Public Law 89-298
89th Congress, S. 2300
October 27, 1965

An Act

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, 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,

TITLE I—NORTHEASTERN UNITED STATES WATER SUPPLY

SEC. 101. (a) Congress hereby recognizes that assuring adequate supplies of water for the great metropolitan centers of the United States has become a problem of such magnitude that the welfare and prosperity of this country require the Federal Government to assist in the solution of water supply problems. Therefore, the Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with Federal, State, and local agencies in preparing plans in accordance with the Water Resources Planning Act (Public Law 89-80) to meet the long-range water needs of the northeastern United States. This plan may provide for the construction, operation, and maintenance by the United States of (1) a system of major reservoirs to be located within those river basins of the Northeastern United States which drain into the Chesapeake Bay, those that drain into the Atlantic Ocean north of the Chesapeake Bay, those that drain into Lake Ontario, and those that drain into the Saint Lawrence River, (2) major conveyance facilities by which water may be exchanged between these river basins to the extent found desirable in the national interest, and (3) major purification facilities. Such plans shall provide for appropriate financial participation by the States, political subdivisions thereof, and other local interests.

(b) The Secretary of the Army, acting through the Chief of Engineers, shall construct, operate, and maintain those reservoirs, conveyance facilities, and purification facilities, which are recommended in the plan prepared in accordance with subsection (a) of this section, and which are specifically authorized by law enacted after the date of enactment of this Act.

(c) Each reservoir included in the plan authorized by this section shall be considered as a component of a comprehensive plan for the optimum development of the river basin in which it is situated, as well as a component of the plan established in accordance with this section.

TITLE II—FLOOD CONTROL

SEC. 201. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to construct, operate, and maintain any water resource development project, including single and multiple purpose projects involving, but not limited to, navigation, flood control, and shore protection, if the estimated Federal first cost of constructing such project is less than $10,000,000. No appropriation shall be made to construct, operate, or maintain any such project if such project has not been approved by resolutions adopted by the Committees on Public Works of the Senate and House of Representatives, respectively. For the purpose of securing consideration of such approval the Secretary shall transmit to Congress a report of such proposed project, including all relevant data and all costs.

Flood Control Act of 1965.

Report to Congress.

(b) Any water resource development project authorized to be constructed by this section shall be subject to the same requirements of local cooperation as it would be if the estimated Federal first cost of such project were $10,000,000 or more.

49 Stat. 1571.
33 USC 701c.
52 Stat. 1215.
33 USC 701c-1.

SEC. 202. Section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title 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, the authorization for any flood control project authorized by this Act requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

58 Stat. 887.
33 USC 701-1.

SEC. 203. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

Projects, authorization.

SEC. 204. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army 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. The necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations hereafter made for flood control so as to be ready for rapid inauguration of a construction program. The projects authorized in this title shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements. Penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

SAINT JOHN RIVER BASIN

The Dickey-Lincoln School project, Saint John River, Maine, is hereby authorized as approved by the President on July 12, 1965, and substantially in accordance with the plans included in the report of the Department of the Interior and the Corps of Engineers dated August 1964, which is a supplement to the July 1963 report of the International Passamaquoddy tidal power project and upper Saint John River hydroelectric power development, at an estimated cost of $227,000,000.

HOUSATONIC RIVER BASIN

The projects for flood protection on the Housatonic, Naugatuck, and Still Rivers at Derby and Danbury, Connecticut, are hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 324, Eighty-eighth Congress, at an estimated cost of $5,100,000.

NEW ENGLAND-ATLANTIC COASTAL AREA

The project for hurricane-flood control protection at Westerly, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 85, Eighty-ninth Congress, at an estimated cost of $3,287,000.

LONG ISLAND SOUND AREA

The project for hurricane-flood protection at Stratford, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 292, Eighty-eighth Congress, at an estimated cost of $4,340,000.

HUDSON RIVER BASIN

The project for flood protection at Yonkers, Saw Mill River, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 258, Eighty-ninth Congress, at an estimated cost of $1,924,000.

NEW YORK-ATLANTIC COASTAL AREA

The project for hurricane-flood protection and beach erosion control at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 215, Eighty-ninth Congress, at an estimated cost of $32,620,000.

The project for hurricane-flood protection and beach erosion control at Staten Island, Fort Wadsworth to Arthur Kill, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 181, Eighty-ninth Congress, at an estimated cost of $6,230,000.

ELIZABETH RIVER BASIN, NEW JERSEY

The project for hurricane-flood protection on the Elizabeth River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 249, Eighty-ninth Congress, at an estimated cost of $9,769,000.

RAHWAY RIVER BASIN, NEW JERSEY

The project for flood protection on the Rahway River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 67, Eighty-ninth Congress, at an estimated cost of $1,514,000.

NEUSE RIVER BASIN

The project for the Falls Dam and Reservoir, Neuse River, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 175, Eighty-ninth Congress, at an estimated cost of $18,600,000.

The project for hurricane-flood protection at New Bern and Vicinity, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 183, Eighty-ninth Congress, at an estimated cost of $10,400,000.

MIDDLE ATLANTIC COASTAL AREA

The project for hurricane-flood protection and beach erosion control at Ocracoke Island, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 109, Eighty-ninth Congress, at an estimated cost of $1,636,000.

FLINT RIVER BASIN

The project for the Lazer Creek Reservoir, Flint River, Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $40,378,000.

The project for the Lower Auchumpkee Reservoir, Flint River, Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $48,275,000.

CENTRAL AND SOUTHERN FLORIDA BASIN

Comprehensive Plan

Project modification.
62 Stat. 1176.

The comprehensive plan for flood control and other purposes in central and southern Florida approved in the Act of June 30, 1948, and subsequent Acts of Congress, is hereby modified to include the following items:

The project for flood protection in Hendry County, west of levees 1, 2, and 3, Florida, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 102, Eighty-eighth Congress, at an estimated cost of $4,986,000.

The project for flood protection in southwest Dade County, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 20, Eighty-ninth Congress, at an estimated cost of $4,903,000.

SOUTH ATLANTIC COASTAL AREA

The project for hurricane-flood protection on Biscayne Bay, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 213, Eighty-ninth Congress, at an estimated cost of $1,954,000.

PHILLIPPI CREEK BASIN, FLORIDA

The project for flood control on Phillippi Creek, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 156, Eighty-ninth Congress, at an estimated cost of $4,592,000.

LOWER MISSISSIPPI RIVER BASIN

Comprehensive Plan

Project modification.
33 USC 702a-702m.

