

INDIAN AFFAIRS MANUAL

Part: 55

Safety of Dams

Chapter: 1

Policy, Authorities and Responsibilities

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1.1 Purpose. This Chapter establishes the basic policy, authorities, and responsibilities for the Bureau of Indian Affairs (BIA) Safety of Dams (SOD) Program.

1.2 Policy. It is the BIA SOD Program policy to:

A. Reduce the potential loss of human life and property damage due to a catastrophic dam failure by making BIA dams as safe as practically possible; and

B. Encourage flood plain management below dams and on reservoir shorelines.

1.3 Authorities.

A. Presidential Memorandum issued April 23, 1977, to the Heads of Federal Agencies that have dam safety responsibilities, requiring each agency to conduct a thorough review of practices affecting the safety and integrity of dams;

B. Executive Memorandum dated October 9, 1979, implementing Federal Guidelines for Dam Safety for each agency;

C. 25 U.S.C. § 3801, Public Law 103-302, Indian Dams Safety Act of 1994. This law directs the Secretary to establish a dam safety maintenance and repair program within the BIA to monitor the condition of all dams on Indian lands and maintain them in a satisfactory condition on a long-term basis;

D. 33 U.S.C. § 467, Public Law 92-367, National Dam Inspection Act of 1972; and

E. 33 U.S.C. § 2201 et seq., Public Law 99-662, Water Resources Development Act of 1986.

1.4 Guidance. Government-wide, Department of the Interior, and BIA guidance documents are available from the BIA SOD Officer, MS 4515-MIB, 1849 C Street NW, Washington, DC 20240.

A. Government-Wide. Federal Guidelines for Dam Safety, June 25, 1979.

B. Department of the Interior.

(1) Departmental Manual Part 753, Dam Safety Program;

(2) Secretarial Order No. 3048, February 28, 1980;

(3) Interagency Agreement between the BIA and the Bureau of Reclamation, dated May 16, 1996;

(4) Value Engineering Guidance Handbook, No. VE-1; and

(5) Departmental Manual Part 369, Value Engineering.

C. Bureau of Indian Affairs. Bureau of Indian Affairs Safety of Dams Handbook (BIA SOD Handbook).

D. Other Federal Agencies. Bureau of Reclamation and Federal Emergency Management Administration technical guidance documents referenced in the BIA SOD Handbook are available from the Bureau of Reclamation, Technical Service Center, Client Liaison, BIA and Tribal Projects, P.O. Box 25007, D-8010, Denver, CO 80225-0007.

1.5 Responsibilities.

A. Director, Office of Trust Responsibilities, designates the BIA SOD Officer.

B. BIA SOD Officer.

- (1) Plans, manages, directs, and provides program oversight and guidance to Regional SOD Officers;
- (2) Provides staff assistance and advice to the Commissioner/Deputy Commissioner of Indian Affairs;
- (3) Develops and manages programs relating to the BIA responsibilities to Indian tribes as they relate to the SOD Program;
- (4) Monitors compliance and makes recommendations for changes to Federal, Departmental, and BIA SOD guidelines;
- (5) Drafts legislation and regulations as required, and reviews proposed legislation and regulations initiated elsewhere that may affect the SOD Program;
- (6) Formulates policy recommendations and provides direction and guidance on implementation to Regional Directors or their designated representatives;
- (7) Serves as liaison and promotes working agreements with tribes, states, and other Federal agencies concerning SOD Program activities;
- (8) Represents the BIA on the Department of the Interior Dam Safety Working Group;
- (9) Coordinates with other program offices of the BIA and other agencies on SOD issues, including emergency preparedness; and
- (10) Reviews and provides updates on BIA data for the National Inventory of Dams.

C. Regional Directors.

- (1) Provide program oversight for the operation of the SOD Program within their jurisdiction in accordance with established policy, procedures, directives, and this manual part;
- (2) Submit an Annual Status Report to the BIA SOD Officer by December 31 of each year for all SOD Program dams under the jurisdiction of the Regional Office; and
- (3) Designate a Regional SOD Officer.

D. Regional SOD Officers.

- (1) Plan, manage, and direct Regional SOD Program activities;
- (2) Prepare the Regional Director's Annual Status Report on each SOD Program dam as described in the BIA SOD Program Handbook;
- (3) Maintain the Regional Office record-keeping and reporting system for the SOD Program, including the National Inventory of Dams;
- (4) Provide technical assistance to other Regional staff and tribes;
- (5) Coordinate SOD activities with the BIA SOD Officer and provide liaison with other organizations and government agencies;
- (6) Serve as the Contracting Officer's Representative (COR) or Contracting Officer's Technical Representative (COTR) on Regional SOD Program contracts when designated by the Regional Contracting Officer;
- (7) Coordinate all SOD Program activities with Agency Superintendents and Agency and tribal SOD personnel, and expedite all matters relating to dam safety for any new dam project, on or off a reservation, which could affect trust lands, including those planned, designed, and/or constructed by others;
- (8) Review all roadway embankments which cross waterways with the potential to affect BIA dams or trust lands to determine possible hazards from impoundment of water and to ensure adequate design of such embankments;
- (9) Immediately report to the Regional Director any dam failure, incident, or any abnormal operations which adversely affect public safety or dam operations;
- (10) Maintain a set of the documents referenced in the Record Keeping section of the BIA SOD Handbook;
- (11) Develop and implement emergency management procedures as described in Chapter 2, Section 2.5 of this Part for each SOD Program dam;

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(12) Provide oversight for, and conduct a final inspection of, all completed modifications to existing dams or new dam construction, prepare a Final Project Report for each project, and determine the need for any post construction activities; and

(13) Arrange and facilitate training for Regional and tribal SOD Program personnel.

E. Agency Superintendents.

(1) Coordinate SOD Program activities with the Regional SOD Officer, including training for Agency personnel involved in the SOD Program; and

(2) Ensure that Agency responsibilities in Emergency Action Plans for dams under their jurisdiction are implemented.