

CORPS OF ENGINEERS CIVIL WORKS PROGRAMS FOR TRIBES

Presentation for:

BIA Partners in Action

July 2018



**US Army Corps
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PRESENTATION AGENDA:

- St. Paul, Detroit District and Rock Island Boundaries
- Tribal Partnership Program – Section 203
- Planning Assistance to States and Tribes – Section 22
- Additional CAPs
- International and Interagency Support
- Discussion and questions



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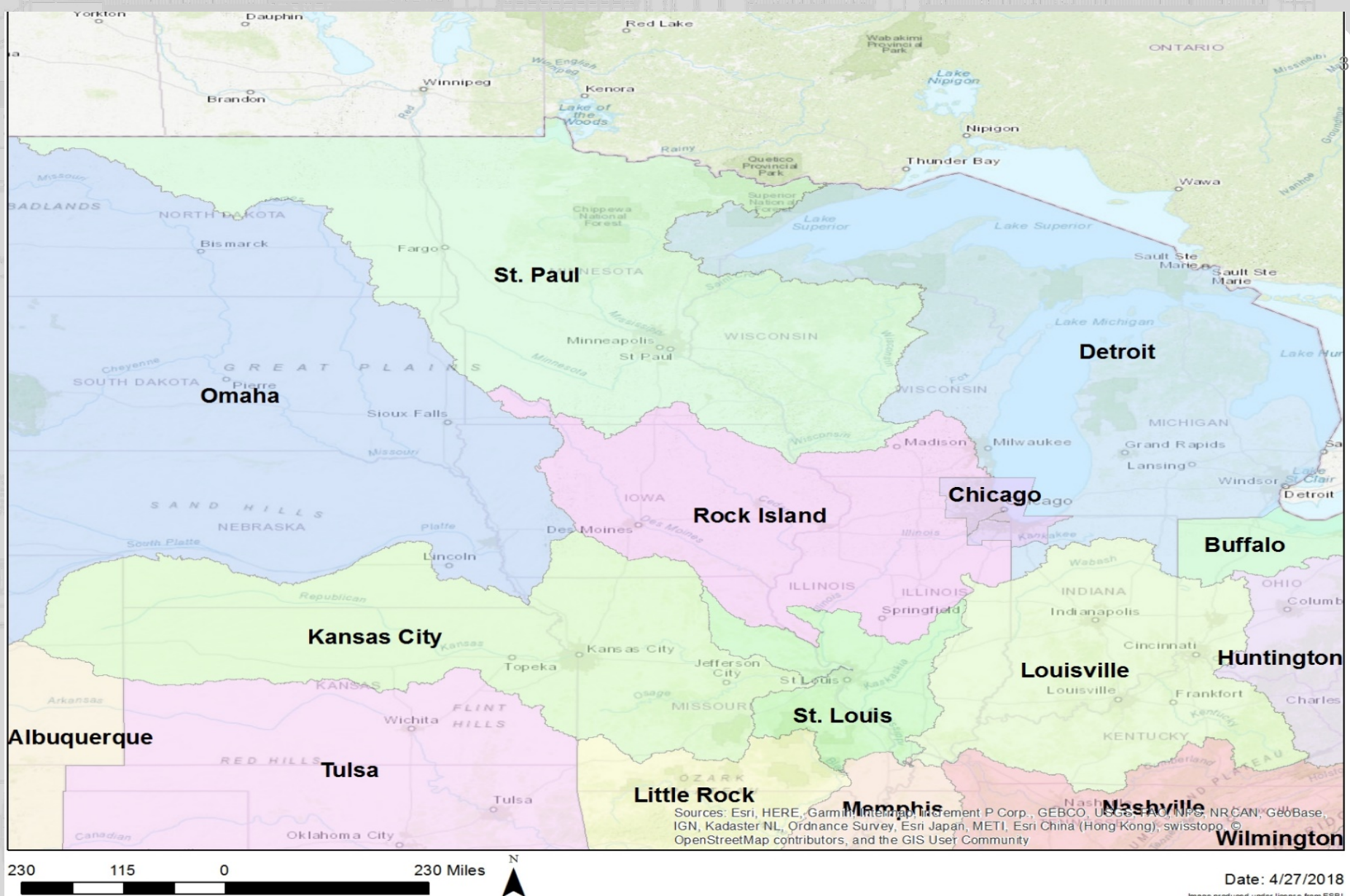