The project for flood control and improvement of the lower Mississippi River, adopted by the Act of May 15, 1928 (45 Stat. 534), as amended and modified, is hereby further modified and expanded to include the projects and plans substantially as recommended by the Chief of Engineers in House Documents Numbered 308 and 319, Eighty-eighth Congress, at an estimated cost of $181,109,000, except that (1) any modified easements required in the improvement of the Birds Point-New Madrid, Missouri, Floodway shall be acquired as

provided by section 4 of the Act of May 15, 1928, (2) the pumping plant in the Red River backwater area shall be operated and maintained by the Corps of Engineers, (3) the recommendations of the Bureau of the Budget shall apply with respect to improvements for fish and wildlife, and (4) the requirement of local cooperation for the improvements in the St. Francis Basin, Arkansas and Missouri, shall be reviewed by the Secretary of the Army, acting through the Chief of Engineers, with particular reference to Federal and non-Federal cost sharing, and he shall report results of such review to Congress within one year after the date of enactment of this Act. No appropriation made pursuant to the authorization contained in this paragraph shall be available for any project other than those set forth in House Documents Numbered 308 and 319, Eighty-eighth Congress.

45 Stat. 536.
33 USC 702d.

Report to Congress.

The project for the St. Francis River, Missouri and Arkansas, within Drainage District No. 7, Poinsett County, Arkansas, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 57, Eighty-ninth Congress, at an estimated cost of $1,372,000.

St. Francis River.
Project modification.

General Projects

The project for hurricane-flood protection at Grand Isle and Vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 184, Eighty-ninth Congress, at an estimated cost of $5,500,000.

The project for hurricane-flood protection at Morgan City and Vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 167, Eighty-ninth Congress, at an estimated cost of $3,049,000.

The project for hurricane-flood protection on Lake Pontchartrain, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 231, Eighty-ninth Congress, except that the recommendations of the Secretary of the Army in that document shall apply with respect to the Seabrook Lock feature of the project. The estimated cost is $56,235,000.

OUACHITA RIVER BASIN

The project for flood protection on the Ouachita River at Monroe, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of $520,000.

RED RIVER BASIN

The project for flood protection on Bayou Bodcau and tributaries, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 203, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for Caddo Dam and Reservoir, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in Senate Document Numbered 39, Eighty-ninth Congress, at an estimated cost of $1,934,000.

The project for Sanders, Big Pine, and Collier Creeks, Texas, as authorized in the Act of October 23, 1962 (76 Stat. 1187), is hereby

modified in order to provide for a highway crossing Pat Mayse Reservoir to replace the present FM Highway 1499 across Sanders Creek, at an estimated cost of $310,000. Such crossing shall be constructed under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with such plans as may be recommended by the Chief of Engineers.

GULF OF MEXICO

The project for flood protection on the Buffalo Bayou and tributaries, White Oak Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 169, Eighty-ninth Congress, at an estimated cost of $1,800,000.

The project for flood protection on Highland Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 168, Eighty-ninth Congress, at an estimated cost of $3,500,000.

The project for flood protection on Taylors Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 206, Eighty-ninth Congress, at an estimated cost of $5,004,000.

RIO GRANDE BASIN

The project for flood protection on the Rio Grande at El Paso, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 207, Eighty-ninth Congress, at an estimated cost of $12,493,000.

ARKANSAS RIVER BASIN

Comprehensive Plan

Modification. 60 Stat. 635.

The multiple-purpose plan for improvement of Arkansas River and tributaries, authorized by the River and Harbor Act of July 24, 1946, as amended, is hereby modified to authorize the Secretary of the Army acting through the Chief of Engineers, to provide replacement outfall facilities for the Kansas Street outfall sewer in the city of Pine Bluff, Arkansas, including such new pumping facilities as may be necessary, at the most economical Federal expense, but including in the Federal expense the reasonable capitalized cost of operation and maintenance of the pumping facilities over the cost of pumping now required in the existing system.

General Projects

The project for flood protection on the Arkansas River at Las Animas, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 165, Eighty-ninth Congress, at an estimated cost of $1,541,000.

The project for flood protection on Lee Creek, Arkansas and Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 270, Eighty-ninth Congress, at an estimated cost of $10,000,000.

The project for flood protection at Little Rock, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 55, Eighty-ninth Congress, at an estimated cost of $363,000.

The project for flood protection on the Arkansas River at Great Bend, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 182, Eighty-ninth Congress, at an estimated cost of $4,030,000.

The project for establishment of a national wildlife refuge at the John Redmond Dam and Reservoir, Grand (Neosho) River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 27, Eighty-ninth Congress, at an estimated cost of $730,000.

The project for flood protection on the Walnut River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-ninth Congress, at an estimated cost of $66,036,000.

The project for the Shidler Dam and Reservoir, Salt Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 242, Eighty-ninth Congress, at an estimated cost of $6,150,000.

The project for flood protection on Crutcho Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 47, Eighty-ninth Congress, at an estimated cost of $1,801,000.

Trinidad Dam, Colo. Project modification. 72 Stat. 309.

The project for Trinidad Dam on Purgatoire River, Colorado, House Document Numbered 325, Eighty-fourth Congress, authorized by the Flood Control Act of 1958 (72 Stat. 297) is hereby modified to provide that in lieu of the local cooperation recommended in paragraph 2(a) of the report of the Chief of Engineers dated July 22, 1954, published in said document, local interests shall maintain the channel of Purgatoire River through the city of Trinidad. The conditions set forth in paragraphs 2(b) and 2(c) of said report shall be applicable to the project.

John Martin Reservoir, Colo. Project modification.

The John Martin Reservoir project (formerly known as Caddoa Reservoir), Arkansas River, Colorado, as authorized by the Act of June 22, 1936 (49 Stat. 1570), is modified to authorize and direct the Chief of Engineers to use not to exceed ten thousand acre-feet of reservoir flood control storage space for the purpose of establishing and maintaining a permanent pool for fish and wildlife and recreational purposes, at such times as storage space may not be available for such permanent pool within the conservation pool as defined in article III F, Arkansas River compact (63 Stat. 145) except that—

Water rights.

(1) The State of Colorado shall purchase and make available any water rights necessary under State law to establish and thereafter maintain the permanent pool.

(2) The rights of irrigators in Colorado and Kansas to those waters available to them under the terms of the Arkansas River compact and under the laws of their respective States shall not be diminished or impaired by anything contained in this paragraph.

(3) Nothing in this paragraph shall be construed so as to give any preference to the permanent pool over other project purposes.

(4) No permanent pool as herein defined shall be maintained except upon written terms and conditions acceptable and agreed to (A) by the Chief of Engineers in the interest of flood control, and (B) by the Colorado State Engineer, the Arkansas River Compact Administration, and the Colorado Water Conservation Board, in the interest of establishing, maintaining, and operating the permanent pool for recreational and fish and wildlife purposes.

(5) Nothing in this paragraph shall be construed so as to limit

the authority of the Chief of Engineers to operate John Martin Reservoir for the primary purposes of the prevention of floods and the preservation of life and property.

MISSOURI RIVER BASIN

The project for flood protection on Big Creek at Hays, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 22, Eighty-ninth Congress, at an estimated cost of $2,702,000.

The project for flood protection on the Little Nemaha River and tributaries, Nebraska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 160, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for flood protection on the Big Sioux River and tributaries, Iowa and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 199, Eighty-eighth Congress, at an estimated cost of $6,400,000, except that such portion of the project as relates to the area above the city limits of Sioux City, Iowa, shall be compatible with a fish and wildlife mitigation plan and also a flood control plan for the upper basin of the Big Sioux River, both to be approved by the States of Iowa and South Dakota.

