operation for Prado Dam for Seasonal Additional Water Conservation between the Department of the Army and the Orange County Water District (including all the conditions and stipulations in the memorandum) shall remain in effect for volumes of water made available prior to such modifications.

SEC. 3020. SACRAMENTO AND AMERICAN RIVERS FLOOD CONTROL, CALIFORNIA.

(a) DETERMINATION OF FEDERAL COSTS PAID BY NON-FEDERAL INTEREST.—

(1) FEDERAL COSTS PAID BY NON-FEDERAL INTEREST.—The Secretary shall determine the amount paid by the Sacramento Area Flood Control Agency towards the Federal share of the cost of the project for the Natomas levee features authorized by section 9159(b) of the Department of Defense Appropriations Act, 1993 (106 Stat. 1944) of the project for flood control and recreation, Sacramento and American Rivers, California.

(2) REIMBURSEMENTS TO NON-FEDERAL INTEREST.—The Secretary shall determine the amount of reimbursements paid to the Sacramento Flood Control Agency for payment of the Federal share of the cost of the project referred to in paragraph (1).

(3) DETERMINATION OF FEDERAL SHARE.—In carrying out paragraph (1), the Secretary shall include in the total cost of the project all costs of the following activities that the Secretary determines to be integral to the project:

(A) Planning, engineering, and construction.

(B) Acquisition of project lands, easements, and rights-of-way.

(C) Performance of relocations.

(D) Environmental mitigation for all project elements.

(b) CREDIT.—

(1) IN GENERAL.—The Secretary shall credit toward the non-Federal share of the cost of any flood damage reduction project, authorized before the date of enactment of this Act, for which the non-Federal interest is the Sacramento Area Flood Control Agency an amount equal to the total amount determined under subsection (a)(1) reduced by the amount determined under subsection (a)(2).

(2) ALLOCATION OF CREDIT.—The Secretary shall allocate the amount to be credited under paragraph (1) toward the non-Federal share of such projects as are requested by the Sacramento Area Flood Control Agency.

SEC. 3021. SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.

The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3022. SANTA CRUZ HARBOR, CALIFORNIA.

The project for navigation, Santa Cruz Harbor, California, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 300) and modified by section 809 of the Water Resources Development Act of 1986 (100 Stat. 4168) and section 526 of the Water Resources Development Act of 1999 (113 Stat. 346), is modified to direct the Secretary—

(1) to renegotiate the memorandum of agreement with the non-Federal interest to increase the annual payment to reflect the updated cost of operation and maintenance that is the Federal and non-Federal share as provided by law based on the project purpose; and

(2) to revise the memorandum of agreement to include terms that revise such payments for inflation.

SEC. 3023. SEVEN OAKS DAM, CALIFORNIA.

The project for flood control, Santa Ana Mainstem, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4113) and modified by section 104 of the Energy and Water Development Appropriations Act, 1988 (101 Stat. 1329–11), section 102(e) of the Water Resources Development Act of 1990 (104 Stat. 4611), and section 311 of the Water Resources Development Act of 1996 (110 Stat. 3713), is further modified to direct the Secretary to conduct a study for the reallocation of water storage at the Seven Oaks Dam, California, for water conservation.

SEC. 3024. UPPER GUADALUPE RIVER, CALIFORNIA.

The project for flood damage reduction and recreation, Upper Guadalupe River, California, authorized by section 101(a)(9) of the Water Resources Development Act of 1999 (113 Stat. 275), is modified to authorize the Secretary to construct the project generally in accordance with the Upper Guadalupe River Flood Damage Reduction, San Jose, California, Limited Reevaluation Report, dated March, 2004, at a total cost of $244,500,000.

SEC. 3025. WALNUT CREEK CHANNEL, CALIFORNIA.

The project for aquatic ecosystem restoration, Walnut Creek Channel, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to authorize the Secretary to consider national ecosystem restoration benefits in determining the Federal interest in the project.

SEC. 3026. WILDCAT/SAN PABLO CREEK PHASE I, CALIFORNIA.

The project for improvement of the quality of the environment, Wildcat/San Pablo Creek Phase I, California, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3027. WILDCAT/SAN PABLO CREEK PHASE II, CALIFORNIA.

The project for aquatic ecosystem restoration, Wildcat/San Pablo Creek Phase II, California, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project and to authorize the Secretary to consider national ecosystem restoration benefits

in determining the Federal interest in the project.

SEC. 3028. YUBA RIVER BASIN PROJECT, CALIFORNIA.

The project for flood damage reduction, Yuba River Basin, California, authorized by section 101(a)(10) of the Water Resources Development Act of 1999 (113 Stat. 275), is modified—

(1) to authorize the Secretary to construct the project at a total cost of $107,700,000, with an estimated Federal cost of $70,000,000 and an estimated non-Federal cost of $37,700,000; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3029. SOUTH PLATTE RIVER BASIN, COLORADO.

Section 808 of the Water Resources Development Act of 1986 (100 Stat. 4168) is amended by striking ''agriculture,'' and inserting ''agriculture, environmental restoration,''.

SEC. 3030. INTRACOASTAL WATERWAY, DELAWARE RIVER TO CHESAPEAKE BAY, DELAWARE AND MARYLAND.

The project for navigation, Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, authorized by the first section of the Rivers and Harbors Act of August 30, 1935 (49 Stat. 1030), and section 101 of the River and Harbor Act of 1954 (68 Stat. 1249), is modified to add recreation as a project purpose.

SEC. 3031. BREVARD COUNTY, FLORIDA.

(a) SHORELINE.—The project for shoreline protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified—

(1) to direct the Secretary to establish the reach of the project as the reach between the Florida department of environmental protection monuments 75.4 to 118.3, a distance of 7.6 miles; and

(2) to direct the Secretary to expedite the general reevaluation report required by section 418 of the Water Resources Development Act of 2000 (114 Stat. 2637).

(b) CREDIT.—Section 310 of the Water Resources Development Act of 1999 (113 Stat. 301) is amended by adding at the end the following:

''(d) CREDIT.—After completion of the study, the Secretary shall credit toward the non-Federal share of the cost of the project for shore protection the cost of nourishment and renourishment associated with the project for shore protection incurred by the non-Federal interest to respond to damages to Brevard County beaches that are the result of a Federal navigation project, as determined in the final report for the study.''.

SEC. 3032. BROWARD COUNTY AND HILLSBORO INLET, FLORIDA.

The project for shore protection, Broward County and Hillsboro Inlet, Florida, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1090), and modified by section 311 of the Water Resources Development Act of 1999 (113 Stat. 301), is further modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of mitigation construction and derelict erosion control structure removal carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3033. CANAVERAL HARBOR, FLORIDA.

In carrying out the project for navigation, Canaveral Harbor, Florida, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1174), the Secretary shall construct a sediment trap.

SEC. 3034. GASPARILLA AND ESTERO ISLANDS, FLORIDA.

The project for shore protection, Gasparilla and Estero Island segments, Lee County, Florida, authorized by section 201 of the Flood Control Act of 1965 (79 Stat. 1073), by Senate Resolution dated December 17, 1970, and by House Resolution dated December 15, 1970, and modified by section 309 of the Water Resources Development Act of 2000 (114 Stat. 2602), is further modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3035. JACKSONVILLE HARBOR, FLORIDA.

(a) IN GENERAL.—The project for navigation, Jacksonville Harbor, Florida, authorized by section 101(a)(17) of the Water Resources Development Act of 1999 (113 Stat. 276), is modified to authorize the Secretary to extend the navigation features in accordance with the Report of the Chief of Engineers, dated July 22, 2003, at a total cost of $14,658,000, with an estimated Federal cost of $9,636,000 and an estimated non-Federal cost of $5,022,000.

(b) GENERAL REEVALUATION REPORTS.—The non-Federal share of the cost of the general reevaluation report that resulted in the report of the Chief of Engineers for the project and the non-Federal share of the cost of the general reevaluation report for Jacksonville Harbor, Florida, being conducted on June 1, 2005, shall each be the same percentage as the non-Federal share of the cost of construction of the project.

(c) AGREEMENT.—The Secretary shall enter into new partnership agreements with the non-Federal interest to reflect the cost sharing required by subsection (b).

SEC. 3036. LIDO KEY BEACH, SARASOTA, FLORIDA.

(a) IN GENERAL.—The project for shore protection, Lido Key Beach, Sarasota, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1819), deauthorized under section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), and reauthorized by section 364(2)(A) of the Water Resources Development Act of 1999 (113 Stat. 313), is modified to direct the Secretary to construct the project substantially in accordance with the report of the Chief of Engineers dated December 22, 2004, at a total cost of $15,190,000, with an estimated Federal cost of $9,320,000 and an estimated non-Federal cost of $5,870,000, and at an estimated total cost of $65,000,000 for periodic nourishment over the 50-year life of the project.

(b) CONSTRUCTION OF SHORELINE PROTECTION PROJECTS BY NON-FEDERAL INTERESTS.—The Secretary shall enter into a partnership agreement with the non-Federal interest in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1) for the modified project.

SEC. 3037. MIAMI HARBOR, FLORIDA.

The project for navigation, Miami Harbor Channel, Florida, authorized by section 101(a)(9) of the Water Resources Development Act of 1990 (104 Stat. 4606) and modified by section 315 of the Water Resources Development Act of 1999 (113 Stat. 302), is further modified—

(1) to include as a project purpose environmental mitigation required before July 18, 2003, by a Federal, State, or local environmental agency for unauthorized or unanticipated environmental impacts within, or in the vicinity of, the authorized project; and

(2) to direct the Secretary to reimburse the non-Federal interest for the Federal share of the costs the non-Federal interest has incurred in construction of the project (including environmental mitigation costs and costs incurred for incomplete usable increments of the project) in accordance with section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232).

SEC. 3038. PEANUT ISLAND, FLORIDA.

The maximum amount of Federal funds that may be expended for the project for improvement of the quality of the environment, Peanut Island, Palm Beach County, Florida, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) shall be $9,750,000.

SEC. 3039. TAMPA HARBOR-BIG BEND CHANNEL, FLORIDA.

The project for navigation, Tampa Harbor-Big Bend Channel, Florida, authorized by section 101(a)(18) of the Water Resources Development Act of 1999 (113 Stat. 276) is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3040. TAMPA HARBOR CUT B, FLORIDA.

(a) IN GENERAL.—The project for navigation, Tampa Harbor, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1818), is modified to authorize the Secretary to construct passing lanes in an area approximately 3.5 miles long and centered on Tampa Harbor Cut B if the Secretary determines that such improvements are necessary for navigation safety.

(b) GENERAL REEVAULATION REPORT.—The non-Federal share of the cost of the general reevaluation report for Tampa Harbor, Florida, being conducted on June 1, 2005, shall be the same percentage as the non-Federal share of the cost of construction of the project.

(c) AGREEMENT.—The Secretary shall enter into a new partnership agreement with the non-Federal interest to reflect the cost sharing required by subsection (b).

SEC. 3041. ALLATOONA LAKE, GEORGIA.

(a) LAND EXCHANGE.—

(1) IN GENERAL.—The Secretary may exchange lands above 863 feet in elevation at Allatoona Lake, Georgia, identified in the Real Estate Design Memorandum prepared by the Mobile district engineer, April 5, 1996, and approved October 8, 1996, for lands on the north side of Allatoona Lake that are needed for wildlife management and for protection of the water quality and overall environment of Allatoona Lake.

(2) TERMS AND CONDITIONS.—The basis for all land exchanges under this subsection shall be a fair market appraisal so that lands exchanged are of equal value.

(b) DISPOSAL AND ACQUISITION OF LANDS, ALLATOONA LAKE, GEORGIA.—

(1) IN GENERAL.—The Secretary may also sell lands above 863 feet in elevation at Allatoona Lake, Georgia, identified in the memorandum referred to in subsection (a)(1) and may use the proceeds to pay costs associated with the purchase of lands needed for wildlife management and for protection of the water quality and overall environment of Allatoona Lake.

(2) TERMS AND CONDITIONS.—Land sales and purchases to be conducted under this subsection shall be subject to the following terms and conditions:

(A) Lands acquired under this subsection shall be by negotiated purchase from willing sellers only.

(B) The basis for all transactions under the program shall be a fair market appraisal acceptable to the Secretary.

(C) The purchasers shall share in the associated real estate costs, to include surveys and associated fees in accordance with the memorandum referred to in subsection (a)(1).

(D) Any other conditions that the Secretary may impose.

(c) REPEAL.—Section 325 of the Water Resources Development Act of 1992 (106 Stat. 4849) is repealed.

SEC. 3042. LATHAM RIVER, GLYNN COUNTY, GEORGIA.

The maximum amount of Federal funds that may be expended for the project for improvement of the quality of the environment, Latham River, Glynn County, Georgia, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) shall be $6,175,000.

SEC. 3043. DWORSHAK DAM AND RESERVOIR IMPROVEMENTS, IDAHO.

The Secretary may carry out improvements to recreational facilities at the Dworshak Dam and Reservoir, North Fork, Clearwater River, Idaho, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1193), to accommodate lower pool levels.

SEC. 3044. BEARDSTOWN COMMUNITY BOAT HARBOR, BEARDSTOWN, ILLINOIS.

(a) IN GENERAL.—The project for navigation, Muscooten Bay, Illinois River, Beardstown Community Boat Harbor, Beardstown, Illinois, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified—

(1) to include the channel between the harbor and the Illinois River; and

(2) to direct the Secretary to enter into a partnership agreement with the city of Beardstown to replace the local cooperation agreement dated August 18, 1983, with the Beardstown Community Park District.

(b) TERMS OF PARTNERSHIP AGREEMENT.—The partnership agreement referred to in subsection (a) shall include the same rights and responsibilities as the local cooperation agreement dated August 18, 1983, changing only the identity of the non-Federal sponsor.

(c) MAINTENANCE.—Following execution of the partnership agreement referred to in subsection (a), the Secretary may carry out maintenance of the project referred to in subsection (a) on an annual basis.

SEC. 3045. CACHE RIVER LEVEE, ILLINOIS.

The Cache River Levee constructed for flood control at the Cache River, Illinois, and authorized by the Act of June 28, 1938 (52 Stat. 1217), is modified to add environmental restoration as a project purpose.

SEC. 3046. CHICAGO RIVER, ILLINOIS.

The navigation channel for the North Branch Canal portion of the Chicago River, authorized by the first section of the Rivers and Harbors Appropriations Act of March 3, 1899 (30 Stat. 1129), extending from 100 feet downstream of the Halsted Street Bridge to 100 feet upstream of the Division Street Bridge is modified to be no wider than 66 feet.

SEC. 3047. CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIERS PROJECT, ILLINOIS.

(a) TREATMENT AS SINGLE PROJECT.—The Chicago Sanitary and Ship Canal Dispersal Barrier Project (in this section referred to as ''Barrier I'') (as in existence on the date of enactment of this Act), constructed as a demonstration project under section 1202(i)(3) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722(i)(3)), and the project relating to the Chicago Sanitary and Ship Canal Dispersal Barrier, authorized by section 345 of the District of Columbia Appropriations Act, 2005 (Public Law 108–335; 118 Stat. 1352) (in this section referred to as ''Barrier II''), shall be considered to constitute a single project.

(b) AUTHORIZATION.—

(1) IN GENERAL.—The Secretary, at Federal expense, shall—

(A) upgrade and make permanent Barrier I;

(B) construct Barrier II, notwithstanding the project cooperation agreement with the State of Illinois dated June 14, 2005;

(C) operate and maintain Barrier I and Barrier II as a system to optimize effectiveness;

(D) conduct, in consultation with appropriate Federal, State, local, and nongovernmental entities, a study of a range of options and technologies for reducing impacts of hazards that may reduce the efficacy of the Barriers; and

(E) provide to each State a credit in an amount equal to the amount of funds contributed by the State toward Barrier II.

(2) USE OF CREDIT.—A State may apply a credit provided to the State under paragraph (1)(E) to any cost sharing responsibility for an existing or future Federal project carried out by the Secretary in the State.

(c) CONFORMING AMENDMENT.—Section 345 of the District of Columbia Appropriations Act, 2005 (Public Law 108–335; 118 Stat. 1352), is amended to read as follows:

''SEC. 345. CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, ILLINOIS.

''There are authorized to be appropriated such sums as may be necessary to carry out the Barrier II project of the project for the Chicago Sanitary and Ship Canal Dispersal Barrier, Illinois, initiated pursuant to section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2294 note; 100 Stat. 4251).''.

(d) FEASIBILITY STUDY.—The Secretary, in consultation with appropriate Federal, State, local, and nongovernmental entities, shall conduct, at Federal expense, a feasibility study of the range of options and technologies available to prevent the spread of aquatic nuisance species between the Great Lakes and Mississippi River Basins through the Chicago Sanitary and Ship Canal and other pathways.

SEC. 3048. EMIQUON, ILLINOIS.

(a) MAXIMUM AMOUNT.—The maximum amount of Federal funds that may be expended for the project for aquatic ecosystem restoration, Emiquon, Illinois, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), shall be $7,500,000.

(b) LIMITATION.—Nothing in this section shall affect the eligibility of the project for emergency repair assistance under section 5(a) of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved August 18, 1941 (33 U.S.C. 701n).

SEC. 3049. LASALLE, ILLINOIS.

In carrying out section 312 of the Water Resources Development Act of 1990 (104 Stat. 4639–4640), the Secretary shall give priority to work in the vicinity of LaSalle, Illinois, on the Illinois and Michigan Canal.

SEC. 3050. SPUNKY BOTTOMS, ILLINOIS.

(a) PROJECT PURPOSE.—The project for flood control, Spunky Bottoms, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1583), is modified to add environmental restoration as a project purpose.

(b) MAXIMUM AMOUNT.—The maximum amount of Federal funds that may be expended for the project for improvement of the quality of the environment, Spunky Bottoms, Illinois, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), shall be $7,500,000.

(c) LIMITATION.—Nothing in this section shall affect the eligibility of the project for emergency repair assistance under section 5(a) of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved August 18, 1941 (33 U.S.C. 701n).

SEC. 3051. FORT WAYNE AND VICINITY, INDIANA.

The project for flood control Fort Wayne, St. Mary's and Maumee Rivers, Indiana, authorized by section 101(a)(11) of the Water Resources Development Act of 1990 (104 Stat. 4604), is modified—

(1) to direct the Secretary to provide a 100-year level of flood protection at the Berry-Thieme, Park-Thompson, Woodhurst, and Tillman sites along the St. Mary's River, Fort Wayne and vicinity, Indiana, at a total cost of $5,300,000; and

(2) to allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

SEC. 3052. KOONTZ LAKE, INDIANA.

The project for aquatic ecosystem restoration, Koontz Lake, Indiana, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) and modified by section 520 of the Water Resources Development Act of 2000 (114 Stat. 2655), is further modified to direct the Secretary to seek to reduce the cost of the project by using innovative technologies and cost reduction measures determined from a review of non-Federal lake dredging projects in the vicinity of Koontz Lake.

SEC. 3053. WHITE RIVER, INDIANA.

The project for flood control, Indianapolis on West Fork of White River, Indiana, authorized by section 5 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved June 22, 1936 (49 Stat. 1586), and modified by section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716) and section 322 of the Water Resources Development Act of 1999 (113 Stat. 303–304), is further modified—

(1) to authorize the Secretary to undertake the riverfront alterations described in the Central Indianapolis Waterfront Concept Plan, dated February 1994, for the Fall Creek Reach feature at a total cost of $28,545,000; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3054. DES MOINES RIVER AND GREENBELT, IOWA.

The project for the Des Moines Recreational River and Greenbelt, Iowa, authorized by Public Law 99–88 and modified by section 604 of the Water Resources Development Act of 1986 (100 Stat. 4153), is modified to include enhanced public access and recreational enhancements, at a Federal cost of $3,000,000.

SEC. 3055. PRESTONSBURG, KENTUCKY.

The Prestonsburg, Kentucky, element of the project for flood control, Levisa and Tug Fork of the Big Sandy and Cumberland Rivers, West Virginia, Virginia, and Kentucky, authorized by section 202(a) of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), is modified to direct the Secretary to take measures to provide a 100-year level of flood protection for the city of Prestonsburg.

SEC. 3056. AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED.

The project for flood damage reduction and recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (113 Stat. 277) and modified by section 116 of division D of Public Law 108–7 (117 Stat. 140), is further modified—

(1) to direct the Secretary to carry out the project with the cost sharing for the project determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996;

(2) to authorize the Secretary to construct the project at a total cost of $187,000,000; and

(3) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3057. ATCHAFALAYA BASIN, LOUISIANA.

(a) IN GENERAL.—Section 315(a)(1) of the Water Resources Development Act of 2000 (114 Stat. 2603–2604) is amended to read as follows:

''(1) is authorized to study, design, construct, operate, and maintain, at Federal expense, a Type A Regional Visitor Center in the vicinity of Morgan City, Louisiana, in consultation with the State of Louisiana, to provide information to the public on the Atchafalaya River system and other associated waterways that have influenced surrounding communities, and national

and local water resources development of the Army Corps of Engineers in South Central Louisiana; and''.

(b) TECHNICAL CORRECTION.—Section 315(b) of such Act is amended by striking ''(a)'' and inserting ''(a)(2)''.

(c) DONATIONS.—Section 315 of such Act is amended by adding at the end the following:

''(c) DONATIONS.—In carrying out subsection (a)(1), the Mississippi River Commission is authorized to accept the donation of cash, funds, lands, materials, and services from non-Federal governmental entities and nonprofit corporations.''.

SEC. 3058. ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA.

The public access feature of the Atchafalaya Basin Floodway System project, Louisiana, authorized by section 601(a) of the Water Resources Development Act 1986 (100 Stat. 4142), is modified to authorize the Secretary to acquire from willing sellers the fee interest, exclusive of oil, gas, and minerals, of an additional 20,000 acres of land within the Lower Atchafalaya Basin Floodway for the public access feature of the Atchafalaya Basin Floodway System, to enhance fish and wildlife resources, at a total cost of $4,000,000.

SEC. 3059. BAYOU PLAQUEMINE, LOUISIANA.

The project for the improvement of the quality of the environment, Bayou Plaquemine, Louisiana, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3060. J. BENNETT JOHNSTON WATERWAY, MISSISSIPPI RIVER TO SHREVEPORT, LOUISIANA.

The project for mitigation of fish and wildlife losses, J. Bennett Johnston Waterway, Mississippi River to Shreveport, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142) and modified by section 4(h) of the Water Resources Development Act of 1988 (102 Stat. 4016), section 102(p) of the Water Resources Development Act of 1990 (104 Stat. 4613), section 301(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3710), and section 316 of the Water Resources Development Act of 2000 (114 Stat. 2572), is further modified—

(1) to authorize the purchase and reforesting of lands that have been cleared or converted to agricultural uses; and

(2) to incorporate current wildlife and forestry management practices for the purpose of improving species diversity on mitigation lands that meet Federal and State of Louisiana habitat goals and objectives.

SEC. 3061. MELVILLE, LOUISIANA.

Section 315(a)(2) of the Water Resources Development Act of 2000 (114 Stat. 2603) is amended by inserting before the period at the end the following: ''and may include the town of Melville, Louisiana, as one of the alternative sites''.

SEC. 3062. MISSISSIPPI DELTA REGION, LOUISIANA.

The Mississippi Delta Region project, Louisiana, authorized as part of the project for hurricane-flood protection on Lake Pontchartrain, Louisiana, by section 204 of the Flood Control Act of 1965 (79 Stat. 1077) and modified by section 365 of the Water Resources Development Act of 1996 (110 Stat. 3739), is further modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the costs of relocating oyster beds in the Davis Pond project area if the Secretary determines that the work is integral to the Mississippi Delta Region project.

SEC. 3063. NEW ORLEANS TO VENICE, LOUISIANA.

The New Orleans to Venice, Louisiana, project for hurricane protection, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1184), is modified to authorize the Secretary to carry out the work on the St. Jude to City Price, Upper Reach A back levee. The Federal share of the cost of such work shall be 70 percent.

SEC. 3064. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF HARVEY CANAL), LOUISIANA.

Section 328 of the Water Resources Development Act of 1999 (113 Stat. 304–305) is amended—

(1) in subsection (a)—

(A) by striking ''operation and maintenance'' and inserting ''operation, maintenance, rehabilitation, repair, and replacement''; and

(B) by striking ''Algiers Channel'' and inserting ''Algiers Canal Levees''; and

(2) by adding at the end the following:

''(c) COST SHARING.—The non-Federal share of the cost of the project shall be 35 percent.''.

SEC. 3065. CAMP ELLIS, SACO, MAINE.

The maximum amount of Federal funds that may be expended for the project being carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) for the mitigation of shore damages attributable to the project for navigation, Camp Ellis, Saco, Maine, shall be $26,900,000.

SEC. 3066. DETROIT RIVER SHORELINE, DETROIT, MICHIGAN.

(a) IN GENERAL.—The project for emergency streambank and shoreline protection, Detroit River Shoreline, Detroit, Michigan, being carried out under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), is modified to include measures to enhance public access.

(b) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project shall be $3,000,000.

SEC. 3067. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

Section 426 of the Water Resources Development Act of 1999 (113 Stat. 326) is amended to read as follows:

''SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) MANAGEMENT PLAN.—The term 'management plan' means the management plan for the St. Clair River and Lake St. Clair, Michigan, that is in effect as of the date of enactment of the Water Resources Development Act of 2006.

''(2) PARTNERSHIP.—The term 'partnership' means the partnership established by the Secretary under subsection (b)(1).

''(b) PARTNERSHIP.—

''(1) IN GENERAL.—The Secretary shall establish and lead a partnership of appropriate Federal agencies (including the Environmental Protection Agency) and the State of Michigan (including political subdivisions of the State)—

''(A) to promote cooperation among the Federal, State, and local governments and other involved parties in the management of the St. Clair River and Lake St. Clair watersheds; and

''(B) develop and implement projects consistent with the management plan.

''(2) COORDINATION WITH ACTIONS UNDER OTHER LAW.—

''(A) IN GENERAL.—Actions taken under this section by the partnership shall be coordinated with actions to restore and conserve the St. Clair River and Lake St. Clair and watersheds taken under other provisions of Federal and State law.

''(B) NO EFFECT ON OTHER LAW.—Nothing in this section alters, modifies, or affects any other provision of Federal or State law.

''(c) IMPLEMENTATION OF ST. CLAIR RIVER AND LAKE ST. CLAIR MANAGEMENT PLAN.—

''(1) IN GENERAL.—The Secretary shall—

''(A) develop a St. Clair River and Lake St. Clair strategic implementation plan in accordance with the management plan;

''(B) provide technical, planning, and engineering assistance to non-Federal interests for developing and implementing activities consistent with the management plan;

''(C) plan, design, and implement projects consistent with the management plan; and

''(D) provide, in coordination with the Administrator of the Environmental Protection Agency, financial and technical assistance, including grants, to the State of Michigan (including political subdivisions of the State) and interested nonprofit entities for the planning, design, and implementation of projects to restore, conserve, manage, and sustain the St. Clair River, Lake St. Clair, and associated watersheds.

''(2) SPECIFIC MEASURES.—Financial and technical assistance provided under subparagraphs (B) and (C) of paragraph (1) may be used in support of non-Federal activities consistent with the management plan.

''(d) SUPPLEMENTS TO MANAGEMENT PLAN AND STRATEGIC IMPLEMENTATION PLAN.—In consultation with the partnership and after providing an opportunity for public review and comment, the Secretary shall develop information to supplement—

''(1) the management plan; and

''(2) the strategic implementation plan developed under subsection (c)(1)(A).

''(e) COST SHARING.—

''(1) IN-KIND SERVICES.—The non-Federal share of the cost of technical assistance under subsection (c), the cost of planning, design, and construction of a project under subsection (c), and the cost of development of supplementary information under subsection (d) may be provided through the provision of in-kind services.

''(2) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The Secretary shall credit the non-Federal sponsor for the value of any land, easements, rights-of-way, dredged material disposal areas, or relocations required in carrying out a project under subsection (c).

''(3) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal interest for any project carried out under this section may include a nonprofit entity.

''(4) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of projects carried out under this section shall be non-Federal responsibilities.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each fiscal year.''.

SEC. 3068. ST. JOSEPH HARBOR, MICHIGAN.

The Secretary shall expedite development of the dredged material management plan for the project for navigation, St. Joseph Harbor, Michigan, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 299).

SEC. 3069. SAULT SAINTE MARIE, MICHIGAN.

(a) IN GENERAL.—The text of section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254) is amended to read as follows:

''The Secretary shall construct at Federal expense a second lock, of a width not less than 110 feet and a length not less than 1,200 feet, adjacent to the existing lock at Sault Sainte Marie, Michigan, generally in accordance with the report of the Board of Engineers for Rivers and Harbors, dated May 19, 1986, and the limited reevaluation report dated February 2004 at a total cost of $341,714,000.''.

(b) CONFORMING REPEALS.—The following provisions are repealed:

(1) Section 107(a)(8) of the Water Resources Development Act of 1990 (104 Stat. 4620).

(2) Section 330 of the Water Resources Development Act of 1996 (110 Stat. 3717–3718).

(3) Section 330 of the Water Resources Development Act of 1999 (113 Stat. 305).

SEC. 3070. ADA, MINNESOTA.

(a) IN GENERAL.—The project for flood damage reduction, Wild Rice River, Ada, Minnesota, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modified to authorize the Secretary to consider national

ecosystem restoration benefits in determining the Federal interest in the project.

(b) EVALUATION OF BENEFITS AND COSTS.—In evaluating the economic benefits and costs for the project, the Secretary shall not consider the emergency levee adjacent to Judicial Ditch No. 51 in the determination of conditions existing prior to construction of the project.

(c) SPECIAL RULE.—In evaluating and implementing the project, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

SEC. 3071. DULUTH HARBOR, MCQUADE ROAD, MINNESOTA.

(a) IN GENERAL.—The project for navigation, Duluth Harbor, McQuade Road, Minnesota, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) and modified by section 321 of the Water Resources Development Act of 2000 (114 Stat. 2605), is further modified to authorize the Secretary to provide public access and recreational facilities as generally described in the Detailed Project Report and Environmental Assessment, McQuade Road Harbor of Refuge, Duluth, Minnesota, dated August 1999.

(b) CREDIT.—The Secretary shall provide credit toward the non-Federal share of the cost of the project for the costs of design work carried out before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(c) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project shall be $9,000,000.

SEC. 3072. GRAND MARAIS, MINNESOTA.

The project for navigation, Grand Marais, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is modified to direct the Secretary to provide credit toward the non-Federal share of the cost of the project the cost of design work carried out before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3073. GRAND PORTAGE HARBOR, MINNESOTA.

The Secretary shall provide credit toward the non-Federal share of the cost of the navigation project for Grand Portage Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), for the costs of design work carried out before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3074. GRANITE FALLS, MINNESOTA.

(a) IN GENERAL.—The Secretary is directed to implement under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) the locally preferred plan for flood damage reduction, Granite Falls, Minnesota, substantially in accordance with the detailed project report dated 2002, at a total cost of $12,000,000, with an estimated Federal cost of $8,000,000 and an estimated non-Federal cost of $4,000,000.

(b) PROJECT FINANCING.—In evaluating and implementing the project under this section, the Secretary shall allow the non-Federal interests to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184), to the extent that the detailed project report evaluation indicates that applying such section is necessary to implement the project.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the project the cost of design and construction work carried out by the non-Federal interest before the date of execution of a partnership agreement for the project if the Secretary determines that the work is integral to the project.

(d) MAXIMUM FUNDING.—The maximum amount of Federal funds that may be expended for the flood damage reduction shall be $8,000,000.

SEC. 3075. KNIFE RIVER HARBOR, MINNESOTA.

The project for navigation, Harbor at Knife River, Minnesota, authorized by section 2 of the Rivers and Harbors Act of March 2, 1945 (59 Stat. 19), is modified to direct the Secretary to develop a final design and prepare plans and specifications to correct the harbor entrance and mooring conditions at the project.

SEC. 3076. RED LAKE RIVER, MINNESOTA.

The project for flood control, Red Lake River, Crookston, Minnesota, authorized by section 101(a)(23) of the Water Resources Development Act of 1999 (113 Stat. 278), is modified to include flood protection for the adjacent and interconnected areas generally known as the Sampson and Chase/Loring neighborhoods, in accordance with the feasibility report supplement for local flood protection, Crookston, Minnesota, at a total cost of $25,000,000, with an estimated Federal cost of $16,250,000 and an estimated non-Federal cost of $8,750,000.

SEC. 3077. SILVER BAY, MINNESOTA.

The project for navigation, Silver Bay, Minnesota, authorized by section 2 of the Rivers and Harbors Act of March 2, 1945 (59 Stat. 19), is modified to include operation and maintenance of the general navigation facilities as a Federal responsibility.

SEC. 3078. TACONITE HARBOR, MINNESOTA.

The project for navigation, Taconite Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include operation and maintenance of the general navigation facilities as a Federal responsibility.

SEC. 3079. TWO HARBORS, MINNESOTA.

(a) IN GENERAL.—The project for navigation, Two Harbors, Minnesota, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include construction of a dredged material disposal facility, including actions required to clear the site.

(b) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—Non-Federal interests shall be responsible for providing all lands, easements, rights-of-way, and relocations necessary for the construction of the dredged material disposal facility.

(c) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project shall be $5,000,000.

SEC. 3080. DEER ISLAND, HARRISON COUNTY, MISSISSIPPI.

The project for ecosystem restoration, Deer Island, Harrison County, Mississippi, being carried out under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326), is modified to authorize the non-Federal interest to provide any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.

SEC. 3081. PEARL RIVER BASIN, MISSISSIPPI.

(a) IN GENERAL.—The Secretary shall complete a feasibility study for the project for flood damage reduction, Pearl River Watershed, Mississippi.

(b) COMPARISON OF ALTERNATIVES.—The feasibility study shall identify both the plan that maximizes national economic development benefits and the locally preferred plan and shall compare the level of flood damage reduction provided by each plan to that portion of Jackson, Mississippi, located below the Ross Barnett Reservoir Dam.

(c) RECOMMENDED PLAN.—If the Secretary determines that the locally preferred plan provides a level of flood damage reduction that is equal to or greater than the level of flood damage reduction provided by the national economic development plan and the locally preferred plan is technically feasible and environmentally protective, the Secretary shall recommend construction of the locally preferred plan.

(d) EVALUATION OF PROJECT COST.—For the purposes of determining compliance with the first section of the Flood Control Act of June 22, 1936 (33 U.S.C. 701a), the Secretary shall consider only the costs of the national economic development plan and shall exclude incremental costs associated with the locally preferred plan that are in excess of such costs if the non-Federal interest agrees to pay 100 percent of such incremental costs.

(e) NON-FEDERAL COST SHARE.—If the locally preferred plan is authorized for construction, the non-Federal share of the cost of the project shall be the same percentage as the non-Federal share of the cost of the national economic development plan plus all additional costs of construction associated with the locally preferred plan.

SEC. 3082. FESTUS AND CRYSTAL CITY, MISSOURI.

Section 102(b)(1) of the Water Resources Development Act of 1999 (113 Stat. 282) is amended by striking ''$10,000,000'' and inserting ''$12,000,000''.

SEC. 3083. L–15 LEVEE, MISSOURI.

The portion of the L–15 levee system that is under the jurisdiction of the Consolidated North County Levee District and situated along the right descending bank of the Mississippi River from the confluence of that river with the Missouri River and running upstream approximately 14 miles shall be considered to be a Federal levee for purposes of cost sharing under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).

SEC. 3084. MONARCH-CHESTERFIELD, MISSOURI.

The project for flood damage reduction, Monarch-Chesterfield, Missouri, authorized by section 101(b)(18) of the Water Resources Development Act of 2000 (114 Stat. 2578), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of the planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3085. RIVER DES PERES, MISSOURI.

The projects for flood control, River Des Peres, Missouri, authorized by section 101(a)(17) of the Water Resources Development Act of 1990 (104 Stat. 4607) and section 102(13) of the Water Resources Development Act of 1996 (110 Stat. 3668), are each modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3086. ANTELOPE CREEK, LINCOLN, NEBRASKA.

The project for flood damage reduction, Antelope Creek, Lincoln, Nebraska, authorized by section 101(b)(19) of the Water Resources Development Act of 2000 (114 Stat. 2578), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to allow the non-Federal interest for the project to use, and to direct the Secretary to accept, funds provided under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the project if such funds are authorized to be used to carry out the project.

SEC. 3087. SAND CREEK WATERSHED, WAHOO, NEBRASKA.

The project for ecosystem restoration and flood damage reduction, Sand Creek watershed, Wahoo, Nebraska, authorized by section 101(b)(20) of the Water Resources Development Act of 2000 (114 Stat. 2578), is modified—

(1) to direct the Secretary to provide credit toward the non-Federal share of the cost of the project or reimbursement for the costs of any work that has been or will be performed by the non-Federal interest before, on, or after the approval of the project partnership agreement, including work performed by the non-Federal interest in connection with the design and construction of 7 upstream detention storage structures, if the Secretary determines that the work is integral to the project;

(2) to require that in-kind work to be credited under paragraph (1) be subject to audit; and

(3) to direct the Secretary to accept advance funds from the non-Federal interest as needed to maintain the project schedule.

SEC. 3088. LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NEW JERSEY.

The project for navigation mitigation, ecosystem restoration, shore protection, and hurricane and storm damage reduction, Lower Cape May Meadows, Cape May Point, New Jersey, authorized by section 101(a)(25) of the Water Resources Development Act of 1999 (113 Stat. 278), is modified to incorporate the project for shoreline erosion control, Cape May Point, New Jersey, carried out under section 5 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426h), if the Secretary determines that such incorporation is feasible.

SEC. 3089. PASSAIC RIVER BASIN FLOOD MANAGEMENT, NEW JERSEY.

The project for flood control, Passaic River, New Jersey and New York, authorized by section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607) and modified by section 327 of the Water Resources Development Act of 2000 (114 Stat. 2607), is further modified to direct the Secretary to include the benefits and costs of preserving natural flood storage in any future economic analysis of the project.

SEC. 3090. BUFFALO HARBOR, NEW YORK.

The project for navigation, Buffalo Harbor, New York, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1176), is modified to include measures to enhance public access, at Federal cost of $500,000.

SEC. 3091. ORCHARD BEACH, BRONX, NEW YORK.

Section 554 of the Water Resources Development Act of 1996 (110 Stat. 3781) is amended by striking ''maximum Federal cost of $5,200,000'' and inserting ''total cost of $20,000,000''.

SEC. 3092. PORT OF NEW YORK AND NEW JERSEY, NEW YORK AND NEW JERSEY.

