

115TH CONGRESS
2D SESSION

H. R. 7126

To exempt certain structures from removal from Army Corps of Engineers property on Table Rock Lake, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2018

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

A BILL

To exempt certain structures from removal from Army Corps of Engineers property on Table Rock Lake, 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. TABLE ROCK LAKE ENCROACHMENT.**

4 (a) IN GENERAL.—The Secretary shall—

5 (1) suspend any activities to require eligible
6 property owners to remove eligible structures; and

7 (2) offer to an eligible property owner a convey-
8 ance or release that—

9 (A) for an eligible structure located on fee
10 land, conveys by quitclaim deed the minimum

land required to maintain the eligible structure, reserving the right to flood the land, if applicable;

(B) for an eligible structure located on land subject to a flowage easement, releases by quitclaim deed the easement prohibition; and

(C) provides that—

(i) the eligible structure shall not be extended further onto fee land or land subject to the flowage easement;

(ii) additional structures for human habitation shall not be placed on fee land or land subject to the flowage easement;

(iii) the United States shall not be liable or responsible for damage to the eligible structure caused by the operation of the Lake; and

(iv) no claim to compensation shall accrue from the exercise of any flowage easement right.

(b) DEFINITIONS.—In this section:

(1) EASEMENT PROHIBITION.—The term “easement prohibition” means the rights acquired by the United States, in a flowage easement, to prohibit

1 structures for human habitation on land subject to
2 the easement.

3 (2) ELIGIBLE PROPERTY OWNER.—The term
4 “eligible property owner” means a person who owns
5 an eligible structure.

6 (3) ELIGIBLE STRUCTURE.—The term “eligible
7 structure” means a structure for human habitation
8 that—

9 (A) was constructed before December 23,
10 1976; and

11 (B) is located on fee land or land subject
12 to the flowage easement.

13 (4) FEE LAND.—The term “fee land” means
14 the land acquired in fee title by the United States
15 for the Lake.

16 (5) FLOWAGE EASEMENT.—The term “flowage
17 easement” means an interest in land acquired by the
18 United States that includes the right to flood land
19 surrounding the Lake.

20 (6) LAKE.—The term “Lake” means the Table
21 Rock Lake project of the Corps of Engineers, lo-
22 cated in Missouri and Arkansas, authorized as one
23 of the multiple-purpose reservoir projects in the
24 White River Basin by section 4 of the Act of June
25 28, 1938 (52 Stat. 1218).

1 (7) SECRETARY.—The term “Secretary” means
2 the Secretary of the Army, acting through the Chief
3 of Engineers.

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