[PUBLIC LAW 228—77TH CONGRESS]

[CHAPTER 377—1ST SESSION]

[H. R. 4911]

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and waterflow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by Act of Congress.

SEC. 2. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this Act, except that for any channel improvement or channel rectification project provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the third proviso of section 1 of the Flood Control Act approved August 28, 1937 (Public, Numbered 406, 75th Congress) and all of section 8 of the Flood Control Act approved August 11, 1939, (Public, Numbered 396, 76th Congress) are hereby repealed: *Provided further*, That the authorization for any flood-control project heretofore or herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished: *And provided further*, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations. The Chief of Engineers is also authorized in his discretion to modify the plan for any dam or other work heretofore or hereafter authorized so that such dam or work will be smaller than originally planned with a view to completing a

useful improvement within an authorization: *Provided*, That the smaller structure shall be located on the chosen site so that it will be feasible at some future time to enlarge the work in order to permit the full utilization of the site for all purposes of conservation such as flood control, navigation, reclamation, the development of hydroelectric power, and the abatement of pollution.

SEC. 3. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized in the interest of national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission:

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $6,000,000 for local protection works and $10,000,000 for reservoirs for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Connecticut River Basin, and such comprehensive plan is hereby modified to include the works recommended by the Chief of Engineers in House Document Numbered 653, Seventy-sixth Congress, third session, and House Document Numbered 724, Seventy-sixth Congress, third session, with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

The Secretary of War is authorized to reimburse the city of Hartford, Connecticut, the sum of $252,000 heretofore contributed to the United States by said city for the realignment of the South Meadows section of the flood-protection works in accordance with the plans contained in House Document Numbered 653, Seventy-sixth Congress, third session: *Provided*, That there shall be deducted from the aforementioned sum any reimbursement which may be made to said city pursuant to the provisions of section 1 of the War Department Civil Appropriation Act, 1938, approved July 19, 1937.

THAMES RIVER BASIN

The plan for a system of reservoirs and channel improvements in the Thames River Basin, Connecticut, Rhode Island, and Massachusetts, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 885, Seventy-sixth Congress, third session, is approved, and there is hereby authorized $6,000,000 for initiation and partial accomplishment of the project.

PAWTUXET RIVER BASIN

The project for local flood protection on the North Branch of Pawtuxet River at Clyde, Rhode Island, and for the Pontiac diver-

sion is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 747, Seventy-sixth Congress, third session, at an estimated cost of $1,320,000.

HUDSON RIVER BASIN

The projects adopted by the Act of June 22, 1936, to provide for local flood-protection works in the Hoosic River Basin at North Adams in Massachusetts; at Hoosick Falls, New York, and at Bennington, Vermont, are hereby modified and extended to include the town of Adams, Massachusetts, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 182, Seventy-sixth Congress, first session, and are authorized to be constructed substantially in accordance with said recommendation at an estimated cost of $2,170,000.

LAKE CHAMPLAIN BASIN

The project for local flood protection on the Winooski River at Waterbury, Vermont, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 656, Seventy-sixth Congress, third session, at an estimated cost of $880,000.

The project adopted by the Act of June 22, 1936, to provide for local flood-protection works on Otter Creek at Rutland, Vermont, is hereby modified in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 171, Seventy-sixth Congress, third session, and is authorized to be constructed substantially in accordance with said recommendation at an estimated cost of $308,000.

OSWEGO RIVER BASIN

The projects for flood control and other purposes at Canandaigua, Keuka, and Owasco Lakes, and at Hammondsport, Watkins Glen, Montour Falls, Ithaca, and Syracuse, New York, are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 846, Seventy-sixth Congress, third session, at an estimated cost of $3,220,000.

BUFFALO RIVER BASIN

The project for local flood protection on Cayuga Creek at Lancaster, New York, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 326, Seventy-seventh Congress, first session, at an estimated cost of $575,000.

