

**H.R.1495 Water Resources Development Act of 2007** - Reauthorizes the Water Resources Development Act (WRDA). Authorizes flood control, navigation, and environmental projects and studies by the Army Corps of Engineers.

**Title I: Water Resources Projects** - (Sec. 1001) Authorizes projects for navigation, ecosystem or environmental restoration, and hurricane, flood, or storm damage reduction in Alaska, Arizona, Arkansas, California, Colorado, Florida, Illinois, Iowa, Kentucky, Louisiana, Maryland, Minnesota, Missouri and Kansas, New Jersey, New Mexico, New York, Ohio, Pennsylvania, South Carolina, Texas, Virginia, and Washington. Terminates specified projects in Florida.

(Sec. 1002) Directs the Secretary of the Army (the Secretary) to conduct studies for projects for: (1) flood damage reduction in Alabama, Alaska, Arizona, Arkansas, California, Georgia, Indiana, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, and Wyoming; (2) emergency streambank protection in California, Florida, Louisiana, Arkansas and Louisiana, Maryland, Minnesota, Missouri, New York, Tennessee, Texas, and Vermont; (3) navigation in Alaska, Arkansas, Louisiana, Massachusetts, Michigan, Minnesota, New York, and Wisconsin; (4) improvement of the quality of the environment in California, Florida, Iowa, Missouri, New Jersey and Delaware, and Pennsylvania; (5) aquatic ecosystem restoration in Alabama, Alaska, California, Florida, Georgia and Alabama, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nevada, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Vermont, and Virginia; (6) shoreline protection in Alaska, California, Florida, Guam, New York, Pennsylvania, and Texas; (7) snagging and sediment removal in New York; and (8) prevention or mitigation of damage caused by navigation projects in Georgia and Indiana.

(Sec. 1010) Authorizes the Secretary to carry out a project for aquatic nuisance plant control in the Republican River Basin, Nebraska.

**Title II: General Provisions** - (Sec. 2001) Amends the WRDA of 1986 to prohibit the Secretary from: (1) soliciting contributions from non-federal interests for costs of constructing authorized water resources projects or measures in excess of the nonfederal share assigned to appropriate project purposes; or (2) conditioning federal participation on receipt of such contributions.

(Sec. 2002) Extends the Secretary's authority to accept and expend funds contributed by nonfederal public entities and to expedite the processing of permits.

(Sec. 2003) Amends the Flood Control Act to allow a partnership agreement for projects to include a provision for liquidated damages in the event of a failure of parties to perform. Sets forth additional reporting and other requirements regarding such agreements. Directs the Secretary, by June 30, 2008, to issue policies and guidelines that delegate certain authority to district engineers to approve or sign partnership agreements.

(Sec. 2004) Directs the Secretary and the Chief of Engineers (Chief) to prepare a compilation of U.S. laws related to water resources development enacted after November 8, 1966, and before January 1, 2008.

(Sec. 2005) Amends the WRDA to authorize the Secretary to enter into a partnership agreement with nonfederal interests for the acquisition, design, construction, management, or operation of a dredged material processing, treatment, contaminant reduction, or disposal facility using funds provided by the federal government, subject to specified federal funding and cost sharing requirements.

(Sec. 2006) Authorizes the Secretary, in conducting a study of harbor and navigation improvements, to recommend a project without demonstrating that the project is justified solely by national economic development benefits under specified circumstances involving remote and economically critical projects.

(Sec. 2007) Allows the nonfederal interest for a study or project to use, and requires the Secretary to accept, funds provided by a federal agency to satisfy the nonfederal share of the cost under specified circumstances.

(Sec. 2008) Directs the Secretary, upon legal authorization of an increase in the maximum amount of federal funds that may be allocated for a project or an increase in the total cost, to enter into a revised partnership agreement to take into account the change in federal participation (without affecting any cost-sharing requirement).

(Sec. 2009) Directs the Secretary to expedite any authorized planning, design, and construction of a flood damage reduction project for an area that, within the preceding five years, has been subject to flooding that resulted in the loss of life and caused damage of sufficient magnitude to warrant a declaration of a major disaster by the President.

(Sec. 2010) Amends the WRDA of 1986 to add river basins in Ohio, Washington, New York, and Arkansas and Missouri to selected river basins and watersheds for assessment. Reduces the nonfederal share of the costs of assessments on or after December 11, 2000.

(Sec. 2011) Amends the WRDA of 2000 to authorize the Secretary, under the tribal partnership program, to carry out water-related planning activities. Authorizes studies involving projects located in lands within the jurisdictional area of an Oklahoma Indian tribe that are recognized as eligible for trust land status. Permits studies to address watershed assessments and planning activities. Authorizes appropriations for the program through FY2012.

(Sec. 2012) Adds the Secretary to the list of federal agencies authorized to enter into contracts with state and local governmental entities for procurement of services in suppressing fires.

(Sec. 2013) Authorizes the Secretary, at the request of a governmental agency or nonfederal interest, to provide technical assistance in managing water resources, including the provision and integration of hydrologic, economic, and environmental data and analyses. Directs the Secretary to submit to specified congressional committees, concurrent with the request for appropriations for the Civil Works Program for a fiscal year, a report describing the individual activities proposed for funding.

(Sec. 2014) Amends the WRDA of 1986 to include additional sites in Illinois, New Jersey, North Carolina, North Dakota, Pennsylvania, and Vermont in the Lakes Program.

(Sec. 2015) Authorizes the Secretary to: (1) enter into cooperative agreements with nonprofit organizations with expertise in wetlands restoration to carry out design and construction of wetlands restoration that is part of an authorized project; and (2) include individuals not employed by the Department of the Army in training classes offered by the Corps of Engineers when it is in the best interest of the government. Requires such individuals to pay the full cost of the training.

(Sec. 2017) Directs the Secretary to provide public access to water resource and related water quality data in the custody of the Corps.

