

Public Law 110–114
110th Congress

An Act

To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Nov. 8, 2007
 [H.R. 1495]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Water Resources Development Act of 2007”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

- Sec. 1001. Project authorizations.
- Sec. 1002. Small projects for flood damage reduction.
- Sec. 1003. Small projects for emergency streambank protection.
- Sec. 1004. Small projects for navigation.
- Sec. 1005. Small projects for improvement of the quality of the environment.
- Sec. 1006. Small projects for aquatic ecosystem restoration.
- Sec. 1007. Small projects for shoreline protection.
- Sec. 1008. Small projects for snagging and sediment removal.
- Sec. 1009. Small projects to prevent or mitigate damage caused by navigation projects.
- Sec. 1010. Small projects for aquatic plant control.

TITLE II—GENERAL PROVISIONS

- Sec. 2001. Non-Federal contributions.
- Sec. 2002. Funding to process permits.
- Sec. 2003. Written agreement for water resources projects.
- Sec. 2004. Compilation of laws.
- Sec. 2005. Dredged material disposal.
- Sec. 2006. Remote and subsistence harbors.
- Sec. 2007. Use of other Federal funds.
- Sec. 2008. Revision of project partnership agreement; cost sharing.
- Sec. 2009. Expedited actions for emergency flood damage reduction.
- Sec. 2010. Watershed and river basin assessments.
- Sec. 2011. Tribal partnership program.
- Sec. 2012. Wildfire firefighting.
- Sec. 2013. Technical assistance.
- Sec. 2014. Lakes program.
- Sec. 2015. Cooperative agreements.
- Sec. 2016. Training funds.
- Sec. 2017. Access to water resource data.
- Sec. 2018. Shore protection projects.
- Sec. 2019. Ability to pay.
- Sec. 2020. Aquatic ecosystem and estuary restoration.
- Sec. 2021. Small flood damage reduction projects.
- Sec. 2022. Small river and harbor improvement projects.
- Sec. 2023. Protection of highways, bridge approaches, public works, and nonprofit public services.

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- Sec. 6002. Pilot projects.
- Sec. 6003. Maximum costs.
- Sec. 6004. Credit.
- Sec. 6005. Outreach and assistance.
- Sec. 6006. Critical restoration projects.
- Sec. 6007. Regional engineering model for environmental restoration.

TITLE VII—LOUISIANA COASTAL AREA

- Sec. 7001. Definitions.
- Sec. 7002. Comprehensive plan.
- Sec. 7003. Louisiana coastal area.
- Sec. 7004. Coastal Louisiana Ecosystem Protection and Restoration Task Force.
- Sec. 7005. Project modifications.
- Sec. 7006. Construction.
- Sec. 7007. Non-Federal cost share.
- Sec. 7008. Project justification.
- Sec. 7009. Independent review.
- Sec. 7010. Expedited reports.
- Sec. 7011. Reporting.
- Sec. 7012. New Orleans and vicinity.
- Sec. 7013. Mississippi River-Gulf Outlet.
- Sec. 7014. Hurricane and storm damage reduction.
- Sec. 7015. Larose to Golden Meadow.
- Sec. 7016. Lower Jefferson Parish, Louisiana.

TITLE VIII—UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-WAY SYSTEM

- Sec. 8001. Definitions.
- Sec. 8002. Navigation improvements and restoration.
- Sec. 8003. Authorization of construction of navigation improvements.
- Sec. 8004. Ecosystem restoration authorization.
- Sec. 8005. Comparable progress.

TITLE IX—NATIONAL LEVEE SAFETY PROGRAM

- Sec. 9001. Short title.
- Sec. 9002. Definitions.
- Sec. 9003. Committee on Levee Safety.
- Sec. 9004. Inventory and inspection of levees.
- Sec. 9005. Limitations on statutory construction.
- Sec. 9006. Authorization of appropriations.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Army.

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note.

