

SEC. 5017. ESTUARY RESTORATION.

(a) **PURPOSES.**—Section 102 of the Estuary Restoration Act of 2000 (33 U.S.C. 2901) is amended—

(1) in paragraph (1) by inserting before the semicolon at the end the following: “by implementing a coordinated Federal approach to estuary habitat restoration activities, including the use of common monitoring standards and a common system for tracking restoration acreage”;

(2) in paragraph (2) by inserting “and implement” after “to develop”; and

(3) in paragraph (3) by inserting “through cooperative agreements” after “restoration projects”.

(b) **DEFINITION OF ESTUARY HABITAT RESTORATION PLAN.**—Section 103(6)(A) of the Estuary Restoration Act of 2000 (33 U.S.C. 2902(6)(A)) is amended by striking “Federal or State” and inserting “Federal, State, or regional”.

(c) **ESTUARY HABITAT RESTORATION PROGRAM.**—Section 104 of the Estuary Restoration Act of 2000 (33 U.S.C. 2903) is amended—

(1) in subsection (a) by inserting “through the award of contracts and cooperative agreements” after “assistance”;

(2) in subsection (c)—

(A) in paragraph (3)(A) by inserting “or State” after “Federal”; and

(B) in paragraph (4)(B) by inserting “or approach” after “technology”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “Except” and inserting the following: “(A) IN GENERAL.—Except”; and

(ii) by adding at the end the following:

“(B) MONITORING.—

“(i) **COSTS.**—The costs of monitoring an estuary habitat restoration project funded under this title may be included in the total cost of the estuary habitat restoration project.

“(ii) **GOALS.**—The goals of the monitoring shall be—

“(I) to measure the effectiveness of the restoration project; and

“(II) to allow adaptive management to ensure project success.”;

(B) in paragraph (2) by inserting “or approach” after “technology”; and

(C) in paragraph (3) by inserting “(including monitoring)” after “services”;

(4) in subsection (f)(1)(B) by inserting “long-term” before “maintenance”; and

(5) in subsection (g)—

(A) by striking “In carrying” and inserting the following:

“(1) **IN GENERAL.**—In carrying”; and

(B) by adding at the end the following:

“(2) **SMALL PROJECTS.**—

“(A) **SMALL PROJECT DEFINED.**—In this paragraph, the term ‘small project’ means a project carried out under this title with an estimated Federal cost of less than \$1,000,000.

“(B) DELEGATION OF PROJECT IMPLEMENTATION.—In carrying out this section, the Secretary, on recommendation of the Council, may delegate implementation of a small project to—

“(i) the Secretary of the Interior (acting through the Director of the United States Fish and Wildlife Service);

“(ii) the Under Secretary for Oceans and Atmosphere of the Department of Commerce;

“(iii) the Administrator of the Environmental Protection Agency; or

“(iv) the Secretary of Agriculture.

“(C) FUNDING.—A small project delegated to the head of a Federal department or agency under this paragraph may be carried out using funds appropriated to the department or agency under section 109(a)(1) or other funds available to the department or agency.

“(D) AGREEMENTS.—The head of a Federal department or agency to which a small project is delegated under this paragraph shall enter into an agreement with the non-Federal interest for the project generally in conformance with the criteria in subsections (d) and (e). Cooperative agreements may be used for any delegated project to allow the non-Federal interest to carry out the project on behalf of the Federal agency.”.

(d) ESTABLISHMENT OF ESTUARY HABITAT RESTORATION COUNCIL.—Section 105(b) of the Estuary Restoration Act of 2000 (33 U.S.C. 2904(b)) is amended—

(1) in paragraph (4) by striking “and” after the semicolon;

(2) in paragraph (5) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6) cooperating in the implementation of the strategy developed under section 106;

“(7) recommending standards for monitoring for restoration projects and contribution of project information to the database developed under section 107; and

“(8) otherwise using the respective authorities of the Council members to carry out this title.”.

(e) MONITORING OF ESTUARY HABITAT RESTORATION PROJECTS.—Section 107(d) of the Estuary Restoration Act of 2000 (33 U.S.C. 2906(d)) is amended by striking “compile” and inserting “have general data compilation, coordination, and analysis responsibilities to carry out this title and in support of the strategy developed under this section, including compilation of”.

(f) REPORTING.—Section 108(a) of the Estuary Restoration Act of 2000 (33 U.S.C. 2907(a)) is amended by striking “At the end of the third and fifth fiscal years following the date of enactment of this Act” and inserting “Not later than September 30, 2008, and every 2 years thereafter”.

(g) FUNDING.—Section 109(a) of the Estuary Restoration Act of 2000 (33 U.S.C. 2908(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by striking “to the Secretary”; and

(B) by striking subparagraphs (A) through (D) and inserting the following:

“(A) to the Secretary, \$25,000,000 for each of fiscal years 2008 through 2012;

“(B) to the Secretary of the Interior (acting through the Director of the United States Fish and Wildlife Service), \$2,500,000 for each of fiscal years 2008 through 2012;

“(C) to the Under Secretary for Oceans and Atmosphere of the Department of Commerce, \$2,500,000 for each of fiscal years 2008 through 2012;

“(D) to the Administrator of the Environmental Protection Agency, \$2,500,000 for each of fiscal years 2008 through 2012; and

“(E) to the Secretary of Agriculture, \$2,500,000 for each of fiscal years 2008 through 2012.”; and

(2) in the first sentence of paragraph (2)—

(A) by inserting “and other information compiled under section 107” after “this title”; and

(B) by striking “2005” and inserting “2012”.

(h) **GENERAL PROVISIONS.**—Section 110 of the Estuary Restoration Act of 2000 (33 U.S.C. 2909) is amended—

(1) in subsection (b)(1)—

(A) by inserting “or contracts” after “agreements”; and

(B) by inserting “, nongovernmental organizations,” after “agencies”; and

(2) by striking subsections (d) and (e).

SEC. 5018. MISSOURI RIVER AND TRIBUTARIES, MITIGATION, RECOVERY, AND RESTORATION, IOWA, KANSAS, MISSOURI, MONTANA, NEBRASKA, NORTH DAKOTA, SOUTH DAKOTA, AND WYOMING.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Missouri River Recovery Implementation Committee to be established under subsection (b)(1), shall conduct a study of the Missouri River and its tributaries to determine actions required—

(A) to mitigate losses of aquatic and terrestrial habitat;

(B) to recover federally listed species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) to restore the ecosystem to prevent further declines among other native species.

(2) **FUNDING.**—The study to be conducted under paragraph (1) shall be funded using amounts made available to carry out the Missouri River recovery and mitigation plan authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143).

(b) **MISSOURI RIVER RECOVERY IMPLEMENTATION COMMITTEE.**—

(1) **ESTABLISHMENT.**—Not later than 6 months after the date of enactment of this Act, the Secretary shall establish a committee to be known as the Missouri River Recovery Implementation Committee (in this section referred to as the “Committee”).

Deadline.

(2) **MEMBERSHIP.**—The Committee shall include representatives from—

(A) Federal agencies;

(B) States located near the Missouri River basin; and

(C) other appropriate entities, as determined by the Secretary, including—