

109TH CONGRESS  
1ST SESSION

# S. 1887

To authorize the conduct of small projects for the rehabilitation or removal  
of dams.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2005

Mr. KERRY (for himself, Mr. KENNEDY, and Mr. JEFFORDS) introduced the  
following bill; which was read twice and referred to the Committee on En-  
vironment and Public Works

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## A BILL

To authorize the conduct of small projects for the  
rehabilitation or removal of dams.

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. SMALL PROJECTS FOR THE REHABILITATION**  
4 **OR REMOVAL OF DAMS.**

5 (a) IN GENERAL.—The Secretary of the Army (re-  
6 ferred to in this section as the “Secretary”) may carry  
7 out a small dam removal or rehabilitation project, includ-  
8 ing a project relating to a privately-owned dam that does  
9 not generate hydropower, if the Secretary determines that

1 the project will enhance public safety or improve the qual-  
2 ity of the environment, or is in the public interest.

3 (b) COST SHARING.—A non-Federal interest shall  
4 provide 35 percent of the cost of the removal or remedi-  
5 ation of any project carried out under this section, includ-  
6 ing provision of all land, easements, rights-of-way, and  
7 necessary relocations.

8 (c) AGREEMENTS.—Construction of a project under  
9 this section shall be commenced only after a non-Federal  
10 interest has entered into a binding agreement with the  
11 Secretary to pay—

12 (1) the non-Federal share of the costs of con-  
13 struction required by this section; and

14 (2) 100 percent of any operation and mainte-  
15 nance costs.

16 (d) COST LIMITATION.—Not more than \$5,000,000  
17 in Federal funds may be allotted under this section for  
18 a project at any single location.

19 (e) FUNDING.—There is authorized to be appro-  
20 priated to carry out this section \$25,000,000 for each fis-  
21 cal year.

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