TITLE I—WATER RESOURCES PROJECTS

Studies.

SEC. 1001. PROJECT AUTHORIZATIONS.

Except as otherwise provided in this section, the following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this section:

(1) HAINES, ALASKA.—The project for navigation, Haines, Alaska: Report of the Chief of Engineers dated December 20, 2004, at a total cost of \$14,040,000, with an estimated Federal cost of \$11,232,000 and an estimated non-Federal cost of \$2,808,000.

(2) PORT LIONS, ALASKA.—The project for navigation, Port Lions, Alaska: Report of the Chief of Engineers dated June 14, 2006, at a total cost of \$9,530,000, with an estimated Federal cost of \$7,624,000 and an estimated non-Federal cost of \$1,906,000.

Federal cost of \$11,840,000 and an estimated non-Federal cost of \$6,380,000.

(20) WOOD RIVER LEVEE SYSTEM RECONSTRUCTION, MADISON COUNTY, ILLINOIS.—The project for flood damage reduction, Wood River Levee System Reconstruction, Madison County, Illinois: Report of the Chief of Engineers dated July 18, 2006, at a total cost of \$17,220,000, with an estimated Federal cost of \$11,193,000 and an estimated non-Federal cost of \$6,027,000.

(21) DES MOINES AND RACCOON RIVERS, DES MOINES, IOWA.—The project for flood damage reduction, Des Moines and Raccoon Rivers, Des Moines, Iowa: Report of the Chief of Engineers dated March 28, 2006, at a total cost of \$10,780,000, with an estimated Federal cost of \$6,967,000 and an estimated non-Federal cost of \$3,813,000.

(22) LICKING RIVER BASIN, CYNTHIANA, KENTUCKY.—The project for flood damage reduction, Licking River Basin, Cynthiana, Kentucky: Report of the Chief of Engineers dated October 24, 2006, at a total cost of \$18,200,000, with an estimated Federal cost of \$11,830,000 and an estimated non-Federal cost of \$6,370,000.

(23) BAYOU SORREL LOCK, LOUISIANA.—The project for navigation, Bayou Sorrel Lock, Louisiana: Report of the Chief of Engineers dated January 3, 2005, at a total cost of \$9,600,000. The costs of construction of the project are to be paid $\frac{1}{2}$ from amounts appropriated from the general fund of the Treasury and $\frac{1}{2}$ from amounts appropriated from the Inland Waterways Trust Fund.

(24) MORGANZA TO THE GULF OF MEXICO, LOUISIANA.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, Morganza to the Gulf of Mexico, Louisiana: Reports of the Chief of Engineers dated August 23, 2002, and July 22, 2003, at a total cost of \$886,700,000, with an estimated Federal cost of \$576,355,000 and an estimated non-Federal cost of \$310,345,000.

(B) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of the Houma Navigation Canal lock complex and the Gulf Intracoastal Waterway floodgate features of the project described in subparagraph (A) that provide for inland waterway transportation shall be a Federal responsibility in accordance with section 102 of the Water Resources Development Act of 1986 (33 U.S.C. 2212).

(25) PORT OF IBERIA, LOUISIANA.—The project for navigation, Port of Iberia, Louisiana: Report of the Chief of Engineers dated December 31, 2006, at a total cost of \$131,250,000, with an estimated Federal cost of \$105,315,000 and an estimated non-Federal cost of \$25,935,000; except that the Secretary, in consultation with Vermillion and Iberia Parishes, Louisiana, and consistent with the mitigation plan in the report, shall use available dredged material and rock placement on the south bank of the Gulf Intracoastal Waterway and the west bank of the Freshwater Bayou Channel to provide incidental storm surge protection that does not adversely affect the mitigation plan.

(26) SMITH ISLAND, SOMERSET COUNTY, MARYLAND.—The project for environmental restoration, Smith Island, Somerset County, Maryland: Report of the Chief of Engineers dated