The navigation project, Port of New York and New Jersey, New York and New Jersey, authorized by section 101(a)(2) of the Water Resources Development Act of 2000 (114 Stat. 2576), is modified—

(1) to authorize the Secretary to allow the non-Federal interest to construct a temporary dredged material storage facility to receive dredged material from the project if—

(A) the non-Federal interest submits, in writing, a list of potential sites for the temporary storage facility to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Secretary at least 180 days before the selection of the final site; and

(B) at least 70 percent of the dredged material generated in connection with the project suitable for beneficial reuse will be used at sites in the State of New Jersey to the extent that there are sufficient sites available; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of construction of the temporary storage facility if the Secretary determines that the work is integral to the project.

SEC. 3093. NEW YORK STATE CANAL SYSTEM.

Section 553(c) of the Water Resources Development Act of 1996 (110 Stat. 3781) is amended to read as follows:

''(c) NEW YORK STATE CANAL SYSTEM DEFINED.—In this section, the term 'New York State Canal System' means the 524 miles of navigable canal that comprise the New York State Canal System, including the Erie, Cayuga-Seneca, Oswego, and Champlain Canals and the historic alignments of these canals, including the cities of Albany, Rochester, and Buffalo.''.

SEC. 3094. LOWER GIRARD LAKE DAM, OHIO.

Section 507(1) of the Water Resources Development Act of 1996 (110 Stat. 3758) is amended by striking ''$2,500,000'' and inserting ''$6,000,000''.

SEC. 3095. MAHONING RIVER, OHIO.

In carrying out the project for environmental dredging, authorized by section 312(f)(4) of the Water Resources Development Act of 1990 (33 U.S.C. 1272(f)(4)), the Secretary is directed to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3096. DELAWARE RIVER, PENNSYLVANIA, NEW JERSEY, AND DELAWARE.

The Secretary may remove debris from the project for navigation, Delaware River, Pennsylvania, New Jersey, and Delaware, Philadelphia to the Sea.

SEC. 3097. RAYSTOWN LAKE, PENNSYLVANIA.

The Secretary may take such action as may be necessary, including construction of a breakwater, to prevent shoreline erosion between .07 and 2.7 miles south of Pennsylvania State Route 994 on the east shore of Raystown Lake, Pennsylvania.

SEC. 3098. SHERADEN PARK STREAM AND CHARTIERS CREEK, ALLEGHENY COUNTY, PENNSYLVANIA.

The project for aquatic ecosystem restoration, Sheraden Park Stream and Chartiers Creek, Allegheny County, Pennsylvania, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary to credit up to $400,000 toward the non-Federal share of the cost of the project for planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3099. SOLOMON'S CREEK, WILKES-BARRE, PENNSYLVANIA.

The project for flood control, Wyoming Valley, Pennsylvania, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), is modified to include as a project element the project for flood control for Solomon's Creek, Wilkes-Barre, Pennsylvania.

SEC. 3100. SOUTH CENTRAL PENNSYLVANIA.

Section 313 of the Water Resources Development Act of 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat. 3723; 113 Stat. 310; 117 Stat. 142) is amended—

(1) in subsection (g)(1) by striking ''$180,000,000'' and inserting ''$200,000,000''; and

(2) in subsection (h)(2) by striking ''Allegheny, Armstrong, Beford, Blair, Cambria, Clearfield, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Mifflin, Somerset, Snyder, Washington, and Westmoreland Counties'' and inserting ''Allegheny, Armstrong, Bedford, Blair, Cambria, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Somerset, Washington, and Westmoreland Counties''.

SEC. 3101. WYOMING VALLEY, PENNSYLVANIA.

In carrying out the project for flood control, Wyoming Valley, Pennsylvania, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), the Secretary shall coordinate with non-Federal interests to review opportunities for increased public access.

SEC. 3102. CEDAR BAYOU, TEXAS.

(a) CREDIT FOR PLANNING AND DESIGN.—The project for navigation, Cedar Bayou, Texas, reauthorized by section 349(a)(2) of the Water Resources Development Act of 2000 (114 Stat. 2632), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest for the project if the Secretary determines that such work is integral to the project.

(b) COST SHARING.—Cost sharing for construction and operation and maintenance of the project shall be determined in accordance with section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 3103. FREEPORT HARBOR, TEXAS.

The project for navigation, Freeport Harbor, Texas, authorized by section 101 of the Rivers and Harbors Act of 1970 (84 Stat. 1818), is modified.—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of the planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to direct the Secretary to remove the sunken vessel ''COMSTOCK'' at Federal expense.

SEC. 3104. LAKE KEMP, TEXAS.

(a) IN GENERAL.—The Secretary may not take any legal or administrative action seeking to remove a Lake Kemp improvement before the earlier of January 1, 2020, or the date of any transfer of ownership of the improvement occurring after the date of enactment of this Act.

(b) LIMITATION ON LIABILITY.—The United States, or any of its officers, agents, or assignees, shall not be liable for any injury, loss, or damage accruing to the owners of a Lake Kemp improvement, their lessees, or occupants as a result of any flooding or inundation of such improvements by the waters of the Lake Kemp reservoir, or for such injury, loss, or damage as may occur through the operation and maintenance of the Lake Kemp dam and reservoir in any manner.

(c) LAKE KEMP IMPROVEMENT DEFINED.—In this section, the term ''Lake Kemp improvement'' means an improvement (including dwellings) located within the flowage easement of Lake Kemp, Texas, below elevation 1159 feet mean sea level.

SEC. 3105. LOWER RIO GRANDE BASIN, TEXAS.

The project for flood control, Lower Rio Grande Basin, Texas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4125), is modified—

(1) to include as part of the project flood protection works to reroute drainage to Raymondville Drain constructed by the non-Federal interests in Hidalgo County in the vicinity of Edinburg, Texas, if the Secretary determines that such work meets feasibility requirements;

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(3) to direct the Secretary in calculating the non-Federal share of the cost of the project, to make a determination, within 180 days after the date of enactment of this Act, under section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) on the non-Federal interest's ability to pay.

SEC. 3106. NORTH PADRE ISLAND, CORPUS CHRISTI BAY, TEXAS.

The project for ecosystem restoration and storm damage reduction, North Padre Island, Corpus Christi Bay, Texas, authorized by section 556 of the Water Resources Development Act of 1999 (113 Stat. 353), is modified to include recreation as a project purpose.

SEC. 3107. PAT MAYSE LAKE, TEXAS.

The Secretary is directed to accept from the city of Paris, Texas, $3,461,432 as payment in

full of monies owed to the United States for water supply storage space in Pat Mayse Lake, Texas, under contract number DA–34–066–CIVENG–65–1272, including accrued interest.

SEC. 3108. PROCTOR LAKE, TEXAS.

The Secretary is authorized to purchase fee simple title to all properties located within the boundaries, and necessary for the operation, of the Proctor Lake project, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259).

SEC. 3109. SAN ANTONIO CHANNEL, SAN ANTONIO, TEXAS.

The project for flood control, San Antonio Channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers in Texas and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921) and section 335 of the Water Resources Development Act of 2000 (114 Stat. 2611), is further modified to authorize the Secretary to credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest for the project if the Secretary determines that the work is integral to the project.

SEC. 3110. LEE, RUSSELL, SCOTT, SMYTH, TAZEWELL, AND WISE COUNTIES, VIRGINIA.

The project for flood control, Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, authorized by section 202 of the Energy and Water Development Appropriation Act, 1981 (94 Stat. 1339) and modified by section 352 of the Water Resources Development Act of 1996 (110 Stat. 3724–3725) and section 336 of the Water Resources Development Act of 2000 (114 Stat. 2611), is further modified to direct the Secretary to determine the ability of Lee, Russell, Scott, Smyth, Tazewell, and Wise Counties, Virginia, to pay the non-Federal share of the cost of the project based solely on the criterion specified in section 103(m)(3)(A)(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(3)(A)(i)).

SEC. 3111. TANGIER ISLAND SEAWALL, VIRGINIA.

Section 577(a) of the Water Resources Development Act of 1996 (110 Stat. 3789) is amended by striking ''at a total cost of $1,200,000, with an estimated Federal cost of $900,000 and an estimated non-Federal cost of $300,000.'' and inserting ''at a total cost of $3,000,000, with an estimated Federal cost of $2,500,000 and an estimated non-Federal cost of $750,000.''.

SEC. 3112. DUWAMISH/GREEN, WASHINGTON.

The project for ecosystem restoration, Duwamish/Green, Washington, authorized by section 101(b)(26) of the Water Resources Development Act of 2000 (114 Stat. 2579), is modified—

(1) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) to authorize the non-Federal interest to provide any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.

SEC. 3113. YAKIMA RIVER, PORT OF SUNNYSIDE, WASHINGTON.

The project for aquatic ecosystem restoration, Yakima River, Port of Sunnyside, Washington, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 3114. GREENBRIER RIVER BASIN, WEST VIRGINIA.

Section 579(c) of the Water Resources Development Act of 1996 (110 Stat. 3790; 113 Stat. 312) is amended by striking ''$47,000,000'' and inserting ''$99,000,000''.

SEC. 3115. LESAGE/GREENBOTTOM SWAMP, WEST VIRGINIA.

Section 30(d) of the Water Resources Development Act of 1988 (102 Stat. 4030; 114 Stat. 2678) is amended to read as follows:

''(d) HISTORIC STRUCTURE.—The Secretary shall ensure the preservation and restoration of the structure known as the 'Jenkins House', and the reconstruction of associated buildings and landscape features of such structure located within the Lesage/Greenbottom Swamp in accordance with the Secretary of the Interior's standards for the treatment of historic properties. Amounts made available for expenditure for the project authorized by section 301(a) of the Water Resources Development Act of 1986 (100 Stat. 4110) shall be available for the purposes of this subsection.''.

SEC. 3116. NORTHERN WEST VIRGINIA.

Section 557 of the Water Resources Development Act of 1999 (113 Stat. 353) is amended—

(1) in the first sentence by striking ''favorable'';

(2) by striking ''$8,400,000'' and inserting ''$12,000,000''; and

(3) by striking ''$4,200,000'' each place it appears and inserting ''$6,000,000''.

SEC. 3117. MANITOWOC HARBOR, WISCONSIN.

The project for navigation, Manitowoc Harbor, Wisconsin, authorized by the River and Harbor Act of August 30, 1852 (10 Stat. 58), is modified to direct the Secretary to deepen the upstream reach of the navigation channel from 12 feet to 18 feet, at a total cost of $405,000.

SEC. 3118. MISSISSIPPI RIVER HEADWATERS RESERVOIRS.

Section 21 of the Water Resources Development Act of 1988 (102 Stat. 4027) is amended—

(1) in subsection (a)—

(A) by striking ''1276.42'' and inserting ''1278.42'';

(B) by striking ''1218.31'' and inserting ''1221.31''; and

(C) by striking ''1234.82'' and inserting ''1235.30''; and

(2) by striking subsection (b) and inserting the following:

''(b) EXCEPTION.—The Secretary may operate the headwaters reservoirs below the minimum or above the maximum water levels established in subsection (a) in accordance with water control regulation manuals (or revisions thereto) developed by the Secretary, after consultation with the Governor of Minnesota and affected tribal governments, landowners, and commercial and recreational users. The water control regulation manuals (and any revisions thereto) shall be effective when the Secretary transmits them to Congress. The Secretary shall report to Congress at least 14 days before operating any such headwaters reservoir below the minimum or above the maximum water level limits specified in subsection (a); except that notification is not required for operations necessary to prevent the loss of life or to ensure the safety of the dam or if the drawdown of lake levels is in anticipation of flood control operations.''.

SEC. 3119. CONTINUATION OF PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—Notwithstanding section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)), the following projects shall remain authorized to be carried out by the Secretary:

(1) The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092).

(2) The project for flood control, Agana River, Guam, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4127).

(3) The project for navigation, Fall River Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731); except that the authorized depth of that portion of the project extending riverward of the Charles M. Braga, Jr. Memorial Bridge, Fall River and Somerset, Massachusetts, shall not exceed 35 feet.

(b) LIMITATION.—A project described in subsection (a) shall not be authorized for construction after the last day of the 5-year period beginning on the date of enactment of this Act, unless, during such period, funds have been obligated for the construction (including planning and design) of the project.

SEC. 3120. PROJECT REAUTHORIZATIONS.

Each of the following projects may be carried out by the Secretary and no construction on any such project may be initiated until the Secretary determines that the project is feasible:

(1) MENOMINEE HARBOR AND RIVER, MICHIGAN AND WISCONSIN.—The project for navigation, Menominee Harbor and River, Michigan and Wisconsin, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 482) and deauthorized on April 15, 2002, in accordance with section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)).

(2) MANITOWOC HARBOR, WISCONSIN.—That portion of the project for navigation, Manitowoc Harbor, Wisconsin, authorized by the first section of the River and Harbor Act of August 30, 1852 (10 Stat. 58), consisting of the channel in the south part of the outer harbor, deauthorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1176).

(3) HEARDING ISLAND INLET, DULUTH HARBOR, MINNESOTA.—The project for dredging, Hearding Island Inlet, Duluth Harbor, Minnesota, authorized by section 22 of the Water Resources Development Act of 1988 (102 Stat. 4027).

SEC. 3121. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects are not authorized after the date of enactment of this Act:

(1) BRIDGEPORT HARBOR, CONNECTICUT.—The portion of the project for navigation, Bridgeport Harbor, Connecticut, authorized by the first section of the River and Harbor Act of July 3, 1930 (46 Stat. 919), consisting of an 18-foot channel in Yellow Mill River and described as follows: Beginning at a point along the eastern limit of the existing project, N123,649.75, E481,920.54, thence running northwesterly about 52.64 feet to a point N123,683.03, E481,879.75, thence running northeasterly about 1,442.21 feet to a point N125,030.08, E482,394.96, thence running northeasterly about 139.52 feet to a point along the eastern limit of the existing channel, N125,133.87, E482,488.19, thence running southwesterly about 1,588.98 feet to the point of origin.

(2) MYSTIC RIVER, CONNECTICUT.—The portion of the project for navigation, Mystic River, Connecticut, authorized by the first section of the River and Harbor Appropriations Act of September 19, 1890 (26 Stat. 436) consisting of a 12-foot-deep channel, approximately 7,554 square feet in area, starting at a point N193,086.51, E815,092.78, thence running north 59 degrees 21 minutes 46.63 seconds west about 138.05 feet to a point N193,156.86, E814,974.00, thence running north 51 degrees 04 minutes 39.00 seconds west about 166.57 feet to a point N193,261.51, E814,844.41, thence running north 43 degrees 01 minutes 34.90 seconds west about 86.23 feet to a point N193,324.55, E814,785.57, thence running north 06 degrees 42 minutes 03.86 seconds west about 156.57 feet to a point N193,480.05, E814,767.30, thence running south 21 degrees 21 minutes 17.94 seconds east about 231.42 feet to a point N193,264.52, E814,851.57, thence running south 53 degrees 34 minutes 23.28 seconds east about 299.78 feet to the point of origin.

(3) NEW LONDON HARBOR, CONNECTICUT.—The portion of the project for navigation, New London Harbor, Connecticut, authorized by the

River and Harbor Appropriations Act of June 13, 1902 (32 Stat. 333), that consists of a 23-foot waterfront channel and that is further described as beginning at a point along the western limit of the existing project, N188,802.75, E779,462.81, thence running northeasterly about 1,373.88 feet to a point N189,554.87, E780,612.53, thence running southeasterly about 439.54 feet to a point N189,319.88, E780,983.98, thence running southwesterly about 831.58 feet to a point N188,864.63, E780,288.08, thence running southeasterly about 567.39 feet to a point N188,301.88, E780,360.49, thence running northwesterly about 1,027.96 feet to the point of origin.

(4) FALMOUTH HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Falmouth Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1948 (62 Stat. 1172), beginning at a point along the eastern side of the inner harbor N200,415.05, E845,307.98, thence running north 25 degrees 48 minutes 54.3 seconds east 160.24 feet to a point N200,559.20, E845,377.76, thence running north 22 degrees 7 minutes 52.4 seconds east 596.82 feet to a point N201,112.15, E845,602.60, thence running north 60 degrees 1 minute 0.3 seconds east 83.18 feet to a point N201,153.72, E845,674.65, thence running south 24 degrees 56 minutes 43.4 seconds west 665.01 feet to a point N200,550.75, E845,394.18, thence running south 32 degrees 25 minutes 29.0 seconds west 160.76 feet to the point of origin.

(5) ISLAND END RIVER, MASSACHUSETTS.—The portion of the project for navigation, Island End River, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), described as follows: Beginning at a point along the eastern limit of the existing project, N507,348.98, E721,180.01, thence running northeast about 35 feet to a point N507,384.17, E721,183.36, thence running northeast about 324 feet to a point N507,590.51, E721,433.17, thence running northeast about 345 feet to a point along the northern limit of the existing project, N507,927.29, E721,510.29, thence running southeast about 25 feet to a point N507,921.71, E721,534.66, thence running southwest about 354 feet to a point N507,576.65, E721,455.64, thence running southwest about 357 feet to the point of origin.

(6) CITY WATERWAY, TACOMA, WASHINGTON.—The portion of the project for navigation, City Waterway, Tacoma, Washington, authorized by the first section of the River and Harbor Appropriations Act of June 13, 1902 (32 Stat. 347), consisting of the last 1,000 linear feet of the inner portion of the waterway beginning at station 70+00 and ending at station 80+00.

(7) AUNT LYDIA'S COVE, MASSACHUSETTS.—

(A) IN GENERAL.—The portion of the project for navigation, Aunt Lydia's Cove, Massachusetts, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), consisting of the 8-foot deep anchorage in the cove described in subparagraph (B).

(B) DESCRIPTION OF PORTION.—The portion of the project described in subparagraph (A) is more particularly described as the portion beginning at a point along the southern limit of the existing project, N254,332.00, E1,023,103.96, thence running northwesterly about 761.60 feet to a point along the western limit of the existing project N255,076.84, E1,022,945.07, thence running southwesterly about 38.11 feet to a point N255,038.99, E1,022,940.60, thence running southeasterly about 267.07 feet to a point N254,772.00, E1,022,947.00, thence running southeasterly about 462.41 feet to a point N254,320.06, E1,023,044.84, thence running northeasterly about 60.31 feet to the point of origin.

(b) SOUTHPORT HARBOR, FAIRFIELD, CONNECTICUT.—The project for navigation, Southport Harbor, Fairfield, Connecticut, authorized by section 2 of the River and Harbor Act of March 2, 1829, and by the first section of the River and Harbor Act of August 30, 1935 (49 Stat. 1029), and section 364 of the Water Resources Development Act of 1996 (110 Stat. 3733–3734), is further modified to redesignate a portion of the 9-foot-deep channel as an anchorage area, approximately 900 feet in length and 90,000 square feet in area, and lying generally north of a line with points at coordinates N108,043.45, E452,252.04 and N107,938.74, E452,265.74.

(c) SACO RIVER, MAINE.—The portion of the project for navigation, Saco River, Maine, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) and described as a 6-foot deep, 10-acre turning basin located at the head of navigation, is redesignated as an anchorage area.

(d) UNION RIVER, MAINE.—The project for navigation, Union River, Maine, authorized by the first section of the Act of June 3, 1896 (29 Stat. 215), is modified by redesignating as an anchorage area that portion of the project consisting of a 6-foot turning basin and lying northerly of a line commencing at a point N315,975.13, E1,004,424.86, thence running north 61 degrees 27 minutes 20.71 seconds west about 132.34 feet to a point N316,038.37, E1,004,308.61.

(e) MYSTIC RIVER, MASSACHUSETTS.—The portion of the project for navigation, Mystic River, Massachusetts, authorized by the first section of the River and Harbor Appropriations Act of July 13, 1892 (27 Stat. 96), between a line starting at a point N515,683.77, E707,035.45 and ending at a point N515,721.28, E707,069.85 and a line starting at a point N514,595.15, E707,746.15 and ending at a point N514,732.94, E707,658.38 shall be relocated and reduced from a 100-foot wide channel to a 50-foot wide channel after the date of enactment of this Act described as follows: Beginning at a point N515,721.28, E707,069.85, thence running southeasterly about 840.50 feet to a point N515,070.16, E707,601.27, thence running southeasterly about 177.54 feet to a point N514,904.84, E707,665.98, thence running southeasterly about 319.90 feet to a point with coordinates N514,595.15, E707,746.15, thence running northwesterly about 163.37 feet to a point N514,732.94, E707,658.38, thence running northwesterly about 161.58 feet to a point N514.889.47, E707,618.30, thence running northwesterly about 166.61 feet to a point N515.044.62, E707,557.58, thence running northwesterly about 825.31 feet to a point N515,683.77, E707,035.45, thence running northeasterly about 50.90 feet returning to a point N515,721.28, E707,069.85.

(f) CONDITIONS.—The first sentence of section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is amended—

(1) by striking ''two years'' and inserting ''year''; and

(2) by striking ''7'' and inserting ''5''.

SEC. 3122. LAND CONVEYANCES.

(a) ST. FRANCIS BASIN, ARKANSAS AND MISSOURI.—

(1) IN GENERAL.—The Secretary shall convey to the State of Arkansas, without monetary consideration and subject to paragraph (2), all right, title, and interest in and to real property within the State acquired by the Federal Government as mitigation land for the project for flood control, St. Francis Basin, Arkansas and Missouri Project, authorized by the Flood Control Act of May 15, 1928 (33 U.S.C. 702a et seq.).

(2) TERMS AND CONDITIONS.—

(A) IN GENERAL.—The conveyance by the United States under this subsection shall be subject to—

(i) the condition that the State of Arkansas agree to operate, maintain, and manage the real property for fish and wildlife, recreation, and environmental purposes at no cost or expense to the United States; and

(ii) such other terms and conditions as the Secretary determines to be in the interest of the United States.

(B) REVERSION.—If the Secretary determines that the real property conveyed under paragraph (1) ceases to be held in public ownership or the State ceases to operate, maintain, and manage the real property in accordance with this subsection, all right, title, and interest in and to the property shall revert to the United States, at the option of the Secretary.

(3) MITIGATION.—Nothing in this subsection extinguishes the responsibility of the Federal Government or the non-Federal interest for the project referred to in paragraph (1) from the obligation to implement mitigation for such project that existed on the day prior to the transfer authorized by this subsection.

(b) MILFORD, KANSAS.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Geary County Fire Department, Milford, Kansas, all right, title, and interest of the United States in and to real property consisting of approximately 7.4 acres located in Geary County, Kansas, for construction, operation, and maintenance of a fire station.

(2) REVERSION.—If the Secretary determines that the real property conveyed under paragraph (1) ceases to be held in public ownership or ceases to be operated and maintained as a fire station, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

(c) PIKE COUNTY, MISSOURI.—

(1) IN GENERAL.—At such time as S.S.S., Inc., conveys all right, title and interest in and to the real property described in paragraph (2)(A) to the United States, the Secretary shall convey all right, title, and interest of the United States in and to the real property described in paragraph (2)(B) to S.S.S., Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—Approximately 42 acres, the exact legal description to be determined by mutual agreement of S.S.S., Inc., and the Secretary, subject to any existing flowage easements situated in Pike County, Missouri, upstream and northwest, about a 200-foot distance from Drake Island (also known as Grimes Island).

(B) FEDERAL LAND.—Approximately 42 acres, the exact legal description to be determined by mutual agreement of S.S.S. Inc., and the Secretary, situated in Pike County, Missouri, known as Government Tract Numbers MIs–7 and a portion of FM–46 (both tracts on Buffalo Island), administered by the Corps of Engineers.

(3) CONDITIONS.—The exchange of real property under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the real property described in paragraph (2)(A) to the Secretary shall be by a warranty deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the real property described in paragraph (2)(B) to S.S.S., Inc., shall be by quitclaim deed and contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—S.S.S., Inc., may remove, and the Secretary may require S.S.S., Inc., to remove, any improvements on the land described in paragraph (2)(A).

(C) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (1) shall be completed not later than 2 years after the date of enactment of this Act.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the real property conveyed to S.S.S., Inc., by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the real property conveyed to the United States by S.S.S., Inc., under paragraph (1), S.S.S., Inc., shall make a payment to the United States equal to the excess in cash or a cash equivalent that is satisfactory to the Secretary.

(d) BOARDMAN, OREGON.—Section 501(g)(1) of the Water Resources Development Act of 1996 (110 Stat. 3751) is amended—

(1) by striking ''city of Boardman,'' and inserting ''the Boardman Park and Recreation District, Boardman,''; and

(2) by striking ''such city'' and inserting ''the city of Boardman''.

(e) LOWELL, OREGON.—

(1) IN GENERAL.—The Secretary may convey without consideration to Lowell School District, by quitclaim deed, all right, title, and interest of the United States in and to land and buildings thereon, known as Tract A–82, located in Lowell, Oregon, and described in paragraph (2).

(2) DESCRIPTION OF PROPERTY.—The parcel of land authorized to be conveyed under paragraph (1) is as follows: Commencing at the point of intersection of the west line of Pioneer Street with the westerly extension of the north line of Summit Street, in Meadows Addition to Lowell, as platted and recorded at page 56 of Volume 4, Lane County Oregon Plat Records; thence north on the west line of Pioneer Street a distance of 176.0 feet to the true point of beginning of this description; thence north on the west line of Pioneer Street a distance of 170.0 feet; thence west at right angles to the west line of Pioneer Street a distance of 250.0 feet; thence south and parallel to the west line of Pioneer Street a distance of 170.0 feet; thence east 250.0 feet to the true point of beginning of this description in Section 14, Township 19 South, Range 1 West of the Willamette Meridian, Lane County, Oregon.

(3) TERMS AND CONDITIONS.—Before conveying the parcel to the school district, the Secretary shall ensure that the conditions of buildings and facilities meet the requirements of applicable Federal law.

(4) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

(f) LOWELL, OREGON.—

(1) RELEASE AND EXTINGUISHMENT OF DEED RESERVATIONS.—

(A) RELEASE AND EXTINGUISHMENT OF DEED RESERVATIONS.—The Secretary may release and extinguish the deed reservations for access and communication cables contained in the quitclaim deed, dated January 26, 1965, and recorded February 15, 1965, in the records of Lane County, Oregon; except that such reservations may only be released and extinguished for the lands owned by the city of Lowell as described in the quitclaim deed, dated April 11, 1991, in such records.

(B) ADDITIONAL RELEASE AND EXTINGUISHMENT OF DEED RESERVATIONS.—The Secretary may also release and extinguish the same deed reservations referred to in subparagraph (A) over land owned by Lane County, Oregon, within the city limits of Lowell, Oregon, to accommodate the development proposals of the city of Lowell/St. Vincent de Paul, Lane County, affordable housing project; except that the Secretary may require, at no cost to the United States—

(i) the alteration or relocation of any existing facilities, utilities, roads, or similar improvements on such lands; and

(ii) the right-of-way for such facilities, utilities, or improvements, as a pre-condition of any release or extinguishment of the deed reservations.

(2) CONVEYANCE.—The Secretary may convey to the city of Lowell, Oregon, at fair market value the parcel of land situated in the city of Lowell, Oregon, at fair market value consisting of the strip of federally-owned lands located northeast of West Boundary Road between Hyland Lane and the city of Lowell's eastward city limits.

(3) ADMINISTRATIVE COST.—Notwithstanding paragraphs (1) and (2), the city of Lowell, Oregon, shall pay the administrative costs incurred by the United States to execute the release and extinguishment of the deed reservations under paragraph (1) and the conveyance under paragraph (2).

(g) RICHARD B. RUSSELL LAKE, SOUTH CAROLINA.—

(1) IN GENERAL.—The Secretary shall convey to the State of South Carolina, by quitclaim deed, at fair market value, all right, title, and interest of the United States in and to the real property described in paragraph (2) that is managed, as of the date of enactment of this Act, by the South Carolina department of commerce for public recreation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by section 203 of the Flood Control Act of 1966 (80 Stat. 1420).

(2) LAND DESCRIPTION.—Subject to paragraph (3), the real property referred to in paragraph (1) is the parcel contained in the portion of real property described in Army Lease Number DACW21–1–92–0500.

(3) RESERVATION OF INTERESTS.—The United States shall reserve—

(A) ownership of all real property included in the lease referred to in paragraph (2) that would have been acquired for operational purposes in accordance with the 1971 implementation of the 1962 Army/Interior Joint Acquisition Policy; and

(B) such other rights and interests in and to the real property to be conveyed as the Secretary considers necessary for authorized project purposes, including easement rights-of-way to remaining Federal land.

(4) NO EFFECT ON SHORE MANAGEMENT POLICY.—The Shoreline Management Policy (ER–1130–2–406) of the Corps of Engineers shall not be changed or altered for any proposed development of land conveyed under this subsection.

(5) COST SHARING.—In carrying out the conveyance under this subsection, the Secretary and the State shall comply with all obligations of any cost-sharing agreement between the Secretary and the State with respect to the real property described in paragraph (2) in effect as of the date of the conveyance.

(6) LAND NOT CONVEYED.—The State shall continue to manage the real property described in paragraph (3) not conveyed under this subsection in accordance with the terms and conditions of Army Lease Number DACW21–1–92–0500.

(h) DENISON, TEXAS.—

(1) IN GENERAL.—The Secretary shall offer to convey at fair market value to the city of Denison, Texas, all right, title, and interest of the United States in and to the approximately 900 acres of land located in Grayson County, Texas, which is currently subject to an application for lease for public park and recreational purposes made by the city of Denison, dated August 17, 2005.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and description of the real property referred to in paragraph (1) shall be determined by a survey paid for by the city of Denison, Texas, that is satisfactory to the Secretary.

(3) CONVEYANCE.—On acceptance by the city of Denison, Texas, of an offer under paragraph (1), the Secretary may immediately convey the land surveyed under paragraph (2) by quitclaim deed to the city of Denison, Texas.

(i) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(4) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(5) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

SEC. 3123. EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.

(a) IDAHO.—

(1) IN GENERAL.—With respect to the property covered by each deed in paragraph (2)—

(A) the reversionary interests and use restrictions relating to port and industrial use purposes are extinguished;

(B) the restriction that no activity shall be permitted that will compete with services and facilities offered by public marinas is extinguished; and

(C) the human habitation or other building structure use restriction is extinguished if the elevation of the property is above the standard project flood elevation.

(2) AFFECTED DEEDS.—The deeds with the following county auditor's file numbers are referred to in paragraph (1):

(A) Auditor's Instrument No. 399218 of Nez Perce County, Idaho—2.07 acres.

(B) Auditor's Instrument No. 487437 of Nez Perce County, Idaho—7.32 acres.

(b) OLD HICKORY LOCK AND DAM, CUMBERLAND RIVER, TENNESSEE.—

(1) RELEASE OF RETAINED RIGHTS, INTERESTS, RESERVATIONS.—With respect to land conveyed by the Secretary to the Tennessee Society of Crippled Children and Adults, Incorporated (commonly known as ''Easter Seals Tennessee'') at Old Hickory Lock and Dam, Cumberland River, Tennessee, under section 211 of the Flood Control Act of 1965 (79 Stat. 1087), the reversionary interests and the use restrictions relating to recreation and camping purposes are extinguished.

(2) INSTRUMENT OF RELEASE.—As soon as practicable after the date of enactment of this Act, the Secretary shall execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument effectuating the release of interests required by paragraph (1).

(c) PORT OF PASCO, WASHINGTON.—

(1) EXTINGUISHMENT OF USE RESTRICTIONS AND FLOWAGE EASEMENT.—With respect to the property covered by the deed in paragraph (3)(A)—

(A) the flowage easement and human habitation or other building structure use restriction is extinguished if the elevation of the property is above the standard project flood elevation; and

(B) the use of fill material to raise areas of the property above the standard project flood elevation is authorized, except in any area for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is required.

(2) EXTINGUISHMENT OF FLOWAGE EASEMENT.—With respect to the property covered by each deed in paragraph (3)(B), the flowage easement is extinguished if the elevation of the property is above the standard project flood elevation.

(3) AFFECTED DEEDS.—The deeds referred to in paragraphs (1) and (2) are as follows:

(A) Auditor's File Number 262980 of Franklin County, Washington.

(B) Auditor's File Numbers 263334 and 404398 of Franklin County, Washington.

(d) NO EFFECT ON OTHER RIGHTS.—Nothing in this section affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

TITLE IV—STUDIES

SEC. 4001. JOHN GLENN GREAT LAKES BASIN PROGRAM.

Section 455 of the Water Resources Development Act of 1999 (42 U.S.C. 1962d–21) is amended by adding at the end the following:

''(g) IN-KIND CONTRIBUTIONS FOR STUDY.—The non-Federal interest may provide up to 100 percent of the non-Federal share required under subsection (f) in the form of in-kind services and materials.''.

SEC. 4002. LAKE ERIE DREDGED MATERIAL DISPOSAL SITES.

The Secretary shall conduct a study to determine the nature and frequency of avian botulism problems in the vicinity of Lake Erie associated with dredged material disposal sites and shall make recommendations to eliminate the conditions that result in such problems.

SEC. 4003. SOUTHWESTERN UNITED STATES DROUGHT STUDY.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and other appropriate agencies, shall conduct, at Federal expense, a comprehensive study of drought conditions in the southwestern United States, with particular emphasis on the Colorado River basin, the Rio Grande River basin, and the Great Basin.

(b) INVENTORY OF ACTIONS.—In conducting the study, the Secretary shall assemble an inventory of actions taken or planned to be taken to address drought-related situations in the southwestern United States.

(c) PURPOSE.—The purpose of the study shall be to develop recommendations to more effectively address current and future drought conditions in the southwestern United States.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $7,000,000. Such funds shall remain available until expended.

SEC. 4004. DELAWARE RIVER.

The Secretary shall review, in consultation with the Delaware River Basin Commission and the States of Delaware, Pennsylvania, New Jersey, and New York, the report of the Chief of Engineers on the Delaware River, published as House Document Numbered 522, 87th Congress, Second Session, as it relates to the Mid-Delaware River Basin from Wilmington to Port Jervis, and any other pertinent reports (including the strategy for resolution of interstate flow management issues in the Delaware River Basin dated August 2004 and the National Park Service Lower Delaware River Management Plan (1997–1999)), with a view to determining whether any modifications of recommendations contained in the first report referred to are advisable at the present time, in the interest of flood damage reduction, ecosystem restoration, and other related problems.

SEC. 4005. KNIK ARM, COOK INLET, ALASKA.

The Secretary shall conduct, at Federal expense, a study to determine the potential impacts on navigation of construction of a bridge across Knik Arm, Cook Inlet, Alaska.

SEC. 4006. KUSKOKWIM RIVER, ALASKA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Kuskokwim River, Alaska, in the vicinity of the village of Crooked Creek.

SEC. 4007. ST. GEORGE HARBOR, ALASKA.

The Secretary shall conduct, at Federal expense, a study to determine the feasibility of providing navigation improvements at St. George Harbor, Alaska.

SEC. 4008. SUSITNA RIVER, ALASKA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for hydropower, recreation, and related purposes on the Susitna River, Alaska.

SEC. 4009. GILA BEND, MARICOPA, ARIZONA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Gila Bend, Maricopa, Arizona.

(b) REVIEW OF PLANS.—In conducting the study, the Secretary shall review plans and designs developed by non-Federal interests and shall incorporate such plans and designs into the Federal study if the Secretary determines that such plans and designs are consistent with Federal standards.

SEC. 4010. SEARCY COUNTY, ARKANSAS.

The Secretary shall conduct a study to determine the feasibility of using Greers Ferry Lake as a water supply source for Searcy County, Arkansas.

SEC. 4011. ELKHORN SLOUGH ESTUARY, CALIFORNIA.

The Secretary shall conduct a study of the Elkhorn Slough estuary, California, to determine the feasibility of conserving, enhancing, and restoring estuarine habitats by developing strategies to address hydrological management issues.

SEC. 4012. FRESNO, KINGS, AND KERN COUNTIES, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Fresno, Kings, and Kern Counties, California.

SEC. 4013. LOS ANGELES RIVER REVITALIZATION STUDY, CALIFORNIA.

(a) IN GENERAL.—The Secretary, in coordination with the city of Los Angeles, shall—

(1) prepare a feasibility study for environmental restoration, flood control, recreation, and other aspects of Los Angeles River revitalization that is consistent with the goals of the Los Angeles River Revitalization Master Plan published by the city of Los Angeles; and

(2) consider any locally-preferred project alternatives developed through a full and open evaluation process for inclusion in the study.

(b) USE OF EXISTING INFORMATION AND MEASURES.—In preparing the study under subsection (a), the Secretary shall use, to the maximum extent practicable—

(1) information obtained from the Los Angeles River Revitalization Master Plan; and

(2) the development process of that plan.

(c) DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—The Secretary is authorized to construct demonstration projects in order to provide information to develop the study under subsection (a)(1).

(2) FEDERAL SHARE.—The Federal share of the cost of any project under this subsection shall be not more than 65 percent.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000.

SEC. 4014. LYTLE CREEK, RIALTO, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and groundwater recharge, Lytle Creek, Rialto, California.

SEC. 4015. MOKELUMNE RIVER, SAN JOAQUIN COUNTY, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply along the Mokelumne River, San Joaquin County, California.

(b) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to invalidate, preempt, or create any exception to State water law, State water rights, or Federal or State permitted activities or agreements.

SEC. 4016. NAPA RIVER, ST. HELENA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the Napa River in the vicinity of St. Helena, California, for the purposes of improving flood management through reconnecting the river to its floodplain; restoring habitat, including riparian and aquatic habitat; improving fish passage and water quality; and restoring native plant communities.

(b) PLANS AND DESIGNS.—In conducting the study, the Secretary shall review plans and designs developed by non-Federal interests and shall incorporate such plans and designs into the Federal study if the Secretary determines that such plans and designs are consistent with Federal standards.

SEC. 4017. ORICK, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and ecosystem restoration, Orick, California.

(b) FEASIBILITY OF RESTORING OR REHABILITATING REDWOOK CREEK LEVEES.—In conducting the study, the Secretary shall determine the feasibility of restoring or rehabilitating the Redwood Creek Levees, Humboldt County, California.

SEC. 4018. RIALTO, FONTANA, AND COLTON, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Rialto, Fontana, and Colton, California.

SEC. 4019. SACRAMENTO RIVER, CALIFORNIA.

The Secretary shall conduct a comprehensive study to determine the feasibility of, and alternatives for, measures to protect water diversion facilities and fish protective screen facilities in the vicinity of river mile 178 on the Sacramento River, California.

SEC. 4020. SAN DIEGO COUNTY, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, San Diego County, California, including a review of the feasibility of connecting 4 existing reservoirs to increase usable storage capacity.

