

AMENDMENT TO H.R. 1480, AS REPORTED
OFFERED BY MR. SHUSTER OF PENNSYLVANIA

In section 101(a)(6) of the bill, strike “at a total cost of” and all that follows and insert the following:

1 at a total cost of \$140,328,000, with an estimated
2 Federal cost of \$70,164,000 and an estimated non-
3 Federal cost of \$70,164,000.

In section 101(a)(8) of the bill, strike all after “\$3,375,000” and insert a period.

In section 101(a)(9) of the bill, strike all after “\$2,675,000” and insert a period.

In section 101(a)(10) of the bill, strike all after “\$773,000” and insert a period.

In section 101(a)(18) of the bill, strike all after “\$3,834,000” and insert a period.

In section 101(a)(19) of the bill, strike all after “\$19,776,000” and insert a period.

In section 101(a) of the bill, after paragraph (4) insert the following:

4 (5) OAKLAND HARBOR, CALIFORNIA.—The
5 project for navigation, Oakland Harbor, California:
6 Report of the Chief of Engineers dated April 21,

1 1999, at a total cost of \$252,290,000, with an esti-
2 mated Federal cost of \$128,081,000 and an esti-
3 mated non-Federal cost of \$124,209,000.

 In section 101(a) of the bill, after paragraph (10)
insert the following:

4 (11) DELAWARE BAY COASTLINE, DELAWARE
5 AND NEW JERSEY-VILLAS AND VICINITY, NEW JER-
6 SEY.—The project for shore protection and eco-
7 system restoration, Delaware Bay coastline, Dela-
8 ware and New Jersey-Villas and vicinity, New Jer-
9 sey: Report of the Chief of Engineers dated April
10 21, 1999, at a total cost of \$7,520,000, with an esti-
11 mated Federal cost of \$4,888,000 and an estimated
12 non-Federal cost of \$2,632,000.

13 (12) DELAWARE COAST FROM CAPE
14 HENELOPEN TO FENWICK ISLAND, BETHANY BEACH/
15 SOUTH BETHANY BEACH, DELAWARE.—The project
16 for hurricane and storm damage reduction, Dela-
17 ware Coast from Cape Henelopen to Fenwick Island,
18 Bethany Beach/South Bethany Beach, Delaware:
19 Report of the Chief of Engineers dated April 21,
20 1999, at a total cost of \$22,205,000, with an esti-
21 mated Federal cost of \$14,433,000 and an esti-
22 mated non-Federal cost of \$7,772,000.

In section 101(a) of the bill, insert after paragraph (17) the following (and redesignate paragraphs accordingly):

1 (18) TURKEY CREEK BASIN, KANSAS CITY, MISSOURI,
2 AND KANSAS CITY, KANSAS.—The project for
3 flood damage reduction, Turkey Creek Basin, Kansas
4 City, Missouri, and Kansas City, Kansas: Report
5 of the Chief of Engineers dated April 21, 1999, at
6 a total cost of \$42,875,000, with an estimated Federal
7 cost of \$25,596,000 and an estimated non-Federal
8 cost of \$17,279,000.

In section 101(b)(7) of the bill, strike all after “\$7,772,000” and insert a period.

In section 101(b)(12) of the bill, strike all after “\$1,740,000” and insert a period.

In section 101(b) of the bill, strike paragraph (4) and insert the following:

9 (4) DELAWARE BAY COASTLINE, DELAWARE
10 AND NEW JERSEY: OAKWOOD BEACH, NEW JERSEY.—The project for shore protection, Delaware
11 Bay Coastline, Delaware and New Jersey: Oakwood
12 Beach, New Jersey, at a total cost of \$3,360,000,
13 with an estimated Federal cost of \$2,184,000 and
14 an estimated non-Federal cost of \$1,176,000.
15

In section 101(b) of the bill, strike paragraphs (6) and (7) and redesignate accordingly.

At the end of section 104 of the bill, insert the following:

1 (18) FAIRPORT HARBOR, OHIO.—Project for
2 navigation, Fairport Harbor, Ohio, including a
3 recreation channel.

At the end of title II of the bill, insert the following:

4 **SEC. 229. WETLANDS MITIGATION.**

5 In carrying out a water resources project that in-
6 volves wetlands mitigation and that has an impact that
7 occurs within the service area of a mitigation bank, the
8 Secretary, to the maximum extent practicable and where
9 appropriate, shall give preference to the use of the mitiga-
10 tion bank if the bank contains sufficient available credits
11 to offset the impact and the bank is approved in accord-
12 ance with the Federal Guidance for the Establishment,
13 Use and Operation of Mitigation Banks (60 Fed. Reg.
14 58605 (November 28, 1995)) or other applicable Federal
15 law (including regulations).

Conform the table of contents of the bill accordingly.

In section 304 of the bill, insert “River” after “St. Francis”.

