

Reservoir Salvage Act
Public Law 86-523 - June 27, 1960

AN ACT

June 27, 1960
(S. 1185)

Historical and
archeological data,
preservation.

49 Stat. 666.

Dam construction.
Advance notice.

Survey.

Administration.

60 Stat. 810.

To provide for the preservation of historical and archeological
data (including relics and specimens) which might otherwise
be lost as the result of the construction of a dam.

Be it enacted by the Senate and House of Representatives of
the United States of American in Congress assembled, That it is
the purpose of this Act to further the policy set forth in the Act
entitled "An Act to provide for the preservation of historic
American sites, buildings, objects, and antiquities of national
significance, and for other purposes, and antiquities of national
significance, and for other purposes", approved August 21, 1935
(16 U.S.C. 461-467), by specifically providing for the
preservation of historical and archeological data (including relics
and specimens) which might otherwise be irreparably lost or
destroyed as the result of flooding, the building of access roads,
the erection of workmen's communities, the relocation of
railroads and highways, and other alternations of the terrain

caused by the construction of a dam by any agency of the United States, or by any private person or corporation holding a license issued by any such agency.

Sec. 2. (a) Before any agency of the United States shall undertake the construction of a dam, or issue a license to any private individual or corporation for the construction of a dam, it shall give written notice to the Secretary of the Interior setting forth the site of the proposed dam and the approximate area to be flooded and otherwise changed if such construction is undertaken: Provided, That with respect to any floodwater retarding dam which provides less than five thousand acre-feet of detention capacity and with respect to any other type of dam which creates a reservoir of less than forty surface acres the provisions of this section shall apply only when the constructing agency, in its preliminary surveys, finds, or is presented with evidence that historical or archeological materials exist or may be present in the proposed reservoir area.

(b) Upon receipt of any notice, as provided in subsection (a), the Secretary of the Interior (hereinafter referred to as the "Secretary"), shall cause a survey to be made of the area proposed to be flooded to ascertain whether such area contains historical and archeological data (including relics and specimens) which should be preserved in the public interests. Any such survey shall be conducted as expeditiously as possible. If, as a result of any such survey, the Secretary shall determine (1) that such data exists in such area, (2) that such data has exceptional historical or archeological significance, and should be collected and preserved in the public interests, and (3) that it is feasible to collect and preserve such data, he shall cause the necessary work to be performed in such area to collect and preserve such data. All such work shall be performed as expeditiously as possible.

(c) The Secretary shall keep the instigating agency notified at all times of the progress of any survey made under this Act, or of any work undertaken as a result of such survey, in order that there will be as little disruption or delay as possible in the carrying out of the functions of such agency.

(d) A survey similar to that provided for by section (b) of this section and the work required to be performed as a result thereof shall so far as practicable also be undertaken in connection with any dam the construction of which has been heretofore authorized by any agency of the United States, or by any private person or corporation holding a license issued by any

such agency.

(e) The Secretary shall consult with any interested Federal and State agencies, educational and scientific organizations, and private institutions and qualified individuals, with a view to determining the ownership of and the most appropriate repository for any relics and specimens recovered as a result of any work performed as provided for in this section.

Sec. 3. In the administration of this Act, the Secretary may--

(1) enter into contracts or make cooperative agreements with any Federal or State agency, any educational or scientific organization, or any institution, corporation, association, or qualified individual; and

(2) procure the temporary or intermittent services of experts or consultants or organizations thereof as provided in section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and

(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporations holding a license issued by an agency of the United States for the construction of a dam or other type of water or power control project.

Sec. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved June 27, 1960.