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CECW-CO

**Project Operations
Partners and Support
(Work Management Policies)**

FOR THE COMMANDER:

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Chief of Staff

Purpose. This engineer regulation establishes the policy for the management of operation and maintenance activities of United States Army Corps of Engineers personnel performing civil works functions related to flood control, navigation, dredging, hydroelectric power generation, environmental stewardship, and recreation services at water resource, waterway, and other related projects.

Applicability. This regulation applies to all United States Army Corps of Engineers commands having responsibility for civil works functions.

Distribution Statement. Approved for public release; distribution is unlimited.

Proponent and Exception Authority. The proponent of this regulation is United States Army Corps of Engineers Civil Works Operations. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. Only the proponent of a publication or form may modify it by officially revising or rescinding it.

*This regulation supersedes ER 1130-2-500, dated 27 Dec 1996.

Summary of Change

ER 1130-2-500

Partners and Support (Work Management Policies)

This major revision, 13 March 2025:

- Updates the list of references.
- Removes previously “Reserved” chapter placeholders for original Chapters 4, 15, 16, and 17.
- Updates Chapters 1 and 3 and the renumbered Chapters 4, 5, 6, 8, 9, 10, 11, 12, and 13, updating terminology, adding clarification, updating content, updating references, etc.
- Adds Chapter 14, Challenge Cost-Sharing Cooperative Management Agreements, that addresses a subject matter not previously covered.
- Adds a Glossary of Terms that includes definitions formerly in Chapter 1.
- Deletes the following content:
 - Chapter 15 – Acquisition of Plant, Ownership, and Financial Management. This chapter was superseded by Engineering Regulation 37-1-29 (Financial Management of Capital Investment and Engineering Regulation) 37-1-30 (Financial Administration Accounting and Reporting).
 - Chapter 17 – Chief of Engineers Annual Natural Resource Management Awards.
 - Appendix C – Project Maintenance Hydropower.
- Redistributes the entire contents of Appendixes B and D into the appropriate chapters.

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Glossary of Terms

Chapter 1

Introduction

1-1. Purpose

This engineer regulation establishes the policy for the management of operation and maintenance activities of United States Army Corps of Engineers personnel performing civil works functions related to flood control, navigation, dredging, hydroelectric power generation, environmental stewardship, and recreation services at water resource, waterway, and other related projects.

1-2. Distribution statement

Approved for public release; distribution is unlimited.

1-3. References

See Appendix A.

1-4. Records management (recordkeeping) requirements

The records management requirement for all record numbers, associated forms, and reports required by this publication are addressed in the Army Records Retention Schedule. Detailed information for all related record numbers is located on the U.S. Army Corps of Engineers (USACE) Records Management Site <https://usace.dps.mil/sites/INTRA-CIOG6/SitePages/Records-Management.aspx>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly, see DA Pam 25-403 for guidance.

1-5. Associated publications

This section contains no entries.

Chapter 2

Project Manuals

2-1. Purpose

This chapter establishes the policy for operation and maintenance (O&M) manuals, excluding water control manuals, for complete civil works (CW) projects operated and maintained by the U.S. Army Corps of Engineers (USACE).

2-2. Policy

a. District Commanders (includes operating major subordinate Commanders) are responsible for developing, maintaining, and distributing an up-to-date O&M manual for each CW project under their supervision.

b. An O&M manual will be initiated during preconstruction engineering and design of a project and be developed during the construction and equipment installation phases at a project, if possible. A draft manual should be available during commissioning or start-up so corrections can easily be made. The final manual will be available within six months.

c. Project O&M manuals will be updated systematically. Each District command is responsible for developing, implementing, and maintaining a plan to provide updates to the O&M manual at each completed CW project. Manuals will be updated at least every 10 years and after every major rehabilitation. The update will consist of, at a minimum, a formal review, with revisions if necessary.

d. The O&M manual will be written to focus on the needs of future project personnel who may not be familiar with the O&M history of the project. Following is a list of the primary material categories to be included in the O&M manual:

(1) A conceptual description of the use, operation, and interrelationship of the project facilities' various systems and subsystems.

(2) A description of the theory of the facility system and equipment, developed to the level a journeyman craftsperson is expected to understand. This includes operating limits and criteria of the major project equipment and facilities as well as schematic, circuit, and piping diagrams and drawings. It is not necessary to describe the equipment and features in detail.

(3) A narrative including the operating instructions and explanation of the functions of only the more critical and complicated project equipment and systems (those with which project personnel may not be familiar). Examples include major automatic and remote control systems; protective relay schemes for the major power equipment and facilities; complicated or seldom-used procedures; and emergency actions and procedures related to major project equipment or facilities. Refer to information in manufacturer's instructions and drawings, the project maintenance control system,

project drawings, and project files when such information facilitates a comprehensive understanding of the operation and maintenance of equipment and facilities.

(4) A description of the level of maintenance performed on each system and subsystem, including the benefits gained from tracking specific maintenance measurements.

(5) A cross reference of facility system and subsystem O&M activities to any applicable safety or environmental issues.

e. The O&M manual will include coverage of all O&M subjects required by the Project Cooperation Agreement (PCA) or other agreements, if applicable, and existing laws and regulations, in detail sufficient for proper O&M accomplishment. Modifications will be made as necessary to accommodate requirements of differing projects. A suggested table of contents includes the following:

(1) *General*. Provide a general description of the project and include its specifically authorized purpose, features, and functions.

(2) *Authorization*. Cite the authorizing legislation and provide a summary.

(3) *Location*. Describe the physical setting for the project. Give the relationship to political boundaries such as state, county, city, and town.

(4) *Pertinent information*. Give the history of the area relative to the project purposes and summary information that is pertinent to the O&M of the project that was developed during planning and design studies.

(5) *Construction history*. Furnish a historical summary of the project construction to include contracts (start and completion dates and costs) and names of contractors, contracting officers, and resident engineers. Reference a complete set of as-built plans, specifications, and drawings, and include these as Appendix A in the manual.

(6) *Project performance*. Describe the protection provided by the various reaches of a flood control or shore protection project; discuss the consequences of flow or other conditions exceeding the project design; or describe the authorized navigation project design fleet and benefits as appropriate. Discuss the mitigation and/or benefits of all other project functions such as cultural resources, environment, recreation, water supply, and hydropower. Indicate that protection of project benefits is a prime objective of O&M.

(7) *Project Cooperation Agreement and/or other agreements*. State: The (*signatory*) and (*signatory*) (provide official nomenclature) have entered into a PCA or other agreement for this project on (*date*) as required by Public Law (PL) 99-662 or other applicable law and/or regulation. A copy of the duly executed PCA and/or any other agreement will be included as Appendix B in the manual.

(8) *Operation*. Cover in detail the operations of the project that are necessary for the safe and efficient functioning of the project to produce the benefits in the project authorization. The operational requirements for non-reservoir projects will be presented as operation plans covering essentially the who, what, where, when, and how of the various project operations. An outline of operation records to be maintained and available for inspection will be provided. The operation of reservoirs, covered in water control manuals in accordance with ER 1110-2-240 (Water Control Management), will be separate from this O&M manual.

(9) *Emergency operations*. Present the emergency operation plans that cover preparations for and responses to project emergency conditions. An outline of emergency operation records to be maintained and available for inspection will be provided. Plans should cover, but not be limited to, such items as:

- (a) Chain of responsibility;
- (b) Emergency communications network including redundancies (internal and external);
- (c) Local emergency response assistance such as fire, police, medical, and Red Cross;
- (d) State and federal emergency response agencies; and
- (e) Flood fight or other plans that may have been part of design documentation.

(10) *Maintenance and inspection*. Cover the maintenance and inspection details required for the proper care and efficient operation of the various project elements. These plans may be combined or separate as best suits the project. The guidance for the proper formulation and the contents of this section are contained in Chapter 5 of this regulation. Outlines of the maintenance and inspection records to be maintained will be provided. Indicate that the District Commander may update the manual for changed conditions or, if warranted, to correct conditions discovered during inspections.

(11) *Surveillance*. Set forth a surveillance program covering appropriate measurements, observations, and other activities to be performed that ensure project benefits are being obtained. An outline of surveillance records to be maintained and available for inspection will be provided. This program should cover, but is not limited to, such activities as:

- (a) Routine stage and discharge records to show continued satisfactory performance or provide timely notice that attention is required;
- (b) Hydrographic and land surveys as required to indicate when periodic dredging, correction of bank erosion, correction of levee settlement, etc., will be performed; and
- (c) Special surveillance as may be covered in the project design documents.

(12) *Notification of distress*. Cover the requirements of ER 1105-2-101 (Risk Assessment for Flood Risk Management Studies) so that the District Commander may see that appropriate actions are taken.

f. At least one copy of the manual or manuals will be available at all times in the project office or the headquarters of the activity to which it pertains, for the operations and maintenance personnel. One copy of each project's manual or manuals will be available in the office of the applicable major subordinate commands (MSCs) and District Commander. The manuals need not be submitted to the Commander, Headquarters USACE (HQUSACE).

2-3. Approval

The original and any subsequent revisions to the O&M manual require approval of the MSC Commander. However, the MSC Commander is hereby authorized to delegate the approval authority to the District Commander.

Chapter 3

Major Rehabilitation and Major Maintenance Programs

3–1. Purpose

This chapter updates the major rehabilitation and major maintenance policy for USACE operated and maintained projects and provides determinations of appropriation funding account.

3–2. Definitions

a. A major project feature is a system of interrelated components that serve a common purpose to deliver authorized benefits of the project. MSCs and Districts should consult with HQUSACE Business Line Managers regarding questions on what constitutes a major project feature.

b. Major project features provide navigation pool, transfer between pools, environmental benefits, or other substantial benefit categories used to justify the facility. Examples are the dam that provides the navigation pool or lock that allows transfer between pools.

c. A major component is essential to operating the major project feature. MSC and Districts should consult with HQUSACE Business Line Managers regarding questions on what constitutes a major component.

(1) For inland navigation, examples are gates (miter gate, dam gate, filling and emptying valves, etc.), anchorage (miter gate, dam gate), sills, structural concrete, operating machinery (to operate a miter gate, dam gate, etc.), power or electrical system, and control systems.

(2) For coastal navigation, examples of major components include breakwaters, jetties, dredged channels, and turning basins.

d. Major maintenance is non-repetitive items of work or aggregate items of related work that do not meet major rehabilitation requirements and exceed a defined cost threshold defined in annual CW Program Development Policy Guidance (PDG). This designation is not applicable to dredging and dredged material management facilities. The related items of work should include all items required to make the work effective for its desired purpose. Optional or casually related work that is not essential to the major maintenance item should be programmed, prioritized, and justified as a separate work package or part of another work package, as appropriate.

3–3. Background

a. Major rehabilitation and major maintenance are two methods available to facilitate continuation of project functions or outputs. Major rehabilitation must significantly improve the reliability and significantly extend the physical life of the existing structure or feature, which will defer the capital expenditure to replace the

structure. Rehabilitation for major project features for inland and intracoastal waterways is defined in the Water Resources Development Act (WRDA) of 1992 in 33 United States Code (USC) 2327, as amended by the Water Resources Reform and Development Act of 2014. USACE adopted this definition for all mission areas requiring investments to its assets.

b. The monetary thresholds for major rehabilitation and major maintenance projects are updated annually in the PDG.

3–4. Policy

a. Major rehabilitation will:

(1) Restore major project feature(s) over a defined cost threshold in the annual PDG, take at least two years to complete construction, significantly improve the reliability, significantly extend the physical life of the major project feature(s), and be economically justified by benefit-cost analysis, or

(2) Perform structural modification of a major project feature(s), over a defined cost threshold in the annual PDG, that is not exhibiting reliability problems and that will enhance the operational efficiency of feature(s) by increasing benefits beyond the original project design.

(3) Major rehabilitation is not applicable to projects turned over to local sponsors for operation, maintenance, repair, rehabilitation, and replacement (OMRR&R).

(4) Major rehabilitation does not include routine or deferred maintenance, which will continue to be considered in the O&M budget appropriations.

(5) In determining whether a major rehabilitation is economically justified by a benefit-cost analysis, the benefits of major rehabilitation should include the following:

(a) National Economic Development (NED) benefits consistent with procedures for the applicable business line(s);

(b) Avoid costs to OMRR&R the major project feature;

(c) Any regional economic development (RED), other social effects (OSE), and environmental quality (EQ) benefits—other than life safety—that are associated with a demonstrable and significant risk of catastrophic pool loss or other failure of the project that could lead to widespread regional and/or national impacts and can be reduced by major rehabilitation; and

(d) According to ER 1110-2-1156 (Safety of Dams – Policy and Procedures), dam safety issues that result in unacceptable life safety risks must be referred to the Dam Safety program.

b. A Major Rehabilitation Evaluations Report (MRER) will be prepared to support the budget decision for funding Construction account and include an appropriate level of risk-informed reliability engineering analysis and economic evaluation applicable for a budget decision.

(1) The MRER should follow the review requirements in ER 1165-2-217 (Civil Works Review Policy). An MRER should not be considered a post-authorization study or report described in ER 1105-2-100 (Planning Guidance Notebook), ER 1105-2-103 (Planning Policy for Conducting Civil Works Planning Studies), or subsequent guidance.

(2) Design, plans and specification preparation, and construction will be funded from the construction appropriation.

(3) The determination of economic justification for major rehabilitation will occur at the major project feature level. Each major project feature is justified independently.

(4) In determining whether major rehabilitation work falls within the dollar thresholds set forth in the annual PDG, the dollar value of work and benefits at separate projects or locations can be aggregated only under the following conditions:

(a) Districts may develop a single MRER for multiple locations on a system or waterway if the dollar value of work at each separate locations exceeds the dollar thresholds set forth in the annual PDG.

(b) To promote commonality, an MRER for a single major project component across multiple locations or facilities in a single Army Management Structure Code (AMSCO) may be prepared with the concurrence of the HQ business line manager. The MSC will brief HQ at the Major Rehabilitation Decision milestone (code OP050) and prior to MSC Commander Approval milestone (code OP260).

c. Major maintenance is work for which the repair effort exceeds the cost thresholds for major maintenance in the annual PDG. All specific work not commonly performed above the major maintenance cost threshold will have a Major Maintenance Report (MMR) prepared to support the investment decision. This requirement is not applicable to dredging and dredged material disposal facilities. Major maintenance work packages are budgeted under the O&M account only. The MMR should be appropriately scaled to the complexity of the repair.

(1) An MMR must be prepared and include the specific intent of the effort and clearly define to what level the effort will restore performance.

(2) The report should give a brief background of the project including authorization, proposed scope of work, justification of work including Operational Condition Assessments if appropriate, and discussion of the economic benefits of the project to include and description of the risks and potential impacts to navigation if the work is not performed.

(3) The report should conclude with the proposed repair work, estimated total cost, proposed execution method (construction contract or repair fleet) and schedule.

d. MRER and MMR preparation will be funded under the O&M appropriation.

e. Districts may develop a combined MRER and MMR that reflects all repair work at a location. A combined report will follow the MRER approval process.

3–5. Roles and responsibilities

a. For MRER and combined MRER and MMR, the following are roles and responsibilities.

(1) The District is responsible for the resourcing, scheduling, and completion of the MRER. The District is responsible for working with the Inland Navigation Design Center (INDC) for review.

(2) The MSC Chief of Operations is the decision maker for all milestones. The MSC Chief of Operations is responsible for consulting with the MSC Chiefs of Planning and Policy, Programs, and Engineering and Construction throughout the process to ensure appropriate risks and opportunities are addressed in the MRER.

(3) The HQUSACE Regional Integration Team is responsible for coordinating the MRER with HQUSACE Operations, Planning and Policy, and Engineering and Construction, and processing and finalizing the Director's Memorandum in support of resulting budget requests from the final MRER.

(4) Approval of the MRER is at the Division Commander level.

b. For the MMR, the following are the roles and responsibilities.

(1) Approval of the MMR is at the District Commander level.

(2) After MMR approval, the District will submit to MSC and HQ prior to budgeting for work.

Chapter 4

Project Maintenance Management

4-1. Purpose

This chapter establishes the policy for facilities and equipment maintenance programs for CW facilities operated and maintained by USACE.

4-2. Policy

a. Each CW facility must have an individual project maintenance program based on the Asset Management (AM) policies and guidance, guidance in this chapter, the Maintenance Management Improvement Plan (MMIP), and the facility O&M manual.

(1) The Operations Project Manager (OPM) is responsible for executing the mission at the facility by ensuring operation and maintenance is performed based on the resources allocated/appropriated and balancing the facility maintenance resources across the business lines within their responsibility (such as flood control, navigation, hydropower, recreation) and assuring that the appropriate level of maintenance is performed based on the acceptable level of service.

(2) The Maintenance Manager at the facility is responsible for managing the maintenance activities and tracking the information in the Facility and Equipment Maintenance (FEM) system. The OPM will consult with the Facility Maintenance Manager to review and prioritize the list of maintenance activities and those that will be recommended for budget submission. The OPM should also coordinate with the District Business Line Managers to review the list of maintenance activities and rank the activities for recommended budget submission.

(3) The District Chief of Operations is responsible for the overall management of the District's O&M program and the appropriate balancing of O&M resources among the District's facilities.

(4) The MSC Operations Chief is responsible for the appropriate balancing of O&M resources among their Districts.

b. All applicable occupational and public safety standards and environmental and legal requirements must be followed in all facility maintenance activities. The operation of all floating plant must comply with the requirements of EM 385-1-1 (Safety and Occupational Health Requirements). Further, the OPM must ensure that a Safety Occupational Health plan is developed, implemented, and updated, as necessary.

c. Business Line Managers, OPMs, District Operations Chiefs, and Division Operations Chiefs must incorporate AM principles and tools and adopt the following overall approach for maintenance of facilities and equipment:

(1) Use efficient and effective maintenance management over the life cycle of the asset, from planning to disposition.

(2) Use a risk-informed approach for decision making for both preventive and corrective maintenance.

(3) Optimize the costs and reduce the risks for system performance in determining the best value in decision making.

(4) Prioritize the investments for the asset portfolio.

(5) Leverage leadership, culture, and cross-disciplinary, team-based benefits such as communicating best practices and sharing resources across the enterprise.

(6) Resolve conflicting goals and expectations among various stakeholder interests.

(7) Plan processes to consider long-term consequences and benefits.

d. Maintenance initiatives must align with life cycle AM principles to efficiently and effectively prolong the operating life of facilities and equipment and to reduce the risk of unscheduled outages.

e. A maintenance control system must be instituted and maintained, wherein equipment visibilities, inspection frequencies, failure reporting, and maintenance cost histories are kept current in FEM.

f. Inventory spare parts and plan for the use of interchangeable assets and components within and across facilities and regions as recommended or required by authorities or organizations such as the INDC if cost is reasonable and as funding allows. Execution must be planned for and prioritized during budget development.

4–3. Inspections and assessments

a. A successful maintenance program is based on inspections, including routine facility-level preventive maintenance, dewatering inspections, periodic inspections (PIs), hydraulic steel structure (HSS) inspections, and operational condition assessments (OCAs.) Inspection programs produce valuable information necessary to identify maintenance requirements.

(1) The OCA data collection process considers all other inspection results and offers cross-functional consensual information regarding condition of all components throughout a facility. The PI, HSS, OCA, and other formal inspections involving staff outside the facility provide important perspective when developing inputs to the maintenance and repair priorities for facility assets.

(2) Unplanned, short suspense, visual inspections and follow-up work to preventive maintenance may be required to prevent asset and component failures. Additionally, maintenance and repair recommendations from an inspection or assessment must be coordinated with facility-level maintenance staff. In many cases, these requirements represent deficiencies worth including in the maintenance backlog per AM policies and

guidance. Inspectors and assessors should collect work order information from FEM for use in their programs to track work related to an inspection or assessment finding without putting an administrative tracking burden on facility staff to provide updates.

b. The following standards must be used in establishing inspection and maintenance priorities for the various facilities and items of equipment at projects.

