

(B) to determine whether planning of a project under paragraph (3) should proceed.

(3) Projects

The Secretary shall plan, design, and construct projects to support the restoration of the fishery, ecosystem, and beneficial uses of the Great Lakes.

(4) Evaluation program

(A) In general

The Secretary shall develop a program to evaluate the success of the projects carried out under paragraph (3) in meeting fishery and ecosystem restoration goals.

(B) Studies

Evaluations under subparagraph (A) shall be conducted in consultation with the Great Lakes Fishery Commission and appropriate Federal, State, and local agencies.

(5) Recreation features

A project carried out pursuant to this subsection may include compatible recreation features as determined by the Secretary, except that the Federal costs of such features may not exceed 10 percent of the Federal ecosystem restoration costs of the project.

(d) Cooperative agreements

In carrying out this section, the Secretary may enter into a cooperative agreement with the Great Lakes Commission or any other agency established to facilitate active State participation in management of the Great Lakes.

(e) Relationship to other Great Lakes activities

No activity under this section shall affect the date of completion of any other activity relating to the Great Lakes that is authorized under other law.

(f) Cost sharing

(1) Development of plan

The Federal share of the cost of development of the plan under subsection (c)(1) shall be 65 percent.

(2) Project planning, design, construction, and evaluation

Except for reconnaissance studies, the Federal share of the cost of planning, design, construction, and evaluation of a project under paragraph (3) or (4) of subsection (c) shall be 65 percent.

(3) Non-Federal share

(A) Credit for land, easements, and rights-of-way

The Secretary shall credit the non-Federal interest for the value of any land, easement, right-of-way, dredged material disposal area, or relocation provided for carrying out a project under subsection (c)(3).

(B) Form

The non-Federal interest may provide up to 100 percent of the non-Federal share required under paragraphs (1) and (2) in the form of services, materials, supplies, or other in-kind contributions.

(4) Operation and maintenance

The operation, maintenance, repair, rehabilitation, and replacement of projects carried

out under this section shall be a non-Federal responsibility.

(5) Non-Federal interests

In accordance with section 1962d-5b of this title, for any project carried out under this section, a non-Federal interest may include a private interest and a nonprofit entity.

(Pub. L. 106-541, title V, § 506, Dec. 11, 2000, 114 Stat. 2645; Pub. L. 110-114, title V, § 5011, Nov. 8, 2007, 121 Stat. 1194; Pub. L. 114-322, title I, §§ 1123, 1140, Dec. 16, 2016, 130 Stat. 1647, 1658.)

REFERENCES IN TEXT

The Great Lakes Basin Compact, referred to in subsec. (b)(2), is not classified to the Code.

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2000, and not as part of the Water Resources Planning Act which comprises this chapter.

AMENDMENTS

2016—Subsec. (c)(5). Pub. L. 114-322, § 1140, added par. (5).

Subsec. (g). Pub. L. 114-322, § 1123, struck out subsec. (g) which authorized appropriations for subsec. (c)(1) to (3).

2007—Subsec. (c)(2) to (4). Pub. L. 110-114, § 5011(a), added par. (2), redesignated former pars. (2) and (3) as (3) and (4), respectively, and substituted “paragraph (3)” for “paragraph (2)” in subpar. (A) of par. (4).

Subsec. (f)(2). Pub. L. 110-114, § 5011(b)(1), substituted “Except for reconnaissance studies, the Federal share” for “The Federal share” and “(3) or (4)” for “(2) or (3)”.

Subsec. (f)(3). Pub. L. 110-114, § 5011(b)(2), substituted “subsection (c)(3)” for “subsection (c)(2)” in subpar. (A) and “100 percent” for “50 percent” in subpar. (B).

Subsec. (f)(5). Pub. L. 110-114, § 5011(b)(3), substituted “In accordance with” for “Notwithstanding”.

DEFINITIONS

Secretary means the Secretary of the Army, see section 2 of Pub. L. 106-541, set out as a note under section 2201 of Title 33, Navigation and Navigable Waters.

CHAPTER 20—ELECTIVE FRANCHISE

SUBCHAPTER I—GENERALLY

Sec.
1971, 1972. Transferred.

SUBCHAPTER I-A—ENFORCEMENT OF VOTING RIGHTS

1973 to 1973c. Transferred.
1973d, 1973e. Repealed.
1973f. Transferred.
1973g. Repealed.
1973h to 1973l. Transferred.
1973m. Omitted.
1973n to 1973q. Transferred.

SUBCHAPTER I-B—SUPPLEMENTAL PROVISIONS

1973aa to 1973aa-6. Transferred.

SUBCHAPTER I-C—EIGHTEEN-YEAR-OLD VOTING AGE

1973bb, 1973bb-1. Transferred.
1973bb-2 to 1973bb-4. Repealed.

SUBCHAPTER I-D—FEDERAL ABSENTEE VOTING ASSISTANCE

PART I—RECOMMENDATION TO STATES

1973cc to 1973cc-3. Repealed.

PART II—RESPONSIBILITIES OF FEDERAL GOVERNMENT

1973cc-11 to 1973cc-15. Repealed.