SEC. 4021. SAN FRANCISCO BAY, SACRAMENTO-SAN JOAQUIN DELTA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of the beneficial use of dredged material from the San Francisco Bay in the Sacramento-San Joaquin Delta, California, including the benefits and impacts of salinity in the Delta and the benefits to navigation, flood damage reduction, ecosystem restoration, water quality, salinity control, water supply reliability, and recreation.

(b) COOPERATION.—In conducting the study, the Secretary shall cooperate with the California Department of Water Resources and appropriate Federal and State entities in developing options for the beneficial use of dredged material from San Francisco Bay for the Sacramento-San Joaquin Delta area.

(c) REVIEW.—The study shall include a review of the feasibility of using Sherman Island as a rehandling site for levee maintenance material, as well as for ecosystem restoration. The review may include monitoring a pilot project using up to 150,000 cubic yards of dredged material and being carried out at the Sherman Island site, examining larger scale use of dredged materials from the San Francisco Bay and Suisun Bay Channel, and analyzing the feasibility of the potential use of saline materials from the San Francisco Bay for both rehandling and ecosystem restoration purposes.

SEC. 4022. SOUTH SAN FRANCISCO BAY SHORELINE STUDY, CALIFORNIA.

(a) IN GENERAL.—In conducting the South San Francisco Bay shoreline study, the Secretary shall—

(1) review the planning, design, and land acquisition documents prepared by the California State Coastal Conservancy, the Santa Clara Valley Water District, and other local interests in developing recommendations for measures to provide flood protection of the South San Francisco Bay shoreline, restoration of the South San Francisco Bay salt ponds (including lands owned by the Department of the Interior), and other related purposes; and

(2) incorporate such planning, design, and land acquisition documents into the Federal study if the Secretary determines that such documents are consistent with Federal standards.

(b) REPORT.—Not later than December 31, 2008, the Secretary shall transmit a feasibility report for the South San Francisco Bay shoreline study to the Committee on Transportation

and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(c) CREDIT.—

(1) IN GENERAL.—The Secretary shall credit toward the non-Federal share of the cost of any project authorized by law as a result of the South San Francisco Bay shoreline study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(2) LIMITATION.—In no case may work that was carried out more than 5 years before the date of enactment of this Act be eligible for credit under this subsection.

SEC. 4023. TWENTYNINE PALMS, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Pinto Cove Wash, in the vicinity of Twentynine Palms, California.

SEC. 4024. YUCCA VALLEY, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, West Burnt Mountain basin, in the vicinity of Yucca Valley, California.

SEC. 4025. ROARING FORK RIVER, BASALT, COLORADO.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and other purposes for the Roaring Fork River, Basalt, Colorado.

SEC. 4026. DELAWARE AND CHRISTINA RIVERS AND SHELLPOT CREEK, WILMINGTON, DELAWARE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and related purposes along the Delaware and Christina Rivers and Shellpot Creek, Wilmington, Delaware.

SEC. 4027. COLLIER COUNTY BEACHES, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for hurricane and storm damage reduction and flood damage reduction in the vicinity of Vanderbilt, Park Shore, and Naples beaches, Collier County, Florida.

SEC. 4028. LOWER ST. JOHNS RIVER, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental protection and restoration, including improved water quality, and related purposes, Lower St. Johns River, Florida.

SEC. 4029. VANDERBILT BEACH LAGOON, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, water supply, and improvement of water quality at Vanderbilt Beach Lagoon, Florida.

SEC. 4030. MERIWETHER COUNTY, GEORGIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Meriwether County, Georgia.

SEC. 4031. TYBEE ISLAND, GEORGIA.

The Secretary shall conduct a study to determine the feasibility of including the northern end of Tybee Island extending from the north terminal groin to the mouth of Lazaretto Creek as a part of the project for beach erosion control, Tybee Island, Georgia, carried out under section 201 of the Flood Control Act of 1965 (42 U.S.C. 1962d–5).

SEC. 4032. BOISE RIVER, IDAHO.

The study for flood control, Boise River, Idaho, authorized by section 414 of the Water Resources Development Act of 1999 (113 Stat. 324), is modified—

(1) to add ecosystem restoration and water supply as project purposes to be studied; and

(2) to require the Secretary to credit toward the non-Federal share of the cost of the study the cost, not to exceed $500,000, of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 4033. BALLARD'S ISLAND SIDE CHANNEL, ILLINOIS.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, Ballard's Island, Illinois.

SEC. 4034. SALEM, INDIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project to provide an additional water supply source for Salem, Indiana.

SEC. 4035. BUCKHORN LAKE, KENTUCKY.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction, Buckhorn Lake, Kentucky, authorized by section 2 of the Flood Control Act of June 28, 1938 (52 Stat. 1217), to add ecosystem restoration, recreation, and improved access as project purposes, including permanently raising the winter pool elevation of the project.

(b) IN-KIND CONTRIBUTIONS.—The non-Federal interest may provide the non-Federal share of the cost of the study in the form of in-kind services and materials.

SEC. 4036. DEWEY LAKE, KENTUCKY.

The Secretary shall conduct a study to determine the feasibility of modifying the project for Dewey Lake, Kentucky, to add water supply as a project purpose.

SEC. 4037. LOUISVILLE, KENTUCKY.

The Secretary shall conduct a study of the project for flood control, Louisville, Kentucky, authorized by section 4 of the Flood Control Act of June 28, 1938 (52 Stat. 1217), to investigate measures to address the rehabilitation of the project.

SEC. 4038. FALL RIVER HARBOR, MASSACHUSETTS AND RHODE ISLAND.

The Secretary shall conduct a study to determine the feasibility of deepening that portion of the navigation channel of the navigation project for Fall River Harbor, Massachusetts and Rhode Island, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731), seaward of the Charles M. Braga, Jr. Memorial Bridge, Fall River and Somerset, Massachusetts.

SEC. 4039. CLINTON RIVER, MICHIGAN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, Clinton River, Michigan.

SEC. 4040. HAMBURG AND GREEN OAK TOWNSHIPS, MICHIGAN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction on Ore Lake and the Huron River for Hamburg and Green Oak Townships, Michigan.

SEC. 4041. DULUTH-SUPERIOR HARBOR, MINNESOTA AND WISCONSIN.

(a) IN GENERAL.—The Secretary shall conduct a study and prepare a report to evaluate the integrity of the bulkhead system located on and in the vicinity of Duluth-Superior Harbor, Duluth, Minnesota, and Superior, Wisconsin.

(b) CONTENTS.—The report shall include—

(1) a determination of causes of corrosion of the bulkhead system;

(2) recommendations to reduce corrosion of the bulkhead system;

(3) a description of the necessary repairs to the bulkhead system; and

(4) an estimate of the cost of addressing the causes of the corrosion and carrying out necessary repairs.

SEC. 4042. NORTHEAST MISSISSIPPI.

The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Tennessee-Tombigbee Waterway, Alabama and Mississippi, to provide water supply for northeast Mississippi.

SEC. 4043. ST. LOUIS, MISSOURI.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, St. Louis, Missouri, to restore or rehabilitate the levee system feature of the project for flood protection, St. Louis, Missouri, authorized by the first section of the Act entitled ''An Act authorizing construction of certain public works on the Mississippi River for the protection of Saint Louis, Missouri'', approved August 9, 1955 (69 Stat. 540).

SEC. 4044. DREDGED MATERIAL DISPOSAL, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project in the vicinity of the Atlantic Intracoastal Waterway, New Jersey, for the construction of a dredged material disposal transfer facility to make dredged material available for beneficial reuse.

SEC. 4045. BAYONNE, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, including improved water quality, enhanced public access, and recreation, on the Kill Van Kull, Bayonne, New Jersey.

SEC. 4046. CARTERET, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration, including improved water quality, enhanced public access, and recreation, on the Raritan River, Carteret, New Jersey.

SEC. 4047. GLOUCESTER COUNTY, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Gloucester County, New Jersey, including the feasibility of restoring the flood protection dikes in Gibbstown, New Jersey, and the associated tidegates in Gloucester County, New Jersey.

SEC. 4048. PERTH AMBOY, NEW JERSEY.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for riverfront development, including enhanced public access, recreation, and environmental restoration, on the Arthur Kill, Perth Amboy, New Jersey.

SEC. 4049. BATAVIA, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for hydropower and related purposes in the vicinity of Batavia, New York.

SEC. 4050. BIG SISTER CREEK, EVANS, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Big Sister Creek, Evans, New York.

(b) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study, the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

SEC. 4051. FINGER LAKES, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration and protection, Finger Lakes, New York, to address water quality and aquatic nuisance species.

SEC. 4052. LAKE ERIE SHORELINE, BUFFALO, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for storm damage reduction and shoreline protection in the vicinity of Gallagher Beach, Lake Erie Shoreline, Buffalo, New York.

SEC. 4053. NEWTOWN CREEK, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out ecosystem restoration improvements on Newtown Creek, Brooklyn and Queens, New York.

SEC. 4054. NIAGARA RIVER, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for a low-head hydroelectric generating facility in the Niagara River, New York.

SEC. 4055. SHORE PARKWAY GREENWAY, BROOKLYN, NEW YORK.

The Secretary shall conduct a study of the feasibility of carrying out a project for shoreline protection in the vicinity of the confluence of the Narrows and Gravesend Bay, Upper New York Bay, Shore Parkway Greenway, Brooklyn, New York.

SEC. 4056. UPPER DELAWARE RIVER WATERSHED, NEW YORK.

Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and with the consent of the affected local government, a nonprofit organization may serve as the non-Federal interest for a study for the Upper Delaware River watershed, New York, being carried out under Committee Resolution 2495 of the Committee on Transportation and Infrastructure of the House of Representatives, adopted May 9, 1996.

SEC. 4057. LINCOLN COUNTY, NORTH CAROLINA.

The Secretary shall conduct a study of existing water and water quality-related infrastructure in Lincoln County, North Carolina, to assist local interests in determining the most efficient and effective way to connect county infrastructure.

SEC. 4058. WILKES COUNTY, NORTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Wilkes County, North Carolina.

SEC. 4059. YADKINVILLE, NORTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Yadkinville, North Carolina.

SEC. 4060. LAKE ERIE, OHIO.

The Secretary shall conduct a study to determine the feasibility of carrying out projects for power generation at confined disposal facilities along Lake Erie, Ohio.

SEC. 4061. OHIO RIVER, OHIO.

The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood damage reduction on the Ohio River in Mahoning, Columbiana, Jefferson, Belmont, Noble, Monroe, Washington, Athens, Meigs, Gallia, Lawrence, and Scioto Counties, Ohio.

SEC. 4062. ECOSYSTEM RESTORATION AND FISH PASSAGE IMPROVEMENTS, OREGON.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of undertaking ecosystem restoration and fish passage improvements on rivers throughout the State of Oregon.

(b) REQUIREMENTS.—In carrying out the study, the Secretary shall—

(1) work in coordination with the State of Oregon, local governments, and other Federal agencies; and

(2) place emphasis on—

(A) fish passage and conservation and restoration strategies to benefit species that are listed or proposed for listing as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(B) other watershed restoration objectives.

(c) PILOT PROGRAM.—

(1) IN GENERAL.—In conjunction with conducting the study under subsection (a), the Secretary may carry out pilot projects to demonstrate the effectiveness of ecosystem restoration and fish passages.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 to carry out this subsection.

SEC. 4063. WALLA WALLA RIVER BASIN, OREGON.

In conducting the study of determine the feasibility of carrying out a project for ecosystem restoration, Walla Walla River Basin, Oregon, the Secretary shall—

(1) credit toward the non-Federal share of the cost of the study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(2) allow the non-Federal interest to provide the non-Federal share of the cost of the study in the form of in-kind services and materials.

SEC. 4064. CHARTIERS CREEK WATERSHED, PENNSYLVANIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Chartiers Creek watershed, Pennsylvania.

SEC. 4065. KINZUA DAM AND ALLEGHENY RESERVOIR, PENNSYLVANIA.

The Secretary shall conduct a study of the project for flood control, Kinzua Dam and Allegheny Reservoir, Warren, Pennsylvania, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1570), and modified by section 2 of the Flood Control Act of June 28, 1938 (52 Stat. 1215), section 2 of the Flood Control Act of August 18, 1941 (55 Stat. 646), and section 4 of the Flood Control Act of December 22, 1944 (58 Stat. 887), to review operations of and identify modifications to the project to expand recreational opportunities.

SEC. 4066. WESTERN PENNSYLVANIA FLOOD DAMAGE REDUCTION, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary shall conduct a study of structural and nonstructural flood damage reduction, stream bank protection, storm water management, channel clearing and modification, and watershed coordination measures in the Mahoning River basin, Pennsylvania, the Allegheny River basin, Pennsylvania, and the Upper Ohio River basin, Pennsylvania, to provide a level of flood protection sufficient to prevent future losses to communities located in such basins from flooding such as occurred in September 2004, but not less than a 100-year level of flood protection.

(b) PRIORITY COMMUNITIES.—In carrying out this section, the Secretary shall give priority to the following Pennsylvania communities: Marshall Township, Ross Township, Shaler Township, Jackson Township, Harmony, Zelienople, Darlington Township, Houston Borough, Chartiers Township, Washington, Canton Township, Tarentum Borough, and East Deer Township.

SEC. 4067. WILLIAMSPORT, PENNSYLVANIA.

The Secretary shall conduct a study of the project for flood control, Williamsport, Pennsylvania, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1570), to investigate measures to rehabilitate the project.

SEC. 4068. YARDLEY BOROUGH, PENNSYLVANIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, at Yardley Borough, Pennsylvania, including the alternative of raising River Road.

SEC. 4069. RIO VALENCIANO, JUNCOS, PUERTO RICO.

(a) IN GENERAL.—The Secretary shall conduct a study to reevaluate the project for flood damage reduction and water supply, Rio Valenciano, Juncos, Puerto Rico, authorized by section 209 of the Flood Control Act of 1962 (76 Stat. 1197) and section 204 of the Flood Control Act of 1970 (84 Stat. 1828), to determine the feasibility of carrying out the project.

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 4070. CROOKED CREEK, BENNETTSVILLE, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Crooked Creek, Bennettsville, South Carolina.

SEC. 4071. BROAD RIVER, YORK COUNTY, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Broad River, York County, South Carolina.

SEC. 4072. CHATTANOOGA, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Chattanooga Creek, Dobbs Branch, Chattanooga, Tennessee.

SEC. 4073. CLEVELAND, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Cleveland, Tennessee.

SEC. 4074. CUMBERLAND RIVER, NASHVILLE, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for recreation on, riverbank protection for, and environmental protection of, the Cumberland River and riparian habitats in the city of Nashville and Davidson County, Tennessee.

SEC. 4075. LEWIS, LAWRENCE, AND WAYNE COUNTIES, TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Lewis, Lawrence, and Wayne Counties, Tennessee.

SEC. 4076. WOLF RIVER AND NONCONNAH CREEK, MEMPHIS TENNESSEE.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along Wolf River and Nonconnah Creek, in the vicinity of Memphis, Tennessee, to include the repair, replacement, rehabilitation, and restoration of the following pumping stations: Cypress Creek, Nonconnah Creek, Ensley, Marble Bayou, and Bayou Gayoso.

SEC. 4077. ABILENE, TEXAS.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Abilene, Texas.

SEC. 4078. COASTAL TEXAS ECOSYSTEM PROTECTION AND RESTORATION, TEXAS.

(a) IN GENERAL.—The Secretary shall develop a comprehensive plan to determine the feasibility of carrying out projects for flood damage reduction, hurricane and storm damage reduction, and ecosystem restoration in the coastal areas of the State of Texas.

(b) SCOPE.—The comprehensive plan shall provide for the protection, conservation, and restoration of wetlands, barrier islands, shorelines, and related lands and features that protect critical resources, habitat, and infrastructure from the impacts of coastal storms, hurricanes, erosion, and subsidence.

(c) DEFINITION.—For purposes of this section, the term ''coastal areas in the State of Texas'' means the coastal areas of the State of Texas from the Sabine River on the east to the Rio Grande River on the west and includes tidal waters, barrier islands, marshes, coastal wetlands, rivers and streams, and adjacent areas.

SEC. 4079. JOHNSON CREEK, ARLINGTON, TEXAS.

(a) REEVALUATION OF ENVIRONMENTAL RESTORATION FEATURES.—The Secretary shall reevaluate the project for flood damage reduction, environmental restoration, and recreation, authorized by section 101(b)(14) of the Water Resources Development Act of 1999 (113 Stat. 280), to develop alternatives to the separable environmental restoration element of the project.

(b) STUDY OF ADDITIONAL FLOOD DAMAGE REDUCTION MEASURES.—The Secretary shall conduct a study to determine the feasibility of additional flood damage reduction measures and erosion control measures within the boundaries of the project referred to in subsection (a).

(c) PLANS AND DESIGNS.—In conducting the studies referred to in subsections (a) and (b), the Secretary shall review plans and designs developed by non-Federal interests and shall use such plans and designs to the extent that the Secretary determines that such plans and designs are consistent with Federal standards.

(d) CREDIT TOWARD FEDERAL SHARE.—If an alternative environmental restoration element is authorized by law, the Secretary shall credit toward the Federal share of the cost of that project the costs incurred by the Secretary to carry out the separable environmental restoration element of the project referred to in subsection (a). The non-Federal interest shall not

be responsible for reimbursing the Secretary for any amount credited under this subsection.

(e) CREDIT TOWARD THE NON-FEDERAL SHARE.—The Secretary shall credit toward the non-Federal share of the cost of the studies under subsections (a) and (b), and the cost of any project carried out as a result of such studies the cost of work carried out by the non-Federal interest.

SEC. 4080. PORT OF GALVESTON, TEXAS.

The Secretary shall conduct a study of the feasibility of carrying out a project for dredged material disposal in the vicinity of the project for navigation and environmental restoration, Houston-Galveston Navigation Channels, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1996 (110 Stat. 3666).

SEC. 4081. GRAND COUNTY AND MOAB, UTAH.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply for Grand County and the city of Moab, Utah, including a review of the impact of current and future demands on the Spanish Valley Aquifer.

SEC. 4082. SOUTHWESTERN UTAH.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, Santa Clara River, Washington, Iron, and Kane Counties, Utah.

SEC. 4083. CHOWAN RIVER BASIN, VIRGINIA AND NORTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, navigation, and erosion control, Chowan River basin, Virginia and North Carolina.

SEC. 4084. ELLIOTT BAY SEAWALL, SEATTLE, WASHINGTON.

(a) IN GENERAL.—The study for rehabilitation of the Elliott Bay Seawall, Seattle, Washington, being carried out under Committee Resolution 2704 of the Committee on Transportation and Infrastructure of the House of Representatives adopted September 25, 2002, is modified to include a determination of the feasibility of reducing future damage to the seawall from seismic activity.

(b) ACCEPTANCE OF CONTRIBUTIONS.—In carrying out the study, the Secretary may accept contributions in excess of the non-Federal share of the cost of the study from the non-Federal interest to the extent that the Secretary determines that the contributions will facilitate completion of the study.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of any project authorized by law as a result of the study the value of contributions accepted by the Secretary under subsection (b).

SEC. 4085. MONONGAHELA RIVER BASIN, NORTHERN WEST VIRGINIA.

The Secretary shall conduct a study to determine the feasibility of carrying out aquatic ecosystem restoration and protection projects in the watersheds of the Monongahela River Basin lying within the counties of Hancock, Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood, Doddridge, Monongalia, Marion, Harrison, Taylor, Barbour, Preston, Tucker, Mineral, Grant, Gilmer, Brooke, and Rithchie, West Virginia, particularly as related to abandoned mine drainage abatement.

SEC. 4086. KENOSHA HARBOR, WISCONSIN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Kenosha Harbor, Wisconsin, including the extension of existing piers.

SEC. 4087. WAUWATOSA, WISCONSIN.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction and environmental restoration, Menomonee River and Underwood Creek, Wauwatosa, Wisconsin, and greater Milwaukee watersheds, Wisconsin.

SEC. 4088. JOHNSONVILLE DAM, JOHNSONVILLE, WISCONSIN.

The Secretary shall conduct a study of the Johnsonville Dam, Johnsonville, Wisconsin, to determine if the structure prevents ice jams on the Sheboygan River.

TITLE V—MISCELLANEOUS

SEC. 5001. MAINTENANCE OF NAVIGATION CHANNELS.

(a) IN GENERAL.—Upon request of a non-Federal interest, the Secretary shall be responsible for maintenance of the following navigation channels and breakwaters constructed or improved by the non-Federal interest if the Secretary determines that such maintenance is economically justified and environmentally acceptable and that the channel or breakwater was constructed in accordance with applicable permits and appropriate engineering and design standards:

(1) Manatee Harbor basin, Florida.

(2) Bayou LaFourche Channel, Port Fourchon, Louisiana.

(3) Calcasieu River at Devil's Elbow, Louisiana.

(4) Pidgeon Industrial Harbor, Pidgeon Industrial Park, Memphis Harbor, Tennessee.

(5) Pix Bayou Navigation Channel, Chambers County, Texas.

(6) Racine Harbor, Wisconsin.

(b) COMPLETION OF ASSESSMENT.—Not later than 6 months after the date of receipt of a request from a non-Federal interest for Federal assumption of maintenance of a channel listed in subsection (a), the Secretary shall make a determination as provided in subsection (a) and advise the non-Federal interest of the Secretary's determination.

SEC. 5002. WATERSHED MANAGEMENT.

(a) IN GENERAL.—The Secretary may provide technical, planning, and design assistance to non-Federal interests for carrying out watershed management, restoration, and development projects at the locations described in subsection (d).

(b) SPECIFIC MEASURES.—Assistance provided under subsection (a) may be in support of non-Federal projects for the following purposes:

(1) Management and restoration of water quality.

(2) Control and remediation of toxic sediments.

(3) Restoration of degraded streams, rivers, wetlands, and other waterbodies to their natural condition as a means to control flooding, excessive erosion, and sedimentation.

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

(5) Demonstration of technologies for nonstructural measures to reduce destructive impacts of flooding.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance provided under subsection (a) shall be 50 percent.

(d) PROJECT LOCATIONS.—The locations referred to in subsection (a) are the following:

(1) Big Creek watershed, Roswell, Georgia.

(2) Those portions of the watersheds of the Chattahoochee, Etowah, Flint, Ocmulgee, and Oconee Rivers lying within the counties of Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Fulton, Forsyth, Gwinnett, Hall, Henry, Paulding, Rockdale, and Walton, Georgia.

(3) Kinkaid Lake, Jackson County, Illinois.

(4) Amite River basin, Louisiana.

(5) East Atchafalaya River basin, Iberville Parish and Pointe Coupee Parish, Louisiana.

(6) Red River watershed, Louisiana.

(7) Lower Platte River watershed, Nebraska.

(8) Rio Grande watershed, New Mexico.

(9) Taunton River basin, Massachusetts.

(10) Marlboro Township, New Jersey.

(11) Esopus, Plattekill, and Rondout Creeks, Greene, Sullivan, and Ulster Counties, New York.

(12) Greenwood Lake watershed, New York and New Jersey.

(13) Long Island Sound watershed, New York.

(14) Ramapo River watershed, New York.

(15) Western Lake Erie basin, Ohio.

(16) Those portions of the watersheds of the Beaver, Upper Ohio, Connoquenessing, Lower Allegheny, Kiskiminetas, Lower Monongahela, Youghiogheny, Shenango, and Mahoning Rivers lying within the counties of Beaver, Butler, Lawrence, and Mercer, Pennsylvania.

(17) Otter Creek watershed, Pennsylvania.

(18) Unami Creek watershed, Milford Township, Pennsylvania.

(19) Sauk River basin, Washington.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.

SEC. 5003. DAM SAFETY.

(a) ASSISTANCE.—The Secretary may provide assistance to enhance dam safety at the following locations:

(1) Fish Creek Dam, Blaine County, Idaho.

(2) Hamilton Dam, Saginaw River, Flint, Michigan.

(3) State Dam, Auburn, New York.

(4) Whaley Lake Dam, Pawling, New York.

(5) Ingham Spring Dam, Solebury Township, Pennsylvania.

(6) Leaser Lake Dam, Lehigh County, Pennsylvania.

(7) Stillwater Dam, Monroe County, Pennsylvania.

(8) Wissahickon Creek Dam, Montgomery County, Pennsylvania.

(b) SPECIAL RULE.—The assistance provided under subsection (a) for State Dam, Auburn, New York, shall be for a project for rehabilitation in accordance with the report on State Dam Rehabilitation, Owasco Lake Outlet, New York, dated March 1999, if the Secretary determines that the project is feasible.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $6,000,000.

SEC. 5004. STRUCTURAL INTEGRITY EVALUATIONS.

(a) IN GENERAL.—Upon request of a non-Federal interest, the Secretary shall evaluate the structural integrity and effectiveness of a project for flood damage reduction and, if the Secretary determines that the project does not meet such minimum standards as the Secretary may establish and, absent action by the Secretary, the project will fail, the Secretary may take such action as may be necessary to restore the integrity and effectiveness of the project.

(b) PRIORITY.—The Secretary shall evaluate under subsection (a) the following projects:

(1) Project for flood damage reduction, Arkansas River Levees, Arkansas.

(2) Project for flood damage reduction, Nonconnah Creek, Tennessee.

SEC. 5005. FLOOD MITIGATION PRIORITY AREAS.

(a) IN GENERAL.—Section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e); 114 Stat. 2599) is amended—

(1) by striking ''and'' at the end of paragraphs (23) and (27);

(2) by striking the period at the end of paragraph (28) and inserting a semicolon; and

(3) by adding at the end the following:

''(29) Ascension Parish, Louisiana;

''(30) East Baton Rouge Parish, Louisiana;

''(31) Iberville Parish, Louisiana;

''(32) Livingston Parish, Louisiana; and

''(33) Pointe Coupee Parish, Louisiana.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 212(i)(1) of such Act (33 U.S.C. 2332(i)(1)) is amended by striking ''section—'' and all that follows before the period at the end and inserting ''section $20,000,000''.

SEC. 5006. ADDITIONAL ASSISTANCE FOR AUTHORIZED PROJECTS.

(a) IN GENERAL.—Section 219(e) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting a semicolon; and

(3) by adding at the end the following:

''(9) $35,000,000 for the project described in subsection (c)(18);

''(10) $27,000,000 for the project described in subsection (c)(19);

''(11) $20,000,000 for the project described in subsection (c)(20);

''(12) $35,000,000 for the project described in subsection (c)(23);

''(13) $20,000,000 for the project described in subsection (c)(25);

''(14) $20,000,000 for the project described in subsection (c)(26);

''(15) $35,000,000 for the project described in subsection (c)(27);

''(16) $20,000,000 for the project described in subsection (c)(28); and

''(17) $30,000,000 for the project described in subsection (c)(40).''.

(b) EAST ARKANSAS ENTERPRISE COMMUNITY, ARKANSAS.—Federal assistance made available under the rural enterprise zone program of the Department of Agriculture may be used toward payment of the non-Federal share of the costs of the project described in section 219(c)(20) of the Water Resources Development Act of 1992 (114 Stat. 2763A–219) if such assistance is authorized to be used for such purposes.

SEC. 5007. EXPEDITED COMPLETION OF REPORTS AND CONSTRUCTION FOR CERTAIN PROJECTS.

The Secretary shall expedite completion of the reports and, if the Secretary determines that the project is feasible, shall expedite completion of construction for the following projects:

(1) False River, Louisiana, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(2) Fulmer Creek, Village of Mohawk, New York, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(3) Moyer Creek, Village of Frankfort, New York, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(4) Steele Creek, Village of Ilion, New York, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(5) Oriskany Wildlife Management Area, Rome, New York, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(6) Whitney Point Lake, Otselic River, Whitney Point, New York, being carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(7) North River, Peabody, Massachusetts, being carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(8) Chenango Lake, Chenango County, New York, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

SEC. 5008. EXPEDITED COMPLETION OF REPORTS FOR CERTAIN PROJECTS.

(a) IN GENERAL.—The Secretary shall expedite completion of the reports for the following projects and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design:

(1) Project for water supply, Little Red River, Arkansas.

(2) Project for shoreline stabilization at Egmont Key, Florida.

(3) Project for ecosystem restoration, University Lake, Baton Rouge, Louisiana.

(4) Project for navigation, Sabine-Neches Waterway, Texas and Louisiana.

(b) SPECIAL RULE FOR EGMONT KEY, FLORIDA.—In carrying out the project for shoreline stabilization at Egmont Key, Florida, referred to in subsection (a)(3), the Secretary shall waive any cost share to be provided by non-Federal interests for any portion of the project that benefits federally owned property.

SEC. 5009. SOUTHEASTERN WATER RESOURCES ASSESSMENT.

(a) IN GENERAL.—The Secretary shall conduct, at Federal expense, an assessment of the water resources needs of the river basins and watersheds of the southeastern United States.

(b) COOPERATIVE AGREEMENTS.—In carrying out the assessment, the Secretary may enter into cooperative agreements with State and local agencies, non-Federal and nonprofit entities, and regional researchers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $7,000,000 to carry out this section.

SEC. 5010. UPPER MISSISSIPPI RIVER ENVIRONMENTAL MANAGEMENT PROGRAM.

Section 1103(e)(7) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(7)) is amended—

(1) by adding at the end of subparagraph (A) the following: ''The non-Federal interest may provide the non-Federal share of the cost of the project in the form of in-kind services and materials.''; and

(2) by inserting after subparagraph (B) the following:

''(C) Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal interest may include for any project undertaken under this section, a nonprofit entity with the consent of the affected local government.''.

SEC. 5011. MISSOURI AND MIDDLE MISSISSIPPI RIVER ENHANCEMENT PROJECT.

Section 514(g) of the Water Resources Development Act of 1999 (113 Stat. 343; 117 Stat. 142) is amended by striking ''and 2004'' and inserting ''through 2015''.

SEC. 5012. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.

Section 506(f)(3)(B) of the Water Resources Development Act of 2000 (42 U.S.C. 1962d–22; 114 Stat. 2646) is amended by striking ''50 percent'' and inserting ''100 percent''.

SEC. 5013. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

Section 401(c) of the Water Resources Development Act of 1990 (104 Stat. 4644; 33 U.S.C. 1268 note) is amended by striking ''through 2006'' and inserting ''through 2012''.

SEC. 5014. GREAT LAKES TRIBUTARY MODELS.

Section 516(g)(2) of the Water Resources Development Act of 1996 (33 U.S.C. 2326b(g)(2)) is amended by striking ''through 2006'' and inserting ''through 2012''.

SEC. 5015. GREAT LAKES NAVIGATION.

(a) IN GENERAL.—Using available funds, the Secretary shall expedite the operation and maintenance, including dredging, of the navigation features of the Great Lakes and Connecting Channels for the purpose of supporting commercial navigation to authorized project depths.

(b) GREAT LAKES AND CONNECTING CHANNELS DEFINED.—In this section, the term ''Great Lakes and Connecting Channels'' includes Lakes Superior, Huron, Michigan, Erie, and Ontario, all connecting waters between and among such lakes used for commercial navigation, any navigation features in such lakes or waters that are a Federal operation or maintenance responsibility, and areas of the Saint Lawrence River that are operated or maintained by the Federal government for commercial navigation.

SEC. 5016. UPPER MISSISSIPPI RIVER DISPERSAL BARRIER PROJECT.

(a) IN GENERAL.—The Secretary, in consultation with appropriate Federal and State agencies, shall study, design, and carry out a project for preventing and reducing the dispersal of aquatic nuisance species through the Upper Mississippi River system. The Secretary shall complete the study, design, and construction of the project not later than 6 months after the date of enactment of this Act.

(b) DISPERSAL BARRIER.—The Secretary, at Federal expense, shall—

(1) investigate and identify environmentally sound methods for preventing and reducing the dispersal of aquatic nuisance species;

(2) study, design, and carry out a project for a dispersal barrier, using available technologies and measures, to be located in the lock portion of Lock and Dam 11 in the Upper Mississippi River basin;

(3) monitor and evaluate, in cooperation with the Director of the United States Fish and Wildlife Service, the effectiveness of the project in preventing and reducing the dispersal of aquatic nuisance species through the Upper Mississippi River system, and report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the results of the evaluation; and

(4) operate and maintain the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $4,000,000 to carry out this section.

SEC. 5017. SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASINS, DELAWARE, MARYLAND, PENNSYLVANIA, AND VIRGINIA.

(a) EX OFFICIO MEMBER.—Notwithstanding section 3001(a) of the 1997 Emergency Supplemental Appropriations Act for Recovery From Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105–18; 111 Stat. 176), section 2.2 of the Susquehanna River Basin Compact (Public Law 91–575), and section 2.2 of the Delaware River Basin Compact (Public Law 87–328), beginning in fiscal year 2002, and each fiscal year thereafter, the Division Engineer, North Atlantic Division, Corps of Engineers—

(1) shall be the ex officio United States member under the Susquehanna River Basin Compact, the Delaware River Basin Compact, and the Potomac River Basin Compact;

(2) shall serve without additional compensation; and

(3) may designate an alternate member in accordance with the terms of those compacts.

(b) AUTHORIZATION TO ALLOCATE.—The Secretary shall allocate funds to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin (Potomac River Basin Compact (Public Law 91–407)) to fulfill the equitable funding requirements of the respective interstate compacts.

(c) WATER SUPPLY AND CONSERVATION STORAGE, DELAWARE RIVER BASIN.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the Delaware River Basin Commission to provide temporary water supply and conservation storage at the Francis E. Walter Dam, Pennsylvania, for any period during which the Commission has determined that a drought warning or drought emergency exists.

(2) LIMITATION.—The agreement shall provide that the cost for water supply and conservation storage under paragraph (1) shall not exceed the incremental operating costs associated with providing the storage.

(d) WATER SUPPLY AND CONSERVATION STORAGE, SUSQUEHANNA RIVER BASIN.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the Susquehanna River Basin Commission to provide temporary water supply and conservation storage at Federal facilities operated by the Corps of Engineers in the Susquehanna River Basin for any period for which the Commission has determined that a drought warning or drought emergency exists.

(2) LIMITATION.—The agreement shall provide that the cost for water supply and conservation storage under paragraph (1) shall not exceed the incremental operating costs associated with providing the storage.

(e) WATER SUPPLY AND CONSERVATION STORAGE, POTOMAC RIVER BASIN.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the Potomac River

Basin Commission to provide temporary water supply and conservation storage at Federal facilities operated by the Corps of Engineers in the Potomac River Basin for any period for which the Commission has determined that a drought warning or drought emergency exists.

(2) LIMITATION.—The agreement shall provide that the cost for water supply and conservation storage under paragraph (1) shall not exceed the incremental operating costs associated with providing the storage.

SEC. 5018. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

(a) FORM OF ASSISTANCE.—Section 510(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3759) is amended by striking '', and beneficial uses of dredged material'' and inserting '', beneficial uses of dredged material, and restoration of submerged aquatic vegetation''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 510(i) of such Act (110 Stat. 3761) is amended by striking ''$10,000,000'' and inserting ''$50,000,000''.

SEC. 5019. HYPOXIA ASSESSMENT.

The Secretary may participate with Federal, State, and local agencies, non-Federal and nonprofit entities, regional researchers, and other interested parties to assess hypoxia in the Gulf of Mexico.

SEC. 5020. POTOMAC RIVER WATERSHED ASSESSMENT AND TRIBUTARY STRATEGY EVALUATION AND MONITORING PROGRAM.

The Secretary may participate in the Potomac River Watershed Assessment and Tributary Strategy Evaluation and Monitoring Program to identify a series of resource management indicators to accurately monitor the effectiveness of the implementation of the agreed upon tributary strategies and other public policies that pertain to natural resource protection of the Potomac River watershed.

SEC. 5021. LOCK AND DAM SECURITY.

(a) STANDARDS.—The Secretary, in consultation with the Federal Emergency Management Agency, the Tennessee Valley Authority, and the Coast Guard, shall develop standards for the security of locks and dams, including the testing and certification of vessel exclusion barriers.

(b) SITE SURVEYS.—At the request of a lock or dam owner, the Secretary shall provide technical assistance, on a reimbursable basis, to improve lock or dam security.

(c) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with a nonprofit alliance of public and private organizations that has the mission of promoting safe waterways and seaports to carry out testing and certification activities, and to perform site surveys, under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $3,000,000 to carry out this section.

SEC. 5022. REHABILITATION.

The Secretary, at Federal expense and not to exceed $1,000,000, shall rehabilitate and improve the water-related infrastructure and the transportation infrastructure for the historic property in the Anacostia River Watershed located in the District of Columbia, including measures to address wet weather conditions. To carry out this section, the Secretary shall accept funds provided for such project under any other Federal program.

SEC. 5023. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVER SALMON SURVIVAL.

Section 511 of the Water Resources Development Act of 1996 (16 U.S.C. 3301 note; 110 Stat. 3761; 113 Stat. 375) is amended—

(1) in subsection (a)(6) by striking ''$10,000,000'' and inserting ''$25,000,000''; and

(2) in subsection (c)(2) by striking ''$1,000,000'' and inserting ''$10,000,000''.

SEC. 5024. AUBURN, ALABAMA.

The Secretary may provide technical assistance relating to water supply to the city of Auburn, Alabama. There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5025. PINHOOK CREEK, HUNTSVILLE, ALABAMA.

(a) PROJECT AUTHORIZATION.—The Secretary shall design and construct the locally preferred plan for flood protection at Pinhook Creek, Huntsville, Alabama. In carrying out the project, the Secretary shall utilize, to the extent practicable, the existing detailed project report for the project prepared under the authority of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(b) PARTICIPATION BY NON-FEDERAL INTEREST.—The Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation indicates that applying such section is necessary to implement the project.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 5026. ALASKA.

Section 570 of the Water Resources Development Act of 1999 (113 Stat. 369) is amended—

(1) in subsection (c) by inserting ''environmental restoration,'' after ''water supply and related facilities,'';

(2) in subsection (e)(3)(B) by striking the last sentence;

(3) in subsection (h) by striking ''$25,000,000'' and inserting ''$45,000,000''; and

(4) by adding at the end the following:

''(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

''(j) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.''.

SEC. 5027. BARROW, ALASKA.

The Secretary shall carry out, under section 117 of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2944), a nonstructural project for coastal erosion and storm damage prevention and reduction at Barrow, Alaska, including relocation of infrastructure.

SEC. 5028. COFFMAN COVE, ALASKA.

The Secretary is authorized to carry out a project for navigation, Coffman Cove, Alaska, at a total cost of $3,000,000.

SEC. 5029. FIRE ISLAND, ALASKA.

(a) IN GENERAL.—The Secretary is authorized to provide planning, design, and construction assistance to the non-Federal interest for the construction of a causeway between Point Campbell and Fire Island, Alaska, including the beneficial use of dredged material in the construction of the causeway.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5030. FORT YUKON, ALASKA.

