



Public Law 89-789  
89th Congress, H. R. 18233  
November 7, 1966

## An Act

80 STAT. 1405

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,*

River and Harbor Act of 1966.

### TITLE I—RIVERS AND HARBORS

SEC. 101. 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.

59 Stat. 10.

#### NAVIGATION

- ✓ Newark Bay, Hackensack and Passaic Rivers, New Jersey: House Document Numbered 494, Eighty-ninth Congress, at an estimated cost of \$12,899,000;
- ✓ Carolina Beach Harbor, North Carolina: House Document Numbered 515, Eighty-ninth Congress, maintenance;
- ✓ Southport Harbor, North Carolina: House Document Numbered 514, Eighty-ninth Congress, maintenance;
- ✓ Gulf County Canal, Florida: House Document Numbered 481, Eighty-ninth Congress, at an estimated cost of \$477,000;
- ✓ Saint Lucie Inlet, Florida: House Document Numbered 508, Eighty-ninth Congress, maintenance;
- ✓ Pearl River, Mississippi and Louisiana: House Document Numbered 482, Eighty-ninth Congress, at an estimated cost of \$630,000;
- ✓ Biloxi Harbor, Mississippi: House Document Numbered 513, Eighty-ninth Congress, at an estimated cost of \$753,000;
- ✓ Elk Creek Harbor, Pennsylvania: House Document Numbered 512, Eighty-ninth Congress, at an estimated cost of \$920,000;
- ✓ Conneaut Harbor, Ohio: House Document Numbered 484, Eighty-ninth Congress, at an estimated cost of \$495,000;
- ✓ Cross Village Harbor, Michigan: House Document Numbered 490, Eighty-ninth Congress, at an estimated cost of \$723,000;
- ✓ Mississippi River-Fort Madison Harbor, Iowa: House Document Numbered 507, Eighty-ninth Congress, at an estimated cost of \$975,000;

#### BEACH EROSION

- ✓ Ocracoke Inlet to Beaufort Inlet, North Carolina: House Document Numbered 509, Eighty-ninth Congress, at an estimated cost of \$5,800,000;
- ✓ Mullet Key, Florida: House Document Numbered 516, Eighty-ninth Congress, at an estimated cost of \$286,000;
- ✓ Pinellas County, Florida: House Document Numbered 519, Eighty-ninth Congress, at an estimated cost of \$116,000;

80 STAT. 1406

San Diego (Sunset Cliffs), California: House Document Numbered 477, Eighty-ninth Congress, at an estimated cost of \$800,000.

Surveys.

Sec. 102. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following named localities and subject to all applicable provisions of section 110 of the River and Harbor Act of 1930:

64 Stat. 158.

Mexico Beach, Florida.

Great Lakes, particularly Lake Ontario and Lake Erie, in connection with water supply, pollution abatement, navigation, flood control, hydroelectric power, and related water resources development and control.

Stone Arch Bridge, Minneapolis, Minn. 46 Stat. 927.

Sec. 103. The project for navigation on the Upper Mississippi River from the Illinois River to Minneapolis, Minnesota, authorized by the Act of July 30, 1930, as extended and amended, is hereby modified to authorize the Secretary of the Army to reimburse any common carrier by railroad for the cost of permanent reconstruction and repair of the Stone Arch Bridge at Minneapolis, Minnesota, performed by such carrier, to repair the damage to such bridge caused by floods during April and May 1965, except that such reimbursement shall not exceed \$700,000.

Illinois and Michigan Canal.

Sec. 104. The Secretary of the Army is authorized and directed to cause an immediate study to be made, under the direction of the Chief of Engineers, in cooperation with appropriate agencies and representatives of the State of Illinois, of the Illinois and Michigan Canal, its lands and appurtenances extending from Chicago to the Illinois River at La Salle as constructed by the State of Illinois pursuant to the provisions, as applicable, of the Acts of March 30, 1822 (3 Stat. 659), March 2, 1827 (4 Stat. 234), and March 2, 1833 (4 Stat. 662) with a view toward determining (1) those portions no longer required for navigation, (2) the feasibility and advisability of declaring such portions abandoned as a navigable waterway, and (3) procedures for releasing and quitclaiming to the State of Illinois the reversionary interests of the United States in such lands not required for navigation purposes. The Secretary shall report to the Congress the results of such study together with his recommendations thereon not later than one year after the date of enactment of this Act.

Report to Congress.

East St. Louis and Chester, Ill., bridges. 60 Stat. 847. 33 USC 525 note. 60 Stat. 891.

Sec. 105. Notwithstanding any provision in the General Bridge Act of 1946 or any other Act of Congress, in the case of the bridge constructed by the city of East Saint Louis, Illinois, across the Mississippi River, pursuant to Public Law Numbered 639, enacted by the Seventy-ninth Congress of the United States of America at the second session, and the bridge constructed across the Mississippi River by the city of Chester, Illinois, pursuant to Public Law Numbered 191, enacted by the Seventy-sixth Congress of the United States of America, as amended by Public Law Numbered 751, enacted by the Seventy-sixth Congress of the United States of America, and Public Law Numbered 85-512, enacted by the Eighty-fifth Congress of the United States of America at the second session, if the applicable law of the State of Illinois provides or permits the establishment of reasonable tolls sufficient for the reasonable cost of maintaining, operating, and repairing said bridges and the approaches thereto under economical management, and provide a sinking fund to amortize the cost of any bonds or other obligations issued to finance such cost, including reasonable interest and financing costs as soon as possible under reasonable charges and within the period of thirty years from completion, reconstruction, repair, and improvement of such bridge or extensions thereof, and permits or provides the transfer to said city of any surplus income to the city to be used for a proper public purpose, and each of

53 Stat. 1058.

54 Stat. 765.

72 Stat. 355.

said cities have adopted instruments authorizing construction of said bridges and by such instruments provided for the financing of the same under the applicable State statutes, including the transfer of surpluses to said cities for a proper public purpose, then each such city may, prior to January 1, 1969, charge tolls in the manner and to the extent provided in such instruments, and all collections from such bridges heretofore retained or transferred to said cities shall be valid collections, and may be retained by said cities and used and applied for a proper purpose. An accurate record of the cost of each such bridge and the approaches thereto, the expenditures for maintaining, operating, and repairing the same, including amounts transferred to the cities in accordance with the terms of any instrument adopted by said cities for financing the cost of the bridge and the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Sec. 106. (a) The consent and approval of Congress is given to the compact between the States of Missouri and Illinois creating a Missouri-Illinois-Jefferson-Monroe Bridge Commission which reads as follows:

Interstate  
compact.  
Consent of  
Congress.

