

WATER RESOURCES DEVELOPMENT ACT
P.L. 99-662

WATER RESOURCES DEVELOPMENT ACT OF 1986

P.L. 99-662, see page 100 Stat. 4082

DATES OF CONSIDERATION AND PASSAGE

House November 13, 1985; October 17, 1986

Senate March 26, October 17, 1986

House Report (Public Works and Transportation Committee) No. 99-251(I), Aug. 1, 1985 [To accompany H.R. 6]

House Report (Interior and Insular Affairs Committee) No. 99-251(II), Sept. 16, 1985 [To accompany H.R. 6]

House Report (Ways and Means Committee) No. 99-251(III), Sept. 23, 1985 [To accompany H.R. 6]

House Report (Merchant Marine and Fisheries Committee) No. 99-251(IV), Sept. 23, 1985 [To accompany H.R. 6]

Senate Report (Environment and Public Works Committee) No. 99-126, Aug. 1, 1985 [To accompany S. 1567]

Senate Report (Finance Committee) No. 99-228, Jan. 8, 1986 [To accompany S. 1567]

House Conference Report No. 99-1013, Oct. 17, 1986 [To accompany H.R. 6]

Cong. Record Vol. 131 (1985)

Cong. Record Vol. 132 (1986)

The House bill was passed in lieu of the Senate bill after amending its language to contain much of the text of the Senate bill. The Senate Reports are set out below, the House Conference Report and the Signing Statement of the President follow.

SENATE REPORT NO. 99-126

[page 1]

The Committee on Environment and Public Works reports an original bill (S. 1567), 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 and recommends that the bill do pass.

OUTLINE OF THE BILL

Title 1 sets obligation ceilings on the annual civil works construction program of the Secretary of the Army covering each of the next five years.

Title 2 makes a number of general policy changes in the Federal water resources program.

Title 3 modifies a number of specific water resources projects.

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tion will be subject to an annual cap of \$5 million. Because rehabilitation and operation and maintenance activities are already being carried out on the canal, it was assumed in this estimate that funds would be appropriated beginning in fiscal year 1986 to cover the federal share. Federal outlays associated with Section 503 are estimated to be approximately \$11 million in fiscal year 1986, \$12 million each in fiscal years 1987 and 1988, and \$13 million each in fiscal years 1989 and 1990. Subsequently, annual costs will be approximately \$16 million (in 1985 dollars) through fiscal year 2000.

Section 504 is to be known as the Upper Mississippi River System Management Act of 1985 and gives Congressional recognition to the Upper Mississippi River System as a nationally significant commercial navigation system. The section approves the system's master plan, authorizes the Secretary of the Army to monitor traffic movements on the system, and authorizes the Secretary of the Interior to implement a number of programs in accordance with the master plan. The section specifically authorizes funds for the programs to be carried out by the Department of the Interior. In addition, Section 504 authorizes the Secretary to provide for the engineering, design and construction of a second lock at locks and dam 26 on the Mississippi River. It is estimated that federal outlays associated with Section 504 (excluding locks and dam 26) will total \$13 million in fiscal year 1986, \$17 million in fiscal year 1987, and \$19 million each in fiscal years 1988, 1989, and 1990.

Total estimated authorization levels and outlays associated with Title V are as follows:

[By fiscal years, in millions of dollars]

	1986	1987	1988	1989	1990
Federal Government:					
Estimated authorization level	34	55	74	97	115
Estimated outlays	26	47	68	90	109

In addition, it is estimated that outlays of approximately \$1.1 billion will be incurred by the federal government over the fiscal years 1991 through 1998 as a result of these authorizations. Subsequently, annual federal operations and maintenance expenditures will be approximately \$13 million (in 1985 dollars).

Title VI: Harbor construction

Sections 601 and 602 of this title specify new cost-sharing formulas for the study, construction, and maintenance of harbor projects. Under the provisions of these sections, nonfederal interests shall be responsible for 50 percent of the surveying, planning designing and engineering costs incurred prior to construction, as well as 10 percent of the construction costs for projects constructed to depths of less than 20 feet; 25 percent of the construction costs associated with depths between 20 feet and 45 feet; and 50 percent of the construction costs associated with depths greater than 45 feet. In addition, nonfederal interests will be responsible for paying an additional 10 percent of the total construction costs (including lands, easements, and rights of way) over a 30-year period after construc-

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Recommended plan.—Construction of a new 86 foot by 675 foot lock, plus entrance channels.