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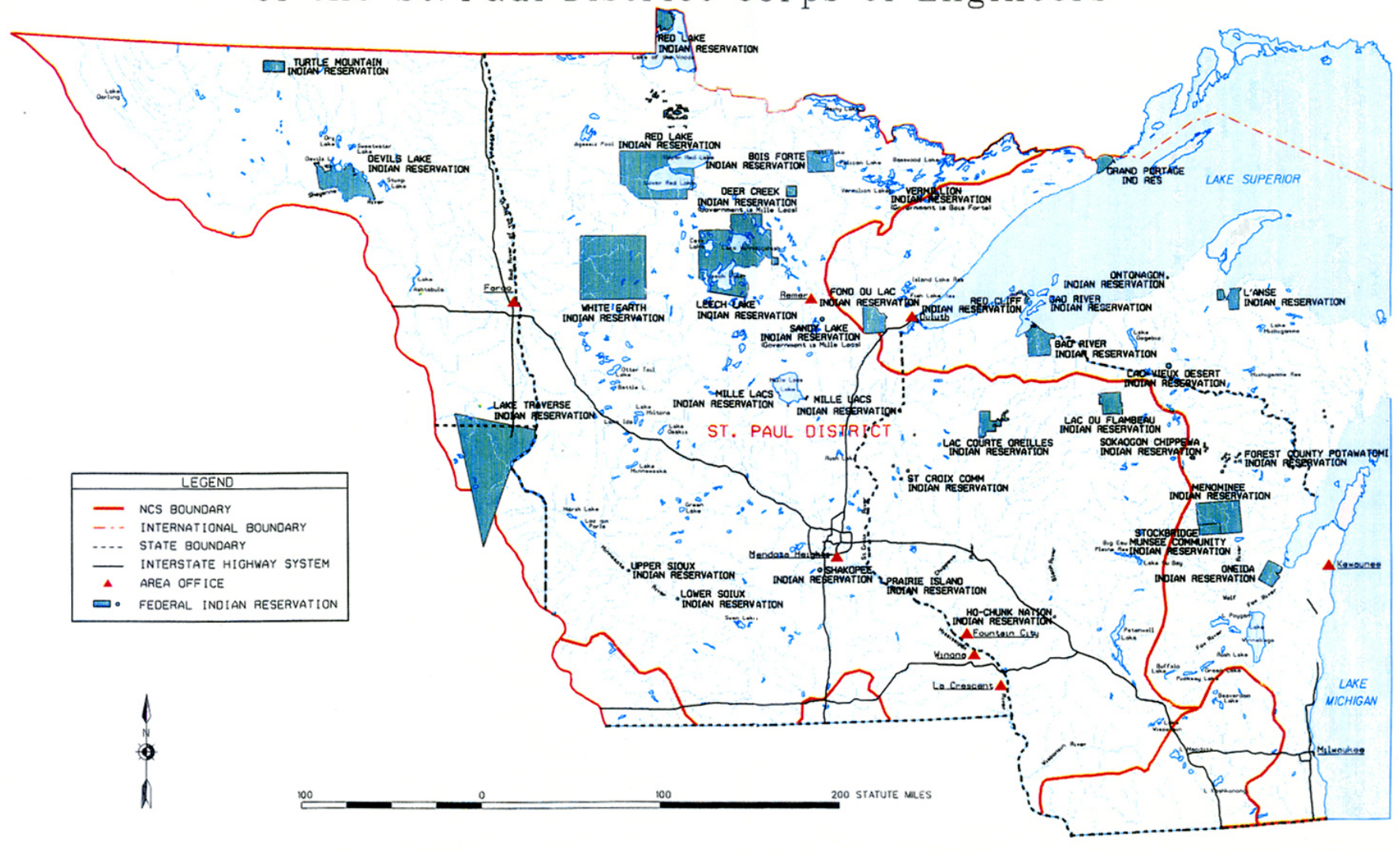


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Reservations within the Civil Works and Regulatory Boundaries
of the St. Paul District Corps of Engineers



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TRIBES IN ST. PAUL DISTRICT

Wisconsin

- Lac Courte Oreilles (CW, R)
- Lac du Flambeau (CW, R)
- St. Croix Honorable (CW, R)
- Bad River (R)
- Forest Co. Potawatomi (R)
- Ho-Chunk (CW, R)
- Red Cliff (R)
- Sokaogon (R)
- Stockbridge-Munsee (R)
- Menominee (R)
- Oneida (R)

