

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5137

To authorize the Secretary of the Army to make beneficial use of dredged material for shoreline protection and restoration.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2002

Mr. JONES of North Carolina (for himself and Mr. MCINTYRE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To authorize the Secretary of the Army to make beneficial use of dredged material for shoreline protection and restoration.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BENEFICIAL USE OF DREDGED MATERIAL FOR**  
4 **SHORELINE PROTECTION AND RESTORA-**  
5 **TION.**

6 (a) IN GENERAL.—For purposes of shoreline protec-  
7 tion and restoration, the Secretary of the Army may dis-  
8 pose of dredged material from the construction, operation,  
9 or maintenance of an authorized navigation project using

1 a disposal method other than the least-cost disposal option  
2 if the Secretary determines that the additional cost of  
3 using the disposal method is justified by the benefits, in-  
4 cluding storm damage reduction, environmental, and  
5 recreation benefits.

6 (b) COOPERATIVE AGREEMENT.—A disposal of  
7 dredged material undertaken pursuant to this section shall  
8 be initiated only upon the request of non-Federal interests  
9 and only after the non-Federal interests have entered into  
10 a cooperative agreement in which the non-Federal inter-  
11 ests agree to provide 35 percent of the costs associated  
12 with the disposal.

13 (c) DETERMINATION OF DISPOSAL COSTS.—For pur-  
14 poses of subsection (b), costs associated with a disposal  
15 of dredged material undertaken pursuant to this section  
16 shall be limited to costs associated with the disposal that  
17 are in excess of the least-cost disposal option that is con-  
18 sistent with economic, engineering, and environmental cri-  
19 teria.

20 (d) EFFECT ON OTHER PROJECTS.—The Secretary,  
21 to the greatest extent practicable, shall ensure that sched-  
22 uled operations and maintenance of Federal navigation  
23 projects will not be delayed due to alternative disposal op-  
24 tions authorized by this section.

1       (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to carry out this section  
3 \$75,000,000 per fiscal year. Such sums shall remain avail-  
4 able until expended.

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