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PROVIDING FOR 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

APRIL 18, 2007.—Referred to the House Calendar and ordered to be printed

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Ms. MATSUI, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 319]

The Committee on Rules, having had under consideration House Resolution 319, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1495, which provides 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. The resolution provides for one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Transportation and Infrastructure.

The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution makes in order the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure as the original bill for the purpose of further amendment. The resolution waives all points of order against the committee amendment except those arising under clauses 9 or 10 of rule XXI. The committee amendment shall be considered as an original bill and shall be considered as read.

The resolution makes in order those amendments printed in this report and waives all points of order against such amendments except those arising under clauses 9 or 10 of rule XXI. The resolution provides one motion to recommit with or without instructions. Finally, during consideration of H.R. 1495 in the House, notwithstanding the operation of the previous question, the Chair may

postpone further consideration until a time designated by the Speaker.

EXPLANATION OF WAIVERS

Although the rule waives all points of order against the bill's consideration (except for clauses 9 and 10 of rule XXI), the Committee is not aware of any specific points of order. The waiver of all points of order against the bill and against its consideration is prophylactic in nature.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE

(Summaries derived from information provided by sponsors.)

1. Oberstar (MN): Manager's Amendment. The manager's amendment authorizes and modifies several Corps of Engineers' projects and studies for flood control, navigation, and environmental restoration. (10 minutes)

2. Boswell (IA): The amendment provides the Rathbun Regional Water Association with a right of first refusal to purchase water supply storage from the Corps of Engineers at Rathbun Lake, Iowa. (10 minutes)

3. Rohrabacher (CA): The amendment permits ports to levy a fee on containers and use that fee to pay for security and infrastructure at the ports. (10 minutes)

4. Stupak (MI): The amendment would ensure that all harbor maintenance is funded based on FY2004 standards, regardless of the amount of tonnage a harbor handles. Current U.S. Army Corps of Engineers' policy excludes from the Corps' budget harbors that do not meet a minimum requirement for the amount of tonnage handled. (10 minutes)

5. Blumenauer (OR)/Welch (VT): This amendment would strike section 2036 of the legislation and replace it with language directing the Secretary of the Army to update the principles and guidelines that the Army Corps of Engineers uses in the formulation, evaluation, and implementation of water resources projects. The amendment would require the Secretary to consult with other agencies and the public in developing the new principles and guidelines. (10 minutes)

6. Kirk (IL):

The amendment authorizes the U.S. Army Corps of Engineers to carry out a small dam removal or rehabilitation project if it will improve the quality of the environment or is in the public interest. It requires a non-Federal cost-share of 35% for any construction and 100% for operation and maintenance. It authorizes $25,000,000 for this program with no more than $5,000,000 to be used for any one project. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OBSERTAR OF MINNESOTA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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 in-

land 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).

After section 5023 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

SEC. 5024. WASHINGTON AQUEDUCT.

(a) CAPITAL IMPROVEMENTS.—Using funds provided in advance by wholesale customers of the Aqueduct and deposited in accordance with subsection (b), the Secretary may make such capital improvements at the Washington Aqueduct as are necessary to comply with the permit for the Aqueduct issued under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342).

(b) DEPOSIT OF FUNDS IN SEPARATE ACCOUNT.—Funds provided by each wholesale customer of the Aqueduct for capital improvements described in subsection (a) shall be deposited into a separate account in the United States Treasury and shall remain available without further appropriation until expended.

(c) INVESTMENT OF FUNDS.—

(1) IN GENERAL.—At the request of the Secretary, the Secretary of the Treasury shall invest such portions of the accounts referred to in subsection (b) as are not, in the judgment of the Secretary, immediately needed to make required disbursements on any obligations made in accordance with subsection (a).

(2) INVESTMENT IN PUBLIC DEBT SECURITIES.—The Secretary of the Treasury shall invest funds deposited under subsection (b) in public debt securities suitable to the needs of the accounts referred to in subsection (b), as determined by the Secretary, and bearing interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

(3) INTEREST.—Interest earned on investments of each account referred to in subsection (b) shall be credited to that account and shall be available, without further appropriation, for disbursement by the Secretary to the wholesale customer that provided the funds, at such times and in a manner that is agreed upon by the Secretary and the wholesale customer.

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 con-

structed 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 esti-

mated 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 ground-

water 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".

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOSWELL OF IOWA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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).

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROHRABACHER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 116, after line 8, insert the following (and conform the table of contents of the bill accordingly):

SEC. 2041. AUTHORITY OF NON-FEDERAL INTERESTS TO LEVY HARBOR FEES.

Section 208(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2236(a)) is amended—

(1) in the matter preceding paragraph (1) by striking "tonnage duties or fees" and inserting "one or more of tonnage duties, tonnage fees, and container fees"; and

(2) in paragraph (1)(A)—

(A) by striking "or" at the end of clause (i);

(B) by striking "and" at the end of clause (ii) and inserting "or"; and

(C) by inserting after clause (ii) the following:

"(iii) to finance the cost of construction and operation and maintenance of any infrastructure project for a harbor, including an infrastructure project outside the boundaries of the harbor if the project is for transportation to, from, or through the harbor; and"; and

(3) in paragraph (1)(B) by inserting "and security" after "emergency response".

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STUPAK OF MICHIGAN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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.

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUMENAUER OF OREGON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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.

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIRK OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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.

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