

MM McC
3:15 pm
11/15/11
Roy Blunt

AMENDMENT NO. _____ Calendar No. _____

Purpose: To prohibit the use of funds to enforce the shoreline management plan for the Osage Hydroelectric Project No. 459 until the licensee resolves the project boundary designation to reflect actual landownership.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

H. R. 2354

AMENDMENT NO. 974

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By Blunt

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To: AMDT No 957

and

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Page(s)

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GPO: 2010 63-070 (mac)

LUNT (for himself)

Viz: and Ms. McCaskill

1 At the end of the matter under the heading "GEN-
2 ERAL PROVISIONS" of title V, insert the following:

3 SEC. _____. (a) None of the funds appropriated or
4 otherwise made available by this Act shall be used by the
5 Federal Energy Regulatory Commission to issue any
6 order, including any order at the request of the licensee,
7 directing the licensee of the Osage Hydroelectric Project
8 No. 459 project to remove or dismantle residential dwell-
9 ings or structures that are located within the project

1 boundary unless the licensee has first submitted a plan
2 to revise the project boundary.

3 (b) The Federal Energy Regulatory Commission shall
4 not withhold approval of the plan described in subsection
5 (a) if the plan will preserve the primary purpose of power
6 generation of the project.

7 (c) Licensee resolution of the project boundary de-
8 scribed in subsection (a) shall include the following ac-
9 tions:

10 (1) The contour elevation at 662 feet Union
11 Electric datum shall be the new project boundary.

12 (2) Any existing structure on any property
13 owned by any private owner with a valid property
14 right (as of the date of enactment of this Act) above
15 the contour elevation described in paragraph (1)
16 shall no longer be considered within the project
17 boundary.

18 (3) Any encroachment on land within the
19 project boundary above the contour elevation de-
20 scribed in paragraph (1) is consistent with the pur-
21 poses of the project unless the encroachment signifi-
22 cantly impedes the Bagnell Dam from generating
23 power.