

SEC. 506. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION

- a) Findings – Congress finds that
 1. The Great Lakes comprise a nationally and internationally significant fishery and ecosystem;
 2. The Great Lakes fishery and ecosystem should be developed and enhanced in a coordinated manner; and
 3. The Great Lakes fishery and ecosystem provides a diversity of opportunities, experiences, and beneficial uses
- b) Definitions.--In this section, the following definitions apply:
 1. Great Lake –
 - A. In general. – 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. Inclusions. – the term ‘Great Lake’ includes any connecting channel, historically connected tributary, and basin of a lake specified in subparagraph A
 2. Great Lakes Commission.--The term “Great Lakes Commission” means the Great Lakes Commission established by the Great Lakes Basin Compact
 3. Great Lakes Fishery Commission.--The term “Great Lakes Fishery Commission” has the meaning given the term “Commission” in section 2 of the Great Lakes Fishery Act of 1956
 4. Great lakes state.--The term “Great Lakes State” means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.
- c) Great Lakes Fishery and Ecosystem Restoration –
 1. Support Plan. –
 - A. In General. – Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for activities of the Corps of Engineers that support the management of Great Lakes fisheries
 - B. Use of existing documents. – To the maximum extent practicable, the plan shall make use of and incorporate documents that related to the Great Lakes and are in existence on the date of enactment of this Act, such as lake wide management plans and remedial action plans
 - C. Cooperation. – The Secretary shall develop the plan in cooperation with –
 - i. The signatories to *A Joint Strategic Plan for Management of the Great Lakes Fisheries*; and
 - ii. Other affected interests
 2. Reconnaissance Studies. – Before planning, designing, or construction a project under paragraph (3), the Secretary shall carry out a reconnaissance study –

- A. To identify methods of restoring the fishery, ecosystem, and beneficial uses of the Great Lakes; and
 - B. To determine whether planning of a project under paragraph (3) should proceed;¹
- 3. Projects. – The Secretary shall plan, design, and construct projects to support the restoration of the fishery, ecosystem, and beneficial uses of the Great Lakes
- 4. Evaluation program. –
 - A. In general. – The Secretary shall develop a program to evaluate the success of the projects carried out under paragraph (3) in meeting fishery and ecosystem restoration goals
 - B. Studies. – Evaluations under subparagraph (A) shall be conducted in consultation with the Great Lakes Fishery Commission and appropriate Federal, State, and local agencies.
- d) Cooperative Agreements. – In carrying out this section, the Secretary may enter into a cooperative agreement with the Great Lakes Commission or any other agency established to facilitate active State participation in management of the Great Lakes.
- e) Relationship to Other Great Lakes activities. – No activity under this section shall affect the date of completion of any other activity relating to the Great Lakes that is authorized under this law.
- f) Cost Sharing.
 - 1. Development of plan. – The Federal share of the cost of development of the plan under subsection (c)(1) shall be 65 percent.
 - 2. Project planning, design, construction, and evaluation. – Except for reconnaissance studies, the Federal share of the cost of planning, design, construction, and evaluation of a project under paragraph (3) or (4) of subsection (c) shall be 65 percent.²
 - 3. Non-federal share. –
 - A. Credit for land, easements, and rights-of-way. – The Secretary shall credit the non-Federal interest for the value of any land, easement, right-of-way, dredged material disposal area, or relocation provided for carrying out a project under subsection (c)(3)
 - B. Form. – The non-Federal interest may provide up to 100 percent of the non-Federal share required under paragraphs (1) and (2) in the form of services, materials, supplies, or other in-kind contributions.³

¹ In 2007, Paragraph 2 of Section 506(c) of the Water Resources Development Act of 2000 was added.

² Section 506(f) paragraph 2 was amended to add “Except for reconnaissance studies, the” and the paragraph numbers revised.

³ Section 506(f) paragraph 3(a) was amended to renumber the subsections. Section 506(f) paragraph 3(b) was amended to increase work in kind contributions from 50 percent to 100 percent.

4. Operation and maintenance. – The operation, maintenance, repair, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.
5. Non-federal interests. – In accordance with section 221 of the Flood Control Act of 1970, for any project carried out under this section, a non-Federal interest may include a private interest and a nonprofit entity.
6. Recreational features. – A project carried out pursuant to this subsection may include compatible recreational features as determined by the Secretary, except that the Federal costs of such features may not exceed 10 percent of the Federal ecosystem restoration costs of the project.⁴

⁴ In 2016, Section 506(g) of the Water Resources Development Act of 2000 (42 U.S.C. 1962d-22(g)) was repealed.

- Paragraph 1 of Section 506(g) of WRDA 2000 provided the authority to appropriate \$300,000 for the development of a plan under subsection (c)(1) of WRDA 2000 for USACE activities that support the management of the Great Lakes. The repeal of this paragraph has no impact on the Act because the support plan authorized by WRDA 2000 was completed in April 2006.
- Furthermore, Paragraph 2 of Section 506(g) which authorized \$100,000,000 to carry out paragraphs (2) and (3) of Section (c) Paragraph 2 of subsection (c) was repealed eliminating the program limit on the amount of funds that can be appropriated to the Act.
- Section 1140 506(f) added paragraph 6 allowing for up to 10% of the total project cost to be designated for recreational purposes.