SUSQUEHANNA RIVER BASIN

The project adopted by the Act of June 22, 1936, to provide for local flood-protection works on the Susquehanna River at Sunbury, Pennsylvania, is hereby modified in accordance with the recommendation of the Chief of Engineers in House Document Numbered 366, Seventy-sixth Congress, first session, and is authorized

to be constructed substantially in accordance with said recommendation at an estimated cost of $1,900,000.

The project for flood control in the Susquehanna River Basin in southern New York and eastern Pennsylvania adopted by the Act of June 22, 1936, is hereby modified to include and authorize the construction of the Stillwater Reservoir on the Lackawanna River, Pennsylvania, for flood control and other purposes in accordance with plans now in the Office of the Chief of Engineers at an estimated cost to the United States of $2,420,000.

DELAWARE RIVER BASIN

The project for local flood protection on Rancocas Creek in the vicinity of Mount Holly, New Jersey, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 128, Seventy-seventh Congress, first session, at an estimated cost of $300,000.

NEUSE RIVER BASIN

The project for local flood protection on the Neuse River in the vicinity of Goldsboro, North Carolina, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 327, Seventy-seventh Congress, first session, at an estimated cost of $40,000.

MOBILE RIVER BASIN

The project for local flood protection at Prattville, Alabama, on Autauga Creek, a tributary of the Alabama-Coosa River, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 657, Seventy-sixth Congress, third session, at an estimated cost of $530,000.

The plan for the Allatoona Reservoir on the Etowah River in the Coosa River Basin, Georgia, for flood control and other purposes in accordance with the recommendation of the Chief of Engineers in House Document Numbered 674, Seventy-sixth Congress, third session, is approved and there is hereby authorized $3,000,000 for initiation and partial accomplishment of the project.

The project for flood control on the Tombigbee River authorized by the Act of June 22, 1936, is hereby modified to provide for additional channel improvements and related works for flood control for the Tombigbee River and tributaries above the mouth of and including the Noxubee River in accordance with plans approved by the Chief of Engineers at an estimated cost of $150,000.

BAYOU TECHE AND VERMILION RIVER

The project for the improvement of Bayou Teche and the Vermilion River, Louisiana, is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 93, Seventy-seventh Congress, first session, at an estimated cost of $1,390,000.

MERMENTAU RIVER BASIN

The project for the improvement of the Mermentau River in Louisiana for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 94, Seventy-seventh Congress, first session, at an estimated cost of $970,000.

COLORADO RIVER BASIN (TEXAS)

The plan for improvement of the Lower Colorado River, Texas, for flood control in accordance with the recommendation of the Chief of Engineers in House Document Numbered 312, Seventy-sixth Congress, first session, is approved and there is hereby authorized $6,500,000 for the construction of the project.

The plan for San Angelo Reservoir for flood control and other purposes on the North Concho River, Texas, and for local flood-protection works at San Angelo, Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 315, Seventy-sixth Congress, first session, is approved and there is hereby authorized $2,000,000 for initiation and partial accomplishment of the project.

The plan for Hords Creek Reservoir and for enlargement of the existing Lake Brownwood Reservoir for flood control and other purposes on Pecan Bayou and its tributaries in Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 370, Seventy-sixth Congress, first session, is approved and there is hereby authorized $1,400,000 for initiation and partial accomplishment of the project, including $460,000 for the Hords Creek Reservoir.

The project for local flood protection on Brady Creek at Brady, Texas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 441, Seventy-sixth Congress, first session, at an estimated cost of $825,000.

BRAZOS RIVER BASIN

The plan for Whitney Reservoir on the Brazos River in Texas, for flood control and other purposes in accordance with the recommendation of the Chief of Engineers in House Document Numbered 390, Seventy-sixth Congress, first session, is approved and there is hereby authorized $5,000,000 for the initiation and partial accomplishment of the project.

