DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

22 JUN 2001

CECW-EIS

MEMORANDUM FOR Commander, Mississippi Valley Division, ATTN: CEMVD-ET

SUBJECT: Implementation of Section 524 of the Water Resources Development Act of 2000 (WRDA2000) (Public Law 106-541) "Minnesota Dam Safety"

1. The purpose of this memorandum is to provide implementation guidance on Section 524 of WRDA 2000 entitled "Minnesota Dam Safety." A copy is enclosed for your reference.

a. The majority of the dams constructed using funds made available through the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps (WPA, WPA, and CCC) are non-Federal dams. No work should be accomplished under this authority until such time as Congress appropriates funds for such work in statutory language.

b. The inventory of WPA, WPA, and CCC under Section 524 is in addition to the inventory authorized by Section 6, National Dam Inventory, of the National Dam Safety Program Act (Section 215, WRDA 1996, (PL 104-303)). Nothing in Section 524 changes the requirement to include these dams in the National Dam Inventory.

c. The definition of a dam as provided in Section 2. (2) of the National Dam Safety Program Act (Section 215, WRDA 1996, (PL 104-303)) should be used for the purpose of establishing the inventory of dams under Section 524.

d. Section 524 does not affect existing operations, maintenance, and rehabilitation responsibilities for any dam, where the ownership of such dam has been transferred to the U.S. Army Corps of Engineers or any other Federal agency.

2. The non-Federal share of any assistance accomplished under the authority of subsection (c) of Section 524 shall be 35%. Before any work under that subsection can be provided, a draft agreement must be submitted to HQUSACE, ATTN: CECW-PC, for review and approval. The existing design agreement may be used as a model. However, no work on any agreement should be undertaken until funds have bee appropriated in statutory language.

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3. The Headquarters Dam Safety Committee point of contact for Section 524 is Mr. Charles Pearre. He can be reached at (202) 761-4645.

FOR THE COMMANDER:

DWIGHT A. BERANEK, P.E.
Chief, Engineering and Construction Division
Directorate of Civil Works

Enclosure
As Stated

CF: CECW-B
CECW-O
CECW-P
OASA(CW)

WATER RESOURCES DEVELOPMENT ACT OF 2000

SEC. 524. MINNESOTA DAM SAFETY.

(a) INVENTORY AND ASSESSMENT OF OTHER DAMS-

(1) INVENTORY- The Secretary shall establish an inventory of dams constructed in the State of Minnesota by and using funds made available through the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps.

(2) ASSESSMENT OF REHABILITATION NEEDS- In establishing the inventory required under paragraph (1), the Secretary shall assess the condition of the dams on the inventory and the need for rehabilitation or modification of the dams.

(b) REPORT TO CONGRESS- Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the inventory and assessment required by this section.

(c) INTERIM ACTIONS-

(1) IN GENERAL- If the Secretary determines that a dam referred to in subsection (a) presents an imminent and substantial risk to public safety, the Secretary may carry out measures to prevent or mitigate against that risk.

(2) FEDERAL SHARE- The Federal share of the cost of assistance provided under this subsection shall be 65 percent.

(d) COORDINATION- In carrying out this section, the Secretary shall coordinate with the appropriate State dam safety officials and the Director of the Federal Emergency Management Agency.

(e) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to carry out this section $7,000,000.

Encl 1