



**RESOLUTION
of the
WESTERN STATES WATER COUNCIL
in support of
NATIONAL DAM SAFETY PROGRAMS**

**Reno, Nevada
May 24, 2023**

WHEREAS, access to, and availability of, water profoundly influences growth and development, economic and environmental well-being, and the quality of life for the population; and

WHEREAS, across the Nation, dams and reservoirs store water for crucial uses, including agriculture, industry, municipalities, recreation, fisheries, and other purposes; and

WHEREAS, to ensure public health and safety and the continued provision of essential benefits, responsible operation, regular maintenance, and repair and rehabilitation of dams and related infrastructure is required; and

WHEREAS, many state¹ and federal agencies, including the Bureau of Reclamation and the Army Corps of Engineers, follow the 2004 FEMA hazard potential classification system for failures or mis-operation of dams (FEMA Pub. No. 333),² defining “high hazard” as probably causing loss of human life, and “significant hazard” as no probable loss of human life but resulting in substantial economic loss, environmental damage, disruption of lifeline facilities, or other considerable impacts; and

WHEREAS, aging infrastructure and lack of investment are contributing to an increase in the number of non-federal high hazard potential (HHP) dams in poor repair across the Nation, with around 16,000 dams identified as HHP in the 2023 National Inventory of Dams (NID) and requiring an estimated \$34.1 billion to repair and rehabilitate, according to the Association of State Dam Safety Officials;³ and

WHEREAS, hundreds of Bureau of Reclamation dams and reservoirs throughout the West provide water and power for millions of people, irrigation for food and fiber, flood control, recreation opportunities, and habitat for wildlife; and

WHEREAS, the average age of Bureau of Reclamation dams is 70 years, and Reclamation's 2023 Asset Management Report⁴ to Congress indicates that over the next 30 years, major maintenance, repair, and rehabilitation (MR&R) needs (including extraordinary maintenance, safety of dams, and deferred maintenance) will be \$20.3 billion; and

¹ Summary of State Laws and Regulations on Dam Safety (May 2020), Association of State Dam Safety Officials

² <https://www.ferc.gov/sites/default/files/2020-04/fema-333.pdf>

³ The Cost of Rehabilitating Dams in the U.S.: A Methodology and Estimate, ASDSO April 2023

⁴ <https://www.usbr.gov/infrastructure/mrr/docs/asset-management-report-to-congress2023.pdf>

WHEREAS, the Reclamation Safety of Dams Act of 1978 provides Reclamation with authority to preserve and maintain the structural safety of dams under its stewardship; and

WHEREAS, in FY2016, the Congress provided an additional \$1.1 billion in budget authority (P.L. 114-113, Section 204), giving Reclamation several more years before reaching its spending ceiling; and

WHEREAS, the Natural Resources Conservation Service (NRCS) has 2,243 high hazard project dams with an average age of 50 years, with most requiring MR&R estimated at \$11.1 billion, and by 2025 nearly 6,800 NRCS watershed dams will have reached the end of their design life; and

WHEREAS, the NRCS offers a Watershed Rehabilitation Program under the Watershed Protection and Flood Prevention Act to help local sponsors to rehabilitate their dams; and

WHEREAS, the U.S. Army Corps of Engineers (USACE) operates and maintains approximately 740 dams nationwide that provide significant, multiple benefits including flood risk management, navigation, water supply, hydropower, environmental stewardship, fish and wildlife conservation and recreation that are essential to the nation, integral to many communities, and critical in many watersheds; and

WHEREAS, USACE's dam safety program is designed to make sure these projects deliver their intended benefits, while reducing risks to people, property and the environment through continuous assessment, communication and management; and

WHEREAS, approximately 97 percent of USACE dams are more than 30 years old, 70 percent have exceeded their designed 50-year service lives, and the estimated cost of repair is nearly \$20 billion;⁵ and

WHEREAS, USACE dam safety projects are cost shared with local sponsors and requirements vary based on the original Congressional project authorization, and dams with highest life safety risk receive 100% of what can be efficiently expended in the program year, taking into account both budgeted funds and carryover balances.