LOWER MISSISSIPPI RIVER

The project for flood control of the Lower Mississippi River adopted by the Act of May 15, 1928, as amended by the Act of June 15, 1936, as amended by the Acts of August 28, 1937, and June 28, 1938, is hereby modified and, as modified, is hereby authorized and adopted, and the Flood Control Act of June 15, 1936, as amended, is amended as follows:

(a) The existing engineering plan for flood control in the alluvial valley of the Mississippi River is hereby modified so as to provide

for the construction of plan 4 as set forth in the report of the Mississippi River Commission, dated March 7, 1941, to the Chief of Engineers, except that the levees in the Yazoo Basin on the east bank of the Mississippi River south of the Coahoma-Bolivar County line in said plan shall have a three-foot freeboard over the project flood, and all levees shall be constructed with adequate section and foundation to conform to increased levee heights. The Boeuf Floodway in the project adopted by the Act of May 15, 1928, and the Eudora Floodway as well as the Northward Extension and the back protection levee extending from the head of the said Eudora Floodway north to the Arkansas River in the project adopted by the Act of June 15, 1936, as amended, are hereby abandoned, and the provisions of said Acts relating to the prosecution of work on said floodways and extension are hereby repealed.

(b) The project for flood control of the Yazoo River shall be as authorized by the Flood Control Act approved June 15, 1936, as amended by section 2 of the Act approved June 28, 1938, except that the Chief of Engineers may, in his discretion, from time to time, substitute therefor combinations of reservoirs, levees, and channel improvements; and except that the extension of the authorized project and improvements contemplated in plan C of the report of March 7, 1941, of the Mississippi River Commission are authorized, including the extension of the levee on the east bank of the Mississippi River generally along the west bank of the Yazoo River to a connection in the vicinity of Yazoo City with the Yazoo River levee, authorized by the existing project for protection against headwater floods of the Yazoo River system, and the adjustment in the discretion of the Chief of Engineers of the grades of the existing levees in the backwater area on the east bank of Yazoo River below Yazoo City, all at an estimated additional cost of $11,982,000: *Provided*, That the Chief of Engineers shall fix the grade of the extension levees along the Yazoo River, with higher levees in his discretion, so that their construction will give the maximum practical protection without jeopardizing the safety and integrity of the main Mississippi River levees: *And provided further*, That prior to the beginning of construction local authorities shall furnish satisfactory assurances that they will (1) maintain the levees in accordance with the provisions of section 3 of the Act of May 15, 1928, and will (2) not raise the levees in the backwater above the limiting elevations established therefor by the Chief of Engineers.

(c) In the development of the authorized project, the construction of a levee and improvements contemplated in the report of March 7, 1941, of the Mississippi River Commission from the main-line levee on the west bank of the Mississippi River in the vicinity of Shaw, Louisiana, westward and northward to the vicinity of Newlight, Louisiana, for the protection of that part of the Red River backwater known as the Tensas-Cocodrie area at an estimated cost of $6,976,000 is hereby authorized: *Provided*, That the Chief of Engineers shall fix the grade of said levee, with a higher levee in his discretion, so that its construction will give the maximum practical protection without jeopardizing the safety and integrity of the main Mississippi River levees: *And provided further*, That prior to the beginning of construction local authorities shall furnish satisfactory assurances that they will (1) maintain the levee in

accordance with the provisions of section 3 of the Act of May 15, 1928, and will (2) not raise the said levee above the limiting elevations established therefor by the Chief of Engineers: *Provided further*, That subject to the foregoing conditions of local cooperation the Chief of Engineers may in his discretion substitute other levees and appurtenant works for, or make such modifications of, the levees and improvements herein authorized for the protection of the Tensas-Cocodrie area as may be found after further investigation to afford protection to a larger area in the Red River Backwater at a total cost not to exceed $14,000,000 and without jeopardizing the safety and integrity of the main Mississippi River levees and without preventing or jeopardizing the diversions contemplated in the adopted project through the Atchafalaya River and Atchafalaya Basin.

(d) The Chief of Engineers, with approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to be reasonable, for providing at the request of the United States, in accordance with local legal procedure or custom, rights-of-way and flowage easements required for future setbacks of main-line Mississippi River levees.

