

[DISCUSSION DRAFT]

113TH CONGRESS
1ST SESSION

H. R. _____

To direct the Secretary of the Army to conduct an environmental assessment under the National Environmental Policy Act of 1969 before taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. WHITFIELD introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of the Army to conduct an environmental assessment under the National Environmental Policy Act of 1969 before taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, 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. ENVIRONMENTAL ASSESSMENTS OF ACTIONS**
4 **TO ESTABLISH RESTRICTED AREAS AT DAMS.**

5 Before taking any action to establish a restricted area
6 prohibiting public access to waters downstream of a dam

1 owned by the Corps of Engineers, the Secretary of the
2 Army shall conduct an environmental assessment of the
3 action in accordance with the requirements of the National
4 Environmental Policy Act of 1969 (42 U.S.C. 4321 et
5 seq.), including requirements ensuring full public input.

6 **SEC. 2. EFFECTIVE DATE.**

7 (a) **IN GENERAL.**—This Act shall apply to an action
8 described in section 1 taken on or after August 1, 2012.

9 (b) **EXISTING RESTRICTIONS.**—If the Secretary of
10 the Army has taken an action described in section 1 dur-
11 ing the period beginning on August 1, 2012, and ending
12 on the date of enactment of this Act, the Secretary shall
13 cease implementation of any restricted area resulting from
14 the action, and remove any barriers constructed in connec-
15 tion the restricted area, until the Secretary completes an
16 environmental assessment of the action in accordance with
17 section 1.