(1) Priority A (critical): Those items of equipment or project facilities where a failure is critical to project function to accomplish its assigned mission; could endanger the health and safety of the public or project employees; or could cause substantial losses.

(2) Priority B (non-critical): Those items of equipment or project facilities where a failure may cause considerable inconvenience but does not affect project function in performing its assigned mission; does not seriously affect the health and safety of the public or project employees; or does not cause other than moderate significant losses.

4-4. Project maintenance environmental compliance

a. General. Changes in national environmental quality standards impact maintenance practices at all USACE projects. USACE is committed to meeting legally applicable and appropriate federal, state, and local environmental laws and regulations. Environmental compliance is an integral part of all project maintenance. New and revised environmental requirements will continue to influence choices of material, operational processes, and maintenance activities. Many maintenance activities provide opportunities for cost-effective pollution prevention (eliminating pollution at its source) rather than the traditional “end of pipe cleanup” approach.

b. Disposal of environmentally sensitive wastes. Sources of information include, but are not limited to ER 200-2-3 (Environmental Compliance Policies), EP 200-2-3 (Environmental Compliance Guidance and Procedures), the Environmental Assessment Manual/Environmental Review Guide for Operations, and state manuals where available as sources of regulatory information; the Environmental Compliance Coordinator network, which is increasingly extending to projects, as a source of information and assistance; the Defense Environmental Information Exchange, a Department of Defense (DoD) environmental bulletin board; and positive working relationships with state regulators. Place special emphasis on analyzing products and processes used to develop ways to reduce the production of environmentally sensitive wastes.

Chapter 5

Sign Standards Program for Civil Works Projects

5–1. Purpose

This chapter establishes the policy for the USACE Sign Standards Program.

5–2. Policy

a. Districts and MSCs will appoint Sign Program Managers to be responsible for ensuring that the Sign Standards Program is properly managed throughout CW. As new District or MSC sign program managers are appointed, the National Sign Program Manager at the Sign Standards Program Mandatory Center of Expertise must be advised.

(1) District Sign Program Managers approve all sign orders, review sign plans, advise all District elements on sign issues, and request new safety-critical signs.

(2) MSC Sign Program Managers represent their Districts on the Sign Advisory Work Group, support their District Sign Program Managers, and process new safety sign requests.

b. OPMs will designate a project-level Sign Program Manager. Project Sign Program Managers are responsible for inventorying signs, advising their manager on sign issues, and coordinating sign orders, installation, and maintenance.

c. The Sign Standards Manual (EP 310-1-6A and EP 310-1-6B) will be used in the planning, design, fabrication, and maintenance of all signs installed at USACE CW projects. Deviations from the standards shown in the manual are not permitted without the prior authorization of the HQUSACE Sign Standards Program Proponent and may be granted on a case-by-case basis. Authority for deviation is maintained at the policy-making program level to assure the greatest degree of policy consistency. Authority for deviation should be regarded as discretionary, non-precedential expressions of programmatic policy.

(1) All caution, warning, and danger signs must be used exactly as shown in the Sign Standards Manual, with no changes whatsoever in the wording.

(2) To ensure consistency, the District sign program manager must approve all orders for signs at CW projects.

(3) If the wording for a sign is not appropriate for the condition being signed, the requester must contact the District or MSC sign program manager for advice on the proper course of action.

d. Program implementation at the field level will comply with the guidance set forth in EP 310-1-6A and 6B and EP 1130-2-500 Partners and Support (Work Management Guidance and Procedures).

e. When implementing baseline security posture, Headquarters Homeland Security Office has determined that USACE CW projects should comply with the Sign Standards Manual EP 310-1-6A and 6B rather than the sign guidance in AR 190-13 and FM 3-19.30 (Physical Security).

Chapter 6

Plant

6–1. Purpose

This chapter establishes the policy for all aspects of USACE CW plant with an emphasis on floating plant. All types of land-based plant, floating plant, and aircraft (federal plant, or plant) are the subject of this chapter whether owned through the Revolving Fund, Plant Replacement, and Improvement Program (PRIP), or under project accounts. This includes unmanned aerial vehicles (UAVs/drones) and remotely operated vehicles (ROVs) whether operated on land or underwater.

6–2. Policy

a. The classes of USACE floating plant are designated as:

- (1) Class A – vessels under 16 feet in length overall.
- (2) Class 1 – vessels 16 feet or over in length overall but less than 26 feet.
- (3) Class 2 – vessels 26 feet or over in length overall but less than 40 feet.
- (4) Class 3 – vessels 40 feet or over in length overall but less than 65 feet.
- (5) Class 4 – vessels 65 feet or over in length overall.

(Unit conversions are available at <https://www.nist.gov/pml/owm/metric-si/unit-conversion>)

b. The following policies relate to the purchase, transfer, and ownership of federal plant.

(1) Federal plant will not be acquired or retained unless it is clearly evident that using such equipment will result in a more efficient and economical operation than using privately owned (contracted) plant. Ownership of federal plant will be based on the need to satisfactorily perform an authorized mission that cannot be accomplished economically by other means, including the use of contracted services.

(2) MSCs or Divisions will establish a Fleet and Equipment Board or equivalent to maintain by District an inventory of plant, plant attributes (such as size, make/model, and horsepower), plant condition and remaining useful life, and to communicate regularly among Districts in the MSC. This asset inventory should be recorded in FEM per AM policies and guidance. This facilitates the sharing and transfer of plant, tracking asset service life, and is useful for preparing annual PRIP funding requests to HQUSACE Resource Management (CERM).

c. The following policies relate to the retention of federal plant.

(1) Justification for the replacement, rehabilitation, or retention in service of plant that is considered to be obsolete or that has reached the end of its planned service/useful life will be based on an economic analysis of all pertinent factors, including, at minimum: workload, safety, operating efficiency, cost, and regulatory and maintenance requirements. Guidance on analysis and justification of replacement, rehabilitation, or retention of plant can be obtained from the HQUSACE Operations and Regulatory Division (CECW-CO) in consultation with the HQUSACE AM Program, and analyzing data from FEM.

(2) Review of usage, repair, operation, maintenance, and cost data maintained for plant will be conducted annually to determine if there is a basis for retaining plant. When this review shows the annual usage for the prior year or the estimated usage for the next year to be less than 45 days, the plant will be declared excess or a report justifying its retention will be made to the MSC Operations Chief. When it is conclusively proven that a minimum of plant is being retained to satisfactorily perform an authorized mission, such plant may be retained. Plant retained for emergency service such as firefighting and first response for structural emergencies with an annual usage less than 45 days will be reported to MSCs. Retention of plant used for emergency service must be approved by MSC Commanders on such frequency as they deem appropriate.

(3) Floating plant that has been damaged or is awaiting disposition (excess or transfer to another District) will not remain in the water and docked or otherwise moored for extended periods without regular (daily or weekly, depending on condition) inspections for structural integrity and ability to remain afloat.

(4) Not including winter layup, floating plant that will be out of service for four months or more, or has been damaged or sunk in an accident, will be reported by the District person in charge, through the MSC Operations Chief and up to HQUSACE, Navigation Branch Chief. The downtime status of the vessel will be recorded in FEM and a work order created with the steps required to bring the vessel back into service. If the vessel is a PRIP asset, HQ USACE Resource Management, Finance, and Accounting Policy Division (CERM-F) will be notified at the same time as the HQ Navigation Branch Chief.

d. The following policies relate to the use of structures and facilities.

(1) Repair shops, boat yards and docks, dry docks, marine ways, depots, garages, maintenance shops, warehouses, office buildings and grounds, and similar facilities acquired for general use on MSC or District river and harbor and flood control projects must be assets of the Revolving Fund, PRIP (ER 37-1-29) if their total purchase or construction cost is at or greater than the minimum threshold set by CERM. Other federal or privately owned facilities that can be adapted and used for essential purposes will not be duplicated.

(2) Cost-accounting procedures, including depreciation, dockage, and other charges for structures and facilities noted here are found in ER 37-1-29 and ER 37-1-30. The cost of depreciation, maintenance, and operation of buildings and grounds pertaining to MSC and District offices will be distributed according to the provisions of ER 37-1-29 and ER 37-1-30.

e. MSC Commanders are responsible for management of plant activities and establishment of minimum plant requirements based on authorized routine or emergency work.

f. District Commanders are responsible for the development and administration of an active program for plant activities, including acquisition, replacement, inspection, maintenance, repair, and operation of plant required, and funding such activities to the level of service acceptable from authorized CW projects, including project-owned and PRIP-owned plant. The basic objectives of the plant activities program will include, but not be limited to:

(1) The establishment of minimum requirements for shop, yard, and warehouse facilities to adequately repair plant and maintain locks, dams, and other structures.

(2) The elimination of unnecessary plant and parts procurement by redistribution of excesses within the District, or by transfer from other MSCs, Districts, or federal agencies.

(3) Prompt disposal of surplus plant by circulation of excess plant listings, by transfer, or by sale.

(4) The establishment of adequate controls for plant maintenance, operation, inspections, and repairs to facilitate safe, economic, and efficient operation. All plant routine and non-routine inspections, maintenance, and repairs must be done under work orders using FEM. FEM will also be used to record plant attributes (such as vessel size, fuel type, horsepower, name).

(5) Ensuring that group and non-group plant operation rates are adequate to provide for depreciation, cessation, small tools, and operating costs, along with a factor for repairs and overhaul in advance of incurring such costs.

(6) Ensuring that all costs incurred are realistically distributed in the fiscal year (FY) for which they were incurred.

g. Except as provided for in Section IV of this chapter, federal equipment, facilities, property, and manpower will be used only for accomplishing work at authorized CW facilities. Even the appearance of misuse of public property must be avoided.

Section I

Design, Acquisition, and Construction

6–3. Purpose

This section establishes the policy for the design, acquisition, construction, and alteration of all CW plant.

6–4. Policy

a. Planning, design, and procurement for CW plant and equipment will be limited to the minimum necessary to define mission and performance requirements, meet applicable regulatory and safety requirements, encourage competition, and acquire appropriate plant suitable for the intended service.

b. Designs for the construction of new floating plant and/or alteration of existing floating plant will be prepared as given here, noting length is defined as a straight line from the tip of the bow to the end of stern, not including additional length from outboard motors, rudders, etc.

(1) For vessels 26 feet in length and greater, whether PRIP or project funded, designs for the construction of new floating plant and/or alteration of existing floating plant will be prepared by the Marine Design Center (MDC) and the USACE Center of Expertise for Marine Engineering and Naval Architecture. However, Districts and other Field Operating Activities (FOAs) may request a waiver from the MDC requirement for floating plant that is readily available on the commercial market and for which the manufacturer's standard designs are suitable. The waiver request will be sent to and processed by the HQUSACE Navigation Branch Chief after completion of a risk assessment by the MDC Director. Waivers that are granted likely will include stipulations for coordinating with MDC during project phases to ensure the correct application of safety and stability criteria.

(2) For vessels greater than 20 feet in length and shorter than 26 feet in length, whether PRIP or project funded, Districts and other FOAs may purchase vessels without involvement of MDC, provided the vessel is readily available on the commercial market, complies with applicable regulations, and is certified by the District Engineer (DE) or District Chief of Operations if so delegated by the DE, through a memo or email to District files as suitable for service in the intended operating environment. Use of vessels of this length will comply with the manufacturer's design criteria. It is recommended but not required that Districts/FOAs submit plans and specifications to MDC for a safety and stability analysis. It is recommended that all vessels in this length category, where applicable, comply with the American Boat and Yacht Council (ABYC) Buoyancy in the Event of Flooding/Swamping standard (ABYC Standard H-8).

(3) For vessels less than 20 feet in length, assumed to be project funded, Districts and other FOAs may purchase vessels without involvement of MDC, provided the vessels are readily available on the commercial market and comply with requirements of 33 Code of Federal Regulations (CFR) Subchapter S (Boating Safety) and other

applicable regulations. Use of vessels of this length will comply with the manufacturer's design criteria.

(4) All vessels under 26 feet in length must be delivered with a U.S. Coast Guard, ABYC, or National Marine Manufacturer's Association capacity plate identifying the maximum safe number of persons or weight and maximum weight/horsepower of motors.

c. Criteria set forth in Chapter 7 of EP 1130-2-500 and EM 385-1-1 must be followed for design and construction of all CW plant.

d. Floating and land plant serving more than one project and meeting the acquisition cost and useful life thresholds shown in PRIP policy will be funded through the PRIP Revolving Fund. Per PRIP policy, floating and land plant having a total acquisition cost equal to or above the PRIP threshold identified in Appendix B of ER 37-1-29 with a useful life of greater than two years and serving more than one project will be financed through the PRIP Revolving Fund.

e. Certificates of Inspection (COI), American Bureau of Shipping (ABS) Classification, and certifications of other regulatory agencies acquired during construction of a vessel will be maintained at the discretion of the District or FOA Commander. A decision to not maintain COIs, ABS Classification, and certifications will be documented after sufficient risk analysis is conducted and submitted to the USACE Navigation Branch at HQ.

f. To the maximum extent possible, the design of floating plant must use commercially available components, standard design features, and must apply accepted industry and U.S. Coast Guard (USCG) standards.

(1) Where practical and unless otherwise dictated by mission requirements, existing floating plant designs and/or design features must be used to promote a level of standardization across the USACE fleet.

(2) On receiving requests from a USACE District for a new vessel, MDC will present to the District information on similar existing vessels in the USACE fleet to be used as the basis for "sister ship" or a similar design foundation. All efforts will be made to use existing designs where practical.

(3) Fuel tanks on vessels must not have a common boundary with the side shell and hull bottom unless a waiver is obtained from HQUSACE Navigation Branch. The offset distance of the tank from the side shell and hull will be determined by federal regulation, where applicable. Where federal regulation does not define the requirement, the tanks will be located as far as practical from the hull and side shell boundary.

g. As applicable, the authority to initiate a design effort to acquire floating plant or make capital improvements to existing vessels will be requested by the owning District or FOA as soon as the need is established.

h. All major and minor new item start PRIP requests will be submitted to HQUSACE CERM in the annual PRIP submittal cycle with a workable concept and budgetary estimate. Preparation of General Design Memoranda meets this requirement.

i. The following policies relate to design memoranda.

(1) A General Design Memorandum (GDM) will be prepared for each item of plant to be acquired by other than commercial means for major alterations of existing plant.

(2) All GDMs for floating plant will be prepared by the MDC or by the District authorized to complete the design effort. If the floating plant is greater than 26 feet in length and the GDM is not prepared by MDC, MDC will review and verify the construction and project budget estimates included in the package, per the waiver process described here.

(3) Chapter 7 of EP 1130-2-500 identifies minimum requirements to be included in GDMs for floating plant. Appendix I of EP 1130-2-500 provides a typical outline of a design memorandum. Using these guidelines, the scope and coverage of each design memorandum will adequately reflect the complexity of the plant involved.

(4) Design of major items of floating plant by other than MDC must be fully justified under the waiver process described here.

j. The following policies relate to plans and specifications.

(1) The preparation and approval of plans and specifications for the construction and/or alteration of all floating plant will comply with the provisions provided in Chapter 7 of EP 1130-2-500. Plans and specifications will be based on the provisions of the approved GDM.

(2) Plans and specifications for floating plant will be prepared by the MDC unless a waiver is approved by HQUSACE Navigation Branch and must be approved by the respective District Commander. For additional requirements on waivers, see paragraph 6-4a.

(3) Plans and specifications for floating plant for which execution has been granted when MDC is not used will be prepared by or under the supervision of the owning District and approved by the MSC. A Biddability and Constructability Review is the responsibility of the owning District when MDC is not used.

k. Regarding inspection of construction, a quality assurance plan will be prepared for the construction and/or alteration of floating plant under contract. The plan will describe the contract management organization, the responsible staff, the skills and experience available, and the estimated supervision and inspection cost.

l. Regarding standards for floating plant construction, all floating plant will be constructed, equipped, and manned to meet the same requirements as imposed on private industry owners and operators of similar marine equipment by the laws of the

United States and of the state(s) where constructed or employed. Vessels will be certified and classed for their intended use and purpose. District Commanders will maintain required records for their vessels.

m. The following policies relate to future operations and maintenance of floating plant.

(1) Construction of new vessels 26 feet in length and greater, as well as additions and betterments of existing vessels 26 feet in length and greater, will include in the project contract a list of assets and components such as mechanical, electrical, and outfit equipment. The list will typically be part of the MDC contract and made a contract requirement. The list of assets and components will be in a form and to a degree of specificity that will be readily transferable to FEM. As such, Districts will have a maintenance management system in place on delivery of the vessel or completion of the additions and betterments. Job/work plans with detailed preventive maintenance plans will be provided for the most critical assets for downloading into FEM.

(2) The USACE CW MMIP (2013) directed that critical and non-critical assets be entered into FEM, and that all maintenance, repair, and inspection activities be tracked with an FEM work order. At minimum, all USACE CW floating plant (parent asset) will be entered into FEM and properly classified, with attribute fields (physical parameters) completed, as applicable. Components (child assets), such as hulls, engines, motors, pumps, cranes, and davits, and other critical equipment typically receiving annual or more frequent maintenance, will be entered into FEM. Floating plant managers at Districts and facilities have the flexibility to add components into FEM as necessary to track maintenance costs against those components.

Section II

Floating Plant Identification and Record Information

6–5. Purpose

This section establishes the policy for naming, marking, and recording items of USACE floating plant.

6–6. Policy

a. The following HQUSACE approval (CECW-CO) will be obtained for the naming and other proposed designations of Class 2, 3, and 4 floating plant.

(1) Floating plant may be named after a living person only if the person is age 70 or greater, has been retired from USACE for at least 5 years, was employed with USACE for a minimum of 15 years, and passes a basic ethics and work background screening.

(2) Preference will be given to names of deceased officers and employees of USACE, highly regarded deceased contractor personnel, to names of waterways or

other geographical features of regions in which the floating plant is to operate, or historical names directly connected therewith.

(3) When a vessel is to be named after a person, whether living or deceased, the surname only will be used unless approved by CECW-CO. Justification for using a name or title other than the person's surname will be provided and supported by the District and MSC Commanders for the area in which the vessel will operate.

(4) Class A and Class 1 self-propelled vessels may be named according to 7-6a(1) through (3). Division Commanders are authorized to review and approve Class A and Class 1 vessel names.

(5) District Commanders are authorized to assign numbers or combinations of numbers and letters consistent with a uniform designation for group items of plant including deck barges, scows, flats, etc. The recommended designation is the three-letter District abbreviation (such as "SAM" for Mobile District) followed by the year commissioned/purchased and a sequence number. For example, "SAM-2102" designates a Mobile District vessel commissioned/purchased in 2021 that is the second of several new vessels from that year.

b. The following policies relate to standards for marking floating plant.

(1) Names and/or other designations of floating plant will be placed on vessels according to Chapter 7 of EP 1130-2-500. The words "U.S. ARMY CORPS OF ENGINEERS" will appear on or near the stern of all vessels. Vessel designations will be displayed on both sides of the bow and on the stern of the hull proper and, where appropriate, on name boards located above the weather deck.

