

lands conservation projects as such projects progress, but such payments, including previous payments, if any, shall not be more than the Federal pro rata share of any such project in conformity with subsection (d) of this section.

(2) The Director may enter into agreements to make matching payments on an initial portion of a coastal wetlands conservation project and to agree to make payments on the remaining Federal share of the costs of such project from subsequent moneys if and when they become available. The liability of the United States under such an agreement is contingent upon the continued availability of funds for the purpose of this section.

(f) Wetlands assessment

The Director shall, with the funds made available in accordance with section 3955 of this title, direct the U.S. Fish and Wildlife Service's National Wetland Inventory to update and digitize wetlands maps in the State of Texas and to conduct an assessment of the status, condition, and trends of wetlands in that State.

(Pub. L. 101-646, title III, §305, Nov. 29, 1990, 104 Stat. 4785; Pub. L. 102-212, title III, §302(a), Dec. 11, 1991, 105 Stat. 1660.)

AMENDMENTS

1991—Subsec. (d)(1). Pub. L. 102-212 substituted “has established and is using one of the following for the purpose of acquiring coastal wetlands, other natural areas or open spaces:

“(A) a trust fund from which the principal is not spent; or

“(B) a fund derived from a dedicated recurring source of monies including, but not limited to, real estate transfer fees or taxes, cigarette taxes, tax check-offs, or motor vehicle license plate fees” for “has established a trust fund, from which the principal is not spent, for the purpose of acquiring coastal wetlands, other natural area or open spaces”.

EFFECTIVE DATE OF 1991 AMENDMENT

Pub. L. 102-212, title III, §302(b), Dec. 11, 1991, 105 Stat. 1661, provided that: “This section [amending this section] shall apply to grants awarded in fiscal year 1992 and each fiscal year thereafter.”

§ 3955. Distribution of appropriations

(a) Priority project and conservation planning expenditures

Of the total amount appropriated during a given fiscal year to carry out this chapter, 70 percent shall be available, and shall remain available until expended, for the purposes of making expenditures—

(1) not to exceed the aggregate amount of \$5,000,000 annually to assist the Task Force in the preparation of the list required under this chapter and the plan required under this chapter, including preparation of—

- (A) preliminary assessments;
- (B) general or site-specific inventories;
- (C) reconnaissance, engineering or other studies;
- (D) preliminary design work; and
- (E) such other studies as may be necessary to identify and evaluate the feasibility of coastal wetland restoration projects;

(2) to carry out coastal wetlands restoration projects in accordance with the priorities set forth on the list prepared under this chapter;

(3) to carry out wetlands restoration projects in accordance with the priorities set forth in the restoration plan prepared under this chapter;

(4) to make grants not to exceed \$2,500,000 annually or \$10,000,000 in total, to assist the agency designated by the State in development of the Coastal Wetlands Conservation Plan pursuant to this chapter.

(b) Coastal wetlands conservation grants

Of the total amount appropriated during a given fiscal year to carry out this chapter, 15 percent shall be available, and shall remain available to the Director, for purposes of making grants—

(1) to any coastal State, except States eligible to receive funding under subsection (a), to carry out coastal wetlands conservation projects in accordance with section 3954 of this title; and

(2) in the amount of \$2,500,000 in total for an assessment of the status, condition, and trends of wetlands in the State of Texas.

(c) North American wetlands conservation

Of the total amount appropriated during a given fiscal year to carry out this chapter, 15 percent shall be available to, and shall remain available until expended by, the Secretary of the Interior for allocation to carry out wetlands conservation projects in coastal wetlands ecosystems in any coastal State under section 4407 of this title.

(Pub. L. 101-646, title III, §306, Nov. 29, 1990, 104 Stat. 4786; Pub. L. 103-375, §5, Oct. 19, 1994, 108 Stat. 3495; Pub. L. 108-447, div. C, title I, §114(a), Dec. 8, 2004, 118 Stat. 2944.)

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-447, §114(a)(1), struck out “, not to exceed \$70,000,000,” before “shall be available” in introductory provisions.

Subsec. (b). Pub. L. 108-447, §114(a)(2), struck out “, not to exceed \$15,000,000” before “shall be available” in introductory provisions.

Subsec. (c). Pub. L. 108-447, §114(a)(3), struck out “, not to exceed \$15,000,000,” before “shall be available”.

1994—Subsec. (c). Pub. L. 103-375 inserted “in coastal wetlands ecosystems” after “wetlands conservation projects”.

§ 3956. General provisions

(a) Additional authority for Corps of Engineers

The Secretary is authorized to carry out projects for the protection, restoration, or enhancement of aquatic and associated ecosystems, including projects for the protection, restoration, or creation of wetlands and coastal ecosystems. In carrying out such projects, the Secretary shall give such projects equal consideration with projects relating to irrigation, navigation, or flood control.

(b) Study

The Secretary is hereby authorized and directed to study the feasibility of modifying the operation of existing navigation and flood control projects to allow for an increase in the share of the Mississippi River flows and sediment sent down the Atchafalaya River for pur-