**"COMPACT BETWEEN ILLINOIS AND MISSOURI CREATING A MISSOURI-ILLINOIS-JEFFERSON-MONROE BRIDGE COMMISSION**

**"ARTICLE I**

"There is hereby created a Missouri-Illinois-Jefferson-Monroe Bridge Commission (hereinafter referred to as the commission) which shall be a body corporate and politic and which shall have the following powers and duties;

"1. To plan, construct, maintain and operate a bridge and approaches thereto across the Mississippi River at or near Crystal City, Missouri, at a point deemed by the commission as most suitable to the interests of the citizens of the States of Illinois and Missouri in accordance with the provisions of an act of the Seventy-ninth Congress, Second Session, of the United States entitled 'The General Bridge Act of 1946';

"2. To purchase, maintain and, in its discretion, to operate all or any ferries across the Mississippi River within twenty-five miles of the site selected for the bridge;

"3. To contract, to sue and be sued in its own name; to purchase or otherwise acquire, hold and dispose of real and personal property;

"4. To acquire by proper condemnation proceedings such real property as may be necessary for the construction and operation of the bridge and the approaches thereto;

"5. To issue bonds on the security of the revenue derived from the operation of the bridge and ferries for the payment of the cost of the bridge, its approaches, ferry or ferries, and the necessary lands, easements and appurtenances thereto including interest during construction and all necessary engineering, legal, architectural, traffic surveying and other necessary expenses. Such bonds shall be the negotiable bonds of the commission, the income of which shall be tax free. The principal and interest of the bonds, and any premiums to be paid for their retirement before maturity, shall be paid solely from the revenues derived from the bridge and ferries;

"6. To establish and charge tolls for transit over such bridge and ferries in accordance with the provisions of this compact;

"7. To perform all other necessary and incidental functions.

60 Stat. 847.  
33 USC 525 note.

**"ARTICLE II**

"The rates of tolls to be charged for transit over such bridge and ferries shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintenance, repairs and operation (including the approaches to the bridge) under economical management, and also to provide a sinking fund sufficient to pay the principal and interest of the outstanding bonds. All tolls and other revenues derived from facilities of the commission are hereby pledged to such uses.

**"ARTICLE III**

"The commission shall keep an accurate record of the cost of the bridge and of other expenses and of the daily revenues collected and shall report annually to the governor of each state setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder.

**"ARTICLE IV**

"When the bonds have been retired, the part of the bridge within the state of Illinois shall be conveyed to the state of Illinois, and that part within the state of Missouri to the state of Missouri, and the high contracting parties to this compact do hereby agree that thereafter the bridge shall be free of tolls and shall be properly maintained, operated and repaired by the two states as may be agreed upon.

**"ARTICLE V**

"The commission shall consist of ten members, five of whom shall be qualified electors of the state of Illinois and shall reside in Monroe County, or counties adjacent thereto, Illinois, and five of whom shall be qualified electors of the state of Missouri and shall reside in Jefferson County, or counties adjacent thereto, Missouri. The Illinois members are to be chosen by the state of Illinois, and the Missouri members by the state of Missouri in the manner and for the terms fixed by the legislature of each state, except as herein provided.

**"ARTICLE VI**

"1. The commission shall elect from its number a chairman and a vice-chairman, and may appoint such officers and employees as it may require for the performance of its duties and shall fix and determine their qualifications and duties.

"2. Until otherwise determined by the legislatures of the two states no action of the commission shall be binding unless taken at a meeting at which at least three members from each state are present and unless a majority of the members from each state present at such meeting shall vote in favor thereof. Each state reserves the right hereafter to provide by law for the exercise of the veto power by the governor thereof over any action of any commissioner appointed therefrom.

"3. The two states shall provide penalties for violations of any order, rule or regulation of the commission, and for the manner of enforcing same.

**"ARTICLE VII**

"The commission is authorized and directed to proceed with the planning and construction of the bridge and the approaches thereto as rapidly as may be economically practicable and is hereby vested

with all necessary and appropriate powers, not inconsistent with the constitution or the laws of the United States or of either state, to effect the same, except the power to assess or levy taxes.

#### ARTICLE VIII

"In witness thereof, we have hereunto set our hands and seals under authority vested in us by law."

(b) The right to alter, amend, or repeal this section is expressly reserved.

SEC. 107. (a) The consent of Congress is hereby given to the compact, signed by the compact representatives for the States of Kansas and Oklahoma on the 31st day of March 1965, at Wichita, Kansas, and thereafter ratified by the legislature of each of the States aforesaid, which compact is as follows:

Interstate compact.  
Consent of Congress.

#### "ARKANSAS RIVER BASIN COMPACT, KANSAS-OKLAHOMA"

"The state of Kansas and the state of Oklahoma, acting through their duly authorized compact representatives, Robert L. Smith and Warden L. Noe, for the state of Kansas, and Geo. R. Benz and Frank Raab, for the state of Oklahoma, after negotiations participated in by Trigg Twichell, appointed by the president as the representative of the United States of America, and in accordance with the consent to such negotiations granted by an act of congress of the United States of America, approved August 11, 1955 (Public Law 340, 84th congress, 1st session), have agreed as follows respecting the waters of the Arkansas river and its tributaries:

69 Stat. 631.

#### "ARTICLE I

"The major purposes of this compact are: A. To promote interstate comity between the states of Kansas and Oklahoma;

"B. To divide and apportion equitably between the states of Kansas and Oklahoma the waters of the Arkansas river basin and to promote the orderly development thereof;

"C. To provide an agency for administering the water apportionment agreed to herein;

"D. To encourage the maintenance of an active pollution-abatement program in each of the two states and to seek the further reduction of both natural and man-made pollution in the waters of the Arkansas river basin.

