

December 5, 2024

The Honorable Sam Graves  
U.S. House of Representatives  
Chair, Committee on Transportation and  
Infrastructure  
2333 Rayburn  
Washington, DC 20515

The Honorable Tom Carper  
U.S. Senate  
Chair, Committee on the Environment and  
Public Works  
513 Hart Senate Office Building  
Washington, DC 20510

The Honorable Rick Larsen  
U.S. House of Representatives  
Ranking Member Committee on  
Transportation and Infrastructure  
2163 Rayburn HOB  
Washington, DC 20515

The Honorable Shelley Moore Capito  
U.S. Senate  
Ranking Member, Committee on the  
Environment and Public Works  
170 Russell Senate Office  
Building  
Washington, DC 20510

**Re: Thomas R. Carper Water Resources Development Act of 2024 - National Low-Head Dam Inventory**

Dear Chair Carper and Graves and Ranking Members Carper and Capito,

American Whitewater writes to thank you for your work on finalizing the Water Resources Development Act 2024 (WRDA 2024). We are supportive of the legislation and look forward to its passage into law. Our organization is especially supportive of the inclusion of a National Low-Head Dam Inventory in the National Inventory of Dams as described in section 1132 Improvements to National Dam Safety Program.

Low-head dams can be difficult to detect by upstream water recreators, including drift boaters, kayakers, rafters, and anglers, and yet there is no coordinated federal response to addressing low-head dam concerns.<sup>1</sup> Just this year, four fatalities occurred as a result of these structures including on the Iowa River in Iowa, Sequatchie River in Tennessee, White River in Indiana, and Black River in New York. Low-head dams are generally not captured in the National Inventory of Dam database because they do not meet statutory height requirements, do not impound water, or would not cause life or property loss downstream upon failure. The national inventory, as proposed in Section 1132 of WRDA 2024, would provide public information resources regarding low-head dam hazards, generate data that could be used to inform state mapping of low-head dams, and provide information on available funding and technical resources to remove and rehabilitate these structures. This section would authorize the USACE to work with state and local partners to enhance its NID Database and maintain a nationwide inventory of public and privately owned low-head dams.

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<sup>1</sup> American Whitewater's database of whitewater accidents and fatalities, maintained since 1972, documents that 10% of river fatalities nationwide are a result of individuals getting caught in a low-head dam hydraulic.

The text in the Water Resources Development Act of 2022 (WRDA 2022) indicated that the new National Low-Head Dam Inventory be included in the National Inventory of Dams per the National Dam Safety Program Act (33 U.S.C. § 467d). However, it did not specify that the National Inventory of Dams (NID) could include low-head dams as defined under 33 U.S.C. § 467o. The text of WRDA 2024 includes needed language adjustments that clarifies how the low-head dam inventory will be handled within the NID. This also makes projects to improve safety issues at identified structures eligible for Corps Water Infrastructure Financing Program (CWIFP).

While there is no reliable nation-wide inventory of how many low-head dams exist in the United States, several state and organization run inventories indicate that these structures are ubiquitous in nature. Low-head dams affect fish and wildlife habitat by disrupting connectivity and water quality, and in addition, negatively affect recreation and public safety. A nationwide inventory of low-head dams to enhance the US Army Corps of Engineers' (USACE) existing National Inventory of Dams (NID) database is a critical step to better understanding and documenting the issues associated with these high-risk structures. We are particularly pleased that this section includes criteria for the inventory to improve public safety conditions and provide information on the dangers of low-head dams

Over the past two centuries, tens of thousands of low-head dams were constructed across rivers and streams to provide services such as diverting water for irrigation, municipal, or industrial water uses. Others were built to prevent erosion of embankments or to control flooding impacts. Many of these low-head dams no longer serve their original beneficial purpose and remain only as hazards to life and public safety, and compromise fish and wildlife habitat.

Addressing the impacts of low-head dams throughout the nation remains a top priority of our organizations. These provisions would greatly enhance the nation's ability to identify and address the structures that pose the highest risk and impact to people and ecosystems. Thank you for responding to our request to include this important provision in WRDA. As you reconcile House and Senate language, we ask for inclusion of Senate language to include funding authorization for agency costs associated with database development. Please do not hesitate to contact our organizations as your Committee works towards passage of the 2022 WRDA bill.

Sincerely,

Hattie Johnson  
American Whitewater  
Southern Rockies Restoration Director