(e) The existing engineering plan for flood control of the Saint Francis River is hereby modified so as to permit the substitution for the suspended portions of the original project below Oak Donnick, Arkansas, of the construction of a ditch in Cross County, Arkansas, beginning in the vicinity of the outlet end of the existing Oak Donnick to Saint Francis Bay floodway and terminating in Saint Francis Bay about two miles north of Riverfront, including the construction of a highway bridge at State Highway Numbered 42 made necessary by the ditch construction: *Provided*, That local interests give assurances satisfactory to the Secretary of War that they will (1) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction; (2) hold and save the United States free from damages due to the construction works; and (3) maintain the works after completion in accordance with regulations prescribed by the Secretary of War.

(f) In the development of the authorized project, the construction of improvements for Bayou Rapides, Boeuf, and Cocodrie, Louisiana, contemplated in the report dated March 24, 1941, of the Special Board of Officers at an estimated cost of $2,600,000 is hereby authorized.

(g) The total authorizations heretofore made for the flood control project of the alluvial valley of the Mississippi River shall not be increased by reason of any provision in this Act, except for the additional amounts necessary for the Yazoo and Red River backwater improvements, and any appropriations heretofore or hereafter made or authorized for said project as herein or heretofore modified may be expended upon any feature of the said project, notwithstanding any restrictions, limitations, or requirements of existing law: *Provided*, That funds hereafter expended for maintenance shall not be considered as reducing present remaining balances of authorizations.

(h) Any officer of the Corps of Engineers who has served or shall serve four years as President of the Mississippi River Commission

and who has been or shall subsequently be retired, shall, from the date of such retirement, receive the rank, pay, and allowances of a retired major general.

The project for flood control on the Homochitto River in Mississippi, authorized by the Act of June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), and modified by the Act of June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), is hereby further modified to provide for additional channel improvements and related works for flood control on the Homochitto River and tributaries in accordance with plans approved by the Chief of Engineers, and for the execution of these plans there is hereby authorized $50,000.

RED-OUACHITA RIVER BASIN

The project for local flood protection on the Ouachita River near Calion, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 427, Seventy-sixth Congress, first session, at an estimated cost of $50,000.

The project for local protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby amended to add and authorize the following: Levee enlargement, new levee extension, and the construction of appurtenant drainage structures on the left bank of the Red River opposite Alexandria for the protection of Pineville, Lousiana, and vicinity, at an estimated cost to the United States of $159,100, subject to the provisions of section 3 of the Act approved June 22, 1936.

The project for local flood protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby further amended to include and to authorize the following: Levees and appurtenant drainage works on the left bank of the Red River and along Bayous Darrow and Rigolette, the improvement of the channel of Bayou Rigolette, and the separation of the channels of Bayous Darrow and Rigolette in the Aloha-Rigolette area, Grant and Rapides Parish, Louisiana, all at an estimated cost to the United States of $914,500, subject to the provisions of section 3 of the Flood Control Act approved June 22, 1936.

The project for the Bayou Bodcau Reservoir, Louisiana, authorized by the Act of June 22, 1936, as modified by the Acts of June 28, 1938, and June 28, 1939, is hereby further modified to include and to authorize channel improvements below the reservoir on Bayou Bodcau, Red Chute, and Loggy Bayou at an estimated cost of $198,000, subject to the provisions of Section 3 of the Flood Control Act approved June 22, 1936.

The plan for the Narrows Reservoir for flood control and other purposes on the Little Missouri River, Arkansas, and for local flood protection on the main river below Murfreesboro and on the Terre Noire and Ozan Creeks, substantially in accordance with recommendation of the Chief of Engineers in House Document Numbered 837, Seventy-sixth Congress, third session, is approved and there is hereby authorized $3,000,000 for initiation and partial accomplishment of the project.

WHITE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $24,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the White River Basin in Missouri and Arkansas, including the projects for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 917, Seventy-sixth Congress, third session, and the modifications in the Norfork Reservoir project recommended by the Chief of Engineers in House Document Numbered 290, Seventy-seventh Congress, first session.

The projects for local flood protection on the White River, on the east side between Augusta and Clarendon, Arkansas, and at the town of De Valls Bluff, Arkansas, are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 98, Seventy-sixth Congress, first session, at an estimated cost of $2,847,500.

