

Thence south 56°-06'-52" west a distance of 37.89 feet to a drill hole set;

Thence north 33°-53'-08" west a distance of 127.28 feet to a point;

Thence north 11°-06'-52" east a distance of 225.00 feet to a point;

Thence south 78°-53'-08" east a distance of 150.00 feet to a drill hole set;

Thence north 11°-06'-52" east a distance of 32.99 feet to a drill hole set;

Thence north 33°-53'-08" east a distance of 46.96 feet to a drill hole set;

Thence north 56°-06'-52" east a distance of 140.36 feet to a drill hole set on the southwesterly right-of-way line of East 9th Street;

Thence south 33°-53'-08" east on the southwesterly right-of-way line of East 9th Street a distance of 368.79 feet to a drill hole set;

Thence southwesterly along the arc of a curve to the right with a radius of 40.00 feet, and whose chord bears south 11°-06'-52" west 56.57 feet, an arc distance of 62.83 feet to the true place of beginning containing 174,764 square feet (4.012 acres) more or less.

(e) Limits on applicability; regulatory requirements

The declaration under subsection (d) shall apply only to those parts of the areas described in subsection (d) which are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina facilities. All such work is subject to all applicable Federal statutes and regulations, including sections 401 and 403 of this title, section 1344 of this title, and the National Environmental Policy Act of 1969 [42 U.S.C. 4321 et seq.].

(f) Expiration date

If, 20 years from December 18, 1991, any area or part thereof described in subsection (d) is not bulkheaded or filled or occupied by permanent structures, including marina facilities, in accordance with the requirements set out in subsection (e) of this section, or if work in connection with any activity permitted in subsection (e) is not commenced within 5 years after issuance of such permit, then the declaration of nonnavigability for such area or part thereof shall expire.

(Pub. L. 102-240, title I, §1079, Dec. 18, 1991, 105 Stat. 2017.)

Editorial Notes

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (e), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

CODIFICATION

Section is comprised of section 1079 of Pub. L. 102-240. Subsections (a), (b), and (c) of section 1079 of Pub. L. 102-240 provided for deauthorization of a portion of a project for harbor modification of Cleveland Harbor which was authorized by section 202(a) of the Water Resources Development Act of 1986, Pub. L. 99-662, title II, Nov. 17, 1986, 100 Stat. 4095, which is not classified to the Code.

§ 59ee. Portion of Sacramento River Barge Canal declared to not be navigable waters of United States

For purposes of bridge administration, the Sacramento River Barge Canal, which connects the Sacramento Deep Water Ship Channel with the Sacramento River in West Sacramento, Yolo County, California, is declared to not be navigable waters of the United States for purposes of the General Bridge Act of 1946 (33 U.S.C. 525 et seq.) from the eastern boundary of the Port of Sacramento to a point 1,200 feet east of the William G. Stone Lock.

(Pub. L. 102-241, §34, Dec. 19, 1991, 105 Stat. 2223.)

Editorial Notes

REFERENCES IN TEXT

The General Bridge Act of 1946, referred to in text, is title V of act Aug. 2, 1946, ch. 753, 60 Stat. 847, as amended, which is classified generally to subchapter III (§525 et seq.) of chapter 11 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 525 of this title and Tables.

§ 59ee-1. Declaration of nonnavigability for portion of Sacramento Deep Water Ship Channel

All waters within such portion of the project are declared to be nonnavigable waters of the United States solely for the purposes of the General Bridge Act of 1946 (33 U.S.C. 525 et seq.) and section 401 of this title.

(Pub. L. 106-541, title III, §347(a)(2), Dec. 11, 2000, 114 Stat. 2618.)

Editorial Notes

REFERENCES IN TEXT

“Such portion of the project”, referred to in text, means “The portion of the project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), beginning from the confluence of the Sacramento River and the Barge Canal to a point 3,300 feet west of the William G. Stone Lock western gate (including the William G. Stone Lock and the Bascule Bridge and Barge Canal).” See first sentence of section 347(a)(2) of Pub. L. 106-541, Dec. 11, 2000, 114 Stat. 2618.

The General Bridge Act of 1946, referred to in text, is title V of act Aug. 2, 1946, ch. 753, 60 Stat. 847, as amended, which is classified generally to subchapter III (§525 et seq.) of chapter 11 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 525 of this title and Tables.

CODIFICATION

Section is comprised of the last sentence of section 347(a)(2) of Pub. L. 106-541.

§ 59ff. Declaration of nonnavigability for portions of Pelican Island, Texas

(a) Descriptions of nonnavigable areas

Subject to the provisions of subsections (b), (c), and (d) of this section, those portions of Pelican Island, Texas, which are not submerged and which are within the following property descriptions, are declared to be nonnavigable waters of the United States:

(1) to (5) Omitted.

(b) Exceptions

Notwithstanding the declaration under subsection (a), the following portions of Pelican Is-