(2) Names and/or other designations will be placed on the exterior of launches and similar type craft in the following locations: name boards, both port and starboard bows, and across the stern. Lettering style and wording will comply with Chapter 7 of EP 1130-2-500.

c. Regarding descriptive data, when items of floating plant, whether Revolving Fund or project-owned, of the types indicated in Chapter 7 of EP 1130-2-500 are constructed or otherwise acquired, the plant will be entered into FEM and properly classified, and associated physical attributes (vessel type, dimensions, engine horsepower, cost, etc.) of the plant will be entered into the plant attributes section of FEM.

d. Regarding vessel registration, when a vessel is purchased or otherwise acquired, the District Commander will determine, in consultation with the MDC, whether to class the vessel with the ABS. All USACE self-propelled vessels purchased or otherwise acquired, if Class 3 or 4 (40 feet and greater in length), will register the vessel with the USCG National Vessel Documentation Center and acquire a vessel official number. 46 CFR Part 67 (Documentation of Vessels) requires an annual renewal of the official number; however, USACE vessel official numbers must be renewed every three

years. Vessels holding a USCG-issued COI automatically maintain their official number throughout their service life.

e. All new vessels, regardless of size or tonnage, must be delivered with a Builder's Certification and First Transfer of Title (USCG Form CG-1261). The operating District will be listed as the owner (such as Rock Island District, USACE).

f. All new vessels that will operate under a USCG COI must be delivered with a Certificate of Documentation (COD) (USCG Form CG-1270).

g. All new self-propelled vessels 26 feet in length and greater (Classes 2, 3, and 4) must be delivered with a COD (USCG Form CG-1270).

h. All non-self-propelled vessels with significant machinery (crane, generators, etc.) must be delivered with a COD (USCG Form CG-1270).

i. All vessels with a COD will be marked according to 46 CFR Part 67, unless there is a conflict with required USACE markings.

j. The CODs will be maintained for the life of the vessel.

k. When vessels with a COD are transferred to another District, federal agency, or excessed, the COD will be transferred to the new owner.

l. If a vessel meeting these requirements is acquired without a COD and/or an official number, the owning District will coordinate with the USCG to obtain the necessary registration and documentation.

m. See 46 CFR Part 67 regarding documentation of vessels and 33 CFR Part 173, 174, 181, and 187 regarding documentation of recreational boats.

Section III

Plant Inspection, Maintenance, Operation and Repair

6–7. Purpose

This section establishes the policy for the inspection, maintenance, operation, and repair of all CW PRIP Revolving Fund and project-owned floating and other plant.

6–8. Policy

a. Inspection.

(1) District Commanders will arrange for inspection and certification by the USCG Officer in Charge of Marine Inspection (OCMI) of vessels according to applicable provisions of 46 CFR, the provisions of the USACE/USCG Vessel Inspection and Certification Memorandum of Understanding (MOU) found in Chapter 7 of EP 1130-2-500, and the USACE Towing Vessel policy memorandum of 2 October 2019.

(2) Per the MOU, USACE will provide by no later than 1 October annually to HQ, USCG a list of dredges, towing, and other vessels that are anticipated to require an OCMI inspection in the coming fiscal year. This list will note if the inspection is for renewal of a COI or for application for a new COI.

(3) District Commanders will maintain the authority to operate vessels to achieve statutory mission requirements and may make informed, risk-based decisions in consultation with MDC Safety and Operations as needed to operate vessels during periods when a vessel is not in compliance with the vessel COI.

(4) All floating plant holding a USCG-issued COI and thus inspected and regulated by the USCG, must have required USCG documentation that is current before being placed in service. A copy of documentation must be posted in a public area on board the vessel and any USCG Form 835, Vessel/Facility Inspection Requirements, issued to the vessel in the preceding year must be kept on board the vessel.

(5) All USACE floating plant not covered in paragraph 6–8a(1), in other words not operating under a USCG-issued COI, will be inspected annually for safety, seaworthiness, and minimum manning as set forth in Chapter 19 of EM 385-1-1. Quarters barges, which serve as floating hotels for USACE employees (and visitors, at times) will also be inspected annually for safety and seaworthiness and will receive a high level of scrutiny considering the number of persons housed on board while moored and during transit.

(6) District Commanders are responsible for annual inspections of floating plant using ENG Form 3579 Certificate of Inspection for uninspected vessels 26 feet and greater in length or using ENG Form 6175 Small Boat (less than 26 feet) and Equipment Checklist from ER 385-1-91 (Training, Testing, and Licensing for Operators of Class A and Class I Motorboats) for vessels less than 26 feet in length. A more detailed alternate to ENG Form 3579 may be used if the inspection items given in Form 3579 are included. Note that unless the vessel holds a USCG-issued COI, completion of the inspection and form are for USACE use and purposes only.

(7) From these inspections, all USACE floating plant will be given a grade annually as a general indicator of condition that will be clearly shown on the inspection form. Grades will be defined as:

(a) A: Excellent condition, minimal to no items to be addressed.

(b) B: Good condition, minimal items to be addressed, no known risk of continuing use of vessel.

(c) C: Fair condition, some critical maintenance and repairs needed to be scheduled and addressed before the next annual inspection.

(d) D: Poor condition, critical maintenance and repairs are needed within 30–60 days to reduce risk of continuing to operate vessel.

(e) F: Failing condition, vessel should not be used until critical maintenance and repairs are performed. The annual inspection must be logged in FEM and work orders generated for critical maintenance and repairs identified.

(8) When a major conversion or rehabilitation is accomplished that involves the safety of the vessel, the District Commander, in coordination with the USACE MDC, will determine whether an inspection by USCG and ABS is warranted. For vessels holding a COI, significant rehabilitation and conversion projects must be coordinated with the USCG.

(9) All dredges subject to load line regulations must obtain and maintain a valid load line. If applicable, a valid USCG-issued COI under Subchapter I and/or ABS Classification Certificate will be maintained. All USCG/ABS documentation must be current before being placed in service. A copy of documentation must be posted in a public area on board the vessel. If applicable, a copy of any USCG Form 835, Vessel/Facility Inspection Requirements, issued to the vessel in the preceding year must be kept on board the vessel.

(10) All other dredges, self-propelled vessels over 65 feet, crane barges, floating cranes, and floating plant with overnight/berthing accommodations not subject to USCG inspection and certification or not having a current ABS classification, must be inspected in the working mode annually by a USCG Marine Inspector, an ABS surveyor or a marine surveyor having at least 5 years of experience in commercial marine plant and equipment and accredited by the National Association of Marine Surveyors or the Society of Accredited Marine Surveyors.

b. Maintenance and modifications.

(1) All floating plant will be maintained and repaired to meet USACE requirements, applicable provisions of 46 CFR, the laws of the United States, and applicable state laws for the state in which the floating plant is operated. All plant used for marine terminal, shipyard, and longshoring operations will be maintained according to the Occupational Safety and Health Administration and other applicable federal and state laws and regulations.

(2) Records of all maintenance and modifications must be recorded in FEM per AM policies and regulations.

(3) Additions, betterments, and major repairs will be performed according to applicable rules or regulations (46 CFR, etc.) of USACE, the ABS, USCG, and/or the ABYC, as advised by the MDC.

c. Operations.

(1) All floating plant will be operated to meet USACE requirements and the laws of the United States and any state in which plant is operated. This includes limitations on vessel draft established by policy, regulation, and temporary draft restrictions recommended by local pilot's associations and established by USCG in cooperation

with USACE. The operation of all floating plant will comply with the requirements of EM 385-1-1.

(2) Officers and crew of USACE floating plant inspected and operating under a COI issued by the USCG must be credentialed and documented by the USCG per the requirements of the COI and the position and responsibilities held, with documents posted in a public area on board the vessel. In addition, officers and crew must be credentialed and documented when the vessel being operated is normally engaged in or near a channel or fairway in operations that restrict or affect navigation of other vessels, is required by law to be equipped with radio telephones of the 156–162 band frequency, and when floating plant is engaged in the transfer of oil or hazardous material in bulk.

(3) Operators and crew of uninspected, self-propelled floating plant 26 feet in length and greater (Classes 2, 3, and 4) must be credentialed and documented by the USCG per the requirements of the position and responsibilities held. Exceptions to this policy for Class 2 vessels only may be granted by request from a District to the applicable MSC Chief of Operations, for vessel use and operations deemed routine and less challenging for which USCG credentialing is preferred but not required. A complete description of the operating conditions for the vessel and justification for the request will be provided and kept on file for the life of the vessel.

(4) Operators of Class 2 vessels that are not credentialed by the USCG will be trained and licensed under ER 385-1-91. Crew (as used here in paragraph (4) and in paragraph (3) above) refers to wage-grade employees directly involved in the operation of a vessel rather than general salary schedule employees such as hydrographic survey technicians, biologists, and other sponsored complement employees working on and from vessels.

(5) Operators of self-propelled floating plant less than 26 feet in length (Classes A and 1) must be trained and licensed as required by ER 385-1-91. Additional training, testing, and licensing may be required at a supervisor's discretion.

(6) District Commanders will report to HQUSACE Navigation Branch by no later than 1 November each year the planned schedule for the coming year for the USACE dredge fleet. Challenges to operations (for example, shipyard repair periods, manning issues due to viral outbreaks and staffing issues, hydrologic conditions such as unusually high water, etc.) will be included in this report and may be transmitted by email. By no later than 1 February each year, Districts will provide the current fiscal year ENG Form 6220, Plant Rate Computations, to HQUSACE Navigation Branch for the USACE minimum fleet dredges and other floating plant, on request.

(7) USACE vessels including hopper dredges, towing vessels, and others operating under a USCG COI must be manned at the level specified in the COI with qualified, credentialed personnel. USACE vessels not inspected by USCG must follow manning and crew safety requirements found in EM 385-1-1.

(8) A USCG Radar Observers endorsement is required for operators of radar-equipped towing vessels 26 feet and greater in length. Certificates must be issued from a USCG-approved training facility.

d. All plant.

(1) *Authority for acquisition.* Acquisition of all Revolving Fund and Project-owned aircraft, dredges, and all other floating plant will comply with the provisions described in Chapter 6.

(2) *Authority for repairs – PRIP Revolving Fund, floating plant.* Authority will be obtained from MSC Commanders or HQUSACE, as appropriate, for annual repairs to Revolving Fund-owned floating plant. Refer to ER 37-1-29 and ER 37-1-30 for further guidance.

(a) *Non-group plant.* Full authority is delegated to MSC Commanders for repairs to non-group plant and authority of District Commanders is as delegated by MSC Commanders. Total estimated cost of repairs, replacements, and small tools during any fiscal year will be evaluated against the estimated replacement cost of the plant.

(b) *Group plant.* Full authority is delegated to MSC Commanders for repairs to group plant. District Commanders are authorized to accomplish repairs.

(c) *Delegation.* Full authority for repairs is delegated to District Commanders when there is an emergency or work is required due to accident or breakdown of machinery while plant is in commission.

(3) *Authority for repairs.*

(a) *Project-owned floating plant.* Authority for repairs is delegated to MSC Commanders, but full or partial authority may be delegated to the District Commander by the MSC Commander. Refer to ER 37-1-29 and ER 37-1-30 for further guidance.

(b) *Other plant.* Full authority is delegated to MSC Commanders for repairs to all other plant. Authority of District Commanders will be as delegated by MSC Commanders.

(4) *Authority for additions and betterments.* Additions and betterments for all Revolving Fund-owned and project-owned plant will comply with applicable sections of ER 37-1-29 and ER 37-1-30.

(5) *Insurance claims.* If a damaged asset is a PRIP asset, it may qualify for reimbursement of repair costs from the PRIP insurance account. The District may request for reimbursement from the PRIP insurance account. The request is prepared by the District, concurred with by the MSC, and submitted to CERM-F for approval. PRIP insurance reimbursement is limited to the lesser of the book value of the PRIP asset or one-half of the PRIP insurance account balance. Information on PRIP insurance reimbursement is explained in Chapter 16 of ER 37-1-30 and ER 37-1-29.

Section IV

Use, Loan, Lease, and Hire of Plant

6–9. Purpose

This section establishes the policy for the use, loan, lease, and hire of floating plant, land plant, and other CW construction equipment and facilities.

6–10. Policy

a. Use of vessels and other conveyances.

(1) The Material Sale Act of July 31, 1947, 61 Stat. 688, 33 USC 575 states that, “Hereafter no appropriation under the Corps of Engineers shall be available for any expenses incident to operating any power driven boat or vessel on other than government business, and that government business shall be construed to include transportation, lodging, and subsistence on inspection trips of federal and state officials, having a public interest in authorized or proposed improvements for river and harbor and flood control, and any expenses incurred therefore shall be chargeable to river and harbor and flood control appropriations heretofore or hereafter made under rules and regulations to be prescribed by the Chief of Engineers: Provided, that such expenditures shall be certified by the Division Commander as necessary and proper expenditures ...”

(2) Thus, Division Commanders, and when delegated to District Commanders, who authorize a trip by a USACE vessel with guests, other than District employees on official business or for federal and state officials, must prepare and file a detailed statement (such as, by electronic mail) outlining the purpose and scope of the trip.

b. Use of USACE plant in an emergency to save life or property.

(1) Commanders of separate activities are granted the authority to use or loan government vessels and other equipment when life is endangered by a sudden emergency. Reimbursement is not required when USACE plant is used to save life. Use of USACE plant is also permitted to save private property, provided suitable privately owned vessels or equipment are not available and the plant can be spared without significant detriment to USACE work. When USACE plant or equipment is used to save private property, the owner may be billed only for expenses incurred for work performed outside of normal operating hours.

(2) Masters and others in charge of operating USACE floating plant are authorized to aid nearby vessels in distress and attempt to save the lives of those endangered, provided that the safety of their plant and crew are not unduly jeopardized. Communication with USCG and/or local law enforcement describing the location and aid being provided will take place at the earliest possible time. Masters and others in charge of USACE floating plant may issue sufficient fuel or supplies to private boat owners to enable them to reach port safely.

(3) A report, including sufficient details to describe the necessity for use, must be promptly made to the MSC each time USACE equipment is used or issued to save life or private property. USCG reporting requirements will be followed, as will internal procedures for reporting through a USACE Commander's Critical Incident Report.

c. Loan of plant between Districts or projects.

(1) District Commanders are delegated the authority to approve and document loan of plant, whether PRIP Revolving Fund-owned or CW project-owned, to another District or between owning District projects. Documentation may be by letter stating term, conditions, etc., including reference to or insertion of paragraph (2)(a)–(c) below. Both the owning and borrowing District Commanders will sign and authorize the loan of plant.

(2) During the period for plant loan to another District, the borrowing District will:

(a) Bear all operating expenses, including, but not limited to, the ownership, operation, maintenance, labor, travel, and supplies associated with each piece of borrowed plant through application of an agreed-on daily rental rate.

(b) Have responsibility for operation of the plant while on loan but typically with the owning District providing the operator(s). When the borrowing District provides the operator(s), the owning District may have a representative visit the plant to evaluate operating efficiency, condition of maintenance, staffing suitability and performance, and evaluate the need for future repairs.

(c) Conform to the plant O&M procedures and standards of the owning District, including recording maintenance and inspection work in FEM, and to safety and operational limits, constraints, and appropriate plant use.

(3) Except as outlined here, all replacement and major repair (including general overhaul) costs to PRIP Revolving Fund-owned plant will be charged to the appropriate District plant operating account. Costs for replacement and repairs, including towing and similar expenses caused by accidents or damages ordinarily covered by insurance in commercial practice, will be charged to the owning District's insurance account except in cases where damages qualify for coverage under the PRIP insurance program for PRIP-owned assets. This account will also be charged with costs of damage to private property caused by Revolving Fund operations, including reimbursement to employees for loss of personal property. When project-owned plant is involved, these costs will be charged directly to the supported District project account.

(4) Regarding the loan of plant and other property to USACE military activities and other federal agencies, District Commanders, in coordination with the HQ Floating Plant Program Manager, are delegated authority for the loan of floating plant to USACE military activities or other federal agencies, except where the loan term exceeds three years, for loan of land plant equipment and other property, and the loan of shop and yard equipment on a fully operated basis. Leases and licenses of real property will be accomplished according to ER 405-1-12 (Real Estate Handbook) Loan of CW-owned

plant or property to military activities will not be approved when contrary to military regulations or where restrictions on the use of military funds preclude reimbursement to civil accounts for its use.

d. USACE policy on lease of plant and other equipment to state, political subdivisions, and private parties. USACE plant and other equipment will not be leased to states, their political subdivisions, or to private parties, except where an urgent and essential need exists and all efforts to obtain such plant and other equipment from private sources have failed or the District Commander determines it to be in the best interest of interagency cooperation and contribute to the short-term benefit to the public. District Commanders are delegated the authority to lease plant, equipment, and other property to states, their political subdivisions, and to private parties, except as provided here, if the term of the lease is for three years or less and complies with ER 405-1-12. This policy does not apply when the plant and other equipment is required for emergency use to save life or property.

e. Use of shop and yard facilities. District Commanders may permit the use of USACE shop and yard facilities by states, their political subdivisions, or private parties, subject to the following conditions:

(1) The facilities remain under the complete and continuous control of the District Commander;

(2) Adequate evidence has been presented that similar privately owned facilities are not available;

(3) No negative effect to USACE work will result from the use of the facilities;

(4) That urgent and essential need exists for use of the facilities (such as threatened disruption of an essential service);

(5) The use period will not extend beyond 30 calendar days, nor will the aggregate charges, including, not limited to, dry dock or dock space, labor, and miscellaneous parts, exceed \$200,000; and

(6) Charges will include adequate provision for personnel, rental, materials, supplies, and all other services provided, plus overhead at the District hired-labor rate. This total will then be increased by a 25 percent surcharge to provide more complete protection of the public interests.

f. Hire of floating plant. District Commanders are delegated authority for hire of floating plant provided that the rental period does not exceed one year; the total rental cost will not exceed \$5,000,000 or the total of the approved current work allowance, whichever is the lesser amount; and that the lessor releases the government and its officers and agents from all responsibility for damages such as those ordinarily covered by insurance. Prior to hiring of dredge equipment, District Commanders will first coordinate with their Division and the HQ Floating Plant Program Manager.

g. Authority for hire of land plant and other construction equipment. District Commanders are delegated authority for hire of land plant and other construction equipment.

Section V

Plant Ownership, Operating Cost, Utilization, and Rate Computations

6–11. Purpose

This section establishes the policy for the supervision, management, utilization, recording, and calculation of costs of all plant owned by, or on loan from, the PRIP Revolving Fund.

6–12. Policy

a. All charges for the use of Revolving Fund plant and facilities will be determined and reviewed at least quarterly at the District level to ensure that these charges are fair, reasonable, and realistic, and that account balances are reasonable and within allowable tolerances according to ER 37-1-29 and ER 37-1-30.

(1) When circumstances prohibit rate adjustment to nominal levels within 180 days, a justification report and account balance will be submitted through the MSC/FOA to CERM-F.

(2) Excess debit or credit balance that materially distorts the current operating rate if recovered in one year will be recovered in not more than three years.

b. Plant ownership and operating data for each item of plant owned by the Revolving Fund will be determined, reported, and reviewed according to ER 37-1-29 and ER 37-1-30.

c. Costs of plant will be recorded and reported according to the format and frequencies provided in ER 37-1-29 and ER 37-1-30.

d. Costs and rates for plant will be determined according to the guidance on cost components and the formulas provided in ER 37-1-29 and ER 37-1-30.

Section VI

Federal Plant Accidents and Damage

6–13. Purpose

This section describes the policy for the investigation of accidents and damage by or to plant owned and operated by USACE, whether PRIP Revolving Fund or project owned.

6–14. Policy

In addition to the EM 385-1-1:

a. Investigations. USACE regulation ER 385-1-99 (USACE Accident Investigation and Reporting) contains detailed guidance for accident investigations and reporting. In addition, 46 CFR Part 4 contains USCG requirements for marine casualties and investigations and will be followed, as applicable.

b. Damage by government-owned vessels. The settlement of claim for damage by government-owned vessels will be conducted according to the provisions of the Act of 3 July 1943 (31 USC 223b), as amended by the Act of 28 June 1946 (PL 466, 79th Congress).

c. Damage to government-owned floating plant. Pecuniary penalties and, in addition, liability for the amount of damages will be sought as appropriate for violators of River and Harbor Act, S.3021, 115th Congress. , which makes it unlawful for any person or persons to damage, or in any manner impair the usefulness of any piece of plant, floating or otherwise, used in the construction of the preservation and improvement of any of its navigable waters or to prevent floods.