#### "ARTICLE II

"As used in this compact: A. The term 'state' shall mean either state signatory hereto and shall be construed to include any person or persons, entity or agency of either state who, by reason of official responsibility or by designation of the governor of that state, is acting as an official representative of that state;

"B. The term 'Kansas-Oklahoma Arkansas river commission' or the term 'commission' means the agency created by this compact for the administration thereof;

"C. The term 'Arkansas river' means that portion of the Arkansas river from a point immediately below the confluence of the Arkansas and Little Arkansas rivers in the vicinity of Wichita, Kansas, to a point immediately below the confluence of the Arkansas river with the Grand-Neosho river near Muskogee, Oklahoma;

"D. The term 'Arkansas river basin' means all of the drainage basin of the Arkansas river as delimited above, including all tributaries which empty into it between the upstream and downstream limits;

"E. The term 'waters of the Arkansas river and its tributaries' means the waters originating in the Arkansas river basin;

"F. The term 'conservation storage capacity' means that portion of the active storage capacity of reservoirs, including multipurpose reservoirs, with a conservation storage capacity in excess of 100 acre-feet, available for the storage of water for subsequent use, but it excludes any portion of the storage capacity allocated to flood and sediment control and inactive storage capacity allocated to other uses;

"G. The term 'new conservation storage capacity' means conservation storage capacity for which construction is initiated after July 1, 1963, and storage capacity not presently allocated for conservation storage which is converted to conservation storage capacity after July 1, 1963, in excess of the quantities of declared conservation storage capacity as set forth in the storage table attached to and made a part of the minutes of the twenty-fourth meeting of the compact committee dated September 1, 1964, and as filed and identified to this compact in the offices of the secretaries of state of the respective states;

"H. The term 'pollution' means contamination or other alterations of the physical, chemical, biological or radiological properties of water or the discharge of any liquid, gaseous, or solid substances into any waters which creates or is likely to result in a nuisance, or which renders or is likely to render the waters into which it is discharged harmful, detrimental or injurious to public health, safety, or welfare or which is harmful, detrimental or injurious to beneficial uses of the water.

### "ARTICLE III

"The physical and other conditions peculiar to the Arkansas river basin constitute the basis for this compact, and neither of the states hereby, nor the congress of the United States by its consent hereto, concedes that this compact establishes any general principle with respect to any other interstate stream.

### "ARTICLE IV

"A. For the purpose of apportionment of water between the two states, the Arkansas river basin is hereby divided into major topographic subbasins as follows: (1) The Grand-Neosho river subbasin; (2) the Verdigris river subbasin; (3) the Salt Fork river subbasin; (4) the Cimarron river subbasin; and (5) the mainstem Arkansas river subbasin which shall consist of the Arkansas river basin, excepting the Grand-Neosho river, Verdigris river, Salt Fork river, and Cimarron river subbasins.

"B. The two states recognize that portions of other states not signatory to this compact lie within the drainage area of the Arkansas river basin as herein defined. The water apportionments provided for in this compact are not intended to affect nor do they affect the rights of such other states in and to the use of the waters of the basin.

### "ARTICLE V

"The state of Kansas shall have free and unrestricted use of the waters of the Arkansas river basin within Kansas subject to the provisions of this compact and to the limitations set forth below:

"A. New conservation storage capacity in the Grand-Neosho river subbasin within the state of Kansas shall not exceed 650,000 acre-feet

plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma excepting storage on Spavinaw creek;

"B. New conservation storage capacity in the Verdigris river subbasin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma, excepting navigation capacity allocated in Oologah reservoir;

"C. New conservation storage capacity in the mainstem Arkansas river subbasin within the state of Kansas shall not exceed 600,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

"D. New conservation storage capacity in the Salt Fork river subbasin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

"E. New conservation storage capacity in the Cimarron river subbasin within the state of Kansas shall not exceed 5,000 acre-feet, provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the commission.

#### "ARTICLE VI

"The state of Oklahoma shall have free and unrestricted use of the waters of the Arkansas river basin within Oklahoma subject to the provisions of this compact and to the limitations set forth below:

"New conservation storage capacity in the Cimarron river subbasin within the state of Oklahoma shall not exceed 5,000 acre-feet provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the commission.

#### "ARTICLE VII

"A. The commission shall determine the conditions under which one state may construct and operate for its needs new conservation storage capacity in the other state. The construction or utilization of new conservation storage capacity by one state in the other state shall entitle the state whose storage potential is reduced by such construction to construct an equal amount of new conservation storage in a subbasin agreeable to the commission.

"B. New conservation storage capacity constructed by the United States or any of its agencies, instrumentalities or wards, or by a state, political subdivision thereof, or any person or persons shall be charged against the state in which the use is made.

"C. Each state has the unrestricted right to replace within the same subbasin, any conservation storage capacity made unusable by any cause.

"D. In the event reallocation of storage capacity in the Arkansas river basin in Oklahoma should result in the reduction of that state's new conservation storage capacity, such reallocation shall not reduce the total new conservation storage capacities available to Kansas under Article V; provided that a subsequent reinstatement of such storage capacity shall not be charged as an increase in Oklahoma's new conservation storage capacity.

#### "ARTICLE VIII

"A. In the event of importation of water to a major subbasin of the Arkansas river basin from another river basin, or from another major

subbasin within the same state, the state making the importation shall have exclusive use of such imported waters.