The project for flood protection on the James River and tributaries, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 266, Eighty-ninth Congress, at an estimated cost of $3,083,000.

The project for flood control on the Fishing River and tributaries, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 281, Eighty-ninth Congress, at an estimated cost of $7,260,000.

The project for flood protection on the Chariton and Little Chariton Rivers and tributaries, Iowa and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers and the Secretary of the Army in House Document Numbered 238, Eighty-ninth Congress, at an estimated cost of $9,167,000.

The project for flood protection on the Grand River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 241, Eighty-ninth Congress, at an estimated cost of $218,009,000. Nothing in this Act shall be construed as authorizing the construction of Linneus Reservoir on Locust Creek, St. Catherine Reservoir on East Yellow Creek, the Honey Creek-No Creek local protection works, nor hydroelectric power facilities at Pattonsburg Reservoir on Grand River; the Secretary of the Army shall conduct a review of such reservoirs, local protection works, and hydroelectric power facilities, at an estimated cost of $75,000, and the funds authorized by this paragraph for project planning are authorized to be used for such review. The Secretary shall submit to Congress, at the earliest practical date, a new feasibility report on such projects based upon such review.

Restriction.

Report to Congress.

The project for flood protection on the Platte River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 262, Eighty-ninth Congress, at an estimated cost of $26,889,000.

The project for flood protection on the Sun River at Great Falls, Montana, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 297; Public Law 85-500) is hereby modified to waive the requirement that local interests contribute in cash 2.16 per centum of the actual construction cost of all items of work provided by the United States.

Sun River, Mont.
Project modification.

OHIO RIVER BASIN

The project for flood protection on Chartiers Creek, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 302, Eighty-eighth Congress, at an estimated cost of $12,207,000.

The project for flood protection on Sandy Lick Creek at Du Bois, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 185, Eighty-ninth Congress, at an estimated cost of $1,654,000.

The project for the Hocking River, Ohio, in the vicinity of Athens, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 287, Eighty-ninth Congress, at an estimated cost of $4,520,000.

The project for the Lincoln, Clifty Creek, and Patoka Dams and Reservoirs, Wabash River, Indiana and Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 202, Eighty-ninth Congress, at an estimated cost of $72,900,000.

The project for the Lafayette and Big Pine Dams and Reservoirs, Wabash River, Indiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 29, Eighty-ninth Congress, at an estimated cost of $44,800,000.

The project for the Rowlesburg Dam and Reservoir, Cheat River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 243, Eighty-ninth Congress, at an estimated cost of $133,548,000: *Provided*, That the power features of this project shall not be undertaken until such time as the Federal Power Commission has completed action on any applications that may be pending before that agency for private development of the pumped-storage facility of the project: *Provided further*, That should the Federal Power Commission act in the affirmative on any pending applications, the authority for such project shall not include Federal power features and the estimated cost of such project shall be $88,402,000: *And provided further*, That in the event the Federal Power Commission dismisses any pending applications, Federal construction of such pumped-storage power facilities is hereby authorized and approved.

Rowlesburg Dam and Reservoir, W. Va.
Power features, restrictions.

The project for the Martins Fork Reservoir, Upper Cumberland River Basin, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 244, Eighty-ninth Congress, at an estimated cost of $4,860,000.

The Yatesville, Paintsville, and Panther Creek Reservoir projects and the Martin, Kentucky, local protection project on the Big Sandy River and Tug and Levisa Forks of Kentucky, West Virginia, and Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 246, Eighty-ninth Congress, at an estimated cost of $51,491,000. Prior to initiation of construction the Secretary of the Army shall prepare an analysis of benefits and costs of the proposed projects,

Analysis of costs, etc.

Ante, p. 213.

including such reformulation as may be necessary to comply with the Federal Water Project Recreation Act.

RED RIVER OF THE NORTH BASIN

The project for flood protection on the Roseau River, Minnesota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 282, Eighty-ninth Congress, at an estimated cost of $2,550,000.

UPPER MISSISSIPPI RIVER BASIN

The project for flood protection at East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 329, Eighty-eighth Congress, at an estimated cost of $6,180,000.

Kaskaskia River, Ill. Project modification. 72 Stat. 310.

The project for the Kaskaskia River, Illinois, authorized by the Flood Control Act of 1958 (Public Law 500, Eighty-fifth Congress), in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-fifth Congress, is hereby modified substantially as recommended by the Chief of Engineers in House Document Numbered 351, Eighty-eighth Congress, to provide for the deletion from the items of local cooperation the requirement of a cash contribution due to changed land use, at an estimated increased Federal cost of $3,498,000, if local interests make a cash contribution of an amount equal to the full cost of acquisition of flowage easements in those lands which are no longer needed for construction, operation, and maintenance of Carlyle Reservoir.

The project for the Wood River Drainage and Levee District, Madison County, Illinois, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 150, Eighty-eighth Congress, at an estimated cost of $179,000.

The project for Ames Dam and Reservoir, Skunk River, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 267, Eighty-ninth Congress, at an estimated cost of $12,893,000.

The projects for flood protection at Marshalltown and Waterloo on the Iowa and Cedar Rivers, Iowa, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 166, Eighty-ninth Congress, at an estimated cost of $17,570,000.

The project for the Zumbro River, Minnesota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 246, Eighty-eighth Congress, at an estimated cost of $975,000.

The project for the Big Stone Lake and Whetstone River, Minnesota and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 579, Eighty-seventh Congress, and House Document Numbered 193, Eighty-eighth Congress, at an estimated cost of $3,885,000.

Des Moines River, Iowa. Project modification.

The project on the Des Moines River for flood protection of Des Moines, Iowa, House Document Numbered 651, Seventy-eighth Congress, authorized by the Act of December 22, 1944 (58 Stat. 887), is hereby modified to eliminate the requirement recommended in paragraph 10(a)(2) of the report of the Chief of Engineers dated December 13, 1943, that local interests bear the expense of repairs and provision of gates on existing drains.

GREAT LAKES BASIN

The project for flood control and navigation on the Chagrin River, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 35, Eighty-ninth Congress, at an estimated cost of $2,200,000.

The project for flood protection on the Grand River at and in the vicinity of Grandville, Michigan, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 157, Eighty-eighth Congress, at an estimated cost of $1,373,000.

LITTLE COLORADO RIVER BASIN

The project for flood protection on the Little Colorado River at and in the vicinity of Winslow, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 63, Eighty-eighth Congress, at an estimated cost of $2,775,000.

GILA RIVER BASIN

The project for flood protection on Indian Bend Wash, Maricopa County, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 303, Eighty-eighth Congress, at an estimated cost of $7,250,000.

The project for flood protection on the Santa Rosa Wash, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 189, Eighty-ninth Congress, at an estimated cost of $6,430,000, except that the development of recreation and fish and wildlife facilities shall be in accordance with the Federal Water Project Recreation Act. Ante, p. 213.

The project for flood protection at Phoenix, Arizona, and vicinity, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 216, Eighty-ninth Congress, at an estimated cost of $58,310,000.

