

9. Operation of the Illinois and Michigan Canal has been discontinued.

[40 FR 32121, July 31, 1975, as amended at 50 FR 37580, Sept. 18, 1985; 56 FR 13765, Apr. 4, 1991]

§ 207.306 Missouri River; administration and navigation.

(a) [Reserved]

(b) *General.* The regulations in this section shall implement those contained in paragraph(s) of § 207.300.

[33 FR 17242, Nov. 21, 1968; 42 FR 57962, Nov. 7, 1977]

§ 207.310 Mississippi River at Keokuk, Iowa; operation of power dam by Mississippi River Power Co.

(a) All previous regulations of the Secretary of War relating to the use of the Mississippi River for the generation of power by the Mississippi River Power Co., including the memorandum of March 24, 1908, approved by the Secretary of War, March 26, 1908, are rescinded, and the following regulations will govern the operation of the dam until further orders:

(b) Excepting as specially provided in this section the normal flow of the river shall be discharged below the dam at all times of day and night.

(c) The Mississippi River Power Co. shall not during the period of navigation raise the level of its pond behind the Keokuk Dam when the natural flow of the Mississippi River is falling or when such natural flow is less than approximately 64,000 cubic feet per second, which corresponds to a normal stage of 6 feet above low water at Keokuk, Iowa, except upon the written permission of the U.S. District Engineer in charge of this locality, such permit to state the period which such ponding may cover and the maximum variation in stage below the dam which may be caused by each ponding.

(d) The granting of permits by the District Engineer shall be governed by the provision of the law authorizing the construction of the dam and its accessories, as follows:

SEC. 2. That the withdrawal of water from the Mississippi River and the discharge of water into the said river, for the purpose of operating the said power stations and appurtenant works, shall be under the direction and control of the Secretary of War, and

shall at no time be such as to impede or interfere with the safe and convenient navigation of the said river by means of steamboats or other vessels or by rafts or barges. * * * (33 Stat. 713)

(e) The power company when proposing to raise or lower the pond, either under general authority or special permission, shall give due notice to the District Engineer or his authorized agent of its intention.

(f) The power company shall hold all records relating to operations affecting the river discharge open to the inspection of the District Engineer or his authorized agent.

(g) It shall be the duty of the district engineer or his authorized agent to observe closely and carefully the operations of the power company and to maintain in addition to such as may be maintained by the power company, such river and pool gages as may be advisable, and make from time to time such examinations as may be necessary for determining the effect of the operation of the power dam and accessories on the river channels.

(h) The Department of the Army approves the method of regulating the flow below the Keokuk Dam by estimating the flow 24 hours in advance and maintenance of the stage corresponding to such flow as indicated by the river gage at U.S. Lock (the method employed during 1917). The general rules stated in paragraph (g) of this section are not intended to apply to unavoidable small compensating variations in pond level behind the dam inherent in such method of regulation.

[Regs., Jan. 12, 1918]

§ 207.320 Mississippi River, Twin City Locks and Dam, St. Paul and Minneapolis, Minn.; pool level.

In accordance with the provisions of Article 8 of Federal Power Commission License of June 7, 1923 (Project No. 362-Minn., Ford Motor Co.), this section is prescribed for the control of the pool level created by the Twin City Locks and Dam, Minneapolis, in the interest of navigation, and supersedes rules and regulations made effective January 1, 1928, by the Secretary of War:

(a) The pool above the dam shall not be allowed to drop below elevation 744.5