

Part 503 – Safety

Subpart D – Dam Safety

503.50 Involvement With Dams

- A. NRCS involvement with dams and dam safety includes activities in planning, design, construction, operation, and maintenance. NRCS is concerned about the safety of dams and addresses safety aspects at the appropriate stages of involvement.
- B. NRCS has provided technical assistance on more dams than any other Government agency or consulting firm. NRCS does not own these dams; most of them are non-Federal. For some dams, financial assistance is available through NRCS programs. NRCS is involved in operation and maintenance (O&M) activities through the preparation of O&M plans for all inventory dams (Title 180, National Operation and Maintenance Manual (NOMM), Part 500, Subpart D, Section 500.30, “Overview”). In addition, NRCS receives formal inspection reports for dams installed under project activities (180-NOMM, Part 500, Subpart E, Section 500.44, “Formal Inspections”). NRCS may provide additional technical assistance for O&M as determined by the State Conservationist.
- C. A Presidential memorandum of October 4, 1979, established the Federal Guidelines for Dam Safety. The memorandum stated, “... I ask that the head of each Federal Agency responsible for or involved with planning, site selection, design, construction, certification or regulation, inspection, maintenance and operation, repair, financial or technical assistance, or ultimate disposition of dams adopt and implement the Federal guidelines, as applicable.”

503.51 USDA Involvement

- A. USDA Departmental Regulation 1043-018 establishes a USDA Dam Safety Committee and requires the Rural Housing Service, Forest Service, Rural Utilities Service, Agricultural Research Service, and NRCS each to designate a dam safety officer to serve on the committee.
- B. The Under Secretary for Natural Resources and Environment chairs the committee. The NRCS dam safety officer is the executive secretary of the committee.
- C. For technical matters, the executive secretary of the committee is the USDA contact with the Chief, Dams Section, Department of Homeland Security (DHS).

503.52 NRCS Dam Safety Officer

- A. The Director, Conservation Engineering Division (CED), is the NRCS dam safety officer.
- B. The dam safety officer reports directly to the Chief on issues that affect dam safety. The dam safety officer implements directives and needed actions.
- C. The dam safety officer has the responsibility to—
 - (1) Ensure adequacy of policy and procedures related to dam safety.
 - (2) Make reasonable and prudent efforts to ensure the safety of dams installed with NRCS assistance.
 - (3) See that all levels of NRCS are aware of the need for actions to ensure that dams installed with NRCS assistance are safe.
 - (4) Evaluate safety-related administrative and technical practices concerning the design, construction, operation, maintenance, periodic inspections, and rehabilitation of dams.

- (5) Maintain an inventory of NRCS assisted dams meeting the inclusion criteria described in part 520, subpart C, section 520.21F of this manual.
- (6) Provide leadership by representing NRCS in Federal and other activities leading to the establishment of policy, procedure, and criteria for dam safety.

503.53 Interagency Involvement

- A. NRCS is involved with other Federal agencies in dam safety activities. As executive secretary of the USDA Dam Safety Committee, the Director, CED, is the USDA member on the Interagency Committee on Dam Safety (ICODS).
- B. State Conservationists are encouraged to work with other Federal and State agencies in dam safety activities.

503.54 Other (Nongovernmental) Involvement

NRCS encourages its employees to become involved at all levels with various technical and professional groups in dam safety activities.

503.55 NRCS-State Relationships

NRCS supports State dam safety programs. A State dam safety program is imperative to protect public health and safety. NRCS lacks O&M authority on dams installed with Federal assistance and does not have continuing responsibility for the non-Federal dams installed under NRCS programs. It is NRCS policy to complement and not compete with State dam safety programs.

503.56 Responsibility for Dams

The owner of a dam is responsible for potential hazards created by the dam. States are responsible for safeguarding the lives and property of their citizens. NRCS is responsible for ensuring that the assistance it provides for dams is technically sound and meets applicable State regulations and criteria.

503.57 NRCS Assistance

- A. Each State Conservationist must help the State to develop and implement a strong dam safety program, as needed. The State Conservationist must work with the State, as appropriate, at the policy level and by technology transfer. NRCS involvement in formal inspections could be limited to some percentage of the NRCS-assisted dams. This involvement, however, permits NRCS and the State to derive the benefits of mutual technology exchange. NRCS participation in at least some of the initial inspections may also be particularly desirable to provide feedback to the design process.
- B. Each State Conservationist must establish needed working arrangements with the State for NRCS assistance in maintaining a strong State dam safety program.