Section VII

U.S. Army Corps of Engineers Dredge Oversight Board (formerly the Marine Engineering Board)

6–15. Purpose

This section establishes a Dredge Fleet Oversight Board; gives its purpose, history, objectives; and directs its composition. The section was previously titled Marine Engineering Board and has been revised to reflect USACE's needs and the evolution of the USACE management structure. Certain technical functions of the former Marine Engineering Board have been incorporated into the Design, Acquisition and Construction section (Section I) of this ER.

6–16. Policy

It is USACE policy to establish a Dredge Fleet Oversight Board (DFOB).

a. Background and mission.

(1) The DFOB is an evolution of dredge management functions that began on 25 February 1944 under the title Hopper Dredge Board. The title was changed to Dredge Board on 18 March 1963, then to Marine Engineering Board on 26 July 1974. The DFOB is a USACE governance board consisting of HQ, MSC, and Division multi-disciplinary experts, with participation from Districts as needed. The DFOB serves as an enterprise decision-making body focused on the USACE dredge fleet, providing direction on dredge operations, maintenance, efficiencies, standardization, and recapitalization. DFOB decisions and recommendations are given to the Chief,

CECW-CO, who shares them with the Director of Civil Works for situational awareness, decision, or endorsement, as appropriate.

(2) As of the creation of the DFOB, the federal dredge fleet consisted of 11 dredges: 4 hopper, 3 dustpan, 1 cutter-suction, and 3 special purpose.

b. Board composition. The DFOB is composed of USACE representatives. The representatives are USACE senior civilian staff who possess program, policy, and expert knowledge of the USACE navigation program and dredge fleet. Members of the DFOB and alternative representatives are nominated by their respective MSC offices and are appointed by the Chief, CECW-CO. The membership of the DFOB will consist of both permanent and advisory members as shown in Table 6–1.

Table 6–1
Membership of the Dredge Fleet Oversight Board

Position	DFOB role	Required Meeting Attendance
Chief Ops and Reg	Sr Executive Oversight – Receives Recommendations from the DFOB, represents Board to Senior Leadership	No
Nav Chief	Chairs meetings	Yes
Dep Nav Chief	Alt to Nav Chief	No
Floating Plant Program Manager	Advisory/Support	Yes
MSC Operations Representative	Permanent DFOB Members (8)	Yes
MDC	Permanent Technical Advisor	Yes
Resource Management (PRIP)	Permanent Technical Advisor	Yes
AM Program Manager	Permanent Technical Advisor	Yes
Human Resources	Permanent Technical Advisor	As Needed
Civil Works Integration Division O&M Manager	Permanent Technical Advisor	As Needed
USACE – USCG Liaison	Permanent Technical Advisor	As Needed
Nominated Members at large (Technical Experts)	Advisor – Temporary assignment for specific topics	As Needed
Logistics, Safety	Advisor for specific topics	As Needed
Office of Counsel	Advisor for specific topics	As Needed
Coastal Navigation Program Manager	Advisor for specific topics	As Needed
Inland Navigation Program Manager	Advisor for specific topics	As Needed
Dredging Program Manager	Advisor for specific topics	As Needed

c. Leadership. The DFOB is chaired by the Chief, Navigation Branch, CECW-CO, HQUSACE, who reports to the Chief, CECW-CO, HQUSACE. The following representatives will serve as permanent advisors to the (DFOB).

(1) HQUSACE PRIP manager will serve as a Resource Management Program Advisor.

(2) HQUSACE Chief, Operations and Maintenance Programs Manager, Civil Works Integration Division will serve as Civil Works Financial Advisor.

(3) Director, HQUSACE MDC will serve as Technical Advisor.

d. *Special circumstances.* Should a situation warrant, the chair of the DFOB may request a representative of the cognizant MSC and/or District Command to serve as an advisor on the DFOB to assist in resolving a unique or unusual dredge operation or maintenance-related matter.

e. *Board functions.*

(1) *Prioritization of dredge PRIP requests.* The dredge fleet assets are the largest book value assets in the PRIP program. Historically, the dredges are the largest users of and contributors to the PRIP. Major Item New Start decisions and annual PRIP submittals for the dredge fleet will be considered and prioritized by the DFOB prior to submission to the annual USACE HQ PRIP committee deliberations. The DFOB will review and recommend priorities to senior USACE management of the PRIP Headquarters Prioritization Group for the recapitalization and major additions and betterments of the dredge fleet.

(2) *Information sharing.* Coordinate and disseminate information relevant to the dredge fleet owners and users.

(3) *National Maritime Union interactions.* Local and National Maritime Union negotiations will be reviewed by the DFOB for discussion of precedence and enterprise application.

(4) *Standardization of design.* The use of standard industry designs and use of design elements in USACE dredges that result in standardization of parts is desirable for economy of construction and future maintenance of the dredge fleet. The DFOB will review requests for non-standard design elements in new dredges and major rehabilitation efforts.

(5) *Standards for maintenance and operations.* The DFOB will establish standards for the efficient management of the dredges. Notwithstanding local decisions for dredge operations and maintenance that reflect regional dredging environments or needs of dredge personnel, the DFOB will determine minimum standards for operations and maintenance that reflect national efforts at economic management of the fleet. Plant Rate Computation cards (ENG Form 6220) are the responsibility of the dredge owning Districts; however, the DFOB will review dredge ENG Form 6220s annually for consistency of operation, maintenance and repairs, PI reports, and when appropriate, recommend changes to Districts.

(6) *Governance, issue resolution, and regulatory review.* The DFOB will be a part of the governance structure for non-construction projects related to the Lifecycle Dredge Recapitalization Program, provide a forum for issue resolution and review, and make recommendations regarding application of new regulatory standards, when appropriate.

On construction projects, the board will review project progress and significant deviations in scope or cost that impact PRIP funding availability.

(7) *Specific work on key initiatives.* The DFOB will develop and maintain a prioritized list of special projects and initiatives that support the stated objectives of the group. Each of these is expected to require studies, investigations, or analysis related to effective operations, maintenance, improvement, and replacement of dredges. With senior management endorsement, working groups will be formed with members from the DFOB and others from throughout the organization as needed for technical, policy and program expertise, and knowledge. The working groups will be tasked with addressing selected priorities, with each having a DFOB champion and at least one DFOB member as part of the group.

f. General.

(1) The DFOB chair will convene meetings as required to accomplish the board mission, normally quarterly and at such times as deadlines for program submissions are supported.

(2) The Navigation Branch Chief will appoint a program manager in the Navigation Branch to provide staff support to the Chief and DFOB. Duties are as required for the work of the board but will include organizing and scheduling meetings, note taking and distribution of materials to the board members, assisting the Navigation Branch Chief with tasks resulting from recommendations and decisions made by the DFOB, including advancing as needed those requiring review and action by the Chief, CECW-CO.

(3) Regarding expenses, District representation will be borne by overhead accounts specific to dredge management. Division and HQ participation is to be covered from the General Expenses labor funds.

Chapter 7

U.S. Army Corps of Engineers Energy Program

7-1. Purpose

This chapter establishes the energy management policy for USACE CW activities.

7-2. Policy

- a. All USACE activities will comply with Department of the Army (DA) energy policies and directives, including AR 11-27 Army Energy Program.
- b. Reports to DA, DoD, and Department of Energy are the responsibility of the U.S. Army Center for Public Works using input from applicable reporting elements, reviewed by CEMP-E, CECW-CO, and CERD-A.
- c. USACE elements will establish policies and practices, consistent with the DA policies and directives, designed to meet USACE energy conservation goals. The following goals apply to owned and leased facilities (processes and buildings) and vehicles used by USACE elements. (Note that leased buildings or facilities are those non-federally owned buildings or facilities that USACE uses and pays for utilities, directly or by reimbursement. Leased vehicles include those obtained from General Services Administration (GSA) as well as commercial leases.) Executive Order (EO) 14057 (Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability) defines agency energy goals to be net-zero emissions economy-wide by 2050 from fiscal year 2008 baseline.

Chapter 8

Cooperating Associations Program

8–1. Purpose

This chapter establishes the policy and procedures for the Cooperating Associations Program, as authorized by Section 225 of the Water Resources Development Act of 1992, as amended (33 USC 2328 (Challenge Cost-Sharing Program for the Management of Recreation Facilities), to share the cost with private, nonprofit cooperating associations of managing recreation facilities and natural resources at USACE water resource development projects. This chapter includes roles and responsibilities of USACE employees and criteria for determining when and with what entities cooperating association agreements may be used.

8–2. Policy

a. Cooperating association agreements are encouraged at CW water resource projects, fee-owned lands, and other areas for which USACE has administrative and management responsibilities to accomplish such broad goals as natural resource management, interpretation, and visitor services activities.

b. Cooperating associations are nonprofit, tax-exempt, 501(c) entities that enter into a cooperating association agreement with USACE resulting in the enhancement of and contributions to the USACE mission, particularly regarding natural resources management. Associations will follow all appropriate state and federal laws and regulations to establish and maintain their nonprofit and tax-exempt status, such as developing articles of incorporation and by-laws.

c. A Cooperating Association Agreement is required for each cooperating association working with a USACE CW project. District Commanders are the approval authority for cooperating association agreements in their respective Districts and may further delegate such authority, in writing, to District Operations Chiefs. A cooperating association agreement example is available on the Natural Resources Management (NRM) Gateway; however, agreements should be designed to reflect the specific nature of the activities and/or programs for each association. All agreements will include descriptions of insurance; use of facilities and equipment; services provided; staffing (USACE and non-USACE personnel); management responsibilities; nonprofit status; prohibitions on selling artifacts; and contain provisions for termination, should an association fail to acquire or maintain its nonprofit, tax-exempt status, or to fulfill its purpose as stated in the agreement.

(1) Cooperating association agreements are NOT cooperative agreements as that term is used in the Federal Grant and Cooperative Agreements Act (FGCAA) of 1977 (31 USC 6301-308) and are not otherwise subject to the FGCAA, nor are they subject to the DoD Grant and Agreement Regulations (DoDGARs) published in Chapter I, 32 CFR Subchapter C, including the requirement for execution by a certified grants officer. Although 33 USC 2328 uses the term “cooperative agreement,” the principal purpose of

the agreements authorized under that section is not to transfer a thing of value from USACE to a non-federal entity and the agreements do not otherwise involve a type of transaction covered by the FGCAA or the DoDGARs.

(2) Under 33 USC 2328, there is no fixed rate of cost share. Percentages are determined by mutual agreement between USACE and the partners. The roles of each entity are also flexible, and agreements may involve multiple partners.

(3) Cooperating Association Agreements are different from Project Partnership Agreements or PCAs.

d. Cooperating associations encompass nonprofit organizations that have a wide variety of objectives. Therefore, at any one location, USACE may determine that multiple cooperating association agreements with an assortment of suitable organizations is in the public interest.

e. Cooperating associations will carry appropriate liability insurance that indemnifies, saves, holds harmless, and defends the United States against all fines, claims, damages, losses, judgements, and expenses arising out of or from any omission or activity of the association, its employees, or volunteers in connection with their agreement with USACE. The association will exercise reasonable care to prevent damage to any government property used or occupied during its operation and will, as far as possible, protect all such property.

f. Background investigations (BI) for cooperating association paid employees or volunteers are required according to the same guidelines described in Chapter 9. Services from persons who have been convicted of a violent crime, sexual crime, arson, crime with a weapon, sale or intent to distribute illegal drugs, or are an organized crime figure will not be accepted.

g. Principal and alternate points of contact for USACE and the cooperating association at each location will be established, identified, and maintained. The principal point(s) of contact for USACE should be the individual(s) most directly involved with coordinating the association's activities. For example, at a field project, the operations project manager, park manager, or park ranger who coordinates with the association may be the principal point of contact.

(1) USACE personnel may not serve in a voting capacity on a cooperating association's governing board or as treasurer for an association. USACE personnel may not act as the official representative of an association in any matter relating to USACE or the terms of the cooperating association agreement.

(2) USACE personnel may serve in an advisory capacity on a cooperating association's governing board or committees. If the association has a membership program, USACE personnel may join and participate in membership activities.

(3) USACE personnel, during their normal work, may assist cooperating associations by performing minor duties, including bookstore sales (if applicable).

Activities to be performed or assistance to be provided by USACE personnel will be described in writing and submitted to the District Commander or Operations Chief, if delegated, for approval on implementation of the agreement.

h. Partner personnel may be authorized to operate, for official use only, government-owned or leased vehicles, vessels, or other equipment if deemed appropriate and beneficial. Partner personnel must have the proper training, license, and experience, according to USACE operator permit policies, before operating a government-owned or leased vehicle, vessel, or equipment. Partner personnel who are assigned to operate machinery or equipment (such as chain saws, power shop tools, or specialized equipment) must also demonstrate proficiency in the operation of that equipment and an understanding of safety requirements to the satisfaction of USACE employees overseeing such work.

i. USACE will provide the information, support, and training necessary to ensure that all cooperating association activities follow USACE safety standards in EM 385-1-1. The association is responsible for conducting its activities in compliance with this manual and ensuring that its personnel otherwise comply with all USACE safety requirements.

j. Cooperating associations aid USACE through a variety of activities and programs that may include, but are not limited to, the following:

(1) Providing educational programs and materials that further public understanding of USACE and/or project mission and its relationship to archeological, natural, historical, cultural, environmental, and recreational resources;

(2) Supporting or conducting special events, interpretive, educational, or scientific activities, exhibits, and programs, including presentations and demonstrations that further public understanding and appreciation of the USACE mission, and/or a particular water resources development project;

(3) Supporting natural resource management and/or public programs at or near USACE projects through conservation and educational activities and special events, and by providing scientific, logistical, maintenance, and other support;

(4) Acquiring display materials, historical objects, equipment, supplies, materials, goods, or other items or services appropriate for management, operation, interpretive, educational, and visitor service functions;

(5) Providing services to visitors through the sale, production, publication, and/or distribution of appropriate interpretive and educational items such as publications, maps, visual aids, audio tapes, pamphlets, handicrafts, and other objects directly related to the recreation, scientific, interpretive, and educational goals and mission of a project, a group of projects, and/or USACE as a whole; and.

(6) Acting as a principal distribution medium for those educational and scientific publications of the government and trade that relate to USACE and/or project mission,

mandate, or management efforts and provide the public with inexpensive and technically accurate materials.

k. Cooperating associations will not sell any original artifacts, sacred items, or antiquities to which 16 USC 470aa–470mm (Archeological Resources Protection Act), as amended, applies regardless of whether such items were discovered on lands owned or controlled by the United States.

l. Cooperating association agreements will designate where the cooperating association may conduct its activities. The association will not be charged for use of areas, facilities, utilities, janitorial services, routine, or general maintenance when such use is incidental to the usual operation of the project, area, or facility by the government. If the association's use of USACE facility is over and above normal USACE operation costs for the facility, USACE may be reimbursed at an agreed-on cost in recognition of the services that the association is contributing to the public. Any necessary real estate instruments will be executed as separate documents from the cooperating association agreement. The association may be granted a license, easement, or lease, as appropriate and according to ER 405-1-12 for the use of government-owned property.

m. Cooperating association employees and volunteers may be authorized to sell USACE passes or permits and collect USACE fees from the public at campgrounds, day-use facilities, visitor centers, administration offices, and other locations where fee collection is normally performed as a government function.

(1) The USACE principal point of contact will ensure that association employees and volunteers are properly trained and provided a security awareness briefing prior to assignment of fee collection responsibilities according to ER 1130-2-550 (Recreation Operations and Maintenance Policies) or superseding guidance.

(2) Any association employee or volunteer handling fees must sign a statement that will be attached to the cooperating association agreement and states the person accepts the risk and liability of handling government funds. Under no circumstances will a cooperating association be authorized to retain revenues from USACE passes, permits, or fees. Cooperating association employees or volunteers must remit all such revenues to USACE for proper disposition.

n. If any revenues are collected from a cooperating association's own activities (those activities that are separate and distinct from USACE fee collections), memberships, or sales of the association's publications and materials as part of their agreement with USACE, the association will use such revenues to support the continued operation of the association in fulfilling its management efforts in support of project activities as detailed in the Cooperating Association Agreement.

o. Cooperating associations will conduct their fiscal operations according to accepted business practices. This includes the appropriate use of a funds accountability system, purchase orders, receipts, invoices, and inventory records. USACE may review and audit any and all fiscal records at any time during the term of the agreement.

p. As applicable, all activities, special events, programs, hours of operation, logistics, prices, standards of service, and merchandise to be sold are subject to prior approval by the District Commander or OPM, if delegated by the District Commander in writing. Approval should be based on maximum benefit and service to the public, and if appropriate, quality, suitability, and fair market value of the merchandise.

q. Cooperating association paid employees or volunteers will not wear the USACE NRM Park Ranger/Manager uniform, nor items of clothing that resemble the uniform. Association employees or volunteers are not considered USACE volunteers under 33 USC 569c (Services of Volunteers) and may not be provided with official USACE volunteer uniform clothing items from the USACE uniform contract provider. Association employees and volunteers, when working at duties that bring them into contact with the public, will wear visible identification that identifies them as an association employee or volunteer.

r. All salaries, benefits, and liability coverage for cooperating association employees or volunteers is the responsibility of the cooperating association.

s. Recognition consistent with standards of ethical conduct is encouraged to express appreciation to partners and publicly acknowledge support that has been received. Partners should be advised to keep USACE apprised of any publicity that they initiate. All publicity will be a joint effort by the partner and USACE, to include mutual agreement of any publicity materials. Procedures for appropriate types of recognition and publicity are provided in Chapter 10.

Chapter 9

Volunteer Program

9–1. Purpose

This chapter establishes the policy and procedures for accepting and maintaining the services of volunteers as authorized by 33 USC 569c, as amended by Section 1047(d) of the Water Resources Reform and Development Act of 2014 (PL 113-121), to carry out any USACE activity, except policy making or law/regulatory enforcement. This chapter includes roles and responsibilities of USACE employees, criteria for determining when volunteer services can be accepted, procedures for conducting BI, permissible incidental expenses, record keeping requirements, and appropriate forms of recognition.

9–2. Policy

a. USACE may accept the services of volunteers and provide for their incidental expenses, including expenses relating to uniforms, transportation, lodging, and the subsistence of those volunteers. A volunteer is not an employee of USACE except for the purposes of 28 USC Chapter 171 relating to tort claims and 5 USC Chapter 81 relating to compensation for work injuries.

b. Voluntary service is official government business, having value to USACE, conducted by volunteers under the direction of a paid USACE staff member. Volunteers will not be used to displace any USACE personnel. They may, however, perform duties that once were, or are presently, performed by USACE personnel or contractors. In other words, voluntary service may supplement existing staff and include work that would not otherwise be accomplished due to funding or personnel limitations.

c. USACE will use volunteers wherever it is feasible, cost effective, mutually beneficial, secure and safe, and will employ the procedures for the use of volunteers and all necessary forms, available on the NRM Gateway. Commanders must promote the safety and security of USACE personnel and volunteers.

d. Voluntary service may be accepted from individuals or from members of organized groups. Volunteers will be recruited, and service accepted without regard to race, creed, religion, age, sex, color, national origin, sexual orientation, marital status, political affiliation, or disability.

e. The following policies relate to accepting officials and program responsibilities.

(1) Designated volunteer coordinators may accept voluntary services under this regulation and may further delegate to the lowest level practicable.

(2) MSC offices will be responsible for the coordination of volunteer programs in their respective areas of responsibility. MSC volunteer coordinators will assist District counterparts and act as a liaison between the Districts and HQUSACE.

(3) District Operations offices will be responsible for administering the volunteer program and assigning a District volunteer coordinator. The District coordinator will be responsible for managing the District program according to this guidance to ensure that it meets the needs of USACE and the volunteers. The District coordinator will assist in assessing needs and identifying work that can be done by volunteers, advise project volunteer coordinators in the proper use of volunteers, assist in recruiting efforts, handle inquiries regarding the program, and keep the District and project staff current on ideas and procedures for using volunteers.