Minnesota

- Red Lake (CW, R)
- Bois Forte (CW, R)
- Leech Lake (CW, R)
- Fond Du Lac (R)
- White Earth (CW, R)
- Mille Lacs (CW, R)
- Upper Sioux (CW, R)
- Lower Sioux (CW, R)
- Prairie Island (CW, R)
- Shakopee Mdewakanton Sioux (CW, R)

North Dakota

- Turtle Lake (CW)
- Spirit Lake (CW)
- Lake Traverse (CW)

CW = Civil Works; R = Regulatory



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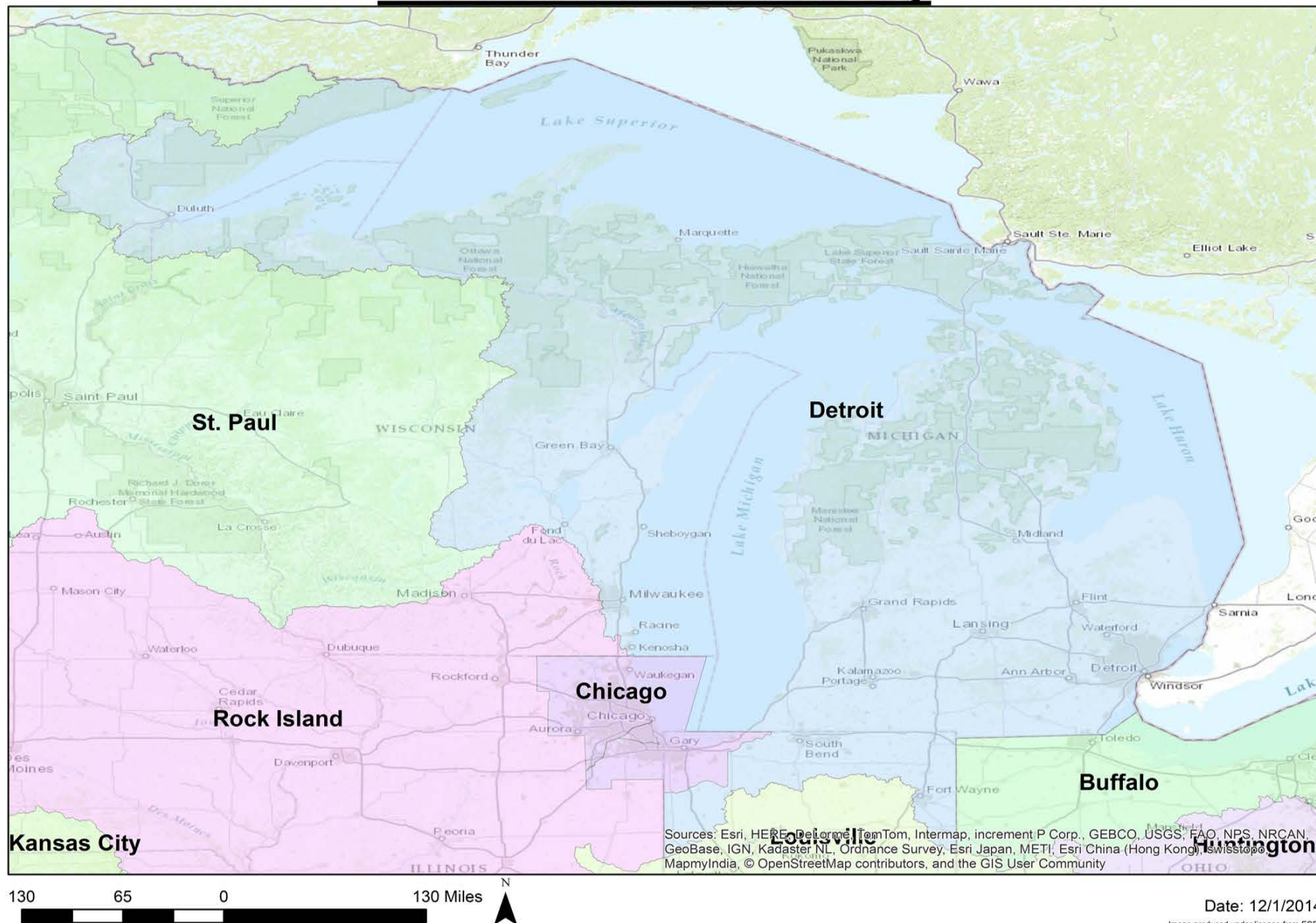