In section 310 of the bill—

(1) insert “, Potomac River, Washington, District of Columbia,” after “for flood control”;

(2) strike “as” and insert “and”; and

(3) strike “\$5,965,000” and insert “\$6,129,000”.

In section 326 of the bill, strike “cannal” and insert “Canal”.

In section 351 of the bill—

(1) insert “(a) AUTHORIZATION OF APPROPRIATIONS.—” before “Section”; and

(2) add at the end the following:

1 (b) CORPS OF ENGINEERS EXPENSES.—Section
2 313(g) of such Act (106 Stat. 4846) is amended by adding
3 at the end the following:

4 “(4) CORPS OF ENGINEERS EXPENSES.—10
5 percent of the amounts appropriated to carry out
6 this section for each of fiscal years 2000 through
7 2002 may be used by the Corps of Engineers district
8 offices to administer and implement projects under
9 this section at 100 percent Federal expense.”.

Strike section 354 of the bill and insert the following:

1 **SEC. 354. CLEAR CREEK, TEXAS.**

2 Section 575 of the Water Resources Development Act
3 of 1996 (110 Stat. 3789) is amended—

4 (1) in subsection (a)—

5 (A) by inserting “or nonstructural
6 (buyout) actions” after “flood control works
7 constructed”; and

8 (B) by inserting “or nonstructural
9 (buyout) actions” after “construction of the
10 project”; and

11 (2) in subsection (b)—

12 (A) by striking “and” at the end of para-
13 graph (3);

14 (B) by striking the period at the end of
15 paragraph (3) and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(4) the project for flood control, Clear Creek,
18 Texas, authorized by section 203 of the Flood Con-
19 trol Act of 1968 (82 Stat. 742).”.

In section 356 of the bill, strike “modified—” and
all that follows and insert the following:

20 modified to add environmental restoration and recre-
21 ation as project purposes.

In section 363(d) of the bill, strike “(1) IN GENERAL.—”.

In section 363(d) of the bill, strike paragraph (2).

In section 364(a) of the bill, after paragraph (5) insert the following (and redesignate paragraph (6) as paragraph (7)):

1 (6) CARVERS HARBOR, VINALHAVEN, MAINE.—
2 That portion of the project for navigation, Carvers
3 Harbor, Vinalhaven, Maine, authorized by the Act of
4 June 3, 1896 (commonly known as the “River and
5 Harbor Appropriations Act of 1896”) (29 Stat. 202,
6 chapter 314), consisting of the 16-foot anchorage be-
7 ginning at a point with coordinates N137,502.04,
8 E895,156.83, thence running south 6 degrees 34
9 minutes 57.6 seconds west 277.660 feet to a point
10 N137,226.21, E895,125.00, thence running north
11 53 degrees, 5 minutes 42.4 seconds west 127.746
12 feet to a point N137,302.92, E895022.85, thence
13 running north 33 degrees 56 minutes 9.8 seconds
14 east 239.999 feet to the point of origin.

In section 364(a) of the bill, after paragraph (7), (as so redesignated) insert the following (redesignate subsequent paragraphs accordingly):

1 (8) SEARSPORT HARBOR, SEARSPORT, MAINE.—
2 That portion of the project for navigation, Searsport
3 Harbor, Searsport, Maine, authorized by section 101
4 of the River and Harbor Act of 1962 (76 Stat.
5 1173), consisting of the 35-foot turning basin begin-
6 ning at a point with coordinates N225,008.38,
7 E395,464.26, thence running north 43 degrees 49
8 minutes 53.4 seconds east 362.001 feet to a point
9 N225,269.52, E395,714.96, thence running south
10 71 degrees 27 minutes 33.0 seconds east 1,309.201
11 feet to a point N224,853.22, E396,956.21, thence
12 running north 84 degrees 3 minutes 45.7 seconds
13 west 1,499.997 feet to the point of origin.

In section 364(e) of the bill—

(1) strike “(a)(7)” each place it appears and in-
sert “(a)(9)”;

(2) strike “project for navigation,” each place it
appears; and

(3) add at the end the following:

14 (5) ADDITIONAL ACTIONS.—In carrying out the
15 operation and the maintenance of the Wells Harbor,
16 Maine, navigation project referred to in subsection
17 (a)(9), the Secretary shall undertake each of the ac-
18 tions of the Corps of Engineers specified in section
19 IV(B) of the memorandum of agreement relating to

1 the project dated January 20, 1998, including those
2 actions specified in such section IV(B) that the par-
3 ties agreed to ask the Corps of Engineers to under-
4 take.

