

104TH CONGRESS
1ST SESSION

S. 40

To direct the Secretary of the Army to transfer to the State of Wisconsin lands and improvements associated with the LaFarge Dam and Lake portion of the project for flood control and allied purposes, Kickapoo River, Wisconsin, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1995

Mr. FEINGOLD (for himself and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To direct the Secretary of the Army to transfer to the State of Wisconsin lands and improvements associated with the LaFarge Dam and Lake portion of the project for flood control and allied purposes, Kickapoo River, Wisconsin, 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. KICKAPOO RIVER, WISCONSIN.**

4 (a) PROJECT MODIFICATION.—The project for flood
5 control and allied purposes, Kickapoo River, Wisconsin,
6 authorized by section 203 of the Flood Control Act of
7 1962 (76 Stat. 1190), as modified by section 814 of the

1 Water Resources Development Act of 1986 (100 Stat.
2 4169), is further modified as provided by this section.

3 (b) TRANSFER OF PROPERTY.—

4 (1) IN GENERAL.—Subject to the requirements
5 of this subsection, the Secretary shall transfer to the
6 State of Wisconsin, without consideration, all right,
7 title, and interest of the United States in and to the
8 lands described in paragraph (2), including all
9 works, structures, and other improvements on the
10 lands.

11 (2) LAND DESCRIPTION.—The lands to be
12 transferred pursuant to paragraph (1) are the ap-
13 proximately 8,569 acres of land associated with the
14 LaFarge Dam and Lake portion of the project re-
15 ferred to in subsection (a) in Vernon County, Wis-
16 consin, in the following sections:

17 (A) Section 31, Township 14 North, Range
18 1 West of the 4th Principal Meridian.

19 (B) Sections 2 through 11, and 16, 17, 20,
20 and 21, Township 13 North, Range 2 West of
21 the 4th Principal Meridian.

22 (C) Sections 15, 16, 21 through 24, 26,
23 27, 31, and 33 through 36, Township 14
24 North, Range 2 West of the 4th Principal Me-
25 ridian.

1 (3) TERMS AND CONDITIONS.—The transfer
2 under paragraph (1) shall be made on the condition
3 that the State of Wisconsin enters into a written
4 agreement with the Secretary to hold the United
5 States harmless from all claims arising from or
6 through the operation of the lands and improve-
7 ments subject to the transfer.

8 (4) DEADLINES.—Not later than July 1, 1995,
9 the Secretary shall transmit to the State of Wiscon-
10 sin an offer to make the transfer under this sub-
11 section. The offer shall provide for the transfer to be
12 made in the period beginning on November 1, 1995,
13 and ending on December 31, 1995.

14 (5) DEAUTHORIZATION.—The LaFarge Dam
15 and Lake portion of the project referred to in sub-
16 section (a) is not authorized after the date of the
17 transfer under this subsection.

18 (6) INTERIM MANAGEMENT AND MAINTENANCE.—The Secretary shall continue to manage
19 and maintain the LaFarge Dam and Lake portion
20 of project referred to in subsection (a) until the date
21 of the transfer under this subsection.
22 of the transfer under this subsection.

23 (c) COMPLETION OF PROJECT FEATURES.—

1 (1) REQUIREMENT.—The Secretary shall un-
2 dertake the completion of the following features of
3 the project referred to in subsection (a):

4 (A) The continued relocation of State
5 Highway Route 131 and County Highway
6 Routes P and F substantially in accordance
7 with plans contained in Design Memorandum
8 No. 6, Relocation-LaFarge Reservoir, dated
9 June 1970, except that the relocation shall gen-
10 erally follow the road right-of-way through the
11 Kickapoo Valley in existence on the date of en-
12 actment of this Act.

13 (B) Construction of a visitor and education
14 complex to include buildings, parking areas,
15 recreational trails, and canoe facilities substan-
16 tially in accordance with plans contained in De-
17 sign Memorandum No. 3, Preliminary Master
18 Plan for Resource Management, Kickapoo
19 River, Wisconsin, dated May 1967, and Design
20 Memorandum No. 7, Master Recreation Plan
21 for Resource Management, LaFarge Lake Kick-
22 apoo River, Wisconsin, dated July 1974.

23 (C) Environmental cleanup and site res-
24 toration of abandoned wells, farm sites, and

1 safety modifications to the water control struc-
2 tures.

3 (D) Cultural resource activities to meet the
4 requirements of Federal law.

5 (2) PARTICIPATION BY STATE OF WISCONSIN.—

6 In undertaking the completion of the features identi-
7 fied in paragraph (1), the Secretary shall determine
8 the requirements of the State of Wisconsin on the
9 location and design of each such feature.

10 (d) COSTS.—The cost of the project referred to in
11 subsection (a) is modified to authorize the Secretary to
12 carry out the project at a total cost of \$17,000,000, with
13 a first Federal cost of \$17,000,000.

14 **SEC. 2. SECRETARY DEFINED.**

15 As used in this Act, the term “Secretary” means the
16 Secretary of the Army, acting through the Chief of
17 Engineers.

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