Environmental impact statement.—Final statement filed with the Environmental Protection Agency in March, 1981.

Total project cost.—\$191,020,000.

Benefit/cost ratio.—1.35 to 1 at a discount rate of 7 $\frac{7}{8}$ percent.

(4) LOCK AND DAM 7 REPLACEMENT, PENNSYLVANIA

Location.—Monongahela River near Greensboro, Pennsylvania.

Problem.—Antiquated and deteriorated facility no longer serves the commercial needs of the river.

Recommended plan.—Replacement of existing lock.

Environmental impact statement.—Final statement filed with the Environmental Protection Agency, August, 1984.

Total project cost.—\$95,100,000.

Benefit/cost ratio.—1.9 to 1 at a discount rate of 7 $\frac{7}{8}$ percent.

(5) LOCK AND DAM 8 REPLACEMENT, PENNSYLVANIA

Location.—Monongahela River near Point Marion, Pennsylvania.

Problem.—Antiquated and deteriorated facility no longer serves the commercial needs of the river.

Recommended plan.—Replacement of existing lock.

Environmental impact statement.—Final statement filed with the Environmental Protection Agency, August, 1984.

Total project cost.—\$68,000,000.

Benefit/cost ratio.—1.9 to 1 at a discount rate of 7 $\frac{7}{8}$ percent.

SECTION 503

This section will reimburse the State of New York for a portion of its costs in operating, maintaining, and rehabilitating the New York State Barge Canal. Control and operation of the canal will remain the responsibility of the State of New York.

The Barge Canal consists of four connected subsystems: (1) the Champlain Canal, from Waterford to Whitehall at the head of Lake Champlain; (2) the Erie Canal, from Waterford to Tonawanda; (3) the Oswego Canal, from Three Rivers to Oswego; and (4) the Cayuga-Seneca Canal, from the Erie Canal to Ithaca and Montour Falls.

The system was constructed originally during the 19th Century, then reconstructed to its present configuration in 1918, with 46 locks over 512 miles of waterways. In 1981, the annual cost of operating and maintaining the Barge Canal was \$21,000,000.

This section authorizes the Secretary to reimburse the State of New York for 50 percent of the costs of operating and maintaining the canal. The Secretary shall also pay for rehabilitating the canal, except that the Federal contribution toward rehabilitation is limited to 50 percent of spending that year, or \$5,000,000, whichever is less.

SECTION 504

This section authorizes a Master Plan for the Upper Mississippi River, including construction of a second lock at Locks and Dam 26

on the Mississippi River, and an assortment of environmental mitigation and enhancement activities to be carried out by the Secretary of the Interior.

Specifically, subsection (d) provides the consent of Congress to the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, or any combination of those States, to enter into agreements for cooperative planning on the Upper Mississippi.

Subsection (e) authorizes construction of a second chamber at Locks and Dam 26 on the Mississippi River at Alton, Illinois, at a total cost of \$220,000,000. This lock chamber will be 600 feet long and 110 feet wide, and will be added to the 1,200-foot lock now under construction.

Subsection (f) directs the Secretary, in consultation with the Department of Transportation and the States, to monitor traffic on the Upper Mississippi River System to verify the need for future expansion, if any. Such sums as may be necessary to carry out this function are authorized for a period of 10 years.

Subsection (g) authorizes the Secretary of the Interior, working with the appropriate State agencies, to undertake the following programs:

- A wildlife habitat rehabilitation and enhancement program. This effort would involve the planning and construction of projects for aquatic and terrestrial habitat that has been lost or threatened as a result of human activities or natural factors. During the first fiscal year after enactment, \$8,200,000 is authorized to Interior, \$12,400,000 during the second fiscal year, then \$13,000,000 for each of the next eight fiscal years;
- The implementation of a long-term resource monitoring program, at a cost of \$7,680,000 in the initial fiscal year, then \$5,080,000 yearly for the next nine fiscal years; and
- The development of a computerized inventory and analysis system, at a cost of \$40,000 in the initial fiscal year, \$280,000 in the second fiscal year, \$1,200,000 in the third fiscal year, and \$775,000 in each of the next seven fiscal years.