5 In section 364(d) of the bill, strike “(a)(9)” and in-
6 sert “(a)(11)”.

At the end of title III of the bill, add the following
(and conform the table of contents of the bill accord-
ingly):

7 **SEC. 367. SOUTHERN WEST VIRGINIA PILOT PROGRAM.**

8 Section 340(g) of the Water Resources Development
9 Act of 1992 (106 Stat. 4856) is amended to read as fol-
10 lows:

11 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
12 is authorized to be appropriated to carry out the pilot pro-
13 gram under this section \$40,000,000 for fiscal years be-
14 ginning after September 30, 1992. Such sums shall re-
15 main available until expended.”.

16 **SEC. 368. BLACK WARRIOR AND TOMBIGBEE RIVERS, JACK-**
17 **SON, ALABAMA.**

18 The project for navigation, Black Warrior and
19 Tombigbee Rivers, vicinity of Jackson, Alabama, as au-
20 thorized by section 106 of the Energy and Water Develop-
21 ment Appropriations Act, 1987 (100 Stat. 3341–199), is

1 modified to authorize the Secretary to acquire lands for
2 mitigation of the habitat losses attributable to the project,
3 including the navigation channel, dredged material dis-
4 posal areas, and other areas directly impacted by construc-
5 tion of the project. Notwithstanding section 906 of the
6 Water Resources Development Act of 1986 (33 U.S.C.
7 2283), the Secretary may construct the project prior to
8 acquisition of the mitigation lands if the Secretary takes
9 such actions as may be necessary to ensure that any re-
10 quired mitigation lands will be acquired not later than 2
11 years after initiation of construction of the new channel
12 and such acquisition will fully mitigate any adverse envi-
13 ronmental impacts resulting from the project.

14 **SEC. 369. TROPICANA WASH AND FLAMINGO WASH, NE-**
15 **VADA.**

16 Any Federal costs associated with the Tropicana and
17 Flamingo Washes, Nevada, authorized by section 101(13)
18 of the Water Resources Development Act of 1992 (106
19 Stat. 4803), incurred by the non-Federal interest to accel-
20 erate or modify construction of the project, in cooperation
21 with the Corps of Engineers, shall be considered to be eli-
22 gible for reimbursement by the Secretary.

23 **SEC. 370. COMITE RIVER, LOUISIANA.**

24 The Comite River Diversion Project for flood control,
25 authorized as part of the project for flood control, Amite

1 River and Tributaries, Louisiana, by section 101(11) of
2 the Water Resources Development Act of 1992 (106 Stat.
3 4802–4803) and modified by section 301(b)(5) of the
4 Water Resources Development Act of 1996 (110 Stat.
5 3709–3710), is further modified to authorize the Sec-
6 retary to include the costs of highway relocations to be
7 cost shared as a project construction feature if the Sec-
8 retary determines that such treatment of costs is nec-
9 essary to facilitate construction of the project.

10 **SEC. 371. ST. MARY'S RIVER, MICHIGAN.**

11 The project for navigation, St. Mary's River, Michi-
12 gan, is modified to direct the Secretary to provide an addi-
13 tional foot of overdraft between Point Louise Turn and
14 the Locks and Sault Saint Marie, Michigan, consistent
15 with the channels upstream of Point Louise Turn. The
16 modification shall be carried out as operation and mainte-
17 nance to improve navigation safety.

At the end of section 408 of the bill, add the follow-
ing:

18 (c) CONSULTATION AND USE OF EXISTING DATA.—
19 The Secretary shall consult with appropriate State and
20 Federal agencies and shall make maximum use of existing
21 data and ongoing programs and efforts of States and Fed-
22 eral agencies in conducting the study.

In section 425(a) of the bill, strike “Such study” and all that follows.

In section 425(c) of the bill, strike “\$1,400,000” and insert “\$1,000,000”.

At the end of title IV of the bill, insert the following (and conform the table of contents of the bill accordingly):

1 SEC. 428. DEL NORTE COUNTY, CALIFORNIA.

2 The Secretary shall undertake and complete a fea-
3 sibility study for designating a permanent disposal site for
4 dredged materials from Federal navigation projects in Del
5 Norte County, California.

6 SEC. 429. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

7 (a) PLAN.—The Secretary, in coordination with State
8 and local governments and appropriate Federal and pro-
9 vincial authorities of Canada, shall develop a comprehen-
10 sive management plan for St. Clair River and Lake St.
11 Clair. Such plan shall include the following elements:

12 (1) The causes and sources of environmental
13 degradation.

14 (2) Continuous monitoring of organic, biologi-
15 cal, metallic, and chemical contamination levels.

1 (3) Timely dissemination of information of such
2 contamination levels to public authorities, other in-
3 terested parties, and the public.

4 (b) REPORT.—Not later than 1 year after the date
5 of enactment of this Act, the Secretary shall transmit to
6 Congress a report that includes the plan developed under
7 subsection (a), together with recommendations of potential
8 restoration measures.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to carry out this section
11 \$400,000.