The Secretary shall make repairs to the dike at Fort Yukon, Alaska, so that the dike meets Corps of Engineers standards.

SEC. 5031. KOTZEBUE HARBOR, ALASKA.

The Secretary is authorized to carry out a project for navigation, Kotzebue Harbor, Kotzebue, Alaska, at total cost of $2,200,000.

SEC. 5032. LOWELL CREEK TUNNEL, SEWARD, ALASKA.

(a) LONG-TERM MAINTENANCE AND REPAIR.—The Secretary shall assume responsibility for the long-term maintenance and repair of the Lowell Creek Tunnel.

(b) STUDY.—The Secretary shall conduct a study to determine whether alternative methods of flood diversion in Lowell Canyon are feasible.

SEC. 5033. ST. HERMAN AND ST. PAUL HARBORS, KODIAK, ALASKA.

The Secretary shall carry out, on an emergency basis, necessary removal of rubble, sediment, and rock impeding the entrance to the St. Herman and St. Paul Harbors, Kodiak, Alaska, at a Federal cost of $2,000,000.

SEC. 5034. TANANA RIVER, ALASKA.

The Secretary shall carry out, on an emergency basis, the removal of the hazard to navigation on the Tanana River, Alaska, near the mouth of the Chena River, as described in the January 3, 2005, memorandum from the Commander, Seventeenth Coast Guard District, to the Corps of Engineers, Alaska District, Anchorage, Alaska.

SEC. 5035. VALDEZ, ALASKA.

The Secretary is authorized to construct a small boat harbor in Valdez, Alaska, at a total cost of $20,000,000, with an estimated Federal cost of $10,500,000 and an estimated non-Federal cost of $9,500,000.

SEC. 5036. WHITTIER, ALASKA.

(a) STUDY.—The Secretary shall conduct, at Federal expense, a study to determine the feasibility of carrying out projects for navigation at Whittier, Alaska, to construct a new boat harbor at the head of Whittier Bay and to expand the existing harbor and, if the Secretary determines that a project is feasible, the Secretary may carry out the project.

(b) NON-FEDERAL COST SHARE.—The non-Federal interest for the project may use, and the Secretary shall accept, funds provided by a Federal agency under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of the project if such funds are authorized to be used to carry out the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $35,200,000.

SEC. 5037. WRANGELL HARBOR, ALASKA.

(a) GENERAL NAVIGATION FEATURES.—In carrying out the project for navigation, Wrangell Harbor, Alaska, authorized by section 101(b)(1) of the Water Resources Development Act of 1999 (113 Stat. 279), the Secretary shall consider the dredging of the mooring basin and construction of the inner harbor facilities to be general navigation features for purposes of estimating the non-Federal share of project costs.

(b) REVISION OF PARTNERSHIP AGREEMENT.—The Secretary shall revise the partnership agreement for the project to reflect the change required by subsection (a).

SEC. 5038. AUGUSTA AND CLARENDON, ARKANSAS.

(a) IN GENERAL.—The Secretary is authorized to perform operation, maintenance, and rehabilitation of authorized and completed levees on the White River between Augusta and Clarendon, Arkansas.

(b) REIMBURSEMENT.—After performing the operation, maintenance, and rehabilitation under subsection (a), the Secretary shall seek reimbursement from the Secretary of the Interior of an amount equal to the costs allocated to benefits to a Federal wildlife refuge of such operation, maintenance, and rehabilitation.

SEC. 5039. DES ARC LEVEE PROTECTION, ARKANSAS.

The Secretary shall review the project for flood control, Des Arc, Arkansas, to determine whether bank and channel scour along the White River threaten the existing project and whether the scour is as a result of a design deficiency. If the Secretary determines that such conditions exist as a result of a deficiency, the Secretary shall carry out measures to eliminate the deficiency.

SEC. 5040. LOOMIS LANDING, ARKANSAS.

The Secretary shall conduct a study of shore damage in the vicinity of Loomis Landing, Arkansas, to determine if the damage is the result of a Federal navigation project, and, if the Secretary determines that the damage is the result

of a Federal navigation project, the Secretary shall carry out a project to mitigate the damage under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

SEC. 5041. ST. FRANCIS RIVER BASIN, ARKANSAS AND MISSOURI.

The Secretary shall conduct a study of increased siltation and streambank erosion in the St. Francis River Basin, Arkansas and Missouri, to determine if the siltation or erosion, or both, are the result of a Federal flood control project and, if the Secretary determines that the siltation or erosion, or both, are the result of a Federal flood control project, the Secretary shall carry out a project to mitigate the siltation or erosion, or both.

SEC. 5042. CAMBRIA, CALIFORNIA.

Section 219(f)(48) of the Water Resources Development Act of 1992 (114 Stat. 2763A–220) is amended—

(1) by striking ''$10,300,000'' and inserting the following:

''(A) IN GENERAL.—$10,300,000'';

(2) by adding at the end the following:

''(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project not to exceed $3,000,000 for the cost of planning and design work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.''; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5043. CONTRA COSTA CANAL, OAKLEY AND KNIGHTSEN, CALIFORNIA; MALLARD SLOUGH, PITTSBURG, CALIFORNIA.

Sections 512 and 514 of the Water Resources Development Act of 2000 (114 Stat. 2650) are each amended by adding at the end the following: ''All planning, study, design, and construction on the project shall be carried out by the office of the district engineer, San Francisco, California.''.

SEC. 5044. DANA POINT HARBOR, CALIFORNIA.

The Secretary shall conduct a study of the causes of water quality degradation within Dana Point Harbor, California, to determine if the degradation is the result of a Federal navigation project, and, if the Secretary determines that the degradation is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the degradation at Federal expense.

SEC. 5045. EAST SAN JOAQUIN COUNTY, CALIFORNIA.

Section 219(f)(22) of the Water Resources Development Act of 1992 (113 Stat. 336) is amended—

(1) by striking ''$25,000,000'' and inserting the following:

''(A) IN GENERAL.—$25,000,000'';

(2) by adding at the end the following:

''(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project (i) the cost of design and construction work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and (ii) the cost of provided for the project by the non-Federal interest.

''(C) IN-KIND CONTRIBUTIONS.—The non-Federal interest may provide any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.''; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5046. EASTERN SANTA CLARA BASIN, CALIFORNIA.

Section 111(c) of the Miscellaneous Appropriations Act, 2001 (as enacted into law by Public Law 106–554; 114 Stat. 2763A–224) is amended—

(1) by striking ''$25,000,000'' and inserting ''$28,000,000''; and

(2) by striking ''$7,000,000'' and inserting ''$10,000,000''.

SEC. 5047. LOS OSOS, CALIFORNIA.

Section 219(c)(27) of the Water Resources Development Act of 1992 (106 Stat. 4835; 114 Stat. 2763A–219) is amended to read as follows:

''(27) LOS OSOS, CALIFORNIA.—Wastewater infrastructure, Los Osos, California.''.

SEC. 5048. PINE FLAT DAM AND RESERVOIR, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall review the Kings River Fisheries Management Program Framework Agreement, dated May 29, 1999, among the California Department of Fish and Game, the Kings River Water Association, and the Kings River Conservation District and, if the Secretary determines that the management program is feasible, the Secretary may participate in the management program.

(b) PROHIBITION.—Nothing in this section authorizes any project for the raising of, or the construction of, a multilevel intake structure at Pine Flat Dam, California.

(c) USE OF EXISTING STUDIES.—In carrying out this section, the Secretary shall use, to the maximum extent practicable, studies in existence on the date of enactment of this Act, including data and environmental documentation in the Report of the Chief of Engineers, Pine Flat Dam and Reservoir, Fresno County, California, dated July 19, 2002.

(d) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to $20,000,000 to carry out this section.

SEC. 5049. RAYMOND BASIN, SIX BASINS, CHINO BASIN, AND SAN GABRIEL BASIN, CALIFORNIA.

(a) COMPREHENSIVE PLAN.—The Secretary, in consultation and coordination with appropriate Federal, State, and local entities, shall develop a comprehensive plan for the management of water resources in the Raymond Basin, Six Basins, Chino Basin, and San Gabriel Basin, California. The Secretary may carry out activities identified in the comprehensive plan to demonstrate practicable alternatives for water resources management.

(b) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of activities carried out under this section shall be 35 percent.

(2) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of activities carried out under this section the cost of planning, design, and construction work completed by or on behalf of the non-Federal interests for implementation of measures under this section. The amount of such credit shall not exceed the non-Federal share of the cost of such activities.

(3) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of operation and maintenance of any measures constructed under this section shall be 100 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000.

SEC. 5050. SAN FRANCISCO, CALIFORNIA.

(a) IN GENERAL.—The Secretary, in cooperation with the Port of San Francisco, California, may carry out the project for repair and removal, as appropriate, of Piers 30-32, 35, 36, 70 (including Wharves 7 and 8), and 80 in San Francisco, California, substantially in accordance with the Port's redevelopment plan.

(b) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated $25,000,000 to carry out this subsection.

SEC. 5051. SAN FRANCISCO, CALIFORNIA, WATERFRONT AREA.

(a) AREA TO BE DECLARED NONNAVIGABLE; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the boundaries of the portion of the San Francisco, California, waterfront area described in subsection (b) are not in the public interest, such portion is declared to be nonnavigable waters of the United States.

(b) NORTHERN EMBARCADERO SOUTH OF BRYANT STREET.—The portion of the San Francisco, California, waterfront area referred to in subsection (a) is as follows: Beginning at the intersection of the northeasterly prolongation of that portion of the northwesterly line of Bryant Street lying between Beale Street and Main Street with the southwesterly line of Spear Street, which intersection lies on the line of jurisdiction of the San Francisco Port Commission; following thence southerly along said line of jurisdiction as described in the State of California Harbor and Navigation Code Section 1770, as amended in 1961, to its intersection with the easterly line of Townsend Street along a line that is parallel and distant 10 feet southerly from the existing southern boundary of Pier 40 produced to its point of intersection with the United States Government pier-head line; thence northerly along said pier-head line to its intersection with a line parallel with, and distant 10 feet easterly from, the existing easterly boundary line of Pier 30–32; thence northerly along said parallel line and its northerly prolongation, to a point of intersection with a line parallel with, and distant 10 feet northerly from, the existing northerly boundary of Pier 30–32, thence westerly along last said parallel line to its intersection with the United States Government pier-head line; to the northwesterly line of Bryant Street produced northwesterly; thence southwesterly along said northwesterly line of Bryant Street produced to the point of beginning.

(c) REQUIREMENT THAT AREA BE IMPROVED.—The declaration of nonnavigability under subsection (a) applies only to those parts of the area described in subsection (b) that are or will be bulkheaded, filled, or otherwise occupied by permanent structures and does not affect the applicability of any Federal statute or regulation applicable to such parts the day before the date of enactment of this Act, including sections 9 and 10 of the Act of March 3, 1899 (33 U.S.C. 401 and 403; 30 Stat. 1151), commonly known as the Rivers and Harbors Appropriation Act of 1899, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) EXPIRATION DATE.—If, 20 years from the date of enactment of this Act, any area or part thereof described in subsection (b) is not bulkheaded or filled or occupied by permanent structures, including marina facilities, in accordance with the requirements set out in subsection (c), or if work in connection with any activity permitted in subsection (c) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

SEC. 5052. SAN PABLO BAY, CALIFORNIA, WATERSHED AND SUISUN MARSH ECOSYSTEM RESTORATION.

(a) SAN PABLO BAY WATERSHED, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall complete work, as expeditiously as possible, on the ongoing San Pablo Bay watershed, California, study to determine the feasibility of opportunities for restoring, preserving and protecting the San Pablo Bay watershed.

(2) REPORT.—Not later than March 31, 2008, the Secretary shall submit to Congress a report on the results of the study.

(b) SUISUN MARSH, CALIFORNIA.—The Secretary shall conduct a comprehensive study to

determine the feasibility of opportunities for restoring, preserving and protecting the Suisun Marsh, California.

(c) SAN PABLO AND SUISUN BAY MARSH WATERSHED CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary may participate in critical restoration projects that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits in the following sub-watersheds of the San Pablo and Suisun Bay Marsh watersheds:

(A) The tidal areas of the Petaluma River, Napa-Sonoma Marsh.

(B) The shoreline of West Contra Costa County.

(C) Novato Creek.

(D) Suisun Marsh.

(E) Gallinas-Miller Creek.

(2) TYPES OF ASSISTANCE.—Participation in critical restoration projects under this subsection may include assistance for planning, design, or construction.

(d) NON-FEDERAL INTERESTS.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

(e) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of construction of a project under this section—

(1) the value of any lands, easements, rights-of-way, dredged material disposal areas, or relocations provided by the non-Federal interest for carrying out the project, regardless of the date of acquisition;

(2) funds received from the CALFED Bay-Delta program; and

(3) the cost of the studies, design, and construction work carried out by the non-Federal interest before the date of execution of a partnership agreement for the project if the Secretary determines that the work is integral to the project.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 5053. STOCKTON, CALIFORNIA.

(a) REEVALUATION.—The Secretary shall reevaluate the feasibility of the Lower Mosher Slough element and the levee extensions on the Upper Calaveras River element of the project for flood control, Stockton Metropolitan Area, California, carried out under section 211(f)(3) of the Water Resources Development Act of 1996 (110 Stat. 3683), to determine the eligibility of such elements for reimbursement under section 211 of such Act (33 U.S.C. 701b–13).

(b) SPECIAL RULES FOR REEVALUATION.—In conducting the reevaluation under subsection (a), the Secretary shall not reject a feasibility determination based on one or more of the policies of the Corps of Engineers concerning the frequency of flooding, the drainage area, and the amount of runoff.

(c) REIMBURSEMENT.—If the Secretary determines that the elements referred to subsection (a) are feasible, the Secretary shall reimburse, subject to appropriations, the non-Federal interest under section 211 of the Water Resources Development Act of 1996 for the Federal share of the cost of such elements.

SEC. 5054. CHARLES HERVEY TOWNSHEND BREAKWATER, NEW HAVEN HARBOR, CONNECTICUT.

(a) DESIGNATION.—The western breakwater for the project for navigation, New Haven Harbor, Connecticut, authorized by the first section of the Act of September 19, 1890 (26 Stat. 426), shall be known and designated as the ''Charles Hervey Townshend Breakwater''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the breakwater referred to in subsection (a) shall be deemed to be a reference to the ''Charles Hervey Townshend Breakwater''.

SEC. 5055. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

Section 109 of the Miscellaneous Appropriations Act, 2001 (enacted into law by Public Law 106–554) (114 Stat. 2763A–222) is amended—

(1) by adding at the end of subsection (e)(2) the following:

''(C) CREDIT FOR WORK PRIOR TO EXECUTION OF THE PARTNERSHIP AGREEMENT.—The Secretary shall credit toward the non-Federal share of the cost of the project—

''(i) the cost of construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

''(ii) the cost of land acquisition carried out by the non-Federal interest for projects to be carried out under this section.''; and

(2) in subsection (f) by striking ''$100,000,000'' and inserting ''$100,000,000, of which not more than $15,000,000 may be used to provide planning, design, and construction assistance to the Florida Keys Aqueduct Authority for a water treatment plant, Florida City, Florida''.

SEC. 5056. LAKE WORTH, FLORIDA.

The Secretary may carry out necessary repairs for the Lake Worth bulkhead replacement project, West Palm Beach, Florida, at an estimated total cost of $9,000,000.

SEC. 5057. RILEY CREEK RECREATION AREA, IDAHO.

The Secretary is authorized to carry out the Riley Creek Recreation Area Operation Plan of the Albeni Falls Management Plan, dated October 2001, for the Riley Creek Recreation Area, Albeni Falls Dam, Bonner County, Idaho.

SEC. 5058. RECONSTRUCTION OF ILLINOIS FLOOD PROTECTION PROJECTS.

(a) IN GENERAL.—The Secretary may participate in the reconstruction of an eligible flood control project if the Secretary determines that such reconstruction is not required as a result of improper operation and maintenance of the project by the non-Federal interest.

(b) COST SHARING.—The non-Federal share of the costs for the reconstruction of a flood control project authorized by this section shall be the same non-Federal share that was applicable to construction of the project. The non-Federal interest shall be responsible for operation and maintenance and repair of a project for which reconstruction is undertaken under this section.

(c) RECONSTRUCTION DEFINED.—In this section, the term ''reconstruction'', as used with respect to a project, means addressing major project deficiencies caused by long-term degradation of the foundation, construction materials, or engineering systems or components of the project, the results of which render the project at risk of not performing in compliance with its authorized project purposes. In addressing such deficiencies, the Secretary may incorporate current design standards and efficiency improvements, including the replacement of obsolete mechanical and electrical components at pumping stations, if such incorporation does not significantly change the scope, function, and purpose of the project as authorized.

(d) ELIGIBLE PROJECTS.—The following flood control projects are eligible for reconstruction under this section:

(1) Clear Creek Drainage and Levee District, Illinois.

(2) Fort Chartres and Ivy Landing Drainage District, Illinois.

(3) Cairo, Illinois Mainline Levee, Cairo, Illinois.

(4) Goose Pond Pump Station, Cairo, Illinois.

(5) Cottonwood Slough Pump Station, Alexander County, Illinois.

(6) 10th and 28th Street Pump Stations, Cairo, Illinois.

(7) Prairie Du Pont Levee and Sanitary District, including Fish Lake Drainage and Levee District, Illinois.

(8) Flood control levee projects in Brookport, Shawneetown, Old Shawneetown, Golconda, Rosiclare, Harrisburg, and Reevesville, Illinois.

(e) JUSTIFICATION.—The reconstruction of a project authorized by this section shall not be considered a separable element of the project.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated—

(1) $15,000,000 to carry out the projects described in paragraphs (1) through (7) of subsection (d); and

(2) $15,000,000 to carry out the projects described in subsection (d)(8).

Such sums shall remain available until expended.

SEC. 5059. ILLINOIS RIVER BASIN RESTORATION.

(a) EXTENSION OF AUTHORIZATION.—Section 519(c)(2) of the Water Resources Development Act of 2000 (114 Stat. 2654) is amended by striking ''2004'' and inserting ''2010''.

(b) IN-KIND SERVICES.—Section 519(g)(3) of such Act (114 Stat. 2655) is amended by inserting before the period at the end of the first sentence ''if such services are provided not more than 5 years before the date of initiation of the project or activity''.

(c) NONPROFIT ENTITIES AND MONITORING.—Section 519 of such Act (114 Stat. 2654) is amended by adding at the end the following:

''(h) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity, with the consent of the affected local government.

''(i) MONITORING.—The Secretary shall develop an Illinois river basin monitoring program to support the plan referred to in subsection (b). Data collected under the monitoring program shall incorporate data provided by the State of Illinois and shall be publicly accessible through electronic means.''.

SEC. 5060. KASKASKIA RIVER BASIN, ILLINOIS, RESTORATION.

(a) KASKASKIA RIVER BASIN DEFINED.—In this section, the term ''Kaskaskia River Basin'' means the Kaskaskia River, Illinois, its backwaters, its side channels, and all tributaries, including their watersheds, draining into the Kaskaskia River.

(b) COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, as expeditiously as practicable, a comprehensive plan for the purpose of restoring, preserving, and protecting the Kaskaskia River Basin.

(2) TECHNOLOGIES AND INNOVATIVE APPROACHES.—The comprehensive plan shall provide for the development of new technologies and innovative approaches—

(A) to enhance the Kaskaskia River as a transportation corridor;

(B) to improve water quality within the entire Kaskaskia River Basin;

(C) to restore, enhance, and preserve habitat for plants and wildlife;

(D) to ensure aquatic integrity of sidechannels and backwaters and their connectivity with the mainstem river;

(E) to increase economic opportunity for agriculture and business communities; and

(F) to reduce the impacts of flooding to communities and landowners.

(3) SPECIFIC COMPONENTS.—The comprehensive plan shall include such features as are necessary to provide for—

(A) the development and implementation of a program for sediment removal technology, sediment characterization, sediment transport, and beneficial uses of sediment;

(B) the development and implementation of a program for the planning, conservation, evaluation, and construction of measures for fish and wildlife habitat conservation and rehabilitation, and stabilization and enhancement of land and water resources in the basin;

(C) the development and implementation of a long-term resource monitoring program;

(D) a conveyance study of the Kaskaskia River floodplain from Vandalia, Illinois, to Carlyle Lake to determine the impacts of existing and future waterfowl improvements on flood stages, including detailed surveys and mapping information to ensure proper hydraulic and hydrological analysis;

(E) the development and implementation of a computerized inventory and analysis system; and

(F) the development and implementation of a systemic plan to reduce flood impacts by means of ecosystem restoration projects.

(4) CONSULTATION.—The comprehensive plan shall be developed by the Secretary in consultation with appropriate Federal agencies, the State of Illinois, and the Kaskaskia River Watershed Association.

(5) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the comprehensive plan.

(6) ADDITIONAL STUDIES AND ANALYSES.—After transmission of a report under paragraph (5), the Secretary shall conduct studies and analyses of projects related to the comprehensive plan that are appropriate and consistent with this subsection.

(c) GENERAL PROVISIONS.—

(1) WATER QUALITY.—In carrying out activities under this section, the Secretary's recommendations shall be consistent with applicable State water quality standards.

(2) PUBLIC PARTICIPATION.—In developing the comprehensive plan under subsection (b), the Secretary shall implement procedures to facilitate public participation, including providing advance notice of meetings, providing adequate opportunity for public input and comment, maintaining appropriate records, and making a record of the proceedings of meetings available for public inspection.

(d) CRITICAL PROJECTS AND INITIATIVES.—If the Secretary, in cooperation with appropriate Federal agencies and the State of Illinois, determines that a project or initiative for the Kaskaskia River Basin will produce independent, immediate, and substantial benefits, the Secretary may proceed expeditiously with the implementation of the project.

(e) COORDINATION.—The Secretary shall integrate activities carried out under this section with ongoing Federal and State programs, projects, and activities, including the following:

(1) Farm programs of the Department of Agriculture.

(2) Conservation Reserve Enhancement Program (State of Illinois) and Conservation 2000 Ecosystem Program of the Illinois Department of Natural Resources.

(3) Conservation 2000 Conservation Practices Program and the Livestock Management Facilities Act administered by the Illinois Department of Agriculture.

(4) National Buffer Initiative of the Natural Resources Conservation Service.

(5) Nonpoint source grant program administered by the Illinois Environmental Protection Agency.

(6) Other programs that may be developed by the State of Illinois or the Federal Government, or that are carried out by non-profit organizations, to carry out the objectives of the Kaskaskia River Basin Comprehensive Plan.

(f) IN-KIND SERVICES.—The Secretary may credit the cost of in-kind services provided by the non-Federal interest for an activity carried out under this section toward not more than 80 percent of the non-Federal share of the cost of the activity. In-kind services shall include all State funds expended on programs that accomplish the goals of this section, as determined by the Secretary. The programs may include the Kaskaskia River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Kaskaskia River Basin.

SEC. 5061. FLOODPLAIN MAPPING, LITTLE CALUMET RIVER, CHICAGO, ILLINOIS.

(a) IN GENERAL.—The Secretary shall provide assistance for a project to develop maps identifying 100- and 500-year flood inundation areas along the Little Calumet River, Chicago, Illinois.

(b) REQUIREMENTS.—Maps developed under the project shall include hydrologic and hydraulic information and shall accurately show the flood inundation of each property by flood risk in the floodplain. The maps shall be produced in a high resolution format and shall be made available to all flood prone areas along the Little Calumet River, Chicago, Illinois, in an electronic format.

(c) PARTICIPATION OF FEMA.—The Secretary and the non-Federal interests for the project shall work with the Director of the Federal Emergency Management Agency to ensure the validity of the maps developed under the project for flood insurance purposes.

(d) FORMS OF ASSISTANCE.—In carrying out the project, the Secretary may enter into contracts or cooperative agreements with the non-Federal interests or provide reimbursements of project costs.

(e) FEDERAL SHARE.—The Federal share of the cost of the project shall be 50 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000.

SEC. 5062. PROMONTORY POINT, LAKE MICHIGAN, ILLINOIS.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary may carry out a third-party review of the Promontory Point project along the Chicago Shoreline, Chicago, Illinois, at a cost not to exceed $450,000.

(2) JOINT REVIEW.—The Buffalo and Seattle districts of the Corps of Engineers shall jointly conduct the review.

(3) STANDARDS.—The review shall be based on the standards under part 68 of title 36, Code of Federal Regulations, for implementation by the non-Federal sponsor for the Chicago Shoreline, Chicago, Illinois, project.

(b) CONTRIBUTIONS.—The Secretary shall accept from a State or political subdivision of a State voluntarily contributed funds to initiate the third-party review under subsection (a).

(c) EFFECT OF SECTION.—Nothing in this section affects the authorization for the project for the Chicago Shoreline, Chicago, Illinois.

SEC. 5063. BURNS WATERWAY HARBOR, INDIANA.

The Secretary shall conduct a study of shoaling in the vicinity of Burns Waterway Harbor, Indiana, to determine if the shoaling is the result of a Federal navigation project, and, if the Secretary determines that the shoaling is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the shoaling under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426).

SEC. 5064. CALUMET REGION, INDIANA.

Section 219(f)(12) of the Water Resources Development Act of 1992 (113 Stat. 335; 117 Stat. 1843) is amended—

(1) by striking ''$30,000,000'' and inserting the following:

''(A) IN GENERAL.—$100,000,000'';

(2) by adding at the end the following:

''(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning and design work carried out by the non-Federal interest before, on, or after the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.''; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5065. PADUCAH, KENTUCKY.

The Secretary shall complete a feasibility report for rehabilitation of the project for flood damage reduction, Paducah, Kentucky, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project at a total cost of $3,000,000.

SEC. 5066. SOUTHERN AND EASTERN KENTUCKY.

Section 531 of the Water Resources Development Act of 1996 (110 Stat. 3773; 113 Stat. 348; 117 Stat. 142) is amended by adding the following:

''(i) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.''.

SEC. 5067. WINCHESTER, KENTUCKY.

Section 219(c) of the Water Resources Development Act of 1992 (106 Stat. 4835; 114 Stat. 2763A–219) is amended by adding at the end the following:

''(41) WINCHESTER, KENTUCKY.—Wastewater infrastructure, Winchester, Kentucky.''.

SEC. 5068. BATON ROUGE, LOUISIANA.

Section 219(f)(21) of the Water Resources Development Act of 1992 (113 Stat. 336; 114 Stat. 2763A–220) is amended by striking ''$20,000,000'' and inserting ''$35,000,000''.

SEC. 5069. CALCASIEU SHIP CHANNEL, LOUISIANA.

The Secretary shall expedite completion of a dredged material management plan for the Calcasieu Ship Channel, Louisiana, and may take interim measures to increase the capacity of existing disposal areas, or to construct new confined or beneficial use disposal areas, for the channel.

SEC. 5070. CROSS LAKE, SHREVEPORT, LOUISIANA.

The Secretary may accept from the Department of the Air Force, and may use, not to exceed $4,500,000 to assist the city of Shreveport, Louisiana, with its plan to construct a water intake facility.

SEC. 5071. WEST BATON ROUGE PARISH, LOUISIANA.

(a) MODIFICATION OF STUDY.—The study for waterfront and riverine preservation, restoration, and enhancement, Mississippi River, West Baton Rouge Parish, Louisiana, being carried out under Committee Resolution 2570 of the Committee on Transportation and Infrastructure of the House of Representatives adopted July 23, 1998, is modified—

(1) to add West Feliciana Parish and East Baton Rouge Parish to the geographic scope of the study; and

(2) to direct the Secretary to credit toward the non-Federal share the cost of the study and the non-Federal share of the cost of any project authorized by law as a result of the study the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the study or project, as the case may be.

(b) EXPEDITED CONSIDERATION.—Section 517(5) of the Water Resources Development Act of 1999 (113 Stat. 345) is amended to read as follows:

''(5) Mississippi River, West Baton Rouge, West Feliciana, and East Baton Rouge Parishes, Louisiana, project for waterfront and riverine preservation, restoration, and enhancement modifications.''.

SEC. 5072. CHARLESTOWN, MARYLAND.

(a) IN GENERAL.—The Secretary may carry out a project for nonstructural flood damage reduction and ecosystem restoration at Charlestown, Maryland.

(b) LAND ACQUISITION.—The flood damage reduction component of the project may include the acquisition of private property from willing sellers.

(c) JUSTIFICATION.—Any nonstructural flood damage reduction project to be carried out under this section that will result in the conversion of property to use for ecosystem restoration and wildlife habitat shall be justified based on national ecosystem restoration benefits.

(d) USE OF ACQUIRED PROPERTY.—Property acquired under this section shall be maintained in public ownership for ecosystem restoration and wildlife habitat.

(e) ABILITY TO PAY.—In determining the appropriate non-Federal cost share for the project, the Secretary shall determine the ability of Cecil County, Maryland, to participate as a cost-sharing non-Federal interest in accordance with section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 to carry out this section.

SEC. 5073. ANACOSTIA RIVER, DISTRICT OF COLUMBIA AND MARYLAND.

(a) COMPREHENSIVE ACTION PLAN.—Not later than one year after the date of enactment of this Act, the Secretary, in coordination with the Mayor of the District of Columbia, the Governor of Maryland, the county executives of Montgomery County and Prince George's County, Maryland, and other interested entities, shall develop and make available to the public a 10-year comprehensive action plan to provide for the restoration and protection of the ecological integrity of the Anacostia River and its tributaries.

(b) PUBLIC AVAILABILITY.—On completion of the comprehensive action plan under subsection (a), the Secretary shall make the plan available to the public, including on the Internet.

SEC. 5074. DELMARVA CONSERVATION CORRIDOR, DELAWARE AND MARYLAND.

(a) ASSISTANCE.—The Secretary may provide technical assistance to the Secretary of Agriculture for use in carrying out the Conservation Corridor Demonstration Program established under subtitle G of title II of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3801 note; 116 Stat. 275).

(b) COORDINATION AND INTEGRATION.—In carrying out water resources projects in Delaware and Maryland on the Delmarva Peninsula, the Secretary shall coordinate and integrate those projects, to the maximum extent practicable, with any activities carried out to implement a conservation corridor plan approved by the Secretary of Agriculture under section 2602 of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3801 note; 116 Stat. 275).

SEC. 5075. MASSACHUSETTS DREDGED MATERIAL DISPOSAL SITES.

The Secretary may cooperate with Massachusetts in the management and long-term monitoring of aquatic dredged material disposal sites within the State, and is authorized to accept funds from the State to carry out such activities.

SEC. 5076. ONTONAGON HARBOR, MICHIGAN.

The Secretary shall conduct a study of shore damage in the vicinity of the project for navigation, Ontonagon Harbor, Ontonagon County, Michigan, authorized by section 101 of the Rivers and Harbors Act of 1962 (76 Stat. 1176, 100 Stat. 4213, 110 Stat. 3730), to determine if the damage is the result of a Federal navigation project, and, if the Secretary determines that the damage is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the damage under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

SEC. 5077. CROOKSTON, MINNESOTA.

The Secretary shall conduct a study for a project for emergency streambank protection along the Red Lake River in Crookston, Minnesota, and, if the Secretary determines that the project is feasible, the Secretary may carry out the project under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r); except that the maximum amount of Federal funds that may be expended for the project shall be $6,500,000.

SEC. 5078. GARRISON AND KATHIO TOWNSHIP, MINNESOTA.

(a) PROJECT DESCRIPTION.—Section 219(f)(61) of the Water Resources Development Act of 1992 (114 Stat. 2763A–221) is amended—

(1) in the paragraph heading by striking ''AND KATHIO TOWNSHIP'' and inserting '', CROW WING COUNTY, MILLE LACS COUNTY, MILLE LACS INDIAN RESERVATION, AND KATHIO TOWNSHIP'';

(2) by striking ''$11,000,000'' and inserting ''$17,000,000'';

(3) by inserting '', Crow Wing County, Mille Lacs County, Mille Lacs Indian Reservation (10 Stat. 1165),'' after ''Garrison''; and

(4) by adding at the end the following: ''Such assistance shall be provided directly to the Garrison-Kathio-West Mille Lacs Lake Sanitary District, Minnesota, except for assistance provided directly to the Mille Lacs Band of Ojibwe at the discretion of the Secretary.''.

(b) PROCEDURES.—In carrying out the project authorized by such section 219(f)(61), the Secretary may use the cost sharing and contracting procedures available to the Secretary under section 569 of the Water Resources Development Act of 1999 (113 Stat. 368).

SEC. 5079. ITASCA COUNTY, MINNESOTA.

The Secretary shall carry out a project for flood damage reduction, Trout Lake and Canisteo Pit, Itasca County, Minnesota, irrespective of normal policy considerations.

SEC. 5080. MINNEAPOLIS, MINNESOTA.

(a) CONVEYANCE.—The Secretary shall convey to the city of Minneapolis by quitclaim deed and without consideration all right, title, and interest of the United States to the property known as the War Department (Fort Snelling Interceptor) Tunnel in Minneapolis, Minnesota.

(b) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance under this section.

SEC. 5081. NORTHEASTERN MINNESOTA.

(a) IN GENERAL.—Section 569 of the Water Resources Development Act of 1999 (113 Stat. 368) is amended—

(1) in subsection (a) by striking ''Benton, Sherburne,'' and inserting ''Beltrami, Hubbard, Wadena,'';

(2) by striking the last sentence of subsection (e)(3)(B);

(3) by striking subsection (g) and inserting the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity.'';

(4) in subsection (h) by striking ''$40,000,000'' and inserting ''$54,000,000''; and

(5) by adding at the end the following:

''(i) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.''.

(b) BIWABIK, MINNESOTA.—The Secretary shall reimburse the non-Federal interest for the project for environmental infrastructure, Biwabik, Minnesota, carried out under section 569 of the Water Resources Development Act of 1999 (113 Stat. 368), for planning, design, and construction costs that were incurred by the non-Federal interest with respect to the project before the date of the partnership agreement for the project and that were in excess of the non-Federal share of the cost of the project if the Secretary determines that the costs are appropriate.

SEC. 5082. WILD RICE RIVER, MINNESOTA.

The Secretary shall expedite the completion of the general reevaluation report, authorized by section 438 of the Water Resources Development Act of 2000 (114 Stat. 2640), for the project for flood protection, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), to develop alternatives to the Twin Valley Lake feature, and upon the completion of such report, shall construct the project at a total cost of $20,000,000.

SEC. 5083. HARRISON, HANCOCK, AND JACKSON COUNTIES, MISSISSIPPI.

In carrying out projects for the protection, restoration, and creation of aquatic and ecologically related habitats located in Harrison, Hancock, and Jackson Counties, Mississippi, under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326), the Secretary shall accept any portion of the non-Federal share of the cost of the project in the form of in-kind services and materials.

SEC. 5084. MISSISSIPPI RIVER, MISSOURI AND ILLINOIS.

As a part of the operation and maintenance of the project for the Mississippi River (Regulating Works), between the Ohio and Missouri Rivers, Missouri and Illinois, authorized by the first section of an Act entitled ''Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 25, 1910, the Secretary may carry out activities necessary to restore and protect fish and wildlife habitat in the middle Mississippi River system. Such activities may include modification of navigation training structures, modification and creation of side channels, modification and creation of islands, and studies and analysis necessary to apply adaptive management principles in design of future work.

SEC. 5085. ST. LOUIS, MISSOURI.

Section 219(f)(32) of the Water Resources Development Act of 1992 (113 Stat. 337) is amended—

(1) by striking ''project'' and inserting ''projects'';

(2) by striking ''$15,000,000'' and inserting ''$35,000,000''; and

(3) by inserting ''and St. Louis County'' before '', Missouri''.

SEC. 5086. HACKENSACK MEADOWLANDS AREA, NEW JERSEY.

Section 324 of the Water Resources Development Act of 1992 (106 Stat. 4849; 110 Stat. 3779) is amended—

(1) in subsection (a)—

(A) by striking ''design'' and inserting ''planning, design,''; and

(B) by striking ''Hackensack Meadowlands Development'' and all that follows through ''Plan for'' and inserting ''New Jersey Meadowlands Commission for the development of an environmental improvement program for'';

(2) in subsection (b)—

(A) in the subsection heading by striking ''REQUIRED'';

(B) by striking ''shall'' and inserting ''may'';

(C) by striking paragraph (1) and inserting the following:

''(1) Restoration and acquisitions of significant wetlands and aquatic habitat that contribute to the Meadowlands ecosystem.'';

(D) in paragraph (2) by inserting ''and aquatic habitat'' before the period at the end; and

(E) by striking paragraph (7) and inserting the following:

''(7) Research, development, and implementation for a water quality improvement program, including restoration of hydrology and tidal flows and remediation of hot spots and other sources of contaminants that degrade existing or planned sites.'';

(3) in subsection (c) by inserting before the last sentence the following: ''The non-Federal sponsor may also provide in-kind services, not to exceed the non-Federal share of the total project cost, and may also receive credit for reasonable cost of design work completed prior to entering into the partnership agreement with the Secretary for a project to be carried out under the program developed under subsection (a).''; and

(4) in subsection (d) by striking ''$5,000,000'' and inserting ''$35,000,000''.

SEC. 5087. ATLANTIC COAST OF NEW YORK.

(a) DEVELOPMENT OF PROGRAM.—Section 404(a) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended—

(1) by striking ''processes'' and inserting ''and related environmental processes'';

(2) by inserting after ''Atlantic Coast'' the following: ''(and associated back bays)'';

(3) by inserting after ''actions'' the following: '', environmental restoration or conservation measures for coastal and back bays,''; and

(4) by adding at the end the following: ''The plan for collecting data and monitoring information included in such annual report shall be fully coordinated with and agreed to by appropriate agencies of the State of New York.''.

(b) ANNUAL REPORTS.—Section 404(b) of such Act is amended—

(1) by striking ''INITIAL PLAN.—Not later than 12 months after the date of the enactment of this Act, the'' and inserting ''ANNUAL REPORTS.—The'';

(2) by striking ''initial plan for data collection and monitoring'' and inserting ''annual report of data collection and monitoring activities''; and

(3) by striking the last sentence.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 404(c) of such Act (113 Stat. 341) is amended by striking ''and an additional total of $2,500,000 for fiscal years thereafter'' and inserting ''$2,500,000 for fiscal years 2000 through 2004, and $7,500,000 for fiscal years beginning after September 30, 2004,''.

(d) TSUNAMI WARNING SYSTEM.—Section 404 of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended by adding at the end the following:

''(d) TSUNAMI WARNING SYSTEM.—There is authorized to be appropriated $800,000 for the Secretary to carry out a project for a tsunami warning system, Atlantic Coast of New York.''.