EEL RIVER BASIN

The project for flood protection on the Eel River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 234, Eighty-ninth Congress, at an estimated cost of $13,732,000.

SACRAMENTO RIVER BASIN

The project for the New Bullards Bar Dam and Reservoir, Yuba River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 180, Eighty-ninth Congress, at an estimated cost of $8,979,000.

The project for the Lakeport Dam and Reservoir with supplemental channel improvements, Scotts Creek, Cache Creek Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 259, Eighty-ninth Congress, at an estimated cost of $9,360,000.

SAN FRANCISCO BAY AREA

The project for flood protection on Sonoma Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 224, Eighty-ninth Congress, at an estimated cost of $9,400,000.

The project for the Napa River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 222, Eighty-ninth Congress, at an estimated cost of $14,950,000.

WHITEWATER RIVER BASIN

The project for flood protection on Tahquitz Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 223, Eighty-ninth Congress, except that the amount of local contribution required due to enhancement of land shall be reduced by the amount of contribution determined on lands under Indian ownership at the time of project authorization and not subject to taxation due to Federal statutory restrictions. The amount of contribution on this basis is presently estimated at $508,000. The estimated cost is $3,442,000.

SANTA ANA RIVER BASIN

The project for flood protection on Lytle and Warm Creeks, San Bernardino County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 53, Eighty-ninth Congress, at an estimated cost of $9,750,000.

SAN DIEGO RIVER BASIN

The project for flood protection on San Diego River (Mission Valley), California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 212, Eighty-ninth Congress, at an estimated cost of $14,600,000, except that the Secretary of the Army may reimburse local interests for the expenditure of funds used to construct such portions of the project as approved by the Chief of Engineers and constructed under the supervision of the Chief of Engineers.

COLUMBIA RIVER BASIN

The projects for the Lower Grande Ronde and Catherine Creek dams and reservoirs, Grande Ronde River and tributaries, Oregon, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 280, Eighty-ninth Congress, at an estimated cost of $20,440,000. The Chief of Engineers shall construct, operate, and maintain such projects.

The project for flood protection on Willow Creek, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 233, Eighty-ninth Congress, at an estimated cost of $6,680,000.

The project for acquisition of additional lands for waterfowl management at John Day Lock and Dam, Oregon and Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 28,

Eighty-ninth Congress, at an estimated cost of $706,000, except that the parcels of land, in Oregon, between the Columbia River and the management area boundary within sections 3, 4, 10, and 11 of Township 4 North, Range 25 East, Willamette Meridian, as shown on plate 1 of Senate Document Numbered 28, Eighty-ninth Congress, estimated at 611.02 acres, shall not be part of the management area, and the Secretary of the Army is authorized to purchase such additional lands in sections 22, 27, 29, and 30, Township 5 North, Range 26 East, Willamette Meridian, outside the present indicated management area boundary on plate 1, as he determines necessary to replace the lands so excluded.

Scioto River, Ohio. Project modification. 76 Stat. 1188.

SEC. 205. That the flood control project for the Scioto River, Ohio, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the construction of the local protection works at Chillicothe, Ohio, at such time as the reservoirs on Alum, Mill, Big Darby, and Deer Creeks are under construction. In the event the Mill Creek and Alum Creek Reservoirs are constructed by an agency other than the Federal Government, the Federal Government shall not construct such local protection works at Chillicothe, Ohio, until said agency shall furnish assurances satisfactory to the Secretary of the Army that (1) it will provide flood control storage in those reservoirs equivalent to that proposed for the Federal reservoir projects, as authorized by the Flood Control Act of 1962, in accordance with the plan set forth in House Document Numbered 587, Eighty-seventh Congress, and (2) that such reservoirs shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army.

St. Clair River, Mich., etc. Comprehensive plan.

SEC. 206. (a) That the Secretary of the Army is hereby authorized and directed to prepare under the direction of the Chief of Engineers, a comprehensive plan for the development and efficient utilization of the water and related resources of the region drained by streams which discharge, within the State of Michigan, into the Saint Clair River, Lake Saint Clair, the Detroit River and Lake Erie. Such plan may provide for importation of water from points not located within the region as defined above.

(b) Said comprehensive plan shall be designed to meet the long-range needs of the region for protection against floods, wise use of flood plain lands, improvement of navigation facilities, water supplies for industrial and municipal purposes, outdoor recreational facilities, the enhancement and control of water quality, and related purposes; all with a view to encouraging and supporting the optimum long-range economic development of the region and enhancing the welfare of its people.

Minnesota River, Minn. Project modification. 72 Stat. 310.

SEC. 207. That the project for flood protection on the Minnesota River at Mankato and North Mankato, Minnesota, authorized in section 203 of the Flood Control Act of 1958 (Public Law 85-500, 72 Stat. 297) is hereby modified to authorize the Secretary of the Army to credit local interests against their required contribution to such project for any work necessitated by extreme high water done by such interests on such project between April 1, 1965, and February 1, 1966, if he approves such work as being in accordance with such project as authorized.

Flood control surveys. Authorization.

SEC. 208. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, 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 localities specifically named in this section. After the regular or formal reports made on any

survey authorized by this section are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions.

Report to Congress.

Watersheds of streams in the North Atlantic region draining northward in New York toward the Saint Lawrence River below the international boundary and draining directly into the Atlantic Ocean above the Virginia-North Carolina State line with respect to a framework plan for developing the water resources of the region.

All streams flowing into the sounds of North Carolina between Cape Lookout and the Virginia line except those portions of the Neuse, Pamlico, and Roanoke Rivers above the estuarine reaches.

Watersheds of streams in the South Atlantic region draining directly to the Atlantic Ocean below the Virginia-North Carolina State line and draining directly into the Gulf of Mexico east of Lake Pontchartrain with respect to a framework plan for developing the water resources of the region.

The Rio Grande and its tributaries with respect to a framework plan for flood control and other purposes.

Watersheds of streams, washes, lakes, and their tributaries, which drain areas of the great basin region of Oregon, California, Nevada, Utah, Idaho, and Wyoming with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries above Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries below Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

Watersheds of streams in the Pacific Northwest region which drain directly into the Pacific Ocean along the coastlines of Washington and Oregon with respect to a framework plan for developing the water resources of the region.

Watersheds of streams in California which drain directly into the Pacific Ocean and of streams, washes, lakes, and their tributaries, which drain areas in the eastern portion of the California region with respect to a framework plan for developing the water resources of the region.

Kaneohe-Kailua area, Oahu, Hawaii.

Terrebonne Parish, Louisiana (water supply).

Boyer River, Iowa.

Keokuk, Iowa.

Mississippi River, north of Dubuque, Iowa.

Black Hawk Creek, Iowa.

Mount Vernon, Indiana.

Orange Lake Basin, Florida.

Mayfield Creek, Kentucky.

Hatchie River and tributaries, Tennessee and Mississippi.

Spoon River, Illinois.

Grand (Neosho) River, Oklahoma and Kansas (including navigation).

Verdigris River, Kansas.

Verdigris River, Oklahoma and Kansas (including navigation).

Arkansas River and tributaries at and above Tulsa, Oklahoma.

