

111TH CONGRESS
1ST SESSION

H. R. 1307

To authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2009

Ms. MATSUI introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Natomas Basin Flood
5 Protection Improvements Act of 2009”.

6 **SEC. 2. PROJECT MODIFICATION, AMERICAN AND SAC-**
7 **RAMENTO RIVERS, CALIFORNIA.**

8 The project for flood damage reduction, American
9 and Sacramento Rivers, California, authorized by section

1 101(a)(1) of the Water Resources Development Act of
2 1996 (Public Law 104–303; 110 Stat. 3662), and modi-
3 fied by section 366 of the Water Resources Development
4 Act of 1999 (Public Law 106–53; 113 Stat. 319), is fur-
5 ther modified to authorize work to be carried out by Fed-
6 eral or non-Federal interests to construct improvements
7 to flood damage reduction facilities adjacent to the Amer-
8 ican and Sacramento Rivers in the vicinity of Sacramento,
9 California, substantially in accordance with the report en-
10 titled “Plan Formulation Report, Natomas Levee Im-
11 provement Program, Early Implementation Project, Feb-
12 ruary, 2009”, prepared by the Sacramento Area Flood
13 Control Agency in coordination with the State of Cali-
14 fornia, at an estimated total cost of \$618,000,000, with
15 an estimated Federal cost of \$463,500,000 and an esti-
16 mated non-Federal cost of \$154,500,000.

17 **SEC. 3. CREDIT OR REIMBURSEMENT FOR NON-FEDERAL**
18 **WORK.**

19 (a) IN GENERAL.—The non-Federal interests shall
20 receive credit toward the non-Federal share of project
21 costs for expenses incurred, or in-kind contributions pro-
22 vided, by the non-Federal interest in planning, engineer-
23 ing, design, construction, and acquisition of lands, ease-
24 ments, rights-of-way, relocations, and dredged material
25 disposal areas for any of the work authorized by section

1 2 determined by the Secretary of the Army to be compat-
2 ible with Corps of Engineers design and construction prac-
3 tices.

4 (b) AMOUNT IN EXCESS OF NON-FEDERAL
5 SHARE.—For expenses and in-kind contributions that the
6 non-Federal interests incur for planning, engineering, de-
7 sign, construction, and acquisition of lands, easements,
8 rights-of-way, relocations, and dredged material disposal
9 areas for work authorized by section 2 which exceed the
10 non-Federal share of such work, the non-Federal interests
11 shall receive—

12 (1) credit toward the non-Federal share of
13 other projects, or separable elements of other
14 projects, for which the non-Federal interests con-
15 tribute funds, with the Secretary of the Army allo-
16 cating credit to projects or separable project ele-
17 ments as requested by the non-Federal interests; or

18 (2) reimbursement to the non-Federal interests,
19 subject to the appropriation of funds.

20 (c) LIMITATIONS.—

21 (1) COST AND AUDIT.—Amounts credited or re-
22 imbursed under this Act may not exceed the actual
23 cost of such work accomplished by the non-Federal
24 interests prior to or subsequent to completion of the

1 report referred to in section 2 and shall be subject
2 to audit by the Secretary of the Army.

3 (2) EXCEPTION.—Amounts credited or reim-
4 bursed under this Act shall not be subject to the
5 limitations set forth in section 102 of Public Law
6 109–103 (119 Stat. 2253).

7 **SEC. 4. COST SHARING.**

8 The non-Federal share of the cost of work carried
9 out pursuant to section 2 shall be the same as the non-
10 Federal share of the cost of the project referred to in sec-
11 tion 2.

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