12 **SEC. 430. CUMBERLAND COUNTY, TENNESSEE.**

13 The Secretary shall conduct a study to determine the
14 feasibility of improvements to regional water supplies for
15 Cumberland County, Tennessee.

 In the matter proposed to be inserted in section
219(e) of the Water Resources Development Act of 1992
by section 502 of the bill, strike “and” at the end of
paragraph (7) and all that follows through paragraph (8)
and insert the following:

16 “(8) \$30,000,000 for the project described in
17 subsection (c)(17);

18 “(9) \$20,000,000 for the project described in
19 subsection (c)(19);

1 “(10) \$15,000,000 for the project described in
2 subsection (c)(20);

3 “(11) \$11,000,000 for the project described in
4 subsection (c)(21);

5 “(12) \$2,000,000 for the project described in
6 subsection (c)(22);

7 “(13) \$3,000,000 for the project described in
8 subsection (c)(23);

9 “(14) \$1,500,000 for the project described in
10 subsection (c)(24);

11 “(15) \$2,000,000 for the project described in
12 subsection (c)(25);

13 “(16) \$8,000,000 for the project described in
14 subsection (c)(26);

15 “(17) \$8,000,000 for the project described in
16 subsection (c)(27), of which \$3,000,000 shall be
17 available only for providing assistance for the
18 Montoursville Regional Sewer Authority, Lycoming
19 County;

20 “(18) \$10,000,000 for the project described in
21 subsection (c)(28); and

22 “(19) \$1,000,000 for the project described in
23 subsection (c)(29).”.

At the end of section 517 of the bill, insert the following:

1 (c) NASHUA, NEW HAMPSHIRE.—Section 219(c) of
2 such Act is amended by adding at the end the following:

3 “(19) NASHUA, NEW HAMPSHIRE.—A sewer
4 and drainage system separation and rehabilitation
5 program for Nashua, New Hampshire.”.

6 (d) FALL RIVER AND NEW BEDFORD, MASSACHU-
7 SETTS.—Section 219(c) of such Act is further amended
8 by adding at the end the following:

9 “(20) FALL RIVER AND NEW BEDFORD, MASSA-
10 CHUSETTS.—Elimination or control of combined
11 sewer overflows in the cities of Fall River and New
12 Bedford, Massachusetts.”.

13 (e) ADDITIONAL PROJECT DESCRIPTIONS.—Section
14 219(c) of such Act is further amended by adding at the
15 end the following:

16 “(21) FINDLAY TOWNSHIP, PENNSYLVANIA.—
17 Water and sewer lines in Findlay Township, Alle-
18 gheny County, Pennsylvania.

19 “(22) DILLSBURG BOROUGH AUTHORITY,
20 PENNSYLVANIA.—Water and sewer systems in
21 Franklin Township, York County, Pennsylvania.

22 “(23) HAMPTON TOWNSHIP, PENNSYLVANIA.—
23 Water, sewer, and stormsewer improvements in
24 Hampton Township, Cumberland County, Pennsyl-
25 vania.

1 “(24) TOWAMENCIN TOWNSHIP, PENNSYL-
2 VANIA.—Sanitary sewer and water lines in
3 Towamencin Township, Montgomery County, Penn-
4 sylvania.

5 “(25) DAUPHIN COUNTY, PENNSYLVANIA.—
6 Combined sewer and water system rehabilitation for
7 the City of Harrisburg, Dauphin County, Pennsyl-
8 vania.

9 “(26) LEE, NORTON, WISE, AND SCOTT COUN-
10 TIES, VIRGINIA.—Water supply and wastewater
11 treatment in Lee, Norton, Wise, and Scott Counties,
12 Virginia.

13 “(27) NORTHEAST PENNSYLVANIA.—Water-re-
14 lated infrastructure in Lackawanna, Lycoming, Sus-
15 quehanna, Wyoming, Pike, and Monroe Counties,
16 Pennsylvania, including assistance for the
17 Montoursville Regional Sewer Authority, Lycoming
18 County.

19 “(28) CALUMET REGION, INDIANA.—Water-re-
20 lated infrastructure in Lake and Porter Counties,
21 Indiana.

22 “(29) CLINTON COUNTY, PENNSYLVANIA.—
23 Water-related infrastructure in Clinton County,
24 Pennsylvania.”.

At the end of section 518 of the bill, insert the following:

1 (4) Columbia Slough, Portland, Oregon, project
2 for ecosystem restoration.

3 (5) Ohio River Greenway, Indiana, project for
4 environmental restoration and recreation.

In section 523(b) of the bill, strike “the Secretary shall” and insert “the Secretary may”.

After section 573 of the bill, insert the following:

5 **SEC. 574. WEST BATON ROUGE PARISH, LOUISIANA.**

6 The Secretary shall expedite completion of the report
7 for the West Baton Rouge Parish, Louisiana, project for
8 waterfront and riverine preservation, restoration, and en-
9 hancement modifications along the Mississippi River.