Sanderson, Texas.

Abbeville, South Carolina.

All streams which drain directly to Pacific Ocean from San Mateo County, California.

Big Mineral Creek, Texas, particularly with reference to construction of a highway bridge.

Irondequoit Creek, New York, and tributaries, including Allens Creek, New York.

Coasts of Washington, Oregon, and California to determine advisability of protection work against storm and tidal waves.

Yakima River projects, Wash.

SEC. 209. Notwithstanding the first proviso in section 201 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes", approved May 17, 1950 (64 Stat. 163), the authorization in section 204 of such Act of projects for local protection on the Yakima River at Ellensburg, Washington, shall expire on June 10, 1970, unless local interests shall before such date furnish assurances satisfactory to the Secretary of the Army that the required local cooperation in such project will be furnished.

33 USC 701c note.

Hill County, Tex. Roads.

SEC. 210. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to replace the roads described and set forth in the provisions of their contract numbered DA-41-443-eng-939 with Hill County, Texas, which are subject to flooding; such roads being a part of the Whitney Dam and Reservoir project, Whitney, Texas, authorized by the Flood Control Act of December 22, 1944, at an estimated cost of $130,000.

58 Stat. 899.

Tenn. Society for Crippled Children and Adults, Inc. Conveyance.

SEC. 211. (a) The Secretary of the Army is authorized and directed to convey to the Tennessee Society for Crippled Children and Adults, Incorporated, subject to the provisions of this section, all of the right, title, and interest of the United States in and to that portion of the tract of land lying above elevation 454 feet mean sea level now occupied by such Society at the Old Hickory lock and dam, Cumberland River, Tennessee, under a lease executed by the Secretary of the Army and dated February 10, 1958.

(b) The conveyance authorized by this section shall be made upon payment to the United States of the fair market value of the property as determined by the Secretary of the Army, and upon such terms, conditions, reservations, and restrictions as he shall deem necessary to protect the interests of the United States. In determining the fair market value of the property, the Secretary shall exclude the value of any improvements made by or at the expense of the Tennessee Society for Crippled Children and Adults, Incorporated.

(c) The cost of any surveys necessary as an incident of the conveyance authorized by this section shall be borne by the Tennessee Society for Crippled Children and Adults, Incorporated.

Restriction.

(d) Title to the property authorized to be conveyed by this section shall revert to the United States, which shall have the right of immediate entry thereon, if the Tennessee Society for Crippled Children and Adults, Incorporated, shall ever cease to use such property for recreation and camping purposes.

R. D. Bailey Reservoir, W.Va. Designation.

SEC. 212. The authorized Justice Reservoir on the Guyandot River, West Virginia, hereafter shall be known and designated as the R. D. Bailey Reservoir. Any law, regulation, map, document, record, or other paper of the United States in which the authorized Justice Reservoir is referred to shall be held to refer to such reservoir as the R. D. Bailey Reservoir.

Calispell Creek project, Wash. Cost contribution.

SEC. 213. In recognition of the flood control accomplishments of the water resource project proposed to be constructed on Calispell Creek, Washington, by the Pend Oreille County Public Utility District Number One, there is hereby authorized to be appropriated a monetary contribution toward the construction cost of such project and the amount of such contribution shall be determined by the Secretary of the Army, subject to a finding by him approved by the President, of economic justification for allocation of the amount of

flood control, such funds to be administered by the Secretary of the Army. Prior to making the monetary contribution or any part thereof, the Secretary of the Army and the Pend Oreille County Public Utility District Number One, shall have entered into an agreement providing for operation of the proposed project in such manner as will produce the flood control benefits upon which the monetary contribution is predicated, and such operation of the project for flood control shall be in accordance with rules prescribed by the Secretary of the Army pursuant to the provisions of section 7 of the Flood Control Act of 1944 (58 Stat. 890). Unless construction of the project is undertaken within three years from the date of enactment of this section, the authority for the monetary contribution contained herein shall expire.

33 USC 709.

New York. Water utilization, etc. Comprehensive plan.

SEC. 214. The Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with the State of New York, political subdivisions thereof, and appropriate agencies and instrumentalities thereof, and with other departments, agencies, and instrumentalities of the United States, in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins within the State of New York, and to submit to Congress reports and recommendations with respect to appropriate participation by the Department of the Army in carrying out such plans.

Reports to Congress.

SEC. 215. The Act entitled "An Act to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities at reservoir areas", approved September 14, 1961 (75 Stat. 509), is hereby amended by striking out "before November 1, 1956,".

16 USC 460d-1.

San Francisco Bay, Calif. Water quality control, study.

SEC. 216. The Secretary of the Army is hereby authorized and directed to cause to be made, under the direction of the Chief of Engineers, an investigation and study of San Francisco Bay, California, including San Pablo Bay, Suisun Bay, and other adjacent bays and tributaries thereto, with a view toward determining the feasibility of, and extent of Federal interest in, measures for waste disposal and water quality control and allied purposes.

Rivers and harbors projects, etc. Local cooperation requirements.

SEC. 217. (a) In the prosecution of projects for rivers and harbors and other waterways for the benefit of navigation, the control of destructive flood waters, hurricane protection, beach erosion control, and for other purposes, authorized to be prosecuted under the direction of the Secretary of the Army under the supervision of the Chief of Engineers in accordance with plans adopted and authorized by the Congress, it is hereby declared to be the policy of the Congress, that whenever such projects are located wholly or partially within an area which is eligible for financial assistance under the Public Works and Economic Development Act of 1965, the Secretary of Commerce is authorized to purchase evidences of indebtedness and to make loans for a period not exceeding fifty years to enable responsible local interests to meet the requirements of local cooperation pertaining to contributions toward the cost of construction of such projects within such areas.

Ante, p. 552.

Appropriation.

(b) There is hereby authorized to be appropriated to carry out this section, not to exceed $10,000,000 per fiscal year for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through and including the fiscal year ending June 30, 1970.

Eel River, Calif. Protective work costs, reimbursement.

SEC. 218. The Secretary of the Army shall reimburse any common carrier by railroad for the cost of protective works constructed by such carrier during the years 1965 and 1966 along the banks of the Eel River, California, to deter recurrence of damage to such banks

by floods or high waters, but such reimbursement shall not exceed $3,000,000.

SEC. 219. The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to accept orders from other Federal departments and agencies for work or services and to perform all or any part of such work or services by contract.

SEC. 220. Section 206(b) of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by striking out "$1,000,000" and inserting in lieu thereof "$2,500,000". Information compilation. 74 Stat. 500.

SEC. 221. The Joanna Dam proposed for construction at or near mile 63 of the Salt River near Joanna, Missouri, and the Joanna Reservoir to be created by such dam, authorized to be constructed by section 203 of the Flood Control Act of 1962 (76 Stat. 1180), shall be known and designated hereafter as the Clarence Cannon Dam and Reservoir. Any law, regulation, map, document, or record of the United States in which such dam and reservoir are referred to as the Joanna Dam and Reservoir shall be held to refer to such dam and reservoir as the Clarence Cannon Dam and Reservoir. Clarence Cannon Dam and Reservoir. Designation.