SEC. 5088. COLLEGE POINT, NEW YORK CITY, NEW YORK.

In carrying out section 312 of the Water Resources Development Act of 1990 (104 Stat. 4639), the Secretary shall give priority to work in College Point, New York City, New York.

SEC. 5089. FLUSHING BAY AND CREEK, NEW YORK CITY, NEW YORK.

The Secretary shall credit toward the non-Federal share of the cost of the project for ecosystem restoration, Flushing Bay and Creek, New York City, New York, the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 5090. HUDSON RIVER, NEW YORK.

The Secretary may participate with the State of New York, New York City, and the Hudson River Park Trust in carrying out activities to restore critical marine habitat, improve safety, and protect and rehabilitate critical infrastructure. There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5091. MOUNT MORRIS DAM, NEW YORK.

As part of the operation and maintenance of the Mount Morris Dam, New York, the Secretary may make improvements to the access road for the dam to provide safe access to a Federal visitor's center.

SEC. 5092. JOHN H. KERR DAM AND RESERVOIR, NORTH CAROLINA.

The Secretary shall expedite the completion of the calculations necessary to negotiate and execute a revised, permanent contract for water supply storage at John H. Kerr Dam and Reservoir, North Carolina, among the Secretary and the Kerr Lake Regional Water System and the city of Henderson, North Carolina.

SEC. 5093. STANLY COUNTY, NORTH CAROLINA.

Section 219(f)(64) of the Water Resources Development Act of 1992 (114 Stat. 2763A–221) is amended by inserting ''water and'' before ''wastewater''.

SEC. 5094. CINCINNATI, OHIO.

(a) IN GENERAL.—The Secretary is authorized to undertake the ecosystem restoration and recreation components of the Central Riverfront Park Master Plan, dated December 1999, at a total cost of $25,000,000.

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 5095. TOUSSAINT RIVER, OHIO.

(a) IN GENERAL.—The project for navigation, Toussaint River, Carroll Township, Ohio, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to authorize the Secretary to enter into an agreement with the non-Federal interest under which the Secretary may—

(1) acquire, and transfer to the non-Federal interest, a dredge and associated equipment with the capacity to perform operation and maintenance of the project; and

(2) provide the non-Federal interest with a lump-sum payment to cover all future costs of operation and maintenance of the project.

(b) AGREEMENT.—The Secretary may carry out subsection (a)(1) by entering into an agreement with the non-Federal interest under which the non-Federal interest may acquire the dredge and associated equipment directly and be reimbursed by the Secretary.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,800,000 to carry out this section. Of such funds, $500,000 may be used to carry out subsection (a)(1).

(d) RELEASE.—Upon the acquisition and transfer of a dredge and associated equipment under subsection (a)(1), and the payment of funds under subsection (a)(2), all future Federal responsibility for operation and maintenance of the project is extinguished.

SEC. 5096. EUGENE, OREGON.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of restoring the millrace in Eugene, Oregon, and, if the Secretary determines that the restoration is feasible, the Secretary shall carry out the restoration.

(b) CONSIDERATION OF NONECONOMIC BENEFITS.—In determining the feasibility of restoring the millrace, the Secretary shall include noneconomic benefits associated with the historical significance of the millrace and associated with preservation and enhancement of resources.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000.

SEC. 5097. FERN RIDGE DAM, OREGON.

The Secretary may treat all work carried out for emergency corrective actions to repair the embankment dam at the Fern Ridge Lake project, Oregon, as a dam safety project. The cost of work carried out may be recovered in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n; 100 Stat. 4263).

SEC. 5098. ALLEGHENY COUNTY, PENNSYLVANIA.

Section 219(f)(66) of the Water Resources Development Act of 1992 (114 Stat. 2763A–221) is amended—

(1) by striking ''$20,000,000'' and inserting the following:

''(A) IN GENERAL.—$20,000,000'';

(2) by adding at the end the following:

''(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.''; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5099. KEHLY RUN DAMS, PENNSYLVANIA.

Section 504(a)(2) of the Water Resources Development Act of 1999 (113 Stat. 338; 117 Stat. 1842) is amended by striking ''Dams'' and inserting ''Dams No. 1–5''.

SEC. 5100. LEHIGH RIVER, LEHIGH COUNTY, PENNSYLVANIA.

The Secretary shall use existing water quality data to model the effects of the Francis E. Walter Dam, at different water levels, to determine its impact on water and related resources in and along the Lehigh River in Lehigh County, Pennsylvania. There is authorized to be appropriated $500,000 to carry out this section.

SEC. 5101. NORTHEAST PENNSYLVANIA.

Section 219(f)(11) of the Water Resources Development Act of 1992 (113 Stat. 335) is amended by striking ''and Monroe'' and inserting ''Northumberland, Union, Snyder, Luzerne, and Monroe''.

SEC. 5102. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

(a) STUDY AND STRATEGY DEVELOPMENT.—Section 567(a) of the Water Resources Development Act of 1996 (110 Stat. 3787; 114 Stat. 2662) is amended—

(1) in the matter preceding paragraph (1) by inserting ''and carry out'' after ''develop''; and

(2) in paragraph (2) by striking ''$10,000,000.'' and inserting ''$20,000,000, of which the Secretary may utilize not more than $5,000,000 to design and construct feasible pilot projects during the development of the strategy to demonstrate alternative approaches for the strategy. The total cost for any single pilot project may not exceed $500,000. The Secretary shall evaluate the results of the pilot projects and consider the results in the development of the strategy.''.

(b) COOPERATIVE AGREEMENTS.—Section 567(c) of such Act (114 Stat. 2662) is amended—

(1) in the subsection heading by striking ''COOPERATION'' and inserting ''COOPERATIVE''; and

(2) in the first sentence—

(A) by inserting ''and carrying out'' after ''developing''; and

(B) by striking ''cooperation'' and inserting ''cost-sharing and cooperative''.

(c) IMPLEMENTATION OF STRATEGY.—Section 567(d) of such Act (114 Stat. 2663) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(2) in the second sentence of paragraph (1) (as so designated)—

(A) by striking ''implement'' and inserting ''carry out''; and

(B) by striking ''implementing'' and inserting ''carrying out'';

(3) by adding at the end the following:

''(2) PRIORITY PROJECT.—In carrying out projects to implement the strategy, the Secretary shall give priority to the project for ecosystem restoration, Cooperstown, New York, described in the Upper Susquehanna River Basin—Cooperstown Area Ecosystem Restoration Feasibility Study, dated December 2004, prepared by the Corps of Engineers and the New York State Department of Environmental Conservation.''; and

(4) by aligning the remainder of the text of paragraph (1) (as designated by paragraph (1) of this subsection) with paragraph (2) (as added by paragraph (3) of this subsection).

(d) CREDIT.—Section 567 of such Act (110 Stat. 3787; 114 Stat. 2662) is amended by adding at the end the following:

''(e) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of a project under this section—

''(1) the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

''(2) the cost of in-kind services and materials provided for the project by the non-Federal interest.''.

SEC. 5103. CANO MARTIN PENA, SAN JUAN, PUERTO RICO.

The Secretary shall review a report prepared by the non-Federal interest concerning flood protection and environmental restoration for Cano Martin Pena, San Juan, Puerto Rico, and, if the Secretary determines that the report meets the evaluation and design standards of the Corps of Engineers and that the project is feasible, the Secretary may carry out the project at

a total cost of $130,000,000, with an estimated Federal cost of $85,000,000 and an estimated non-Federal cost of $45,000,000.

SEC. 5104. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND TERRESTRIAL WILDLIFE HABITAT RESTORATION, SOUTH DAKOTA.

(a) DISBURSEMENT PROVISIONS OF THE STATE OF SOUTH DAKOTA AND THE CHEYENNE RIVER SIOUX TRIBE AND THE LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 602(a)(4) of the Water Resources Development Act of 1999 (113 Stat. 386) is amended—

(1) in subparagraph (A)—

(A) in clause (i) by inserting ''and the Secretary of the Treasury'' after ''Secretary''; and

(B) by striking clause (ii) and inserting the following:

''(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the State of South Dakota funds from the State of South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund established under section 603, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the State of South Dakota after the State certifies to the Secretary of the Treasury that the funds to be disbursed will be used in accordance with section 603(d)(3) and only after the Trust Fund is fully capitalized.''; and

(2) in subparagraph (B) by striking clause (ii) and inserting the following:

''(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe funds from the Cheyenne River Sioux Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Terrestrial Wildlife Habitat Restoration Trust Fund, respectively, established under section 604, to be used to carry out the plans for terrestrial wildlife habitat restoration submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, respectively, to after the respective tribe certifies to the Secretary of the Treasury that the funds to be disbursed will be used in accordance with section 604(d)(3) and only after the Trust Fund is fully capitalized.''.

(b) INVESTMENT PROVISIONS OF THE STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE RESTORATION TRUST FUND.—Section 603 of the Water Resources Development Act of 1999 (113 Stat. 388; 114 Stat. 2664) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) INVESTMENTS.—

''(1) ELIGIBLE OBLIGATIONS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) and the interest earned on those amounts only in interest-bearing obligations of the United States issued directly to the Fund.

''(2) INVESTMENT REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary of the Treasury shall invest the amounts in the Fund in accordance with the requirements of this paragraph.

''(B) SEPARATE INVESTMENTS OF PRINCIPAL AND INTEREST.—

''(i) PRINCIPAL ACCOUNT.—The amounts deposited in the Fund under subsection (b) shall be credited to an account within the Fund (referred to in this paragraph as the 'principal account') and invested as provided in subparagraph (C).

''(ii) INTEREST ACCOUNT.—The interest earned from investing amounts in the principal account of the Fund shall be transferred to a separate account within the Fund (referred to in this paragraph as the 'interest account') and invested as provided in subparagraph (D).

''(iii) CREDITING.—The interest earned from investing amounts in the interest account of the Fund shall be credited to the interest account.

''(C) INVESTMENT OF PRINCIPAL ACCOUNT.—

''(i) INITIAL INVESTMENT.—Each amount deposited in the principal account of the Fund shall be invested initially in eligible obligations having the shortest maturity then available until the date on which the amount is divided into 3 substantially equal portions and those portions are invested in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having a 2-year maturity, a 5-year maturity, and a 10-year maturity, respectively.

''(ii) SUBSEQUENT INVESTMENT.—As each 2-year, 5-year, and 10-year eligible obligation matures, the principal of the maturing eligible obligation shall also be invested initially in the shortest-maturity eligible obligation then available until the principal is reinvested substantially equally in the eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having 2-year, 5-year, and 10-year maturities.

''(iii) DISCONTINUANCE OF ISSUANCE OF OBLIGATIONS.—If the Department of the Treasury discontinues issuing to the public obligations having 2-year, 5-year, or 10-year maturities, the principal of any maturing eligible obligation shall be reinvested substantially equally in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations of the maturities longer than 1 year then available.

''(D) INVESTMENT OF INTEREST ACCOUNT.—

''(i) BEFORE FULL CAPITALIZATION.—Until the date on which the Fund is fully capitalized, amounts in the interest account of the Fund shall be invested in eligible obligations that are identical (except for transferability) to publicly issued Treasury obligations that have maturities that coincide, to the maximum extent practicable, with the date on which the Fund is expected to be fully capitalized.

''(ii) AFTER FULL CAPITALIZATION.—On and after the date on which the Fund is fully capitalized, amounts in the interest account of the Fund shall be invested and reinvested in eligible obligations having the shortest maturity then available until the amounts are withdrawn and transferred to fund the activities authorized under subsection (d)(3).

''(E) PAR PURCHASE PRICE.—The price to be paid for eligible obligations purchased as investments of the principal account shall not exceed the par value of the obligations so that the amount of the principal account shall be preserved in perpetuity.

''(F) HIGHEST YIELD.—Among eligible obligations having the same maturity and purchase price, the obligation to be purchased shall be the obligation having the highest yield.

''(G) HOLDING TO MATURITY.—Eligible obligations purchased shall generally be held to their maturities.

''(3) ANNUAL REVIEW OF INVESTMENT ACTIVITIES.—Not less frequently than once each calendar year, the Secretary of the Treasury shall review with the State of South Dakota the results of the investment activities and financial status of the Fund during the preceding 12-month period.

''(4) AUDITS.—

''(A) IN GENERAL.—The activities of the State of South Dakota (referred to in this subsection as the 'State') in carrying out the plan of the State for terrestrial wildlife habitat restoration under section 602(a) shall be audited as part of the annual audit that the State is required to prepare under the Office of Management and Budget Circular A–133 (or a successor circulation).

''(B) DETERMINATION BY AUDITORS.—An auditor that conducts an audit under subparagraph (A) shall—

''(i) determine whether funds received by the State under this section during the period covered by the audit were used to carry out the plan of the State in accordance with this section; and

''(ii) include the determination under clause (i) in the written findings of the audit.

''(5) MODIFICATION OF INVESTMENT REQUIREMENTS.—

''(A) IN GENERAL.—If the Secretary of the Treasury determines that meeting the requirements under paragraph (2) with respect to the investment of a Fund is not practicable, or would result in adverse consequences for the Fund, the Secretary shall modify the requirements, as the Secretary determines to be necessary.

''(B) CONSULTATION.—Before modifying a requirement under subparagraph (A), the Secretary of the Treasury shall consult with the State regarding the proposed modification.'';

(2) in subsection (d)(2) by inserting ''of the Treasury'' after ''Secretary''; and

(3) by striking subsection (f) and inserting the following:

''(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury to pay expenses associated with investing the Fund and auditing the uses of amounts withdrawn from the Fund—

''(1) $500,000 for each of fiscal years 2006 and 2007; and

''(2) such sums as are necessary for each subsequent fiscal year.''.

(c) INVESTMENT PROVISIONS FOR THE CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TRUST FUNDS.—Section 604 of the Water Resources Development Act of 1999 (113 Stat. 389; 114 Stat. 2665) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) INVESTMENTS.—

''(1) ELIGIBLE OBLIGATIONS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) and the interest earned on those amounts only in interest-bearing obligations of the United States issued directly to the Funds.

''(2) INVESTMENT REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary of the Treasury shall invest the amounts in each of the Funds in accordance with the requirements of this paragraph.

''(B) SEPARATE INVESTMENTS OF PRINCIPAL AND INTEREST.—

''(i) PRINCIPAL ACCOUNT.—The amounts deposited in each Fund under subsection (b) shall be credited to an account within the Fund (referred to in this paragraph as the 'principal account') and invested as provided in subparagraph (C).

''(ii) INTEREST ACCOUNT.—The interest earned from investing amounts in the principal account of each Fund shall be transferred to a separate account within the Fund (referred to in this paragraph as the 'interest account') and invested as provided in subparagraph (D).

''(iii) CREDITING.—The interest earned from investing amounts in the interest account of each Fund shall be credited to the interest account.

''(C) INVESTMENT OF PRINCIPAL ACCOUNT.—

''(i) INITIAL INVESTMENT.—Each amount deposited in the principal account of each Fund shall be invested initially in eligible obligations having the shortest maturity then available until the date on which the amount is divided into 3 substantially equal portions and those portions are invested in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having a 2-year maturity, a 5-year maturity, and a 10-year maturity, respectively.

''(ii) SUBSEQUENT INVESTMENT.—As each 2-year, 5-year, and 10-year eligible obligation matures, the principal of the maturing eligible obligation shall also be invested initially in the shortest-maturity eligible obligation then available until the principal is reinvested substantially equally in the eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations having 2-year, 5-year, and 10-year maturities.

''(iii) DISCONTINUATION OF ISSUANCE OF OBLIGATIONS.—If the Department of the Treasury discontinues issuing to the public obligations having 2-year, 5-year, or 10-year maturities, the principal of any maturing eligible obligation shall be reinvested substantially equally in eligible obligations that are identical (except for transferability) to the next-issued publicly issued Treasury obligations of the maturities longer than 1 year then available.

''(D) INVESTMENT OF THE INTEREST ACCOUNT.—

''(i) BEFORE FULL CAPITALIZATION.—Until the date on which each Fund is fully capitalized, amounts in the interest account of the Fund shall be invested in eligible obligations that are identical (except for transferability) to publicly issued Treasury obligations that have maturities that coincide, to the maximum extent practicable, with the date on which the Fund is expected to be fully capitalized.

''(ii) AFTER FULL CAPITALIZATION.—On and after the date on which each Fund is fully capitalized, amounts in the interest account of the Fund shall be invested and reinvested in eligible obligations having the shortest maturity then available until the amounts are withdrawn and transferred to fund the activities authorized under subsection (d)(3).

''(E) PAR PURCHASE PRICE.—The price to be paid for eligible obligations purchased as investments of the principal account shall not exceed the par value of the obligations so that the amount of the principal account shall be preserved in perpetuity.

''(F) HIGHEST YIELD.—Among eligible obligations having the same maturity and purchase price, the obligation to be purchased shall be the obligation having the highest yield.

''(G) HOLDING TO MATURITY.—Eligible obligations purchased shall generally be held to their maturities.

''(3) ANNUAL REVIEW OF INVESTMENT ACTIVITIES.—Not less frequently than once each calendar year, the Secretary of the Treasury shall review with the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe (referred to in this subsection as the 'Tribes') the results of the investment activities and financial status of the Funds during the preceding 12-month period.

''(4) AUDITS.—

''(A) IN GENERAL.—The activities of the Tribes in carrying out the plans of the Tribes for terrestrial wildlife habitat restoration under section 602(a) shall be audited as part of the annual audit that the Tribes are required to prepare under the Office of Management and Budget Circular A–133 (or a successor circulation).

''(B) DETERMINATION BY AUDITORS.—An auditor that conducts an audit under subparagraph (A) shall—

''(i) determine whether funds received by the Tribes under this section during the period covered by the audit were used to carry out the plan of the appropriate Tribe in accordance with this section; and

''(ii) include the determination under clause (i) in the written findings of the audit.

''(5) MODIFICATION OF INVESTMENT REQUIREMENTS.—

''(A) IN GENERAL.—If the Secretary of the Treasury determines that meeting the requirements under paragraph (2) with respect to the investment of a Fund is not practicable, or would result in adverse consequences for the Fund, the Secretary shall modify the requirements, as the Secretary determines to be necessary.

''(B) CONSULTATION.—Before modifying a requirement under subparagraph (A), the Secretary of the Treasury shall consult with the Tribes regarding the proposed modification.''; and

(2) by striking subsection (f) and inserting the following:

''(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury to pay expenses associated with investing the Funds and auditing the uses of amounts withdrawn from the Funds—

''(1) $500,000 for each of fiscal years 2006 and 2007; and

''(2) such sums as are necessary for each subsequent fiscal year.''.

SEC. 5105. FRITZ LANDING, TENNESSEE.

The Secretary shall—

(1) conduct a study of the Fritz Landing Agricultural Spur Levee, Tennessee, to determine the extent of levee modifications that would be required to make the levee and associated drainage structures consistent with Federal standards;

(2) design and construct such modifications; and

(3) after completion of such modifications, incorporate the levee into the project for flood control, Mississippi River and Tributaries, authorized by the Act entitled ''An Act for the control of floods on the Mississippi River and its tributaries, and for other purposes'', approved May 15, 1928 (45 Stat. 534–539), commonly known as the ''Flood Control Act of 1928''.

SEC. 5106. J. PERCY PRIEST DAM AND RESERVOIR, TENNESSEE.

The Secretary shall plan, design, and construct a trail system at the J. Percy Priest Dam and Reservoir, Tennessee, authorized by section 4 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved June 28, 1938 (52 Stat. 1217), and adjacent public property, including design and construction of support facilities. In carrying out such improvements, the Secretary is authorized to use funds made available by the State of Tennessee from any Federal or State source, or both.

SEC. 5107. TOWN CREEK, LENOIR CITY, TENNESSEE.

The Secretary shall design and construct the project for flood damage reduction designated as Alternative 4 in the Town Creek, Lenoir City, Loudon County, Tennessee, feasibility report of the Nashville district engineer, dated November 2000, under the authority of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), notwithstanding section 1 of the Flood Control Act of June 22, 1936 (33 U.S.C. 701a; 49 Stat. 1570). The non-Federal share of the cost of the project shall be subject to section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

SEC. 5108. TENNESSEE RIVER PARTNERSHIP.

(a) IN GENERAL.—As part of the operation and maintenance of the project for navigation, Tennessee River, Tennessee, Alabama, Mississippi, and Kentucky, authorized by the first section of the River and Harbor Act of July 3, 1930 (46 Stat. 927), the Secretary may enter into a partnership with a nonprofit entity to remove debris from the Tennessee River in the vicinity of Knoxville, Tennessee, by providing a vessel to such entity, at Federal expense, for such debris removal purposes.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000.

SEC. 5109. UPPER MISSISSIPPI EMBAYMENT, TENNESSEE, ARKANSAS, AND MISSISSIPPI.

The Secretary may participate with non-Federal and nonprofit entities to address issues concerning managing groundwater as a sustainable resource through the Upper Mississippi Embayment, Tennessee, Arkansas, and Mississippi, and coordinating the protection of groundwater supply and groundwater quality with local surface water protection programs. There is authorized to be appropriated $5,000,000 to carry out this section.

SEC. 5110. BOSQUE RIVER WATERSHED, TEXAS.

(a) COMPREHENSIVE PLAN.—The Secretary, in consultation with appropriate Federal, State, and local entities, shall develop, as expeditiously as practicable, a comprehensive plan for development of new technologies and innovative approaches for restoring, preserving, and protecting the Bosque River watershed within Bosque, Hamilton, McLennan, and Erath Counties, Texas. The Secretary, in cooperation with the Secretary of Agriculture, may carry out activities identified in the comprehensive plan to demonstrate practicable alternatives for stabilization and enhancement of land and water resources in the basin.

(b) SERVICES OF PUBLIC NON-PROFIT INSTITUTIONS AND OTHER ENTITIES.—In carrying out subsection (a), the Secretary may utilize, through contracts or other means, the services of public non-profit institutions and such other entities as the Secretary considers appropriate.

(c) NON-FEDERAL SHARE.—

(1) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of activities carried out under this section the cost of planning, design, and construction work completed by or on behalf of the non-Federal interests for implementation of measures constructed with assistance provided under this section. The amount of such credit shall not exceed the non-Federal share of the cost of such activities.

(2) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of operation and maintenance for measures constructed with assistance provided under this section shall be 100 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 5111. DALLAS FLOODWAY, DALLAS TEXAS.

(a) IN GENERAL.—The project for flood control, Trinity River and tributaries, Texas, authorized by section 2 of the Act entitled, ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (59 Stat. 18), is modified to—

(1) direct the Secretary to review the Balanced Vision Plan for the Trinity River Corridor, Dallas, Texas, dated December 2003 and amended in March 2004, prepared by the non-Federal interest for the project;

(2) direct the Secretary to review the Interior Levee Drainage Study Phase-I report, Dallas, Texas, dated September 2006, prepared by the non-Federal interest; and

(3) if the Secretary determines that the project is technically sound and environmentally acceptable, authorize the Secretary to construct the project at a total cost of $459,000,000, with an estimated Federal cost of $298,000,000 and an estimated non-Federal cost of $161,000,000.

(b) CREDIT.—

(1) IN-KIND CONTRIBUTIONS.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

(2) CASH CONTRIBUTIONS.—The Secretary shall accept funds provided by the non-Federal interest for use in carrying out planning, engineering, and design for the project. The Federal share of such planning, engineering, and design carried out with non-Federal contributions shall be credited against the non-Federal share of the cost of the project.

SEC. 5112. HARRIS COUNTY, TEXAS.

(a) IN GENERAL.—Section 575(a) of the Water Resources Development Act of 1996 (110 Stat. 3789; 113 Stat. 311) is amended by inserting before the period at the end the following: '', whether or not such works or actions are partially funded under the hazard mitigation grant program of the Federal Emergency Management Agency''.

(b) SPECIFIC PROJECTS.—Section 575(b) of such Act (110 Stat. 3789; 113 Stat. 311) is amended—

(1) in paragraph (3) by striking ''and'' at the end;

(2) in paragraph (4) by striking the period at the end and inserting ''; and''; and

(3) by adding the following:

''(5) the project for flood control, Upper White Oak Bayou, Texas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4125).''.

SEC. 5113. ONION CREEK, TEXAS.

In carrying out the study for the project for flood damage reduction, recreation, and ecosystem restoration, Onion Creek, Texas, the Secretary shall include the costs and benefits associated with the relocation of flood-prone residences in the study area for the project in the period beginning 2 years before the date of initiation of the study and ending on the date of execution of the partnership agreement for construction of the project to the extent the Secretary determines such relocations are compatible with the project. The Secretary shall credit toward the non-Federal share of the cost of the project the cost of relocation of such flood-prone residences incurred by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the relocation of such residences is integral to the project.

SEC. 5114. EASTERN SHORE AND SOUTHWEST VIRGINIA.

Section 219(f)(10) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335) is amended—

(1) by striking ''$20,000,000 for water supply and wastewater infrastructure'' and inserting the following:

''(A) IN GENERAL.—$20,000,000 for water supply, wastewater infrastructure, and environmental restoration'';

(2) by adding at the end the following:

''(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.''; and

(3) by aligning the remainder of the text of subparagraph (A) (as designated by paragraph (1) of this section) with subparagraph (B) (as added by paragraph (2) of this section).

SEC. 5115. DYKE MARSH, FAIRFAX COUNTY, VIRGINIA.

The Secretary shall accept funds from the National Park Service to restore Dyke Marsh, Fairfax County, Virginia.

SEC. 5116. BAKER BAY AND ILWACO HARBOR, WASHINGTON.

The Secretary shall conduct a study of increased siltation in Baker Bay and Ilwaco Harbor, Washington, to determine if the siltation is the result of a Federal navigation project (including diverted flows from the Columbia River) and, if the Secretary determines that the siltation is the result of a Federal navigation project, the Secretary shall carry out a project to mitigate the siltation as part of maintenance of the Federal navigation project.

SEC. 5117. HAMILTON ISLAND CAMPGROUND, WASHINGTON.

The Secretary is authorized to plan, design, and construct a campground for Bonneville Lock and Dam at Hamilton Island (also know as ''Strawberry Island'') in Skamania County, Washington.

SEC. 5118. PUGET ISLAND, WASHINGTON.

The Secretary is directed to place dredged and other suitable material along portions of the Columbia River shoreline of Puget Island, Washington, between river miles 38 to 47 in order to protect economic and environmental resources in the area from further erosion, at a Federal cost of $1,000,000. This action shall be coordinated with appropriate resource agencies and comply with applicable Federal laws.

SEC. 5119. WILLAPA BAY, WASHINGTON.

Section 545 of the Water Resources Development Act of 2000 (114 Stat. 2675) is amended—

(1) in subsection (b)(1) by striking ''may construct'' and inserting ''shall construct''; and

(2) by inserting ''and ecosystem restoration'' after ''erosion protection'' each place it appears.

SEC. 5120. WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL.

(a) CHEAT AND TYGART RIVER BASINS, WEST VIRGINIA.—Section 581(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3790; 113 Stat. 313) is amended—

(1) by striking ''flood control measures'' and inserting ''structural and nonstructural flood control, streambank protection, stormwater management, and channel clearing and modification measures''; and

(2) by inserting ''with respect to measures that incorporate levees or floodwalls'' before the semicolon.

(b) PRIORITY COMMUNITIES.—Section 581(b) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended—

(1) by striking ''and'' at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting a semicolon; and

(3) by adding at the end the following:

''(7) Etna, Pennsylvania, in the Pine Creek watershed; and

''(8) Millvale, Pennsylvania, in the Girty's Run River basin.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 581(c) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended by striking ''$12,000,000'' and inserting ''$90,000,000''.

SEC. 5121. CENTRAL WEST VIRGINIA.

Section 571 of the Water Resources Development Act of 1999 (113 Stat. 371) is amended—

(1) in subsection (a)—

(A) by striking ''Nicholas,''; and

(B) by striking ''Gilmer,''; and

(2) by adding at the end the following:

''(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.

''(j) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.''.

SEC. 5122. SOUTHERN WEST VIRGINIA.

(a) CORPS OF ENGINEERS.—Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856; 113 Stat. 320) is amended by adding at the end the following:

''(h) CORPS OF ENGINEERS.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.''.

(b) SOUTHERN WEST VIRGINIA DEFINED.—Section 340(f) of such Act is amended by inserting ''Nicholas,'' after ''Greenbrier,''.

(c) NONPROFIT ENTITIES.—Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856) is further amended by adding at the end the following:

''(i) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), a non-Federal interest may include for any project undertaken under this section a nonprofit entity with the consent of the affected local government.''.

SEC. 5123. CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTERESTS.

Section 211(f) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) is amended by adding at the end the following:

''(12) PERRIS, CALIFORNIA.—The project for flood control, Perris, California.

''(13) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—An element of the project for flood control, Chicagoland Underflow Plan, Illinois.

''(14) LAROSE TO GOLDEN MEADOW, LOUISIANA.—The project for flood control, Larose to Golden Meadow, Louisiana.

''(15) BUFFALO BAYOU, TEXAS.—A project for flood control, Buffalo Bayou, Texas, to provide an alternative to the project authorized by the first section of the River and Harbor Act of June 20, 1938 (52 Stat. 804) and modified by section 3a of the Flood Control Act of August 11, 1939 (53 Stat. 1414).

''(16) HALLS BAYOU, TEXAS.—A project for flood control, Halls Bayou, Texas, to provide an alternative to the project for flood control, Buffalo Bayou and tributaries, Texas, authorized by section 101(a)(21) of the Water Resources Development Act of 1990 (104 Stat. 4610).''.

TITLE VI—FLORIDA EVERGLADES

SEC. 6001. HILLSBORO AND OKEECHOBEE AQUIFER, FLORIDA.

(a) MODIFICATION.—The project for Hillsboro and Okeechobee Aquifer, Florida, authorized by section 101(a)(16) of the Water Resources Development Act of 1999 (113 Stat. 276), is modified to authorize the Secretary to carry out the project at a total cost of $42,500,000.

(b) TREATMENT.—Section 601(b)(2)(A) of the Water Resources Development Act of 2000 (114 Stat. 2681) is amended—

(1) in clause (i) by adding at the end the following: ''The project for aquifer storage and recovery, Hillsboro and Okeechobee Aquifer, Florida, authorized by section 101(a)(16) of the Water Resources Development Act of 1999 (113 Stat. 276), shall be treated for purposes of this section as being in the Plan, except that operation and maintenance costs of the project shall remain a non-Federal responsibility.''; and

(2) in clause (iii) by inserting after ''subparagraph (B)'' the following: ''and the project for aquifer storage and recovery, Hillsboro and Okeechobee Aquifer''.

SEC. 6002. PILOT PROJECTS.

Section 601(b)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2681) is amended—

(1) in the matter preceding clause (i)—

(A) by striking ''$69,000,000'' and inserting ''$71,200,000''; and

(B) by striking ''$34,500,000'' each place it appears and inserting ''$35,600,000''; and

(2) in clause (i)—

(A) by striking ''$6,000,000'' and inserting ''$8,200,000''; and

(B) by striking ''$3,000,000'' each place it appears and inserting ''$4,100,000''.

SEC. 6003. MAXIMUM COSTS.

(a) MAXIMUM COST OF PROJECTS.—Section 601(b)(2)(E) of the Water Resources Development Act of 2000 (114 Stat. 2683) is amended by inserting ''and section (d)'' before the period at the end.

(b) MAXIMUM COST OF PROGRAM AUTHORITY.—Section 601(c)(3) of such Act (114 Stat. 2684) is amended by adding at the end the following:

''(C) MAXIMUM COST OF PROGRAM AUTHORITY.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to the individual project funding limits in subparagraph (A) and the aggregate cost limits in subparagraph (B).''.

SEC. 6004. PROJECT AUTHORIZATION.

Section 601(d) of the Water Resources Development Act of 2000 (114 Stat. 2684) is amended by adding at the end the following:

''(3) PROJECT AUTHORIZATION.—The following project for water resources development and conservation and other purposes is authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the report designated in this paragraph:

''(A) INDIAN RIVER LAGOON SOUTH, FLORIDA.—The project for ecosystem restoration, water supply, flood damage reduction, and protection of water quality, Indian River Lagoon South, Florida: Report of the Chief of Engineers dated August 6, 2004, at a total cost of $1,365,000,000, with an estimated Federal cost of $682,500,000

and an estimated non-Federal cost of $682,500,000.

''(B) PICAYUNE STRAND, FLORIDA.—The project for environmental restoration, Picayune Strand, Florida: Report of the Chief of Engineers dated September 15, 2005, at a total cost of $375,330,000, with an estimated Federal cost of $187,665,000 and an estimated non-Federal cost of $187,665,000.

''(C) SITE 1 IMPOUNDMENT, FLORIDA.—The project for environmental restoration, Site 1 Impoundment, Florida: Report of the Chief of Engineers dated December 19, 2006, at a total cost of $80,840,000, with an estimated Federal cost of $40,420,000 and an estimated non-Federal cost of $40,420,000.''.

SEC. 6005. CREDIT.

Section 601(e)(5)(B) of the Water Resources Development Act of 2000 (114 Stat. 2685) is amended—

(1) in clause (i)—

(A) by striking ''or'' at the end of subclause (I);

(B) by adding ''or'' at the end of subclause (II); and

(C) by adding at the end the following:

''(III) the credit is provided for work carried out before the date of the partnership agreement between the Secretary and the non-Federal sponsor, as defined in an agreement between the Secretary and the non-Federal sponsor providing for such credit;''; and

(2) in clause (ii)—

(A) by striking ''design agreement or the project cooperation''; and

(B) by inserting before the semicolon the following: '', including in the case of credit provided under clause (i)(III) conditions relating to design and construction''.

SEC. 6006. OUTREACH AND ASSISTANCE.

Section 601(k) of the Water Resources Development Act of 2000 (114 Stat. 2691) is amended by adding at the end the following:

''(3) MAXIMUM EXPENDITURES.—The Secretary may expend up to $3,000,000 per fiscal year for fiscal years beginning after September 30, 2004, to carry out this subsection.''.

SEC. 6007. CRITICAL RESTORATION PROJECTS.

Section 528(b)(3)(C) of the Water Resources Development Act of 1996 (110 Stat. 3769; 113 Stat. 286) is amended—

(1) in clause (i) by striking ''$75,000,000'' and all that follows through ''2003'' and inserting ''$95,000,000''; and

(2) in clause (ii) by striking ''$25,000,000'' and inserting ''$30,000,000''.

SEC. 6008. MODIFIED WATER DELIVERIES.

(a) IN GENERAL.—The project, Modified Water Deliveries to Everglades National Park, authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), as described in the General Design Memorandum and Environmental Impact Statement for Modified Water Deliveries to Everglades National Park, June 1992, is modified to authorize the Secretary to construct the project substantially in accordance with the Revised General Reevaluation Report/Second Supplemental Environmental Impact Statement for the Tamiami Trail Modifications, Modified Water Deliveries to Everglades National Park, August 2005, at a total cost of $144,131,000.

(b) USE OF FUNDS.—Funds made available under section 102(f) of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–6), may be used to carry out the project modification under subsection (a).

(c) SOURCE AND ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), Federal costs incurred for construction of the project modification under subsection (a) on or after October 1, 2004, shall be shared equally between the Secretary and the Secretary of the Interior.

(2) ACCEPTANCE AND USE OF FUNDS.—The Secretary may accept and expend funds, without further appropriation, provided from another Federal agency or from non-Federal interests for construction of the project modification under subsection (a) or for carrying out such other work that the Secretary determines to be appropriate and consistent with authorized purposes of the modified project.

SEC. 6009. DEAUTHORIZATIONS.

The following projects are not authorized after the date of enactment of this Act:

(1) The uncompleted portions of the project for the C–44 Basin Storage Reservoir of the Comprehensive Everglades Restoration Plan, authorized by section 601(b)(2)(C)(i) of the Water Resources Development Act of 2000 (114 Stat. 2682), at a total cost of $147,800,000, with an estimated Federal cost of $73,900,000 and an estimated non-Federal cost of $73,900,000.

(2) The uncompleted portions of the Martin County, Florida, modifications to the project for Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1968 (82 Stat. 740), at a total cost of $15,471,000, with an estimated Federal cost of $8,073,000 and an estimated non-Federal cost of $7,398,000.

(3) The uncompleted portions of the East Coast Backpumping, St. Lucie–Martin County, Spillway Structure S–311 modifications to the project for Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1968 (82 Stat. 740), at a total cost of $77,118,000, with an estimated Federal cost of $55,124,000 and an estimated non-Federal cost of $21,994,000.

SEC. 6010. REGIONAL ENGINEERING MODEL FOR ENVIRONMENTAL RESTORATION.

(a) IN GENERAL.—The Secretary shall complete the development and testing of the regional engineering model for environmental restoration as expeditiously as practicable.

(b) USAGE.—The Secretary shall consider using, as appropriate, the regional engineering model for environmental restoration in the development of future water resource projects, including projects developed pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out subsection (a).

TITLE VII—LOUISIANA COASTAL AREA

SEC. 7001. DEFINITIONS.

In this title, the following definitions apply:

(1) COASTAL LOUISIANA ECOSYSTEM.—The term ''coastal Louisiana ecosystem'' means the coastal area of Louisiana from the Sabine River on the west to the Pearl River on the east, including those parts of the Deltaic Plain and the Chenier Plain included within the study area of the Plan.

(2) GOVERNOR.—The term ''Governor'' means the Governor of the State of Louisiana.

(3) PLAN.—The term ''Plan'' means the report of the Chief of Engineers for ecosystem restoration for the Louisiana Coastal Area dated January 31, 2005.

(4) TASK FORCE.—The term ''Task Force'' means the Coastal Louisiana Ecosystem Protection and Restoration Task Force established by section 7003.

SEC. 7002. COMPREHENSIVE PLAN.

(a) IN GENERAL.—The Secretary, in coordination with the Governor, shall develop a comprehensive plan for protecting, preserving, and restoring the coastal Louisiana ecosystem.

(b) INTEGRATION OF PLAN INTO COMPREHENSIVE HURRICANE PROTECTION STUDY.—In developing the comprehensive plan, the Secretary shall integrate the plan into the analysis and design of the comprehensive hurricane protection study authorized by title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2247).

(c) CONSISTENCY WITH COMPREHENSIVE COASTAL PROTECTION MASTER PLAN.—In developing the comprehensive plan, the Secretary shall ensure that the plan is consistent with the goals, analysis, and design of the comprehensive coastal protection master plan authorized and defined pursuant to Act 8 of the First Extraordinary Session of the Louisiana State Legislature, 2005, including—

(1) investigation and study of the maximum effective use of the water and sediment of the Mississippi and Atchafalaya Rivers for coastal restoration purposes consistent with flood control and navigation;

(2) a schedule for the design and implementation of large-scale water and sediment reintroduction projects and an assessment of funding needs from any source; and

(3) an investigation and assessment of alterations in the operation of the Old River Control Structure, consistent with flood control and navigation purposes.