ARKANSAS RIVER BASIN

The general comprehensive plan for flood control and other purposes, approved by the Act of June 28, 1938, for the Arkansas River Basin, is hereby modified to include the reservoirs in the Grand (Neosho) River Basin in Oklahoma and Missouri, and in the Verdigris River Basin in Kansas, in accordance with the recommendations of the Chief of Engineers in House Documents Numbered 107 and 440 of the Seventy-sixth Congress, first session. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $29,000,000 for the prosecution of said comprehensive plan.

The project for local flood protection on the Salt Fork of the Arkansas River in the vicinity of Cherokee, Oklahoma, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 480, Seventy-sixth Congress, second session, at an estimated cost of $800,000.

The project for local flood protection along the south bank of the Arkansas River between Little Rock and Pine Bluff, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 718, Seventy-sixth Congress, third session, at an estimated cost of $641,000, with such modifications as may be advisable in the discretion of the Secretary of War and the Chief of Engineers.

The project for local flood protection along the north bank of the Arkansas River in the Crawford County Levee District, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 720, Seventy-sixth Congress, third session, at an estimated cost of $284,000.

The project for local flood protection on both sides of the Arkansas River in the immediate vicinity of Tulsa and West Tulsa, Oklahoma, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 157, Seventy-seventh Congress, first session, at an estimated cost of $513,000.

OHIO RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $45,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Ohio River Basin, modified to include the Allegheny Reservoir project in accordance with the recommendation of the Chief of Engineers in House Document Numbered 300, Seventy-sixth Congress, first session.

The project for local flood protection on the Licking River at Salyersville, Kentucky, is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 261, Seventy-seventh Congress, first session, at an estimated cost of $174,000.

TENNESSEE RIVER BASIN

The projects for local flood protection on the Tennessee River at Chattanooga, Tennessee, and Rossville, Georgia, are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 479, Seventy-sixth Congress, second session, at an estimated cost of $13,500,000.

UPPER MISSISSIPPI RIVER BASIN

The project adopted by the Act of June 22, 1936, for the Dry Run Reservoir near Decorah, Iowa, is hereby modified to authorize the Chief of Engineers to modify the project so as to provide protection by diversion of floodwaters in accordance with revised plans now on file in his office, at an estimated Federal cost of $460,000.

SEBEWAING RIVER

The project for local flood protection on the Sebewaing River in the vicinity of Sebewaing, Michigan, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 286, Seventy-sixth Congress, first session, at an estimated cost of $250,000.

MISSOURI RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $7,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Missouri River Basin, including the project for the Harlan County Reservoir on the Republican River, Nebraska, recommended by the Chief of Engineers in House Document Numbered 842, Seventy-sixth Congress, third session, and such other supplemental flood-control works on the Republican River as the Secretary of War and the Chief of Engineers may find advisable.

The comprehensive plan for the improvement of Cherry Creek and tributaries, Colorado, for flood control and other purposes in accordance with the recommendations of the Chief of Engineers in House Document Numbered 426, Seventy-sixth Congress, first session, is approved and there is hereby authorized $3,000,000 for the initiation and partial accomplishment of the project.

The project for local flood protection on the Platte River in the vicinity of Schuyler, Nebraska, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 250, Seventy-sixth Congress, first session, at an estimated cost of $63,000.

The project for local flood protection on the Missouri River and Indian Creek at Council Bluffs, Iowa, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 577, Seventy-sixth Congress, third session, at an estimated cost of $18,000.

The project for the improvement of Fall River and tributaries, South Dakota, for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 655, Seventy-sixth Congress, third session, at an estimated cost of $1,050,000.

The project for flood protection in the vicinity of Sioux City, Iowa, and along both banks of the Missouri River between Sioux City and Kansas City for flood control in accordance with the recommendation of the Chief of Engineers in House Document Numbered 821, Seventy-sixth Congress, third session, is approved and there is hereby authorized $1,000,000 for the initiation and partial accomplishment thereof: *Provided*, That such project is hereby modified by eliminating the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, establish by interstate compact floodway boundary lines and floodway regulations satisfactory to the Secretary of War.