(Sec. 2018) Declares that it is U.S. policy to promote beach nourishment for purposes of flood damage reduction and hurricane and storm damage reduction and related research that encourages the protection, restoration, and enhancement of sandy beaches on a comprehensive basis, with preference to areas in which there has been a federal investment and where the need for prevention or mitigation of damage is attributable to federal activities.

(Sec. 2019) Amends the WRDA of 1986 to require the development of new criteria and procedures regarding the ability of a nonfederal interest to pay (with respect to cost-sharing agreements) by December 31, 2007. Directs the Secretary to apply such criteria and procedures to specified projects in Missouri, Texas, West Virginia, and Pennsylvania.

(Sec. 2020) Amends the WRDA of 1996 to authorize projects that improve elements and features of an estuary and projects for the removal of dams that otherwise meet Act requirements.

(Sec. 2021) Increases the amount the Secretary may allot under: (1) the Flood Control Act of 1948 for small flood control projects; (2) the River and Harbor Act of 1960 for small river and harbor improvement projects; and (3) the Flood Control Act of 1946 for the construction, repair, restoration, and modification of emergency streambank and shoreline protection works to prevent damage to highways, bridge approaches, and public works, churches, hospitals, schools, and other nonprofit public services.

Increases authorized appropriations under the WRDA of: (1) 1986 for project modifications to improve the environment; and (2) 1999 for remediation of abandoned mine sites.

(Sec. 2026) Authorizes the Secretary to grant leases of lands, including structures or facilities, at water resource development projects to federally recognized Indian tribes.

(Sec. 2027) Directs the Chief to submit to specified committees an annual report on expenditures: (1) for the preceding and current fiscal years; and (2) by the Corps necessary in the following fiscal year, for each project or activity not scheduled for completion in the current fiscal year, to maintain the same level of effort.

(Sec. 2028) Authorizes the Secretary to provide assistance to specified universities or colleges in Tennessee, Illinois, and Texas for water resources-related studies.

(Sec. 2029) Expresses the sense of Congress that the Corps' operations and maintenance budget should reflect the use of all available economic data, rather than a single performance metric.

(Sec. 2030) Modifies provisions of the WRDA of 1996 to authorize the Secretary to engage in activities, including contracting, in support of other federal agencies, international organizations, or foreign governments to address problems of national significance. Authorizes funding. Authorizes the Secretary to accept and expend additional funds from foreign governments.

(Sec. 2031) Declares that it is U.S. policy that all water resources projects reflect national priorities, encourage economic development, and protect the environment by: (1) seeking to maximize sustainable economic development; (2) seeking to avoid the unwise use of floodplains and flood-prone areas and maximizing adverse impacts and vulnerabilities where such areas must be used; and (3) protecting and restoring the functions of, and mitigating unavoidable damage to, natural systems.

(Sec. 2032) Directs the President to report to Congress describing U.S. vulnerability to damage from flooding, including: (1) an assessment of the extent to which programs relating to flooding address flood

risk reduction priorities; (2) the extent to which those programs may be encouraging development and economic activity in flood-prone areas; and (3) recommendations for improving those programs.

(Sec. 2033) Amends the WRDA of 1996 to direct the Secretary, for all feasibility reports completed after December 31, 2007, to assess whether: (1) the project and each separable element is cost-effective; and (2) the water resource project complies with laws and public policies.

Directs the Chief to: (1) adopt a risk analysis approach to project cost estimates for water resources projects; (2) issue procedures for risk analysis for cost estimation and submit to Congress a report that includes suggested amendments to provisions regarding maximum cost of projects; (3) establish benchmarks for determining the time it should take to conduct a project feasibility study and its associated review process under the National Environmental Policy Act of 1969; (4) use such benchmarks to make the feasibility study process more efficient; and (5) establish benchmark goals for completing project feasibility studies within two years (or within four years for complex projects).

Requires a feasibility study for a flood damage reduction project to include, as part of the cost/benefit calculation, calculations: (1) of the residual risk of flooding, of loss of human life, and to human safety following completion of the proposed project; (2) of any upstream or downstream impacts; and (3) to ensure that the benefits and costs associated with structural and nonstructural alternatives are evaluated in an equitable manner.

Authorizes the Secretary to establish centers to provide specialized planning expertise for water resource projects to be carried out by the Secretary in order to enhance and supplement the capabilities of the districts of the Corps.

Requires feasibility and other studies and assessments of water resource problems and projects to include recommendations for alternatives: (1) that, as determined by the nonfederal interests for the projects, promote integrated water resources management; and (2) for which the nonfederal interests are willing to provide the nonfederal share for the studies or assessments. Provides that the completion of a Chief's report for a project shall not be delayed while consideration is being given to potential changes in policy or priority for project consideration. Requires completed reports to be submitted to specified committees and reviewed by the Secretary, who shall provide any recommendations to Congress.

(Sec. 2034) Requires project studies to be subject to a peer review by an independent panel of experts if: (1) the project has an estimated total cost of more than \$45 million, including mitigation costs; (2) the governor of an affected state requests a peer review by an independent panel of experts; or (3) the Chief determines that the project study is controversial (in cases where there is a significant public dispute as to the nature or effects of the project or the economic or environmental costs or benefits). Limits costs of panels.

(Sec. 2035) Directs the Chief to ensure that the design and construction activities for hurricane and storm and flood damage reduction projects are reviewed by independent experts if necessary to assure public health, safety, and welfare on any project that meets specified criteria.

(Sec. 2036) Amends the WRDA of 1986 to require the Secretary, in order to mitigate losses to flood damage reduction capabilities and fish and wildlife resulting from a water resources project, to ensure that the mitigation plan for each project complies with the standards and policies established pursuant to the regulatory programs administered by the Secretary. Lists specific mitigation plan requirements, criteria for success, and monitoring and reporting requirements. Requires the Secretary, in carrying out a project that involves wetlands mitigation that has impacts that occur within the service area of a mitigation bank,

to first consider the use of the mitigation bank if the bank contains sufficient available credits to offset the impact and the bank is approved under applicable federal law.