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Detroit District Boundary

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TRIBES IN DETROIT DISTRICT

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- Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin
- Bay Mills Indian Community
- Forest County Potawatomi Community, Wisconsin
- Grand Traverse Band of Ottawa & Chippewa Indians of Michigan
- Hannahville Indian Community, Michigan
- Ho-Chunk Nation of Wisconsin
- Keweenaw Bay Indian Community, Michigan
- Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan
- Little River Band of Ottawa Indians, Michigan
- Little Traverse Bay Bands of Odawa Indians, Michigan
- Stockbridge Munsee Community of Wisconsin
- Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan
- Menominee Indian Tribe of Wisconsin
- Minnesota Chippewa Tribe, Fond Du Lac Band
- Minnesota Chippewa Tribe, Grand Portage Band
- Nottawaseppi Huron Band of the Potawatomi, Michigan
- Oneida Tribe of Indians of Wisconsin
- Pokagon Band of Potawatomi Indians, Michigan and Indiana
- Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
- Saginaw Chippewa Indian Tribe of Michigan
- Sault Ste. Marie Tribe of Chippewa Indians of Michigan
- Sokaogon Chippewa Community, Wisconsin

CW = Civil Works; R = Regulatory

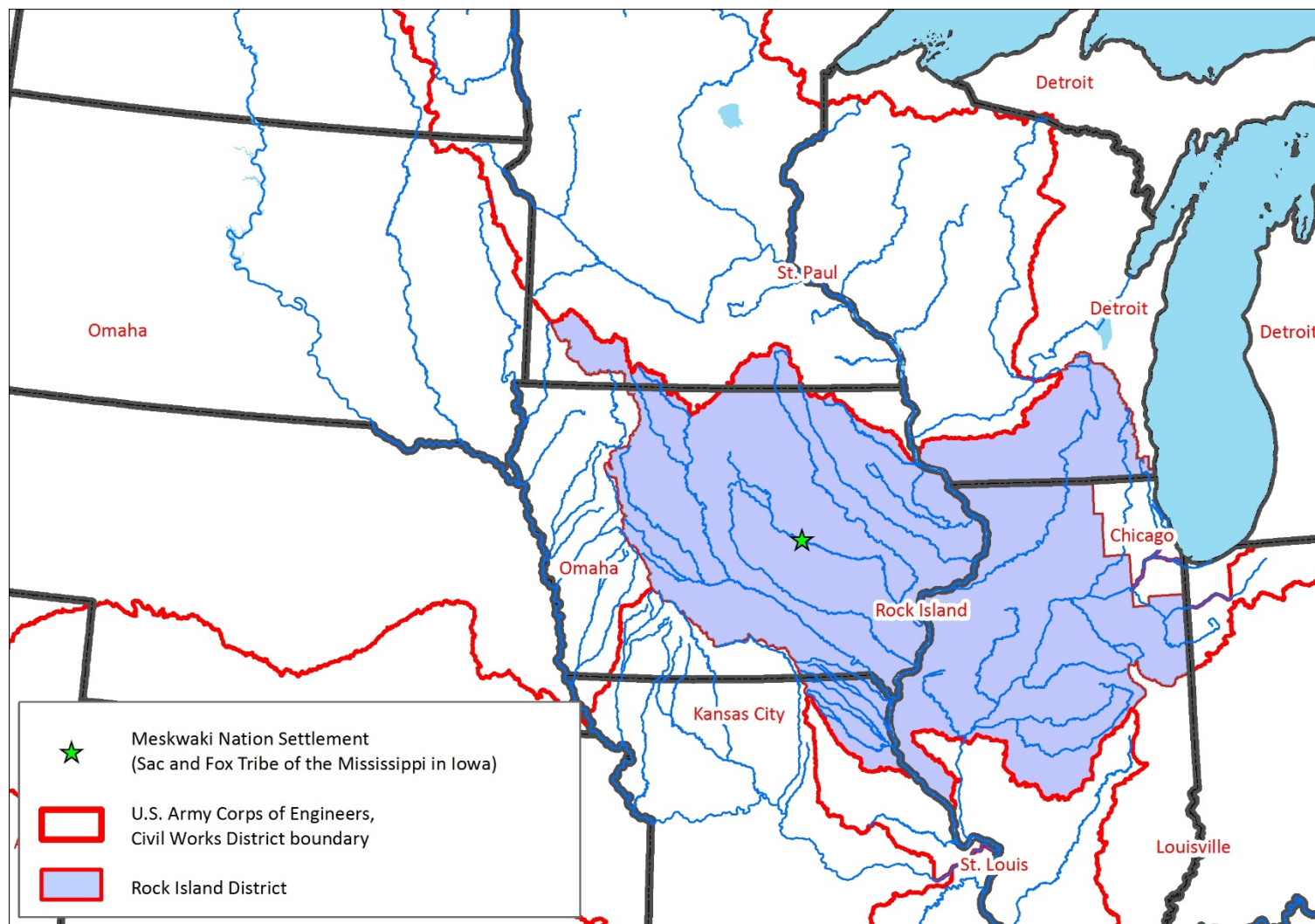


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ROCK ISLAND DISTRICT TRIBES

Sac and Fox Tribe of the Mississippi in Iowa
(Meswaki Nation)



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TRIBAL PARTNERSHIP PROGRAM

SECTION 203 OF WRDA 2000

Types of Projects Possible under Section 203

- Flood damage reduction
- Ecosystem restoration
- Cultural and natural resources preservation
- Erosion and sedimentation control
- Water control management changes
- Watershed, river basin studies



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TRIBAL PARTNERSHIP PROGRAM

SECTION 203 OF WATER RESOURCES DEVELOPMENT ACT (WRDA) 2000

USACE Responsibilities: Feasibility/Scoping: Responsible for all feasibility/scoping costs up to \$455,000. Any feasibility/scoping costs over \$455,000 are cost shared with the tribe as described below.

Construction (separate cost share): Construction costs are cost-shared depending on type of project. Generally 65% Federal and 35% Tribal.

Tribal Responsibilities: All feasibility/scoping and construction costs over \$455,000 are shared by the federal government and the tribe, subject to the ability to pay rule. All of the sponsor's share may be provided as in-kind services as negotiated in a Cost Sharing Agreement (CSA).

Key Points: Funds may not be available immediately.



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TRIBAL PARTNERSHIP PROGRAM

SECTION 203 OF WRDA 2000

Stages of Section 203 Project:

1. Tribe sends a Letter of Request to USACE.
2. USACE and Tribe determine the scope and cost estimate for feasibility/construction.
3. USACE and Tribe enter into a Feasibility Cost Sharing Agreement.
4. USACE and Tribe develop a feasibility study to identify and evaluate potential solutions, the costs, benefits and environmental impacts. The feasibility study will recommend a project that meets the Tribe's goals and objectives.
5. USACE and Tribe construct recommended project.



