To authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Natomas Basin Flood Protection Improvements Act of 2009”.

SEC. 2. PROJECT MODIFICATION, AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA.

The project for flood damage reduction, American and Sacramento Rivers, California, authorized by section
101(a)(1) of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3662), and modified by section 366 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 319), is further modified to authorize work to be carried out by Federal or non-Federal interests to construct improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers in the vicinity of Sacramento, California, substantially in accordance with the report entitled “Plan Formulation Report, Natomas Levee Improvement Program, Early Implementation Project, February, 2009”, prepared by the Sacramento Area Flood Control Agency in coordination with the State of California, at an estimated total cost of $618,000,000, with an estimated Federal cost of $463,500,000 and an estimated non-Federal cost of $154,500,000.

SEC. 3. CREDIT OR REIMBURSEMENT FOR NON-FEDERAL WORK.

(a) In general.—The non-Federal interests shall receive credit toward the non-Federal share of project costs for expenses incurred, or in-kind contributions provided, by the non-Federal interest in planning, engineering, design, construction, and acquisition of lands, easements, rights-of-way, relocations, and dredged material disposal areas for any of the work authorized by section
determined by the Secretary of the Army to be compatible with Corps of Engineers design and construction practices.

(b) AMOUNT IN EXCESS OF NON-FEDERAL SHARE.—For expenses and in-kind contributions that the non-Federal interests incur for planning, engineering, design, construction, and acquisition of lands, easements, rights-of-way, relocations, and dredged material disposal areas for work authorized by section 2 which exceed the non-Federal share of such work, the non-Federal interests shall receive—

(1) credit toward the non-Federal share of other projects, or separable elements of other projects, for which the non-Federal interests contribute funds, with the Secretary of the Army allocating credit to projects or separable project elements as requested by the non-Federal interests; or

(2) reimbursement to the non-Federal interests, subject to the appropriation of funds.

(c) LIMITATIONS.—

(1) COST AND AUDIT.—Amounts credited or reimbursed under this Act may not exceed the actual cost of such work accomplished by the non-Federal interests prior to or subsequent to completion of the
report referred to in section 2 and shall be subject
to audit by the Secretary of the Army.

(2) EXCEPTION.—Amounts credited or reim-
bursed under this Act shall not be subject to the
limitations set forth in section 102 of Public Law

SEC. 4. COST SHARING.

The non-Federal share of the cost of work carried
out pursuant to section 2 shall be the same as the non-
Federal share of the cost of the project referred to in sec-
tion 2.