(Sec. 2037) Replaces provisions under the WRDA of 1992 regarding beneficial uses of dredged material with provisions requiring the Secretary to develop, at federal expense, regional sediment management plans. Directs the Secretary to give priority to regional sediment management projects in areas of specified states.

(Sec. 2038) Rewrites provisions regarding the Secretary's authorization to undertake construction of small shore and beach restoration and protection projects not specifically authorized by Congress. Permits such activities if the Secretary meets specified requirements. Makes a local cooperation requirement applicable to such a project. Requires authorized projects to be complete and to not commit the United States to any additional improvement. Directs the Secretary to conduct a national shoreline erosion control development and demonstration program.

(Sec. 2039) Requires the Secretary to: (1) ensure that a recommended ecosystem restoration project includes a plan for monitoring the success of the restoration; and (2) consider the cost of carrying out the monitoring as a project cost for a period of 10 years from completion of project construction.

(Sec. 2040) Directs the Secretary to implement a program to allow electronic submission of applications for permits under the Secretary's jurisdiction.

(Sec. 2041) Requires the Secretary to: (1) assign a unique tracking number to each water resources project to be used by each federal agency throughout the life of the project; and (2) maintain at the Library of Congress a copy of each final feasibility study, environmental impact statement, reevaluation report, record of decision, and report to Congress prepared by the Corps. Makes such documents available to the public.

(Sec. 2042) Repeals provisions of the Energy and Water Development Appropriations Act, 2006 (EWDAA) regarding program administration, including removal of restrictions on the use of funds and continuing contracts by the Corps.

(Sec. 2043) Amends the WRDA of 1986 to make cost-sharing requirements applicable to a feasibility study also applicable to a study that results in a detailed project report, with exceptions.

(Sec. 2044) Directs the Secretary to: (1) initiate procedures to establish a schedule for consolidating federal, state, and local agency and Indian tribe environmental assessments, project reviews, and issuance of permits for the construction or modification of a project upon written request of the nonfederal interest; and (2) seek to consolidate hearing and comment periods, procedures for data collection and report preparation, and the environmental review and permitting processes associated with the project. Requires costs incurred by the Secretary to establish and carry out a schedule to be paid by the nonfederal interest. Directs the Secretary to report to Congress on estimated time required for the issuance of all permits for the construction of nonfederal projects.

(Sec. 2045) Declares that the benefits of water resources projects are important to the nation's economy and environment and recommendations to Congress regarding such projects should not be delayed due to uncoordinated or inefficient reviews or the failure to timely resolve disputes during the development of such projects.

Directs the Secretary to: (1) develop and implement a coordinated review process for project development; and (2) identify all federal, state, and local government agencies and Indian tribes that may have jurisdiction over the project or may be required to take other specified actions. Allows the process to be incorporated into a memorandum of understanding. Sets forth provisions regarding the effect of failure to meet deadlines and reporting requirements.

(Sec. 2046) Amends the WRDA of 1986 to require the Secretary to transmit to Congress every year (currently, every two years), after transmittal of the list of unconstructed projects, a list of projects that have been authorized but have received no obligations during the five preceding fiscal years. Provides that a project included in such list is not authorized after the fiscal year following the fiscal year in which the list is transmitted if funds have not been obligated for the planning, design, or construction of such project.

(Sec. 2047) Amends the WRDA of 1996 to rewrite provisions regarding the Hopper Dredge McFarland to require the Secretary, between October 1 and December 31, 2009, to place it in a ready reserve status and use it solely for urgent and emergency purposes. Directs the Secretary to periodically perform routine underway dredging tests of the equipment, limit any scheduled hopper dredging work, perform any repairs necessary to maintain the vessel in a ready reserve fully operational conditions, and place the vessel in active status for dredging under specified conditions.

**Title III: Project-Related Provisions** - (Sec. 3001) Modifies various projects and directs or authorizes actions in Alabama, Alaska, Arizona, Arkansas, California, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

(Sec. 3175) Amends the WRDA of 1988 to allow the Secretary to operate headwaters reservoirs below the minimum or above the maximum water levels established in that year in accordance with water control regulation manuals developed by the Secretary, after consultation with specified parties and subject to specified notification requirements.

(Sec. 3176) Allows funds made available for recovery or mitigation activities in the lower basin of the Missouri River to be used for such activities in the upper basin.

(Sec. 3177) Authorizes the Secretary to undertake research on water quality issues affecting the Mississippi River and the development of remediation strategies.

(Sec. 3178) Directs the Secretary to establish a pilot program to evaluate new technologies applicable to the Upper Ohio River and Tributaries Navigation System.

(Sec. 3179) Continues project authorizations in California, Guam, Maryland and Virginia, Massachusetts, and Michigan.

(Sec. 3180) Authorizes specified projects, but prohibits construction until they are determined to be feasible, in Michigan, Minnesota, and Wisconsin.

(Sec. 3181) Terminates projects in Connecticut, Maine, Massachusetts, Washington, Wisconsin, Pennsylvania, California, Delaware and Maryland, Florida, Indiana, Iowa, Kentucky, Louisiana, New Jersey, New York, Oregon, Rhode Island, Texas, and West Virginia.

(Sec. 3182) Provides for conveyances of land to Arkansas, California, Kansas, Missouri, Oregon, South Carolina, and Texas.

(Sec. 3183) Extinguishes reversionary interests and use restrictions in Idaho, Oklahoma, Oregon, Tennessee, and Washington.

**Title IV: Studies** - (Sec. 4001) Amends the WRDA of 1999 to authorize payment of up to 100% of the non-federal share for the John Glenn Great Lakes basin program in the form of in-kind services and materials.

(Sec. 4002) Directs the Secretary to conduct: (1) a study to determine the nature and frequency of avian botulism in the vicinity of Lake Erie associated with dredged material disposal sites; and (2) a study of drought conditions in the southwestern United States.