In consultation with the Secretary of the Army, the Department of the Interior shall also implement a program of recreational projects at a cost of \$500,000 yearly. Beginning after the computerized inventory is available (probably in fiscal year 1987), the Secretary of the Interior is provided \$300,000 in each of the next two fiscal years, then \$150,000 in the following fiscal year to assess the economic benefits of those recreational projects.

Consistent with the objective of section 224 of this Act, the habitat rehabilitation and enhancement program for the Upper Mississippi River System must be implemented prior to, or concurrent with, the engineering, design, and construction of the second lock at Locks and Dam 26.

With the exception of the funds for construction of the second chamber, none of the funds authorized in this section are considered to be commercial components of the inland navigation system.

Section 504 is cited as the "Upper Mississippi River System Management Act of 1985."

WATER RESOURCES CONSERVATION, DEVELOPMENT,
AND INFRASTRUCTURE IMPROVEMENT AND
REHABILITATION ACT OF 1985

R E P O R T

OF THE

COMMITTEE ON
PUBLIC WORKS AND TRANSPORTATION

TO ACCOMPANY

H.R. 6

[Including cost estimate of the Congressional Budget Office]

together with

ADDITIONAL VIEWS



AUGUST 1, 1985.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

economic strength of the upper Ohio region. The reduced cost of transportation resulting from the Monongahela River navigation project has contributed to both regional and national development and continuation of navigation is in the national interest.

The existing locks at Dams 7 and 8 were opened in 1925 for the commerce expected at that time. Commerce has increased over 12 times since then and is projected to increase 4 more times in the next 50 years. There now are traffic delays at the existing locks, and increasing traffic will result in serious interference with navigation. Maintenance costs and problems are also increasing, and longer repair times will add to traffic difficulties.

Modernization of the Monongahela River waterway has been underway since the initial locks were constructed in 1840. The entire subsystem was reconstructed between 1902 and 1932. Five of the present nine Monongahela River locks and dams were built or reconstructed since 1950. Locks 7 and 8 require replacement now. The existing pairs of locks at Dams 3 and 4 will require modernization in the future as traffic increases. However, for the next few years passage through inadequate Locks 7 and 8 will control traffic on this part of the inland waterway network. Without their replacement they will prevent full realization of benefits from the adjacent modernized waterway.

Section 201 authorizes the project for Lock and Dam 8 replacement in accordance with the 1984 report of the Chief of Engineers.

LOCK AND DAM 26, ILLINOIS

The replacement of Locks and Dam 26 at Alton, Illinois, with a new dam and a single 110-foot by 1,200-foot lock, was authorized by Section 102 of Public Law 95-502. That Act also directed that the lock and dam be designed and constructed to provide for possible future expansion. The Upper Mississippi River Basin Commission was directed to prepare a comprehensive Master Plan for the management of the Upper Mississippi River system in cooperation with appropriate Federal, State and local officials. The Master Plan was submitted to Congress January 1, 1982. The plan recommends, among other things, that Congress immediately authorize the engineering, design, and construction of a second chamber, 600 feet in length, at Lock and Dam 26.

Location.—Mississippi River 200.78 miles upstream from the confluence of the Mississippi and Ohio Rivers, near Alton, Illinois.

Authority for Report.—Public Law 95-502, Section 101, October 21, 1978.

Date of Report.—A report was submitted to Congress by the Upper Mississippi River Basin Commission on January 1, 1982. The Corps of Engineers was a member of that Commission.

Problems and Opportunities Identified in the Study.—As part of its general charge, the Commission was to conduct studies which addressed key issues of concern including:

The navigation carrying capacity of the Upper Mississippi River System.

The relationship of capacity expansion to national transportation policy.

The effect of expansion of navigation capacity on the Nation's railroads.

The transportation costs and benefits to the Nation of expanded navigation capacity.

The economic need for a second lock at Alton, Illinois.

The systemic ecological impacts of present and expanded navigation capacity on fish and wildlife, water quality, wilderness, and recreational opportunities.

The means and measures to prevent or minimize such impacts. The immediate environmental effects of a second lock at Alton, Illinois.