(4) OPMs and Natural Resource Managers are responsible for administering the volunteer program at the project level, designating project volunteer coordinator(s), appointing additional team members as necessary to administer and supervise volunteers, accounting for program assets, accepting the services of volunteers, and observing this regulation while those services are performed.

(5) The project volunteer coordinator ensures that volunteer service agreements and, if applicable, parental/guardian consent is obtained and that each volunteer or group of volunteers are assigned to USACE personnel who are responsible for the work performed. The volunteer coordinator, either directly or through a volunteer supervisor, will ensure that each volunteer is properly oriented and trained and that each volunteer's qualifications are adequate and documented for the work assigned.

f. A successful volunteer program should match USACE needs to the volunteer talents available. The main steps in this process are:

(1) *Assess overall needs.* Define the tasks that need to be done at the individual project or office as identified in the Operational Management Plan (OMP).

(2) *Evaluate costs and benefits.* This program is not “free.” It requires staff time, administrative support, and supplies for tasks undertaken. Evaluate costs associated with volunteer service against benefits. Regulate the size of the program to match the site's organizational capability.

(3) *Refine position descriptions.* The project volunteer coordinator will develop position descriptions, including a brief statement of the volunteer's role, duties, minimum qualifications, and desired experience.

(4) *Recruit and select.* Advertise the volunteer program through websites, social media, public service announcements, news releases, personal contact, and brochures. Volunteer vacancy announcements should include duties, skills required, duration of the position, weekly time commitment, location, lodging information (if applicable), and USACE point of contact. Match the volunteer applicants with the tasks identified, conduct an interview, check references, complete BI as necessary, and finish the acceptance process, including execution of an Optional Form (OF) 301A Volunteer Service Agreement. USACE is under no obligation to accept the services of all volunteer candidates, nor is USACE required to provide a reason for non-selection. If a

volunteer candidate is not a good fit for the position or program, USACE should thank the candidate for their interest and document the decision of non-selection.

(5) *Provide orientation and training.* Provide initial orientation to USACE and site missions and provide follow-up training equal to the type of service, length of proposed service, and the requirements for safety according to EM 385-1-1. This should include the review of a Job/Activity Hazard Analysis. Orientation is valuable to volunteers to show how their work impacts overall USACE missions and goals. Volunteers should have a clear understanding of USACE policies, standards, and expectations for success. Volunteers are not required to complete the same mandatory training that USACE employees must complete annually unless necessary for the volunteer position, such as safety and security training, authorized fee collector training, Defensive Driving or Boat Operator License training to operate a government vehicle or vessel.

(6) *Provide supervision.* Identify supervisory channels for the volunteer and clearly describe the work to be accomplished. Supervisors should assign tasks and follow up on assignment completion.

(7) *Performance evaluations.* Develop a mutual performance review process to enable periodic opportunities for communication between the volunteer and their supervisor, resulting in an honest, timely feedback system. Performance reviews should be based on agreed standards, position descriptions, deadlines, and expectations. Informal reviews with volunteers may be conducted periodically, with a written final evaluation on completion of service.

(8) *Termination of volunteer service.* The agreement for volunteer services may be terminated at any time by the volunteer coordinator or the volunteer. Procedures should be developed for providing poor-performing volunteers an opportunity for improvement, such as discussions during periodic reviews, reassignment of duties, warning letters, or probation. Volunteer coordinators should document performance discussions in the volunteer's file with their OF 301A. When all options fail, or when an infraction warrants immediate dismissal, it may be in the best interest of USACE, the volunteer, and the public to dismiss the volunteer.

g. Volunteers must be qualified to perform the work assigned and physically able to do the work. If a volunteer becomes unable to perform the agreed tasks at any point during their service, the volunteer coordinator may terminate the agreement or find a more suitable position for the volunteer. The volunteer coordinator may request the volunteer to complete a Standard Form (SF) 256, Self-Identification of Disability, or obtain a medical examination if there is a question regarding the volunteer's ability to perform assigned work.

h. Volunteer services may be accepted from the following groups:

(1) Individuals from the private sector or state and local government agencies, whose employers are facilitating the donation of their employees' services to USACE on a short-term, limited basis while keeping them on their payroll (commonly referred to as

“hosted workers”), may be volunteers, provided the services they render are truly voluntary. For an individual’s services to be truly voluntary, the individuals must be allowed to independently choose whether they want to volunteer. In other words, their employers cannot mandate or otherwise direct them to render their services to USACE. The hosted worker program is intended only for situations where an entity has a policy that allows its workers to spend a limited number of work hours per week/month volunteering or has “volunteer days” for its employees.

(2) Off-duty USACE personnel (in their personal capacities) and their families may be volunteers; however, USACE personnel will not be accepted as volunteers at a project where they are employed for any work that falls within their regular job description/duties.

(3) Children under the age of eighteen years may be volunteers, provided they have the written consent of their parent or guardian on the OF 301A. All child labor restrictions must be observed. If children are volunteering as part of a group, the leader must provide a complete list of group participants and separate OF 301A agreements signed by the parents/legal guardians for all participants under the age of eighteen. Other organization’s parental consent forms are not sufficient to meet USACE requirements.

(4) Volunteer service may be accepted from legal aliens (permanent residents) or foreign exchange students. Non-U.S. citizens must present their J-1, J-2, F-1 Visa (or passport if they are in the U.S. from a visa-waiver country where visas are not required), or U.S. Permanent Resident Card INS Form I-551 (formerly known as Alien Registration Receipt Card) for review and verification. Examples of acceptable documentation forms are provided on the U.S. Citizenship and Immigration Services and U.S. Department of State websites.

i. The following categories of services cannot be accepted under this volunteer policy.

(1) Services provided by military units, to include Reserve or National Guard units. Services from Reserve units may be provided under the authority provided by section 8124 of WRDA 2022. See Chapter 10 of this ER for limited instances under which contributions of materials, supplies, and services may be accepted from National Guard units.

(2) Inmate labor services from federal, state, and local correction facilities. See the DA, USACE memorandum titled “Inmate Labor Program for Federal and State/Local Inmate Labor at Army Civil Works Projects” (2 March 2020) for procedures and requirements for the acceptance of inmate labor services at USACE-managed water resource development projects.

(3) Partner-funded personnel services as defined in Chapter 11 of this ER for procedures and requirements for the acceptance of partner-funded personnel services.

j. Persons who have ever been convicted of a violent crime, sexual crime, arson, crime with a weapon, sale or intent to distribute illegal drugs, or are an organized crime figure will not be used as volunteers, regardless of when the crime took place. Persons awaiting trial or under indictment for any of the listed crimes will not be used as a volunteer until the case has been resolved in the person's favor through the legal process. Except for these crimes, the existence of a criminal conviction does not automatically disqualify an applicant from being a volunteer. Volunteers with criminal convictions not listed here may be considered for service at the discretion of the District volunteer coordinator and the District Security Office by joint decision.

k. Volunteer coordinators will practice due diligence in screening volunteer candidates to assure the safety and security of USACE employees, contractors, and the public. Volunteer coordinators will work with their District Security Office to obtain BI and ensure proper procedures are followed. The decision matrix provided in Table 9–1 shows a quick reference guide to help determine the required level of background investigation and renewal periods.

Table 9–1

Volunteer background investigation procedures and requirements decision matrix

Volunteer Type	Level of Background Investigation (BI) Required	Security Office Involvement/ Processes BI	Background Investigation Expiration	Notes
Level 1				
One-time event.	None required but may choose to use local contractor at project level or District Security Office to run Federal Bureau of Investigation (FBI) fingerprints.	No (unless running an FBI fingerprint check)	N/A	–
Only work under line of sight supervision (LOSS) by USACE personnel with infrequent contact with minors.				
Less than 6 consecutive months and do not meet any of the scenarios below.				
Level 2				
Work independently of USACE personnel with unescorted access into controlled space/non-public areas.	Special Agreement Check (SAC) FBI fingerprint check.	Yes	SAC valid for lifetime as long as there is not a 2-year break in service.	Fingerprints may be done at military base, District Office, law enforcement office, etc.
Require access to government files/records.				
Collection/handling of fees.				
Level 3				
Adults volunteering more than 6 consecutive months.	Tier 1: FBI fingerprints, SF 85, and OF-306 using the Personnel Security Investigation Portal (PSIP) and electronic questionnaire for	Yes	BI valid for lifetime as long as there is not a 2-year break in service.	Volunteer may begin their service once their SAC results (FBI fingerprint check), SF85, and OF-306 forms have been favorably reviewed by the District Security Office for no adverse information, and the SF 85 and OF-306 forms have been submitted to OPM
Involving regular contact with children under 18 years without a parent or guardian present and without constant LOSS by USACE personnel.			BI valid for 3 years.	

Volunteer Type	Level of Background Investigation (BI) Required	Security Office Involvement/ Processes BI	Background Investigation Expiration	Notes
Requiring USACE networked computer access/NIPRnet Enterprise Alternative Token System (NEATS) Token Card.	investigation processing.		BI valid for lifetime as long as there is not a 2-year break in service. NEATS Token valid for 5 years.	through the PSIP to process the full investigation.

(1) Volunteers with a military Common Access Card or transferring from another Department or agency who possess a Personal Identity Verification Credential or have undergone the required Tier 1 National Agency Check with Inquiries or higher background investigation at their current or former agency do not need a new background investigation unless there has been a two-year break in service.

(2) Except for volunteers who fall under paragraph 9–2k(3), BI will be effective indefinitely, unless there is a two-year break in service or if the command learns of any adverse information about the individual that was not previously adjudicated in a background investigation.

(3) Per Army Directive (AD) 2014-23 (Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs), volunteer positions that involve regular contact with children under 18 years of age without a parent or guardian present, or where the volunteer does not work under constant line of sight supervision (LOSS) by USACE personnel require re-verification every three years. Regular contact is defined as recurring and more than incidental contact with or access to children during the performance of duties on a USACE site, related to a program or as part of a USACE-sanctioned activity.

(4) Volunteers requiring a Tier 1 background investigation may begin their service once their SAC FBI fingerprint check results, SF85 Questionnaire for Non-Sensitive Positions, and OF 306 Declaration for Federal Employment forms have been favorably reviewed by the District Security Office for no adverse information and the SF 85 and OF 306 forms have been submitted to OPM through the PSIP to process the full investigation.

(5) Digital fingerprints are the preferred collection method and may be obtained at military installations, USACE District and division offices, and law enforcement offices. Volunteers may be reimbursed for fingerprinting services if paying out of pocket. In locations where digital collection is not available, fingerprints may be obtained on the SF 87 or the FD 258 fingerprint card and submitted to the District Security Office for transmission to the Personnel Security Investigation – Center of Excellence (PSI-CoE) following guidance in the PSIP Requestor Guide. All fingerprint cards require a valid Security Office Identifier (SOI), Submitting Office Number (SON), and an Agency Location Code (ALC) to be processed by the PSI-CoE.

(6) Tier 1 BI are required for any of the following:

(a) Individuals 18 years or older who volunteer for more than 6 months consecutively, regardless of number of hours served each day. Per AR 380-67, Section 3-8, District Commanders have the authority to waive the 6-month Tier 1 background investigation requirement, based on the request from the District Security Office, as long as the volunteer service does not include any of the conditions in paragraphs 9–2k(6)(b) and (c);

(b) Volunteers who will have access to a USACE networked computer; or

(c) Volunteer positions that involve regular contact with children under 18 years of age without a parent or guardian present, or where the volunteer does not work under constant LOSS by USACE personnel;

(d) Volunteers who meet the requirements in paragraph 9–2k(1) do not require a Tier 1 investigation.

(7) SAC FBI fingerprint checks are required for the following:

(a) Volunteers that require access to government files and records;

(b) Volunteer positions that require the collection and handling of fees; or

(c) Volunteers who work independently of USACE personnel and have unescorted access into controlled space/non-public areas such as dams, offices, or locked government buildings.

(8) Background investigations are not required but may be conducted at the local project level through outside contractor or through a SAC processed by the District Security Office, for any of the following:

(a) Individuals who volunteer for one-time events;

(b) Individuals who volunteer for less than six consecutive months and do not meet any of the scenarios described in paragraphs 9–2k(6) and (7); or

(c) Volunteers who work only under LOSS by USACE personnel and have infrequent contact with minors.

l. Volunteers may be provided networked computer access after background investigation procedures have been completed and the applicant has been approved in the Mission Partner Identify, Credentialing, and Access Management (MP ICAM) System, making them eligible for a NEATS token. A NEATS token is not required for individuals using computers not connected to the government network.

m. Volunteers may be authorized to sell permits and collect fees from the public at campgrounds, day-use facilities, visitor centers, administration offices, and other locations where fee collection is normally performed as a government function.

(1) The volunteer coordinator will ensure that volunteers are properly trained, provided a security awareness briefing, and sign a statement on their OF 301A that provides: “I acknowledge and accept the risk and liability of handling government funds and accountable property. I further acknowledge that I may purchase a bond from a federally approved bonding institution at my own expense and understand that a bond is not a grant of relief, nor does USACE relinquish its rights against me or the bond in the event of a loss. I have read and understand USACE Recreation Use Fees policy as provided in ER 1130-2-550 or other superseding guidance and will follow the procedures to maintain funds security.”

(2) Volunteers are agents of the Army and are protected under 31 USC 3527 (General Authority to Relieve Accountable Officials and Agents from Liability). To obtain relief under this statute, volunteers may be required to prove non-negligence for any loss.

(3) Fiscal law training is not required for volunteers.

n. Volunteers may be authorized by the volunteer coordinator to operate, for official use, government-owned or leased vehicles, vessels, machinery, or other specialized equipment. Volunteers must have the proper training, license, and/or experience according to USACE operator permit policies, before operating a government-owned or leased vehicle, vessel, or equipment. Government authorization policies apply to volunteers.

o. Volunteers are liable for damages to government property if the volunteer's negligence or willful misconduct is the proximate cause of the loss, damage, or destruction of the government property. Standard procedures used to investigate and/or adjudicate incidents involving USACE employees should be used, when appropriate, to investigate and/or adjudicate similar incidents arising from voluntary services provided. For volunteer positions that require the use of government vehicles, vessels, machinery, or other specialized equipment, the requirement should be stated on the volunteer OF 301A and acknowledged by the volunteer.

p. Volunteers may perform construction at USACE water resources development projects when directed by appropriate USACE personnel and when USACE is otherwise authorized to undertake such construction activities under 16 USC 460d (Construction and operation of public parks and recreation facilities in water resource development projects) or other applicable statutory authority.

q. USACE-appropriated funds may be used to pay for training directly related to and necessary for the volunteer to perform their duties (such as cardiopulmonary resuscitation [CPR] or other safety-related training). Training fees may be paid directly to the provider from USACE or reimbursed to the volunteer if approved in advance by the volunteer coordinator and documentation of completed training is provided by the volunteer.

r. Volunteers may be authorized by USACE to use their personal property, such as vehicles or equipment, in performance of their volunteer duties.

s. Volunteers may not carry firearms on their person or in a vehicle while performing volunteer duties at USACE projects. Volunteers who are provided lodging on USACE lands may request a permit from the District Commander per 36 CFR 327.13 (Explosives, Firearms, Other Weapons and Fireworks) to possess firearms inside their private living quarters. Such permit will clearly set forth this restriction and any others deemed appropriate by the District Commander and the permit will be incorporated by reference and attached to the Volunteer Service Agreement of the individual.

t. Volunteers may produce products such as educational or interpretive materials, or conduct educational programs and assist at special events for USACE at off-site locations. Any products produced by volunteers for USACE will be considered contributions per Chapter 10 of this ER and become USACE property with full rights of use transferred.

u. Personal safety equipment will be provided by the government according to EM 385-1-1 or purchased by the volunteer and considered reimbursable incidental expenses of the volunteer, if authorized in advance by the volunteer coordinator. Volunteers performing duties for which federal employees are provided immunizations may be provided the same immunizations paid for or reimbursed by the government. Injuries to volunteers will be reported in the same manner as those involving USACE personnel. Volunteers will not be used in work assignments for which USACE personnel receive hazardous duty pay.

v. Volunteers receive the same benefits and protection as federal employees under the Federal Employees Compensation Act (5 USC 8101 *et seq.*) and the Tort Claims Procedure (28 USC Chapter 171) and are considered federal employees only for those purposes. Volunteers are offered this protection for personal liability, provided they are acting within the scope of their responsibilities.

(1) Volunteers are entitled to first aid and medical treatment for on-the-job injuries, as well as hospital care when necessary. When travel for receiving medical care is necessary, transportation may be furnished or the volunteer's travel expenses reimbursed. If death results from an on-the-job injury, burial and funeral expenses may be paid. However, burial and funeral payments (to include the amounts of such payments), as well as other possible compensations are regulated by the Office of Worker Compensation Programs. Volunteers do not receive compensation for lost wages.

(2) Volunteers must sign an OF 301A or OF 301B, Volunteer Sign-up Form for Groups, as appropriate, to acknowledge their understanding of the scope of benefits and protections afforded to them as volunteers. If the volunteers are part of a group, the group leader should sign the OF 301A and individual volunteers over the age of 18 should complete the OF 301B. Individual volunteers under the age of 18 must have their parent or legal guardian complete the OF 301A.

(3) Volunteers are not typically considered to be part of the USACE-covered population for Employee Assistance Program (EAP) Services or Critical Incident Stress Management (CISM). On a case-by-case basis, EAP and/or CISM services may be offered, or the Federal Occupational Health, when otherwise providing services to USACE, may offer courtesy services to volunteers in the event of an emergency, including traumatic, distressing events during the volunteer's duties.

w. Volunteers may be reimbursed for actual out-of-pocket expenses they incur in performing voluntary service when approved in advance and identified on the individual OF 301A. Reimbursement should be handled on a case-by-case basis. Reimbursement of incidental expenses is not to be understood as salary and is not mandatory. Such expenses might include, but are not limited to, expenses relating to background investigation fingerprinting fees, laundering volunteer uniforms, transportation, lodging costs, subsistence meals during duty hours, and personal safety equipment.

(1) Reimbursement for transportation expenses to and from the volunteer's place of residence may be authorized if within a reasonable commuting distance from the work site. The rate that volunteers may be reimbursed for privately owned vehicle mileage will not exceed the amount identified under the DoD Joint Travel Regulations (JTR). It is recommended, when possible, that volunteers needing routine reimbursement for local mileage driven in a personal vehicle be added to Corps of Engineers Financial Management System (CEFMS) and that local travel vouchers be processed as with USACE employees. Volunteers receiving reimbursement for travel may sign up for direct deposit in the same manner as employees.

(2) Long-distance travel expenses may be reimbursed in cases where it can be shown that the services of the volunteer will be of exceptional value to USACE. Such long-distance travel must be accomplished under one of the authorities in the JTR that authorizes the issuance of Invitational Travel Orders and may be approved at the District level. The rate that volunteers may be reimbursed for long distance travel will not exceed the amount identified under the JTR for government employees under similar circumstances. Transportation may include any mode recognized by the JTR, including, but not limited to, personal vehicle, public transportation, trains, and airplanes.

(3) Food and beverages may be provided to volunteers only when such subsistence is incidental to the actual rendering of volunteer services. Meals and beverages provided for a recognition event are not incidental to the rendering of volunteer services and are therefore impermissible. Any food or beverages purchased under this policy must be reviewed and approved by the District Resource Management Office and documented appropriately (such as email or Memorandum for Record). Volunteers may be reimbursed for meals during the period of volunteer work. Reimbursement will not exceed the GSA schedule for government per diem.

