

One Hundred Tenth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday,
the fourth day of January, two thousand and seven*

An Act

To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

The following is Section 3083 of this act which pertains to the authorization of the Violet Diversion. Act was authorized in Novmebr 2007.

SEC. 3083. VIOLET, LOUISIANA.

(a) **VIOLET DIVERSION PROJECT.**—The Secretary shall design and implement a project for a diversion of freshwater at or near Violet, Louisiana, for the purposes of reducing salinity in the western Mississippi Sound, enhancing oyster production, and promoting the sustainability of coastal wetlands.

(b) **SALINITY LEVELS.**—The project shall be designed to meet, or maximize the ability to meet, the salinity levels identified in the feasibility study of the Corps of Engineers entitled “Mississippi and Louisiana Estuarine Areas: Freshwater Diversion to Lake Pontchartrain Basin and Mississippi Sound” and dated 1984.

(c) **ADDITIONAL MEASURES.**—

(1) **RECOMMENDATIONS.**—If the Secretary determines that the diversion of freshwater at or near Violet, Louisiana, will not restore salinity levels to meet the requirements of subsection (b), the Secretary shall recommend additional measures for freshwater diversions sufficient to meet those levels.

(2) **IMPLEMENTATION.**—The Secretary shall implement measures included in the recommendations developed under paragraph (1) beginning 60 days after the date on which a report containing the recommendations is provided to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) **NON-FEDERAL FINANCING REQUIREMENTS.**—

(1) **ESTIMATES.**—Before October 1 of each fiscal year, the Secretary shall notify the States of Louisiana and Mississippi of each State’s respective estimated costs for that fiscal year for the activities authorized under this section.

(2) **ESCROW.**—The States of Louisiana and Mississippi shall provide the funds described in paragraph (1) by making a deposit into an escrow account, or such other account, of the Treasury as the Secretary determines to be acceptable within 30 days after the date of receipt of the notification from the Secretary under paragraph (1).

(3) **DEPOSITS BY LOUISIANA.**—

(A) **USE OF CERTAIN FUNDS.**—The State of Louisiana may use funds available to the State under the coastal impact assistance program authorized under section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a) in meeting its cost-sharing responsibilities under this section.

(B) **FAILURE TO PROVIDE FUNDS.**—

(i) **IN GENERAL.**—If the State of Louisiana does not provide the funds under paragraph (2), the Secretary of the Interior, using funds to be disbursed to the State under the program referred to in subparagraph (A) or under the Gulf of Mexico Energy Security Act of 2006 (title I of Division C of Public Law 109–432; (43 U.S.C. 1331 note; 120 Stat. 3000)), shall deposit such funds as are necessary to meet the requirements for the State under paragraph (2).

(ii) **DEADLINE FOR DEPOSIT.**—Any deposit required under clause (i) shall be made prior to any other disbursements made to the State of Louisiana under the programs referred to in clause (i).

(C) EXCEPTION.—The State of Louisiana shall not be required to make a deposit of its share in any fiscal year in which the State of Mississippi does not make its deposit following a notification under paragraph (1) or the State of Mississippi notifies the Secretary that it does not intend to make a deposit in that fiscal year.

(4) CREDIT.—The Secretary shall credit, in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), toward the non-Federal share of the cost of the project for the costs of design work carried out by the non-Federal interest for the project before the date of the partnership agreement for the project.

(5) FEDERAL SHARE.—The Federal share of the cost of the project authorized by subsection (a) shall be 75 percent.

(e) SCHEDULE.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall complete the design of the project not later than 2 years after the date of enactment of this Act and shall complete the construction of the project by not later than September 30, 2012.

(2) MISSED DEADLINE.—If the Secretary does not complete the design or construction of the project in accordance with paragraph (1), the Secretary shall complete the design or construction as expeditiously as possible.