Physical Data on Project Features (Second Lock Only).—One 600-foot by 110-foot lock at Lock and Dam No. 26.

Status of Final Environmental Impact Statement.—Federal Register Publication of Final Environmental Impact Statement on the Master Plan, January 15, 1982. Public review ended February 16, 1982.

Project Cost.—\$245,000,000 (all Federal).

Benefit/Cost Ratio.—7.1.

Remarks.—The recommendations contained in the Master Plan incorporate environmental quality in their overall purpose.

The formulation of these recommendations is based on three assumptions which were significant in determining the final level of environmental quality achieved in the overall Plan: These assumptions were: (1) The Upper Mississippi River System is a multi-purpose system with two Congressional mandates (commercial navigation and national wildlife refuges); (2) Immediate actions are necessary to further define and provide for the near-term needs of the multipurpose objectives; and (3) Currently available economic and environmental data are not conclusive enough to make sound management decisions for the period beyond 1990-95.

Early authorization of the second lock is necessary both to meet the needs of anticipated traffic and to realize substantial savings in construction costs. If engineering and design work can be commenced in the near future it will be possible to construct the second lock during construction of the new dam, rather than afterwards, resulting in savings of approximately \$85,000,000.

BONNEVILLE LOCK AND DAM, OREGON AND WASHINGTON

Location.—Bonneville Navigation Lock is located about 40 miles east of Portland, Oregon, and Vancouver, Washington, on the Columbia River.

Authority for Report.—Senate Public Works Committee resolutions adopted July 27, 1962, and April 11, 1967.

Description of Recommended Plan.—The recommended plan includes construction of a new lock (86 feet wide by 675 long) and approach channels adjacent to and south of the existing lock on the Oregon shore. Relocations would include a portion of the Union Pacific Railroad's main line, the project access road, four water supply wells for the Oregon State hatchery, and a portion of the North Pacific Division Hydraulic Laboratory.

Physical Data on Project Features.—The recommended plan would include construction of a new larger lock (86 feet wide by

purpose or for reasons of public health and safety. Except in cases of emergency, however, no suspension or modification of such releases may be made solely for reasons associated with the generation of hydroelectric power at the Summersville Dam.

Subsection (d) provides that nothing in subsection (b) affects the authority of the Secretary regarding releases of water from the Summersville Dam for any project purpose, including whitewater recreation, at any time other than the period specified in subsection (b).

SECTION 112

Public Law 95-502, signed into law on October 21, 1978, authorized replacement of the existing Locks and Dam 26 at Alton, Illinois, with a new dam and a single 1,200-foot lock. That Act also imposed a tax on fuel used in inland waterway transportation, authorized the Secretaries of Commerce and Transportation to study the impacts of waterway user charges, and directed the Upper Mississippi River Basin Commission to prepare a comprehensive Master Plan for the management of the Upper Mississippi River System. The Commission completed that plan and transmitted it to Congress on January 1, 1982.

In the Act, Congress directed the Commission, in preparation of the Master Plan, to evaluate:

- the impacts of navigation and operation and maintenance on fish and wildlife, water quality, recreation and potential wilderness areas;

- the carrying capacity of the Upper Mississippi River System;
- the costs and benefits to the nation of expanding the System's capacity for navigation;

- the effects of navigation expansion on railroads and on national transportation policy;

- the economic need for a second lock at Locks and Dam 26 and ways to mitigate any damage that might be caused by a second lock;

- the costs and benefits of disposal of dredged material outside the floodplain; and

- the possibility of a computer information system to analyze effects of alternatives.

The report submitted to Congress in January 1982 contained the results of these studies and a series of recommendations that constitute the recommended Master Plan for the Upper Mississippi River Basin.

The Upper Mississippi River Basin System is a multi-purpose System with two Congressional mandates. The Upper Mississippi River System is a nationally significant ecosystem and a nationally significant commercial navigation system. As a result of separate Congressional actions, this System is managed for two specific purposes: commercial navigation and national wildlife refuges. Immediate actions are necessary to further define and to provide for the near-term needs of this multi-purpose river system. Projected commercial navigation growth beyond 1990 cannot be met by the system with presently authorized projects. The integrity of the existing system including fish, wildlife and terrestrial and aquatic

habitats, cannot be properly maintained or enhanced under existing authorization and with current levels of funding. Also, currently available economic and environmental data are not conclusive enough to make sound management decisions for the period beyond 1990.

