

Public Law 102-580
102d Congress

An Act

To provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers civil works program to construct various projects for improvements to the Nation's infrastructure, and for other purposes.

Oct. 31, 1992
[H.R. 6167]

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

Water Resources
Development
Act of 1992.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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note.

(a) **SHORT TITLE.**—This Act may be cited as the “Water Resources Development Act of 1992”.

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SEC. 2. FINDINGS.

Congress finds that—

(1) a sound and strong infrastructure is the essential core and foundation of the Nation's economic well-being and growth and its ability to compete in the global economy;

(2) the Nation's infrastructure has been sorely neglected for years, and there is a desperate need at every level of government to increase infrastructure investment for the benefit of future generations;

(3) it is the responsibility of the Federal Government to provide coordination, direction, and assistance in the restoration and maintenance of a sound infrastructure, including a national transportation system involving surface, air, and water transportation and facilities for restoration and preservation of water quality, prevention of damages from floods, and provision of hydroelectric power and municipal and industrial water supplies;

(4) it should be a goal of the United States to develop a national intermodal transportation system that moves people and goods in an efficient manner;

(5) the Nation's future economic direction is dependent on its ability to confront directly the enormous challenges of the global economy, declining productivity growth, energy vulnerability, air pollution, water pollution, and the need to rebuild the Nation's infrastructure;

(6) a national intermodal transportation system is a coordinated, flexible network of diverse but complementary forms of transportation which moves people and goods in the most efficient manner;

(7) a national intermodal transportation system will enhance the ability of United States industry to compete in the global marketplace by reducing transportation costs;

(8) all forms of transportation, including the transportation systems of the future, will be full partners in the effort to reduce energy consumption and air pollution while promoting economic development and productivity growth;

(9) investment in the infrastructure of the United States will pay immediate and long-term dividends in jobs and economic productivity and provide the foundation for the Nation's continued leadership in the global economic competition of the 21st century;

(10) infrastructure investment differs significantly from other forms of government spending because it creates new wealth for the Nation;

(11) the wealth and economic strength of the United States is in the Nation's infrastructure which provides the foundation for all aspects of life;

(12) failure to invest in the Nation's infrastructure has placed the United States in danger of becoming a service-oriented economy rather than having a strong and independent manufacturing-based economy;

(13) foreign competitors in the global economy have surpassed the Nation's productivity growth through massive infrastructure investments, and many foreign competitors have committed to making multi-trillion dollar infrastructure investments in the future;

(14) the improvement of the Nation's coastal ports is critical to its ability to compete in the global economy through the efficient import and export of goods;

(15) the improvement of the Nation's inland waterway system is a central part of a national intermodal transportation system which permits the efficient transport of goods between markets within the Nation and between inland markets and coastal ports;

(16) the prevention of massive flood damages to the Nation's cities, industries, cultural facilities, municipal facilities, and transportation system plays a vital role in the protection of the Nation's infrastructure and the efficient conduct of commerce;

(17) the provision of municipal and industrial water supply plays a crucial role in the well-being and functioning of the Nation's communities and industries and in the health, environment, and quality of life of the Nation;

(18) the generation of hydroelectric power contributes significantly to the Nation's supply of low-cost energy and plays a significant role in reducing air pollution;

(19) the provision of recreational opportunities and the protection and enhancement of fish and wildlife habitat and environmental values contribute to the well-being of the people of the Nation; and

(20) improvement and protection of the Nation's infrastructure is an essential, proper, and necessary role of government at all levels.

SEC. 3. SECRETARY DEFINED.

For purposes of this Act, the term "Secretary" means the Secretary of the Army.

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note.

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATIONS.

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

(1) SOUTHEAST ALASKA HARBORS OF REFUGE, ALASKA.—The project for navigation, Southeast Alaska Harbors of Refuge, Alaska: Report of the Chief of Engineers, dated June 29, 1992, at a total cost of \$15,013,000, with an estimated Federal cost of \$11,250,000 and an estimated non-Federal cost of \$3,763,000.

