

Dam Rehabilitation and Repair Act of 2005 (H.R.1105)

While dams provide tremendous benefits to our society including drinking water, flood control, water for irrigation and industrial uses, and hydroelectric power; they also represent an enormous risk to public safety, local economies, and the environment. The nation's dams received a grade of "D" from the American Society of Civil Engineers 2005 Report Card for America's Infrastructure. According to the Report Card, there were more than 3,500 unsafe dams in the United States.

The Dam Rehabilitation and Repair Act is a legislative step to address these problems. The Act's major features are:

- Establishment of a program within the Federal Emergency Management Agency to fund dam rehabilitation, repairs and removal.
- Enactment of a public fund to award grants for assistance to publicly-owned deficient dams.
- Authorization of \$350 million over 4 years to assist in the rehabilitation of deficient dams.

Section-by-section analysis

Section 1. The bill is cited as the "Dam Rehabilitation and Repair Act of 2005."

Section 2. Rehabilitation and Repair of Deficient Dams. Definitions. Terms defined for this Act are deficient dam, high hazard-potential dam, public fund, and rehabilitation. The term '**deficient dam**' means a dam that, as determined by a State-fails to meet minimum State dam safety standards, and poses an unacceptable risk to the public. The term '**rehabilitation**' means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety standards.

Section 8A. The National Dam Safety Program Act is amended by inserting a new section 8. This section establishes a program, within FEMA, that provides grant assistance to states to repair and rehabilitate dams.

Public funds (from this program) may not be used for the rehabilitation of a federally owned dam, the operation or maintenance of any dam public or private, modification to produce hydroelectric power, water supply storage capacity, or any other modification that doesn't also improve the safety of the dam. Portions of the public fund may be invested by the Secretary to earn interest, which goes back into the fund.

The authorized levels for the program are \$50,000,000 for fiscal year 2007 and \$100,000,000 each for fiscal years 2008 through 2010.

For additional FEMA staff necessary to carry out this section, \$400,000 for fiscal years 2007 through 2009 is to be allotted. The Federal share of any grant provided to a state won't exceed 75 percent of the total cost of the rehabilitation or repair.