[PUBLIC—NO. 868—76TH CONGRESS]

[CHAPTER 895—3D SESSION]

[H. R. 9972]

AN ACT

Authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted in the interest of the national defense under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to conditions set forth therein:

Kennebec River, Maine; improvement in accordance with the report on file in the Office, Chief of Engineers;

Boston Harbor, Massachusetts; House Documents Numbered 225 and 362, Seventy-sixth Congress;

Nantasket (Hull) Gut and Weymouth Fore River, Massachusetts; House Document Numbered 568, Seventy-sixth Congress;

Raritan River, New Jersey; channel to the Raritan Arsenal in accordance with the report on file in the Office, Chief of Engineers;

Baltimore Harbor, Maryland; channel in Curtis Creek in accordance with the report on file in the Office, Chief of Engineers;

Middle River and Dark Head Creek, Maryland; House Document Numbered 556, Seventy-sixth Congress;

Norfolk Harbor, Virginia; House Document Numbered 683, Seventy-sixth Congress;

Portsmouth Harbor, Virginia; channel to Nansemond Ordnance Depot in accordance with the report on file in the Office, Chief of Engineers;

Channel from Manteo to Oregon Inlet, North Carolina; House Document Numbered 313, Seventy-sixth Congress;

Silver Lake Harbor, North Carolina; House Document Numbered 325, Seventy-sixth Congress;

Charleston Harbor, South Carolina; House Document Numbered 259, Seventy-sixth Congress;

Charleston Harbor, South Carolina; channel to the ordnance depot in accordance with the report on file in the Office, Chief of Engineers;

Mobile Harbor, Alabama; House Documents Numbered 221 and 282, Seventy-sixth Congress;

Sabine-Neches Waterway at Orange, Texas, in accordance with report on file in the Office of the Chief of Engineers;

Corpus Christi, Texas; channel to and including a turning basin at Navy seaplane base, Encinal Peninsula, in accordance with the report on file in the Office, Chief of Engineers;

Oswego Harbor, New York; House Document Numbered 96, Seventy-sixth Congress;

San Diego Harbor, California; House Document Numbered 844, Seventy-sixth Congress;

Los Angeles and Long Beach Harbors, California; House Document Numbered 843, Seventy-sixth Congress, and in accordance with plans developed in conjunction with the Navy Department for modifying the alinement and increasing the length of the breakwater to approximately twenty-one thousand feet;

Sitka Harbor, Alaska; House Document Numbered 331, Seventy-sixth Congress;

Kodiak Harbor, Alaska; House Document Numbered 332, Seventy-sixth Congress;

Keehi Lagoon, Oahu, Territory of Hawaii; House Document Numbered 329, Seventy-sixth Congress; and

San Juan Harbor, Puerto Rico; House Document Numbered 364, Seventy-sixth Congress.

SEC. 2. The following modifications of projects, involving no cost to the United States, in addition to that heretofore authorized, are hereby adopted and authorized to be prosecuted:

Wilmington Harbor, Delaware; in accordance with the provisions of House Document Numbered 658, Seventy-sixth Congress;

Cleveland Harbor, Ohio; the existing project set forth in House Document Numbered 84, Seventy-fourth Congress, and authorized by Public Law Numbered 392, Seventy-fifth Congress, is hereby modified to provide that cuts or partial cuts may be made before the related railroad bridges are modified or rebuilt when in the opinion of the Chief of Engineers such procedure will be advantageous to navigation;

The second proviso in section 2 of the Act of August 26, 1937 (50 Stat. 844, 850), authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, is hereby amended to read as follows: "*Provided further*, That the entire Central Valley project, California, heretofore authorized and established under the provisions of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) and the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1622), is hereby reauthorized and declared to be for the purposes of improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for construction under the provisions of the Federal reclamation laws of such distribution systems as the Secretary of the Interior deems necessary in connection with lands for which said stored waters are to be delivered, for the reclamation of arid and semi-arid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings, and in order to permit the full utilization of the works constructed to accomplish the aforesaid purposes."

SEC. 3. That the paragraph in section 1 of the River and Harbor Act, approved July 25, 1912, authorizing the removal of temporary obstructions from tributaries of waterways under Federal improvement (37 Stat. L. 722), as amended in section 3 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public work on rivers and harbors, and for other purposes", approved July 3, 1930, is hereby amended to read as follows:

"The Chief of Engineers, in his discretion, and after approval by the Secretary of War, is hereby authorized to make preliminary examinations and minor surveys preliminary thereto and to remove snags and other temporary or readily removable obstructions from tributaries of waterways already under Federal improvement or in general use by navigation, or to make such minor improvements in any of the navigable waters of the United States as he may deem advisable in the interest of national defense, the cost thereof to be paid from funds appropriated for the maintenance and improvement of rivers and harbors: *Provided*, That the cost of such work in any single year shall not exceed $3,000 per tributary."

SEC. 4. The project for the Denison Reservoir on Red River in Texas and Oklahoma, authorized by the Flood Control Act approved June 28, 1938, is hereby declared to be for the purpose of improving navigation, regulating the flow of the Red River, controlling floods, and for other beneficial uses.

Approved, October 17, 1940.