(4) Claims for reimbursement of a volunteer's incidental expenses should be submitted on OF 1164, Claim for Reimbursement for Expenditures on Official Business, and payment made by Visa check or check from USACE Finance Center (UFC) in Millington, or through direct deposit. The District Resource Management Office should be consulted as procedures vary between locations.

x. Volunteers may be provided modest lodging and related services, including, but not limited to, phone, WiFi, or laundry facilities at CW projects where their voluntary service occurs and not be required to pay a user fee. Districts may use appropriated funds sparingly to rent, purchase, or, when authorized by statute, construct modest

volunteer lodging accommodations. Permissible lodging may include, but is not limited to, mobile homes, recreational vehicles, campers, cabins, hotel rooms, apartments, former government housing, or campsites.

y. Per the authority granted under 16 USC 460d to construct, maintain, and operate public park and recreation facilities, USACE may construct limited lodging accommodations for volunteers. However, such accommodations must be directly related to the operation and maintenance of USACE recreational facilities and must be comparable to lodging accommodations provided by USACE for public use at the project (such as campsites expressly designated for volunteer use). If volunteers are housed in government-provided quarters, they will not normally be charged for such occupancy. Such accommodations should be noted on the Volunteer Service Agreement.

z. Clothing items may be provided if essential to a volunteer's specified duties, such as in cases where clothing items are needed for safety reasons or when volunteers must be easily identifiable to USACE employees or the public. Proper volunteer identification substantially contributes to the volunteer's ability to perform official duties safely and effectively in support of the USACE CW program.

(1) Official USACE volunteer uniform clothing items must be purchased from the USACE uniform contract provider. Items such as vests, polo shirts, ball caps, and nameplates are available from the USACE vendor in specifically authorized colors and may be changed periodically if beneficial for promoting a positive image for USACE. These items are highly recommended for volunteers who provide an ongoing service in public positions including, but not limited to, park hosts, visitor center staff, and program presenters. Local purchase of items similar to those available through the USACE uniform contract provider (such as vests, shirts, or hats in the same style and color as the contract items or in different colors), is not authorized.

(2) Several different items and multiple quantities of the same item may be provided and worn by the same individual to allow a variation of duties, weather, clear identification, and to allow the individual to maintain a neat and clean appearance each day.

(3) For volunteers performing maintenance duties, volunteer T-shirts may be ordered from a local vendor with the USACE logo and the word "Volunteer." T-shirt colors must be like those offered under the uniform clothing contract, except for safety-colored shirts and reflective materials for visibility. In the event T-shirts are added to the volunteer clothing contract, purchase must be made through the contract instead of a local vendor.

(4) Volunteers are not authorized to wear the USACE NRM uniform patch or any other item of the official NRM Class B, C, or D Park Manager/Ranger uniform.

aa. Regarding accounting and reports, accurate records regarding the number of volunteers, the number of volunteer hours donated, and reimbursed incidental expenses will be maintained by the volunteer coordinators and reported annually in the Civil Works Business Intelligence – Operations (CWBI-OPS) tool or other HQUSACE-designated data collection tool. Districts or MSC offices may require more frequent reports.

(1) For the purpose of determining the value of volunteer services, USACE and other federal agencies including the National Park Service, Bureau of Reclamation, U.S. Fish and Wildlife Service, Bureau of Land Management, U.S. Geological Survey, U.S. Forest Service, Natural Resources Conservation Service, and the National Oceanic and Atmospheric Administration, will use the Independent Sector's hourly rate as set by the Bureau of Labor Statistics each spring. This rate will be used to calculate the value of service per hour automatically in the CWBI-OPS tool, regardless of age or activity. No cost of living or other adjustments of any kind may be made to this rate. The rate is posted on the NRM Gateway.

(2) The OF 301 will be provided to all people who request information about the volunteer program. It is designed to gather pertinent information on a potential volunteer's background and areas of interest and skills. It can be used to screen applicants, to develop a file of potential volunteers, or to refer volunteers to other projects or agencies.

(3) The OF 301A will be used for Individual/Group Voluntary Services at USACE CW projects, regardless of mission. This form is the official document that legally enrolls an individual in the program and provides them with federal protection in case of injury or tort claim. It must be completed and signed by both the volunteer or organized group representative and the accepting official for all volunteers prior to work starting, even for work projects of only a few hours duration. This form is to be used when working with individual volunteers or groups.

(a) A complete, detailed description of the duties, conditions, and responsibilities must also be attached to the OF 301A. This is important in case questions arise on whether the volunteer was acting within the scope of their assigned responsibilities.

(b) A job hazard analysis or activity hazard analysis must be attached to the OF--301A.

(c) The OF 301A can be modified at any time by mutual consent, but it must accurately reflect the duties of the volunteers at all times. The acceptance/termination line at the bottom of the form serves two purposes. It provides the accepting official with a means of officially terminating an agreement, if appropriate, and it provides a legal record of when an agreement was terminated in case of a lawsuit or injury claim.

(d) The OF 301A remains in effect until terminated but should be reviewed periodically and amended or rewritten for accuracy as projects, requirements, reimbursements, and other elements of a volunteer's service may change. A copy of the agreement, along with any revisions or amendments, should be given to the volunteer for their records. The original and amendments should be retained by the accepting official for a three-year period following termination in a secured file cabinet or electronically secured folder. These files for inactive volunteers are retained to protect against possible lawsuits or injury claims. After the three-year period, the former volunteer's agreement must be destroyed/shredded.

(e) Volunteers under the age of 18 must have a parent or legal guardian complete the Parental Consent portion of the form. This requirement also applies to volunteers of organized groups.

(4) The OF 301B will be used to list all adult volunteers associated with an organized group. It is not a stand-alone document and must be attached to the OF 301A form that describes the volunteers' duties.

(5) Individual volunteer service hours should be tracked throughout the fiscal year to compile annual data for CWBI-OPS. Data tracked should include hours contributed, dates worked, and tasks accomplished. This information may be needed to establish the validity of a tort claim or Worker's Compensation claim that arises from the volunteer's service.

(6) The SF 87 or FD 258 Fingerprint Card may be used as an alternative to digital fingerprinting when conducting background checks for volunteers who require an SAC or Tier 1 background investigation.

(7) Reproducible copies of all required forms are available on the NRM Gateway.

bb. Regarding volunteer recognition and publicity, projects are encouraged to show appreciation for volunteer services received. Some types of recognition include informal recognition, verbal expression of appreciation by USACE staff, increased responsibilities, involvement in program planning, opportunity to train others, letters of recommendation with accomplishments identified, volunteer appreciation walls in USACE offices or visitor centers, or publicity and pictures in public media.

(1) Volunteers may be issued a certificate of appreciation to acknowledge their service. Other items, such as celebration meals, appreciation gifts, or cash awards, are not authorized for purchase with appropriated funds for volunteers.

(2) OPMs may waive day-use fees for one day or provide free one-night camping certificates to volunteers as a show of appreciation.

(3) Outstanding volunteers may be nominated for the USACE National Volunteer Awards through an annual nomination process.

(4) Volunteers are eligible to earn an “America the Beautiful” Volunteer Pass on completion of the specified hours of service under the America the Beautiful Program.

(5) Volunteers may be eligible for Department of Defense Public Service Awards, which are listed in Appendix A of AR 608-1 (Army Community Service).

(6) Volunteer coordinators/supervisors may nominate their volunteers for special awards of appreciation by sources outside USACE.

(7) Special Act Awards are not authorized for volunteers.

Chapter 10

Contributions Program

10–1. Purpose

This chapter establishes the policy and procedures for accepting voluntary contributions of cash, funds, materials, and services from persons and governmental entities, as authorized by 33 USC 2325 (Voluntary Contributions for Environmental and Recreation Projects), in connection with carrying out a water resources project for environmental protection, restoration, or recreation under USACE's administrative jurisdiction. This chapter includes roles and responsibilities of USACE employees, criteria for determining when contributions can be accepted, permissible activities associated with fundraising, and appropriate forms of donor recognition.

10–2. Policy

a. Contributions to provide for operation and management of recreation facilities and protection and restoration of natural resources at CW water resource projects may be accepted and used as provided by 33 USC 2325. Under this authority, USACE may accept contributions from individuals, families, organizations, foundations, corporations, businesses, associations, tribes, states, and other government agencies but excluding the project sponsor. Contributions may not be accepted from other federal agencies under this authority. However, funds may be accepted from other federal agencies when separate statute provides the authority, for example under a competitively awarded grant program. The term “contribution” includes anything of value (funds, materials, supplies, or in-kind goods or services) received from an outside source without consideration or an exchange of value.

b. Although 33 USC 2325 authorizes contributions of services, the acceptance of services from volunteers is separately authorized under 33 USC 569c. Except as provided in this regulation or other HQUSACE guidance, contributions of services should be accepted under 33 USC 569c, when otherwise applicable, following the guidance described in Chapter 9.

c. Contributions that are within current authorities, consistent with USACE missions, and are for work items contained in an approved OMP or project master plan according to Chapter 3 of ER 1130-2-550 may be accepted. Only contributions that result in the sharing of operation and management costs and/or in the development of facilities and will not result in a significant net increase in O&M costs should be considered for approval. Contributions supplement budget allocations as another means to accomplish approved work. Examples of acceptable contributions include:

(1) Activities, including, but not limited to, the protection, improvement, restoration, rehabilitation, or interpretation of natural resources, environmental features, recreation areas and facilities, or cultural resources. All facilities, products, and work accomplished become the property of USACE.

(2) Regarding cash, funds, materials, and services, specific guidance on accounting and reporting procedures are provided in ER 37-1-30. Contributions by credit card through online donation methods will be handled in the same manner as cash donations. Each District must work with their local Resource Management Office and the UFC to ensure funds are collected in the correct advance account.

(3) Regarding brochures or other publications, contributions of any interpretive brochures, videos, periodicals, pamphlets, or social media outlets intended for distribution to the public must be reviewed by the District Public Affairs Office.

(4) Contributed personal property will be recorded, accounted for, and managed in the same way as other USACE personal property.

(5) Funds or other items received as a result of a competitively awarded grant from foundations, nonprofit or for-profit organizations, non-federal governmental entities, where allowed in that entity's authorization.

d. Real estate cannot be accepted under the Contributions program.

e. Individuals and groups, including non-federal governmental entities but excluding the project sponsor may make contributions. The project sponsor is the entity that funded the non-federal cost share, if any, when the applicable water resource project was initially authorized and constructed. Not all USACE water resource development projects were constructed with project sponsors.

f. Contributions of troop construction/demolition services and/or materials and supplies may be accepted from National Guard units when such units are operating as state entities in a Title 32 status and the assistance is for environmental protection, restoration, or recreation activities as otherwise contemplated under 33 USC 2325. Prior to accepting contributions from a National Guard unit, the authorized USACE employee will obtain a written certification from the unit's Commander that all soldiers will be in a Title 32 status, acting on behalf of their state government, while performing work at the CW project. Contributions of troop services may not be accepted from active, Reserve, or federally activated National Guard units (members operating in a Title 10 status) under this authority but may be accepted under the authority of WRDA 2022, Section 8124, Reserve Component Training at Water Resources Development Projects.

g. Contributions of inmate labor services from federal, state, and local correction facilities may be accepted on USACE-managed water resource development projects according to the procedures and requirements provided in paragraph 9-2i(2).

h. Contributions by federal agencies may not be accepted under 33 USC 2325. Acceptance of any such contribution must be authorized under separate statutory authority and will not be considered or recorded as a contribution. Granting personnel from other federal agencies opportunities to participate in USACE special events or outreach activities to further the other agency's assigned missions, at no additional cost to USACE, is not considered a contribution and does not require express statutory

authority (such as a U.S. Fish and Wildlife Service biologist discussing bear safety at a USACE Safety Day event).

i. Contributions received will be available for projects in addition to the allocated O&M budget and will not result in a reduction of allocated funds. Acceptance of contributions under this authority does not constitute an impermissible augmentation of agency appropriations.

j. Contributions may be accepted by authorized USACE employees as outlined in Table 10–1. Authorized USACE employees must have sufficient experience, training, and organizational responsibility to fully consider all factors and circumstances when accepting contributions and must comply with this policy and ethics rules whenever a contribution is offered.

Table 10–1
Employees authorized to approve and accept contributions

Authorized Employee	Threshold/Value*
MSC/District/Project Level/Field NRM Staff	Contributions valued at \$2,500 or less per donor in a single year, or a series of pledged donations with a cumulative value of \$2,500 or less from any one donor over several years
District NRM Chief/OPM/Park Manager	Contributions valued at \$100,000 or less per donor in a single year, or a series of pledged donations with a cumulative value of \$100,000 or less from any one donor over several years
District Chief of Operations	Contributions valued at \$500,000 or less per donor in a single year, or a series of pledged donations with a cumulative value of \$500,000 or less from any one donor over several years
District Commander	Contributions valued at \$1,000,000 or less per donor in a single year, or a series of pledged donations with a cumulative value of \$1,000,000 or less from any one donor over several years
Division Commander	Contributions valued at more than \$1,000,000 per donor in a single year, or a series of pledged donations with a cumulative value of more than \$1,000,000 from any one donor over several years

*Approvals subject to meeting all acceptance factors.

k. Authorized USACE employees must act in a legally and ethically appropriate manner, gather sufficient information about a prospective donor, and document the factors considered in their decision making. A checklist to help determine and document the appropriateness of accepting a proposed donation is available on the NRM Gateway. The checklist is required for any donation or series of donations valued at \$2,500 or more; however, its use is encouraged for donations of any amount. Authorized USACE employees must seek guidance from their District Office of Counsel if an answer on the checklist is a “yes” or “maybe.”

l. Contributions may be declined when, because of the nature of the contribution, its use, conditions imposed, profit motive, or the character or notoriety of the contributor it may appear contrary to, compromising, or inconsistent with the laws, regulations, purposes, principles, integrity, standing, or reputation of USACE, the United States Army, or the federal government.

(1) To maintain the integrity of USACE programs and operations, a contribution must be declined if it appears by its size or circumstances to be an attempt to influence any significant USACE decision or action that affects the donor's interests or otherwise grant the donor special treatment in dealing with USACE.

(2) Contributions and any conditions or restrictions placed on them must be consistent with law, regulation, USACE policy, authorized project purposes, and applicable project plans.

(3) Contributions will not be used by a donor to state or imply USACE endorsement of the donor or the donor's products, services, or enterprise.

(4) To maintain the public confidence in USACE and its programs and employees, USACE should determine whether acceptance of a contribution might likely result in public controversy by conducting a publicly accessible search for history of criminal or civil violations by the donor.

(5) USACE generally will not accept a contribution from a donor involved in litigation with USACE. There may be circumstances, however, where the subject of the litigation is sufficiently removed from the proposed donation so as not to create any appearance of impropriety. For example, these circumstances may exist when a donor proposes a donation to USACE that is clearly unrelated to the litigation with another USACE office or element or in an amount that does not suggest it is intended to influence the handling of the litigation. The District Office of Counsel must approve all contributions offered by a donor involved in litigation.

(6) Contributions from an entity that holds or is seeking a concessions contract will be declined. This does not pertain to payment in lieu of rent transactions between USACE and concessionaires.

(7) USACE will not accept donations that impose or require a fundraising challenge to USACE to match the donation, or that obligates donated or appropriated funds in advance of their receipt.

m. In instances where a donor has a specific project they are interested in funding, it is recommended to the maximum extent possible that the donor provide the materials, supplies, or services required in lieu of a cash donation.

n. Regarding memorial contributions, USACE may accept donated funds or materials for construction of a facility such as a park bench or picnic table in memory of a donor's family member if the item meets USACE standards. A plaque or sign may acknowledge the donation in memory of the deceased family member. Due to the sensitive nature of this type of contribution, the donor must be made aware that the contribution becomes property of USACE and may be relocated or decommissioned as necessary. Notice should be provided to the donor stating that USACE cannot guarantee the lifetime of the memorial facility. The interment of ashes or other human remains are not permitted as part of a contribution. Volunteer maintenance by the donor

family may be required to maintain the property. Memorial contributions are accepted at the discretion of the OPM and may be denied if deemed unsuitable for the project.

o. Each location that accepts contributions will have a contributions plan that describes the work that will be accomplished with any potential contributions and includes a framework for donor recognition. A District plan may serve as the contributions plan for all water resource projects in the District. The plan will be reviewed and updated by District Operations staff as needed. This document will become part of the water resource project's OMP. It is recommended that project-specific contributions plans be updated annually. A contributions and donor recognition plan template is available on the NRM Gateway Contributions webpage.

p. Contributions may be used to fund salaries of term or temporary USACE employees. Contributions may not be used to fund the creation of a permanent full-time employee or wholly fund the annual salary for a full-time permanent position. However, contributed funds may be used to create a funded work item for work on a project by permanent employees, such as project design work, environmental reviews and planning studies, and administrative support of partnership projects. Contributions will not be used to begin construction, a phase of construction, or other projects or programs unless there are sufficient appropriated and donated funds in hand to ensure completion of the work to a degree that has independent utility. Research projects, books, mapping, exhibits, films, and all other projects funded with contributions must receive the same reviews and approvals as projects funded entirely by appropriations.

q. USACE employees may not directly make a request to an outside source for contributions to USACE. However, USACE employees are permitted to respond to public inquiries about the contributions program and provide program information or educational materials to potential contributors in a diplomatic manner to inform them of the opportunities that are available. Employees will avoid the appearance of soliciting contributions. The potential for contributors is tremendous and includes civic organizations, conservation clubs, cooperating associations, local businesses, corporations, non-federal government agencies, and individuals.

r. USACE employees are subject to certain standards of ethical conduct as prescribed under 5 CFR 3601 (Supplemental Standards of Ethical Conduct for Employees of the Department of Defense) 5 CFR Part 2635 (Standards of Ethical Conduct for Employees of the Executive Branch, and DoD 5500.07-R (Joint Ethics Regulation), which prohibit, among other things, federal employees from giving preferential treatment to any entity or individual.

(1) Employees may not use their official title, position, or authority of their public office to endorse any product, service, or enterprise. Additionally, employees may not engage in outside activities that conflict with the performance of their official duties. Federal employees may, while off duty and in a personal capacity, be members or leaders of outside organizations, provided they act exclusively outside the scope of their official position. Employees will not take any official action on matters affecting an

organization in which they are an active participant or have been an officer or director within the last year.

(2) These and other similar ethical conduct references throughout this regulation describe only some of the primary standards of ethical conduct applicable to USACE employees and should not be viewed as comprehensive guidance. It is the responsibility of each USACE employee to understand and abide by all standards of ethical conduct set forth in the most recent version of DoD 5500.07-R or other related guidance and consult with their local ethics counselor as needed.

s. USACE employees may not, in their official capacity, serve on the board, either as a voting member or as non-voting member, including as an ex-officio member, or as an officer or trustee of a cooperating association, friends group, or other USACE partner organization that raises funds to benefit USACE. However, USACE employees may be appointed by their supervisor as points of contact or liaisons to non-federal partner organizations as part of their official duties when appropriately appointed. Employees will not be appointed as liaisons to organizations in which they are officers or directors. Employees should consult with their ethics counselor to ensure compliance with ethics requirements.

t. Regarding contribution boxes, a contribution box may be set up by USACE or by an authorized partner at field offices, visitor centers, and other appropriate locations. The installation of a contributions box is optional, at the manager's discretion.

(1) The box should be of a similar design used in many museums. The contribution box should be locked and have a sign stating the use of the contributions. It should be clear to the visitor that any money collected is a voluntary contribution and is not required for touring the visitor center, receiving brochures or pamphlets, or any other services.

(2) Funds received from USACE-maintained contribution boxes must be accounted for in the same manner as any other donation. Partners will not handle USACE funds or accept contributions given directly to USACE.

(3) Virtual online contribution boxes may be set up on USACE lake and river project websites that link to a separate page with more information on how to donate. USACE employees may, when asked by visitors about opportunities to donate to support recreation or environmental stewardship projects and programs, direct them to web-based donation boxes maintained by USACE or a partner of the USACE water resource project.

