DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
441 G Street N.W.
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

CECW-LRD

JUL - 3 2008

MEMORANDUM FOR COMMANDER, GREAT LAKES & OHIO RIVER DIVISION, 550 MAIN STREET, CINCINNATI, OH 45201-1159

SUBJECT: Implementation Guidance for Section 3129 of the Water Resources Development Act of 2007 (WRDA 2007), Lower Girard Lake Dam, Girard, Ohio

1. Section 3129 of WRDA 2007 amends section 507 of WRDA 1996 to direct the Secretary to correct the structural deficiencies of the Lower Girard Lake Dam and appurtenant features to meet Ohio's dam safety standards, and increases the estimated cost of the work to $16,000,000. The provision declares the project is justified on the basis of public safety. A copy of the amended language of Section 507 is provided for information.

2. Prior studies on this project identified a feasible project that included decommissioning and breaching the Lower Girard Dam at a cost of $812,000. Because the estimated cost was within available funds provided by Congress, the project was recommended to be implemented at full Federal cost. This recommendation was concurred in by the Assistant Secretary of the Army by memo dated 22 March 2002. The amended language requires correction of the dam's structural deficiencies. This could be accomplished by implementing Rehabilitation Alternative – Plan C as presented in the March 2001 Revised Special Report and Environmental Assessment. Plan C is consistent with current Corps of Engineers and State of Ohio dam safety standards.

3. No work beyond that supported by the Assistant Secretary of the Army will be undertaken to implement construction of the project unless Congress provides construction funds to specifically accomplish the work. Any funds provided by Congress will be utilized in accordance with current Civil Works program execution guidance. In accordance with the legislation, the cost sharing for the construction assistance will be at 100% Federal up to the statutory limit of $16,000,000 and 100% non-Federal costs above the authorized amount.

FOR THE COMMANDER:

STEVEN L. STOCKTON, P.E.
Director of Civil Works

Encl

SEC. 507. DESIGN AND CONSTRUCTION ASSISTANCE.

(a) IN GENERAL. - The Secretary shall provide design and construction assistance to non-Federal interests for each of the following projects if the Secretary determines that the project is feasible:

(1) Correction of structural deficiencies of the Lower Girard Lake Dam, Girard, Ohio, and the appurtenant features to meet the dam safety standards of the State of Ohio, at an estimated cost of $16,000,000.

(2) Construction of a multipurpose dam and reservoir, Bear Valley Dam, Franklin County, Pennsylvania, at an estimated total cost of $15,000,000.

(3) Repair and upgrade of the dam and appurtenant features at Lake Merriweather, Little Calfpasture River, Virginia, at an estimated total cost of $6,000,000.

(b) SPECIAL RULES. - The project for Lower Girard Lake Dam, Girard, Ohio, authorized by subsection (a)(1) is justified on the basis of public safety.

SEC. 3129. WRDA 2007 LOWER GIRARD LAKE DAM, GIRARD, OHIO.

Section 507 of the Water Resources Development Act of 1996 (110 Stat. 3758) is amended

(1) by inserting "(a) IN GENERAL.- " before "The Secretary";

(2) in paragraph (1) of subsection (a) (as designated by paragraph (1) of this subsection)- by striking "Repair and rehabilitation" and all that follows through "Ohio" and inserting "Correction of structural deficiencies of the Lower Girard Lake Dam, Girard, Ohio, and the appurtenant features to meet the dam safety standards of the State of Ohio"; and by striking "$2,500,000" and inserting "$16,000,000"; and

(3) by adding at the end the following: "(b) SPECIAL RULES.-The project for Lower Girard Lake Dam, Girard, Ohio, authorized by subsection (a)(1) is justified on the basis of public safety."

Encl