The recommended Master Plan incorporates a strategy to meet the near-term critical needs over the next ten years and assist in the making of decisions for the future. The recommendations of the Master Plan are generally as follows:

Congress should immediately authorize the engineering, design and construction of a second chamber 600 feet in length at Lock and Dam 26;

steps should be undertaken to increase the capacity of specific locks throughout the system by employing certain nonstructural measures and making minor structural improvements;

traffic movements on the navigation system should be monitored to update traffic projections, verify lock capacities, and refine economic justifications and implementation dates for future capacity expansion;

Congress should immediately authorize a habitat rehabilitation and enhancement program to plan, construct and evaluate projects to protect, enhance or rehabilitate aquatic and terrestrial habitats lost or threatened as a result of man-induced activities or natural factors;

immediate action should be taken to reduce erosion rates to tolerable levels to help preserve the integrity of all resource values on the Upper Mississippi River System;

Congress should immediately authorize implementation of a long-term resource monitoring program;

Congress should immediately authorize implementation of a computerized inventory and analysis system for data storage and retrieval and for use in the long-term resource monitoring program;

a program for coordinating with potential users should be developed by the concerned states in coordination with the Corps of Engineers, utilizing and updating existing demand information as well as the collection of empirical data to facilitate economically feasible productive uses of dredged material;

Congress should immediately authorize the implementation of a program of recreational projects and the conduct of an assessment of the economic benefits generated by recreational activities in the Upper Mississippi River System;

the States of the Upper Mississippi River System should establish a cooperative arrangement to maintain coordination and management activities for water and related land resources.

Section 1122 incorporates these recommendations insofar as they relate to improvement of the environment and fish and wildlife and recreation resources in the Upper Mississippi River System. Specific direction is not included with regard to the recommendation to reduce erosion rates because this is a matter which can be addressed under existing programs of the Department of Agriculture and the Soil Conservation Service. The Department is expected, however, to emphasize erosion control measures in the Upper

Mississippi River System and to coordinate with the Secretary in order to assure that the measure authorized by Section 1122 will be most effective.

Subsection (a) of Section 1122 declares it to be the intent of Congress to recognize the Upper Mississippi River System as a nationally significant ecosystem and a nationally significant commercial navigation system in order to ensure the coordinated development an enhancement of the system. It also includes the recognition of Congress that the system provides a diversity of opportunities and experiences. The System is directed to be administered and regulated in recognition of its several purposes.

Subsection (b) contains a number of definitions. The terms "Upper Mississippi River System" and "System" are defined as meaning those river reaches having commercial navigation channels on the Mississippi River maintain north of Cairo, Illinois; the Minnesota River, Minnesota; the Black River, Wisconsin; the St. Croix River, Minnesota and Wisconsin; the Illinois River and Waterway, Illinois and the Kaksaskia River in Illinois. The term "master plan" is defined as meaning the comprehensive master plan for the management and the Upper Mississippi River System dated January 1, 1982, prepared by the Upper Mississippi River Basin and submitted to Congress pursuant to Public Law 95-502. Ther terms "GREAT I", "GREAT II" and "GRRM Studies" mean the studies entitled "Great River Environmental Action Team—GREAT I-A study of the Upper Mississippi River" dated September 1980, "Great River Environmental Action Team—GREAT II-A study of the Upper Mississippi River" dated December 1980, and "Great River Resource Management Study" dated September 1982.

Subsection (c) contains the approval of Congress of the master plan as a guide for future water policy on the Upper Mississippi River System.

Subsection (d) grants the consent of Congress to the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin or any two or more of such states to enter into agreements not in conflict with any law of the United States for cooperative effort and mutual assistance in the comprehensive planning for the use, protection, growth and development of the Upper Mississippi River System, and to establish such agencies, joint or otherwise, or designate an existing multi-state entity as they may deem desirable for making effective such agreements. It also authorizes the Secretary to enter into cooperative agreements with the Upper Mississippi River Basin Association or any other agency established under Subsection (d) to promote and facilitate active state government participation in the river system management, development and protection.