(4) USACE may allow an association or authorized fundraising partner to install and maintain a contribution box at USACE facilities, provided a sign states that the funds received go to the association/partner and describes the intended use of contributed funds. The contributions box must be approved in the cooperating association agreement or in a memorandum to the authorized partner. The agreement/memorandum must include the number, location, appearance, and length of

time the donation boxes will be located at USACE facilities, times and methods for collecting funds, accounting procedures, projects that will be funded by the proceeds of the donation box, and disposition of funds in the event the partnership ends. An example memorandum is available on the NRM Gateway.

(5) When cooperating association/partner contribution boxes are at locations other than a USACE visitor center or office, a real estate license should be issued for the placement of the box at the USACE recreation or natural resource area. USACE employees will not collect or handle funds from the cooperating association/partner contribution box.

u. Regarding fundraising by outside entities, the implementation of many partnership projects depends on monetary support from non-federal organizations. Private fundraising is one method that non-federal organizations often employ to generate funding.

(1) Per ethics regulations referenced in paragraph 10–2r, USACE employees are not permitted to engage in, or otherwise assist with, such fundraising activities. Negotiating and developing a partnership agreement, where USACE and a partner are coming together and contributing resources toward a mutually beneficial outcome, is not considered fundraising. USACE employees can negotiate with partners in the context of a partnership agreement and partners can then independently fundraise to generate their contribution to the partnership.

(2) Cooperating associations and other partner organizations may accept contributions to the organization but will not handle USACE funds or accept contributions given to USACE. The partner may accept contributions and use them for the continued operation of the organization or donate the funds for USACE NRM efforts as detailed in their agreements. USACE employees should consult with their ethics counselor for any concerns regarding fundraising.

(3) USACE may allow the non-intrusive display or distribution by a partner of materials at USACE facilities to educate visitors about an authorized fundraising activity of the partner. The material must identify the USACE partner conducting the fundraising and inform visitors how they may receive additional information. Materials may include, but are not limited to, donation envelopes, quick-response (QR) codes/website and digital donation links, architectural drawings, models, graphics, newsletters, or other similar information.

(4) USACE may authorize links from USACE websites to partner websites that provide opportunities to make electronic contributions provided that such linkages conform to USACE information technology management and security policies, including those pertaining to websites. All authorized links providing opportunities for electronic contributions must be authorized by a written partnership agreement such as an MOU, challenge partnership agreement, or cooperating association agreement between USACE and the partner.

(5) In many cases, donors contribute to a nonprofit partner of USACE, with the partner subsequently contributing to USACE. Most nonprofit partners also have their own professional standards under which contributions are screened. Donor review is required by partners engaged in any fundraising activity intended to ultimately benefit a USACE project to determine if the contributions are consistent with the purpose and mission of USACE and are in the best interest of the agency. A donation with conditions on its use cannot be accepted if those conditions conflict with laws, rules, regulations, or USACE policies and project missions.

(6) Consistent with this and other applicable regulations and law, nonprofit partners of USACE may engage in fundraising activities on government property and keep those funds. All such fundraising activities must be approved by the OPM in writing, in advance. In instances where a special use permit is required, such approval may be included as a condition of the permit. All costs associated with a fundraising effort on government property, including required plans and studies, are the responsibility of the fundraising partner.

v. The following policies relate to accounting and reports.

(1) Prior coordination with Logistics Management should occur before contributed personal property is accepted. For recordkeeping purposes, the value of materials and equipment should be determined using the local market value for which comparable items could be purchased or rented if for short-term use. Recording, accounting, and management of property items will comply with ER 700-1-1 (USACE Supply Policies and Procedures).

(2) Monetary contributions will be accounted for according to the most current memo, Subject: Civil Works Collection Policy. Money collected from contributors will be deposited into account 096X3123 of U.S. Treasury according to the requirements outlined in ER 37-1-30 and will be available until expended regardless of fiscal year received. Checks should be made out to Finance and Accounting Office (FAO), U.S. Army Engineer District (USAED), (insert District name here).

(3) Collections are handled as a non-federal contribution, with a work item set up in P2 citing appropriation 096X3123 where the funds will be captured when completing the advance account, allowing the District Resource Management office to fund the transaction.

(4) Monetary contributions will be transmitted not later than Thursday of each week or each day the total amount collected but not transmitted exceeds \$5,000. DD Form 1131 is the authorized form for transmittal to the Finance and Accounting Officer. These funds are immediately available to the donated site for obligation and expenditure without further action by HQUSACE after the confirmed receipt is received from the Federal Reserve Board.

(5) All contributions received will be available for expenditure at the project where they are collected. Contributions received at the District, MSC, and headquarters offices

will be distributed as deemed to best meet the goals described in the contributions plan. Contributions earmarked for a specific project purpose may be accepted provided the purpose is consistent with the project Master Plan or OMP. Contributed funds are not subject to year-end closeout and may be carried over to future fiscal years. Once collected, contributed funds are considered appropriated funds of the Federal Government, available solely for the purposes set forth under 33 USC 2325, and subject to any valid use restraints placed on the funds by the contributor. As such, all funds will be accounted for and disbursed under the same standards of accountability as appropriated funds received through annual appropriations.

(6) Appointment of authorized collectors for receiving monetary contributions must be made in writing by the Finance and Accounting Officer according to ER 37-1-30. When accepting direct monetary donations, the fee collector must issue a receipt to the donor. A standard receipt book is appropriate for this purpose. A note should be written stating the purpose of the contribution.

(7) USACE does not provide tax advice. If a contributor asks for tax information, the USACE representative should ask the contributor to consult their tax advisor. If requested, a receipt should be furnished to contributors for their contribution. A letter acknowledging the acceptance of a contribution should be written for any contribution.

(8) Each water resources project office will maintain accurate records on contributions. A sample tracking spreadsheet is available on the NRM Gateway. The project office will report annually the total amount of contributions via the CWBI-OPS tool or other HQUSACE designated data collection tool.

w. The following policies relate to donor recognition and publicity.

(1) Recognition is encouraged to express appreciation to contributors and acknowledge the public support that has been received. USACE will acknowledge its appreciation in a manner consistent with USACE mission and goals and the standards of ethical conduct. This may include letters or certificates of appreciation; news releases to newspapers, magazines, social media channels, radio, and television; photo opportunities, ribbon-cutting ceremonies, articles in the project news briefs; or other appropriate means. Media recognition should be coordinated with the District Public Affairs Office.

(2) At a minimum, USACE will acknowledge all direct contributions in writing through a letter of appreciation and acceptance. This letter of acceptance will note the date of acceptance, amount of cash donation or description of in-kind contributions provided, as well as articulate any conditions that might apply to the contribution. The letter will not attempt to value non-monetary contributions but will note the quantity and descriptions of items received. This will serve as a record the donor may use to verify their charitable contribution. A copy of the letter will also be maintained by USACE for recordkeeping purposes. An example letter of acceptance is available on the NRM Gateway.

(3) Media events, press announcements, photo opportunities, ground breakings, ribbon cuttings, festivals, clean-up days, and other activities or forums in which the donor is involved (such as an annual meeting/convention of nonprofit organizations) can be used to provide high-profile donor recognition. Some of these events may be held on site per USACE policy. USACE projects may recognize partner or donor support on banners, posters, flyers, and similar items. If USACE is the primary host, it should be clear that it is a USACE event held in cooperation with “xyz” organization or company.

(4) OPMs may waive day-use fees for one day or provide free one-night camping certificates to contributors as a show of appreciation.

(5) USACE may recognize on its website the partnership with an organization or function as a donor recognition board.

(6) Plaques or other mementos may not be purchased with appropriated funds and given to donors to recognize their contributions. However, plaques may be purchased with appropriated funds if displayed and maintained in a government facility according to paragraph 10–2w(9). Monetary or cash awards will not be offered.

(7) Recognition will avoid any suggestion of commercialization, advertising, or endorsement of a product, service, or organization. The recommendation of commercial enterprises, products, and services are considered endorsements. Agencies and employees will not refer to brand names of commercial products in interviews and in written, audio, and visual materials. However, acknowledging the contributions of an organization, including a commercial enterprise, is not considered endorsement when the business, specific products, and services are not promoted or recommended. USACE employees should consult their ethics counselor for any concerns regarding possible endorsement.

(8) USACE personnel may recommend exceptional contributors to HQUSACE NRM Branch for possible special recognition. The annual national Excellence in Partnership award recognizes exceptional contributions by a partner providing substantial support to USACE. Ceremonies may also provide excellent opportunities to communicate partnership accomplishments and recognize donors.

(9) In some instances, a contribution may warrant on-site recognition. This form of recognition usually occurs in the project office, visitor center, or a recreation facility or developed area. USACE will avoid on-site recognition that might clutter, detract, or interfere with the scenic value of the environment or project facilities. Use of small markers, bricks, or plaques may be appropriate on some locations to provide recognition of a contributor, express gratitude, and encourage others to contribute. On-site recognition is typically provided in the form of a “credit line” as described here, or statement of appreciation by USACE. Examples of appropriate on-site recognition include, but are not limited to, the following:

(a) Credit lines are a short, discrete, unobtrusive statement expressing appreciation typically found at the end of the material or item or on a donor recognition plaque. Only simple donor credit lines, including name script, QR code/website and logos, are appropriate on printed or electronic material, audio/video products, wayside exhibits, kiosks, interpretive signs, or as recognition for a special event.

(b) Recognition will not include specific product names, slogans, or advertisements. The credit line on a lake brochure may state, "This brochure was made possible through the contribution of <logo, name script, name, website>." On electronic material (video, film, etc.), the donor recognition may appear either at the beginning of the presentation or at the end. However, the use of digital on-screen graphics or "bugs" are not permissible forms of donor recognition. In the case of computerized information kiosks or other electronic displays to be placed in visitor service areas, the credit line containing the donor's name script, logo, or website may appear either at the beginning of the presentation or at the end.

(c) Where a donation is integrally related to the lake/project, to the existence of the lake/project, or to what is being interpreted, interpretive programs may identify the donor and how the donation was used.

(d) A sign may recognize donors' contributions to a restoration or construction project. The sign should be informational, of appropriate design and scale, and express clearly that USACE is recognizing the donation. It should inform visitors about the nature of the project and the support of the donor.

(e) When on-site displays are deemed appropriate, tasteful, and unobtrusive, plaques or other treatments may be used. The duration of this form of recognition may vary depending on the project, donation, and location. Plaques are not to be affixed to the "historic fabric" of structures nor should they, or any other donor recognition treatment, be placed in natural zones or cultural zones where they intrude on the character of the area. Donor recognition is allowed on motor vehicle, benches, bricks, paving stones, pathways, landscaped areas, or other facility furnishings. Plaques acknowledging the contribution of a donor to the construction, restoration, or rehabilitation of a room or facility are allowed. As an example, a plaque may state: "The construction/renovation of this room (or facility) was made possible through the generous donation of (fill in the name)."

(f) Donor recognition boards, walls, or plaques are permitted in visitor centers or other appropriate visitor facilities. These boards or walls should use a format that allows recognition of donors by the placement of name plates or other markers that can be added and removed with relative ease. A project's donor recognition plan should establish criteria for any donor boards or walls, including minimum thresholds for recognition and duration. The names of corporate or business donors will appear in the same fashion as all other names. Corporate name scripts and logos will not be used on donor boards and walls. Donor boards and walls, either electronic or traditional, should be integrated into the design of the facilities.

(g) To maintain USACE policy that its facilities be free of commercialism, advertising, and marketing, slogans and taglines may not appear under any circumstances.

(h) The permanent naming of visitor centers, rooms, features, or lake facilities will not be used to recognize contributions of any kind to a lake/project or USACE. The temporary naming of rooms or USACE facilities is permitted only to recognize donations for the renovation of that facility or construction of a new facility. The renovation or rehabilitation of structures or historic or natural features may not be acknowledged through naming. The District Commander must approve naming opportunities. Naming is limited to a period of one year after completion of the renovation or construction unless an extension has been granted by the Division Commander appropriate for the value of the donation.

(10) USACE should advise contributors to apprise USACE of any publicity they initiate.

(11) Regarding events held at USACE facilities with partners, events fall into two categories: non-USACE events allowed under special use permit, and events wholly or partially held by USACE. In either case, the event may recognize corporate participation by limited use of corporate logos and name script on temporary event facilities (signs, T-shirts, literature). These items may be used at all such special events provided the size, scale, scope, and location of corporate logos and name script does not dominate the event facilities or area. This is to prevent commercialization of the event or project.

(a) For official USACE events, USACE may provide appropriate recognition, provided corporate names are not used in a way that implies or suggests USACE endorsement of a product or company or be construed as commercial solicitation or advertising. The purpose of such recognition is simply to acknowledge the participation of a partner. To prevent the appearance of endorsement, any conditions on offering or accepting a contribution should be included in an exchange of letters or other written documentation. They include provisions specifying the amount, type, and size of recognition signs. On-site notices (such as banners) must be appropriate to the character and scale of the event. The project manager may display such notices for a period of time in advance of the event to encourage public attendance. Partners may be permitted to establish a temporary hospitality area for special events.

(b) For non-USACE events, notices on temporary displays directly associated with the event containing the partner(s) names or logos or name script may be placed in close proximity to the event in both time and location.

(12) Examples of letters and certificates of appreciation, news releases and articles, event recognition, banners, agency and partner websites, credit lines, construction signs, plaques, and donor boards is available on the NRM Gateway Contributions Program page.

Chapter 11

Challenge Partnership Program

11-1. Purpose

This chapter establishes the policies and procedures for the Challenge Partnership Program as authorized by Section 225 of the Water Resources Development Act of 1992, as amended, (33 USC 2328), to share the cost of managing recreation facilities and natural resources at USACE water resource development projects. This chapter includes roles and responsibilities of USACE employees and criteria for determining when and with what entities challenge partnership agreements may be used.

11-2. Policy

a. The Challenge Partnership Program, as authorized by 33 USC 2328, will be used to provide opportunities for non-federal public and private groups and individuals to contribute to and participate in the operation and/or management of recreation facilities and natural resources at USACE water resource development projects. Partnering with others provides a way to stretch the USACE budget by sharing the cost of operating and/or managing recreation facilities and natural resources.

b. Challenge partnership agreements at water resource development projects may be used to provide operation and/or management and development of recreation facilities and natural resources where such facilities and resources are being maintained at complete federal expense. Challenge partnership agreements may not be used on outgranted, leased, or licensed lands.

c. Challenge partnership agreements for recreation facilities may be entered into when they supplement USACE programs without increasing future USACE O&M costs or result in reduced future USACE O&M costs, or, if future USACE O&M costs will be increased, when it is a sound business decision (such as any increase in O&M costs will be offset by future revenue increases).

d. Challenge partnership agreements may be used for the identification, protection, improvement, rehabilitation, preservation, management, or interpretation of natural resources, environmental features, recreation areas and facilities, or cultural resources.

e. The partner may contribute funds, including cash, materials, personal property, equipment, or services as their portion of the challenge partnership agreement. In addition, USACE may contribute to work accomplished by the partner that USACE is otherwise authorized to perform but may not give funds directly to the partner. These contributed resources will be combined with regular project resources as a supplement to accomplish the work designated in the agreement.

f. Real estate cannot be accepted as a partner's share of a challenge partnership agreement.

g. Work selected for challenge partnership agreements must be within current authorities. Work that will be accomplished through any current or potential agreements will be included in the annual work plan as an appendix of the approved OMP. Work will generally be accomplished during one fiscal year but may carry over to multiple years. Proposed work not in an approved OMP must be approved by the next higher management level.

h. Personal property that is contributed and accepted will be recorded, accounted for, and managed in the same way as other USACE property.

i. All facilities and work accomplished become the property of the government. The partner may not assume any ownership rights in the facilities constructed or in federal lands involved in the collaborative effort.

j. Under 33 USC 2328, there is no fixed rate of cost share. Flexible percentages are determined by mutual agreement between USACE and the partners. The roles of each entity are also flexible, and agreements may involve multiple partners.

k. Challenge partnership agreements are different from Project Partnership Agreements or PCAs.

l. These agreements are NOT cooperative agreements as that term is used in the FGCAA (31 USC 6301-6308) and are not otherwise subject to the FGCAA, nor are they subject to the DoDGARs published in Chapter I, Subchapter C of Title 32, CFR, including the requirement for execution by a certified grants officer. Although 33 USC 2328 uses the term “cooperative agreement,” the principal purpose of the agreements authorized under that section is not to transfer a thing of value from USACE to a non-federal entity and the agreements do not otherwise involve a type of transaction covered by the FGCAA or the DoDGARs.

m. Challenge partnership agreements must be negotiated and executed with non-federal public and private entities before those entities may participate in a challenge partnership project. The contribution by USACE and the partner(s) is to be determined by negotiation on a case-by-case basis. Each agreement must address the mutual benefits of the work, what each party will provide, and administration of the agreement. A sample agreement and a sample financial work sheet that itemizes the monetary value of each party's contribution completed as part of the agreement is available on the NRM Gateway.

n. Regarding discretion to decline, challenge partnership opportunities may be declined due to the nature of the proposal; its use; conditions imposed; profit motive or the character or notoriety of the contributor; appearance contrary to, compromising, or inconsistent with the laws, regulations, purposes, principles, integrity, standing, or reputation of USACE, the United States Army, or the Government. Challenge partnership opportunities that create or give the appearance of a conflict of interest or have conditions inconsistent with USACE mission must be declined. A checklist of acceptance factors for consideration is available on the NRM Gateway.

o. The following policies relate to oversight and approval authorities.

(1) MSC Commanders are responsible for the overall execution of the challenge partnership program in their respective MSCs.

(2) Approval authorities for challenge partnership agreements include:

(a) MSC Commanders for agreements that involve water resources projects from two or more of their subordinate Districts regardless of total dollar value of the agreement, and any agreement exceeding a total value of \$1,000,000 for any of their Districts.

(b) Commanders for agreements that involve water resources projects solely in their District with a total value greater than \$500,000 but equal to or less than \$1,000,000.

(c) District Chiefs of Operations for agreements solely in their District with a total value greater than \$100,000 but equal to or less than \$500,000.

(d) OPMs/Park Managers for agreements solely in their project boundaries with a total value equal to or less than \$100,000.

(3) Total value is the aggregate value of all services, materials, and equipment provided by a partner. The value of partner services is determined by estimating the total cost to the government if such services were procured by contract or the cost to perform the services using government personnel. The value of materials and equipment provided as part of the partnership should be determined using the local market value of comparable items for purchase or rent if for short-term use.

p. Funds and materials for a given year must be available before the work begins. Partners will not be given special privileges for participation in the challenge partnership program. USACE will not agree to any provision that limits USACE's ability to negotiate, accept, and execute challenge partnership agreements or contributions from other qualified entities. Challenge partnerships with multiple partners on the same work project, multiple work projects, and/or multiple physical locations may be accepted.

q. Services that the partner performs as a part of the challenge partnership program must be carried out in conformance with federal, state, and local laws and standards.

r. The following policies relate to partner-funded personnel.

(1) For purposes of this ER, the term "partner-funded personnel" is defined as individuals providing services at a CW project, at no cost to USACE, on an ongoing, long-term, or indefinite basis while receiving payment for such services from a third party (such as a non-USACE employee who works at the information desk of a USACE project visitor's center and receives payment from the local county government to do so).

(2) Services of partner-funded personnel may be accepted under 33 USC 2328 from non-federal public and private entities that have entered into a Challenge Partnership Agreement for Partner-Funded Personnel. A sample agreement is available on the NRM Gateway. Long-term staff and volunteers of cooperating associations do not need to complete a partner-funded personnel challenge partnership agreement as their services are covered under their cooperating association agreement.

(3) Partner-funded personnel are separate and distinct from volunteers, to include hosted workers, as described in Chapter 9. In particular, the legal status of the partner-funded personnel providing services to USACE under the authority of 33 USC 2328 differs from that of volunteers and short-term hosted workers providing service under the authority of 33 USC 569(c).