"B. In the event of exportation of water from a major subbasin for use in another major subbasin or for use outside the Arkansas river basin within the same state, the limitations of Articles V and VI on new conservation capacity shall apply against the subbasin from which the exportation is made in the amount of the storage capacity actually used for that purpose within the exporting subbasin or, in the event of direct diversion of water without storage, on the basis of five acre-feet of conservation storage capacity for each acre-foot of water on the average so diverted annually.

"C. Any reservoir storage capacity which is required for the control and utilization of imported waters shall not be accounted as new conservation storage.

"D. Should a transbasin diversion of water of the Arkansas river basin be made in one state for the use and benefit of the other state or both states, the commission shall determine a proper accounting of new conservation storage capacities in each state in accordance with the above principles and with the project uses to be made in that state.

#### "ARTICLE IX

"The states of Kansas and Oklahoma mutually agree to: A. The principle of individual state effort to abate man-made pollution within each state's respective borders, and the continuing support of both states in an active pollution-abatement program;

"B. The cooperation of the appropriate state agencies in Kansas and Oklahoma to investigate and abate sources of alleged interstate pollution within the Arkansas river basin whenever such matters are called to their attention by the commission;

"C. Enter into joint programs for the identification and control of sources of natural pollution within the Arkansas river basin which the commission finds are of interstate significance;

"D. The principle that neither state may require the other to provide water for the purpose of water-quality control as a substitute for adequate waste treatment;

"E. Utilize the provisions of the federal water pollution control act in the resolution of any pollution problems which cannot be resolved within the provisions of this compact.

#### "ARTICLE X

"A. There is hereby created an interstate administrative agency to be known as the 'Kansas-Oklahoma Arkansas river commission.' The commission shall be composed of three commissioners representing each of the states of Kansas and Oklahoma who shall be appointed by the governors of the respective states and, if designated by the president, one commissioner representing the United States. The president is hereby requested to designate a commissioner and an alternate representing the United States. The federal commissioner, if one be designated, shall be the presiding officer of the commission, but shall not have the right to vote in any of the deliberations of the commission.

"B. One Kansas commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river basin in Kansas and shall be appointed to four-year staggered terms.

"C. One Oklahoma commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river

basin in Oklahoma and shall be appointed to four-year staggered terms.

"D. A majority of the commissioners of each state and the commissioner or his alternate representing the United States, if so designated, must be present to constitute a quorum. In taking any commission action, each signatory state shall have a single vote representing the majority opinion of the commissioners of that state.

"E. The salaries and personal expenses of each commissioner shall be paid by the government which he represents. All other expenses which are incurred by the commission incident to the administration of this compact shall be borne equally by the two states and shall be paid by the commission out of the 'Kansas-Oklahoma Arkansas river commission fund.' Such fund shall be initiated and maintained by equal payments of each state into the fund. Disbursements shall be made from said fund in such manner as may be authorized by the commission. Such fund shall not be subject to the audit and accounting procedures of the states; however, all receipts and disbursements of funds handled by the commission shall be audited by a qualified independent public accountant at regular intervals, and the report of such audit shall be included in and become a part of the annual report of the commission.

#### "ARTICLE XI

"A. The commission shall have the power to: (1) Employ such engineering, legal, clerical and other personnel as in its judgment may be necessary for the performance of its functions under the compact;

"(2) Enter into contracts with appropriate state or federal agencies for the collection, correlation, and presentation of factual data, for the maintenance of records, and for the preparation of reports;

"(3) Establish and maintain an office for the conduct of its affairs;

"(4) Adopt rules and regulations governing its operations;

"(5) Cooperate with federal agencies in developing principles, consistent with the provisions of this compact and with federal policy, for the storage and release of water from all-federal capacities of federal reservoirs, both existing and future within the Arkansas river basin, for the purpose of assuring their operation in the best interests of the states and the United States;

"(6) Permit either state, with the consent of the proper operating agency, to impound water, for such periods of time deemed necessary or desirable by the commission, in available reservoir storage capacity which is not designated as conservation or new conservation storage capacity for subsequent release and use for any purpose approved by the commission;

"(7) Hold hearings and take testimony and receive evidence at such times and places as it deems necessary;

"(8) Secure from the head of any department or agency of the federal or state government such information, suggestions, estimates and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable by the department or agency to which the request is addressed;

"(9) Print or otherwise reproduce and distribute all of its proceedings and reports.

"B. The commission shall: (1) Cause to be established, maintained and operated such stream, reservoir, or other gaging stations as may be necessary for the proper administration of the compact;

"(2) Collect, analyze and report on data as to stream flows, water quality, conservation storage, and such other information as is necessary for the proper administration of the compact;

Report to  
President.

"(3) Perform all other functions required of it by the compact and do all things necessary, proper or convenient in the performance of its duties thereunder;

"(4) Prepare and submit an annual report to the governor of such signatory state and to the president of the United States covering the activities of the commission for the preceding fiscal year, together with an accounting of all funds received and expended by it in the conduct of its work;

"(5) Prepare and submit to the governor of each of the states of Kansas and Oklahoma an annual budget covering the anticipated expenses of the commission for the following fiscal year;

"(6) Make available to the governor or any state agency of either state or to any authorized representatives of the United States, upon request, any information within its possession.

#### "ARTICLE XII

"A. Recognizing the present limited uses of the available water supplies of the Arkansas river basin in the two states and the uncertainties of their ultimate water needs, the states of Kansas and Oklahoma deem it imprudent and inadvisable to attempt at this time to make final allocations of the new conservation storage capacity which may ultimately be required in either state, and, by the limitations on storage capacity imposed herein, have not attempted to do so. Accordingly, after the expiration of 25 years following the effective date of this compact, the commission may review any provisions of the compact for the purpose of amending or supplementing the same, and shall meet for the consideration of such review on the request of the commissioners of either state; provided, that the provisions hereof shall remain in full force and effect until changed or amended by unanimous action of the states acting through their commissioners and until such changes are ratified by the legislatures of the respective states and consented to by the congress in the same manner as this compact is required to be ratified to become effective.