(d) INCLUSIONS.—The comprehensive plan shall include a description of—

(1) the framework of a long-term program integrated with hurricane and storm damage reduction, flood damage reduction, and navigation activities that provide for the comprehensive protection, conservation, and restoration of the wetlands, estuaries (including the Barataria-Terrebonne estuary), barrier islands, shorelines, and related land and features of the coastal Louisiana ecosystem, including protection of critical resources, habitat, and infrastructure from the effects of a coastal storm, a hurricane, erosion, or subsidence;

(2) the means by which a new technology, or an improved technique, can be integrated into the program referred to in paragraph (1);

(3) the role of other Federal and State agencies and programs in carrying out such program;

(4) specific, measurable ecological success criteria by which success of the plan will be measured; and

(5) proposed projects in order of priority as determined by their respective potential to contribute to—

(A) creation of coastal wetlands; and

(B) flood protection of communities ranked by population density and level of protection.

(e) CONSIDERATIONS.—In developing the comprehensive plan, the Secretary shall consider the advisability of integrating into the program referred to in subsection (d)(1)—

(1) any related Federal or State project being carried out on the date on which the plan is developed;

(2) any activity in the Plan; or

(3) any other project or activity identified in—

(A) the Mississippi River and Tributaries program;

(B) the Louisiana Coastal Wetlands Conservation Plan;

(C) the Louisiana Coastal Zone Management Plan; or

(D) the plan of the State of Louisiana entitled ''Coast 2050: Toward a Sustainable Coastal Louisiana''.

(f) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the comprehensive plan.

(2) UPDATES.—Not later that 5 years after the date of submission of a report under paragraph (1), and at least once every 5 years thereafter until implementation of the comprehensive plan is complete, the Secretary shall submit to Congress a report containing an update of the plan and an assessment of the progress made in implementing the plan.

SEC. 7003. LOUISIANA COASTAL AREA.

(a) IN GENERAL.—The Secretary may carry out a program for ecosystem restoration, Louisiana Coastal Area, Louisiana, substantially in accordance with the report of the Chief of Engineers, dated January 31, 2005.

(b) PRIORITIES.—

(1) IN GENERAL.—In carrying out the program under subsection (a), the Secretary shall give priority to—

(A) any portion of the program identified in the report described in subsection (a) as a critical restoration feature;

(B) any Mississippi River diversion project that—

(i) will protect a major population area of the Pontchartain, Pearl, Breton Sound, Barataria, or Terrebonne basins; and

(ii) will produce an environmental benefit to the coastal Louisiana ecosystem;

(C) any barrier island, or barrier shoreline, project that—

(i) will be carried out in conjunction with a Mississippi River diversion project; and

(ii) will protect a major population area;

(D) any project that will reduce storm surge and prevent or reduce the risk of loss of human life and the risk to public safety; and

(E) a project to physically modify the Mississippi River-Gulf outlet and to restore the areas affected by the Mississippi River-Gulf outlet in accordance with the comprehensive plan to be developed under section 7002(a), subject to the conditions and recommendations in a final report of the Chief of Engineers.

SEC. 7004. COASTAL LOUISIANA ECOSYSTEM PROTECTION AND RESTORATION TASK FORCE.

(a) ESTABLISHMENT.—There is established a task force to be known as the Coastal Louisiana Ecosystem Protection and Restoration Task Force (in this section referred to as the ''Task Force'').

(b) MEMBERSHIP.—The Task Force shall consist of the following members (or, in the case of the head of a Federal agency, a designee at the level of Assistant Secretary or an equivalent level):

(1) The Secretary.

(2) The Secretary of the Interior.

(3) The Secretary of Commerce.

(4) The Administrator of the Environmental Protection Agency.

(5) The Secretary of Agriculture.

(6) The Secretary of Transportation.

(7) The Secretary of Energy.

(8) The Director of the Federal Emergency Management Agency.

(9) The Commandant of the Coast Guard.

(10) The Coastal Advisor to the Governor.

(11) The Secretary of the Louisiana Department of Natural Resources.

(12) A representative of the Governor's Advisory Commission on Coastal Restoration and Conservation.

(c) DUTIES.—The Task Force shall make recommendations to the Secretary regarding—

(1) policies, strategies, plans, programs, projects, and activities for addressing conservation, protection, restoration, and maintenance of the coastal Louisiana ecosystem;

(2) financial participation by each agency represented on the Task Force in conserving, protecting, restoring, and maintaining the coastal Louisiana ecosystem, including recommendations—

(A) that identify funds from current agency missions and budgets; and

(B) for coordinating individual agency budget requests; and

(3) the comprehensive plan to be developed under section 7002(a).

(d) REPORT.—The Task Force shall submit to Congress a biennial report that summarizes the activities of the Task Force.

(e) WORKING GROUPS.—

(1) GENERAL AUTHORITY.—The Task Force may establish such working groups as the Task Force determines to be necessary to assist the Task Force in carrying out this section.

(2) HURRICANES KATRINA AND RITA.—

(A) IN GENERAL.—The Task Force may establish a working group for the purpose of advising the Task Force of opportunities to integrate the planning, engineering, design, implementation, and performance of Corps of Engineers projects for hurricane and storm damage reduction, flood damage reduction, ecosystem restoration, and navigation in those areas in Louisiana for which a major disaster has been declared by the President as a result of Hurricane Katrina or Rita.

(B) EXPERTISE; REPRESENTATION.—In establishing the working group under subparagraph (A), the Task Force shall ensure that the group—

(i) has expertise in coastal estuaries, diversions, coastal restoration and wetlands protection, ecosystem restoration, hurricane protection, storm damage reduction systems, navigation, and ports; and

(ii) represents the State of Louisiana and local governments in south Louisiana.

(f) COMPENSATION.—Members of the Task Force and members of a working group established by the Task Force may not receive compensation for their services as members of the Task Force or working group, as the case may be.

(g) TRAVEL EXPENSES.—Travel expenses incurred by members of the Task Force and members of a working group established by the Task Force, in the performance of their service on the Task Force or working group, as the case may be, shall be paid by the agency or entity that the member represents.

(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force or any working group established by the Task Force.

SEC. 7005. PROJECT MODIFICATIONS.

(a) REVIEW.—The Secretary, in cooperation with the non-Federal interest of the project involved, shall review each Federally-authorized water resources project in the coastal Louisiana ecosystem being carried out or completed as of the date of enactment of this Act to determine whether the project needs to be modified—

(1) under the program authorized by section 7003; or

(2) to contribute to ecosystem restoration under section 7003.

(b) MODIFICATIONS.—Subject to subsections (c) and (d), the Secretary may carry out the modifications described in subsection (a).

(c) PUBLIC NOTICE AND COMMENT.—Before completing the report required under subsection (d), the Secretary shall provide an opportunity for public notice and comment.

(d) REPORT.—

(1) IN GENERAL.—Before modifying an operation or feature of a project under subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the modification.

(2) INCLUSION.—A report describing a modification under paragraph (1) shall include such information relating to the timeline for and cost of the modification, as the Secretary determines to be relevant.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 7006. CONSTRUCTION.

(a) SCIENCE AND TECHNOLOGY.—

(1) IN GENERAL.—The Secretary shall carry out a coastal Louisiana ecosystem program substantially in accordance with the Plan, at a total cost of $100,000,000.

(2) PURPOSES.—The purposes of the program under paragraph (1) shall be—

(A) to identify any uncertainty relating to the physical, chemical, geological, biological, and cultural baseline conditions in coastal Louisiana ecosystem;

(B) to improve knowledge of the physical, chemical, geological, biological, and cultural baseline conditions in coastal Louisiana ecosystem; and

(C) to identify and develop technologies, models, and methods to carry out this subsection.

(3) WORKING GROUPS.—The Secretary may establish such working groups as the Secretary determines to be necessary to assist the Secretary in carrying out this subsection.

(4) CONTRACTS AND COOPERATIVE AGREEMENTS.—In carrying out this subsection, the Secretary may enter into a contract or cooperative agreement with an individual or entity (including a consortium of academic institutions in Louisiana) with scientific or engineering expertise in the restoration of aquatic and marine ecosystems for coastal restoration and enhancement through science and technology.

(b) DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may carry out demonstration projects substantially in accordance with the Plan and within the coastal Louisiana ecosystem for the purpose of resolving critical areas of scientific or technological uncertainty related to the implementation of the comprehensive plan to be developed under section 7002(a).

(2) MAXIMUM COST.—

(A) TOTAL COST.—The total cost for planning, design, and construction of all projects under this subsection shall not exceed $100,000,000.

(B) INDIVIDUAL PROJECT.—The total cost of an individual project under this subsection shall not exceed $25,000,000.

(c) INITIAL PROJECTS.—

(1) IN GENERAL.—The Secretary is authorized to carry out the following projects substantially in accordance with the Plan:

(A) Mississippi River Gulf Outlet environmental restoration at a total cost of $105,300,000.

(B) Small diversion at Hope Canal at a total cost of $68,600,000.

(C) Barataria basin barrier shoreline restoration at a total cost of $242,600,000.

(D) Small Bayou Lafourche reintroduction at a total cost of $133,500,000.

(E) Medium diversion at Myrtle Grove with dedicated dredging at a total cost of $278,300,000.

(2) MODIFICATIONS.—

(A) IN GENERAL.—In carrying out each project under paragraph (1), the Secretary shall carry out such modifications as may be necessary to the ecosystem restoration features identified in the Plan to address the impacts of Hurricanes Katrina and Rita on the areas of the project.

(B) INTEGRATION.—The Secretary shall ensure that each modification under subparagraph (A) is taken into account in conducting the study of comprehensive hurricane protection authorized by title I of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2247).

(3) CONSTRUCTION REPORTS.—Before the Secretary may begin construction of any project under this subsection, the Secretary shall submit a report documenting any modifications to the project, including cost changes, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(4) APPLICABILITY OF OTHER PROVISIONS.—Notwithstanding section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), the cost of a project described in paragraph (1) and any modifications to the project shall not exceed 150 percent of the cost of such project set forth in paragraph (1).

(d) BENEFICIAL USE OF DREDGED MATERIAL.—The Secretary, substantially in accordance with the Plan, shall implement in the coastal Louisiana ecosystem a program for the beneficial use of material dredged from federally maintained waterways at a total cost of $100,000,000.

(e) ADDITIONAL PROJECTS.—

(1) IN GENERAL.—The Secretary is authorized to carry out a project for ecosystem restoration for the Chenier Plain, Louisiana, and the following projects referred to in the Plan if the Secretary determines such projects are feasible:

(A) Land Bridge between Caillou Lake and the Gulf of Mexico at a total cost of $56,300,000.

(B) Gulf Shoreline at Point Au Fer Island at a total cost of $43,400,000.

(C) Modification of Caernarvon Diversion at a total cost of $20,700,000.

(D) Modification of Davis Pond Diversion at a total cost of $64,200,000.

(2) REPORTS.—Not later than December 31, 2009, the Secretary shall submit feasibility reports on the projects described in paragraph (1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(3) CONSTRUCTION.—No appropriations shall be made to construct any project under this subsection if the report under paragraph (2) has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

SEC. 7007. NON-FEDERAL COST SHARE.

(a) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of a study or project under this title the cost of work carried out in the coastal Louisiana ecosystem by the non-Federal interest before the date of the execution of the partnership agreement for the study or project if the Secretary determines that the work is integral to the study or project.

(b) SOURCES OF FUNDS.—The non-Federal interest may use, and the Secretary shall accept, funds provided under any other Federal program to satisfy, in whole or in part, the non-Federal share of the construction of any project carried out under this section if such funds are authorized to be used to carry out such project.

(c) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this section toward the non-Federal share of the cost of a study or project under this title may be applied toward the non-Federal share of the cost of any other study or project under this title.

(d) PERIODIC MONITORING.—

(1) IN GENERAL.—To ensure that the contributions of the non-Federal interest equal the non-Federal share of the cost of a study or project under this title during each 5-year period beginning after the date of commencement of the first study or project under this title, the Secretary shall—

(A) monitor for each study or project under this title the non-Federal provision of cash, in-kind services and materials, and land, easements, rights-of-way, relocations, and disposal areas; and

(B) manage the requirement of the non-Federal interest to provide for each such study or project cash, in-kind services and materials, and land, easements, rights-of-way, relocations, and disposal areas.

(2) OTHER MONITORING.—The Secretary shall conduct monitoring separately for the study phase, construction phase, preconstruction engineering and design phase, and planning phase for each project authorized on or after date of enactment of this Act for all or any portion of the coastal Louisiana ecosystem.

(e) AUDITS.—Credit for land, easements, rights-of-way, relocations, and disposal areas (including land value and incidental costs) provided under this section, and the cost of work provided under this section, shall be subject to audit by the Secretary.

SEC. 7008. PROJECT JUSTIFICATION.

(a) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out any project or activity under this title or any other provision of law to protect, conserve, and restore the coastal Louisiana ecosystem, the Secretary may determine that—

(1) the project or activity is justified by the environmental benefits derived by the coastal Louisiana ecosystem; and

(2) no further economic justification for the project or activity is required if the Secretary determines that the project or activity is cost effective.

(b) LIMITATION ON APPLICABILITY.—Subsection (a) shall not apply to any separable element of a project intended to produce benefits that are predominantly unrelated to the protection, preservation, and restoration of the coastal Louisiana ecosystem.

SEC. 7009. INDEPENDENT REVIEW.

The Secretary shall establish the Louisiana Water Resources Council which shall serve as the exclusive peer review panel for projects under this title as required by section 2037 of this Act.

SEC. 7010. EXPEDITED REPORTS.

The Secretary shall expedite completion of the reports for the following projects and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction engineering and design:

(1) The projects identified in the study of comprehensive hurricane protection authorized by title I of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2447).

(2) A project for ecosystem restoration for the Chenier Plain, Louisiana.

(3) The project for Multipurpose Operation of Houma Navigation Lock.

(4) The project for Terrebonne Basin Barrier Shoreline Restoration.

(5) The project for Small Diversion at Convent/Blind River.

(6) The project for Amite River Diversion Canal Modification.

(7) The project for Medium Diversion at White's Ditch.

(8) The project to convey Atchafalaya River Water to Northern Terrebonne Marshes.

(9) The projects identified in the Southwest Coastal Louisiana hurricane and storm damage reduction study authorized by the Committee on Transportation and Infrastructure of the House of Representatives on December 7, 2005.

SEC. 7011. REPORTING.

(a) IN GENERAL.—Not later than 6 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report including a description of—

(1) the projects authorized and undertaken under this title;

(2) the construction status of the projects;

(3) the cost to date and the expected final cost of each project undertaken under this title; and

(4) the benefits and environmental impacts of the projects.

(b) EXTERNAL REVIEW.—The Secretary shall enter into a contract with the National Academy of Sciences under which the National Academy of Sciences shall perform and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate an external review of the demonstration program authorized by subsection 7006(b).

SEC. 7012. NEW ORLEANS AND VICINITY.

(a) IN GENERAL.—The Secretary is authorized to—

(1) raise levee heights where necessary and otherwise enhance the Lake Pontchartrain and Vicinity Project and the West Bank and Vicinity Project to provide the levels of protection necessary to achieve the certification required for participation in the national flood insurance program under the National Flood Insurance Act of 1965 (42 U.S.C. 2001 et seq.);

(2) modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront at Lake Pontchartrain;

(3) armor critical elements of the New Orleans hurricane and storm damage reduction system;

(4) modify the Inner Harbor Navigation Canal to increase the reliability of the flood protection system for the city of New Orleans;

(5) replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the New Orleans to Venice Hurricane Protection Project;

(6) reinforce or replace flood walls in the existing Lake Pontchartrain and Vicinity Project and the existing West Bank and Vicinity Project to improve performance of the flood and storm damage reduction systems;

(7) perform one time stormproofing of interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events;

(8) repair, replace, modify and improve non-Federal levees and associated protection measures in Terrebonne Parish; and

(9) reduce the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands through measures to begin to reverse wetland losses in areas affected by navigation, oil and gas, and other channels and through modification of the Caernarvon Freshwater Diversion structure or its operations.

(b) FUNDING AUTHORITY.—Activities authorized by subsection (a) and section 7013 shall be carried out in a manner that is consistent with the cost-sharing requirements specified in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234).

(c) CONDITIONS.—The Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate if estimates for the expenditure of funds on any single project or activity identified in subsection (a) exceeds the amount specified for that project or activity in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234). No appropriation in excess of 25 percent above the amount specified for a project or activity in such Act shall be made until an increase in the level of expenditure has been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

SEC. 7013. MISSISSIPPI RIVER GULF OUTLET.

(a) IN GENERAL.—The project for navigation, Mississippi River-Gulf outlet, authorized by the Act entitled ''An Act to authorize construction of the Mississippi River-Gulf outlet'', approved March 29, 1956 (70 Stat. 65), as modified by section 844 of the Water Resources Development Act of 1986 (100 Stat. 4177), is not authorized.

(b) PLAN FOR CLOSURE AND RESTORATION.—The Secretary shall carry out a study and implement a project to physically modify the Mississippi River-Gulf outlet and to restore the areas affected by the Mississippi River-Gulf outlet in accordance with the plan to be developed under section 7002(a), subject to the conditions and recommendations in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than 180 days after the date of enactment of this Act. The plan shall incorporate the recommendations of the Interim Mississippi River Gulf Outlet Deep-Draft De-Authorization Report submitted to Congress in December 2006.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the project described in subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for the costs of carrying out the study and developing the report of the Chief of Engineers required by subsection (b). Such costs shall be a Federal expense.

TITLE VIII—UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-WAY SYSTEM

SEC. 8001. DEFINITIONS.

In this title, the following definitions apply:

(1) PLAN.—The term ''Plan'' means the project for navigation and ecosystem improvements for

the Upper Mississippi River and Illinois Waterway System: Report of the Chief of Engineers, dated December 15, 2004.

(2) UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM.—The term ''Upper Mississippi River and Illinois Waterway System'' means the projects for navigation and ecosystem restoration authorized by Congress for—

(A) the segment of the Mississippi River from the confluence with the Ohio River, River Mile 0.0, to Upper St. Anthony Falls Lock in Minneapolis-St. Paul, Minnesota, River Mile 854.0; and

(B) the Illinois Waterway from its confluence with the Mississippi River at Grafton, Illinois, River Mile 0.0, to T.J. O'Brien Lock in Chicago, Illinois, River Mile 327.0.

SEC. 8002. NAVIGATION IMPROVEMENTS AND RESTORATION.

Except as modified by this title, the Secretary shall undertake navigation improvements and restoration of the ecosystem for the Upper Mississippi River and Illinois Water System substantially in accordance with the Plan and subject to the conditions described therein.

SEC. 8003. AUTHORIZATION OF CONSTRUCTION OF NAVIGATION IMPROVEMENTS.

(a) SMALL SCALE AND NONSTRUCTURAL MEASURES.—

(1) IN GENERAL.—The Secretary shall—

(A) construct mooring facilities at Locks 12, 14, 18, 20, 22, 24, and LaGrange Lock or other alternative locations that are economically and environmentally feasible;

(B) provide switchboats at Locks 20 through 25; and

(C) conduct development and testing of an appointment scheduling system.

(2) AUTHORIZATION OF APPROPRIATIONS.—The total cost of projects authorized under this subsection shall be $235,000,000. Such costs are to be paid 1/2 from amounts appropriated from the general fund of the Treasury and 1/2 from amounts appropriated from the Inland Waterways Trust Fund. Such sums shall remain available until expended.

(b) NEW LOCKS.—

(1) IN GENERAL.—The Secretary shall construct new 1,200-foot locks at Locks 20, 21, 22, 24, and 25 on the Upper Mississippi River and at LaGrange Lock and Peoria Lock on the Illinois Waterway.

(2) AUTHORIZATION OF APPROPRIATIONS.—The total cost of projects authorized under this subsection shall be $1,795,000,000. Such costs are to be paid 1/2 from amounts appropriated from the general fund of the Treasury and 1/2 from amounts appropriated from the Inland Waterways Trust Fund. Such sums shall remain available until expended.

(c) CONCURRENCE.—The mitigation required for the projects authorized under subsections (a) and (b), including any acquisition of lands or interests in lands, shall be undertaken or acquired concurrently with lands and interests in lands for the projects authorized under subsections (a) and (b), and physical construction required for the purposes of mitigation shall be undertaken concurrently with the physical construction of such projects.

SEC. 8004. ECOSYSTEM RESTORATION AUTHORIZATION.

(a) OPERATION.—To ensure the environmental sustainability of the existing Upper Mississippi River and Illinois Waterway System, the Secretary shall modify, consistent with requirements to avoid adverse effects on navigation, the operation of the Upper Mississippi River and Illinois Waterway System to address the cumulative environmental impacts of operation of the system and improve the ecological integrity of the Upper Mississippi River and Illinois River.

(b) ECOSYSTEM RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall carry out, consistent with requirements to avoid adverse effects on navigation, ecosystem restoration projects to attain and maintain the sustainability of the ecosystem of the Upper Mississippi River and Illinois River in accordance with the general framework outlined in the Plan.

(2) PROJECTS INCLUDED.—Ecosystem restoration projects may include—

(A) island building;

(B) construction of fish passages;

(C) floodplain restoration;

(D) water level management (including water drawdown);

(E) backwater restoration;

(F) side channel restoration;

(G) wing dam and dike restoration and modification;

(H) island and shoreline protection;

(I) topographical diversity;

(J) dam point control;

(K) use of dredged material for environmental purposes;

(L) tributary confluence restoration;

(M) spillway, dam, and levee modification to benefit the environment; and

(N) land and easement acquisition.

(3) COST SHARING.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the Federal share of the cost of carrying out an ecosystem restoration project under this subsection shall be 65 percent.

(B) EXCEPTION FOR CERTAIN RESTORATION PROJECTS.—In the case of a project under this section for ecosystem restoration, the Federal share of the cost of carrying out the project shall be 100 percent if the project—

(i) is located below the ordinary high water mark or in a connected backwater;

(ii) modifies the operation of structures for navigation; or

(iii) is located on federally owned land.

(C) SAVINGS CLAUSE.—Nothing in this subsection affects the applicability of section 906(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(e)).

(D) NONGOVERNMENTAL ORGANIZATIONS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this title, a non-Federal sponsor may include a nonprofit entity, with the consent of the affected local government.

(4) LAND ACQUISITION.—The Secretary may acquire land or an interest in land for an ecosystem restoration project from a willing seller through conveyance of—

(A) fee title to the land; or

(B) a flood plain conservation easement.

(c) MONITORING.—The Secretary shall carry out a long term resource monitoring, computerized data inventory and analysis, and applied research program for the Upper Mississippi River and Illinois River to determine trends in ecosystem health, to understand systemic changes, and to help identify restoration needs. The program shall build upon the monitoring program established under section 1103(e)(1)(A)(ii) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(1)(A)(ii)).

(d) ECOSYSTEM RESTORATION PRECONSTRUCTION ENGINEERING AND DESIGN.—

(1) RESTORATION DESIGN.—Before initiating the construction of any individual ecosystem restoration project, the Secretary shall—

(A) establish ecosystem restoration goals and identify specific performance measures designed to demonstrate ecosystem restoration;

(B) establish the without-project condition or baseline for each performance indicator; and

(C) for each separable element of the ecosystem restoration, identify specific target goals for each performance indicator.

(2) OUTCOMES.—Performance measures identified under paragraph (1)(A) shall include specific measurable environmental outcomes, such as changes in water quality, hydrology, or the well-being of indicator species the population and distribution of which are representative of the abundance and diversity of ecosystem-dependent aquatic and terrestrial species.

(3) RESTORATION DESIGN.—Restoration design carried out as part of ecosystem restoration shall include a monitoring plan for the performance measures identified under paragraph (1)(A), including—

(A) a timeline to achieve the identified target goals; and

(B) a timeline for the demonstration of project completion.

(e) CONSULTATION AND FUNDING AGREEMENTS.—

(1) IN GENERAL.—In carrying out the environmental sustainability, ecosystem restoration, and monitoring activities authorized in this section, the Secretary shall consult with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin.

(2) FUNDING AGREEMENTS.—The Secretary is authorized to enter into agreements with the Secretary of the Interior, the Upper Mississippi River Basin Association, and natural resource and conservation agencies of the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to provide for the direct participation of and transfer of funds to such entities for the planning, implementation, and evaluation of projects and programs established by this section.

(f) SPECIFIC PROJECTS AUTHORIZATION.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this subsection $1,580,000,000, of which not more than $226,000,000 shall be available for projects described in subsection (b)(2)(B) and not more than $43,000,000 shall be available for projects described in subsection (b)(2)(J). Such sums shall remain available until expended.

(2) LIMITATION ON AVAILABLE FUNDS.—Of the amounts made available under paragraph (1), not more than $35,000,000 in any fiscal year may be used for land acquisition under subsection (b)(4).

(3) INDIVIDUAL PROJECT LIMIT.—Other than for projects described in subparagraphs (B) and (J) of subsection (b)(2), the total cost of any single project carried out under this subsection shall not exceed $25,000,000.

(4) MONITORING.—In addition to amounts authorized under paragraph (1), there are authorized $10,420,000 per fiscal year to carry out the monitoring program under subsection (c) if such sums are not appropriated pursuant to section 1103(e)(4) the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(4)).

(g) IMPLEMENTATION REPORTS.—

(1) IN GENERAL.—Not later than June 30, 2008, and every 4 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an implementation report that—

(A) includes baselines, milestones, goals, and priorities for ecosystem restoration projects; and

(B) measures the progress in meeting the goals.

(2) ADVISORY PANEL.—

(A) IN GENERAL.—The Secretary shall appoint and convene an advisory panel to provide independent guidance in the development of each implementation report under paragraph (1).

(B) PANEL MEMBERS.—Panel members shall include—

(i) one representative of each of the State resource agencies (or a designee of the Governor of the State) from each of the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin;

(ii) one representative of the Department of Agriculture;

(iii) one representative of the Department of Transportation;

(iv) one representative of the United States Geological Survey;

(v) one representative of the United States Fish and Wildlife Service;

(vi) one representative of the Environmental Protection Agency;

(vii) one representative of affected landowners;

(viii) two representatives of conservation and environmental advocacy groups; and

(ix) two representatives of agriculture and industry advocacy groups.

(C) CHAIRPERSON.—The Secretary shall serve as chairperson of the advisory panel.

(D) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Advisory Panel and any working group established by the Advisory Panel shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

(h) RANKING SYSTEM.—

(1) IN GENERAL.—The Secretary, in consultation with the Advisory Panel, shall develop a system to rank proposed projects.

(2) PRIORITY.—The ranking system shall give greater weight to projects that restore natural river processes, including those projects listed in subsection (b)(2).

SEC. 8005. COMPARABLE PROGRESS.

(a) IN GENERAL.—As the Secretary conducts pre-engineering, design, and construction for projects authorized under this title, the Secretary shall—

(1) select appropriate milestones;

(2) determine, at the time of such selection, whether the projects are being carried out at comparable rates; and

(3) make an annual report to Congress, beginning in fiscal year 2008, regarding whether the projects are being carried out at a comparable rate.

(b) NO COMPARABLE RATE.—If the Secretary or Congress determines under subsection (a)(2) that projects authorized under this title are not moving toward completion at a comparable rate, annual funding requests for the projects shall be adjusted to ensure that the projects move toward completion at a comparable rate in the future.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–100. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. OBERSTAR

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–100, as modified by the earlier order of the House.

Mr. OBERSTAR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. OBERSTAR:

In section 1001(21) of the bill, add at the end the following:

(C) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of the Houma Navigation Canal lock complex and the Gulf Intracoastal Waterway floodgate features that provide for inland waterway transportation shall be a Federal responsibility in accordance with section 102 of the Water Resources Development Act of 1986 (33 U.S.C. 2212).

In section 1001 of the bill, after paragraph (41) insert the following (and redesignate subsequent paragraphs accordingly):

(42) RIVERSIDE OXBOW, TEXAS.—The project for environmental restoration, Riverside Oxbow, Texas: Report of the Chief of Engineers, dated May 29, 2003, at a total cost of $27,110,000, with an estimated Federal cost of $11,210,000 and an estimated non-Federal cost of $15,900,000.

In section 1002(b) of the bill, after paragraph (4) insert the following (and redesignate subsequent paragraphs accordingly):

(5) WILDWOOD CREEK, YUCAIPA, CALIFORNIA.—The Secretary shall review the locally prepared plan for the project for flood damage, Wildwood Creek, California, referred to in subsection (a) and, if the Secretary determines that the plan meets the evaluation and design standards of the Corps of Engineers and that the plan is feasible, the Secretary may use the plan to carry out the project and shall provide credit toward the non-Federal share of the cost of the project for the cost of work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

In section 1003 of the bill, before paragraph (1) insert the following (and redesignate subsequent paragraphs accordingly):

(1) ALISO CREEK, CALIFORNIA.—Projects for emergency streambank protection, Aliso Creek, California.

In section 1006(a) of the bill, after paragraph (2) insert the following (and redesignate subsequent paragraphs accordingly):

(3) ALISO CREEK, CALIFORNIA.—Project for aquatic ecosystem restoration, Aliso Creek, California.

In section 1006(a) of the bill, after paragraph (15) insert the following (and redesignate subsequent paragraphs accordingly):

(16) KALAMAZOO RIVER WATERSHED, BATTLE CREEK, MICHIGAN.—Project for aquatic ecosystem restoration, Kalamazoo River watershed, Battle Creek, Michigan.

In section 1006 of the bill, strike subsection (b) (and strike the subsection designation and heading for subsection (a)).

In section 2015(a)(1)(B) of the bill, after ''Guam,'' insert ''the State of Hawaii,''.

In section 2039(a) of the bill, insert before ''the Secretary shall include'' the following: ''and for the project for navigation, Houma Navigation Canal, Louisiana, being conducted pursuant to the Energy and Water Development Appropriations Act, 1995 (Public Law 103–316),''.

At the end of title II of the bill, add the following (and conform the table of contents accordingly):

SEC. 2041. SUPPORT OF ARMY CIVIL WORKS PROGRAM.

(a) IN GENERAL.—Notwithstanding section 2361 of title 10, United States Code, the Secretary is authorized to provide assistance through contracts, cooperative agreements, and grants to—

(1) the University of Tennessee, Knoxville, Tennessee, for establishment and operation of the Southeastern Water Resources Institute to study sustainable development and utilization of water resources in the southeastern United States;

(2) Lewis and Clark Community College, Illinois, for the Great Rivers National Research and Education Center (including facilities that have been or will be constructed at one or more locations in the vicinity of the confluence of the Illinois River, the Missouri River, and the Mississippi River), a collaborative effort of Lewis and Clark Community College, the University of Illinois, the Illinois Department of Natural Resources and Environmental Sciences, and other entities, for the study of river ecology, developing watershed and river management strategies, and educating students and the public on river issues; and

(3) the University of Texas at Dallas for support and operation of the International Center for Decision and Risk Analysis to study risk analysis and control methods for transboundary water resources management in the southwestern United States and other international water resources management problems.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out subsection (a)(1) $5,000,000, to carry out subsection (a)(2) $5,000,000, and to carry out subsection (a)(3) $5,000,000. Such sums shall remain available until expended.

SEC. 2042. FEDERAL HOPPER DREDGES.

Section 3(c) of the Act of August 11, 1888 (33 U.S.C. 622; 25 Stat. 423), is amended—

(1) in paragraph (7)(B) by adding at the end the following: ''This subparagraph shall not apply to the Federal hopper dredges Essayons and Yaquina of the Corps of Engineers.''; and

(2) by adding at the end the following:

''(9) READY RESERVE FOR THE HOPPER DREDGE MCFARLAND.—The Secretary shall place the Federal hopper dredge McFarland of the Corps of Engineers in ready reserve status not later than October 1, 2008.''.

Strike section 3020 of the bill and insert the following:

SEC. 3020. SACRAMENTO AND AMERICAN RIVERS FLOOD CONTROL, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall provide credit to the Sacramento Area Flood Control Agency, in the amount of $20,503,000, for the non-reimbursed Federal share of costs incurred by the Agency in connection the project for flood control and recreation, Sacramento and American Rivers, California (Natomas Levee features), authorized by section 9159 of the Department of Defense Appropriations Act, 1993 (106 Stat. 1944).

(b) ALLOCATION OF CREDIT.—The Secretary shall allocate the amount to be credited under subsection (a) toward the non-Federal share of such projects as are requested by the Sacramento Area Flood Control Agency.

In section 3023 of the bill, strike ''a study for the reallocation of water storage'' and insert ''a study of water conservation and water quality''.

In section 3079(c) of the bill, strike ''$5,000,000'' and insert ''$7,000,000''.

After section 3087 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 3088. WESTERN SARPY AND CLEAR CREEK, NEBRASKA.

The project for ecosystem restoration and flood damage reduction, authorized by section 101(b)(21) of the Water Resources Development Act of 2000 (114 Stat. 2578), is modified to authorize the Secretary to construct the project at a total cost of $21,664,000, with an estimated Federal cost of $14,082,000 and an estimated non-Federal cost of $7,582,000.

Strike section 3110 of the bill (and redesignate subsequent sections, and conform the table of contents, accordingly).

After section 3113 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 3114. BLUESTONE LAKE, OHIO RIVER BASIN, WEST VIRGINIA.

Section 102(ff) of the Water Resources Development Act of 1992 (106 Stat. 4810, 110 Stat. 3726, 113 Stat. 312) is amended to read as follows:

''(ff) BLUESTONE LAKE, OHIO RIVER BASIN, WEST VIRGINIA.—

''(1) IN GENERAL.—The project for flood control, Bluestone Lake, Ohio River Basin, West Virginia, authorized by section 4 of the Flood Control Act of 1938 (52 Stat. 1217) is modified to direct the Secretary to implement Plan C/G, as defined in the Evaluation Report of the District Engineer dated December 1996, to prohibit the release of drift

and debris into waters downstream of the project, except for that organic matter necessary to maintain and enhance the biological resources of such waters and such nonobtrusive items of debris as may not be economically feasible to prevent being released through such project, including measures to prevent the accumulation of drift and debris at the project, the collection and removal of drift and debris on the segment of the New River upstream of the project, and the removal (through use of temporary or permanent systems) and disposal of accumulated drift and debris at Bluestone Dam.

''(2) COOPERATIVE AGREEMENT.—In carrying out the downstream cleanup under the plan referred to in paragraph (1), the Secretary may enter into a cooperative agreement with the West Virginia Department of Environmental Protection for the department to carry out the cleanup, including contracting and procurement services, contract administration and management, transportation and disposal of collected materials, and disposal fees.

''(3) INITIAL CLEANUP.—The Secretary may provide the department up to $150,000 from funds previously appropriated for this purpose for the Federal share of the costs of the initial cleanup under the plan.''.

In section 3119(a) of the bill, redesignate paragraph (3) as paragraph (4) and insert after paragraph (2) the following:

(3) The project for navigation, Baltimore Harbor and Channels, Maryland and Virginia, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1818).

In section 3121(a) of the bill, after paragraph (3) insert the following (and redesignate subsequent paragraphs accordingly):

(4) ROCKLAND HARBOR, MAINE.—The portion of the project for navigation, Rockland Harbor, Maine, authorized by the Act of June 3, 1896 (29 Stat. 202), consisting of a 14-foot channel located in Lermond Cove and beginning at a point with coordinates N9977.37, E340290.02, thence running easterly about 200.00 feet to a point with coordinates N99978.49, E340490.02, thence running northerly about 138.00 feet to a point with coordinates N100116.49, E340289.25, thence running westerly about 200.00 feet to a point with coordinates N100115.37, E340289.25, thence running southerly about 138.00 feet to the point of origin.

In section 3123 of the bill, after subsection (a) insert the following (and redesignate subsequent subsections accordingly):

(b) LAKE TEXOMA, OKLAHOMA.—

(1) RELEASE OF REVERSIONARY INTEREST.—Any reversionary interest relating to public parks and recreation on the land conveyed by the Secretary to the State of Oklahoma at Lake Texoma pursuant to the Act entitled ''An Act to authorize the sale of certain lands to the State of Oklahoma'', approved June 16, 1953 (67 Stat. 63), is terminated as of the date of enactment of this Act.

(2) INSTRUMENT OF RELEASE.—As soon as practicable after the date of enactment of this Act, the Secretary shall execute and file in the appropriate office a deed of release, an amended deed, or another appropriate instrument to release each reversionary interest described in subsection (a).

(3) PRESERVATION OF RESERVED RIGHTS.—Release of a reversionary interest in accordance with this section shall not be construed to affect any other right excepted or reserved for the United States in a deed of conveyance made pursuant to such Act of June 16, 1953.

After section 4010 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 4011. ALISO CREEK, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for streambank protection and environmental restoration along Aliso Creek, California.

Strike section 4038 of the bill (and redesignate subsequent sections, and conform the table of contents, accordingly).

Strike section 4079 of the bill (and redesignate subsequent sections, and conform the table of contents, accordingly).

In section 5001(a) of the bill, after paragraph (1) insert the following (and redesignate subsequent paragraphs accordingly):

(2) West turning basin, Canaveral Harbor, Florida.

In section 5002(d) of the bill, before paragraph (1) insert the following (and redesignate subsequent paragraphs accordingly):

(1) Charlotte Harbor watershed, Florida.

In section 5002(d) of the bill, after paragraph (14) insert the following (and redesignate subsequent paragraphs accordingly):

(15) Tuscarawas River basin, Ohio.

In section 5003(a)(2) of the bill, strike ''Saginaw'' and insert ''Flint''.

In section 5007 of the bill, before paragraph (1) insert the following (and redesignate subsequent paragraphs accordingly):

(1) Daytona Beach shore protection project, Florida.

(2) Flagler Beach shore protection project, Florida.

(3) St. Johns County shore protection project, Florida.

After section 5015 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly)

SEC. 5016. GREAT LAKES PILOT PROJECT.

Using available funds, the Secretary, in coordination with the Administrator of the Environmental Protection Agency, the Commandant of the Coast Guard, the Director of the United States Fish and Wildlife Service, and the Director of the Animal and Plant Health Inspection Service, shall carry out a pilot project, on an emergency basis, to control and prevent further spreading of viral hemorrhagic septicemia in the Great Lakes and their connecting channels.

SEC. 5017. SAINT LAWRENCE SEAWAY.