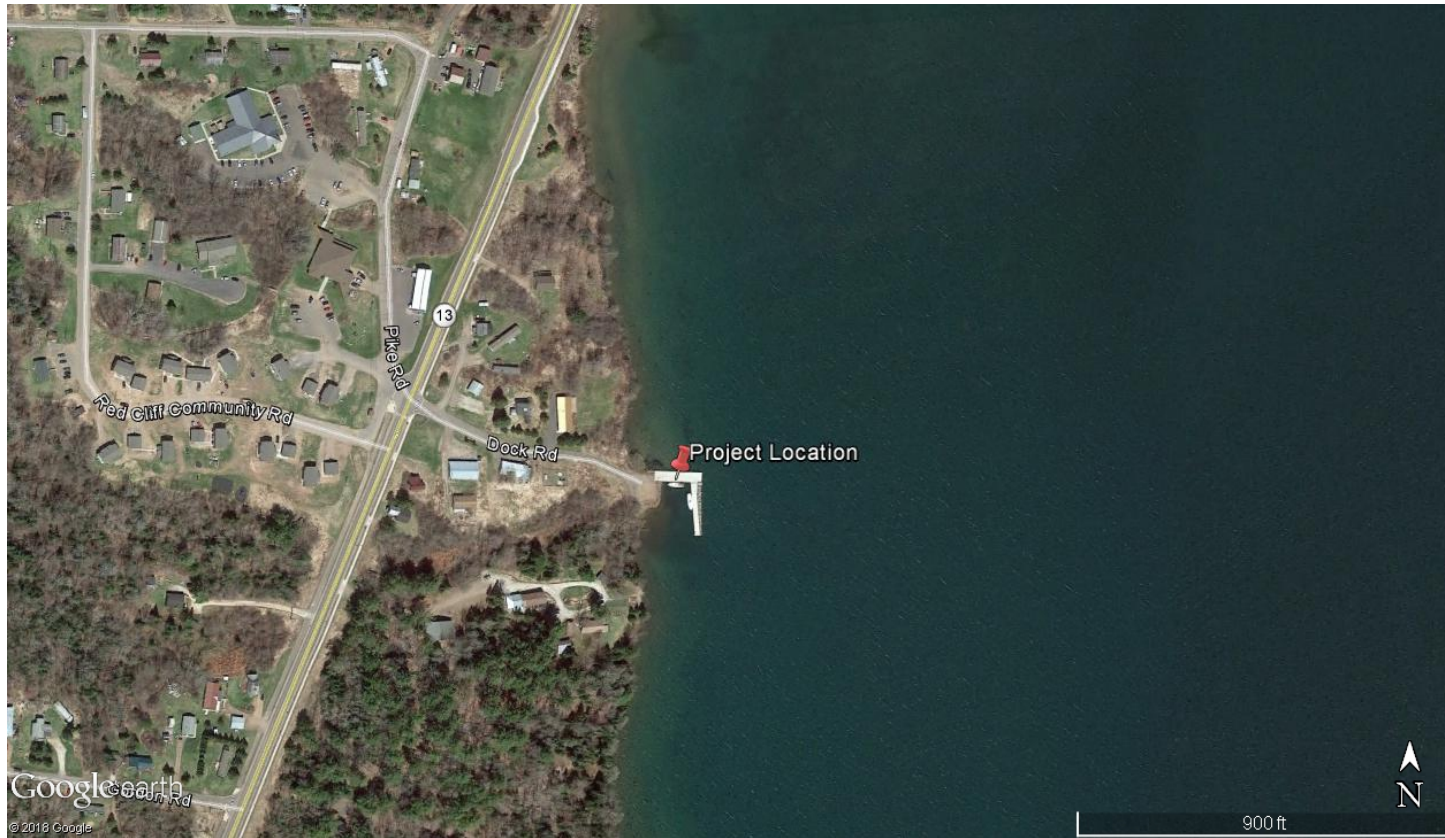
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TRIBAL PARTNERSHIP PROGRAM PROJECT EXAMPLES



Red Cliff Band of Lake Superior