



US Army Corps
of Engineers®
Walla Walla District

SECTION 203

Authority for: **TRIBAL PARTNERSHIP PROGRAM**

WHAT CAN THE CORPS DO? Section 203 of the Water Resources Development Act of 2000, provides authority for the Corps in cooperation with Indian tribes and heads of other federal agencies to study and determine the feasibility of carrying out projects that will substantially benefit Indian tribes. The Tribal Partnership Program provides an opportunity to assist with water resources projects that address economic, environmental and cultural resource needs through studies that may include flood damage reduction, environmental restoration, and protection and preservation of natural and cultural resources. Upon request, the Corps will cooperate with tribes to study water resources projects and such other projects as determined appropriate, primarily located within tribal lands.

After a tribe requests a potential project, the Corps will conduct a reconnaissance study if it appears the project may have a federal interest and if funds are available. A reconnaissance study begins at federal expense up to \$100,000. Upon Corps headquarters approval of the reconnaissance report, a feasibility study is initiated where costs are shared 50/50 with the sponsor (tribe) according to a negotiated Feasibility Study Cost Sharing Agreement (FCSA). During the feasibility study the federal interest is determined, potential solutions are identified, the costs, benefits and environmental impacts are analyzed, and a recommended project is developed. Congress and the Administration must then authorize the recommended plan and provide appropriations for design and construction of the project. Depending on the type of project to be developed and the tribes ability to pay, different cost sharing responsibilities for the tribe and Federal government will apply.

A typical study includes planning level of detail; they do not include detailed design for project construction until after the project is authorized. Although the studies are planning level products, they do provide tribes with the technical data and analysis needed to either prepare plans and specifications for implementation or to request implementation funds. Typical problems and opportunities studied under this program are related to: flood damage reduction, water supply, erosion or sedimentation control, ecosystem restoration, water quality, watershed planning, dam safety, community infrastructure, emergency management and preparedness, recreation, cultural resources protection, and environmental resources management.

WHAT ARE THE TRIBAL RESPONSIBILITIES? Tribal officials from federally recognized Native American Indian Tribes who are interested in assistance for their communities under this program should contact the Corps. Up to \$100,000 of costs for a reconnaissance study are entirely federally funded. All feasibility study costs are shared by the federal government (50%) and a sponsor (50%) (subject to the ability to pay rule) in accordance with the Water Resources Development Act of 2000. All of the sponsor's share may be provided as in-kind services as negotiated in the FCSA.

HOW CAN A STUDY BE REQUESTED? Congress has authorized the Tribal Partnership Program for \$5,000,000 annually through 2006, but as of yet has not appropriated funds for its implementation under this authority. Each tribe would be limited to \$1,000,000 for the program. Coordination through Congressional contacts regarding specific appropriations would be necessary before this program could be performed by the Corps of Engineers.

For more information, contact Plan Formulation, at 509-527-7296 or Email: cenww-pd-ec@usace.army.mil