DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

CECW-LRD

APR 21 2009

MEMORANDUM FOR:
COMMANDER, GREAT LAKES AND OHIO RIVER DIVISION (CELRD-DE)
COMMANDER, MISSISSIPPI VALLEY DIVISION, (CEMVD-DE)
COMMANDER, NORTH ATLANTIC DIVISION, (CENAD-DE)
COMMANDER, NORTHWESTERN DIVISION, (CENWD-DE)

SUBJECT: Implementation Guidance for Section 5003 of the Water Resources Development Act of 2007 (WRDA 2007) (Public Law 110-114)

1. Section 5003 of WRDA 2007 authorizes the Secretary to provide assistance to enhance dam safety for 15 dams across the country, and authorizes appropriations in the amount of $12,000,000 to carry out this work. A copy of Section 5003 is enclosed for your information.

2. Since the dams listed in Section 5003 are non-Federal dams, no work should be accomplished under Section 5003 until such time as Congress appropriates funds for such work. Federal funding will be limited to the amount appropriated for such work. All costs above the amount appropriated by Congress for such work will be a non-Federal cost.

3. At such time that funds are appropriated by Congress, the following must be completed and submitted to HQUSACE for approval before any assistance is provided under Section 5003 of WRDA 2007:

a. The District Dam Safety Officer will first obtain a copy of the latest inspection report on the dam from the appropriate State Dam Safety Office. This report will be the basis for providing assistance to enhance dam safety. Upon receipt of the State inspection report, a Dam Safety Modification Report will be prepared to define the assistance to be accomplished by the Corps. A copy of the State inspection report will be included in the Modification Report as well as the National Inventory of Dams identification number.

b. A draft Design Agreement with the owners of the dam must be submitted to the appropriate HQUSACE Regional Integration Team for review and approval. The Dam Safety Modification Report will serve as the support document for the Design Agreement. The National Inventory of Dams identification number will also be included in the Design Agreement. If the project proceeds beyond the design phase, the Special Assistant for Dam and Levee Safety must be contacted for additional guidance before any efforts are undertaken.

4. The assistance provided for State Dam, Auburn, New York, shall be for a project for rehabilitation in accordance with the report on State Dam Rehabilitation, Owasco Lake Outlet, New York, dated March 1999, if the Secretary determines that the project is feasible. At such

time as funds are appropriated for this project, the feasibility determination will be accomplished in accordance with ER 1110-2-1155.

5. The Headquarters point of contact for work under Section 5003 is Mr. Eric Halpin, Special Assistant for Dam and Levee Safety. Mr. Halpin can be reached at (202) 761-7622.

FOR THE COMMANDER:

Encl

MICHAEL G. ENSCH
Chief, Operations
Directorate of Civil Works

Water Resources Development Act of 2007

SEC.5003. DAM SAFETY

(a) Assistance.--The Secretary may provide assistance to enhance dam safety at the following locations:

(1) Fish Creek Dam, Blaine County, Idaho.
(2) Keith Creek, Rockford, Illinois.
(3) Mount Zion Mill Pond Dam, Fulton County, Indiana.
(4) Hamilton Dam, Flint River, Flint, Michigan.
(5) Congers Lake Dam, Rockland County, New York.
(6) Lake Lucille Dam, New City, New York.
(7) Peconic River Dams, town of Riverhead, Suffolk, Long Island, New York.
(8) Pine Grove Lakes Dam, Sloatsburg, New York.
(9) State Dam, Auburn, New York.
(10) Whaley Lake Dam, Pawling, New York.
(11) Brightwood Dam, Concord Township, Ohio.
(12) Ingham Spring Dam, Solebury Township, Pennsylvania.
(13) Leaser Lake Dam, Lehigh County, Pennsylvania.
(14) Stillwater Dam, Monroe County, Pennsylvania.
(15) Wissahickon Creek Dam, Montgomery County, Pennsylvania.

(b) Special Rule.--The assistance provided under subsection (a) for State Dam, Auburn, New York, shall be for a project for rehabilitation in accordance with the report on State Dam Rehabilitation, Owasco Lake Outlet, New York, dated March 1999, if the Secretary determines that the project is feasible.

(c) Authorization of Appropriations.--There is authorized to be appropriated to carry out subsection (a) $12,000,000.