SANTA ANA RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $2,500,000 for the prosecution of the projects approved in the Acts of June 22, 1936, and June 28, 1938, for flood control in the Santa Ana River Basin and for the protection of Orange County in California.

LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA CREEK

The general comprehensive plan for flood control and other purposes in the basins of the Los Angeles and San Gabriel Rivers and Ballona Creek as set forth in House Document Numbered 838, Seventy-sixth Congress, third session, is approved, and in addition to previous authorizations there is hereby authorized $25,000,000 for the partial accomplishment of that plan.

SACRAMENTO-SAN JOAQUIN RIVER BASIN

The projects for the control of floods and other purposes in the Sacramento River, California, adopted by the Acts approved March 1, 1917, May 15, 1928, and August 26, 1937, are hereby modified substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 205, Seventy-seventh Congress, first session, at an estimated cost of $10,500,000, and also modified to provide for channel clearing, rectification, snagging, and

bank protection on the Sacramento River and tributaries in Tehama County, and from Red Bluff southerly, at an additional estimated cost of $150,000.

The project for the Fresno County Stream Group for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 845, Seventy-sixth Congress, third session, at an estimated cost of $510,000.

UMPQUA RIVER BASIN

The project for improvement of the Umpqua River in Oregon for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 684, Seventy-sixth Congress, third session, at an estimated cost of $176,000.

YAQUINA RIVER BASIN

The project for local flood protection on the Yaquina River in the Mill Four District, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 304, Seventy-seventh Congress, first session, at an estimated cost of $72,000.

WILLAMETTE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $11,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Willamette River Basin in Oregon.

The project for improvement of the Pudding River in Oregon for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 185, Seventy-sixth Congress, third session, at an estimated cost of $62,000.

COLUMBIA RIVER BASIN

The project for local flood protection on the Touchet River at Dayton, Washington, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 662, Seventy-sixth Congress, third session, at an estimated cost of $146,000.

The project for levees, channel enlargement, and channel rectification on Walla Walla River in the vicinity of Milton and Freewater, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 719, Seventy-sixth Congress, third session, and the project for the protection of the city of Walla Walla, Washington, authorized by the Act approved June 28, 1938, is hereby modified in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 719, Seventy-sixth Congress, third session, at an estimated cost of $754,000.

The project for levees on the Cowlitz River, Washington, for local flood protection at Castle Rock, Washington, is hereby author-

ized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 721, Seventy-sixth Congress, third session, at an estimated cost of $31,000.

The project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 89, Seventy-seventh Congress, first session, at an estimated cost of $34,000.

SEC. 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on such drainage areas; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Barren River, Kentucky and Tennessee, with special reference to a dam in the vicinity of a site known as Barren No. 2.

Byram River and tributaries, Connecticut.

Blind Brook and tributaries, New York.

Mamaroneck and Sheldrake Rivers and their tributaries, New York.

Bronx River and tributaries, New York.

Hutchinson River and tributaries, New York.

Saw Mill River and tributaries, New York.

Garden Creek, Mathews County, Virginia.

Indian River, Upper Saint Johns River and Marsh, and North Fork, Saint Lucie River, and their tributaries, the Kissimmee River and its tributaries, Florida.

Red River in the vicinity of Shreveport, Louisiana, with a view to determining the advisability of providing bank-protection works.

Polecat Creek, Creek County, Oklahoma.

Walnut Creek, Love and Carter Counties, Oklahoma.

Rio Grande and tributaries, New Mexico.

Mimbres River and tributaries, New Mexico.

Pearl River, Mississippi.

Lake Pontchartrain, Louisiana, from the Orleans-Jefferson Parish line westward and northward to the vicinity of Frenier.

Black River, Catahoula and Concordia Parishes, Louisiana.

Dogy and Clear Creeks, tributaries of the Arkansas River, Oklahoma.

Salt Creek of the Arkansas River and tributaries, Osage County, Oklahoma.

Red River of the North Drainage Basin, Minnesota, South Dakota, and North Dakota.

Inlets and outlets to Lake Hendricks, South Dakota and Minnesota.