Subsection (d) also designates the Upper Mississippi River Basin Association or any other agency established under Subsection (d) as the caretaker of the Master Plan. Any changes to the Master Plan recommended by the Secretary are to be submitted to the Association or agency for review. Such agency or Association may make comments with respect to the recommendations of the Secretary as the agency or Association deems appropriate and shall transmit the comments to the Secretary. The Secretary is directed to transmit the recommendations along with the comments of such agency or Association to the Congress for approval.

Subsection (e) authorizes the Secretary in consultation with the States of Illinois, Iowa, Minnesota, Missouri and Wisconsin to undertake, as identified in the Master Plan, a program for the planning, construction and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement; implementation of a long-term resource monitoring program; and implementation of a computerized inventory and analysis system. Each of these programs is to be carried out over a ten-year period beginning on the date of enactment of this Act. Before the last day of the ten-year period, the Secretary in consultation with the States of Illinois, Iowa, Minnesota, Missouri and Wisconsin is to conduct an evaluation of the programs and submit a report on the results of the evaluation to Congress. The evaluation is to determine each such program's effectiveness, strengths and weaknesses and contain recommendations for the modification and continuance or termination of the program. For the purposes of carrying out the program for the planning, construction and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement, there is authorized to be appropriated to the Secretary not to exceed \$8,200,000 for the fiscal year beginning after the date of enactment of this Act, not to exceed \$12,400,000 for the second fiscal year, and not to exceed \$13 million per fiscal year for each of the succeeding eight fiscal years. For purposes of carrying out the implementation of a long-term resource monitoring program, there is authorized to be appropriated to the Secretary not to exceed \$7,680,000 for the first fiscal year after date of enactment and not to exceed \$5,080,000 per fiscal year for each of the succeeding nine fiscal year. For purposes of carrying out the implementation of a computerized inventory and analysis system, there is authorized to be appropriated to the Secretary not to exceed, \$40,000 for the first fiscal year beginning after the date of enactment, not to exceed \$280,000 for the second fiscal year, not to exceed \$1,220,000 for the third fiscal year, and not to exceed \$975,000 per fiscal year for each of the succeeding seven fiscal years.

The Secretary is directed to determine if the States of Illinois, Iowa, Minnesota, Missouri and Wisconsin are adequately participating in the planning, construction, evaluation and implementation of the authorized programs during the third fiscal year after the first appropriation of funds to carry out the programs. If participation of the States is not adequate to allow the Secretary to carry out the programs, the Secretary is to submit a report to Congress requesting termination of the program funding. None of the funds appropriated pursuant to any authorization contained in Subsection (e) is to be considered to be chargeable to navigation purposes on the Upper Mississippi River System.

Subsection (f) authorizes the Secretary, in consultation with any agency established under Subsection (d)(1) of this Section, to implement a program of recreational projects for the system substantially in accordance with the recommendations of the GREAT I, GREAT II and GRRM Studies and the Master Plan reports. In addition, the Secretary is directed to conduct an assessment of the economic benefits generated by recreational activities in the system. For purposes of carrying out the program of recreational projects there is authorized to be appropriated to the Secretary not

to exceed \$500,000 per fiscal year for each of the first ten fiscal years beginning after the effective date of the Act. For purposes of carrying out the assessment of the economic benefits of recreational activities there is authorized to be appropriated to the Secretary not to exceed \$300,000 per fiscal year for the first and second of such fiscal years, and \$150,000 for the third of such fiscal years.

Subsection (g) directs the Secretary in consultation with any agency established under Subsection (d) to submit to Congress annual recommendations of measures to be undertaken to increase the capacity of specific locks throughout the system by employing nonstructural measures and making minor structural improvements.

Subsection (h) directs the Secretary in consultation with any agency established under Subsection (d) to monitor traffic movements on the system for the purpose of verifying lock capacity, updating traffic projections and refining the economic evaluation so as to verify the need for future capacity expansion of the system. The Secretary in consultation with the States of Illinois, Iowa, Minnesota, Missouri and Wisconsin is also directed to determine the need for river rehabilitation and environmental enhancement based on the condition of the environment, project developments, and projected environmental impacts from implementing any proposals resulting from recommendations made under subsection (g) and paragraph (1) of subsection (h) relating to traffic projections and economic evaluation and future expansion of the system. There is authorized to be appropriated to the Secretary for each of the ten fiscal years beginning after the date of enactment of the bill, such sums as may be necessary to carry out subsection (h).