SEC. 222. Title II of this Act may be cited as the "Flood Control Act of 1965". Citation of title.

TITLE III—RIVERS AND HARBORS

SEC. 301. The following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated. The provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full. River and Harbor Act of 1965. 59 Stat. 10.

NAVIGATION

Weymouth-Fore and Town Rivers, Boston Harbor, Massachusetts: House Document Numbered 247, Eighty-eighth Congress, at an estimated cost of $12,500,000; Massachusetts.

Providence River and Harbor, Rhode Island: Senate Document Numbered 93, Eighty-eighth Congress, at an estimated cost of $13,900,000; Rhode Island.

Rondout Harbor, New York: House Document Numbered 288, Eighty-ninth Congress, at an estimated cost of $20,000; New York and New Jersey.

New York and New Jersey Channels-Entrance to Kill Van Kull from Upper New York Bay: House Document Numbered 108, Eighty-ninth Congress, at an estimated cost of $2,581,000;

New York Harbor, New York (Anchorage Areas): Senate Document Numbered 17, Eighty-ninth Congress, at an estimated cost of $44,852,000;

Shrewsbury River, New Jersey: House Document Numbered 274, Eighty-ninth Congress, at an estimated cost of $4,090,000;

Tred Avon River, Talbot County, Maryland: House Document Numbered 225, Eighty-ninth Congress, at an estimated cost of $323,000; Maryland.

Washington Metropolitan Area.

Potomac and Anacostia Rivers—Removal of Drift in the Washington Metropolitan Area: House Document Numbered 286, Eighty-ninth Congress, maintenance;

Virginia.

Channel to Newport News and Norfolk Harbor, Hampton Roads, Virginia: House Document Numbered 143, Eighty-ninth Congress, at an estimated cost of $7,095,000;

Channel to Newport News, Norfolk Harbor, and Thimble Shoal Channel, Virginia: House Document Numbered 187, Eighty-ninth Congress, at an estimated cost of $25,600,000;

Hampton Creek, Virginia: House Document Numbered 201, Eighty-ninth Congress, modification of items of local cooperation;

North Carolina.

Cape Fear River, North Carolina: House Document Numbered 252, Eighty-ninth Congress, at an estimated cost of $1,510,000;

Georgia.

Savannah Harbor, Georgia: House Documents Numbered 226 and 263, Eighty-ninth Congress, at an estimated cost of $13,569,000. The plan recommended by the Chief of Engineers in House Document Numbered 263, Eighty-ninth Congress, shall include facilities to mitigate damages to presently improved areas southeast of the Savannah Wildlife Refuge at an estimated additional cost of $40,000. The Chief of Engineers may include additional facilities to mitigate damages to additional lands southeast of the Savannah Wildlife Refuge if he determines them to be necessary and justified, at an estimated additional cost of $60,000. All such facilities to mitigate damages shall be maintained by local interests.

Florida.

Jacksonville Harbor, Florida: House Document Numbered 214, Eighty-ninth Congress, at an estimated cost of $8,484,000;

Ponce de Leon Inlet, Florida: House Document Numbered 74, Eighty-ninth Congress, at an estimated cost of $1,104,000;

Broward County and Hillsboro Inlet, Florida: House Document Numbered 91, Eighty-ninth Congress, at an estimated cost of $1,093,000;

East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Florida: House Document Numbered 194, Eighty-eighth Congress, at an estimated cost of $1,151,000;

Alabama.

Perdido Pass Channel, Alabama: Senate Document Numbered 94, Eighty-eighth Congress, at an estimated cost of $625,000;

Bayou La Batre, Alabama: House Document Numbered 327, Eighty-eighth Congress, at an estimated cost of $262,000;

Louisiana.

Mermentau River, Louisiana: House Document Numbered 239, Eighty-ninth Congress, at an estimated cost of $2,690,000;

Michigan.

Alpena Harbor, Michigan: House Document Numbered 151, Eighty-eighth Congress, at an estimated cost of $806,000. In order to compensate for existing low water levels in Lake Huron, an additional increment of one foot in channel depth is hereby authorized;

Frankfort Harbor, Michigan: Senate Document Numbered 16, Eighty-ninth Congress, at an estimated cost of $237,000;

Lexington Harbor, Michigan: House Document Numbered 301, Eighty-eighth Congress, at an estimated cost of $570,000, except that the modified recommendations of the Chief of Engineers and the Secretary of the Army, contained in letter of April 5, 1965, from the Department of the Army to the Committee on Public Works of the United States Senate, shall apply with respect to recreational fishing facilities on the main breakwater;

Saginaw River, Michigan: House Document Numbered 240, Eighty-ninth Congress, at an estimated cost of $437,000;

Cedar River Harbor, Michigan: House Document Numbered 248, Eighty-ninth Congress, at an estimated cost of $664,000;

Ohio.

Ashtabula Harbor, Ohio: House Document Numbered 269, Eighty-ninth Congress, at an estimated cost of $1,840,000;

Rocky River Harbor, Ohio: House Document Numbered 352, Eighty-eighth Congress, at an estimated cost of $235,000; Ohio.

The project for Lorain Harbor, Ohio, authorized in section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 480) is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct such bank stabilization works at cut numbered 1 as may be necessary in his discretion to keep the navigation channel in its proper alinement at an estimated additional cost of $1,600,000. Local interests shall contribute to the cost of the project an amount equal to the value of the land on the date of the original authorization of this project that would have been required for cut numbered 1, but for this modification. Lorain Harbor. Modification of project.

West Harbor, Ohio: House Document Numbered 245, Eighty-eighth Congress, at an estimated cost of $544,000;

Indiana Harbor, Indiana: House Document Numbered 227, Eighty-ninth Congress, at an estimated cost of $96,000; Indiana.

Burns Waterway Harbor, Indiana: House Document Numbered 160, Eighty-eighth Congress, at an estimated cost of $25,000,000. The Secretary of the Army may reimburse the State of Indiana for the expenditure of funds used to construct such portions of the project as approved by the Chief of Engineers and constructed under the supervision of the Chief of Engineers. Unless construction of the project is initiated within three years from the date of enactment of this Act, the authority to reimburse the State of Indiana contained in this paragraph shall expire. The State of Indiana shall furnish assurance satisfactory to the Secretary of the Army that water and air pollution sources will be controlled to the maximum extent feasible in order to minimize any adverse effects on public recreational areas in the general vicinity of the Harbor. No appropriation is authorized to be made for the construction of this project until the Indiana Dunes National Lakeshore has been voted upon by both Houses of Congress during the same Congress. Burns Waterway Harbor. State reimbursement.

Chocolate Bayou, Texas: House Document Numbered 217, Eighty-ninth Congress, at an estimated cost of $1,254,000; Texas.