Chippewa Fishing Dock Expansion



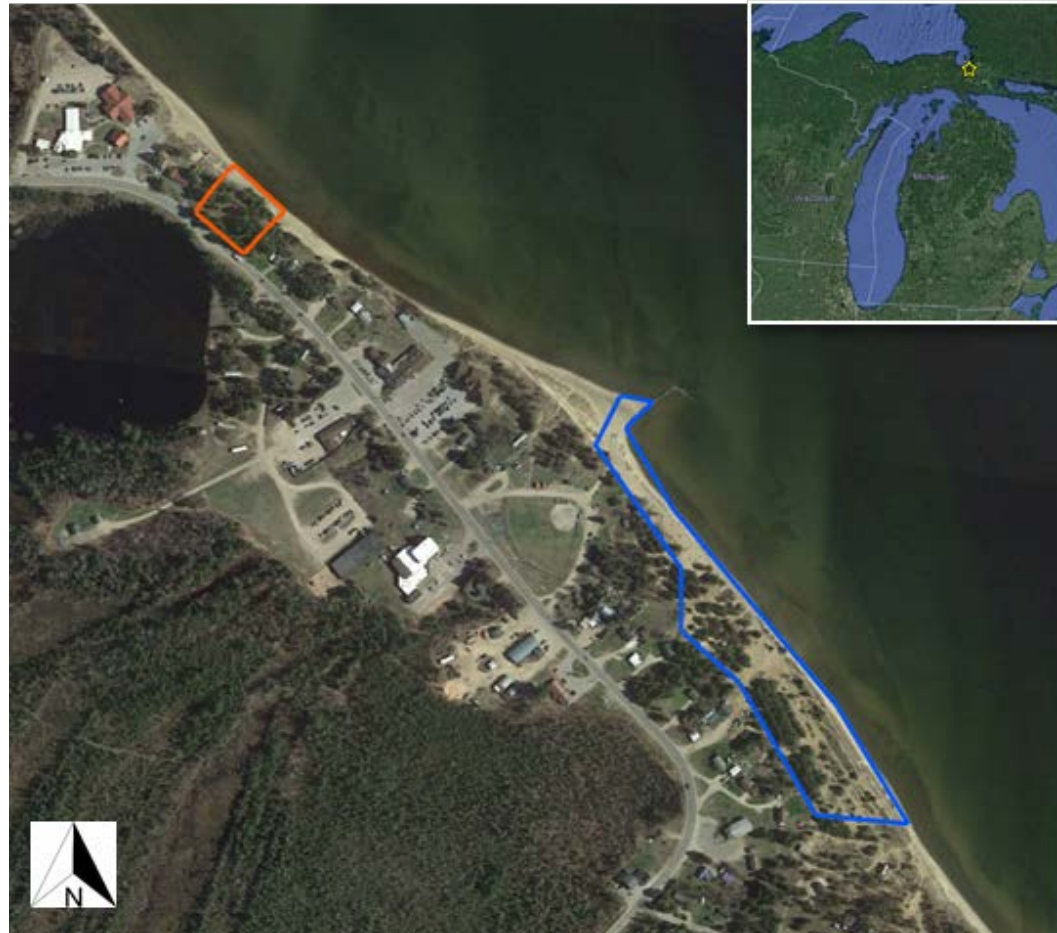
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TRIBAL PARTNERSHIP PROGRAM PROJECT EXAMPLES



