

110TH CONGRESS  
1ST SESSION

# S. 307

To establish a minimum rate of release for water from the Yellowtail Dam,  
Montana.

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IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2007

Mr. BAUCUS (for himself and Mr. TESTER) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources

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## A BILL

To establish a minimum rate of release for water from the  
Yellowtail Dam, Montana.

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. YELLOWTAIL DAM, MONTANA.**

4 (a) IN GENERAL.—Notwithstanding any other provi-  
5 sion of law and except as provided in subsection (b), the  
6 preferred rate of release of water from Yellowtail Dam,  
7 located in Big Horn County, Montana, shall be not less  
8 than 2,500 cubic feet of water per second, with a min-  
9 imum rate of release of 1,500 cubic feet of water per sec-  
10 ond.

1           (b) EXCEPTIONS.—The minimum rate of release es-  
2     tablished under subsection (a) may be waived by the Sec-  
3     retary of the Interior, acting through the Commissioner  
4     of Reclamation (referred to in this Act as the “Sec-  
5     retary”)—

6           (1) in the event of an emergency, as determined  
7     by the Secretary; or

8           (2) if, for any reason, water levels in Bighorn  
9     Lake imminently preclude power generation at  
10    Yellowtail Dam, as determined by the Secretary.

11          (c) PURPOSE.—The purposes for which the Yellowtail  
12    Unit of the Pick-Sloan Missouri River Basin Program (au-  
13    thorized by section 9 of the Act of December 22, 1944  
14    (commonly known as the “Flood Control Act of 1944”)  
15    (58 Stat. 891)) is authorized shall include the mainte-  
16    nance of a healthy fishery on the portion of the Bighorn  
17    River, Montana, that is located downstream from the  
18    Yellowtail Dam.

19          (d) COORDINATION.—The Secretary shall ensure that  
20    any reclamation project carried out within the Bighorn  
21    River watershed shall be coordinated with other Reclama-  
22    tion projects within the watershed, including any projects  
23    overseen by the Montana Area Office or Wyoming Area  
24    Office of the Bureau of Reclamation.

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