

108TH CONGRESS  
2D SESSION

# H. R. 4315

To prohibit the Secretary of the Army from releasing water from Fort Peck Dam if the water level of Fort Peck Lake is 20 feet or more below the reservoir's full pool, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2004

Mr. REHBERG introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To prohibit the Secretary of the Army from releasing water from Fort Peck Dam if the water level of Fort Peck Lake is 20 feet or more below the reservoir's full pool, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Fort Peck Lake Pro-  
5       tection Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) 2004 is the 6th consecutive year of severe  
2 drought in the State of Montana.

3           (2) The biological and ecological resources at  
4 Fort Peck Lake, Montana, are compromised by  
5 drought and a lack of water.

6           (3) The Secretary of the Army should manage  
7 the Missouri River Basin in a way that imparts  
8 equal emphasis on each of its uses, including flood  
9 control, navigation, recreation, and conservation of  
10 fish and wildlife (including threatened and endan-  
11 gered species).

12 **SEC. 3. FORT PECK LAKE, MONTANA.**

13       The project for flood control and other purposes, Fort  
14 Peck Lake, Montana, authorized by section 9 of the Act  
15 entitled “An Act authorizing the construction of certain  
16 public works on rivers and harbors for flood control, and  
17 for other purposes”, approved December 22, 1944 (58  
18 Stat. 891), is modified to prohibit the Secretary of the  
19 Army from releasing water from Fort Peck Dam if the  
20 water level of Fort Peck Lake is 20 feet or more below  
21 the reservoir’s full pool. If the Secretary does release water  
22 from Fort Peck Dam, the outflow from the release may  
23 not exceed the volume of water flowing into the lake, as  
24 measured in average daily cubic feet per second.

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