

accessors and designs to construct, maintain, and operate a free highway bridge and approaches thereto across the Des Moines River, to the interests of navigation, or near the mouth of the river, and the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 24, 1946.

[CHAPTER 595]

AN ACT

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

July 24, 1946
[H. R. 6407]
[Public Law 525]

Rivers and harbors,
improvements.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated: *Provided*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission, and such recommendations shall be based upon consideration of the proper utilization and conservation in the public interest of the resources of the region: *Provided*, That the provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public, Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects herein authorized; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full: *And provided further*, That the word "navigation" appearing in paragraph (b) of section 1 of the River and Harbor Act approved March 2, 1945 (Public, Numbered 14, Seventy-ninth Congress, first session), shall in respect to the Arkansas River and tributaries include the use of water herein referred to for power purposes:

Penstocks.

59 Stat. 10.
Ante, p. 6.

59 Stat. 11.
Ante, p. 6.

Maine.

Portland Harbor, Maine; House Document Numbered 510, Seventy-ninth Congress;

Massachusetts.

Boston Harbor, Massachusetts; in accordance with the report of the Chief of Engineers dated July 1, 1946;

Fall River Harbor, Massachusetts; House Document Numbered 628, Seventy-ninth Congress;

Rhode Island.

Wickford Harbor, Rhode Island; Senate Document Numbered 141, Seventy-ninth Congress;

Connecticut.

New Haven Harbor, Connecticut; House Document Numbered 517, Seventy-ninth Congress;

Bridgeport Harbor, Connecticut; House Document Numbered 680, Seventy-ninth Congress;

Stamford Harbor, Connecticut; House Document Numbered 676, Seventy-ninth Congress;

New Jersey.

Barnegat Inlet, New Jersey; House Document Numbered 358, Seventy-ninth Congress;

Absecon Inlet, New Jersey; House Document Numbered 504, Seventy-ninth Congress;

Delaware River, vicinity of Biles Creek, Pennsylvania; House Document Numbered 679, Seventy-ninth Congress;

Schuylkill River, Pennsylvania; House Document Numbered 529, Seventy-ninth Congress; and in accordance with the report of the Chief of Engineers dated May 7, 1946;

New Jersey Intracoastal Waterway; pending fulfillment of the conditions of local cooperation for this project as authorized by the River and Harbor Act of March 2, 1945, appropriations heretofore or hereafter made for maintenance and improvement of rivers and harbors may be used for a period of not to exceed five years for maintenance of the canal from Cape May Harbor to Delaware Bay constructed as an emergency wartime project with Navy Department funds, including the cost of maintaining the temporary railroad and seashore highway bridges over said canal;

Middle River and Dark Head Creek, Maryland; maintenance work in accordance with the report on file in the Office, Chief of Engineers;

Mattaponi River, Virginia; House Document Numbered 766, Seventy-eighth Congress;

Newport News Creek, Virginia; House Document Numbered 559, Seventy-ninth Congress;

Norfolk Harbor, Virginia; House Document Numbered 563, Seventy-ninth Congress;

Savannah Harbor, Georgia; House Document Numbered 678, Seventy-ninth Congress;

Saint Johns River, Florida, Jacksonville to Lake Harney; Senate Document Numbered 208, Seventy-ninth Congress;

Hollywood Harbor (Port Everglades), Florida; House Document Numbered 768, Seventy-eighth Congress;

Withlacoochee River, Florida; House Document Numbered 293, Seventy-ninth Congress;

Apalachicola, Chattahoochee and Flint Rivers, Georgia and Florida; in accordance with the report of the Chief of Engineers, dated May 13, 1946: *Provided*, That the proposed dam referred to in such report as Junction Dam shall, upon its completion, be known and designated on the public records as the Jim Woodruff Dam;

Tombigbee and Tennessee Rivers, Alabama and Mississippi; House Document Numbered 486, Seventy-ninth Congress;

Mississippi River, Baton Rouge to the Gulf of Mexico, barge channel through Devils Swamp, Louisiana; in accordance with the report of the Chief of Engineers dated May 7, 1946;

Waterway from Empire, Louisiana, to the Gulf of Mexico, in accordance with the report of the Chief of Engineers dated May 31, 1946;

Plaquemine-Morgan City Route, Intracoastal Waterway, Louisiana; in accordance with the report of the Chief of Engineers dated April 25, 1946;

Franklin Canal, Louisiana; Senate Document Numbered 189, Seventy-ninth Congress;