Houston Ship Channel (Greens Bayou), Texas: House Document Numbered 257, Eighty-ninth Congress, at an estimated cost of $470,000;

Trinity River and tributaries, Texas: House Document Numbered 276, Eighty-ninth Congress, including navigation, except that the recommendations of the Board of Engineers for Rivers and Harbors, dated March 14, 1963, shall apply, and there is hereby authorized $83,000,000 for initiation and partial accomplishment of the project. Prior to expenditure of any funds for construction of those features designed exclusively for navigation, the Chief of Engineers shall submit to the Congress a reevaluation based upon current criteria. Trinity River and tributaries. Reevaluation report to Congress.

San Francisco Bay to Stockton, California: House Document Numbered 208, Eighty-ninth Congress, at an estimated cost of $46,853,000. The works for wavewash protection within the limits of the modified San Joaquin River navigation project shall be repaired or restored by the United States as determined to be necessary by the Secretary of the Army over the life of the project. California.

Crescent City Harbor, California: House Document Numbered 264, Eighty-ninth Congress, at an estimated cost of $1,980,000;

Bodega Bay, California: House Document Numbered 106, Eighty-ninth Congress, at an estimated cost of $853,000;

Port San Luis, San Luis Obispo Harbor, California: House Document Numbered 148, Eighty-eighth Congress, at an estimated cost of $6,360,000;

Oceanside Harbor, Calif.

Oceanside Harbor, California: House Document Numbered 76, Eighty-ninth Congress, maintenance. The Secretary of the Army is authorized to reimburse local interests for any work done by such interests on such project after August 1, 1965, if he approves such work as being in accordance with the project as otherwise authorized.

Oregon.

Port Orford, Oregon: Senate Document Numbered 62, Eighty-eighth Congress, at an estimated cost of $696,000;

Chetco River, Oregon: Senate Document Numbered 21, Eighty-ninth Congress, at an estimated cost of $1,308,000;

Tillamook Bay and Bar, Oregon: Senate Document Numbered 43, Eighty-ninth Congress, at an estimated cost of $9,000,000;

Washington.

Edmonds Harbor, Washington: House Document Numbered 147, Eighty-eighth Congress, maintenance;

Hawaii.

Coasts of the Hawaiian Islands, harbors for light-draft vessels, Hawaii: House Document Numbered 353, Eighty-eighth Congress, at an estimated cost of $4,737,000;

Honokahau Harbor, Hawaii: House Document Numbered 68, Eighty-ninth Congress, at an estimated cost of $680,000;

Honolulu Harbor and Barbers Point Harbor, Oahu, Hawaii: House Document Numbered 93, Eighty-ninth Congress, at an estimated cost of $9,928,000;

Kawaihae Harbor, Hawaii: House Document Numbered 75, Eighty-ninth Congress, at an estimated cost of $2,291,000;

BEACH EROSION

Rhode Island.

Cliff Walk, Newport, Rhode Island: House Document Numbered 228, Eighty-ninth Congress, at an estimated cost of $340,000;

New Jersey.

Perth Amboy, New Jersey: House Document Numbered 186, Eighty-ninth Congress, at an estimated cost of $82,000;

Atlantic City, New Jersey: House Document Numbered 325, Eighty-eighth Congress, periodic nourishment;

South Carolina.

Hunting Island Beach, South Carolina: House Document Numbered 323, Eighty-eighth Congress, at an estimated cost of $319,000;

Florida.

Duval County, Florida: House Document Numbered 273, Eighty-ninth Congress, at an estimated cost of $2,266,000;

Fort Pierce, Florida: House Document Numbered 84, Eighty-ninth Congress, at an estimated cost of $220,000;

Illinois.

Evanston, Illinois: House Document Numbered 159, Eighty-ninth Congress, at an estimated cost of $392,000;

Hawaii.

Haleiwa Beach, Oahu, Hawaii: House Document Numbered 107, Eighty-ninth Congress, at an estimated cost of $572,000;

Waikiki Beach, Hawaii: House Document Numbered 104, Eighty-ninth Congress, at an estimated cost of $2,490,000.

Aquatic plant control project. 33 USC 610.

SEC. 302. Section 104 of the River and Harbor Act of 1958 (72 Stat. 297, 300), as amended by section 104 of the River and Harbor Act of 1962 (76 Stat. 1173, 1180), is hereby further amended to read as follows:

"SEC. 104. (a) There is hereby authorized a comprehensive program to provide for control and progressive eradication of water-hyacinth, alligatorweed, Eurasian water milfoil, and other obnoxious aquatic plant growths, from the navigable waters, tributary streams, connecting channels, and other allied waters of the United States, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army,

in cooperation with other Federal and State agencies. Local interests shall agree to hold and save the United States free from claims that may occur from control operations and to participate to the extent of 30 per centum of the cost of such operations. Costs for research and planning undertaken pursuant to the authorities of this section shall be borne fully by the Federal Government.

"(b) There are authorized to be appropriated such amounts, not in excess of $5,000,000 annually, as may be necessary to carry out the provisions of this section. Any such funds employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based upon the urgency and need of each area, and the availability of local funds." Appropriation.

SEC. 303. The consent of Congress is hereby granted for the purposes of section 9 of the Act of March 3, 1899 (33 U.S.C. 401), to the State of Pennsylvania, to construct a dam on the Susquehanna River, downstream from the Bainbridge Street Bridge at Sunbury, Pennsylvania. Susquehanna River dam, Pa. Construction authorized. 30 Stat. 1151.

SEC. 304. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950: Surveys, authorization. 64 Stat. 168.

Jonesport Harbor, Maine.

Blue Hill Harbor, Maine.

Great and Little Bays and their tributaries, New Hampshire, and adjoining tributaries of the Piscataqua River, New Hampshire and Maine, with a view to determining the advisability of providing improvements in the interest of navigation and allied purposes.

Popponesset Bay, Massachusetts.

Niagara River, New York, with respect to nature and extent of measures necessary to preserve and enhance the scenic beauty of the American Falls.

Great Lakes and Saint Lawrence Seaway: Investigation and study of means of extending the navigation season on the waterways at an estimated cost not to exceed $75,000. Report to include a full and complete investigation and study of waterway deicing systems, including a review of any previous pertinent reports by the Department of the Army, any available information from any of the other Departments of the Government, and waterway deicing methods in use by private concerns and foreign governments, for the purpose of determining the practicability, means, and economic justification for extending the navigation season on the Great Lakes (including connecting channels and harbors) and the Saint Lawrence Seaway by eliminating ice conditions to the extent possible. The Chief of Engineers may submit such interim reports as may be deemed advisable, and shall submit his final reports, together with his recommendations for such legislation and administrative actions as he may deem advisable, not later than two years after funds are made available for the study. Contents of reports.

Lake Dauterive and Chareton Floodgate, Louisiana.

Dickinson Bayou, Texas.

Manchester Harbor, Washington.

Gulfport Harbor, Mississippi.

Calumet River, Illinois.

Gulf Intracoastal Waterway, from about mile 29 West of Harvey Lock to U.S. Highway No. 90 in vicinity of Boutte, Louisiana.

Intracoastal Waterway from the Caloosahatchee River to the Withlacoochee River, Florida, with a view to determining the advisability of modifying the project, with particular reference to provision for a side channel or connecting channel improvement through Cross Bayou

to Old Tampa Bay, in the vicinity of Howard Frankland Bridge, for navigation, flood control, and related purposes.