"B. This compact may be terminated at any time by the appropriate action of the legislatures of both signatory states.

"C. In the event of amendment or termination of the compact, all rights established under the compact shall continue unimpaired.

#### "ARTICLE XIII

"Nothing in this compact shall be deemed: A. To impair or affect the powers, rights or obligations of the United States, or those claiming under its authority, in, over and to the waters of the Arkansas River Basin;

"B. To interfere with or impair the right or power of either signatory state to regulate within its boundaries the appropriation, use and control of waters within that state not inconsistent with its obligations under this compact.

#### "ARTICLE XIV

"If any part or application of this compact should be declared invalid by a court of competent jurisdiction, all other provisions and applications of this compact shall remain in full force and effect.

#### "ARTICLE XV

"This compact shall become binding and obligatory when it shall have been ratified by the legislatures of each state and consented to by the congress of the United States, and when the congressional act con-

senting to this compact includes the consent of congress to name and join the United States as a party in any litigation in the United States supreme court, if the United States is an indispensable party, and if the litigation arises out of this compact or its application, and if a signatory state is a party thereto. Notice of ratification by the legislature of each state shall be given by the governor of that state to the governor of the other state and to the president of the United States and the president is hereby requested to give notice to the governor of each state of consent by the congress of the United States.

"IN WITNESS WHEREOF, The authorized representatives have executed three counterparts hereof each of which shall be and constitute an original, one of which shall be deposited in the archives of the department of state of the United States, and one of which shall be forwarded to the governor of each state.

"DONE at the City of Wichita, state of Kansas, this 31st day of March, A.D. 1965

"APPROVED:

"ROBERT L. SMITH,

"WARDEN L. NOE,

"Compact Representatives for the state of Kansas.

"GEO. R. BENZ,

"FRANK RAAB,

"Compact Representatives for the state of Oklahoma.

"TRIGG TWICHELL,

"Representative of the United States."

(b) In order to carry out the purposes of this section, and the purposes of article XV of this compact consented to by Congress by this section, the congressional consent to this compact includes and expressly gives the consent of Congress to have the United States of America named and joined as a party litigant in any litigation in the United States Supreme Court, if the United States of America is an indispensable party to such litigation, and if the litigation arises out of this compact, or its application, and if a signatory State to this compact is a party litigant, in the litigation.

(c) The right to alter, amend, or repeal this section is expressly reserved.

SEC. 108. (a) Subsection (b) of the first section of the Act entitled "An Act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to a place at or near the city of Davenport, Iowa," approved March 18, 1938 (52 Stat. 110), as amended, is amended by striking out the comma after "foregoing" and inserting in lieu thereof the following: "(1) the construction of an additional span to increase the capacity of the bridge and (2)".

(b) Subsection (c) of the first section of such Act of March 18, 1938, as amended, is amended by inserting before the period at the end thereof a comma and the following: "except that the construction of an additional span authorized as part of such reconstruction, enlargement, and extension shall be commenced not later than April 1, 1970, and shall be completed within three years after such date".

(c) Nothing in this section or the amendments made by this section shall be construed to interfere with or delay future construction of a properly authorized bridge over the Mississippi River at or near the city of Davenport, Iowa.

SEC. 109. (a) The consent of Congress is hereby granted to Duke Power Company, its successors and assigns, to construct, maintain, and operate a dam with overflow spillway crest at elevation 475 mean sea level across Savannah River between Anderson County, South Carolina, and Elbert County, Georgia, near Middleton Shoals, and

Rock Island,  
Ill., toll  
bridge.

70 Stat. 520.

72 Stat. 582.

Duke Power Co.,  
construction  
of dam.

80 STAT. 1416

about two hundred and ninety-seven miles above the mouth of said river, for the purpose of providing a pool for condenser water for a steam-electric plant. Construction on such dam shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of the Army, and when such plans have been approved by the Chief of Engineers and by the Secretary of the Army, there shall be no deviation from such plans either before or after completion of said dam unless the modification of such plans has previously been submitted to and approved by the Chief of Engineers and the Secretary of the Army. In approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of the Army may deem necessary to protect the present and future interest of the United States. Nothing in this section shall be construed to authorize the use of such dam to develop water power or generate hydroelectric energy. The grantee and its successors shall hold and save the United States free from all claims arising from damage which may be sustained by the dam authorized in this section, or damage sustained by the appurtenances of the said dam, by reason of the future construction and operation by the United States of Hartwell Dam and Reservoir or the Trotters Shoals Dam and Reservoir authorized in section 203 of this Act, or any other Federal project upstream or downstream from the dam authorized by this section. In order to make feasible the dam and steam-electric generating plant which Duke Power Company intends to construct, it is hereby expressly provided that, should such dam and plant be constructed, (1) no existing or future unit at Hartwell Reservoir will be operated to pump water from below Hartwell Dam back to Hartwell Reservoir, and (2) a volume of water per week equal to at least an average flow of one thousand five hundred cubic feet per second shall be discharged from Hartwell Reservoir. The Secretary of the Army, upon his finding that such discharges result in damages to Hartwell Reservoir, and after giving the company reasonable notice and opportunity to be heard, shall determine and fix a reasonable and equitable annual charge to be paid by the company to the United States as compensation for such damages.

(b) The authority granted by this section shall cease and be deemed null and void unless the actual construction of the dam authorized by this section is commenced within twelve years and completed within fifteen years from the date of enactment of this Act. The authority granted by this section shall not be deemed a bar to, or grounds for delaying, the construction of the Trotters Shoals project authorized in section 203 of this Act.

(c) The right to alter, amend, or repeal this section is hereby expressly reserved.

Johns Pass,  
Pinellas County,  
Fla.  
Navigation project.