Mermentau River and tributaries, and Gulf Intracoastal Waterway and connecting waters, Louisiana; Senate Document Numbered 231, Seventy-ninth Congress;

Lake Charles Deep Water Channel and Calcasieu River and Pass, Louisiana; Senate Document Numbered 190, Seventy-ninth Congress;

Red River below Fulton, Arkansas; in accordance with the report of the Chief of Engineers dated April 19, 1946: *Provided*, That the improvement herein authorized between Shreveport and the mouth, shall when completed be named the Overton-Red River Waterway in honor to Senator John H. Overton, of Louisiana;

Arkansas River and tributaries, Arkansas and Oklahoma: The multiple-purpose plan recommended in the report of the Chief of

Pennsylvania.

New Jersey Intracoastal Waterway.

59 Stat. 13.
Acte, p. 6.

Maryland.

Virginia.

Georgia.

Florida.

Georgia and Florida.

Jim Woodruff Dam.

Alabama and Mississippi.

Louisiana.

Arkansas.

Overton-Red River Waterway.

Arkansas and Oklahoma.

Engineers dated September 20, 1945, and letter of the Chief of Engineers dated March 19, 1946, is approved, and for initiation and partial accomplishment of said plan there is hereby authorized to be appropriated the sum of \$55,000,000;

Texas.

Sabine River, Cow Bayou, Texas, in accordance with the report of the Chief of Engineers dated May 31, 1946;

Sabine River, Adams Bayou, Texas; House Document Numbered 626, Seventy-ninth Congress;

Sabine-Neches Waterway, Texas; House Document Numbered 571, Seventy-ninth Congress;

Trinity River, Texas, below Liberty; House Document Numbered 634, Seventy-ninth Congress;

Mill Creek, tributary of Brazos River, Texas; in accordance with the report of the Chief of Engineers dated May 16, 1946;

Gulf Intracoastal Waterway in vicinity of Aransas Pass, Texas; in accordance with the report of the Chief of Engineers dated April 29, 1946;

Brazos Island Harbor and Gulf Intracoastal Waterway at Port Isabel, Texas; House Document Numbered 627, Seventy-ninth Congress;

Iowa, Minnesota,
Wisconsin.

Mississippi River Seepage, Iowa, Minnesota, and Wisconsin; House Document Numbered 515, Seventy-ninth Congress;

Iowa.

Mississippi River at Lansing, Iowa; Senate Document Numbered 192, Seventy-ninth Congress;

Minnesota.

Mississippi River at Wabasha, Minnesota; House Document Numbered 514, Seventy-ninth Congress;

Mississippi River at Lake Pepin, Minnesota; House Document Numbered 511, Seventy-ninth Congress;

Mississippi River at Hastings, Minnesota; House Document Numbered 599, Seventy-ninth Congress;

South Dakota.

Big Sioux River, South Dakota; House Document Numbered 561, Seventy-ninth Congress;

Tennessee and Kentucky.

Cumberland River and tributaries, Tennessee and Kentucky; in accordance with the report of the Chief of Engineers dated May 20, 1946;

Illinois.

Illinois River at Peoria, Illinois; in accordance with the report of the Chief of Engineers dated May 17, 1946;

Indiana and Illinois.

Illinois Waterway and Grand Calumet River, Indiana and Illinois; House Document Numbered 677, Seventy-ninth Congress;

Illinois.

Chicago River, North Branch of, Illinois; House Document Numbered 767, Seventy-eighth Congress;

Michigan.

Great Lakes Connecting Channels, Michigan; in accordance with the report of the Chief of Engineers dated February 20, 1946;

Ohio.

Cleveland Harbor, Ohio; House Document Numbered 629, Seventy-ninth Congress;

Fairport Harbor, Ohio; in accordance with the report of the Chief of Engineers dated May 17, 1946;

California.

San Diego River and Mission Bay, San Diego County, California; in accordance with the report of the Chief of Engineers dated May 8, 1946;

Napa River, California; House Document Numbered 397, Seventy-ninth Congress;

Sacramento River, California; Senate Document Numbered 142, Seventy-ninth Congress;

Oregon.