(a) IN GENERAL.—The Secretary is authorized, using amounts contributed by the Saint Lawrence Seaway Development Corporation under subsection (b), to carry out projects for operations, maintenance, repair, and rehabilitation, including associated maintenance dredging, of the Eisenhower and Snell lock facilities and related navigational infrastructure for the Saint Lawrence Seaway, at a total cost of $134,650,000.

(b) SOURCE OF FUNDS.—The Secretary is authorized to accept funds from the Saint Lawrence Seaway Development Corporation to carry out projects under this section. Such funds may include amounts made available to the Corporation from the Harbor Maintenance Trust Fund and the general fund of the Treasury of the United States pursuant to section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

Strike section 5029 of the bill and insert the following:

SEC. 5029. FIRE ISLAND, ALASKA.

(a) IN GENERAL.—The Secretary is authorized to provide planning, design, and construction assistance to the non-Federal interest for the construction of a barge landing facility on Fire Island, Alaska.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 to carry out this section.

After section 5046 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5047. LANCASTER, CALIFORNIA.

Section 219(f)(50) of the Water Resources Development Act of 1992 (114 Stat. 2763A-220) is amended—

(1) by inserting after ''water'' the following: ''and wastewater''; and

(2) by striking ''$14,500,000'' and inserting ''$24,500,000''.

After section 5056 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5057. EAST CENTRAL AND NORTHEAST FLORIDA.

(a) EAST CENTRAL AND NORTHEAST FLORIDA REGION DEFINED.—In this section, the term ''East Central and Northeast Florida Region'' means Flagler County, St. Johns County, Putman County (east of the St. Johns River), Seminole County, Volusia County, the towns of Winter Park, Maitland, and Palatka, Florida.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in the East Central and Northeast Florida Region.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in the East Central and Northeast Florida Region, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a partnership agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each partnership agreement for a project entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each partnership agreement entered into under this subsection shall be 75 percent. The Federal share may be provided in the form of grants or reimbursements of project costs.

(B) CREDIT FOR WORK.—The non-Federal interests shall receive credit for the reasonable cost of design work on a project completed by the non-Federal interest before entering into a partnership agreement with the Secretary for such project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal

share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but such credit may not exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity.

(h) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000. Such sums shall remain available until expended.

SEC. 5058. LAKE LANIER, GEORGIA.

The Secretary may assist local interests with planning, design, and construction of facilities at the Lake Lanier Olympic Center, Georgia, at a total cost of $5,300,000.

After section 5062 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5063. SOUTHWEST ILLINOIS.

(a) SOUTHWEST ILLINOIS DEFINED.—In this section, the term ''Southwest Illinois'' means the counties of Madison, St. Clair, Monroe, Randolph, Perry, Franklin, Jackson, Union, Alexander, Pulaski, and Williamson, Illinois.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in Southwest Illinois.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Southwest Illinois, including projects for wastewater treatment and related facilities, water supply and related facilities, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a partnership agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each partnership agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each partnership agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR WORK.—The non-Federal interests shall receive credit for the reasonable cost of design work on a project completed by the non-Federal interest before entering into a partnership agreement with the Secretary for such project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity.

(h) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000. Such sums shall remain available until expended.

After section 5064 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5065. FLOODPLAIN MAPPING, MISSOURI RIVER, IOWA.

(a) IN GENERAL.—The Secretary shall provide assistance for a project to develop maps identifying 100- and 500-year flood inundation areas in the State of Iowa, along the Missouri River.

(b) REQUIREMENTS.—Maps developed under the project shall include hydrologic and hydraulic information and shall accurately portray the flood hazard areas in the floodplain. The maps shall be produced in a high resolution format and shall be made available to the State of Iowa in an electronic format.

(c) PARTICIPATION OF FEMA.—The Secretary and the non-Federal interests for the project shall work with the Director of the Federal Emergency Management Agency to ensure the validity of the maps developed under the project for flood insurance purposes.

(d) FORMS OF ASSISTANCE.—In carrying out the project, the Secretary may enter into contracts or cooperative agreements with the non-Federal interests or provide reimbursements of project costs.

(e) FEDERAL SHARE.—The Federal share of the cost of the project shall be 50 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000.

In section 5065 of the bill, before ''and, if'' insert the following: ''authorized by section 4 of the Flood Control Act of June 28, 1938 (52 Stat. 1217)''.

Strike section 5070 of the bill (and redesignate subsequent sections, and conform the table of contents, accordingly).

After section 5070 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5071. EAST ATCHAFALAYA BASIN AND AMITE RIVER BASIN REGION, LOUISIANA.

(a) EAST ATCHAFALAYA BASIN AND AMITE RIVER BASIN REGION DEFINED.—In this section, the term ''East Atchafalaya Basin and Amite River Basin Region'' means the following parishes and municipalities in the State of Louisiana: Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, West Baton Rouge, and West Feliciana.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in the East Atchafalaya Basin and Amite River Basin Region.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in the East Atchafalaya Basin and Amite River Basin Region, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a partnership agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each partnership agreement of a project entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each partnership agreement entered into under this subsection shall be 75 percent. The Federal share may be provided in the form of grants or reimbursements of project costs.

(B) CREDIT FOR WORK.—The non-Federal interests shall receive credit for the reasonable cost of design work on a project completed by the non-Federal interest before entering into a partnership agreement with the Secretary for such project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but such credit may not exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity.

(h) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000. Such sums shall remain available until expended.

After section 5098 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5099. CLINTON COUNTY, PENNSYLVANIA.

Section 219(f)(13) of the Water Resources Development Act of 1992 (113 Stat. 335) is amended by striking ''$1,000,000'' and inserting ''$2,000,000''.

After section 5104 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5105. EAST TENNESSEE.

(a) EAST TENNESSEE DEFINED.—In this section, the term ''East Tennessee'' means the counties of Blount, Knox, Loudon, McMinn, Monroe, and Sevier, Tennessee.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in East Tennessee.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in East Tennessee, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a partnership agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each partnership agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project cost under each partnership agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR WORK.—The non-Federal interests shall receive credit for the reasonable cost of design work on a project completed by the non-Federal interest before entering into a partnership agreement with the Secretary for such project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project cost.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project cost (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project cost.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(h) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000. Such sums shall remain available until expended.

After section 5110 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5111. DALLAS COUNTY REGION, TEXAS.

(a) DALLAS COUNTY REGION DEFINED.—In this section, the term ''Dallas County region'' means the city of Dallas, and the municipalities of DeSoto, Duncanville, Lancaster, Wilmer, Hutchins, Balch Springs, Cedar Hill, Glenn Heights, and Ferris, Texas.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in the Dallas County region.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in the Dallas County region, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a partnership agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each partnership agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each partnership agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR WORK.—The non-Federal interests shall receive credit for the reasonable cost of design work on a project completed by the non-Federal interest before entering into a partnership agreement with the Secretary for such project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but such credit may not exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity.

(h) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000. Such sums shall remain available until expended.

After section 5112 of the bill, insert the following (and redesignate subsequent sections,

and conform the table of contents, accordingly):

SEC. 5113. JOHNSON CREEK, ARLINGTON, TEXAS.

(a) IN GENERAL.—The project for flood damage reduction, environmental restoration, and recreation, Johnson Creek, Arlington, Texas, authorized by section 101(b)(14) of the Water Resources Development Act of 1999 (113 Stat 280), is modified to authorize the Secretary to construct the project substantially in accordance with the report entitled ''Johnson Creek: A Vision of Conservation'', dated March 30, 2006, at a total cost of $80,000,000, with an estimated Federal cost of $52,000,000 and an estimated non-Federal cost of $28,000,000, if the Secretary determines that the project is feasible.

(b) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of the project may be provided in cash or in the form of in-kind services or materials.

(2) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest for implementation of the project, if the Secretary determines that the work is integral to the project.

(c) SPECIAL RULE.—In evaluating and implementing the project, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184).

(d) CONFORMING AMENDMENT.—Section 134 of the Energy and Water Development Appropriations Act, 2006 (119 Stat. 2263) is repealed.

In section 5121 of the bill, strike ''and'' at the end of paragraph (1)(B), redesignate paragraph (2) as paragraph (3), and insert after paragraph (1) the following:

(2) in subsection (h) by striking ''$10,000,000'' and inserting ''$20,000,000''; and

After section 5123 of the bill, insert the following (and conform the table of contents accordingly):

SEC. 5124. WAGE SURVEYS.

Employees of the United States Army Corps of Engineers who are paid wages determined under the last undesignated paragraph under the heading ''Administrative Provisions'' of chapter V of the Supplemental Appropriations Act, 1982 (5 U.S.C. 5343 note; 96 Stat. 832) shall be allowed, through appropriate employee organization representatives, to participate in wage surveys under such paragraph to the same extent as are prevailing rate employees under subsection (c)(2) of section 5343 of title 5, United States Code. Nothing in such section 5343 shall be considered to affect which agencies are to be surveyed under such paragraph.

SEC. 5125. ADDITIONAL ASSISTANCE FOR CRITICAL PROJECTS.

Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335–337; 114 Stat. 2763A–220–221) is amended—

(1) by striking the undesignated paragraph relating to Charleston, South Carolina, and inserting the following:

''(72) CHARLESTON, SOUTH CAROLINA.—$10,000,000 for wastewater infrastructure, including wastewater collection systems, and stormwater system improvements, Charleston, South Carolina.'';

(2) by redesignating the paragraph (71) relating to Placer and El Dorado Counties, California, as paragraph (73);

(3) by redesignating the paragraph (72) relating to Lassen, Plumas, Butte, Sierra, and Nevada Counties, California, as paragraph (74);

(4) by striking the paragraph (71) relating to Indianapolis, Indiana, and inserting the following:

''(75) INDIANAPOLIS, INDIANA.—$6,430,000 for environmental infrastructure for Indianapolis, Indiana.'';

(5) by redesignating the paragraph (73) relating to St. Croix Falls, Wisconsin, as paragraph (76); and

(6) by adding at the end the following:

''(77) ST. CLAIR COUNTY, ALABAMA.—$5,000,000 for water related infrastructure, St. Clair County, Alabama.

''(78) CRAWFORD COUNTY, ARKANSAS.—$35,000,000 for water supply infrastructure, Crawford County, Arkansas.

''(79) ALAMEDA AND CONTRA COSTA COUNTIES, CALIFORNIA.—$25,000,000 for recycled water treatment facilities within the East Bay Municipal Utility District service area, Alameda and Contra Costa Counties, California.

''(80) ARCADIA, SIERRA MADRE, AND UPLAND, CALIFORNIA.—$33,000,000 for water and wastewater infrastructure, Arcadia, Sierra Madre, and Upland, California, including $13,000,000 for stormwater infrastructure for Upland, California.

''(81) BIG BEAR AREA REGIONAL WASTEWATER AGENCY, CALIFORNIA.—$15,000,000 for water reclamation and distribution, Big Bear Area Regional Wastewater Agency, California.

''(82) BRAWLEY COLONIA, IMPERIAL COUNTY, CALIFORNIA.—$1,400,000 for water infrastructure to improve water quality in the Brawley Colonia Water District, Imperial County, California.

''(83) CONTRA COSTA WATER DISTRICT, CALIFORNIA.—$23,000,000 for water and wastewater infrastructure for the Contra Costa Water District, California.

''(84) EAST BAY, SAN FRANCISCO, AND SANTA CLARA AREAS, CALIFORNIA.—$4,000,000 for a desalination project to serve the East Bay, San Francisco, and Santa Clara areas, California.

''(85) IMPERIAL COUNTY, CALIFORNIA.—$10,000,000 for wastewater infrastructure, including a wastewater disinfection facility and polishing system, to improve water quality in the vicinity of Calexico, California, on the southern New River, Imperial County, California.

''(86) LOS ANGELES COUNTY, CALIFORNIA.—$3,000,000 for wastewater and water related infrastructure, Diamond Bar, La Habra Heights, and Rowland Heights, Los Angeles County, California.

''(87) NEW RIVER, CALIFORNIA.—$10,000,000 for wastewater infrastructure to improve water quality in the New River, California.

''(88) ORANGE COUNTY, CALIFORNIA.—$15,000,000 for wastewater and water related infrastructure, Anaheim, Brea, La Habra, Mission Viejo, Rancho Santa Margarita, and Yorba Linda, Orange County, California.

''(89) SAN BERNARDINO COUNTY, CALIFORNIA.—$9,000,000 for wastewater and water related infrastructure, Chino and Chino Hills, San Bernardino County, California.

''(90) SANTA CLARA COUNTY, CALIFORNIA.—$5,500,000 for an advanced recycling water treatment plant in Santa Clara County, California.

''(91) SOUTHERN LOS ANGELES COUNTY, CALIFORNIA.—$15,000,000 for environmental infrastructure for the groundwater basin optimization pipeline, Southern Los Angeles County, California.

''(92) STOCKTON, CALIFORNIA.—$33,000,000 for water treatment and distribution infrastructure, Stockton, California.

''(93) SWEETWATER RESERVOIR, SAN DIEGO COUNTY, CALIFORNIA.—$375,000 to improve water quality, and remove nonnative aquatic species from the Sweetwater Reservoir, San Diego County, California.

''(94) WHITTIER, CALIFORNIA.—$8,000,000 for water, wastewater, and water related infrastructure, Whittier, California.

''(95) MONTEZUMA AND LA PLATA COUNTIES, COLORADO.—$1,000,000 for water and wastewater related infrastructure for the Ute Mountain project, Montezuma and La Plata Counties, Colorado.

''(96) OTERO, BENT, CROWLEY, KIOWA, AND PROWERS COUNTIES, COLORADO.—$35,000,000 for water transmission infrastructure, Otero, Bent, Crowley, Kiowa, and Prowers Counties, Colorado.

''(97) PUEBLO AND OTERO COUNTIES, COLORADO.—$34,000,000 for water transmission infrastructure, Pueblo and Otero Counties, Colorado.

''(98) LEDYARD AND MONTVILLE, CONNECTICUT.—$7,113,000 for water infrastructure, Ledyard and Montville, Connecticut.

''(99) ANACOSTIA RIVER, DISTRICT OF COLUMBIA AND MARYLAND.—$20,000,000 for environmental infrastructure and resource protection and development to enhance water quality and living resources in the Anacostia River watershed, District of Columbia and Maryland.

''(100) WASHINGTON, DISTRICT OF COLUMBIA.—$35,000,000 for implementation of a combined sewer overflow long-term control plan, Washington, District of Columbia.

''(101) CHARLOTTE COUNTY, FLORIDA.—$3,000,000 for water supply infrastructure, Charlotte County, Florida.

''(102) CHARLOTTE, LEE, AND COLLIER COUNTIES, FLORIDA.—$20,000,000 for water supply interconnectivity infrastructure, Charlotte, Lee, and Collier Counties, Florida.

''(103) COLLIER COUNTY, FLORIDA.—$5,000,000 for water infrastructure to improve water quality in the vicinity of the Gordon River, Collier County, Florida.

''(104) JACKSONVILLE, FLORIDA.—$25,000,000 for wastewater related infrastructure, including septic tank replacements, Jacksonville, Florida.

''(105) SARASOTA COUNTY, FLORIDA.—$10,000,000 for water and wastewater infrastructure in Sarasota County, Florida.

''(106) SOUTH SEMINOLE AND NORTH ORANGE COUNTY, FLORIDA.—$30,000,000 for wastewater infrastructure for the South Seminole and North Orange Wastewater Transmission Authority, Florida.

''(107) FAYETTEVILLE, GRANTVILLE, LAGRANGE, PINE MOUNTAIN (HARRIS COUNTY), DOUGLASVILLE, AND CARROLLTON, GEORGIA.—$24,500,000 for water and wastewater infrastructure, Fayetteville, Grantville, LaGrange, Pine Mountain (Harris County), Douglasville, and Carrollton, Georgia.

''(108) MERIWETHER AND SPALDING COUNTIES, GEORGIA.—$7,000,000 for water and wastewater infrastructure, Meriwether and Spalding Counties, Georgia.

''(109) NORTH VERNON AND BUTLERVILLE, INDIANA.—$1,700,000 for wastewater infrastructure, North Vernon and Butlerville, Indiana.

''(110) SALEM, WASHINGTON COUNTY, INDIANA.—$3,200,000 for water supply infrastructure, Salem, Washington County, Indiana.

''(111) CENTRAL KENTUCKY.—$10,000,000 for water related infrastructure and resource protection and development, Scott, Franklin, Woodford, Anderson, Fayette, Mercer, Jessamine, Boyle, Lincoln, Garrard, Madison, Estill, Powell, Clark, Montgomery, and Bourbon Counties, Kentucky.

''(112) PLAQUEMINE, LOUISIANA.—$7,000,000 for sanitary sewer and wastewater infrastructure, Plaquemine, Louisiana.

''(113) SHREVEPORT, LOUISIANA.—$20,000,000 for water supply infrastructure in Shreveport, Louisiana.

''(114) CENTRAL IRON RANGE SANITARY SEWER DISTRICT, MINNESOTA.—$12,000,000 for wastewater infrastructure for the Central Iron Range Sanitary Sewer District to serve the cities of Hibbing, Chisholm, Buhl, and Kinney, and Balkan and Great Scott Townships, Minnesota.

''(115) GRAND RAPIDS, MINNESOTA.—$5,000,000 for wastewater infrastructure, Grand Rapids, Minnesota.

''(116) CITY OF BILOXI, CITY OF GULFPORT, AND HARRISON COUNTY, MISSISSIPPI.—$15,000,000 for water and wastewater related infrastructure, city of Biloxi, city of Gulfport, and Harrison County, Mississippi.

''(117) JACKSON, MISSISSIPPI.—$25,000,000 for water and wastewater infrastructure, Jackson, Mississippi.

''(118) CLARK COUNTY, NEVADA.—$30,000,000 for wastewater infrastructure, Clark County, Nevada.

''(119) HENDERSON, NEVADA.—$5,000,000 for wastewater infrastructure, Henderson, Nevada.

''(120) PATERSON, NEW JERSEY.—$35,000,000 for wastewater infrastructure, Paterson, New Jersey.

''(121) ELLICOTTVILLE, NEW YORK.—$2,000,000 for water supply, water, and wastewater infrastructure in Ellicottville, New York.

''(122) SENNETT, NEW YORK.—$1,500,000 for water infrastructure, Town of Sennett, New York.

''(123) WELLSVILLE, NEW YORK.—$2,000,000 for water supply, water, and wastewater infrastructure in Wellsville, New York.

''(124) SPRINGPORT AND FLEMING, NEW YORK.—$10,000,000 for water related infrastructure, including water mains, pump stations, and water storage tanks, Springport and Fleming, New York.

''(125) CABARRUS COUNTY, NORTH CAROLINA.—$4,500,000 for water related infrastructure, Cabarrus County, North Carolina.

''(126) CHARLOTTE, NORTH CAROLINA.—$11,000,000 for phase II of the Briar Creek wastewater project, Charlotte, North Carolina.

''(127) RICHMOND COUNTY, NORTH CAROLINA.—$13,500,000 for water related infrastructure, Richmond County, North Carolina.

''(128) UNION COUNTY, NORTH CAROLINA.—$6,000,000 for wastewater infrastructure, Union County, North Carolina.

''(129) SAIPAN, NORTHERN MARIANA ISLANDS.—$20,000,000 for water related infrastructure, Saipan, Northern Mariana Islands.

''(130) LAKE COUNTY, OHIO.—$1,500,000 for wastewater infrastructure, Lake County, Ohio.

''(131) MENTOR-ON-LAKE, OHIO.—$625,000 for water and wastewater infrastructure, Mentor-on-Lake, Ohio.

''(132) WILLOWICK, OHIO.—$665,000 for water and wastewater infrastructure, Willowick, Ohio.

''(133) ALBANY, OREGON.—$35,000,000 for wastewater infrastructure to improve habitat restoration, Albany, Oregon.

''(134) BOROUGH OF STOCKERTON, BOROUGH OF TATAMY, AND PALMER TOWNSHIP, PENNSYLVANIA.—$10,000,000 for stormwater control measures, particularly to address sinkholes, in the vicinity of the Borough of Stockerton, the Borough of Tatamy, and Palmer Township, Pennsylvania.

''(135) HATFIELD BOROUGH, PENNSYLVANIA.—$310,000 for wastewater related infrastructure for Hatfield Borough, Pennsylvania.

''(136) LEHIGH COUNTY, PENNSYLVANIA.—$5,000,000 for stormwater control measures and storm sewer improvements, Lehigh County, Pennsylvania.

''(137) NORTH WALES BOROUGH, PENNSYLVANIA.—$1,516,584 for wastewater related infrastructure for North Wales Borough, Pennsylvania.

''(138) PEN ARGYL, PENNSYLVANIA.—$5,250,000 for wastewater infrastructure, Pen Argyl, Pennsylvania.

''(139) PHILADELPHIA, PENNSYLVANIA.—$1,600,000 for wastewater related infrastructure for Philadelphia, Pennsylvania.

''(140) VERA CRUZ, PENNSYLVANIA.—$5,500,000 for wastewater infrastructure, Vera Cruz, Pennsylvania.

''(141) COMMONWEALTH OF PUERTO RICO.—$35,000,000 for water and wastewater infrastructure in the Commonwealth of Puerto Rico.

''(142) CHARLESTON, SOUTH CAROLINA.—$1,000,000 for stormwater control measures and storm sewer improvements, Spring Street/Fishburne Street drainage project, Charleston, South Carolina.

''(143) CROOKED CREEK, MARLBORO COUNTY, SOUTH CAROLINA.—$25,000,000 for a project for water storage and water supply infrastructure on Crooked Creek, Marlboro County, South Carolina.

''(144) MYRTLE BEACH, SOUTH CAROLINA.—$8,000,000 for environmental infrastructure, including ocean outfalls, Myrtle Beach, South Carolina.

''(145) NORTH MYRTLE BEACH, SOUTH CAROLINA.—$8,000,000 for environmental infrastructure, including ocean outfalls, North Myrtle Beach, South Carolina.

''(146) SURFSIDE, SOUTH CAROLINA.—$8,000,000 for environmental infrastructure, including stormwater system improvements and ocean outfalls, Surfside, South Carolina.

''(147) ATHENS, TENNESSEE.—$16,000,000 for wastewater infrastructure, Athens, Tennessee.

''(148) CENTRAL TEXAS.—$20,000,000 for water and wastewater infrastructure in Bosque, Brazos, Burleson, Grimes, Hill, Hood, Johnson, Madison, McLennan, Limestone, Robertson, and Somervell Counties, Texas.

''(149) EL PASO COUNTY, TEXAS.—$25,000,000 for water related infrastructure and resource protection, including stormwater management, and development, El Paso County, Texas.

''(150) FT. BEND COUNTY, TEXAS.—$20,000,000 for water and wastewater infrastructure, Ft. Bend County, Texas.

''(151) DUCHESNE, IRON, AND UINTAH COUNTIES, UTAH.—$10,800,000 for water related infrastructure, Duchesne, Iron, and Uintah Counties, Utah.

''(152) NORTHERN WEST VIRGINIA.—$20,000,000 for water and wastewater infrastructure in Hancock, Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood, Doddridge, Monongalia, Marion, Harrison, Taylor, Barbour, Preston, Tucker, Mineral, Grant, Gilmer, Brooke, Ritchie Counties, West Virginia.

''(153) UNITED STATES VIRGIN ISLANDS.—$25,000,000 for wastewater infrastructure for the St. Croix Anguilla wastewater treatment plant and the St. Thomas Charlotte Amalie wastewater treatment plant, United States Virgin Islands.

''(154) CHEYENNE RIVER SIOUX RESERVATION (DEWEY AND ZIEBACH COUNTIES) AND PERKINS AND MEADE COUNTIES, SOUTH DAKOTA.—$25,000,000 for water supply infrastructure for the Cheyenne River Sioux Reservation in Dewey and Ziebach Counties, and for communities in Perkins and Meade Counties, South Dakota.''.

After section 6002 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 6003. INITIAL PROJECTS.

Section 601(b)(2)(C) of the Water Resources Development Act of 2000 (114 Stat. 2682) is amended—

(1) in the matter preceding clause (i) by striking ''at a total cost of $1,100,918,000'' and all that follows before the colon;

(2) in clause (iv)—

(A) by striking ''$100,335,000'' and inserting ''$162,630,000''; and

(B) by striking ''$50,167,500'' each place it appears and inserting ''$81,315,000'';

(3) in clause (v)—

(A) by striking ''$124,837,000'' and inserting ''$385,010,000''; and

(B) by striking ''$62,418,500'' each place it appears and inserting ''$192,505,000''; and

(4) in clause (vi)—

(A) by striking ''$89,146,000'' and inserting ''$199,340,000''; and

(B) by striking ''$44,573,000'' each place it appears and inserting ''$99,670,000''.

In section 7002(e)(3) of the bill, strike subparagraph (D) and insert the following:

(D) the plan of the State of Louisiana entitled ''Integrated Ecosystem Restoration and Hurricane Protection—Louisiana's Comprehensive Master Plan for a Sustainable Coast''.

At the end of section 7006(a) of the bill, insert the following:

(5) APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—A working group established under this subsection shall not be considered to be an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

In section 7007(b) of the bill, strike ''this section'' and insert ''this title''.

In section 7013 of the bill, strike subsection (a) and insert the following:

(a) DEAUTHORIZATION.—

(1) IN GENERAL.—The navigation channel portion of the project for navigation, Mississippi River-Gulf outlet, authorized by the Act entitled, ''An Act to authorize construction of the Mississippi River-Gulf outlet'', approved March 29, 1956 (70 Stat. 65), as modified by section 844 of the Water Resources Development Act of 1986 (100 Stat. 4177), and further modified by section 326 of the Water Resources Development Act of 1996 (110 Stat. 3717), which extends from the Gulf of Mexico to mile 60 at the southern bank of the Gulf Intracoastal Waterway is not authorized.

(2) SCOPE.—Paragraph (1) shall not be construed to modify or deauthorize the Inner Harbor Navigation Canal Replacement Project, authorized by the Act referred to in paragraph (1).

In section 8004(c) of the bill, strike ''build upon'' and insert ''adopt and continue''.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

This is the so-called traditional manager's amendment that we have worked on for weeks in a bipartisan manner across the aisle within the committee to work out technical changes and modifications to the bill that came to the attention of the committee after consideration of the bill in March. A project of this magnitude always has some issues that we need to resolve, and we have done that quite well in this manager's amendment.

Among some of the highlights are a provision that is of great importance to the 35 million people who live along the Great Lakes. There is a provision to direct the Secretary of the Army, along with directors of other agencies and entities, to carry out an emergency project to control and prevent spreading a viral hemorrhagic septicemia (VHS) virus in the Great Lakes and the connecting channels. I alluded to this issue at the outset of my remarks at the beginning of the legislation. It is an infectious viral disease of

fish and has caused fish kills throughout the lakes. It has been a problem in Europe, it is a problem in Japan, and now we have confirmed presence in Lake Ontario, Lake St. Clair, Erie, St. Lawrence River. It was discovered in Lake Huron. It is migrating up the lakes, killing fish in its wake caused by ballast water that is infected on vessels plying the Great Lakes.

It spreads rapidly. We don't really know how it spreads, but we need to attack this issue now. There is a multibillion dollar fishery industry throughout the Great Lakes, sport fish and commercial fishery, and this provision will help us deal with and hopefully find a way to contain this devastating virus.

We also have authorizations for new projects in water and wastewater-related infrastructure. For years, these were traditionally practices of the Environmental Protection Agency, but they have run out of money, frankly. Even though we have passed the State Revolving Loan fund bill in this committee to deal with the matter, there still are huge needs. No one better than the Corps of Engineers is equipped to deal with the needs of environmental infrastructure. So in cooperation with the Department of Agriculture's Rural Utilities Service program, the State Revolving Loan fund of the EPA, Corps of Engineers will help communities rebuild their infrastructure and provide for public health and economic vitality of our towns all across America. The needs of communities have not gone away; the ability to deal with them has simply diminished.

The Corps can do this work; they have proven they can. And we have a very vigorous and I think constructive environmental infrastructure program in the manager's amendment.

Mr. Chairman, I would yield such time as she may wish to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much, Mr. Chairman.

I support the manager's amendment on this water resources bill.

The manager's amendment reflects project and policy revisions that have come to the attention of the subcommittee that I chair, and the subcommittee of Water Resources Environment.

Since the bill was passed out of committee, the Transportation and Infrastructure, in March, the amendment contains authorizations that are by no means inequitable to those that were contained in the bill that passed out of committee. Likewise, the projects in the manager's amendment were not considered on a partisan basis but on a need basis and merit. And this has been a long tradition in our committee, and I hope we will always have that.

I support the amendment. And I want to express my appreciation to the persons who did do all of the certifications and all the new paperwork we have to do. And I want to thank the ranking member on the subcommittee as well as the full committee and our general chairman. Thank you so very much.

Mr. OBERSTAR. Mr. Chairman, I reserve the balance of my time.

Mr. BAKER. Mr. Chairman, I rise to claim the time in opposition, although I am not in opposition and therefore ask unanimous consent to claim such time.

The CHAIRMAN. Without objection, the gentleman from Louisiana is recognized for 5 minutes.

There was no objection.

Mr. BAKER. Mr. Chairman, I just want to speak for a moment as to process and my appreciation for the manner in which the chairman handled this particular legislation. At the time of some of the subcommittee consideration, there were some Members who had not completed the necessary documents for submission of their projects in the required form, and the chairman made clear that should a Member provide the necessary information in a timely manner, that their projects would be included for consideration. And the manager's amendment reflects the closure of that verbal agreement in allowing many Members to complete the necessary documentation, therefore enabling the committee to include their projects of interest in the final mark before the House this evening. That is a model of how appropriate legislative consideration should be engaged, and I want to express appreciation to him.

I can verify for him if there is ever any question that there are a large number of Members who have a very deep and abiding interest in this subject matter, I have a list. And they also are appreciative of the willingness to give opportunity for appropriate consideration.

The manager's amendment is extraordinarily important in that it touches about a hundred projects which otherwise would not be included. I certainly hope that those present will support the adoption of the amendment.

Mr. Chairman, at this time, I would yield such time as the gentleman may consume to my ranking member, Mr. MICA.

Mr. MICA. Might I inquire of the Chair as to how much time is remaining.

The CHAIRMAN. The gentleman from Louisiana has 3½ minutes remaining.

Mr. MICA. I thank the gentleman for yielding.

First of all, I rise in strong support of the manager's amendment. Mr. OBERSTAR, after the election, became the Chair, I became the ranking member of the Transportation Committee. And we inherited, indeed, a huge backlog of projects. We also inherited a bill that required earmarking because they are Members' projects, and everyone knows the problems that we have had with earmarks in the past. So I can assure the Members that on both sides of the aisle we have done everything possible to vet these projects. I am also sorry that we can't put even more projects in.

We just had Mrs. BONO here, and her heart and soul in her work in Congress, which is something she inherited, actually the work, too, of her late husband, Sonny Bono, a good friend and colleague.

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She wanted that so badly in this, and it is so important, the restoration of the Salton Sea, for her district. You can see how important these projects are to Members and their districts. So we have a good work product.

Let me make one point I did not make in opposition to the administration's position on this piece of legislation in that it cost too much. If you look at 2000 when we started these projects, maybe they did cost $5 million. I can tell you that just with inflation and the cost of doing construction projects, having been in the development business, that every day we delay will cost us more; and that is why these projects cost us more, and that is why I am in opposition to the administration's point there.

We have evenly divided the projects. I don't think we could have had a fairer distribution. They are Republican, they are not Democrat, but they are of national and district importance, and I think we have done as good a job as you can. I am sure you can find something wrong or questionable, if anyone seeks to do that.

Mr. Chairman, I urge adoption of the manager's amendment, and I urge all Members on both sides of the aisle to move and urge the passage of this bill, not only through the House but through the other body and conference, so that we can do a better job for the people that we represent in these important environmental and water resources projects.

I thank the gentleman.

Mr. BAKER. I thank the gentleman for his remarks, and I certainly would be remiss if I did not comment on his effort to provide for transparency and disclosure of Members' requests. It was a new process. We had a lot of new paperwork to engage in. But at the end of the day, I think the public interest is well served and every Member is well served by having such disclosure made in a timely manner; and for his leadership in providing that counsel, I am most appreciative.

Mr. Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Mr. Chairman, we have labored mightily to comply with the new rules of the House, to cut every one of the projects back with each of the Members, each of 300 Members who had a project in the last Congress that carried over to this Congress. We have worked very diligently to serve as a filter for Members, to filter out problems that they had, projects that really might not comply,

that should not be considered at this stage.

We bring forward to you a bill that has been on the Internet, that is fully vetted, and should pass with overwhelming support.

The CHAIRMAN. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BOSWELL

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–100.

Mr. BOSWELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 147, after line 2, insert the following (and redesignate subsequent sections, and conform the table of contents accordingly):

SEC. 3055. RATHBUN LAKE, IOWA.

(a) RIGHT OF FIRST REFUSAL.—The Secretary shall provide, in accordance with the recommendations in the Rathbun Lake Reallocation Report approved by the Chief of Engineers on July 22, 1985, the Rathbun Regional Water Association with the right of first refusal to contract for or purchase any increment of the remaining allocation (8,320 acre-feet) of water supply storage in Rathbun Lake, Iowa.

(b) PAYMENT OF COST.—The Rathbun Regional Water Association shall pay the cost of any water supply storage allocation provided under subsection (a).

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Iowa (Mr. BOSWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. BOSWELL. Mr. Chairman, I yield myself such time as I may consume.

Before I explain the amendment, I would like to thank Ms. JOHNSON and Mr. OBERSTAR for their hard work. We have finally got something out here to work with. I thank the gentleman from Louisiana and the gentleman from Florida for working together with us. It is something that our country needed very, very badly, and was overdue.

Mr. Chairman, I rise in support of this amendment that is highly important to the State of Iowa constituents and also a number of folks in northern Missouri. As a member of the Transportation and Infrastructure Committee, I would like to especially give my appreciation for this opportunity that is before us today.

My amendment is critical to the future availability of quality drinking water for farmers, residents and businesses in southern Iowa and northern Missouri. Rathbun Regional Water Association is the largest rural water system in Iowa and one of the largest in the United States. Rathbun Regional Water Association supplies potable water to 60,000 people in the rural areas of 15 counties and 41 communities in southern Iowa and northern Missouri from the association's water treatment plant at Rathbun Lake. Rathbun Lake is the source of raw water for the treatment plant.

Rathbun Rural Water Association has experienced steady growth in the demand for potable water. In response to this demand, Rathbun Rural Water Association doubled the capacity of its treatment plant in 2000 and made improvements to its distribution system.

Rathbun Rural Water Association has completed an analysis of future water demand in its service territory. This analysis indicates that Rathbun Regional Water Association must take steps to meet continued growth in demand for potable water. The ability to secure the rights of the remaining drinking water pool in Lake Rathbun, a facility managed by the U.S. Army Corps of Engineers, is critical to meet demand.

There are 15,000 acre-feet of water supply storage in Rathbun Lake. Rathbun Regional Water Association has purchased the rights to 6,680 acre-feet of this water and storage from the U.S. Army Corps of Engineers. It is essential that they be able to acquire the rights of the remaining over 8,000 acre-feet of water supply storage in Rathbun Lake in order to satisfy the growing demand for potable water in its service territory. This remaining acre-feet in water would provide access to approximately 2.7 billion gallons of water.

The amendment submitted today takes two critical steps to ensure the availability of water for the region. First, it directs the U.S. Army Corps of Engineers to grant Rathbun Rural Water the right of first refusal to contract for any increment of the remaining water supply storage allocation in Rathbun Lake. This language is in accordance with the recommendations in the Rathbun Lake Reallocation Report approved by the chief of engineers on July 22, 1985.

Second, it allows Rathbun Regional Water Association to contract for the remaining water supply storage allocation in total, or incrementally as dictated by the demand of the potable water demand in the association's service territory, at such time as the full amount of storage may be purchased.

This amendment ensures access to quality water supply for rural residents, small communities and businesses in southern Iowa and northern Missouri. It enables Rathbun Rural Water to better manage the expense of purchasing water storage allocation in a manner that reduces the financial burden on its customers and ensures the vitality of Rathbun Regional Water Association to fulfill its commitment to an extensive rural area.

I join with my colleague from Iowa, Congressman LOEBSACK, in this request, and I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent, though I am not in opposition to the amendment, to claim the time in opposition to the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Chairman, I support the amendment offered by the gentleman from Iowa. We have had a bipartisan agreement on this.

I yield to the distinguished gentleman from Louisiana.

Mr. BAKER. I thank the gentleman for yielding.

Mr. Chairman, I just wish to compliment the gentleman on his amendment. We have reviewed it. We have no objection to its consideration and adoption.

Mr. OBERSTAR. The gentleman from Iowa (Mr. BOSWELL) and our former colleague from Iowa, Mr. Leach, have long worked with the committee on this issue of Rathbun Lake. It is as much a tribute to the gentleman from Iowa (Mr. BOSWELL) as to our former colleague, Mr. Leach. The gentleman has described the issue very well.

In initial consideration of this legislation, there was a PAYGO issue, and the gentleman from Iowa has worked with us on both sides of the aisle to resolve the matter. We no longer have an impact on direct Federal spending in the amendment. Therefore, it passes our committee standards.

Mr. Chairman, I strongly support the amendment and appreciate the support of the gentleman from Louisiana.

Mr. Chairman, I yield back the balance of my time.

Mr. BOSWELL. Thank you, Mr. OBERSTAR, and the gentleman from Louisiana, I appreciate your help and your work with us on this. I would join again with Congressman LOEBSACK and urge passage of this amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I support the amendment offered by my colleague, Mr. BOSWELL.

Congressman BOSWELL has been working with the Committee to resolve scoring issues related to modifications for the Rathbun Lake, Iowa project that had surfaced since the project was last included in the Water Resources Development Act of 2005.

It is my understanding that these issues have now been settled.

I urge the adoption of this amendment.

Mr. BOSWELL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentleman from Iowa (Mr. BOSWELL).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–100.

Does any Member seek recognition?

AMENDMENT NO. 4 OFFERED BY MR. STUPAK

The CHAIRMAN. If not, it is now in order to consider amendment No. 4 printed in House Report 110–100.

Mr. STUPAK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. STUPAK:

Page 116, after line 8, insert the following (and conform the table of contents of the bill accordingly):

SEC. 2041. CRITERIA FOR OPERATION AND MAINTENANCE OF HARBOR DREDGING PROJECTS.