(Sec. 4004) Directs the Secretary to review the Chief's report on the Delaware River, as it relates to the Mid-Delaware River Basin from Wilmington to Port Jervis, and any other pertinent reports, to determine whether any modifications of recommendations contained in the first report are still advisable.

(Sec. 4005) Directs the Secretary to conduct a study to develop national protocols regarding biological control of Eurasian milfoil in northeastern states.

(Sec. 4006) Directs the Secretary to conduct various navigation, hydropower, recreation, flood damage reduction, feasibility, water supply, selenium, rehabilitation, flood control, bulkhead system integrity, environmental restoration, ecosystem restoration and protection, storm damage reduction, shoreline protection, water-related infrastructure, water supply, recreation, dredged material disposal, and seawall rehabilitation studies in Alaska, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota and Wisconsin, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, and Wisconsin.

(Sec. 4101) Directs the Comptroller General, in coordination with the Secretary and the Administrator of the Environmental Protection Agency (EPA), to conduct a complete evaluation of demolition, debris removal, segregation, transportation, and disposal practices relating to disaster areas designated in response to Hurricanes Katrina and Rita and to report to specified committees. Prohibits the use of federal funds to pay for or reimburse any state or local entity in Louisiana for the disposal of construction and demolition debris generated as a result of Hurricane Katrina in a landfill designated for such debris unless that waste meets the definition of construction and demolition debris, as specified under federal law.

**Title V: Miscellaneous** - (Sec. 5001) Makes the Secretary responsible for maintenance of navigation channels and breakwaters constructed or improved by the non-federal interest, at the request of such interest, upon determining that such maintenance is economically justified and environmentally acceptable and that the channel or breakwater was constructed in accordance with applicable permits and engineering and design standards, with respect to specified bodies of water in Florida, Louisiana, Tennessee, Texas, and Wisconsin.

(Sec. 5002) Authorizes the Secretary to provide: (1) technical, planning, and design assistance to non-federal interests for carrying out watershed management, restoration, and development projects at specified locations in Florida, Georgia, Illinois, Louisiana, Massachusetts, New Jersey, New York, Ohio,

Pennsylvania, and Washington; and (2) assistance to enhance dam safety at specified locations in Idaho, Illinois, Indiana, Michigan, New York, Ohio, and Pennsylvania.

(Sec. 5004) Directs the Secretary, upon request of a non-federal interest, to evaluate the structural integrity and effectiveness of a flood damage reduction project in Arkansas under specified circumstances.

(Sec. 5005) Amends the WRDA of: (1) 1999 to add to the list of flood mitigation priority areas specified parishes in Louisiana; and (2) 1992 to provide additional assistance for authorized projects. Allows federal assistance made available under the the Department of Agriculture's rural enterprise zone program to be used toward payment of the nonfederal share of costs of the East Arkansas Enterprise Community project, Arkansas.

(Sec. 5007) Provides for the expedited completion of: (1) reports and construction for projects in Alaska, California, Florida, Louisiana, Massachusetts, and New York; and (2) reports for projects in Arkansas, Colorado, Florida, Texas, and Louisiana.

(Sec. 5009) Directs the Secretary to conduct an assessment of the water resources needs of the river basins and watersheds of the southeastern United States.

(Sec. 5010) Amends the WRDA of: (1) 1999, 1990, and 1996 to extend the authorization period or the Secretary's authority to provide assistance for the Missouri and Middle Mississippi River Enhancement Project, the Great Lakes Remedial Action Plans and sediment remediation projects and the Great Lakes tributary sediment transport model; and (2) 2000 to increase to 100% the permissible nonfederal share amount provided in the form of in-kind contributions for the Great Lakes Fishery and Ecosystem Restoration Program.

Permits with respect to the Missouri and Middle Mississippi River Enhancement Project: (1) a nonfederal interest to include a nonprofit entity with the consent of the affected local government; (2) the nonfederal share of costs to be provided in various forms; and (3) land credited toward the nonfederal share to remain in private ownership under specified circumstances. Requires the Secretary, with respect to the Great Lakes Fishery and Ecosystem Restoration Program, to carry out a reconnaissance study to: (1) identify methods of restoring the fishery, ecosystem, and beneficial uses of the Great Lakes; and (2) determine whether project planning should proceed.

(Sec. 5014) Directs the Secretary to: (1) expedite the operation and maintenance, including dredging, of the navigation features of the Great Lakes and Connecting Channels to support commercial navigation to authorized project depths; and (2) carry out a pilot project, on an emergency basis, to control and prevent further spreading of viral hemorrhagic septicemia in the Great Lakes and their connecting channels.

(Sec. 5015) Authorizes the Secretary to carry out projects for operations, maintenance, repair, and rehabilitation, including associated maintenance dredging, of the Eisenhower and Snell lock facilities and related navigational infrastructure for the Saint Lawrence Seaway.

(Sec. 5016) Directs the Secretary to study, design, and carry out a project to delay, deter, impede, or restrict the dispersal of aquatic nuisance species into the northern reaches of the Upper Mississippi River system.

(Sec. 5017) Amends the Estuary Restoration Act of 2000 to expand the purposes of the restoration program by including the implementation of a coordinated federal approach to estuary habitat restoration

activities, including the use of common monitoring standards and a common system for tracking restoration acreage. Adds regional interests to the estuary habitat restoration plan. Permits the inclusion of monitoring costs in the total cost of the estuary habitat restoration project. Modifies reporting requirements. Extends funding through 2012.

(Sec. 5018) Directs the Secretary to: (1) conduct a study of the Missouri River and its tributaries to mitigate losses of aquatic and terrestrial habitat, recover federally listed species under the Endangered Species Act, and restore the ecosystem to prevent further declines among other native species; and (2) establish the Missouri River Recovery Implementation Committee.

