



NB.250.7.6 - , FNM – Watershed Operations, Operation and Maintenance of Project Measures

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National Bulletin: 250-7-6 February 5, 2007
Subject: FNM – Watershed Operations, Operation and Maintenance of Project Measures

Purpose. To provide a reminder of national policy on Operation and Maintenance (O&M) of watershed project structural measures, and to request that reviews of O&M Agreements be conducted with project sponsors.

Expiration Date. September 30, 2007

Background. The Natural Resources Conservation Service (NRCS) is experiencing a growing number of operation and maintenance (O&M) issues involving floodwater-retarding dams and other structural measures installed through the Public Law 534 and Public Law 566 Watershed and Flood Prevention Operations Program (Watershed Program). We recognize that O&M issues may increase considering the age of many dams and other measures installed through public sponsors since the beginning of the program over 50 years ago. Most O&M problems can be avoided where there is mutual understanding and commitment between NRCS and the watershed project sponsor to administer O&M. The O&M agreement serves as a basis for mutual understanding where—

- NRCS and sponsors' roles and responsibilities are identified.
- Administrative, technical, and financial requirements are identified.
- O&M agreements are reviewed, and amended when necessary, on a regular schedule.

This is to remind you of existing NRCS policy that you are required to administer, and to request that you initiate actions to help ensure adequate O&M of structural measures installed through the Watershed Program. Please take all necessary actions for the following:

- The National Operation & Maintenance Manual (NOMM) 500.20 (C) requires the O&M Agreement to be reviewed by the sponsors and NRCS District

Conservationist at least once every 5 years. Existing agreements should be amended to include all necessary information in accordance with NOMM 500.21 in order to maintain, improve, or create mutual understanding of O&M requirements. Where there is not mutual agreement with sponsors to amend an O&M agreement to include all necessary information, including the expiration date of the agreement, the State Conservationist (STC) should notify the sponsors in writing of all necessary information so that the NRCS position is understood and documented. A copy of the letter should be attached to the NRCS official copy of the O&M Agreement. Beginning in FY 2007, technical assistance to support the O&M of dams listed in the National Inventory of Dams is included in the Conservation Technical Assistance (CTA) formula.

NRCS has no further obligation to the local sponsors for the dams or structural measures after the evaluated life expires. National Watershed Manual, NWSM 508.12, specifies that the duration of O&M Agreements is when project measures reach the end of their evaluated life; and, at the end of this period, the STC will provide a letter to the Sponsoring Local Organization indicating that the O&M agreement with NRCS has expired, and to remind them that they may have continued O&M responsibilities in order to remain in compliance with applicable Federal, State, and local laws, regulations, and ordinances.

After O&M agreements expire, NRCS may be requested to provide non-routine technical assistance in special circumstances. STC will need to consider competing priorities for use of his/her State's limited CTA allocation in consideration of such requests for non-routine technical assistance.

Contact. For more information, please contact the National Watershed Program Leader, Conservation Planning and Technical Assistance Division, at (202) 720-3413.

/s/

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