San Francisco County, California (beach erosion).

Lake Michigan Shoreline, Milwaukee County, Wisconsin (beach erosion).

Indian River County, Florida (beach erosion).

Marquette County, Michigan (comprehensive).

SEC. 305. The first proviso in the paragraph which begins "James River, Virginia:" in section 101 of the River and Harbor Act of 1962 (Public Law 87-874) is amended by striking out "after a period of five years from the date of approval of this Act unless the Governor of Virginia has endorsed the project within that time" and inserting in lieu thereof "October 23, 1971, unless the Governor of Virginia has endorsed the project by that date".

76 Stat. 1174.

SEC. 306. Section 107 of the River and Harbor Act of 1948 (62 Stat. 1174) is amended by striking out "$5,000" and inserting in lieu thereof "$22,000".

22 USC 275a.

East River, N.Y., nonnavigable.

SEC. 307. That portion of the East River, in New York County, State of New York, lying between the south line of East Seventeenth Street, extended eastwardly, the United States pierhead line as it existed on July 1, 1965, and the south line of East Thirtieth Street, extended eastwardly, is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and the laws of the United States.

River Raisin, Mich., nonnavigable.

SEC. 308. The old channel of the River Raisin in Monroe County, Michigan, lying between the Monroe Harbor range front light and Raisin Point, its entrance into Lake Erie, is declared to be not a navigable stream of the United States within the meaning of the Constitution and the laws of the United States, and the consent of Congress is hereby given for the filling in of the old channel by the riparian owners on such channel.

Remedial works.
33 USC 633.

SEC. 309. Section 111 of the River and Harbor Act of 1958 (72 Stat. 303) is amended to read as follows:

"SEC. 111. Whenever, during the construction or reconstruction of any navigation, flood control, or related water development project under the direction of the Secretary of the Army, the Chief of Engineers determines that any structure or facility owned by an agency of government and utilized in the performance of a governmental function should be protected, altered, reconstructed, relocated, or replaced to meet the requirements of navigation or flood control, or both; or to preserve the safety or integrity of such facility when its safety or usefulness is determined by the Chief of Engineers to be adversely affected or threatened by the project, the Chief of Engineers may, if he deems such action to be in the public interest, enter into a contract providing for (1) the payment from appropriations made for the construction or maintenance of such project, of the reasonable cost of replacing, relocating, or reconstructing such facility to such standard as he deems reasonable but not to exceed the minimum standard of the State or political subdivision for the same type of facility involved, except that if the existing facility exceeds the minimum standard of the State or political subdivision, the Chief of Engineers may provide a facility of comparable standard, or (2) the payment of a lump sum representing the estimated reasonable cost thereof. This section shall not be construed as modifying any existing or future requirement of local cooperation, or as indicating a policy that local interests shall not hereafter be required to assume costs of modifying such facilities. The provisions of this section may be applied to projects hereafter authorized and to those heretofore authorized but not completed as of July 3, 1958, and notwithstanding the navigation servitude vested

in the United States, they may be applied to such structures or facilities occupying the beds of navigable waters of the United States."

SEC. 310. (a) (1) Subsection (a) of section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended by striking out "$2,000,000" and inserting in lieu thereof "$10,000,000". 74 Stat. 486.

(2) Subsection (b) of such section 107 is amended by striking out "$200,000" and inserting in lieu thereof "$500,000".

(b) Section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946, as amended (33 U.S.C. 426g), is amended (1) by striking out "$3,000,000" and inserting in lieu thereof "$10,000,000", and (2) by striking out "$400,000" and inserting in lieu thereof "$500,000". 76 Stat. 1178.

(c) The amendments made by this section shall not apply to any project under contract for construction on the date of the enactment of this Act.

SEC. 311. The project for Calumet Harbor and River, Illinois and Indiana, as authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), is modified in order to authorize the Chief of Engineers, at his discretion, under the direction of the Secretary of the Army, to provide at Federal cost (1) such protection for the Elgin, Joliet, and Eastern Railway bridge over the Calumet River, Chicago, Illinois, as is necessary to permit dredging of the full width of the south draw to the depth of twenty-seven feet, (2) such temporary protection for the center pier and the south abutment of the New York, Chicago, and Saint Louis Railroad bridge (Nickel Plate) as is necessary to permit dredging of the full width of the south bridge draw to the depth of twenty-seven feet prior to its replacement, and (3) such modification of the channel limits as is necessary to insure full use of each such draw.

Calumet Harbor and River, Ill.-Ind. Project modification.

SEC. 312. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a complete investigation and study of water utilization and control of the Chesapeake Bay Basin, including the waters of the Baltimore Harbor and including, but not limited to, the following: navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation. In order to carry out the purposes of this section, the Secretary, acting through the Chief of Engineers, shall construct, operate, and maintain in the State of Maryland a hydraulic model of the Chesapeake Bay Basin and associated technical center. Such model and center may be utilized, subject to such terms and conditions as the Secretary deems necessary, by any department, agency, or instrumentality of the Federal Government or of the States of Maryland, Virginia, and Pennsylvania, in connection with any research, investigation, or study being carried on by them of any aspect of the Chesapeake Bay Basin. The study authorized by this section shall be given priority.

Chesapeake Bay Basin. Water utilization study.

(b) There is authorized to be appropriated not to exceed $6,000,000 to carry out this section.

Appropriation.

SEC. 313. The Secretary of the Army shall transmit to the Committees on Public Works of the Senate and the House of Representatives not later than June 30, 1968, a suggested draft of legislation revising and codifying the general and permanent laws relating to civil works projects by the Corps of Engineers for navigation, beach erosion control, flood control, and related water resources development. The Secretary shall also submit a report explaining the proposed legislation, and making specific reference to each change in or omission of any provision of existing law.

Reports to congressional committees.

Reimbursement of States for water resources projects.

Study.

SEC. 314. The Secretary of the Army, acting through the Chief of Engineers, shall make a study of the need for, and the feasibility of, the Federal Government reimbursing States, political subdivisions thereof, and other public entities, for expenditures incurred by them in connection with authorized projects for improvement of rivers and harbors and other waterways for navigation, flood control, hurricane protection, beach erosion control, and other water resources development purposes, to the extent that such expenditures are incurred after the initiation of the survey studies which form the basis for such authorized projects. The Secretary shall report to Congress, not later than January 31, 1967, the results of such study together with his recommendations in connection therewith.

Report to Congress.

Citation of title.

SEC. 315. Title III of this Act may be cited as the "River and Harbor Act of 1965".

Approved October 27, 1965.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 973 (Comm. on Public Works) and No. 1170 (Comm. of Conference).
SENATE REPORT No. 464 (Comm. on Public Works).
CONGRESSIONAL RECORD, Vol. 111 (1965):
July 27: Considered and passed Senate.
Sept. 21: Considered in House.
Sept. 22: Considered and passed House, amended.
Oct. 19: Senate agreed to conference report.
Oct. 20: House agreed to conference report.

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