(Sec. 5019) Directs the Secretary to: (1) allocate funds to the Susquehanna River Basin Commission, the Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin to fulfill equitable funding requirements of their interstate compacts; and (2) enter into agreements with the Delaware River, Susquehanna River, and Potomac River Basin Commissions to provide temporary water supply and conservation storage during drought emergencies.

(Sec. 5020) Modifies the Chesapeake Bay Environmental Restoration and Protection Program to authorize assistance for restoration of submerged aquatic vegetation.

(Sec. 5021) Amends the WRDA of 1986 to include within the Secretary's study of the feasibility of utilizing the capabilities of the Corps of Engineers to conserve fish and wildlife a study of the restoration and rehabilitation of habitat for fish, including native oysters, in the Chesapeake Bay and its tributaries in Virginia and Maryland.

(Sec. 5022) Authorizes the Secretary to participate: (1) with specified parties to assess hypoxia in the Gulf of Mexico; and (2) in the Potomac River Watershed Assessment and Tributary Strategy Evaluation and Monitoring Program to identify resource management indicators to accurately monitor the effectiveness of the implementation of the agreed upon tributary strategies.

(Sec. 5024) Directs the Secretary to develop standards for the security of locks and dams.

(Sec. 5025) Amends the WRDA of 1996 to increase the authorization of appropriations for the research and development program to improve salmon survival in the Columbia and Snake Rivers.

(Sec. 5026) Permits Corps of Engineers employees to participate in wage surveys.

(Sec. 5027) Directs the Secretary to rehabilitate and improve the water-related and transportation infrastructure for the historic property in the Anacostia River Watershed located in the District of Columbia.

(Sec. 5028) Directs or authorizes the Secretary to take specified actions regarding various projects in Alabama, Alaska, Arkansas, and California.

(Sec. 5056) Directs the Secretary to carry out in the Rio Grande Basin: (1) a program for the planning, construction, and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement; and (2) implementation of a long-term monitoring, computerized data inventory and analysis, applied research, and adaptive management program.

(Sec. 5057) Designates the Charles Hervey Townshend Breakwater in Connecticut.

(Sec. 5058) Authorizes the Secretary to participate in the ecosystem restoration, navigation, flood damage reduction, and recreation components of the Mill River and Long Island Sound revitalization project, Stamford, Connecticut.

(Sec. 5059) Authorizes the Secretary to provide technical assistance to the Secretary of Agriculture for use in carrying out the Conservation Corridor Demonstration Program, Delmarva Conservation Corridor, Delaware, Maryland, and Virginia.

(Sec. 5060) Directs the Secretary, in coordination with the mayor of the District of Columbia, the governor of Maryland, the county executives of Montgomery and Prince George's Counties, Maryland, and other interested entities, to develop and make available to the public a 10-year comprehensive action plan to provide for the restoration and protection of the ecological integrity of the Anacostia River and its tributaries.

(Sec. 5061) Authorizes the Secretary to establish a program to provide environmental assistance to nonfederal interests in the East Central and Northeast Florida Region, provided that any assisted project is publicly owned. Sets forth cost-sharing and other requirements.

(Sec. 5062) Amends the Miscellaneous Appropriations Act, 2001 to direct the Secretary to credit toward the nonfederal share of the project cost for Florida Keys water quality improvements the cost of: (1) construction work carried out by the nonfederal interest before the date of the partnership agreement; and (2) land acquisition carried out by the nonfederal interest.

(Sec. 5063) Authorizes the Secretary to carry out necessary repairs for the Lake Worth bulkhead replacement project, West Palm Beach, Florida.

(Sec. 5064) Authorizes the Secretary to provide technical, planning, and construction assistance to the city of Roswell, Georgia, as the nonfederal interest and coordinator with other local governments in the Big Creek watershed, Georgia, to assess the quality and quantity of water resources, conduct comprehensive watershed management planning, develop and implement water efficiency technologies and programs, and plan, design, and construct water resource facilities to restore the watershed.

(Sec. 5065) Directs the Secretary to establish a program to provide environmental assistance to nonfederal interests in the Metropolitan North Georgia Water Planning District, provided that any assisted project is publicly owned. Sets forth cost-sharing and other requirements.

(Sec. 5066) Authorizes the Secretary, after completion of a Savannah Riverfront plan (Georgia), to participate in the ecosystem restoration, recreation, navigation, and flood damage reduction components of the plan.

(Sec. 5067) Amends the WRDA of 1999 to include Wyoming in a program providing environmental assistance to nonfederal interests in rural Nevada and Montana.

(Sec. 5068) Authorizes the Secretary to carry out the Riley Creek Recreation Area (Idaho) Operation Plan.

(Sec. 5069) Directs the Secretary to provide assistance for a project to develop maps identifying 100- and 500-year flood inundation areas along the Little Calumet River, Chicago, Illinois. Sets forth cost-sharing and other requirements.

(Sec. 5070) Authorizes the Secretary to participate in the reconstruction of a specified eligible flood control project in Illinois or Missouri if the Secretary determines that such reconstruction is not required as a result of improper operation and maintenance of the project by the nonfederal interest.

(Sec. 5071) Amends the WRDA of 2000 to extend the authorization for Illinois River basin restoration. Increases the maximum federal share. Requires the Secretary to develop an Illinois River basin monitoring program.

(Sec. 5072) Directs the Secretary to conduct a third-party review of the Promontory Point feature of the project for storm damage reduction and shoreline erosion protection, Lake Michigan, Illinois, at a specified cost.

(Sec. 5073) Requires the Secretary to develop a comprehensive plan for the restoration, preservation, and protection of the Kaskaskia River Basin, Illinois.

(Sec. 5074) Authorizes the Secretary to establish a program to provide environmental assistance to nonfederal interests in Southwest Illinois. Sets forth cost-sharing and other requirements.

(Sec. 5075) Amends the WRDA of 1992 to increase the authorization for the Calumet region, Indiana.

(Sec. 5076) Directs the Secretary to provide assistance for a project to develop maps identifying 100- and 500-year flood inundation areas in Iowa, along the Missouri River.