Conform the table of contents of the bill accordingly.

At the end of section 578 of the bill, add the following:

10 (k) MERRISACH LAKE, ARKANSAS COUNTY, ARKAN-
11 SAS.—

12 (1) LAND CONVEYANCE.—Notwithstanding any
13 other provision of law, the Secretary shall convey to
14 eligible private property owners at fair market value,
15 as determined by the Secretary, all right, title, and

1 interest of the United States in and to certain lands
2 acquired for Navigation Pool No. 2, McClellan-Kerr
3 Arkansas River Navigation System, Merrisach Lake
4 Project, Arkansas County, Arkansas.

5 (2) PROPERTY DESCRIPTION.—The lands to be
6 conveyed under paragraph (1) include those lands
7 lying between elevation 163, National Geodetic Ver-
8 tical Datum of 1929, and the Federal Government
9 boundary line for Tract Numbers 102, 129, 132-1,
10 132-2, 132-3, 134, 135, 136-1, 136-2, 138, 139,
11 140, 141, 142, 143, 144, and 145, located in sec-
12 tions 18, 19, 29, 30, 31, and 32, Township 7 South,
13 Range 2 West, and the SE $\frac{1}{4}$ of Section 36, Town-
14 ship 7 South, Range 3 West, Fifth Principal Merid-
15 ian, with the exception of any land designated for
16 public park purposes.

17 (3) TERMS AND CONDITIONS.—Any lands con-
18 veyed under paragraph (1) shall be subject to—

19 (A) a perpetual flowage easement prohibit-
20 ing human habitation and restricting construc-
21 tion activities;

22 (B) the reservation of timber rights by the
23 United States; and

1 (C) such additional terms and conditions
2 as the Secretary considers appropriate to pro-
3 tect the interests of the United States.

4 (4) ELIGIBLE PROPERTY OWNER DEFINED.—In
5 this subsection, the term “eligible private property
6 owner” means the owner of record of land contig-
7 uous to lands owned by the United States in connec-
8 tion with the project referred to in paragraph (1).

In section 583(b) of the bill, strike “The Secretary shall” and insert “The Secretary may”.

At the end of title V of the bill, add the following (and conform the table of contents of the bill accordingly):

9 **SEC. 585. NORTHEASTERN MINNESOTA.**

10 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
11 may establish a pilot program for providing environmental
12 assistance to non-Federal interests in northeastern Min-
13 nesota.

14 (b) FORM OF ASSISTANCE.—Assistance under this
15 section may be in the form of design and construction as-
16 sistance for water-related environmental infrastructure
17 and resource protection and development projects in
18 northeastern Minnesota, including projects for wastewater
19 treatment and related facilities, water supply and related

1 facilities, environmental restoration, and surface water re-
2 source protection and development.

3 (c) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
4 retary may provide assistance for a project under this sec-
5 tion only if the project is publicly owned.

6 (d) LOCAL COOPERATION AGREEMENT.—

7 (1) IN GENERAL.—Before providing assistance
8 under this section, the Secretary shall enter into a
9 local cooperation agreement with a non-Federal in-
10 terest to provide for design and construction of the
11 project to be carried out with the assistance.

12 (2) REQUIREMENTS.—Each local cooperation
13 agreement entered into under this subsection shall
14 provide for the following:

15 (A) PLAN.—Development by the Secretary,
16 in consultation with appropriate Federal and
17 State officials, of a facilities or resource protec-
18 tion and development plan, including appro-
19 priate engineering plans and specifications.

20 (B) LEGAL AND INSTITUTIONAL STRUC-
21 TURES.—Establishment of such legal and insti-
22 tutional structures as are necessary to ensure
23 the effective long-term operation of the project
24 by the non-Federal interest.

25 (3) COST SHARING.—

1 (A) IN GENERAL.—The Federal share of
2 project costs under each local cooperation
3 agreement entered into under this subsection
4 shall be 75 percent. The Federal share may be
5 in the form of grants or reimbursements of
6 project costs.

7 (B) CREDIT FOR DESIGN WORK.—The
8 non-Federal interest shall receive credit for the
9 reasonable costs of design work completed by
10 the non-Federal interest prior to entering into
11 a local cooperation agreement with the Sec-
12 retary for a project. The credit for the design
13 work shall not exceed 6 percent of the total con-
14 struction costs of the project.

15 (C) CREDIT FOR INTEREST.—In the event
16 of a delay in the funding of the non-Federal
17 share of a project that is the subject of an
18 agreement under this section, the non-Federal
19 interest shall receive credit for reasonable inter-
20 est incurred in providing the non-Federal share
21 of a project's cost.

