

### § 606. Removal of snags, and so forth, from Ohio River

For the purpose of securing the uninterrupted work of operating snag boats on the Ohio River and removing snags, wrecks, and other obstructions in said river, the Secretary of the Army, upon the application of the Chief of Engineers, is authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate for each year the sum of \$50,000.

(Sept. 19, 1890, ch. 907, §13, 26 Stat. 455; June 3, 1896, ch. 314, §3, 29 Stat. 234; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Aug. 30, 1954, ch. 1076, §1(15), 68 Stat. 967.)

#### CODIFICATION

Section is from the Rivers and Harbors Appropriation Act of 1890, act Sept. 19, 1890, as amended by act June 3, 1896.

The section, as originally enacted, limited the amount to be drawn for the work, by the words "not to exceed in the aggregate for each year the sum of twenty-five thousand dollars." It was amended by act June 3, 1896 by inserting the words "fifty thousand dollars" for the words "twenty-five thousand dollars" therein.

#### AMENDMENTS

1954—Act Aug. 30, 1954, repealed proviso requiring that an itemized statement of expenses incurred in removing snags, etc., from the Ohio River, as provided in this section, should accompany the annual report of the Chief of Engineers.

#### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

#### APPROPRIATIONS

Section 2 of act June 26, 1934, ch. 756, 48 Stat. 1225, which was classified to section 725a of former Title 31, Money and Finance, repealed the permanent appropriation under the title "Operating snag boats on the Ohio River (fiscal year) (8-962.51)" effective July 1, 1935, and provided that such portions of any Acts as make permanent appropriations to be expended under such account are amended so as to authorize, in lieu thereof, annual appropriations from the general fund of the Treasury in identical terms and in such amounts as now provided by the laws providing such permanent appropriations.

### § 607. Removal of drift from New York Harbor

So much as may be necessary of any appropriations made for specific portions of New York Harbor and its immediate tributaries may be allotted by the Secretary of the Army for the maintenance of these waterways by the collection and removal of drift.

(Aug. 8, 1917, ch. 49, §1, 40 Stat. 252; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### CODIFICATION

Section is from act Aug. 8, 1917, the Rivers and Harbors Appropriation Act of 1917.

#### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

### § 607a. Appropriations; separate project

On and after July 3, 1930, direct allotments from appropriations for maintenance and improvement of existing river and harbor works or other available appropriation may be made by the Secretary of the Army for the collection and removal of drift in New York Harbor and its tributary waters, and this work on and after July 3, 1930, shall be carried as a separate and distinct project.

(July 3, 1930, ch. 847, §6, 46 Stat. 947; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

### § 608. Construction of fishways

Whenever river and harbor improvements shall be found to operate (whether by lock and dam or otherwise), as obstructions to the passage of fish, the Secretary of the Army may, in his discretion, direct and cause to be constructed practical and sufficient fishways, to be paid for out of the general appropriations for the streams on which such fishways may be constructed.

(Aug. 11, 1888, ch. 860, §11, 25 Stat. 425; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### CODIFICATION

Section is from act Aug. 11, 1888, the Rivers and Harbors Appropriation Act of 1888.

#### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

### § 609. Sluices and other work in dams for development of water power

In order to make possible the economical future development of water power, the Secretary of the Army, upon recommendation of the Chief of Engineers, is authorized, in his discretion, to provide in the permanent parts of any dam authorized at any time by Congress for the improvement of navigation such foundations,

sluices, and other works, as may be considered desirable for the future development of its water power.

(July 25, 1912, ch. 253, §12, 37 Stat. 233; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

CODIFICATION

Section is from act July 25, 1912, the Rivers and Harbors Appropriation Act of 1912.

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

**§ 610. Control of aquatic plant growths and invasive species**

**(a) In general**

**(1) In general**

There is hereby authorized a comprehensive program to provide for prevention, control, and progressive eradication of noxious aquatic plant growths and aquatic invasive species from the navigable waters, tributary streams, connecting channels, and other allied waters of the United States, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army, in cooperation with other Federal and State agencies.

**(2) Local interests**

Local interests shall agree to hold and save the United States free from claims that may occur from control operations and to participate to the extent of 30 per centum of the cost of such operations.

**(3) Federal costs**

Costs for research and planning undertaken pursuant to the authorities of this section shall be borne fully by the Federal Government.

**(b) Authorization of appropriations**

**(1) In general**

There is authorized to be appropriated to carry out this section \$110,000,000 for each fiscal year, of which—

- (A) \$30,000,000 shall be made available to carry out subsection (d)(1)(A)(i);
- (B) \$30,000,000 shall be made available to carry out subsection (d)(1)(A)(ii); and
- (C) \$30,000,000 shall be made available to carry out subsection (d)(1)(A)(iii).

**(2) Control operations**

Any funds made available under paragraph (1) to be used for control operations shall be allocated by the Chief of Engineers on a priority basis, based on the urgency and need of each area and the availability of local funds.

**(c) Support**

In carrying out the program under this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.

**(d) Watercraft inspection stations**

**(1) In general**

**(A) Watercraft inspection stations**

In carrying out this section, the Secretary shall establish (as applicable), operate, and maintain new or existing watercraft inspection stations—

- (i) to protect the Columbia River Basin;
- (ii) to protect the Upper Missouri River Basin; and
- (iii) to protect the Upper Colorado River Basin and the South Platte and Arizona River Basins.

**(B) Locations**

The Secretary shall establish watercraft inspection stations under subparagraph (A) at locations with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary, as determined by the Secretary in consultation with States within the areas described in subparagraph (A).

**(C) Rapid response**

The Secretary shall assist States within the areas described in subparagraph (A) with rapid response to any aquatic invasive species, including quagga or zebra mussel, infestation.

**(2) Cost share**

The non-Federal share of the cost of constructing, operating, and maintaining watercraft inspection stations described in paragraph (1) (including personnel costs) shall be—

- (A) 50 percent; and
- (B) provided by the State or local governmental entity in which such inspection station is located.

**(3) Coordination**

In carrying out this subsection, the Secretary shall consult and coordinate with—

- (A) the Governors of the States within the areas described in each of clauses (i) through (iii) of paragraph (1)(A), as applicable;
- (B) Indian tribes; and
- (C) other Federal agencies, including—
  - (i) the Department of Agriculture;
  - (ii) the Department of Energy;
  - (iii) the Department of Homeland Security;
  - (iv) the Department of Commerce; and
  - (v) the Department of the Interior.

**(e) Monitoring and contingency planning**

In carrying out this section, the Secretary may—

- (1) carry out risk assessments of water resources facilities;
- (2) monitor for aquatic invasive species;
- (3) assist States in early detection of aquatic invasive species, including quagga and zebra mussels; and