(Sec. 5077) Directs the Secretary to complete a feasibility report for rehabilitation of a flood damage reduction project, Paducah, Kentucky.

(Sec. 5078) Amends the WRDA of 1996 and 1992 regarding limitations on Corps of Engineers expenses for Southern and Eastern Kentucky and regarding wastewater infrastructure in Winchester, Kentucky. Increases funding for water-related infrastructure in Baton Rouge, Louisiana.

(Sec. 5081) Directs the Secretary to expedite completion of a dredged material management plan for the Calcasieu Ship Channel, Louisiana.

(Sec. 5082) Authorizes the Secretary to establish a program to provide environmental assistance to nonfederal interests in the East Atchafalaya Basin and Amite River Basin Region.

(Sec. 5083) Directs the Secretary, by July 1, 2008, to: (1) issue a final environmental impact statement relating to the Inner Harbor Navigation Canal Lock project; and (2) develop and maintain a transportation mitigation program relating to that project in coordination with St. Bernard and Orleans Parishes, the Old Arabi Neighborhood Association, and other interested parties.

(Sec. 5084) Requires the Lake Pontchartrain, Louisiana, basin stakeholders conference convened by the EPA, the National Oceanic and Atmospheric Administration (NOAA), and the U.S. Geological Survey (USGS) on February 25, 2002, to be treated as being a management conference convened under the Federal Water Pollution Control Act.

(Sec. 5085) Authorizes the Secretary to establish a program to provide environmental assistance to nonfederal interests in the Southeast Louisiana Region. Sets forth cost-sharing and other requirements.

(Sec. 5086) Modifies the project study for waterfront and riverine preservation, restoration, and enhancement, Mississippi River, West Baton Rouge Parish, Louisiana, to add West Feliciana Parish and East Baton Rouge Parish to the study.

(Sec. 5087) Authorizes the Secretary to carry out a project for nonstructural flood damage reduction and ecosystem restoration at Charlestown, Maryland.

(Sec. 5088) Directs the Secretary to carry out a project for shoreline protection, St. Mary's River, Maryland.

(Sec. 5089) Authorizes the Secretary to cooperate with Massachusetts in the management and long-term monitoring of aquatic dredged material disposal sites within the state and to accept funds from the state to carry out such activities.

(Sec. 5090) Directs the Secretary to conduct a study: (1) of shore damage in the vicinity of the navigation project at Ontonagon Harbor, Michigan; and (2) for a project for emergency streambank protection along the Red Lake River in Crookston, Minnesota.

(Sec. 5093) Directs the Secretary to take specified actions regarding various projects in Minnesota, Mississippi, Missouri, Illinois, Montana, Nebraska, New York, North Carolina, and Ohio.

(Sec. 5113) Directs the Secretary to establish a program to provide environmental assistance to nonfederal interests in North Carolina.

(Sec. 5118) Requires the costs of operation and maintenance for the Toussaint River Federal navigation project, Carroll Township, Ohio, that relate directly to the presence of unexploded ordnance to be carried out at federal expense.

(Sec. 5119) Directs the Secretary to provide technical assistance for the development of updates of the Oklahoma comprehensive water plan.

(Sec. 5126) Increases funding for the Upper Susquehanna River Basin, Pennsylvania and New York.

(Sec. 5129) Makes changes to the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund, Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe Trust Funds, and the State of South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund, authorized in the WRDA of 1999.

(Sec. 5130) Authorizes the Secretary to establish a program to provide environmental assistance to nonfederal interests in East Tennessee.

(Sec. 5131) Directs the Secretary to: (1) conduct a study of the Fritz Landing Agricultural Spur Levee, Tennessee; and (2) plan, design, and construct a trail system at the J. Percy Priest Dam and Reservoir, Tennessee.

(Sec. 5133) Authorizes the Secretary to participate in the ecosystem restoration, recreation, navigation, and flood damage reduction components of the Nashville Riverfront Concept Plan, dated February 2007.

(Sec. 5134) Modifies the project for flood control at Nonconnah Creek, Tennessee and Mississippi.

(Sec. 5135) Authorizes the Secretary to: (1) enter into a partnership with a nonprofit entity to remove debris from the Tennessee River near Knoxville, Tennessee; and (2) participate with nonfederal and nonprofit entities to address issues concerning managing groundwater as a sustainable resource through the Upper Mississippi Embayment, Tennessee, Arkansas, and Mississippi.

(Sec. 5136) Directs the Secretary to design and construct a flood damage reduction project in Town Creek, Lenoir City, Tennessee.

(Sec. 5138) Directs the Secretary to: (1) establish a program to provide environmental assistance to nonfederal interests in Texas; and (2) develop a comprehensive plan for development of new technologies and innovative approaches for restoring, preserving, and protecting the Bosque River watershed, Texas.

(Sec. 5140) Authorizes the Secretary to establish a program to provide environmental assistance to nonfederal interests in the Dallas County region, Texas.

(Sec. 5141) Modifies: (1) the flood control project, Trinity River and tributaries, Texas; and (2) the flood damage reduction, environmental restoration, and recreation project, Johnson Creek, Arlington, Texas.

(Sec. 5144) Directs the Secretary to: (1) include the costs and benefits associated with the relocation of flood-prone residences in the study area for the Onion Creek, Texas, project; (2) take specified actions related to the Connecticut River Dams, Vermont; (3) determine the feasibility of a dispersal barrier project at the Lake Champlain Canal, Vermont and New York, to prevent the spread of aquatic nuisance species; (4) accept funds from the National Park Service to restore Dyke Marsh, Fairfax County, Virginia, and to provide technical and project management assistance for the James River, Virginia; and (5) conduct a study of increased siltation in Baker Bay and Ilwaco Harbor, Washington.

(Sec. 5151) Authorizes the Secretary to plan, design, and construct a campground for Bonneville Lock and Dam at Hamilton Island, Washington.