22 (D) LAND, EASEMENTS, AND RIGHTS-OF-
23 WAY CREDIT.—The non-Federal interest shall
24 receive credit for land, easements, rights-of-
25 way, and relocations toward its share of project

1 costs (including all reasonable costs associated
2 with obtaining permits necessary for the con-
3 struction, operation, and maintenance of the
4 project on publicly owned or controlled land),
5 but not to exceed 25 percent of total project
6 costs.

7 (E) OPERATION AND MAINTENANCE.—The
8 non-Federal share of operation and mainte-
9 nance costs for projects constructed with assist-
10 ance provided under this section shall be 100
11 percent.

12 (e) APPLICABILITY OF OTHER FEDERAL AND STATE
13 LAWS.—Nothing in this section shall be construed as
14 waiving, limiting, or otherwise affecting the applicability
15 of any provision of Federal or State law that would other-
16 wise apply to a project to be carried out with assistance
17 provided under this section.

18 (f) REPORT.—Not later than December 31, 2001, the
19 Secretary shall transmit to Congress a report on the re-
20 sults of the pilot program carried out under this section,
21 together with recommendations concerning whether or not
22 such program should be implemented on a national basis.

23 (g) NORTHEASTERN MINNESOTA DEFINED.—In this
24 section, the term “northeastern Minnesota” means the
25 counties of Cook, Lake, St. Louis, Koochiching, Itasca,

1 Cass, Crow Wing, Aitkin, Carlton, Pine, Kanabec, Mille
2 Lacs, Morrison, Benton, Sherburne, Isanti, and Chisago,
3 Minnesota.

4 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section
6 \$40,000,000 for fiscal years beginning after September
7 30, 1999. Such sums shall remain available until ex-
8 pended.

9 **SEC. 586. ALASKA.**

10 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
11 may establish a pilot program for providing environmental
12 assistance to non-Federal interests in Alaska.

13 (b) FORM OF ASSISTANCE.—Assistance under this
14 section may be in the form of design and construction as-
15 sistance for water-related environmental infrastructure
16 and resource protection and development projects in Alas-
17 ka, including projects for wastewater treatment and relat-
18 ed facilities, water supply and related facilities, and sur-
19 face water resource protection and development.

20 (c) OWNERSHIP REQUIREMENTS.—The Secretary
21 may provide assistance for a project under this section
22 only if the project is publicly owned or is owned by a native
23 corporation as defined by section 1602 of title 43, United
24 States Code.

25 (d) LOCAL COOPERATION AGREEMENTS.—

1 (1) IN GENERAL.—Before providing assistance
2 under this section, the Secretary shall enter into a
3 local cooperation agreement with a non-Federal in-
4 terest to provide for design and construction of the
5 project to be carried out with the assistance.

6 (2) REQUIREMENTS.—Each local cooperation
7 agreement entered into under this subsection shall
8 provide for the following:

9 (A) PLAN.—Development by the Secretary,
10 in consultation with appropriate Federal and
11 State officials, of a facilities or resource protec-
12 tion and development plan, including appro-
13 priate engineering plans and specifications.

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

19 (3) COST SHARING.—

20 (A) IN GENERAL.—The Federal share of
21 the project costs under each local cooperation
22 agreement entered into under this subsection
23 shall be 75 percent. The Federal share may be
24 in the form of grants or reimbursements of
25 project costs.

1 (B) CREDIT FOR DESIGN WORK.—The
2 non-Federal interest shall receive credit for the
3 reasonable costs of design work completed by
4 the non-Federal interest prior to entering into
5 a local cooperation agreement with the Sec-
6 retary for a project. The credit for the design
7 work shall not exceed 6 percent of the total con-
8 struction costs of the project.

9 (C) CREDIT FOR INTEREST.—In the event
10 of a delay in the funding of the non-Federal
11 share of a project that is the subject of an
12 agreement under this section, the non-Federal
13 interest shall receive credit for reasonable inter-
14 est incurred in providing the non-Federal share
15 of a project's cost.

16 (D) LAND, EASEMENTS, AND RIGHTS-OF-
17 WAY CREDIT.—The non-Federal interest shall
18 receive credit for land, easements, rights-of-
19 way, and relocations toward its share of project
20 costs (including all reasonable costs associated
21 with obtaining permits necessary for the con-
22 struction, operation, and maintenance of the
23 project on publicly owned or controlled land),
24 but not to exceed 25 percent of total project
25 costs.

1 (E) OPERATION AND MAINTENANCE.—The
2 non-Federal share of operation and mainte-
3 nance costs for projects constructed with assist-
4 ance provided under this section shall be 100
5 percent.

6 (e) APPLICABILITY OF OTHER FEDERAL AND STATE
7 LAWS.—Nothing in this section shall be construed as
8 waiving, limiting, or otherwise affecting the applicability
9 of any provision of Federal or State law that would other-
10 wise apply to a project to be carried out with assistance
11 provided under this section.