The Secretary shall budget and request appropriations for operation and maintenance of harbor dredging projects based only upon criteria used for such projects in fiscal year 2004 and shall not use a budget standard for such projects based on the amount of tonnage a harbor handles.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Michigan (Mr. STUPAK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. STUPAK. Mr. Chairman, in fiscal year 2006, the U.S. Army Corps of Engineers and the Office of Management and Budget set new guidelines for maintenance dredging of commercial harbors in their budget for fiscal year 2006. The Corps excluded harbors that move less than 1 million tons of cargo each year.

The House is on record that the Corps' neglect of these harbors is unwise and unreasonable. With Members' help during consideration of WRDA, the Stupak-Hoekstra-Delahunt amendment to prohibit the Corps from using a tonnage-based standard was included in the House bill by voice vote.

Now the Corps is back with a similar tonnage-based formula. This formula essentially credits $2 for maintenance dredging for every ton of product moved. The harbor is then provided only the amount from the formula, regardless of the actual cost to dredge a harbor. This policy not only discriminates against rural America by significantly limiting dredging of harbors in smaller communities, but it is pound wise and penny foolish.

For example, under the Corps proposal, my harbor in Ontonogan, Michigan, will move just over 300,000 tons of material, so the Corps will provide $643,000 worth of maintenance dredging, even though its dredging cost is more than $1 million.

Again, there are almost 300 harbors across this country that face the same problem. Our small harbors will never be able to adequately dredge, but will silt in with each passing year. Thus, pound wise, penny foolish.

These Corps guidelines will have a detrimental effect on small-town, rural America, causing job losses, increased hardship for business, and endanger our Nation's entire shipping infrastructure.

Each harbor that has been maintained by the Corps for years has unique characteristics other than just the amount of tonnage it moves. For example, annual dredging helps prevent flooding in Ontonogan, and dredging plays an essential role in preserving the economy and lifeline of this harbor town. By only considering the amount of tonnage a harbor handles, the administration ignores the benefits provided to businesses and residents that depend on electricity, flood mitigation and other purposes beyond the tonnage handled.

With this new policy, the Corps also disregards the fact that approximately two-thirds of all shipping in the United States either starts or finishes at a small port. By ignoring the smaller communities, the Corps is also significantly harming the Nation's economy.

With the Corps' proposed maintenance dredging guidelines, in each year our small harbors' maintenance remains uncertain. Without this Stupak-Hoekstra-Delahunt amendment, the economic vitality and the dream of economic expansion for these 300 communities remain uncertain.

As the House considers this WRDA legislation, I am again offering this amendment with Congressmen Hoekstra and Delahunt, which keeps the maintenance dredging the same as it has been before the Corps and OMB came up with these tonnage proposals.

For the sake of our Nation's small harbors, from which two-thirds of all shipping in the United States either starts or finishes at small ports, I encourage my colleagues to adopt our amendment, which would ensure that all harbor maintenance is funded fairly, regardless of the amount of tonnage a harbor handles.

Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I do not oppose the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. BAKER. Reserving the right to object, if I may make an inquiry of the gentleman, we have a cosponsor on our side of the amendment. Will the gentleman be happy to yield?

Mr. OBERSTAR. Mr. Chairman, I will yield time to the gentleman, of course.

Mr. BAKER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

□ 1745

Mr. OBERSTAR. In the preceding Congress, this amendment was offered on the floor during consideration of the WRDA bill, and it passed by voice vote; WRDA passed by 406 votes. It requires adequate budgeting by the administration for maintenance of small, low-use harbors. These are relatively smaller harbors; they may not handle thousands of containers or millions of tons of bulk commodities shipped on the Great Lakes, as we do in the Harbor of Duluth, but they are important projects and facilities that place lives and livelihoods at risk on the fierce storms of the Great Lakes, because these are also harbors of refuge. So I strongly support it.

Mr. Chairman, I am happy to yield to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. I thank my colleague for yielding and I am thankful for his support and help on this amendment.

I would also like to thank my colleague from Michigan for bringing this amendment together. I think we both recognize the importance of this amendment. My congressional district, I think we kind of represent God's country. I represent about 200 miles of Lake Michigan shoreline. I don't think I want to get into an argument with my colleague from Michigan as to how much shoreline he represents from the Great Lakes, but it is well in excess of that number.

But we both have recognized that the current Corps guidelines present a distinct hardship to our communities, many of the communities along the Great Lakes. We don't meet the newest guidelines that establish the roughly 1 million tons or whatever of cargo that need to flow through a harbor. And this is a change in the Corps' position. For the last 14 years that my colleague and I have been in Congress, the Corps has done a very, very good job and recognized its responsibility for taking care of these small and medium-sized harbors which they classify as recreational harbors.

But they are much more than recreational harbors. For many of our communities they do, we do transfer cargo through these ports, but the harbors form the economic development zone for these communities. And if the harbors and the channels are not dredged, this economic lifeline goes away. And when the economic lifeline goes away, eventually these communities go away.

This is a policy that Congress needs to address because, from a disappointing standpoint, the administration has made an administrative decision that these harbors will not be taken care of. Congress needs to speak on this issue. I am glad that we can move this forward in a bipartisan basis and send a piece of legislation to the administration that no longer provides them with the latitude as to whether these harbors will be dredged or not. These harbors need to be dredged. They will be dredged. This is exactly the appropriate message to send.

I thank my colleagues on the other side of the aisle for taking the initiative in bringing this legislation forward.

Mr. OBERSTAR. I thank the gentleman from Michigan for his statement. I just wanted to point out that the Great Lakes have gone through 15 years, in the 1960s, into the 1970s, into the 1980s, nearly a 20-year period of abnormally high level. Now we are going

through a seventh year of low water drought in the watershed of the Great Lakes. The Corps of Engineers has avoided dredging costs all during those two decades of high water on the Great Lakes. It is time now to recoup, to do the dredging that is needed, especially for these small harbors, harbors of refuge, small commercial harbors. And the gentleman's amendment will ensure that this issue stays on the agenda of this and future administrations. So I urge support of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. STUPAK. Mr. Chairman, in closing, I would like to thank Chairman OBERSTAR. He has been a great help throughout my whole career here, but especially on issues confronting the Great Lakes and WRDA and other areas of his expertise in transportation infrastructure. And Mr. BAKER has also been a friend and very helpful, as has Ms. JOHNSON.

It is a bipartisan piece of legislation. I would hope that the Members support it. If we are going to truly care about waterborne commerce and transportation in this Nation, we must remember that two-thirds of all commerce on our Nation's waterways start and begin at the small ports the Army Corps no longer wishes to dredge and maintain. We need support on this amendment, and I ask for your support.

Mr. DELAHUNT. Mr. Chairman, for my district—coastal Massachusetts—our waterways are as important as our roadways. They are also a vital part of the Nation's transportation infrastructure.

It is the responsibility of the Army Corps of Engineers to help keep our harbors, rivers and other channels in navigable condition. In New England, the Corps is responsible for maintaining 171 ports and harbor channels, yet the Bush Administration budget includes funding to take care of just one. That is because the rules for Army Corps projects were changed by the Bush Administration to now favor large, commercial waterways. This constitutes an abandonment of Federal responsibility and quite simply, is an assault on smaller communities all over the country, putting lives and the economic health of coastal communities at risk.

The rationale for these changes is that financial constraints require us to abruptly change Army Corps' priorities to favor projects with "true value to the Nation." This sounds good—but is dangerously misleading. The changed formula focuses only on commercial tonnage and mileage, so smaller projects do not have a chance—even though they are critical to the economy and public safety.

When waterways close due to sediment build-up, the commercial fishing industry suffers. Tourism is compromised. And our transport stops—sometimes dead in the water. The Coast Guard can't undertake "search and rescue" because they can't move—literally.

Just as a deteriorating highway or bridge needs repair, our waterways need maintenance. If the traffic through a harbor requires an eight-foot draft and sediment builds up, leaving only five feet available, vessels cannot pass. It is larger, commercial vessels like tankers, fishing boats and barges that face the greatest difficulty and are most likely to run aground.

Entire portions of our local economy are organized around the sea and the easy transport of people and products in and out of our harbors. When you consider our island communities—such as Martha's Vineyard, Nantucket, and Cuttyhunk—the waterways carry all the necessities for local citizens, everything from food and water to lumber and heating oil.

In Chatham Harbor, which hosts the largest fleet of commercial fishing vessels in my district, we face a constant problem with shoaling. It is a 900-foot channel and when it is not clear, millions of dollars are at risk. Each year it is now a fight to keep the fishing industry on Cape Cod in business.

It's the same thing with Green Harbor in Marshfield, where we have the second highest lobster catch harbor in New England. In Woods Hole, we have a major Coast Guard station which launches many cutter search-and-rescue missions a year. Without regular dredging, that emergency equipment is landbound. In that same harbor, the Federal government has invested millions in a state-of-the-art NOAA research vessel, the Bigelow. But, these WHOI vessels and Navy vessels cannot do essential research because the harbor is clogged with sentiment.

For coastal communities, our waterways are critical to their economic well-being. I urge my colleagues to support this Amendment and support our mariners, our fishermen, the Coast Guard, and small coastal communities throughout the country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. STUPAK).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. BLUMENAUER

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110–100.

Mr. BLUMENAUER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. BLUMENAUER:

Strike section 2036 of the bill and insert the following (and conform the table of contents accordingly):

SEC. 2036. PRINCIPLES AND GUIDELINES.

(a) IN GENERAL.—The Secretary shall issue revised principles and guidelines for use in the formulation, evaluation, and implementation of water resources projects. Subject to the requirements of this section, the revised principles and guidelines shall apply to water resources projects carried out by the Secretary instead of the principles and guidelines for such projects in effect on the date of enactment of this Act.

(b) CONTENT.—The principles and guidelines shall, among other things—

(1) provide for the consideration of environmental restoration costs and benefits under Corps of Engineers economic models;

(2) incorporate new techniques in risk and uncertainty analysis;

(3) eliminate biases and disincentives for nonstructural flood damage reduction projects as compared to structural flood damage reduction projects;

(4) incorporate new analytical techniques;

(5) encourage, to the maximum extent practicable, the restoration of aquatic ecosystems; and

(6) ensure that water resources projects are justified by benefits that accrue to the public at large.

(c) PROPOSED PRINCIPLES AND GUIDELINES.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register proposed principles and guidelines under subsection (a).

(2) CONSULTATION.—In developing the proposed principles and guidelines, the Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Housing and Urban Development, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Homeland Security, the National Academy of Sciences, and the Council on Environmental Quality.

(3) PUBLIC PARTICIPATION.—The Secretary shall provide notice and an opportunity for the public to participate in the development of the proposed principles and guidelines.

(d) PUBLIC COMMENT FOLLOWING ISSUANCE OF PROPOSED PRINCIPLES AND GUIDELINES.—After publication of the proposed principles and guidelines, the Secretary shall provide an opportunity for the public to comment on the proposed principles and guidelines. The comment period shall not be fewer than 60 days.

(e) FINAL PRINCIPLES AND GUIDELINES.—

(1) IN GENERAL.—Not later than 90 days following the last day of the comment period under subsection (d), the Secretary shall issue final principles and guidelines under subsection (a).

(2) APPLICABILITY.—After the date of issuance of the final principles and guidelines, the final principles and guidelines shall apply—

(A) to all water resources projects carried out by the Secretary, other than projects for which the Secretary has commenced a feasibility report before the date of such issuance;

(B) at the request of a non-Federal interest, to a water resources project for which the Secretary has commenced a feasibility report before the date of such issuance; and

(C) to reevaluation or modification of a water resources project, other than a reevaluation or modification that has been commenced by the Secretary before the date of such issuance.

(f) EXISTING STUDIES.—Principles and guidelines issued under subsection (a) shall not affect the validity of any completed study of a water resources development project.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment simply requires the Secretary of the Army to update the principles and guidelines used by the Army Corps of Engineers in formulating, evaluating, and implementing water resource projects. As I said on the floor earlier today, they have not been updated since 1983. It is embarrassing that the Corps is operating under guidance a quarter century old.

We have learned a lot in the last 25 months, as I look to my colleague from Louisiana, about Katrina and others in

terms of the Corps. Imagine how things have changed in the last 25 years.

Under this amendment, the Army Secretary would incorporate the latest scientific and economic knowledge, eliminate biases and disincentives, would be required to consult with the public and other Federal agencies while updating the principles and guidelines.

I want to be clear about what it would not do. It would not impact any project already underway or impact any project that is in the bill that has been created here today. It would not prevent the Corps from doing structural projects and would not delay any projects at all. It is why it is supported by the American Society of Civil Engineers, the professionals who actually do the work, taxpayer organizations, and environmental groups.

The National Academy of Sciences in a report from the year 2000 pointed out that the current principles and guidelines were state-of-the-art thinking when it was written, and some of the concepts and paradigms that underpin it are relevant today. However, in over 20 years since it has been updated and revised, it needs to be revised to reflect contemporary management paradigms; analytical methods; legislative directives; social, economic, and political realities.

I deeply appreciate the work with the committee's staff, the Chair and subcommittee Chair in getting this to this point.

Mr. BAKER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Louisiana is recognized for 5 minutes.

Mr. BAKER. Mr. Chairman, I am certainly appreciative of the gentleman's interest and have worked with him closely on a number of matters through the course of the years. And just in this instance we have a matter of policy difference.

The P&G planning process utilized by the Corps does not begin with an idea that something must be done. It is not a process through which a commercial activity will automatically or inordinately be concluded must be implemented. The plan that is proposed must seek certain levels of justification; that is an iterative process where various parties are heard from over time.

As to the element of whether the P&G has been modified or not, I have done some work on the matter over the last days, knowing of the gentleman's interest in this amendment. And I can go back further over time, but on September 30 of 1999, the Corps issued Engineering Regulation 1165–2–501, which speaks directly to the gentleman's interest to encourage to the maximum extent practicable the restoration of aquatic ecosystems.

From the gentleman's amendment, the 1999 issuance speaks directly to a nonmonetary output compatible with P&G selection criteria; meaning, we should look at things broader than just dollars and cents.

On April 22, 2000, regulation 1105–2–200 recognized the national ecosystem restoration plan on a par with national economic development.

March 26, 2002, chief of engineers issues the environmental operating principles affirming sustainable development.

May 1, 2003: to provide for procedural guidance for formulating and evaluating projects consistent with environmental sustainability.

There was another on May 5, 2005. But to ensure the gentleman has time for his question, I will wrap up by saying, I have been assured by the Corps that they are working as diligently as one can work to accommodate environmental sensitivities while at the same time assuring that projects move forward in a timely manner.

The reason for my concern, as the gentleman knows, I am highly sensitized to our recovery from the Katrina-Rita days, and I know the gentleman's amendment is worded in such a fashion that, if it is authorized prior to the adoption of this language, it has no effect. But going forward, we are going to be doing this stuff for a very long time in our State.

The unintended consequences of these additional standards are going to be costly to local sponsors, and they are going to require significant additional programmatic time to achieve, not to ignore the gentleman's concerns that ecosystem restoration is a valuable and salutary goal that we should pursue.

I am happy to yield to the gentleman.

Mr. BLUMENAUER. I want to be clear that what you just stated that our goals, the things that you just cited, have never been incorporated into the principles and guidelines, have they?

Mr. BAKER. Yes. We may have a dispute as to the meaning of the words that we have on the page, but I will be happy to provide the gentleman.

May 5, 2005: planning in a collaborative environment to build on modernized guidance, improve Corps projects through greater collaboration with all stakeholders. I am skipping a little bit here. Broaden project selection criteria to encompass net beneficial effects in all four P&G accounts; national economic development, regional development, economic development, environmental quality, and other social effects.

So it goes beyond even environmental aspects in their planning process.

Mr. BLUMENAUER. And my question was, Is it not true that the Corps has not adopted those things into the principles and guidelines?

Mr. BAKER. All I can speak to from my knowledge is Corps-issued Engineering Circular 1105–2–409 on May 5, 2005.

Mr. BLUMENAUER. Engineering Circular that has not been incorporated into their principles and guidelines.

Mr. BAKER. The distinction between a statutory adoption and a circular being issued is managerial direction to people who are implementing the programmatic requirements. It may be a difference of no distinction to the gentleman; but my opinion is, after spending some time with the Corps individuals, they feel they are on top of and are trying as best they can within financial constraints to achieve the goals the gentleman is prescribing. My worry is this will now transfer a financial liability to the local sponsor which does not now exist and may well, because of the times outlined in the gentleman's amendment, protract the timely construction of worthwhile projects.

I, for example, am not sure whether this applies to aids to navigation. I don't know. I am not suggesting it does, but the way the amendment is constructed, I am worried about scope and reach. And please understand, I want to be helpful to the gentleman's interest. I am not at all averse to constructing projects in an environmentally safe and sound manner. I am just not sure that the goals the gentleman seeks are the results we would get out of the adoption of the amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. I thank my colleague for yielding.

Mr. Chairman, I rise in support of the Blumenauer amendment, the bill before us, which would require the Army Corps of Engineers to revise the principles and guidelines under which the Secretary formulates and evaluates water resource projects.

It has been almost 25 years since any type of revision has been made to the Corps' decision-making process for formulating, evaluating, and implementing a project. The National Academy of Sciences has twice recommended that these guidelines be updated.

We want to be sure that we have a fair and impartial analysis of projects and that we don't set in place a procedure that inevitably leads to the largest projects getting built, not the most cost-effective ones.

The amendment is supported by many organizations, including the American Rivers, Taxpayers for Common Sense, and Republicans for Environmental Protection.

Up-to-date scientific engineering and environmental tools should be taken into account when looking at projects. As Representative BLUMENAUER has said, it is time to bring the Corps into the 20th and 21st centuries.

□ 1800

Mr. BLUMENAUER. Mr. Chairman, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Chairman, as you know, this legislation will authorize projects that are vitally important to our communities, to our citizens, to our environment.

This amendment is intended to begin the process of reforming the Army Corps of Engineers process so it can be done better. I support and applaud the leadership of the Committee on Transportation and the cosponsors of this amendment. We must establish transparency, collaboration and accountability within the Corps of Engineers so as to better serve our communities.

What this amendment does is begin that process by citing improvements that can be made in the principles and the guidelines. This is essential because some of the things that have happened that have been adverse to our communities and to our citizens have been foreseeable and predictable. The reforms that we are beginning to take with this amendment are to foresee, predict and avoid.

Secondly, independent peer review. I want to recognize the work of the committee of including that in this legislation. It is my hope that going forward in the conference committee that will actually be strengthened.

Mr. BAKER. Mr. Chairman, I ask unanimous consent that each side be given an additional 2 minutes for a total of 4 minutes for debate on this amendment only.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The time is divided. Who seeks recognition?

Mr. BAKER. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. I thank the gentleman from Louisiana for yielding me this time, and I thank the majority side for agreeing to this unanimous consent request.

I simply wanted to rise to say this. During my 6 years as chairman of the Water Resources and Environment Subcommittee, I do not believe we had a better member or more active member than the gentleman from Oregon, and I certainly have the greatest admiration and respect for him and his concern about this legislation.

I simply wanted to rise to say this. I don't believe this Congress could pass a stronger environmental bill than this legislation that is before us at this time; Chairman OBERSTAR has continually made sure of that. And when we started with this bill several years ago, some people wanted no Corps reform at all; some people wanted so much Corps reform that really they were trying to stop every project that was included in this bill.

Mr. COSTELLO, who was my ranking member at that time, we compromised, we worked out things.

I want to commend the staff for their work in this regard, and we put in many environmental concerns the first time around. Then we put in even more the second time around when we passed this bill.

We are now here again. We have given reform on peer review now so that all the major projects, all the projects over $50 million are subject to peer review. We have put in environmental reform and Corps reform in regard to mitigation issues. We have put in Corps reform in regard to project planning so that all the concerns of all the environmental groups who want to be involved in this process will be included.

I just want to point that out, how environmentally strong this legislation is thanks to not only our efforts on this side and the staff and Mr. BAKER, but also Chairman OBERSTAR, Mr. COSTELLO, Chairwoman JOHNSON with a lot of contribution from the gentleman from Oregon (Mr. BLUMENAUER) himself.

Mr. BLUMENAUER. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. COSTELLO).

Mr. COSTELLO. Mr. Chairman, there is a lot of confusion over the Blumenauer amendment, and let me just say that the Blumenauer amendment does not affect the language on independent review. The Blumenauer amendment will make the study process more efficient, and for that reason I ask my colleagues to support the Blumenauer amendment and support the bill.

Mr. BLUMENAUER. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. OBERSTAR), our distinguished chairman.

Mr. OBERSTAR. I thank the gentleman for yielding.

I appreciate the concerns of the distinguished ranking member of the subcommittee about time and cost. We certainly don't want to add any more time than Corps projects already take to evolve, nor do we want to foist additional costs on local governments.

The language of the amendment of the gentleman, though, is simply to take current practice that the Corps has in its principles and guidelines, but to make those principles and guidelines into current law. I have talked with the Corps representatives in the chief's office, and they say, well, we're looking for direction from Congress.

This language will not add time, will not create costs that are not already being incurred under our existing practice, and in that spirit, I think the amendment should be accepted.

Mr. BLUMENAUER. Mr. Chairman, may I inquire as to the time remaining?

The CHAIRMAN. The gentleman from Oregon has 1½ minutes remaining.

Mr. BLUMENAUER. Then I will close.

I deeply appreciate the words of support that have been offered here by my colleague from Wisconsin (Mr. PETRI); from my distinguished chairman, Mr. OBERSTAR; and from the former ranking member of the Water Resources Committee, Mr. COSTELLO.

I want to be clear that what was offered up by my friend, the distinguished ranking member of the subcommittee, in no way undermines what I said. These principles and guidelines have not been updated. There are procedures and circulars discussed by the gentlemen from LA. They have not been incorporated into an updated, revised principle and guideline for the Corps of Engineers.

That is why the National Academy of Public Administration, one of the many scientific organizations to recommend updating the principles and guidelines, they released their recommendation after the circular that the gentleman from Louisiana mentioned. His information simply is not current in terms of how the Corps is operating and all the independent bodies, the Science Board, the public administrators, why the American Engineering Association, as well as taxpayers and environmental groups say it is past time to fix this situation.

For those of you who care about getting something actually through Congress, you ought to support this amendment. One of the hang-ups between the House and the Senate has been this issue of reform. The Senate has stronger language than this. I think it will help bridge the gap. I urge its adoption.

The CHAIRMAN. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. KIRK

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110–100.

Mr. KIRK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. KIRK:

At the end of title II of the bill, add the following (and conform the table of contents accordingly):

SEC. 2041. SMALL PROJECTS FOR THE REHABILITATION AND REMOVAL OF DAMS.

(a) IN GENERAL.—The Secretary may carry out a small dam removal or rehabilitation project if the Secretary determines that the project will improve the quality of the environment or is in the public interest.

(b) COST SHARING.—A non-Federal interest shall provide 35 percent of the cost of the removal or remediation of any project carried out under this section, including provision of all land, easements, rights-of-way, and necessary relocations.

(c) AGREEMENTS.—Construction of a project under this section shall be commenced only after a non-Federal interest has entered into a binding agreement with the Secretary to pay—

(1) the non-Federal share of the costs of construction required by this section; and

(2) 100 percent of any operation and maintenance cost.

(d) COST LIMITATION.—Not more than $5,000,000 in Federal funds may be allotted under this section for a project at any single location.

(e) FUNDING.—There is authorized to be appropriated to carry out this section $25,000,000 for each fiscal year.

MODIFICATION TO AMENDMENT NO. 6 OFFERED BY MR. KIRK

Mr. KIRK. Mr. Chairman, this amendment concerns removing small dams from rivers, especially in my congressional district; and working with the chairman and the minority, what I would like to do now is ask unanimous consent to modify the amendment as agreed to by both sides.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 offered by Mr. KIRK:

In lieu of the matter proposed to be inserted, insert the following on page 40, after line 23, (and redesignate subsequent paragraphs accordingly):

(13) LAKE COUNTY, ILLINOIS.—Project for aquatic ecosystem restoration, Ryerson Forest Preserve Dam, Dam 1A, Dam 1B, and Dam 1C, Lake County, Illinois.

The CHAIRMAN. Without objection, the modification is approved.

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Illinois (Mr. KIRK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. KIRK. Mr. Chairman, the scope of this amendment now is focused exclusively on Lake County, Illinois, and mainly the watershed of the Des Plaines River. This is a river in which several outdated and unused dams are preventing the return of higher-end predator fish, specifically pike and walleye, through the upper Des Plaines and Fox River Valleys.

Now, I have worked on this amendment and consulted with my colleague, Congresswoman MELISSA BEAN, and we both agree on a bipartisan basis that the return of these high-end predator fish will not only help restore the environment of upper Lake County and its Fox River and Des Plaines watersheds, but also will be a help to sports fishing and boating in these areas.

For these reasons, the removal of these very small but damaging structures will go a long way to restoring the ecosystems along the lines of the Chicago Paddlers Association and the Nature Conservancy and their recommendations.

I want to particularly thank JOHN MICA and his staff, especially Amy Steinmann for her work on this, as well as Chairman OBERSTAR for his help on this because this is going to make a big difference in the ecosystem of Lake County, Illinois, and we hope to invite all of you, maybe Mr. BAKER as well, to come for a day, hopefully 5 years from now, of exciting sports fishing in northern Illinois.

Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent to claim time in opposition, though I am not in opposition to the amendment.

The CHAIRMAN. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. OBERSTAR. And I do so to speak deliberately, carefully and thoughtfully so that the Speaker pro tempore can reach the House floor in order that the committee may rise and report the bill to the House with sundry amendments and that we can conclude action on the bill. I mean, let's be honest about what we're doing here in the spirit of transparency.

But the gentleman from Illinois speaks for himself and also the gentlewoman from Illinois (Ms. BEAN) who shares this river with him and also our former Speaker, Mr. HASTERT, whom I saw on the House floor just prior to consideration of the legislation. So he thought this would be a good idea because he would be able to do some walleye fishing on the river, and we are all for fishing walleyes, and the gentleman has had a very, very clear and narrowly drawn objective.

I am glad we have been able to work this out in a manner that suits his concerns and allays the fears and concerns of those in the Western States that thought this was going to be a major hindrance to hydroelectric projects.

So I thank the gentleman for tailoring the language of the amendment to the needs at hand and to allay the broader concerns.

Mr. Chairman, I yield such time as he may require to the gentleman from Louisiana (Mr. BAKER).

Mr. BAKER. I thank the gentleman for yielding.

I just wanted to express a word of appreciation to the gentleman for revision of his amendment as it now appears before Members. He worked diligently with the staff in order to assure that some concerns that had been raised had been alleviated, and we find ourselves at a point where we have an amendment to which I do not believe there is objection.

At some point later in the evening I assume we will agree to adopt it and then later we will take up the underlying bill and pass that as well.

I assume that the gentleman has sufficiently consumed enough time to where the managerial matters of his earlier interests may have now been resolved, I hope.

Mr. OBERSTAR. Mr. Chairman, I reserve the balance of my time.

Mr. KIRK. I would just like to state to the gentleman that I thank you very much for your senior leadership on this bipartisan legislation. I would hope that we could all agree that pike and walleye fishing should not be reserved for those citizens of only Wisconsin and Minnesota and can now return to the citizens of northern Illinois, who will see this ecosystem restored.

Mr. Chairman, I yield back the balance of my time.

□ 1815

Mr. OBERSTAR. How much time do I have, Mr. Chairman?

The CHAIRMAN. The gentleman from Minnesota has 2½ minutes remaining.

Mr. OBERSTAR. I want to use this opportunity to thank the Chair of the Subcommittee on Water Resources, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), for the superb work she has done shaping the bill and bringing us to this point; and to the ranking member of the subcommittee, Mr. BAKER of Louisiana, whom I previously eulogized for his work in the gulf; and our full committee ranking member, Mr. MICA.

This has truly been an effort bringing this bill forward, and essential to this team have been the staff. I am always grateful for the staff because that is where I started in this body 44 years ago, as clerk of the Subcommittee on Rivers and Harbors, the predecessor of the Committee on Public Works. It was the first committee of the Congress in the first Congress in 1789.

I want to thank Ryan Seiger of the majority staff; Ted Ilston, Beth Goldstein, Mike Brain, Rod Hall of Congresswoman JOHNSON's staff; Dave Heymsfeld of the full committee; John Anderson, a distinguished long-time professional on the minority side; Geoff Bowman, Tim Lundquist, Jim Coon of the full committee staff; and Charlie Ziegler, whom I have known for so many years, a friend of long-standing. I don't have old friends anymore, friends of long standing, when you get to my age.

In the Legislative Counsel's Office, Curt Haensel and the ever-talented Dave Mendelsohn. All have worked together, pitched in to help us bring this bill to this point. We are ready now to conclude action on the amendment of the gentleman from Illinois.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. KIRK).

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WELCH of Vermont) having assumed the chair, Mr. ROSS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1495) to provide for the 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, pursuant to House Resolution 319, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. WALDEN OF OREGON

Mr. WALDEN of Oregon. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. WALDEN of Oregon. At this time in its present form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Walden of Oregon moves to recommit the bill H.R. 1495 to the Committee on Transportation and Infrastructure with instructions to report back the same forthwith with the following amendment:

SEC. 5124. RENEWABLE HYDROELECTRIC POWER.

(a) IN GENERAL.—The Secretary shall—

(1) inventory, and, to the maximum extent economically feasible, develop and maintain, all lands, properties, and projects under the jurisdiction of the Secretary for the potential of increasing hydroelectric power production or constructing new hydroelectric power facilities thereon;

(2) study the potential effects of proposals to remove Federal hydroelectric dams under the jurisdiction of the Secretary, including—

(A) the impacts on domestic energy costs to consumers;

(B) the need to import more energy to make up for lost production from such dams;

(C) the types of fossil-fuel based or other energy sources (including clean nuclear power) that are likely to be utilized to compensate for the lost energy associated with dam removal; and

(D) any impacts on existing or future agricultural production of biofuels or other alternative energy feedstocks as a result of the loss of water to America's family farmers; and

(3) to the maximum extent economically feasible, carry out projects under the jurisdiction of the Secretary in a manner that seeks to maintain lock systems where the systems are essential for maintaining navigable waterways used for commercial shipping and transport.

(b) REPORT.—

(1) INITIAL REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the results of the inventory conducted under subsection (a)(1), the results of the study conducted under subsection (a)(2), and a description of actions taken by the Secretary to increase hydroelectric power production.

(2) UPDATES.—The Secretary shall update the report at least once every 5 years and submit the updated reports to Congress.

(c) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to supersede, limit, or otherwise affect any provision of law in effect on the date of enactment of this Act.

Mr. WALDEN of Oregon (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

Mr. OBERSTAR. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read the motion to recommit.

The SPEAKER pro tempore. The gentleman from Oregon is recognized for 5 minutes.

Mr. WALDEN of Oregon. Thank you very much, Mr. Speaker.

I want to first commend the gentleman from Minnesota. He has a tough job; he has done it well on this committee. I have enjoyed my work over the years on issues where we have agreed. I bring this motion to recommit to the floor for a couple of reasons.

The first deals with the issue of global warming and America's energy independence. I was appointed recently to the Select Committee on Energy Independence and Global Warming. We have had a lot of hearings there and in the Energy and Commerce Committee and in the Energy and Air Quality Subcommittee about how do we make America both energy independent and reduce our carbon emissions and greenhouse gas emissions.

Obviously, coming from the Pacific Northwest, we are blessed in that a large percentage of our electrical generation comes from these large hydropower projects. Hydropower for America means no greenhouse gas emissions, virtually, virtually none. I suppose you could say there is some in the creation of the cement that goes into the concrete that makes up the dams, but once they are built, they are 90 percent efficient and no carbon emissions. So, obviously, there is discussion out there in the courts and elsewhere about reducing hydropower by eliminating dams.

I think it would help us in our work, in both the Select Committee on Energy and Independence, and on global warming, to know what the impacts are and if you remove the hydropower system in any course or place, what the impacts on domestic energy cost to consumers would be; what would the need be to import more energy as replacement, because obviously that is one of the issues that we look at. If you take out a particular power generation capacity, and especially one that is 90 percent efficient and doesn't emit green house gases, then what's the carbon footprint for the replacement power?

We would look at that and call for a report on the types of fossil-based fuels or other energy sources, perhaps including clean nuclear, to replace this power that would likely be utilized.

In addition, we ask for a report on maintenance of the lock system as well, which is extraordinarily important. I want to point out that in 2004 alone, more than 160 million tons of carbon emissions were avoided in the United States when 268 million megawatt hours of hydroelectricity were generated. Hydropower offsets more carbon emissions than all other renewable energy sources combined.

If they were to be removed, the dams in the Northwest, it would take six and a half 500-megawatt coal-fired plants to replace the energy generated, not that anybody is talking about replacing them all. That, though, would increase CO_2 emissions by 47.4 billion pounds, 47.4 billion pounds.

Let's look at this in replacement of shipping terms, if we don't take care of locks. In the Columbia and Snake River system, certainly in the Columbia River, certainly at John Day, there are issues about these antiquated locks that are having real maintenance needs, and yet we lack funding in some cases to deal with it.

A tow of four 3,500-ton grain barges equates to 400 trucks each at 400 horsepower. For example Tidewater Barge Company, a single example, Tidewater ships about 6 million tons up and down the Columbia River each year. These 6 million tons would require 171,200 trucks if the barging capability was removed. Over 171,000 trucks. So you can see why I am concerned about lock maintenance and the need to continue down that path. This motion to recommit would do that.

I yield to the gentleman from Louisiana.

Mr. BAKER. I thank the gentleman for yielding.

As I understand the amendment, it is to require a study, an inventory, and an assessment of our hydroelectric capacity that is under the Secretary's jurisdiction, further to examine the advisability of perhaps private ownership of those facilities for the public interest, or whether we should enhance the government-owned and -operated facilities.

So it is an examination of our energy resources to determine how we should best go forward, and the Congress does not require today the expenditure of any new money for such purpose other than that to accomplish the study.

Mr. WALDEN of Oregon. I think as spelled out in this motion to recommit, the gentleman is correct.

Mr. BAKER. I thank the gentleman. With that understanding, I would just express support for the gentleman.

Mr. WALDEN of Oregon. Certainly anything that would be required here, because it does require the Corps to inventory, develop and maintain all lands, properties, et cetera, for the potential of producing hydropower. Obviously, though, we waive no environmental laws. Anything that would be authorized or result or interpreted that way from this language would require appropriation. There would be all the reviews that are required for any other law.

I urge support of the motion to recommit.

Mr. OBERSTAR. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. First of all, we had a very clear agreement within the committee on the Democratic and Republican side not to take new items that were not in the 109th Congress Water Resources Development Act. We have vigorously adhered to that, kept a great many projects out.

This proposal is not only new, but it is massive, it is huge, it is not a study of potential effects. It has very clear declarative language: the Secretary shall inventory, develop and maintain all lands, properties, projects, meaning hydroelectric projects. The language at the very outset prohibits any action that may be proposed, as is being considered along the Snake River, to remove dams for environmental purposes, and by directing the Secretary to undertake this action, creates a PAYGO issue. There is a clear budgetary consequence in that language.

This motion goes well beyond the intent of the Water Resources Development Act. It goes beyond the bipartisan agreement we have in bringing this bill to the floor. It authorizes unlimited projects without consideration of environmental impacts or consideration of taxpayer expense.

□ 1830

It impacts legislation that we already have in this bill. It goes far beyond the scope that we intended in WRDA.

We can consider the gentleman's proposal in future authorizations of WRDA and in hearings that we will undertake, but this amendment has no place during floor consideration of this bill at this late hour when it clearly brings into play items well beyond the scope of the agreement between the Democrats and Republicans on the bill and well beyond the scope of the purpose of the legislation. It imposes vast, potential new expenditures and requirements upon the Secretary, some of which are not even well understood at this point.

So I oppose the motion, and I urge a ''no'' vote.

The SPEAKER pro tempore (Mr. TIERNEY). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WALDEN of Oregon. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 194, nays 226, not voting 13, as follows:

[Roll No. 233]

YEAS—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—13

Cantor
Cubin
Davis, Jo Ann
Fattah
Higgins
Israel
Jones (NC)
Lampson
McCollum (MN)
Millender-McDonald
Rohrabacher
Walsh (NY)
Wicker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1859

Mr. HALL of New York, Mr. MITCHELL, Mrs. BOYDA of Kansas, Ms. JACKSON-LEE of Texas, Mr. FARR and Mr. THOMPSON of Mississippi changed their vote from ''yea'' to ''nay.''

Messrs. MCHUGH, STEARNS and EHLERS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 25, not voting 14, as follows:

[Roll No. 234]

YEAS—394

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—25

Bachmann
Bilbray
Blackburn
Boehner
Chabot
Feeney
Flake
Franks (AZ)
Gohmert
Goode
Goodlatte
Hensarling
Inglis (SC)
Jordan
Lamborn
McHenry
Miller (FL)
Pence
Royce
Shadegg
Stearns
Tancredo
Tiberi
Westmoreland
Wilson (SC)

NOT VOTING—14

Cantor
Cubin
Davis, Jo Ann
Fattah
Higgins
Israel
Jones (NC)
Lampson
Millender-McDonald
Paul
Pickering
Rohrabacher
Walsh (NY)
Wicker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1908

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 1591, U.S. TROOP READINESS, VETERANS' HEALTH AND IRAQ ACCOUNTABILITY ACT, 2007

Mr. OBEY. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Lewis of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1591, be instructed to insist on subsections (c), (d), (e) and (f) of section 1904 of the House bill, relating to the redeployment of the Armed Forces from Iraq and restrictions on the Secretary of Defense's use of the Armed Forces in Iraq after such redeployment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

In doing so, I rise to offer a very simple, straightforward motion to instruct conferees on the fiscal year 2007 emergency supplemental appropriations bill.

The motion to instruct simply insists that House conferees support the previously adopted House position with regard to a timetable for the withdrawal of troops from Iraq. This motion, which I will oppose, puts Members on record as either fully supporting our troops or agreeing to a surrender date in Iraq. It is that simple.

It is no secret that many Members of the House, both Republicans and Democrats, have strong reservations about the manner in which this legislation undermines the authority of the President, our commander in chief. Members are also rightly concerned about how this legislation places military decisions in the hands of politicians rather than the military commanders in the field.

This legislation ought to focus on our troops. It ought to focus on providing those in harm's way with the resources they need to complete their mission successfully. It ought to respect, not micromanage, our combatant commanders in whom we place the ultimate responsibility for prosecuting military actions.

Mr. Speaker, Members of Congress are many things. We are elected to represent the interests of our constituents from our congressional districts. However, as presently written, this legislation makes the dangerous assumption that Congress also has an on-the-ground role in prosecuting the war in Iraq.

In closing, let me remind my colleagues of this: We are not generals. We are not the Secretary of State. And we are most certainly not the commander in chief.

The vote on this motion to instruct will signal whether Members of the