(Sec. 5152) Modifies the Lower Columbia River levees and bank protection works with regard to the Wahkiakum County diking districts No. 1 and 3, Washington, to protect resources from further erosion.

(Sec. 5153) Amends the WRDA of 1992, 1996, and 2000, regarding various projects in Washington, West Virginia and Pennsylvania, Central and Southern West Virginia, and regarding construction of flood control projects by nonfederal interests in California, Illinois, Louisiana, Texas, and Wisconsin.

(Sec. 5158) Amends the WRDA of 1992 regarding additional assistance for critical projects in South Carolina, California, Indiana, Alabama, Arkansas, Colorado, Connecticut, the District of Columbia, Maryland, Florida, Georgia, Kansas, Kentucky, Louisiana, Virginia, Michigan, Minnesota, Mississippi, Nevada, New Jersey, New York, North Carolina, North Dakota, the Northern Mariana Islands, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, South Dakota, Tennessee, Texas, Utah, West Virginia, and the Virgin Islands.

**Title VI: Florida Everglades** - (Sec. 6001) Modifies the project for Hillsboro and Okeechobee Aquifer, Florida, to authorize the Secretary to carry out the project at a specified total cost.

(Sec. 6002) Increases the authorization for the Everglades pilot projects authorized under the WRDA of 2000.

(Sec. 6003) Modifies provisions regarding maximum costs of projects and program authority.

(Sec. 6004) Authorizes credit for work on Everglades restoration projects carried out before the date of a partnership agreement between the Secretary and the non-federal sponsor and authorizes the Secretary to enter into an agreement with the non-federal sponsor to specify conditions relating to design and construction of such work.

(Sec. 6005) Authorizes the Secretary to expend up to \$3 million per fiscal year on outreach and assistance.

(Sec. 6006) Increases the authorization for critical Everglades restoration projects authorized under the WRDA of 1996.

(Sec. 6007) Directs the Secretary to complete the development and testing of the regional engineering model for environmental restoration as expeditiously as practicable.

**Title VII: Louisiana Coastal Area** - (Sec. 7002) Directs the Secretary to: (1) develop a comprehensive plan, in coordination with the governor of Louisiana, for protecting, preserving, and restoring the coastal Louisiana ecosystem; (2) integrate the plan into the analysis and design of the comprehensive hurricane protection study authorized by the Energy and Water Development Appropriations Act, 2006; and (3) ensure that the plan is consistent with the goals, analysis, and design of the comprehensive coastal protection master plan authorized and defined pursuant to Act 8 of the First Extraordinary Session of the Louisiana State Legislature, 2005.

Requires the comprehensive plan to include: (1) the framework of a long-term program integrated with hurricane and storm damage and flood damage reduction and navigation activities that provide for the comprehensive protection, conservation, and restoration of the wetlands, estuaries, barrier islands, shorelines, and related land and features of the coastal Louisiana ecosystem; (2) the means by which a new technology, or an improved technique, can be integrated into the program; (3) the role of other federal and state agencies and programs in carrying out the program; (4) specific, measurable ecological success criteria by which success of the plan will be measured; (5) proposed projects in order of priority as determined by their potential to contribute to the creation of coastal wetlands and to flood protection of communities ranked by population density and level of protection; and (6) efforts by federal, state, and local interests to address sociological, economic, and related fields of law.

(Sec. 7003) Authorizes the Secretary to carry out a program for ecosystem restoration, Louisiana Coastal Area, substantially in accordance with the report of the Chief of Engineers, dated January 31, 2005. Directs the Secretary to give priority to specified projects.

(Sec. 7004) Establishes the Coastal Louisiana Ecosystem Protection and Restoration Task Force to make recommendations to the Secretary regarding: (1) policies, strategies, plans, programs, projects, and activities for addressing protection, conservation, and restoration of the coastal Louisiana ecosystem; (2) financial participation by each agency represented on the Task Force in conserving, protecting, restoring, and maintaining the coastal Louisiana ecosystem; and (3) the comprehensive plan to be developed. Directs the Task Force to submit to Congress a biennial report on its activities. Authorizes the Task Force to establish working groups, including to advise the Task Force of opportunities with respect to areas in Louisiana for which a major disaster has been declared by the President as a result of Hurricane Katrina or Rita.

(Sec. 7005) Directs the Secretary to: (1) review existing federally authorized water resources projects in the coastal Louisiana ecosystem; and (2) carry out a coastal Louisiana ecosystem program.

Authorizes the Secretary to carry out specified projects to resolve critical areas of scientific or technological uncertainty related to the implementation of the comprehensive plan developed for planning, design, and construction of all demonstration projects. Lists initial projects authorized.

Directs the Secretary to: (1) carry out such modifications as necessary to the ecosystem restoration features identified in the plan to address the impacts of Hurricanes Katrina and Rita on the project; and (2) implement in the ecosystem a program for the beneficial use of material dredged from federally maintained waterway.

Authorizes the Secretary to carry out specified additional projects if feasible.

(Sec. 7007) Directs the Secretary to credit toward the non-federal share of study costs or projects authorized the cost of work carried out in the ecosystem by the non-federal interest before the date of the partnership agreement for the study or project that is integral to the study or project. Provides for periodic monitoring and audits.

(Sec. 7008) Authorizes the Secretary to determine that: (1) a project or activity is justified by the environmental benefits derived by the coastal Louisiana ecosystem; and (2) no further economic justification is needed for a cost effective project or activity.

(Sec. 7009) Directs the Secretary to: (1) establish the Louisiana Water Resources Council, which shall serve as the exclusive peer review panel for projects under this title; (2) expedite completion of the reports for specified projects and, upon determining that a project is justified, proceed directly to project preconstruction engineering and design; and (3) report to specified committees on projects authorized and undertaken, the construction status of the projects, the cost to date and expected final cost of each, and the benefits and environmental impacts.