12 (f) REPORT.—Not later than December 31, 2001, the
13 Secretary shall transmit to Congress a report on the re-
14 sults of the pilot program carried out under this section,
15 together with recommendations concerning whether or not
16 such program should be implemented on a national basis.

17 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to carry out this section
19 \$25,000,000 for fiscal years beginning after September
20 30, 1999. Such sums shall remain available until ex-
21 pended.

22 **SEC. 587. CENTRAL WEST VIRGINIA.**

23 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
24 may establish a pilot program for providing environmental

1 assistance to non-Federal interests in central West Vir-
2 ginia.

3 (b) FORM OF ASSISTANCE.—Assistance under this
4 section may be in the form of design and construction as-
5 sistance for water-related environmental infrastructure
6 and resource protection and development projects in cen-
7 tral West Virginia, including projects for wastewater
8 treatment and related facilities, water supply and related
9 facilities, and surface water resource protection and devel-
10 opment.

11 (c) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
12 retary may provide assistance for a project under this sec-
13 tion only if the project is publicly owned.

14 (d) LOCAL COOPERATION AGREEMENTS.—

15 (1) IN GENERAL.—Before providing assistance
16 under this section, the Secretary shall enter into a
17 local cooperation agreement with a non-Federal in-
18 terest to provide for design and construction of the
19 project to be carried out with the assistance.

20 (2) REQUIREMENTS.—Each local cooperation
21 agreement entered into under this subsection shall
22 provide for the following:

23 (A) PLAN.—Development by the Secretary,
24 in consultation with appropriate Federal and
25 State officials, of a facilities or resource protec-

1 tion and development plan, including appro-
2 priate engineering plans and specifications.

3 (B) LEGAL AND INSTITUTIONAL STRUC-
4 TURES.—Establishment of such legal and insti-
5 tutional structures as are necessary to ensure
6 the effective long-term operation of the project
7 by the non-Federal interest.

8 (3) COST SHARING.—

9 (A) IN GENERAL.—The Federal share of
10 the project costs under each local cooperation
11 agreement entered into under this subsection
12 shall be 75 percent. The Federal share may be
13 in the form of grants or reimbursements of
14 project costs.

15 (B) CREDIT FOR DESIGN WORK.—The
16 non-Federal interest shall receive credit for the
17 reasonable costs of design work completed by
18 the non-Federal interest prior to entering into
19 a local cooperation agreement with the Sec-
20 retary for a project. The credit for the design
21 work shall not exceed 6 percent of the total con-
22 struction costs of the project.

23 (C) CREDIT FOR INTEREST.—In the event
24 of a delay in the funding of the non-Federal
25 share of a project that is the subject of an

1 agreement under this section, the non-Federal
2 interest shall receive credit for reasonable inter-
3 est incurred in providing the non-Federal share
4 of a project's cost.

5 (D) LAND, EASEMENTS, AND RIGHTS-OF-
6 WAY CREDIT.—The non-Federal interest shall
7 receive credit for land, easements, rights-of-
8 way, and relocations toward its share of project
9 costs (including all reasonable costs associated
10 with obtaining permits necessary for the con-
11 struction, operation, and maintenance of the
12 project on publicly owned or controlled land),
13 but not to exceed 25 percent of total project
14 costs.

15 (E) OPERATION AND MAINTENANCE.—The
16 non-Federal share of operation and mainte-
17 nance costs for projects constructed with assist-
18 ance provided under this section shall be 100
19 percent.

20 (e) APPLICABILITY OF OTHER FEDERAL AND STATE
21 LAWS.—Nothing in this section shall be construed as
22 waiving, limiting, or otherwise affecting the applicability
23 of any provision of Federal or State law that would other-
24 wise apply to a project to be carried out with assistance
25 provided under this section.

1 (f) REPORT.—Not later than December 31, 2001, the
2 Secretary shall transmit to Congress a report on the re-
3 sults of the pilot program carried out under this section,
4 together with recommendations concerning whether or not
5 such program should be implemented on a national basis.

6 (g) CENTRAL WEST VIRGINIA DEFINED.—In this
7 section, the term “central West Virginia” means the coun-
8 ties of Mason, Jackson, Putnam, Kanawha, Roane, Wirt,
9 Calhoun, Clay, Nicholas, Braxton, Gilmer, Lewis, Upshur,
10 Randolph, Pendleton, Hardy, Hampshire, Morgan, Berke-
11 ley, and Jefferson, West Virginia.

12 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$10,000,000 for fiscal years beginning after September
15 30, 1999. Such sums shall remain available until ex-
16 pended.