Sec. 110. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized and directed, in order to reduce future maintenance costs of the authorized navigation project for Johns Pass, Pinellas County, Florida, to provide suitable protective measures over a frontage of approximately one thousand linear feet of shore along the north end of Treasure Island, at an estimated first cost for construction of approximately \$100,000. Local interests shall contribute in cash 40 per centum of the first cost of construction; provide necessary lands, easements, and rights-of-way for construction and subsequent maintenance of the project; hold and save the United States free from damages that may be attributed to the project; bear all costs exceeding \$500,000 Federal cost for the complete project, including the navigation channel. Local interests may be reimbursed

for such protective measures as they may undertake in accordance with plans approved by the Chief of Engineers, subject to the above limitations. Funds authorized to carry out section 107 of the River and Harbor Act of 1960, as amended, shall be available to carry out this section.

SEC. 111. (a) The Secretary of the Interior is hereby authorized to provide for the construction, maintenance, and operation of a bridge, with visitor facilities, over the Washington Channel, from the vicinity of Tenth Street Southwest to East Potomac Park in Washington, District of Columbia. The structure may be so designed and constructed as to provide facilities for the accommodation of visitors to the Nation's Capital area, and to provide convenient and adequate access to East Potomac Park.

(b) The Secretary may obtain and use such lands or interests therein owned, controlled, or administered by the District of Columbia, the District of Columbia Redevelopment Land Agency, the Corps of Engineers, or any other Government agency, with the prior consent of such agency or agencies, as he shall consider necessary for the construction and operation of said bridge, without cost or reimbursement. Before construction is commenced, the location and plans for the bridge shall be approved by the Chief of Engineers and the Secretary of the Army subject to such conditions as they may prescribe, in accordance with section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525b).

(c) The Secretary is authorized to enter into appropriate arrangements for the construction and operation of the bridge in accordance with the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended, except that any such arrangements need not be limited to a maximum term of thirty years. The bridge, at all times, shall be under the jurisdiction of the Secretary of the Interior, and shall be administered, operated, maintained, and policed as a part of the park system of the National Capital.

(d) The Secretary of the Interior shall cooperate with other Federal and local agencies with respect to the construction and operation of the bridge by him and the construction and operation of associated facilities by such other Federal and local agencies including the District of Columbia Redevelopment Land Agency which shall enter into appropriate arrangements by negotiation or public bid to (i) lease all or part of the land bounded by Maine Avenue, Ninth Street and the Southwest Freeway, Southwest, to provide for the construction, maintenance and operation of a structured automobile parking facility designed to accommodate visitors to East Potomac Park and (ii) provide for the construction of (a) a public park or overlook, which park is to be maintained and operated by the National Park Service; and (b) roads providing access to the Tenth Street Mall from the Southwest Freeway and to and from Ninth Street, Southwest, which roads shall be maintained and operated by the District of Columbia. Any lease of the aforementioned area, executed by the District of Columbia Redevelopment Land Agency, shall provide appropriate easements for the construction, maintenance and operation of the aforesaid public park and roadways. Local agencies may enter into arrangements with the person, persons, corporation or corporations, as the Secretary may select pursuant to subsection (c) hereof for the construction and operation of necessary associated facilities otherwise authorized.

(e) (1) There is hereby established an advisory committee, which shall be composed of the Chairman, National Capital Planning Commission; the Chairman, Commission of Fine Arts; the President, Board of Commissioners of the District of Columbia; the Chief of Engineers, United States Army; the Chairman, District of Columbia

74 Stat. 486;  
79 Stat. 1095.  
33 USC 577.  
Washington  
Channel bridge  
and facilities.

60 Stat. 847.  
33 USC 525.

16 USC 3.

Advisory  
committee.  
Membership.

80 STAT. 1418

Redevelopment Land Agency; and three members to be appointed by the Secretary of the Interior from among the residents of the Metropolitan Washington area. The ex-officio members of the Committee may be represented by their designees.

(2) Members of the Committee shall serve without compensation, but the Secretary is authorized to pay any expenses reasonably incurred by the Committee in carrying out its responsibilities under this section.

(3) The Secretary shall designate one member of the Committee to be Chairman. The Committee shall act and advise by the affirmative vote of a majority of its members.

(4) The Secretary or his designee shall, from time to time, consult with and obtain the advice of the Committee with respect to matters relating to the design, construction, and operation of the bridge and any associated facilities.

(f) The construction and operation of the bridge shall be at no expense to the Federal Government, and there are hereby authorized to be appropriated such sums as may be necessary for maintenance of the bridge and to carry out the other purposes of this section.

Tallapoosa, River, Ala., dam.

SEC. 112. The authorization of the comprehensive plan for the Alabama-Coosa River and tributaries, as provided in the River and Harbor Act, approved March 2, 1945 (59 Stat. 10), as amended, insofar as it authorizes a development of the Crooked Creek site on the Tallapoosa River in Randolph County, Alabama, for electric power and other public purposes is hereby suspended to permit the development of the Tallapoosa River and tributaries by construction, operation, and maintenance of a dam located not more than fifteen miles below the confluence of the Tallapoosa and Little Tallapoosa Rivers and by other project works in accordance with the conditions of a license, if issued, pursuant to the provisions of the Federal Power Act (16 U.S.C. 791(a)). If no application for license is made within two years after the date of the enactment of this section, or upon an order of the Federal Power Commission becoming final denying the application or applications for a license made within such two-year period, the authorization relating to the Crooked Creek site provided for in the Act, approved March 2, 1945 (59 Stat. 10), shall have the same status as it would have had if this section had not been enacted.

41 Stat. 1063.  
16 USC 791a.

Citation of title.

SEC. 113. Title I of this Act may be cited as the "River and Harbor Act of 1966".

TITLE II—FLOOD CONTROL

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

SEC. 201. 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, 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 Secretary of the Army or his designee 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. 202. 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.

SEC. 203. 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 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.

Projects.

## MERRIMACK RIVER BASIN

- ✓ The project for North Nashua River, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 113, Eighty-ninth Congress, at an estimated cost of \$15,816,000.
- ✓ The project for flood protection on the Sudbury River at Saxonville, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 61, Eighty-ninth Congress, at an estimated cost of \$1,300,000.

