

Calendar No. 701  
101st CONGRESS  
2d Session  
H. R. 5019  
[Report No. 101-378]  
AN ACT

Making appropriations for energy and water development for the fiscal year ending September 30, 1991, and for other purposes.

July 19 (legislative day, JULY 10), 1990  
Reported with amendments

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IN THE SENATE OF THE UNITED STATES

June 21 (legislative day, JUNE 11), 1990

Received; read twice and referred to the Committee on Appropriations

July 19 (legislative day, JULY 10), 1990

Reported by Mr. JOHNSTON, with amendments

AN ACT

Making appropriations for energy and water development for the fiscal year ending September 30, 1991, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1991, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE--CIVIL

DEPARTMENT OF THE ARMY

Corps of Engineers--Civil

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

General Investigations

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, [Struck out->]

\$167,847,000 [] Casino Beach, Chicago, Illinois, \$220,000; [] \$2,000,000

[] Lake George, Hobart, Indiana, \$125,000; []

\$220,000 [] \$600,000; [] Red River Waterway, Shreveport, Louisiana, to Daingerfield,

Texas, \$1,900,000; [] Miami River Sediments, Florida, \$200,000; [] Monroe County Beach Erosion (Smathers Beach), Florida,

\$193,000; [] Wyoming Valley Levee Raising, Pennsylvania, \$1,000,000;

[] Taylorsville Lake (Routt Road Bridge), Kentucky, \$86,000

[]

and is further directed to use \$3,000,000 of the funds appropriated herein to initiate preconstruction engineering and design of that project upon release of the South Pacific Division Engineer's notice of completion of the feasibility report [] \$1,300,389,000 [] and Wallisville Lake, Texas, projects []

: [Struck out->] Provided further, [Struck out->] That using \$400,000 of the funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is directed to construct the Salyersville cut-through as authorized by Public Law 99-662, section 401(e)(1) in accordance with the Special Project Report for Salyersville, Kentucky, concurred in by the Ohio River Division Engineer on or about July 26, 1989 [] : [Struck out->] Provided further, [Struck out->] That

with \$3,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to undertake construction of the Lower and Middle Rouge Rivers projects in Michigan, and the non-Federal share of these projects shall be 25 percent [] That the Secretary of the Army, acting through the Chief

of Engineers, is directed to use \$3,500,000 of the funds appropriated herein for the Federal share of construction of access facilities in the McAlpine Lock and Dam navigation pool. The non-Federal interests shall be credited for previous work related to access, including \$3,000,000 for 1,060 feet of the new downtown wharf. Non-Federal interests shall provide necessary easements to the Federal Government for construction of improvements at no cost to the Federal Government. Title for lands shall remain with non-Federal interests: [Struck out->] Provided further,

[Struck out->] That \$100,000 of the funds appropriated herein shall be

used by the Secretary of the Army, acting through the Chief of Engineers,

to continue the Sauk Lake, Minnesota, project [] Provided further, [Struck out->]

That the Secretary of the Army, acting through the Chief of Engineers, using \$900,000 of the funds appropriated herein, is directed to undertake a major

rehabilitation of the Johnstown, Pennsylvania, project to insure that the project will continue to provide the authorized level of protection in the future. The Secretary is further directed to investigate those non-federally owned buildings, embankments and walls which were included in the line of protection for the convenience of the Government and to perform needed repair, rehabilitation or replacement at Federal expense subject to the following terms: (1) The City of Johnstown secures needed rights of access to such structures; (2) the City of Johnstown agrees to hold and save the United States free from damages due to construction or operation and maintenance of the work on the non-Federal structures, except for damages due to the fault or negligence of the United States or its contractors: [Struck out->] Provided further, [Struck out->] That the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake improvements to roads, utilities, and other facilities at the Crowder Point East Recreation Area at Eufaula Lake, Oklahoma, using funds appropriated for that purpose in the Energy and Water Development Appropriations Act, 1989, Public Law 100-371: [Struck out->] Provided further, [Struck out->] That within funds available for the Eufaula Lake, Oklahoma, project, the Secretary of the Army, acting through the Chief of Engineers, is directed to make improvements and perform maintenance of Bugtussle Road at Lake Eufaula, Oklahoma [