503.58 Key Factors

NRCS must remain aware of several key factors of the State dam safety program, including—

- (1) Consistency with the Federal guidelines for dam safety.
- (2) Consistency with the model State law prepared by the Association of State Dam Safety Officials.

- (3) Recognition that some classification system is desirable.
- (4) Assurance of proper engineering criteria through a State approval or certification system covering both design and construction.
- (5) Requirements for adequate maintenance of dams.
- (6) Procedures for adequate inspection, including appropriate participation by qualified personnel.
- (7) Provisions for periodic reviews of hazard class and educational programs and regulations to discourage development downstream of low and significant hazard potential dams that would change the classification.
- (8) Provisions for emergency action plans for all high hazard potential dams.
- (9) Authority to take action to alleviate unsafe conditions, such as by modifying or removal of the dam or removing the hazard.
- (10) Adequacy of staffing and funding on a continuing basis.
- (11) Inclusion of all inventory-type dams (see part 520, subpart C, section 520.21F of this manual) in the State-regulated program.

503.59 Assistance to State Dam Safety Programs

With the exception of Alabama, all States have State dam safety programs that provide for inspection of existing dams and newly constructed dams under their jurisdiction. To assist a State dam safety program, the State Conservationist may wish to assist by making inspection assistance available. The State Conservationist should encourage the State to take on full responsibility for non-NRCS-assisted dams. NRCS assistance may be desirable for the initial formal inspections of new significant and high hazard potential dams. To establish a structure and mechanism that promotes cooperation, NRCS encourages each State Conservationist to maintain a memorandum of understanding between NRCS and the appropriate State dam safety agency or agencies.

503.60 Department of Homeland Security

- A. The chairman of the USDA Dam Safety Committee is the primary contact with DHS for dam safety.
- B. The executive secretary participates in DHS activities and represents the Department in the chairman's absence. The executive secretary is the point of contact with DHS in technical matters.

503.61 DamWatch

- A. NRCS provides access to the Web-based application DamWatch to assist dam owners, project sponsors, NRCS personnel, and State dam safety officials to monitor conditions for nearly 12,000 NRCS-assisted dams. DamWatch provides real-time monitoring of potential threats to dams such as rainfall events and seismic activity. DamWatch also provides access to important information about dams, including as-built plans, operation and maintenance agreements, emergency action plans, inspection reports, photos, videos, and assessment reports. User Guide (UG) 210-15-5, "DamWatch," contains instructions for accessing DamWatch.
- B. The Director, CED, provides State conservation engineers (SCEs) permission to serve as DamWatch State administrators. Each SCE may provide up to four additional employees in their State permission to serve as DamWatch State administrators. DamWatch State administrators may provide other NRCS employees permission to access DamWatch as users or local users.
- C. SCEs provide non-NRCS personnel permission to access DamWatch as follows:
 - (1) State Dam Safety Officials.—User or local user permission statewide.

- (2) State Dam Safety Employees.—User or local user permission statewide or for select dams in State.
- (3) Dam Owners and Project Sponsors.—User or local user permission statewide or for dams in project area.
- (4) Emergency Response Officials.—User or local user permission for dams in emergency action official area of responsibility.

D. SCEs provide other non-NRCS personnel, such as Federal, State, or local government employees and engineering consultants working for project sponsors, permission to access DamWatch. Because DamWatch contains sensitive information, NRCS encourages each SCE to use discretion when providing non-NRCS personnel permission to access DamWatch. NRCS encourages each SCE to coordinate with dam owners and project sponsors when granting permission to access DamWatch.

E. SCEs must monitor access to DamWatch by dam owners and project sponsors. NRCS encourages all State Conservationists to contact all dam owners and sponsors of dams in DamWatch on a regular basis to inform them of the availability of the application and to obtain user feedback.

F. During emergencies, SCEs should assist project sponsors, State dam safety officials, emergency response officials and others with the use of DamWatch.

G. DamWatch provides an interactive forum where all users contribute to the information in the DamWatch database. SCEs have the primary responsibility for managing and providing access to the information on DamWatch. Each SCE should work with dam owners and project sponsors to develop a system for managing data and responding to alerts in DamWatch for their State. SCEs should encourage dam owners and project sponsors to take the lead managing data and system alerts in DamWatch.

H. SCEs must ensure that DamWatch contains all available as-built drawings, emergency action plans, project work plans, operations and maintenance agreements, inspection reports, and design reports for dams in DamWatch. SCEs should encourage users to load additional material such as photographs, videos, inundation maps, floodplain management studies, design computations, and news articles for each dam in DamWatch.