17 **SEC. 588. SACRAMENTO METROPOLITAN AREA WATERSHED**
18 **RESTORATION, CALIFORNIA.**

19 (a) IN GENERAL.—The Secretary is authorized to
20 undertake environmental restoration activities included in
21 the Sacramento Metropolitan Water Authority’s “Water-
22 shed Management Plan”. These activities shall be limited
23 to cleanup of contaminated groundwater resulting directly
24 from the acts of any Federal agency or Department of
25 the Federal government at or in the vicinity of McClellan

1 Air Force Base, California; Mather Air Force Base, Cali-
2 fornia; Sacramento Army Depot, California; or any loca-
3 tion within the watershed where the Federal government
4 would be a responsible party under any Federal environ-
5 mental law.

6 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to carry out this section
8 \$5,000,000 for fiscal years beginning after September 30,
9 1999.

10 **SEC. 589. ONONDAGA LAKE.**

11 (a) IN GENERAL.—The Secretary is authorized to
12 plan, design, and construct projects for the environmental
13 restoration, conservation, and management of Onondaga
14 Lake, New York, and to provide, in coordination with the
15 Administrator of the Environmental Protection Agency, fi-
16 nancial assistance to the State of New York and political
17 subdivisions thereof for the development and implementa-
18 tion of projects to restore, conserve, and manage Onon-
19 daga Lake.

20 (b) PARTNERSHIP.—In carrying out this section, the
21 Secretary shall establish a partnership with appropriate
22 Federal agencies (including the Environmental Protection
23 Agency) and the State of New York and political subdivi-
24 sions thereof for the purpose of project development and
25 implementation. Such partnership shall be dissolved not

1 later than 15 years after the date of enactment of this
2 Act.

3 (c) COST SHARING.—The non-Federal share of the
4 cost of a project constructed under subsection (a) shall
5 be not less than 30 percent of the total cost of the project
6 and may be provided through in-kind services.

7 (d) EFFECT ON LIABILITY.—Financial assistance
8 provided under this section shall not relieve from liability
9 any person who would otherwise be liable under Federal
10 or State law for damages, response costs, natural resource
11 damages, restitution, equitable relief, or any other relief.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated \$10,000,000 to carry out
14 the purposes of this section.

15 **SEC. 590. EAST LYNN LAKE, WEST VIRGINIA.**

16 The Secretary shall defer any decision relating to the
17 leasing of mineral resources underlying East Lynn Lake,
18 West Virginia, project lands to the Federal entity vested
19 with such leasing authority.

20 **SEC. 591. EEL RIVER, CALIFORNIA.**

21 The Secretary shall conduct a study to determine if
22 flooding in the city of Ferndale, California, is the result
23 of a Federal flood control project on the Eel River. If the
24 Secretary determines that the flooding is the result of the
25 project, the Secretary shall take appropriate measures (in-

1 cluding dredging of the Salt River and construction of
2 sediment ponds at the confluence of Francis, Reas, and
3 Williams Creeks) to mitigate the flooding.

4 **SEC. 592. NORTH LITTLE ROCK, ARKANSAS.**

5 (a) IN GENERAL.—The Secretary shall review a re-
6 port prepared by the non-Federal interest concerning flood
7 protection for the Dark Hollow area of North Little Rock,
8 Arkansas. If the Secretary determines that the report
9 meets the evaluation and design standards of the Corps
10 of Engineers and that the project is economically justified,
11 technically sound, and environmentally acceptable, the
12 Secretary shall carry out the project.

13 (b) TREATMENT OF DESIGN AND PLAN PREPARA-
14 TION COSTS.—The costs of design and preparation of
15 plans and specifications shall be included as project costs
16 and paid during construction.

17 **SEC. 593. UPPER MISSISSIPPI RIVER, MISSISSIPPI PLACE,**
18 **ST. PAUL, MINNESOTA.**

19 (a) IN GENERAL.—The Secretary may enter into a
20 cooperative agreement to participate in a project for the
21 planning, design, and construction of infrastructure and
22 other improvements at Mississippi Place, St. Paul, Min-
23 nesota.

24 (b) COST SHARING.—

1 (1) IN GENERAL.—The Federal share of the
2 cost of the project shall be 50 percent. The Federal
3 share may be provided in the form of grants or re-
4 imbursements of project costs.

5 (2) CREDIT FOR NON-FEDERAL WORK.—The
6 non-Federal interest shall receive credit toward the
7 non-Federal share of the cost of the project for rea-
8 sonable costs incurred by the non-Federal interests
9 as a result of participation in the planning, design,
10 and construction of the project.

11 (3) LAND, EASEMENTS, AND RIGHTS-OF-WAY
12 CREDIT.—The non-Federal interest shall receive
13 credit toward the non-Federal share of the cost of
14 the project for land, easements, rights-of-way, and
15 relocations provided by the non-Federal interest with
16 respect to the project.

17 (4) OPERATION AND MAINTENANCE.—The non-
18 Federal share of operation and maintenance costs
19 for the project shall be 100 percent.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated \$3,000,000 to carry out this
22 section.