

tained commercial boat harbors and from land and water areas immediately adjacent thereto.

(2) The Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake projects developed under paragraph (1) of this subsection without specific congressional approval when the total Federal cost for the project is less than \$400,000.

**(c) Federal share of costs; responsibility of non-Federal interests in future project development to recover cost or repair sources**

The Federal share of the cost of any project developed pursuant to subsection (b) of this section shall be two-thirds of the cost of the project. The remainder of such costs shall be paid by the State, municipality, or other political subdivision in which the project is to be located, except that any costs associated with the collections and removal of drift and debris from federally owned lands shall be borne by the Federal Government. Non-Federal interests in future project development under subsection (b) of this section shall be required to recover the full cost of drift or debris removal from any identified owner of piers or other potential sources of drift or debris, or to repair such sources so that they no longer create a potential source of drift or debris.

**(d) Responsibility for providing lands, easements, and right-of-way necessary for projects; agreement to maintain projects and hold United States free from damages; regulation of project area following project completion; technical advice**

Any State, municipality, or other political subdivision where any project developed pursuant to subsection (b) of this section is located shall provide all lands, easements, and right-of-way necessary for the project, including suitable access and disposal areas, and shall agree to maintain such projects and hold and save the United States free from any damages which may result from the non-Federal sponsor's performance of, or failure to perform, any of its required responsibilities of cooperation for the project. Non-Federal<sup>1</sup> interest shall agree to regulate any project area following project completion so that such area will not become a future source of drift and debris. The Chief of Engineers shall provide technical advice to non-Federal interests on the implementation of this subsection.

**(e) Definitions**

For the purposes of this section—

(1) the term "drift" includes any buoyant material that, when floating in the navigable waters of the United States, may cause damage to a commercial or recreational vessel; and

(2) the term "debris" includes any abandoned or dilapidated structure or any sunken vessel or other object that can reasonably be expected to collapse or otherwise enter the navigable waters of the United States as drift within a reasonable period.

**(f) Authorization of appropriations**

There is authorized to be appropriated to carry out this section such sums as may be nec-

essary for fiscal years beginning after September 30, 1986.

(Pub. L. 94-587, § 202, Oct. 22, 1976, 90 Stat. 2945; Pub. L. 99-662, title XI, § 1129(a), Nov. 17, 1986, 100 Stat. 4246.)

AMENDMENTS

1986—Subsec. (f). Pub. L. 99-662 amended subsec. (f) generally, substituting "such sums as may be necessary for fiscal years beginning after Sept. 30, 1986" for "not to exceed \$4,000,000 per fiscal year for fiscal years 1978 and 1979".

**§ 426n. Technical assistance to States and local governments; cost sharing**

(a) Upon request of the Governor of a State, or the appropriate official of local government, the Secretary is authorized to provide designs, plans, and specifications, and such other technical assistance as he deems advisable to such State or local government for its use in carrying out—

(1) projects for removing accumulated snags and other debris, and clearing and straightening channels in navigable streams and tributaries thereof; and

(2) projects for renovating navigable streams and tributaries thereof by means of predominantly nonstructural methods judged by the Secretary to be cost effective, for the purpose of improved drainage, water quality, and habitat diversity.

(b) The non-Federal share of the cost of any designs, plans, specifications or technical assistance provided under subsection (a) shall be 50 percent.

(Pub. L. 99-662, title IX, § 942, Nov. 17, 1986, 100 Stat. 4199.)

"SECRETARY" DEFINED

Secretary means the Secretary of the Army, see section 2201 of this title.

**§ 426o. Great Lakes material disposal**

In planning and implementing any navigation project (including maintenance thereof) on the Great Lakes and adjacent waters, the Secretary shall consult and cooperate with concerned States in selecting disposal areas for dredged material which is suitable for beach nourishment.

(Pub. L. 99-662, title XI, § 1154, Nov. 17, 1986, 100 Stat. 4256.)

"SECRETARY" DEFINED

Secretary means the Secretary of the Army, see section 2201 of this title.

**§ 426o-1. Great Lakes dredging levels adjustment**

**(a) Definition of Great Lake**

In this section, the term "Great Lake" means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

**(b) Dredging levels**

In operating and maintaining Federal channels and harbors of, and the connecting channels

<sup>1</sup> So in original.