

2022 -- H 8205

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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: Representatives Noret, Hawkins, Costantino, Shallcross Smith,
Ackerman, Nardone, Serpa, Roberts, and McNamara

Date Introduced: May 04, 2022

Referred To: House Environment and Natural Resources

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
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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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