Coos Bay, Oregon; in accordance with the report of the Chief of Engineers dated April 22, 1946;

Yaquina Bay and Harbor, Oregon, in accordance with the report of the Chief of Engineers dated June 13, 1946;

Columbia River at Astoria, Oregon; House Document Numbered 692, Seventy-ninth Congress;

Columbia River between Vancouver, Washington, and The Dalles, Oregon; in accordance with the report of the Chief of Engineers dated May 9, 1946;

Columbia River at The Dalles, Oregon; Senate Document Numbered 89, Seventy-ninth Congress;

Columbia River at Foster Creek, Washington; House Document Numbered 693, Seventy-ninth Congress;

Honolulu Harbor, Territory of Hawaii; in accordance with the report of the Chief of Engineers dated May 15, 1946.

SEC. 2. The project for the Lavon Reservoir on East Fork of Trinity River, Texas, authorized in the River and Harbor Act of March 2, 1945, in accordance with House Document Numbered 533, Seventy-eighth Congress, is hereby modified to provide for conservation storage as may be determined warranted by the Secretary of War upon the recommendations of the Chief of Engineers.

SEC. 3. That authority is hereby granted to the Port of Siuslaw, a municipal corporation organized under the laws of the State of Oregon, to construct, maintain, and operate, at points suitable to the interests of navigation, dams or dikes for preventing the flow of the waters of the Siuslaw River into Duncan Slough in Lane County, Oregon.

Work shall not be commenced on such dams or dikes until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers, United States Army, and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

The authority granted by this section shall terminate if the actual construction of the dams or dikes hereby authorized is not commenced within one year and completed within three years from the date of the passage of this Act.

The right to alter, amend, or repeal this section is hereby expressly reserved.

SEC. 4. The Secretary of War may assign two retired engineer officers of the Army, with their consent, to active duty; one as resident or senior member of the Board of Engineers for Rivers and Harbors organized pursuant to the provisions of section 3 of the River and Harbor Act of June 13, 1902, as amended, and one as resident or senior member of the Beach Erosion Board organized pursuant to the provisions of section 2 of the River and Harbor Act of July 3, 1930: *Provided*, That such assignment shall not be made for a period extending beyond four years from the date of retirement.

SEC. 5. That there may be established in the Office of the Chief of Engineers a position to be filled by an engineer with not less than fifteen years' actual experience in the classified civil service on river and harbor or flood-control work of the Corps of Engineers; the salary for which shall be fixed, from time to time, by the Secretary of War upon the recommendation of the Chief of Engineers at not to exceed \$12,000.

SEC. 6. The Chief of Engineers is authorized to provide such school facilities as he may deem necessary for the education of dependents of persons engaged on the construction of the projects listed below, and to pay for the same from any funds available for said projects: *Provided*, That when it is determined to be in the public interest, the Chief of Engineers may enter into cooperative arrangements with local agencies for the operation of such Government facilities; for

Washington and Oregon.

Oregon.

Washington.

Hawaii.

Lavon Reservoir, Texas.

59 Stat. 18.
Act, p. 6.

Siuslaw River, Oregon.

Approval of plans.

Time limitation.

Assignment of Army officers to Boards.

32 Stat. 372.
33 U. S. C. § 541.

46 Stat. 933.
33 U. S. C. § 426.

Office of Chief of Engineers.

School facilities, etc.

the expansion of local facilities at Federal expense, and for contributions by the Federal Government to cover the increased cost to local agencies of providing the additional services required by the Government:

River and Harbor Act of March 2, 1945, Public Law Numbered 14, Seventy-ninth Congress:

Columbia River at Umatilla, Oregon.

Neches and Angelina Rivers, Texas.

Snake River to Lewiston, Idaho.

SEC. 7. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law: *Provided further*, That reports of surveys on beach erosion and shore protection shall include an estimate of the public interests involved, and such plan of improvement as is found justified, together with the equitable distribution of costs in each case: *And provided further*, That this section shall not be construed to interfere with the performance of any duties vested in the Federal Power Commission under existing law:

Lynn Harbor, Massachusetts.

Cuttyhunk Harbor, Massachusetts.

Newport Harbor, Rhode Island.

Bullocks Point Cove, Rhode Island.

Dutch Island Harbor, Rhode Island.

Cove Harbor and Cove Pond, Connecticut.

Patchogue River, Connecticut.

Connecticut River, Connecticut.

Harbor at Pine Orchard, Branford, Connecticut.

Greenwich Cove, Connecticut.

Sag Harbor, New York.

East Basin of Mamaroneck Harbor, New York.

Gardiners Bay, New York.

Milburn Creek, Swift Creek, and adjacent bays and channels, New York.

Mohawk and Hudson Rivers, New York, with a view to the elimination of the water chestnut.

Rondout Harbor, New York.