## LONG ISLAND SOUND

- ✓ The project for flood protection on the Pequonnock River, Connecticut, is hereby authorized substantially as recommended by the Chief of Engineers in Senate Document Numbered 115, Eighty-ninth Congress, at an estimated cost of \$5,000,000.

## MIDDLE ATLANTIC COASTAL AREA

- ✓ The project for hurricane-flood control protection at Beaufort Inlet to Bogue Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 479, Eighty-ninth Congress, at an estimated cost of \$320,000.
- ✓ The project for hurricane-flood control protection at Bogue Inlet to Moore Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 480, Eighty-ninth Congress, at an estimated cost of \$1,249,000.
- ✓ The project for hurricane-flood control protection from Cape Fear to the North Carolina-South Carolina State line, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 511, Eighty-ninth Congress, at an estimated cost of \$12,310,000.
- ✓ The project for hurricane-flood control protection for Mainland Areas, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House

Document Numbered 475, Eighty-ninth Congress, at an estimated cost of \$2,048,000.

✓ The project for hurricane-flood control protection for the Outer Banks—Virginia State line to Hatteras, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 476, Eighty-ninth Congress, at an estimated cost of \$6,652,000.

## SAVANNAH RIVER BASIN

✓ The project for construction of the Trotters Shoals Reservoir on the Savannah River, Georgia and South Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 52, Eighty-ninth Congress, at an estimated cost of \$84,900,000. Nothing in this Act shall be construed to authorize inclusion of pumped storage power in this project.

## LOWER MISSISSIPPI RIVER BASIN

Project modification.  
33 USC 702a-702m.  
79 Stat. 1073.

✓ 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 by subsequent Acts of Congress, including the Flood Control Act of 1965 (Public Law 89-298), is hereby further modified and expanded to include the following items:

✓ (1) The project for flood protection in the Teche-Vermilion Basins, Louisiana, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 524, Eighty-ninth Congress, at an estimated cost of \$5,100,000.

✓ (2) Bank revetment for the protection of existing industrial facilities along the river below Baton Rouge, Louisiana, where, in the discretion of the Chief of Engineers, such bank protection is justified.

## ARKANSAS AND RED RIVERS

✓ The project for water quality control in the Arkansas and Red River Basin, Texas, Oklahoma, and Kansas, designated as Part I is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 110, Eighty-ninth Congress, at an estimated cost of \$46,400,000. Actual construction of the part I works shall not be initiated until the related and supporting works of part II have been authorized by Congress.

## OUACHITA RIVER BASIN

✓ The project for Bayou Bartholomew, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 506, Eighty-ninth Congress, at an estimated cost of \$9,360,000.

79 Stat. 1077 ✓ The project for flood protection on the Ouachita River at Monroe, Louisiana, authorized in section 204 of the Flood Control Act of 1965, is hereby modified to provide for construction in accordance with plan B in House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of \$1,160,000.

## UPPER MISSISSIPPI RIVER BASIN

✓ The project for flood protection on the Mississippi River between river mile 195 and mile 300, Illinois and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of

November 7, 1966

- 17 -

Pub. Law 89-789

80 STAT. 1421

Engineers in House Document Numbered 510, Eighty-ninth Congress, at an estimated cost of \$7,193,000.

#### OHIO RIVER BASIN

✓ The project for Little Sandy River and Tygarts Creek, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 517, Eighty-ninth Congress, at an estimated cost of \$15,000,000.

✓ The project for Taylorsville Reservoir, Salt River, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 502, Eighty-ninth Congress, at an estimated cost of \$24,800,000.

✓ The project for Stonewall Jackson Reservoir, West Fork River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 109, Eighty-ninth Congress, at an estimated cost of \$34,500,000.

#### MERAMEC RIVER BASIN

✓ The project for flood protection and other purposes in the Meramec River Basin, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 525, Eighty-ninth Congress, at an estimated cost of \$45,971,000: *Provided*, That construction of this project shall not be initiated until the President has approved a report prepared by the Secretary of the Army reexamining the basis on which the project was formulated and the arrangements for cost sharing.

Presidential approval of report.

#### GREAT LAKES BASIN

✓ The project for flood protection on the Maumee River at Ottawa, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 485, Eighty-ninth Congress, at an estimated cost of \$3,413,000.

✓ The project for flood protection on Red Creek, Monroe County, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 107, Eighty-ninth Congress, at an estimated cost of \$1,430,000.

#### PAJARO RIVER BASIN

✓ The project for flood protection on the Pajaro River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 491, Eighty-ninth Congress, at an estimated cost of \$11,890,000.

#### KLAMATH RIVER BASIN

✓ The project for flood protection on the Klamath River at and in the vicinity of Klamath, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 478, Eighty-ninth Congress, at an estimated cost of \$2,460,000.

#### COLUMBIA RIVER BASIN

The project for flood protection on the Boise River, vicinity of Boise, Idaho, is hereby authorized substantially in accordance with the rec-

ommendations of the Chief of Engineers in House Document Numbered 486, Eighty-ninth Congress, at an estimated cost of \$1,576,000.

## SACRAMENTO RIVER BASIN

✓ The project for Marysville Dam and Reservoir, Yuba River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 501, Eighty-ninth Congress, at an estimated cost of \$132,900,000.

## RUSSIAN RIVER BASIN

✓ The project for Knights Valley, Russian River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 518, Eighty-ninth Congress, at an estimated cost of \$166,800,000.

## SKAGIT RIVER BASIN

✓ The project for flood protection on the Skagit River, Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 483, Eighty-ninth Congress, at an estimated cost of \$5,804,000.

San Francisco  
Bay area.  
76 Stat. 1191.

SEC. 204. The second paragraph under the heading "San Francisco Bay Area" in section 203 of the Flood Control Act of 1962 is hereby amended to read as follows:

"The project for Corte Madera Creek, Marin County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 545, Eighty-seventh Congress, at an estimated cost of \$7,790,000. Local interests shall contribute in cash 1.5 per centum of the Federal construction cost of the Ross Valley Unit, a contribution presently estimated at \$110,000."