Bay Mills Indian Community Shoreline Erosion



TRIBAL PARTNERSHIP PROGRAM PROJECT EXAMPLES



Sisseton-Wahpeton Oyate – Little Minnesota River Fish Migration Assessment



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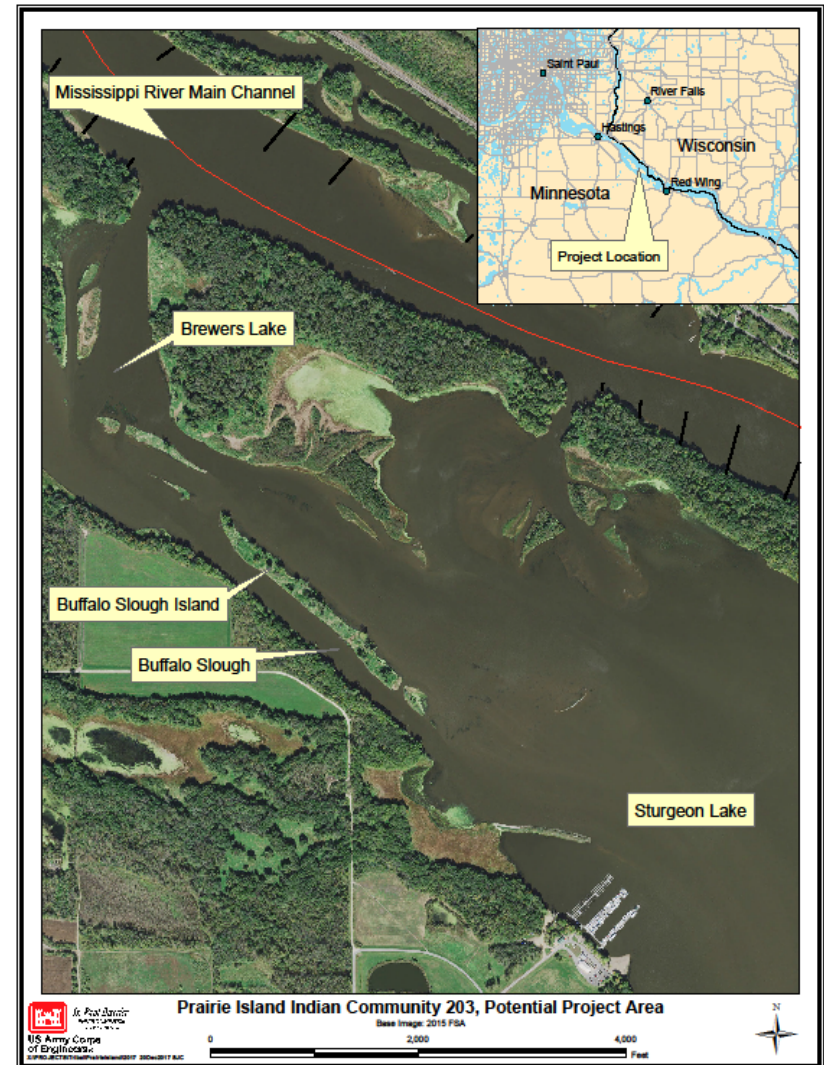
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TRIBAL PARTNERSHIP PROGRAM PROJECT EXAMPLES

Prairie Island Indian Community – Sturgeon Lake habitat improvement.