(2) WHITEMAN'S CREEK, ARKANSAS.—The project for flood control, Whiteman's Creek, Arkansas: Report of the Chief of Engineers, dated June 29, 1992, at a total cost of \$4,978,000, with an estimated Federal cost of \$2,838,000 and an estimated non-Federal cost of \$2,140,000.

(3) MORRO BAY HARBOR, CALIFORNIA.—The project for navigation, Morro Bay Harbor, California: Report of the Chief of Engineers, dated June 4, 1992, at a total cost of \$2,056,000, with an estimated Federal cost of \$1,644,000 and an estimated non-Federal cost of \$412,000.

(4) SACRAMENTO METRO AREA, CALIFORNIA.—The project for flood control, Sacramento Metro Area, California: Report of the Chief of Engineers, dated June 29, 1992, at a total cost

of \$17,000,000, with an estimated Federal cost of \$12,800,000 and an estimated non-Federal cost of \$4,200,000.

(5) **RIO GRANDE ALAMOSA, COLORADO.**—The project for flood control, Rio Grande Alamosa, Colorado: Report of the Chief of Engineers, dated October 7, 1991, at a total cost of \$7,080,000, with an estimated Federal cost of \$5,250,000 and an estimated non-Federal cost of \$1,830,000.

(6) **DELAWARE RIVER MAINSTEM AND CHANNEL DEEPENING, DELAWARE, NEW JERSEY, AND PENNSYLVANIA.**—The project for navigation, Delaware River Mainstem and Channel Deepening, Delaware, New Jersey, and Pennsylvania: Report of the Chief of Engineers, dated June 29, 1992, at a total cost of \$294,931,000, with an estimated Federal cost of \$195,767,000 and an estimated non-Federal cost of \$99,164,000.

(7) **CANAVERAL HARBOR, FLORIDA.**—The project for navigation, Canaveral Harbor, Florida: Report of the Chief of Engineers, dated July 24, 1991, as modified by the letter of the Secretary dated October 10, 1991, at a total cost of \$11,780,000, with an estimated Federal cost of \$6,100,000 and an estimated non-Federal cost of \$5,680,000.

(8) **KISSIMMEE RIVER RESTORATION, FLORIDA.**—The project for the ecosystem restoration of the Kissimmee River, Florida: Report of the Chief of Engineers, dated March 17, 1992, at a total cost of \$426,885,000, with an estimated Federal cost of \$139,943,000 and an estimated non-Federal cost of \$286,942,000. The Secretary is further authorized to construct the Kissimmee River headwaters revitalization project in accordance with the report prepared under section 1135 of the Water Resources Development Act of 1986 (100 Stat. 4251-4252) for such headwaters project and any modifications as are recommended by the Secretary based on the benefits derived for the environmental restoration of the Kissimmee River basin, at a total cost of \$92,210,000, with an estimated Federal cost of \$46,105,000 and an estimated non-Federal cost of \$46,105,000. The Secretary shall take such action as may be necessary to ensure that implementation of the project to restore the Kissimmee River will maintain the same level of flood protection as is provided by the current flood control project.

(9) **PORT EVERGLADES HARBOR, FLORIDA.**—The project for navigation, Port Everglades Harbor, Florida: Report of the Chief of Engineers, dated September 23, 1991, at an annual cost of \$94,500.

(10) **SAVANNAH HARBOR, GEORGIA AND SOUTH CAROLINA.**—The project for navigation, Savannah Harbor, Georgia and South Carolina: Report of the Chief of Engineers, dated June 1, 1992, at a total cost of \$47,416,000, with an estimated Federal cost of \$15,112,000 and an estimated non-Federal cost of \$32,304,000. The Secretary is authorized to increase the Federal cost share of the recommended plan in accordance with the cost-sharing provisions of the Water Resources Development Act of 1986 (Public Law 99-662) if the Secretary determines that such an increase is warranted and appropriate.

(11) **AMITE RIVER AND TRIBUTARIES, LOUISIANA.**—The project for flood control, Amite River and Tributaries, Louisiana: Report of the Chief of Engineers, dated August 27, 1991, as modified by the letter of the Secretary, dated January 28,