(Sec. 7012) Authorizes the Secretary to take specified actions with respect to New Orleans and vicinity, including raising levee heights where necessary and reducing the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands.

(Sec. 7013) Terminates a portion of the navigation project, Mississippi River Gulf Outlet.

(Sec. 7014) Directs the Secretary, regarding projects identified and analysis and design of comprehensive hurricane protection, to submit specific project recommendations in any report developed under the EWDA.

Authorizes the President, upon determining that a feature recommended in the analysis and design of comprehensive hurricane protection under the EWDA could address an imminent threat to life and property, prevent a dangerous storm surge from reaching a populated area, prevent the loss of coastal areas that reduce the impact of storm surge, benefit national energy security, protect emergency hurricane evacuation routes or shelters, or address inconsistencies in hurricane protection standards, to submit a legislative proposal relating to the feature to the Speaker of the House and the President pro tempore of the Senate for authorization. Sets forth provisions regarding prioritization of projects. Makes any such proposal submitted by the President, beginning after December 31, 2008, eligible for expedited consideration.

(Sec. 7015) Directs the Secretary to submit to the committees a report describing any modification required to the project for flood damage reduction, Larose to Golden Meadow, Louisiana, to achieve the certification necessary for participation in the National Flood Insurance Program. Authorizes specified modifications, subject to committee approval of the report and other requirements.

(Sec. 7016) Authorizes the Secretary to carry out a project for flood damage reduction in Lower Jefferson Parish, Louisiana.

**Title VIII: Upper Mississippi River and Illinois Water-Way System** - (Sec. 8002) Directs the Secretary to undertake navigation improvements and restoration of the ecosystem for the Upper Mississippi River and Illinois Water System (River and System) substantially in accordance with the project for navigation and ecosystem improvements for the River and System's Report of the Chief of Engineers, dated December 15, 2004 (the Plan).

(Sec. 8003) Directs the Secretary to: (1) construct mooring facilities at Locks 12, 14, 18, 20, 24, and LaGrange Lock; (2) provide switchboats at Locks 20 through 25; and (3) conduct development and testing of an appointment scheduling system. Directs the Secretary to construct new 1,200-foot locks at Locks 20, 21, 22, 24, and 25 on the Upper Mississippi River and at LaGrange Lock and Peoria Lock on the Illinois Waterway.

(Sec. 8004) Directs the Secretary to: (1) modify, consistent with requirements to avoid adverse effects on navigation, the operation of the River and system to address cumulative environmental impacts and improve the ecological integrity of the Upper Mississippi and Illinois Rivers; and (2) carry out, consistent with such requirements, ecosystem restoration projects to attain and maintain the sustainability of the ecosystem of the Rivers in accordance with the general framework outlined in the Plan. Lists authorized ecosystem restoration projects.

Sets the federal cost share of carrying out an ecosystem restoration project at 65%. Increases the federal share to 100% if the project is located below the ordinary high water mark or in a connected backwater, modifies the operation of structures for navigation, or is located on federally owned land. Directs the Secretary to carry out a long term resource monitoring, computerized data inventory and analysis, and applied research program for the Upper Mississippi River and Illinois River to determine trends in ecosystem health, to understand systemic changes, and to help identify restoration needs.

Directs the Secretary, before initiating the construction of any individual ecosystem restoration project, to: (1) establish restoration goals and identify specific performance measures; (2) establish the without-project condition or baseline for each performance indicator; and (3) identify, for each separable element of the restoration, specific target goals for each performance indicator.

Directs the Secretary to consult with the Secretary of the Interior and the states of Illinois, Iowa, Minnesota, Missouri, and Wisconsin in carrying out the environmental sustainability, ecosystem restoration, and monitoring activities authorized in this section. Authorizes the Secretary to enter into agreements with the Secretary of the Interior, the Upper Mississippi River Basin Association, and natural resource and conservation agencies of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to provide for the direct participation of, and transfer of funds to, such entities for the planning, implementation, and evaluation of projects and programs established by this section.

Authorizes appropriations. Limits the total cost of any single project. Authorizes funds for monitoring. Directs the Secretary, by June 30, 2009, and every four years thereafter, to submit to specified congressional committees an implementation report that includes baselines, milestones, goals, and

priorities for ecosystem restoration projects, and that measures the progress in meeting the goals. Directs the Secretary to appoint and convene an advisory panel to provide independent guidance in the development of each implementation report.

(Sec. 8005) Directs the Secretary, in the course of conducting pre-engineering, design, and construction for projects authorized under this title, to: (1) select appropriate milestones; (2) determine whether the projects are being carried out at comparable rates; and (3) make annual reports to Congress regarding whether the projects are being carried out at a comparable rate. Requires adjustment of annual funding requests for projects, if the Secretary or Congress determines that authorized projects are not moving toward completion at a comparable rate, to ensure that the projects move toward completion at a comparable rate in the future.

**Title IX: National Levee Safety Program** - National Levee Safety Act of 2007 - (Sec. 9003) Establishes a Committee on Levee Safety which shall develop recommendations for a national levee safety program and report to specified congressional committees. Requires the Committee to ensure that the program meets specified goals, including: (1) ensuring the protection of human life and property by levees through the development of technologically, economically, socially, and environmentally feasible programs and procedures for hazard reduction and mitigation relating to levees; (2) encouraging use of the best available engineering policies and procedures for levee site investigation, design, construction, operation, and maintenance, and emergency preparedness; (3) encouraging the establishment and implementation of an effective national levee safety program that may be delegated to qualified states for implementation; and (4) building public awareness of the residual risks associated with living in levee protected areas.

(Sec. 9004) Directs the Secretary to: (1) establish and maintain a database with an inventory of the nation's levees; (2) establish an inventory and conduct an inspection of all federally owned and operated levees; and (3) establish an inventory and conduct an inspection of all federally constructed, non-federally operated and maintained levees at the original cost share for the project.

(Sec. 9006) Authorizes appropriations for FY2008-FY2013.