Subsection (i) directs the Secretary as he determines feasible to dispose of dredged material from the system pursuant to the recommendations of the GREAT I, GREAT II, and GRRM studies. The Secretary is directed to establish and request funding of a program to facilitate uses of dredged material. Coordination with affected States is required.

Subsection (j) provides that notwithstanding, another provision of this section, the Secretary must enter into an interagency agreement with the Secretary of the Interior, with respect to projects and programs in the master plan for which the Department of the Interior (or any agency or bureau of the Department) is designated in the plan as the lead agency, under which the Secretary of the Interior will carry out all functions that the Secretary, and, but for this subsection, would carry out regarding those projects and programs. For purposes of carrying out the functions set forth in the agreement of this subsection, there is authorized to be appropriated such sums as may be necessary to the Secretary of the Interior for each of the first ten fiscal years beginning after the date of enactment of this Act. Amounts appropriated for any fiscal year under this paragraph are in lieu of, and shall not be in addition to, amounts authorized to be appropriated to the Secretary, acting through the Chief of Engineers, under this section for such fiscal year.

WATER RESOURCES DEVELOPMENT ACT OF 1986

OCTOBER 17, 1986.—Ordered to be printed

Mr. HOWARD, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 6]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6) to provide for the conservation and development of water and related resources and the improvement and rehabilitation of the Nation's water resources infrastructure, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—*This Act may be cited as the "Water Resources Development Act of 1986".*

(b) **TABLE OF CONTENTS.**—

Title I—Cost Sharing

Title II—Harbor Development

Title III—Inland Waterway Transportation System

Title IV—Flood Control

Title V—Shoreline Protection

Title VI—Water Resources Conservation and Development

Title VII—Water Resources Studies

Title VIII—Project Modifications

Title IX—General Provisions

Title X—Project Deauthorizations

Title XI—Miscellaneous Programs and Projects

Title XII—Dam Safety

Title XIII—Namings

Title XIV—Revenue Provisions

nual lists of projects which are authorized but have received no funding for 10 years. Under the first list submitted, the projects are deauthorized if they receive no funding by December 31, 1989. Projects on subsequent lists are automatically deauthorized if they receive no funding within 30 months after the list is transmitted to Congress.

TITLE XI—MISCELLANEOUS PROJECTS AND PROGRAMS

The House bill included 72 provisions for programs or projects that are unique to a particular location or region, or that represent unique functions. The Senate bill included 27 provisions of this nature.

The conference substitute includes a number of projects from both the House and Senate bills.

Upper Mississippi Master Plan and L&D 26

The Conferees have adopted language from both the House and Senate authorizations of the Upper Mississippi Master Plan and the second lock at Locks and Dam 26 on the Mississippi River.

The authorization for the second lock, and the authorization of the fish and wildlife protection and enhancement work to be carried out pursuant to the Master Plan have been kept in the same section. This juxtaposition is meant to reinforce the importance of having the authorized portions of the Master Plan work go forward concurrently with the construction of the second lock.

It should further be emphasized that this section is not intended to confer upon the Department of the Interior responsibilities which presently reside with the Corps of Engineers. More specifically, although the Fish and Wildlife Service is to work closely with the Corps of Engineers on the planning and design of fish and wildlife enhancement and protection projects authorized pursuant to this section, the Corps will remain responsible for the undertaking of any actual construction work which results from those plans and designs.

Red River Chloride

In evaluating the effectiveness of the operation of area VIII, the panel established pursuant to section 1107 is directed to employ the monitoring equipment and the data base developed by the U.S. Geological Survey, which is currently available at the area VIII site.

Abiquiu Dam

Section 1112 authorizes the construction of a set of emergency gates at Abiquiu Dam in New Mexico. These gates were part of the original design of the dam, but were never constructed in order to reduce costs. The addition of the gates at this time will complete the project as designed and will result in lower operation and maintenance costs at the dam.

The Conference Report also calls for a non-Federal share of 25% for that portion of the costs associated with any increase in flood control benefits produced by the addition of the emergency gates.