- Priority objectives to address will include:
 - Shoreline erosion on the Buffalo Slough Island;
 - Improving/restoring floodplain forest habitat on Buffalo Slough Island and other areas in upper Sturgeon Lake;
 - Improving vegetated aquatic habitat in upper Sturgeon Lake;
 - Wild rice stand improvement.



PLANNING ASSISTANCE TO STATES AND TRIBES

SECTION 22 OF WRDA 1974

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Types of Projects Possible:

- Water Supply and Demand Studies
- Water Quality Studies
- Environmental Conservation/Restoration Studies
- Wetlands Evaluation Studies
- Flood Damage Reduction Studies
- Flood Plain Management Studies
- Coastal Zone Management/Protection Studies

Note: Construction by USACE is not authorized under this authority



PLANNING ASSISTANCE TO STATES AND TRIBES

SECTION 22 OF WRDA 1974

USACE Responsibilities: Responsible for all PAST costs up to \$455,000. Any costs over that amount are cost shared as described below. Federal allotments for each Tribe are limited to \$500,000 annually.

Tribal Responsibilities: All study costs over \$455,000 are shared by the federal government and a tribe in a 50/50 cost share. All of the sponsor's share may be provided as in-kind services as negotiated in a Cost Sharing Agreement (CSA).

Key Points: Funds necessary for a study may not be immediately available. Projects do not proceed until both parties have funds.



PLANNING ASSISTANCE TO STATES AND TRIBES

SECTION 22 OF WRDA 1974

Stages of Section 22 Project:

1. Tribe sends a Letter of Request to USACE
2. USACE and Tribe conduct scoping meeting to determine extent of study
3. USACE develops a scope of work and cost estimate
4. Tribe and USACE sign cost share agreement and proceed with study
5. USACE completes study and provides a report to Tribe



CONTINUING AUTHORITIES PROGRAM, OR CAP

- The term “Continuing Authorities Program” means a group of legislative authorities under which the Corps can plan, design and implement certain types of water resources projects without additional authorization from congress
- Generally smaller less complex projects
- Requirements
 - ✓ Non-federal sponsor (state, city, county, tribe or other group)
 - ✓ Cost Sharing requirements vary by authority. Generally 50/50 for the feasibility study and 65/35 for Design and Implementation



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IMPORTANT CAP SECTIONS TO KNOW

- **Section 205 – Flood Risk Management:**
Provides for local protection from flooding by the construction or improvement of flood control works.
- **Section 14 – Emergency Streambank Stabilization:**
Provides protection of public facilities/services or significant historic or cultural resources in imminent threat of damage by natural stream and shoreline erosion.



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PLANNING ASSISTANCE TO STATES AND TRIBES

SECTION 22 OF WRDA 1974



Photo Credit: Menominee Indian Tribe of Wisconsin. 2014.

Frazil Ice Study, Menominee Indian Tribe, WI – prevent Flooding in Keshena, WI from ice build up on the Wolf River



Cedar Lake Wild Rice Study, Fond du Lac Band of Lake Superior Chippewa.



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INTERAGENCY AND INTERNATIONAL SERVICES

Authority allows USACE to provide construction and engineering services to another agency or federally recognized tribe.

Tribal Responsibilities: 100% of the cost covered by tribe.

Benefits: All Corps expertise (from around the world) is potentially available.



INTERAGENCY AND INTERNATIONAL SERVICES – BOARDMAN RIVER RESTORATION

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INTERAGENCY AND INTERNATIONAL SERVICES – KEWEENAW STAMP SANDS



File Name



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ENVIRONMENTAL INFRASTRUCTURE ASSISTANCE

- Design and construction assistance to public entities in Northeastern Minnesota, North Dakota and Northern Wisconsin for water and wastewater-related environmental infrastructure projects
 - ✓ Section 569 – Northeastern Minnesota
 - ✓ Section 594 – North Dakota
 - ✓ Section 154 – Northern Wisconsin
- Projects are cost-shared on 75 percent federal / 25 percent non-federal reimbursable basis.
- Approximately \$59 million in assistance for 70 projects across three states since 2001



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QUESTIONS???

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