

agency responsible therefor. Upon the request of any other governmental agency which has suffered any such damage the Commission may, in collaboration with such agency, ascertain the extent of such damage and make claim on behalf of the agency upon each person or governmental agency responsible therefor. In the event the damages so ascertained and claimed by the Commission are not paid by the person or governmental agency responsible, the Commission may institute an action to recover the same.

(c) Except in case of emergency remedial measures, there shall be no civil liability pursuant to this section for the cost of remedial measures unless such measures have been ordered or approved by the Commission after hearing following notice to those persons and governmental agencies from whom damages are to be claimed.

(d) Subject to its deduction of all costs and expenses incurred in connection therewith, the Commission shall pay promptly to each governmental agency so entitled all monies collected by the Commission pursuant to this section on behalf of such governmental agency as the loss or damage sustained or the cost of remedial measures undertaken by such governmental agency in counteracting or preventing such change or in mitigating the effects of such change, or in handling, treating, removing, or preventing the entry of, such pollutants, or of otherwise rendering any such pollutants suitable for introduction into, or retention in, the waters of the basin.

(e) The provisions of this section shall not supersede any other provision in this compact or contained in any other law, but shall be in addition thereto.

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## ARTICLE 6

### FLOOD PROTECTION

6.01. *Flood Control Authority.*—(a) In addition to authority granted elsewhere in this compact, the Commission may plan, design, construct, operate and maintain projects and facilities it deems necessary or desirable for flood damage reduction, or may recommend to any governmental agency that it undertake flood damage reduction activities.

(b) Except as otherwise provided by the Commission, all plans, programs and operating procedures, and all changes therein, of every person or governmental agency, relating to existing or future projects, facilities or structures within a flood plain and which in the judgment of the Commission may have any effect upon, or be affected by, floods or flooding shall, prior to any implementation or effectuation thereof, be submitted to the Commission for review and comment, and no action may be taken with respect to the implementation or effectuation of any such plans, programs, operating procedures or changes therein until the Commission has had an opportunity to comment thereon. The provisions of this subsection are not in lieu of, but are in addition to, any provisions or requirements contained elsewhere in this compact.

(c) As part of the comprehensive water resources plan the Commission shall delineate flood plains and classify them in terms of the