

**DEPARTMENT OF DEFENSE****Department of the Army, Corps of Engineers****Proposals by Non-Federal Interests, for Feasibility Studies and for Modifications to an Authorized Water Resources Development Project or Feasibility Study, for Inclusion in the Annual Report to Congress on Future Water Resources Development**

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice.

**SUMMARY:** Section 7001 of Water Resources Reform and Development Act (WRRDA) 2014 requires that the Secretary of the Army annually submit to the Congress a report (Annual Report) that identifies feasibility reports, proposed feasibility studies submitted by non-Federal interests, and proposed modifications to an authorized water resources development project or feasibility study that meet certain criteria. The Annual Report is to be based, in part, upon requests for proposals submitted by non-Federal interests.

**DATES:** Proposals must be submitted online by August 20, 2018.

**ADDRESSES:** Submit proposals online at: <http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/WRRDA7001Proposals.aspx>. If a different method of submission is required, use the further information below to arrange an alternative submission process.

**FOR FURTHER INFORMATION CONTACT:** Send an email to the help desk at [WRRDA7001Proposal@usace.army.mil](mailto:WRRDA7001Proposal@usace.army.mil) or call Lisa Kiefel, Planning and Policy Division, Headquarters, USACE, Washington, DC at 202-761-0626.

**SUPPLEMENTARY INFORMATION:** Section 7001 of WRRDA 2014 requires the publication of a notice in the **Federal Register** to request proposals by non-Federal interests for feasibility studies and modifications to an authorized USACE water resources development project or feasibility study. Project feasibility reports that have successfully completed Executive Branch review, but have not been authorized will be included in the Annual Report table by the Secretary of the Army and these proposals do not need to be submitted in response to this notice.

Proposals by non-Federal interests must be entered online and require the following information:

1. The name of all non-Federal interests planning to act as the sponsor,

including any non-Federal interest that has contributed to or is expected to contribute toward the non-Federal share of the proposed feasibility study or modification.

2. State if this proposal is for a feasibility study or a modification to an authorized USACE water resources development project or feasibility study and, if a modification, specify the authorized water resources development project or study that is proposed for modification.

3. State the specific project purpose(s) of the proposed study or modification.

4. Provide an estimate, to the extent practicable, of the total cost, and the Federal and non-Federal share of those costs, of the proposed study and, separately, an estimate of the cost of construction or modification.

5. Describe, to the extent applicable and practicable, an estimate of the anticipated monetary and non-monetary benefits of the proposal with regard to benefits to the protection of human life and property; improvement to transportation; the national economy; the environment; or the national security interests of the United States.

6. Describe if local support exists for the proposal.

7. State if the non-Federal interest has the financial ability to provide the required cost share, reference ER 1105-2-100.

8. Upload a letter or statement of support from each associated non-Federal interest.

All provided information may be included in the Annual Report to Congress on Future Water Resources Development. Therefore, information that is Confidential Business Information, information that should not be disclosed because of statutory restrictions, or other information that a non-Federal interest would not want to appear in the Annual Report should not be included.

*Process:* Proposals received within the time frame set forth in this notice will be reviewed by the Army and will be presented in one of two tables. The first table will be in the Annual Report itself, and the second table will be in an appendix. To be included in the Annual Report table, the proposals must meet the following criteria:

1. Are related to the missions and authorities of the USACE;

Involves a proposed or existing USACE water resources project or effort whose primary purpose is flood and storm damage reduction, commercial navigation, or aquatic ecosystem restoration. Following long-standing USACE practice, related proposals such as for recreation, hydropower, or water

supply, are eligible for inclusion if undertaken in conjunction with such a project or effort.

2. Require specific congressional authorization, including by an Act of Congress;

Comprise the following cases:

a. *Requires Construction Authorization.*

- Signed Chief's Reports
- Non-Federal feasibility reports submitted to the Secretary of the Army under Section 203 of WRDA 1986, as amended, under Administration review,
- Ongoing feasibility studies that are expected to result in a Chief's Report, and

- Proposed modifications to environmental infrastructure projects that were authorized prior to the date of enactment of the Water Resources Development Act of 2016 (December 16, 2016) pursuant to Section 219 of WRDA 1992, as amended; and

- Proposed modifications to authorized water resources development projects requested by non-Federal interests through the Section 7001 of WRRDA 2014 process.

b. *Seeking Study Authorization.*

- New feasibility studies proposed by non-Federal interests through the Section 7001 of WRRDA 2014 process will be evaluated by the USACE to determine whether or not there is existing study authority, and

- Proposed modifications to studies requested by non-Federal interests through the Section 7001 of WRRDA 2014 process will be evaluated by the USACE to determine whether or not there is existing study authority.

c. The following cases are NOT ELIGIBLE to be included in the Annual Report and will be included in the appendix for transparency:

- Proposals for modifications to non-Federal projects where USACE has provided previous technical assistance. Authorization to provide technical assistance does not provide authorization of a water resources development project.

- Proposals for construction of a new water resources development project that is not the subject of a currently authorized USACE project or a complete or ongoing feasibility study.

- Proposals that do not include a request for a potential future water resources development project through completed feasibility reports, proposed feasibility studies, and proposed modifications to authorized projects or studies.