Shoal Harbor and Compton Creek, New Jersey.

Cold Spring Inlet (Cape May Harbor), New Jersey, with a view to shore protection.

Delaware River between Philadelphia, Pennsylvania, and Trenton, New Jersey.

Delaware River, Pennsylvania, New Jersey, and Delaware, Philadelphia to the sea.

Pennypack Creek, a tributary of the Delaware River located in Philadelphia, Pennsylvania, with a view to providing facilities for light-draft navigation.

59 Stat. 10.
53 U. S. C., Supp.
V, §§ 603a, 644b.
Act, p. 6.
Oregon.
Texas.
Idaho.
Preliminary examinations and surveys.

Supplemental reports, etc., restriction.

Adoption of projects by law.

Reports of surveys on beach erosion, etc.

Noninterference with duties of FPC.

Massachusetts.

Rhode Island.

Connecticut.

New York.

New Jersey.

Pennsylvania and New Jersey.

Pennsylvania, New Jersey, Delaware.

Pennsylvania.

- North East River, Cecil County, Maryland, from Church Point to Stony Run. Maryland.
- Harbor at Betterton, Maryland.
- Little Creek, Kent Island, Queen Annes County, Maryland.
- Lavering Creek at Ewell, Maryland.
- Lakes Cove, Honga River, Dorchester County, Maryland.
- Chapel Creek, Dorchester County, Maryland.
- Tedious Creek, Dorchester County, Maryland, with a view to establishing such jetties as may be necessary.
- Insley's Cove, Fox Creek, Dorchester County, Maryland.
- Anchorage at Lowe's Wharf, Talbot County, Maryland.
- Saint Michaels, Talbot County, Maryland.
- Johnsons Creek, a branch of the Wicomico River, in Somerset County, Maryland.
- Intracoastal Waterway, with a view to constructing a boat basin at or near Beaufort, South Carolina. South Carolina.
- Patuxent River, Maryland, with a view to establishing a deepwater port at Benedict and a suitable navigation channel thence to Solomons Island. Maryland.
- Lake Placid, Shore Acres, Anne Arundel County, Maryland.
- Hatton Creek, Wicomico River, on Western Shore of Maryland, in the vicinity of Rock Point, Charles County, Maryland.
- Miles River, opposite Oak Creek Bridge, to give outlet to Miles River, Talbot County, Maryland.
- Point Lookout Creek, in the vicinity of Point Lookout, Saint Marys County, Maryland.
- Hull Creek, Virginia. Virginia.
- Harpers Creek, Mathews County, Virginia, and the channel connecting said creek with Mobjack May.
- Aberdeen Creek, Gloucester County, Virginia.
- Salters Creek, Newport News, Virginia.
- At or near Hopewell, Virginia, with a view to the construction of a harbor for light-draft vessels.
- Oregon Inlet, North Carolina, and Channel from Manteo to Oregon Inlet; particularly with a view to providing a depth of twelve feet to fifteen feet through the Ocean Bar Channel, thence a channel ten feet to twelve feet deep through the inlet to Pamlico Sound via Davis Slough, Old House Channel, or other more suitable route. North Carolina.
- Harkers Point Basin, at Harkers Island, Carteret County, North Carolina.
- Cross-Rock Channel between Wallace Channel and Sheep Island Slue, via Casey Island, Pamlico Sound, North Carolina.
- Neuse and Trent Rivers, North Carolina.
- Carolina Beach, North Carolina.
- Cape Fear River at and below Wilmington, North Carolina.
- Holden Beach, Brunswick County, North Carolina.
- Charleston Harbor, South Carolina, with a view to extending Shem Creek Channel. South Carolina.
- Intracoastal Waterway, with a view to constructing a boat basin at or near Ocean Drive Beach, South Carolina.
- Intracoastal Waterway with a view to constructing a boat basin at or near Beaufort, South Carolina.
- Myrtle Beach, South Carolina; with a view to establishing a harbor for light-draft vessels.
- Intracoastal Waterway with a view to relocating the route of the waterway in the vicinity of Brunswick, Georgia. Georgia.
- Little Sarasota Bay and Channel through Casey's Pass, Florida, with a view to providing a channel across Robert's Bay (Venice Bay), with a suitable turning basin at the eastern end thereof. Florida.
- Johns Pass, Pinellas County, Florida.

