

2022 -- S 2181 SUBSTITUTE A

LC003247/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO WATERS AND NAVIGATION -- DAM PERMITS

Introduced By: Senators Raptakis, Anderson, Rogers, Calkin, Archambault, Sosnowski,
and Lombardo

Date Introduced: February 08, 2022

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 46 of the General Laws entitled "WATERS AND NAVIGATION" is
2 hereby amended by adding thereto the following chapter:

3 CHAPTER 19.1

4 DAM PERMITS

5 **46-19.1-1. Permits required for certain dams.**

6 Any person who owns or operates a dam that has the capacity to store greater than one
7 thousand four hundred (1,400) normal storage acre feet of water shall apply to the director of the
8 department of environmental management for a permit to raise or lower the water level behind the
9 dam. The owner or operator shall apply for a permit, and until such time as a permit is issued by
10 the director, the owner or operator shall operate the dam in a manner that is consistent with historic
11 use as determined by the director. The director may enforce this section in accordance with chapters
12 17.1 and 17.6 of title 42. This section shall not apply to dams that impound water for a public water
13 supply system as defined in § 46-13-2. The department may promulgate rules and regulations to
14 implement the provisions of this chapter.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO WATERS AND NAVIGATION -- DAM PERMITS

1 This act would require that any person operating or owning a dam with a storage capacity
2 greater than one thousand four hundred (1,400) normal storage acre feet of water to obtain a permit
3 from the director of the DEM to raise or lower the water level behind the dam. This act would not
4 apply to dams that impound water for a public water supply system.

5 This act would take effect upon passage.

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