Libby Dam and  
Reservoir proj-  
ect, Mont.  
School facili-  
ties.

SEC. 205. The Secretary of the Army acting through the Chief of Engineers is authorized to provide such school facilities as he may deem necessary for the education of dependents of persons engaged on the construction of the Libby Dam and Reservoir project, Montana, and to pay for the same from any funds available for such project. When he determines it to be in the public interest, the Secretary, acting through the Chief of Engineers, may enter into cooperative arrangements with local agencies for the operation of such Government facilities, for the expansion of local facilities at Federal expense, and for contributions by the Federal Government to cover the increased cost to local agencies of providing the educational services required by the Government.

Flood hazards,  
etc., studies.  
33 USC 709a.

SEC. 206. Section 206 of the Flood Control Act of 1960 (74 Stat. 500) is amended to read as follows:

"SEC. 206. (a) In recognition of the increasing use and development of the flood plains of the rivers of the United States and of the need for information on flood hazards to serve as a guide to such development, and as a basis for avoiding future flood hazards by regulation of use by States and political subdivisions thereof, and to assure that Federal departments and agencies may take proper cognizance of flood hazards, the Secretary of the Army, through the Chief of Engineers, is hereby authorized to compile and disseminate information on floods and flood damages, including identification of areas subject to inundation by floods of various magnitudes and frequencies, and general criteria for guidance of Federal and non-Federal interests and agencies in the use of flood plain areas; and to provide advice

to other Federal agencies and local interests for their use in planning to ameliorate the flood hazard. Surveys and guides will be made for States and political subdivisions thereof only upon the request of a State or a political subdivision thereof, and upon approval by the Chief of Engineers, and such information and advice provided them only upon such request and approval.

"(b) The Secretary of the Army is authorized to expend not to exceed \$7,000,000 per fiscal year for the compilation and dissemination of information under this section."

Sec. 207. The project for the improvement of the Mississippi River below Cape Girardeau with respect to the West Tennessee tributaries, authorized in the Flood Control Act of 1948, is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, shall, subsequent to enactment of this Act, relocate at Federal expense all gas transmission lines required to be relocated by this project, or at his discretion, reimburse local interests for such relocations made by them.

Sec. 208. Section 2 of the Act of June 28, 1879 (21 Stat. 87; 33 U.S.C. 642), is amended (1) by inserting in the third sentence thereof after "and the commissioners appointed under this Act" a comma and the following: "except those appointed from civil life," and (2) by adding at the end thereof the following new sentence: "Each commissioner appointed from civil life after the date of enactment of this sentence shall be appointed for a term of nine years."

Sec. 209. 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.

Watersheds and streams of Puerto Rico and the Virgin Islands, with respect to a framework plan for developing water resources of the region.

Watersheds and streams within the alluvial valley of the Mississippi River below Cairo, Illinois, with respect to a framework plan for developing water resources of the region.

Watersheds and streams draining into the Great Lakes including the lake areas within the United States, and into the St. Lawrence River at points within the United States with respect to a framework plan for developing water resources of the region.

The Souris River and the Red River of the north and tributaries within the United States, including adjacent streams in Minnesota draining into Canada, with respect to a framework plan for developing water resources of the region.

The Arkansas, White, and Red Rivers and tributaries, exclusive of their drainage lying in the alluvial valley of the Mississippi River, with respect to a framework plan for developing water resources of the region.

Watersheds and streams and their tributaries which drain into the Gulf of Mexico along the coastline of Texas, exclusive of the Rio

Appropriation.

West Tennessee  
tributaries.  
Gas lines, re-  
location.  
62 Stat. 1178.Mississippi  
River commis-  
sioners, ap-  
pointment, etc.Surveys for  
flood control  
and allied  
purposes.Reports to  
Congress.

80 STAT. 1424

Grande River, with respect to a framework plan for developing water resources of the region.

Watersheds and streams of Hawaii, with respect to a framework plan for developing water resources of the region.

Watersheds and streams of Alaska, with respect to a framework plan for developing water resources of the region.

Great South Bay, New York, including the waters of adjoining lesser bays and inlets with respect to water utilization and control. Such investigations and study shall include, but not be limited to, navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation.

Cibolo Creek, in and near the community of Presidio, Texas.

Pacific Palisades Area at and in the vicinity of Los Angeles County, California, study of landslides, soil erosion, surface and subsurface drainage conditions, flood control and seismic disturbances. Such study to be made in cooperation with the United States Geological Survey of the Department of the Interior.

Spring Valley Creek, Sweetwater River, California.

Lower Mississippi.  
Availability of  
funds.  
79 Stat. 1077.

SEC. 210. The last sentence of the first paragraph under the heading "Lower Mississippi River Basin" in section 204 of the Flood Control Act of 1965 is hereby amended to read as follows: "The monetary authorization for the lower Mississippi River project authorized by this Act shall be combined with the overall monetary authorization heretofore made available for prosecution of the entire lower Mississippi River and tributaries project and be available for application to any portion of the entire project."

Eel River, Calif.,  
reimbursement  
for protective  
works.

SEC. 211. The Secretary of the Army shall reimburse any common carrier by railroad for the cost of protective works constructed by such carrier during the year 1966 along the banks of the Eel River, California, to deter recurrence of damage to land banks by floods or high waters, but such reimbursement shall not exceed \$1,200,000.

Citation of  
title.

SEC. 212. Title II of this Act may be cited as the "Flood Control Act of 1966".

Approved November 7, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 2217 (Comm. on Public Works).  
SENATE REPORT No. 1720 accompanying S. 3906 (Comm. on Public Works).

CONGRESSIONAL RECORD, Vol. 112 (1966):

Oct. 19: Considered and passed House.

Oct. 20: Considered and passed Senate, amended, in lieu of S. 3906; House concurred in Senate amendment.