3. Have not been congressionally authorized;

4. Have not been included in the Annual Report table of any previous

Annual Report to Congress on Future Water Resources Development; and

- If the proposal was included in the Annual Report table in a previous Report to Congress on Future Water Resources Development, then the proposal is not eligible to be included in the Annual Report table. If a proposal was previously included in an appendix it may be re-submitted.

5. If authorized, could be carried out by the USACE.

- Whether following the USACE Chief's Report process or Section 7001 of WRRDA 2014, a proposal for a project or a project modification would need a current decision document to provide updated information on the scope of the potential project and demonstrate a clear Federal interest. This determination would include an assessment of whether the proposal is:

- Technically sound, economically viable and environmentally acceptable.
- Compliant with environmental and other laws including but not limited to National Environmental Policy Act, Endangered Species Act, Coastal Zone Management Act, and the National Historic Preservation Act.
- Compliant with statutes and regulations related to water resources development including various water resources provisions related to the authorized cost of projects, level of detail, separable elements, fish and wildlife mitigation, project justification, matters to be addressed in planning, and the 1958 Water Supply Act.

Feasibility study proposals submitted by non-Federal interests are for the study only. If Congressional authorization of a feasibility study results from inclusion in the Annual Report, it is anticipated that such authorization would be for the study, not for construction. Once a decision document is completed in accordance with Executive Branch policies and procedures, the Secretary will determine whether to recommend the project for authorization.

All water resources development projects must meet certain requirements before proceeding to construction. These requirements include: (1) That the project is authorized for construction by Congress; (2) that the Secretary, or other appropriate official, has approved a current decision document; and, (3) that the funds for project construction have been appropriated and are available.

Section 902 of WRDA 1986 establishes a maximum authorized cost for projects (902 limit). A Post

Authorization Change Report (PACR) is required to be completed to support potential modifications, updates to project costs, and an increase to the 902 limit. Authority to undertake a 902 study is inherent in the project authority, so no authority is required to proceed with the study. Since these PACRs support project modifications, they may be considered for inclusion in the Annual Report if a report's recommendation requires Congressional authorization.

The Secretary shall include in the Annual Report to Congress on Future Water Resources Development a certification stating that each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project or feasibility study included in the Annual Report meets the criteria established in Section 7001 of WRRDA 2014.

Please contact the appropriate district office or use the contact information above for assistance in researching and identifying existing authorizations and existing USACE decision documents. Those proposals that do not meet the criteria will be included in an appendix table included in the Annual Report to Congress on Future Water Resources Development. Proposals in the appendix table will include a description of why those proposals did not meet the criteria.

Dated: April 13, 2018.

**James C. Dalton,**

*Director of Civil Works.*

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**BILLING CODE 3720-58-P**

## DEPARTMENT OF THE DEFENSE

### Department of the Army, Corps of Engineers

#### Intent To Prepare a Draft Environmental Impact Statement for the Dam Safety Modification Study Report for Center Hill Dam, DeKalb County, Tennessee

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of Intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the U.S. Army Corps of Engineers, Nashville District (USACE) is preparing a draft Environmental Impact Statement (EIS) to support the Dam Safety Modification Study Report (DSMSR) for Center Hill Dam. The study would evaluate the main dam spillway gate operability, the saddle dam fuse plug operation, and spillway additions

to the new Roller Compacted Concrete (RCC) berm structure at the saddle dam, all for the purpose of lowering risk at Center Hill Dam, DeKalb County, Tennessee.

**DATES:** Comments regarding the NOI must be received by USACE within 30 days of publication of the NOI on or before May 20, 2018.

**ADDRESSES:** USACE-Nashville District, 110 9th Avenue South, RM 405A, Nashville, Tennessee 37203-3817.

**FOR FURTHER INFORMATION CONTACT:**

Please direct your comments to Joy Broach, Aquatic Biologist, (615) 736-7956; email: [joy.i.broach@usace.army.mil](mailto:joy.i.broach@usace.army.mil). Written comments can be mailed to the address above.

**SUPPLEMENTARY INFORMATION: 1.**

*Background Information.* Center Hill Dam was designed in the 1930s, constructed in the 1940s, and impounded in the early 1950s. The dam was built on karst geology using accepted engineering practices of the day. Center Hill Dam consists of a 248' high by 1,400' long combination earthen embankment and concrete main dam, and a 125' high by 800' long earthen embankment auxiliary dam referred to as the saddle dam. The main dam has eight 34' x 57' spillway gates that rotate upward to safely pass flow during and after large rainfall events. To comply with updated design flood guidance, a self-eroding fuse plug section was retrofitted into the top of the saddle dam in 1992 to serve as an emergency spillway. The fuse plug operation almost doubles Center Hill's total spillway capacity to keep the main dam from overtopping during an extreme flood event. A Dam Safety Modification Study to reduce the risk of a foundation seepage dam failure was approved in late 2006 and consisted of three major construction contracts beginning in 2008. The first contract injected concrete grout into the foundation of the main dam embankment (soil portion of the dam) and was completed in 2010. The second contract installed a concrete barrier wall into the main dam embankment and was completed in 2015. This concrete barrier wall is the permanent seepage barrier protection for the main dam embankment. The third major contract for construction of a Roller Compacted Concrete (RCC) berm below the saddle dam began in September 2016 and is on-going. The purpose of the RCC berm is to reduce the risk of saddle dam failure caused by under-seepage or overtopping during an extreme flood event. A Post Implementation Evaluation (PIE) was completed in 2017 to assess the effectiveness of the above construction