WHEREAS, according to the Congressional Research Service, in 2019 the 90,000 dams listed in the NID included 3% owned by federal agencies and the remainder owned by private entities, nonfederal governments, and public utilities; and

WHEREAS, states have regulatory authority for over 69% of NID-listed dams, but the federal government plays a key role in dam safety policies for both federal and nonfederal dams; and

WHEREAS, changing climate conditions are contributing to the frequency and severity of weather events and natural disasters which increase the likelihood of dam failures, including failures of deficient HHP dams; and

⁵ <https://www.usace.army.mil/Media/Fact-Sheets/Fact-Sheets-View/Article/2523036/dam-safety-facts-and-figures/>

WHEREAS, dam failures can result in loss of life, mass evacuations, extensive property damage, destruction of public infrastructure, and widespread dispersal of contaminants; and

WHEREAS, failing rural water infrastructure increase pressures on rural and tribal communities throughout the West, and dam failures can exacerbate water scarcity and supply issues; and

WHEREAS, the significant legal and economic costs of dam failures place additional strain on scant state, tribal, and local revenues that must respond to other crises, including the COVID-19 pandemic; and

WHEREAS, the primary purpose of the Federal Emergency Management Agency (FEMA) National Dam Safety Program is to provide financial assistance to the States for strengthening dam safety programs through such actions as: (1) dam safety training for state personnel; (2) increased inspections of non-federal dams; (3) increased submittal and testing of emergency action plans; (4) more timely review and issuance of permits; (5) improved coordination with state emergency preparedness officials; (6) identification of non-federal dams for repair or removal; and (7) dam safety awareness workshops and creation of dam safety outreach materials; and

WHEREAS, Congress recently appropriated \$10 million for FEMA's new Rehabilitation of High Hazard Potential Dams (HHPD) Grant Program for FY2020, to provide technical, planning, design, and construction assistance in the form of grants for rehabilitation of eligible high hazard potential dams; and

WHEREAS, the FEMA National Dam Safety Program's Grant Assistance to States provides critical funding for state dam safety programs, which continue to be underfunded and lack sufficient staff and other resources; and

WHEREAS, the FEMA HHP Dam Rehabilitation Grant program is essential to the continued improvement of dam infrastructure throughout the Nation; and

WHEREAS, mitigation planning, supported by FEMA grants, such as the Flood Mitigation Assistance Grant Program, the Pre-Disaster Mitigation Grant Program, and the Hazard Mitigation Assistance Grant Program, help to break the cycle of disaster damage, reconstruction, and repeated damage; and

WHEREAS, Congress recently authorized and appropriated \$81M for the USACE Corps Water Infrastructure Financing Program (CWIFP) to provide long-term, low-cost loans for maintaining, upgrading, and repairing non-federal, NID-listed dams; and

WHEREAS, state dam safety programs are integral to the efficient and sustainable use of federal funds to improve the safety and longevity of non-federal dams and related infrastructure.

NOW, THEREFORE, BE IT RESOLVED, the Western States Water Council supports continued and increased funding for the FEMA National Dam Safety Program, the FEMA High Hazard Dam Rehabilitation Grant, the FEMA Hazard Mitigation Assistance Grants and the USACE CWIFP; and

BE IT FURTHER RESOLVED, the Western States Water Council supports federal legislative and administrative actions that provide stable and continuous funding streams for MR&R of local, state, and federal dams and related infrastructure, including HHP dams, Bureau of Reclamation dams, NRCS dams, and USACE dams; and

BE IT FURTHER RESOLVED, the Western States Water Council supports ongoing coordination of state and federal efforts to strengthen dam safety programs.

(See also Position #448, 7/22/20)