- Blind Pass, Pinellas County, Florida.
 Pass-a-Grille Pass, Pinellas County, Florida.
 Julington Creek, Florida.
 Little Pottsburg Creek, Florida.
 Rice Creek, Putnam County, Florida.
 Sebastian Inlet, Florida.
 West Palm Beach Canal, Hillsboro Canal, New River Canal, and Miami Canal, for the purpose of raising the water table in the area of Lake Okeechobee, Florida.
 Boca Raton Inlet, Florida, including connection with the Intra-coastal Waterway.
 Saint George Sound at East Point, Florida.
 East Point, Apalachicola Bay, Florida.
 Apalachicola Bay, Florida, with a view to constructing a yacht basin.
 West Gap, Saint George Island, Florida.
 Waterway from Saint Mary DeGalvez Bay, across Santa Rosa Peninsula, to Sound Bay, Florida.
 Choctawhatchee River, Alabama and Florida.
 Flint River, Georgia.
 Sioux Bayou and connecting waterways, Mississippi.
 Bayou Segnette, Louisiana.
 Channel from Port Lavaca, Texas, and Palacios, Texas, to the Gulf of Mexico by way of Pass Cavallo, Cotton Bayou or any other suitable outlet to the Gulf of Mexico.
 Turtle Cove, Texas.
 Arkansas River, from Little Rock, Arkansas, to Mississippi River via Grand Prairie.
 Arkansas and Canadian Rivers, Oklahoma and Arkansas.
 Mississippi River at West Memphis, Arkansas, with a view to the construction of a harbor.
 Hatchie River, Mississippi and Tennessee, in the interest of navigation and flood control.
 Harbor at Springsteel Island, Lake of the Woods, Minnesota.
 Lake Taneycomo, Missouri.
 Mississippi River at Louisiana, Missouri.
 Gavins Point, on the Missouri River, South Dakota and Nebraska.
 Lake De Pue in Bureau County, Illinois, and its connecting channels to the Illinois River.
 Mississippi River at Winona, Minnesota.
 Wisconsin River, Wisconsin.
 Lake Superior shore line from Middle Island Point south to the mouth of Carp River with a view to providing a harbor for light-draft vessels.
 Black River, Port Huron, Michigan.
 Charlevoix Harbor, Michigan: The South Arm, with a view to the construction of a breakwater at or near East Jordan.
 Leland Harbor, Michigan, with a view to shore protection.
 Millecoquin River, Michigan, and the adjacent waters of Lake Michigan.
 Grand Traverse Bay on Lake Michigan and adjacent waters, with a view to the establishment of a suitable lock system to permit the passage of boats between Grand Traverse Bay and Torch Lake and other lakes in Antrim County, Michigan.
 West Fork of White River, Indiana.
 Fairport Harbor, Ohio, with a view to shore protection.
 Muskingum River, Ohio.
 Cattaraugus Creek, New York.
 Irondequoit Bay, New York.

Alabama and Florida.
 Georgia.
 Mississippi.
 Louisiana.
 Texas.

Arkansas.

Oklahoma and Arkansas.
 Arkansas.

Mississippi and Tennessee.

Minnesota.
 Missouri.

South Dakota and Nebraska.
 Illinois.

Minnesota.
 Wisconsin.
 Lake Superior.

Michigan.

Indiana.
 Ohio.

New York.

Great Salt Lake, at or near Garfield, Utah, with a view to providing a harbor for light-draft vessels.

Utah.

The coast of northern California from Point Pinos to the northern boundary of the State, including the San Francisco Bay area, with a view to the establishment of harbors for light-draft vessels.

California.

Harbor at Camp Pendleton, California, with a view to shore protection.

Harbor at Anaheim Bay, California, with a view to shore protection.

Harbor at Port Hueneme, California, with a view to shore protection.

Ohio River at Brookport, Illinois.

Illinois.

Drift Creek, Oregon.

Oregon.

Siuslaw River and Bar, Oregon.

Duwamish Waterway, Washington.

Washington.

Deception Pass, Skagit Bay, Washington.

Shilshole Bay, Ballard Locks, Seattle, Washington.

Olympia Harbor, Washington.

Harbor at Hydaburg, Alaska.

Alaska.

Harbor at Angoon, Alaska.

Channel to connect Oliver Inlet and Seymour Canal, Alaska.

Tenakee Harbor, Alaska.

Harbor at Pelican, Alaska.

Harbor at Gustavus, Alaska.

Hilo Harbor, Hawaii, including consideration of a seawall to protect against tidal waves and excessive high tides.

Hawaii.

Kawaihae Harbor, Hawaii.

Approved July 24, 1946.