North Fork and South Fork of the Shoshone River and their tributaries, Wyoming.

Emery River and tributaries, Tennessee.

Redstone and Dunlap Creeks and tributaries, Pennsylvania.

West Fork River and tributaries, West Virginia, with a view to determining the advisability of constructing a system of multiple-use reservoirs.

Milwaukee River and tributaries, Wisconsin.

Little Calumet River and tributaries, Indiana.

Little Black River and tributaries, Michigan.

Sturgeon and Otter Rivers, and their tributaries, Michigan.

Cuyahoga River and tributaries, Ohio.

Big Sur River and Carmel River, and their tributaries, Monterey County, California.

Laguna Canyon, California.

All streams in San Diego County, California, flowing into the Pacific Ocean.

All streams in San Diego and Imperial Counties, California, flowing into the Salton Sea.

Coyote River and tributaries, California.

San Francisquito Creek, San Mateo and Santa Clara Counties, California.

Alhambra Creek and tributaries, California.

Matadero Creek, Santa Clara County, California.

Novato Creek and its tributaries, Marin County, California.

Petaluma Creek and tributaries, Sonoma County, California.

Guadalupe River and tributaries, California.

Silvies River and tributaries, Oregon.

Columbia River and tributaries, Washington, from the downstream point of Vancouver Lake to upstream point of Bachelor Island.

Salmon Creek, in the vicinity of Juneau, Alaska.

Yaguez, Estero, Portuguez, Bucana, Lapa, Guamani, Chico, Maunabo, Quebrada Arena, and Susua Rivers, and tributaries, Puerto Rico.

Creque Gut and Fair Plain Gut and their tributaries, Island of Saint Croix, and of Turpentine Run, and Crown Mountain water courses and their tributaries, Island of Saint Thomas, Virgin Islands.

SEC. 5. That the Secretary of War is hereby authorized to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed $1,000,000 for any one fiscal year to be expended in rescue work or in the repair or maintenance of any flood-control work threatened or destroyed by flood.

SEC. 6. That the provisions of the following Acts of Congress relating to river and harbor improvements are hereby made applicable to works of flood control heretofore or hereafter authorized: August 8, 1917, section 9 (40 Stat. 267); July 18, 1918, sections 5 and 6 (40 Stat. 911); and August 30, 1935, section 7 (49 Stat. 1048).

SEC. 7. That 25 per centum of all moneys received and deposited in the Treasury of the United States during any fiscal year on account of the leasing of lands acquired by the United States for flood control purposes shall be paid, at the end of such year, by the Secretary of the Treasury to the State in which such property is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such property is situated: *Provided*, That when such property is situated in more than one State or county the distributive share to each from the proceeds of such property shall be proportional to its area therein.

SEC. 8. Section 5 of the Act approved June 28, 1938 (52 Stat. 1215), is amended by striking out the words "in carrying out the purposes of this Act" and inserting in lieu thereof the words "in carrying out the purposes of the Act of June 22, 1936 (49 Stat. 1570), as amended and supplemented"; and by adding at the end of said section the following sentence: "The provisions of this section shall be applicable to any funds heretofore appropriated for the prosecution by the Secretary of Agriculture of works of improvement for measures of run-off and waterflow retardation and soil-erosion prevention upon watersheds."

SEC. 9. That Section 2 of the Flood Control Act of August 28, 1937, as amended is hereby further amended to read as follows:

"That the Secretary of War is hereby authorized to allot not to exceed $500,000 from any appropriations heretofore or hereafter made for any one fiscal year for flood control, for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than $25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year."

SEC. 10. That the sum of $275,000,000 is hereby authorized to be appropriated for carrying out the improvements herein, the sum of $10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examinations and surveys provided for in this Act and any other Acts of Congress, to be prosecuted by said departments. There is also hereby authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938, and which the Department is not otherwise authorized to undertake, such additional sums, not to exceed $5,000,000, as may be necessary for that purpose. All appropriations necessary for operation and maintenance of flood-control works authorized by law to be operated and maintained by the United States are hereby authorized.

Approved, August 18, 1941.