(a) Partner-funded personnel do not receive protections under the Federal Employees Compensation Act and the Tort Claims Procedure (28 USC Chapter 171) that volunteers and hosted workers receive under section 569(c).

(b) Partner-funded personnel are not authorized to receive reimbursements from the government for incidental expenses that volunteers and hosted workers may receive under section 569(c).

(c) Partner-funded personnel are considered employees of the partner organization that is funding them. Any pay, benefits, or liability protection must be 100 percent provided by the partner organization.

(4) Partner-funded personnel services may be accepted only from adults age 18 or older.

(5) Background investigations for partner-funded personnel are required according to the same guidelines provided under the USACE Volunteer Program in Chapter 9. Services from persons who have been convicted of a violent crime, sexual crime, arson, crime with a weapon, sale or intent to distribute illegal drugs, or are an organized crime figure will not be accepted.

(6) Consistent with guidance provided in paragraph 11–2s, partner-funded personnel may be authorized to operate, for official use, government-owned or leased vehicles, vessels, machinery, or other specialized equipment if deemed appropriate and beneficial.

(7) Partner-funded personnel may be authorized to sell permits and collect fees from the public at campgrounds, day-use facilities, visitor centers, administration offices, and other locations where fee collection is normally performed as a government function. The operations project manager will ensure, prior to partner-funded personnel collecting or otherwise managing fees, that partner-funded personnel are properly trained and provided a security awareness briefing and that their Challenge Partnership Agreement for Partner-Funded Personnel and associated Partner-Funded Personnel Status Recognition Statement include the appropriate provisions and acknowledgments regarding the collection and custody of fees.

(8) A signed Challenge Partnership Agreement for Partner-Funded Personnel between USACE and the partner organization, as well as a completed Partner-Funded Personnel Information Sheet and signed Partner-Funded Personnel Status Recognition Statement are required to accept the services of partner-funded personnel.

s. Regarding operation of vehicles, vessels, and equipment, partner personnel may be authorized to operate, for official use only, government-owned or leased vehicles, vessels, or other equipment if deemed appropriate and beneficial. Partner personnel must have the proper training, license, and experience per USACE operator permit policies before operating a government-owned or leased vehicle, vessel, or equipment. Partner personnel who are assigned to operate machinery or equipment (such as chain saws, power shop tools, or specialized equipment) must also demonstrate proficiency in the operation of that equipment and an understanding of the safety requirements to the satisfaction of USACE employees overseeing such work.

t. Regarding safety, all safety rules and regulations apply to work accomplished with challenge partnership agreements. Safety training provided to USACE personnel will also be provided to partners performing services, including review of the Activity Hazard Analysis. Injuries to partners performing services will be reported in the same manner as those involving USACE personnel. The reporting procedures will be the same except that item 17 on ENG Form 3394 (Mishap Notification and Investigation), will be checked "other – partner."

u. USACE does not provide tax advice. If solicited, USACE representatives should suggest partners consult their tax advisors to determine if their share of a challenge partnership agreement is charitable for tax purposes or deductible for any other reason.

v. Regarding procurement and contracting requirements, challenge partnership agreements will not be used as a substitute for contracts or procurements subject to the Federal Acquisition Regulations and other applicable procurement statutes and regulations.

w. Regarding accounting and reports, each water resources project office will maintain accurate records on challenge partnership agreements according to ER 37-1-30. Reports will consist of the name of the partner(s), the project undertaken, the total value of challenge partnership agreements, the partners' amount of contributions, and USACE's amount of contributions. This information will be reported annually via the CWBI-OPS or other HQUSACE designated data collection tool. Divisions or Districts may require more frequent reports of greater detail.

(1) Revenue collected from challenge partnership partners will be deposited into account 096X3123 of the U.S. Treasury according to the requirements outlined in ER 37-1-30. DD Form 1131 is the authorized form for transmittal to the Finance and Accounting Officer.

(2) These funds are immediately available to the collecting site for obligation and expenditure without further action by HQUSACE after the confirmed receipt is received

from the Federal Reserve Board. All funds will be disbursed under the same standards of accountability as annually appropriated funds.

(3) Appointment of authorized collectors and accepting officials for receiving funds from challenge partnership agreements must be made in writing by the Finance and Accounting Officer according to ER 37-1-30.

x. USACE may encourage participation in the challenge partnership program by informing prospective partners of the opportunities that are available. Potential participants include non-federal public and private entities such as civic organizations, nonprofits, cooperating associations, local businesses, universities, corporations, state and local governments, Tribal entities, and individuals.

y. Recognition consistent with standards of ethical conduct is encouraged to express appreciation to partners and publicly acknowledge support that has been received. Partners should be advised to keep USACE apprised of any publicity that they initiate. All publicity will be a joint effort by the partner and USACE, to include mutual agreement of any publicity materials. Procedures for appropriate types of recognition and publicity are provided in Chapter 10.

Chapter 12

Civil Works Housing

12-1. Purpose

This chapter establishes the policy for the retention, use, and disposition of government-owned structures used for quarters on USACE CW projects.

12-2. Policy

a. The current inventory of government-owned structures used for living quarters will not be expanded. Therefore, all existing housing with civilian tenants will be either disposed of or approved for alternative use when mission-essential criteria outlined on ENG Form 6251, Determination of Need, is no longer met. For the purpose of this ER, CW housing is any CW structure excluding outgranted structures used for the purpose of housing quarters for federal employees, visitors, contractors, or volunteers, whether temporary, short term or long term.

b. New housing will not be constructed or acquired for CW projects unless determined to be mission essential and approved in writing by the Chief of Operations.

c. Acceptable alternate uses may be considered when a structure no longer meets (1) nationally recognized building codes, including state or local building codes that are based on a nationally recognized building code, (2) The Department of Housing and Urban Development's (HUD) Minimum Property Standards for Housing, HUD Handbook, or (3) mission-essential criteria outlined on ENG Form 6251. Acceptable alternative uses, such as transition to offices, storage, or outgranted for use by others, will be evaluated for cost benefits as compared to disposal and approved in writing by the MSC Commander. Any changes in use will be recorded in Real Estate Management Information System (REMIS) according to CW housing codes policy guidance.

d. Government-owned houses that have been outgranted according to Chapter 8 in ER 405-1-12 for long-term use will be exempted from disposal until such time as the house is returned to USACE at the expiration or termination of the outgrant. On return of the housing unit to USACE management, the asset will either be disposed of or evaluated for acceptable alternative use.

e. Government-owned houses occupied in support of contractual obligations are exempted from disposal until such time as the contractual obligation is no longer needed. The asset may be leased for fair market value consideration. At such time when either alternative housing becomes available or the government-owned house is no longer needed in support of the contractual obligation, the asset will either be disposed of or evaluated for acceptable alternative use. The current inventory of government-owned houses used for this purpose will not be expanded.

f. Occupation of government-owned houses by volunteers will be coded in REMIS as CW Housing. An approved ENG Form 6251, Determination of Need, is required. The current inventory of government-owned houses used for this purpose will not be

expanded and existing use of housing will be evaluated against the use of campsites or other means to support volunteers according to ER 1130-2-550. When the evaluation indicates that the use of campsites or other means are more advantageous to the government due to cost or other factors, the asset will either be disposed of or evaluated for acceptable alternative use.

g. Operation and maintenance of all CW housing will follow applicable financial management processes and procedures, documenting any site-specific issues that influence O&M funding on ENG Form 6251, Determination of Need.

h. CW housing is not part of the military family housing program. Therefore, military tenants must enter into written leases and are not eligible for Basic Allowance for Quarters while assigned to such housing.

12–3. Housing Management Program

Each District having CW housing with occupants must obtain written approval from the MSC Commander to retain such structures in the real property inventory for housing purposes. This approval will be reviewed for accuracy, validation of the requirement to provide housing, and necessary updating at least every five years until all housing has been removed or converted to other project purposes. CW housing will be included during routine annual environmental and safety inspections. Housing management programs will include the following:

a. Memorandum signed by the MSC Commander. If the MSC Commander is the occupant, then the memorandum must be signed by the Deputy Commanding General for Civil and Emergency Operations.

b. ENG Form 6251, Determination of Need, for each structure that is occupied by USACE personnel, contractors, or others.

c. Written approvals will be housed on the NRM Gateway.

Chapter 13

Aquatic Plant Control Program

13–1. Purpose

This chapter establishes the policy for research, planning, and operations for the USACE Aquatic Plant Control Program (APC).

13–2. Policy

a. An APC program must be maintained to control specific types of aquatic invasive species (AIS) of major economic significance, or AIS that have potential for reaching such economic significance in navigable waters, tributaries, streams, connecting channels, and all allied waters. The APC Program is authorized under Section 104 of the Rivers and Harbors Act of 1958 (PL 85-500), as amended (33 USC 610). Specific guidance on the development of cost-sharing agreements, planning studies, and funding requests can be found in Chapter 14 of EP 1130-2-500.

b. The APC Program, cost-shared with a non-federal sponsor, must be undertaken with close coordination of local interests and states so as not to overlap or conflict with other federal agencies, including the Tennessee Valley Authority, Bureau of Reclamation, United States Fish and Wildlife Service, Department of the Interior, the Department of Commerce, the Department of Agriculture, and the Environmental Protection Agency according to EO 12372 (Intergovernmental Review of Federal Programs).

c. AIS management or O&M of reservoirs, channels, harbors, or other water areas of authorized projects under jurisdiction of USACE or other federal agencies will not be undertaken as a part of the APC Program, except as such areas may be used for experimental purposes, including demonstration projects. Guidance for routine AIS management as part of an ongoing project O&M pest control program is located in Chapter 3 of ER 1130-2-540 (Environmental Stewardship Operations and Maintenance Policies). Subordinate commands will fund AIS management required for O&M of USACE operating projects through the normal O&M budget process.

d. A USACE-wide Aquatic Plant Control Operations Support Center (APCOSC) will be maintained in the Engineer Research and Development Center Environmental Lab (ERDC EL) Technical Director's Office. Project support and/or assistance will be obtained through direct contact with the APCOSC or through HQUSACE NRM Branch. If on-site assistance is required, a formal letter must be submitted. All APCOSC services requiring the commitment of significant manpower and/or travel must be cost-reimbursable, with all costs, including travel allocations, supplied by the user District. Priorities will be established by the ERDC EL according to time of request and critical need.

13–3. Responsibilities

a. Headquarters. HQUSACE NRM Branch will be responsible for the overall administration of the APC Program. The Program Manager will direct overall planning; establish program policy; authorize studies; grant work allowances; and allocate funds for planning studies, research, and management operations. The Program Manager will provide direction and guidance to the APCOSC and serve as Technical Monitor of the Aquatic Plant Control Research Program (APCRP). The Program Manager will also:

- (1) Compile, prepare, and defend the APC Program budget requests to the Office of Management and Budget (OMB) and Congress;
- (2) Coordinate APC Program legislative actions;
- (3) Coordinate with other federal agencies on APC Program matters not handled at subordinate commands;
- (4) Coordinate and facilitate the training of field operations personnel; and
- (5) Rule on controversial matters that cannot be resolved at subordinate commands.

b. Aquatic Plant Control Operations Support Center and the Engineer Research and Development Center Environmental Lab. The APCOSC will provide USACE-wide planning and operational advice, assistance, and support to operating elements without the in-house capability or experience to initiate and/or conduct an APC program. Funding for base support for the APCOSC will be by line item in the annual APC Program budget request. The APCOSC will be supported by the Invasive Species Leadership Team (ISLT), Jacksonville District Invasive Species Management Branch, and Walla Walla District. To perform the mission assigned by HQUSACE NRM Branch, the Chief of the APCOSC will:

- (1) Serve as the USACE source of technical expertise on APC Program operational matters.
- (2) Provide operational guidance to USACE Districts in the planning phases of APC programs (such as during the development of the Letter Report, Environmental Compliance actions, development of Cost-share Agreements [CA]), and ongoing operations and budgeting.
- (3) Provide technical guidance to USACE Districts in the operational phases of APC programs (such as during development of the technical portions of CA with sponsors, when preparing contracts with private contractors, or when developing hired labor guidance).
- (4) Provide operational expertise, personnel, and equipment, as necessary, to quickly respond to localized, short-term critical situations created by excessive growths of aquatic plants. Situations are considered to be critical if severe navigational

blockages occur, the potential for interference with flood control or water supply capability is evident, or when public health is threatened. This type of support will be undertaken only when the District in-house response capability is inadequate and when it is not possible to obtain contractual APC Program services.

(5) Assist HQUSACE NRM Branch in the administration of the USACE-wide AIS issues and in the training and certification of USACE pesticide (herbicide) application personnel.

c. *Research and development.* APCRP activities will be managed by ERDC EL Technical Director's Office with emphasis on identification and development of innovative and environmentally compatible technologies for AIS management. Supporting field level demonstrations of new technologies and training for USACE staff on how to implement new developments. Research will be accomplished by USACE research personnel or through contracts or cooperative agreements with federal, state, and private research institutions. Research of regional or national significance will be at 100 percent federal cost. Research conducted to provide local or site-specific information or data will be cost-shared 50/50 with the local sponsor and will be coordinated through the Research Program Manager, ERDC EL, to prevent duplication of efforts. The APC Program, Research Program Manager at ERDC EL will:

(1) Serve as the USACE center of technical expertise on APC research matters. Assist HQUSACE NRM Branch concerning the planning and development of the APC Program – Research Program.

(2) Conduct and coordinate a nationwide research and development (R&D) program responsive to AIS operational needs.

(3) Provide technical assistance and information in the use of experimental aquatic plant management technologies. Experimental technologies are those not yet proven on an operational scale, as well as those that have not yet been authorized or approved for use where regulatory approval is required.

(4) Plan and conduct large-scale field tests to evaluate AIS control technology developed through the research program, requesting assistance from the Districts and the APCOSC as needed. Coordinate with the APCOSC to ensure inclusion of operational expertise.

(5) Develop, through consultation with other researchers, the ISLT, the APCOSC, and the Program Manager, proposals for research of national or regional significance. Conduct R&D in response to operational needs as identified during the Statement of Need (SoN) process with support from ISLT for the APC Program Review and prioritization of research needs will follow the SoN process and be conducted in existing ISLT semi-annual meetings. The APCRP review meeting will serve as progress review for ongoing R&D.

(6) On request, provide assistance in the use of current methodologies for the identification and assessment of AIS challenges and in the development of long-range AIS management plans.

(7) On request, provide base data and information pertinent to the development of decision (such as feasibility studies) and environmental compliance documents.

(8) Review and evaluate all proposals for cost-shared research to provide site-specific information. Submit all research proposals, along with estimated costs and an explanation of expected benefits of the proposed research, to HQUSACE NRM Branch for approval and funding.

13–4. Funding

The APC Program is funded under the Construction General Account and is subject to an annual expenditure ceiling amount. Budget development activities and supporting data will be submitted according to USACE's CW Directorate annual program development guidance engineer circular.

Chapter 14

Challenge Cost-Sharing Cooperative Management Agreements

14–1. Purpose

This chapter establishes the policy and procedures for Section 1155 of WRDA 2016 authorizing the Secretary to enter into agreements with non-federal public entities under Section 225 of WRDA 1992 (33 USC 2328), which may include the collection and retention of user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the DA, and reinvestment of collected fees at the site at which the fees are collected. Section 1155 further authorized participating public entities to use any visitor reservation service that the Secretary of the Army has provided for by contract or interagency agreement.

14–2. Policy

a. Cost sharing. USACE may share the cost of managing recreation facilities and natural resources at USACE water development projects by entering into an agreement with non-federal public entities to provide for operation and management of recreation facilities and resources where such facilities are being maintained at complete federal expense.

(1) These agreements are NOT cooperative agreements as that term is used in the FGCAA (31 USC 6301--6308) and are not otherwise subject to the FGCAA, nor are they subject to the DoDGARs published in Chapter I, Subchapter C of Title 32, CFR, including the requirement for execution by a certified grants officer. Although 33 USC 2328 uses the term “cooperative agreement,” the principal purpose of the agreements authorized under that section is not to transfer a thing of value from USACE to a non-federal entity and the agreements do not otherwise involve a type of transaction covered by the FGCAA or the DoDGARs.

(2) Under 33 USC 2328 there is no fixed rate of cost share. Percentages are determined by mutual agreement between USACE and the partners. The roles of each entity are also flexible, and agreements may involve multiple partners. The expectation and goal are that the savings and benefits to the government should be greater than or at least equal to the loss of revenue to the treasury.

(3) Agreements under this chapter are different from Project Partnership Agreements or PCAs.

(4) Regarding eligible entities, non-federal public entities that may enter into agreements for the management of a recreation facility under this authority are limited to state, county, municipality, or local governments; public institutions of higher education; and Indian Tribes. Nonprofit entities or other private sector entities are not eligible.

(5) Regarding eligible areas, facilities and natural resources in project site areas (PSAs) on USACE fee-title land or any land on which USACE fully operates and maintains PSAs, including Tribal lands operated by USACE, are eligible for co-management under this authority.

b. Competition. Competitive procedures will be used to encourage participation by a broad base of the most highly qualified, non-federal public entities to co-manage and operate USACE recreation areas. These procedures will include competition among as many eligible non-federal public entities as possible using a published or widely disseminated notice. Competitive procedures must include, at a minimum:

(1) *Notice to eligible non-federal public entities.* The notice may be publicly disseminated by the District Commander with unlimited distribution, or, when specialized expertise is required, limited to at least two eligible non-federal public entities. Multiple non-federal public entities may submit a joint proposal to work together to co-manage and operate one or more PSAs.

(a) The synopsis for each notice must provide complete instructions on where to obtain the notice and should have an electronic link to the internet location at which the notice is posted. The notice will clearly explain the process to submit proposals, list all information and documentation that proposals must contain, and provide the evaluation method and selection criteria.

(b) Notices must be posted for a minimum of 10 calendar days.

(2) *Evaluation.* To qualify to enter into an agreement under this authority, an applicant must, at a minimum, be a non-federal public entity as defined in paragraph 14–2a(3); have the management capability and adequate financial and technical resources to execute the program of activities envisioned under the agreement; and have a satisfactory record of executing recreation programs or natural resource management activities. USACE past experience with the non-federal public entities should be a consideration factor.

(3) *Selection.* The OPM will review evaluations and make a recommendation to the District Commander according to the evaluation method and selection criteria provided in the notice. The District Commander is the final partner selection approval authority and may accept the OPM's recommendation or conduct their own evaluation and selection based on the criteria provided in the notice. The OPM or District Commander may decline any proposal that could adversely affect the operation and beneficial use of the project, violates existing laws or regulations, or reflects unfavorably on USACE and the United States Army.

c. Challenge Cost Sharing Cooperative Management Agreement.

(1) *Requirement for a written agreement.* Once a non-federal public entity has been selected, a Challenge Cost Sharing Cooperative Management Agreement (CCSCM Agreement) is required to establish the terms, conditions, administration, and responsibilities of USACE and the non-federal partner(s).

(2) *Use of model agreement.* All agreements under this authority must follow the model template available on the NRM Gateway. The model specifies areas where the parties have discretion to determine their respective operation and management responsibilities and contributions through negotiation. Any substantive deviations from all other provisions of the model must be approved by the Chief of Operations and Regulatory, HQUSACE.

(3) *Approval authority.* District Commanders are responsible for the approval of CCSCM Agreements that involve water resources projects in their District. This authority cannot be further delegated.

(4) *Survey.* Prior to executing the CCSCM Agreement, USACE should provide the non-federal public entity a survey listing all government property.

(5) *Term.* CCSCM Agreements are limited to an initial term of ten years. If a partner desires to continue a partnership relationship beyond the maximum term set forth in a CCSCM Agreement, the partner must re-compete for the opportunity.

d. Partner Operations Plan.

(1) Prior to a partner providing or USACE accepting any goods or services under a CCSCM Agreement, the parties must develop a mutually agreed-on Partner Operations Plan (POP) that outlines the respective operations, management, and development activities to be undertaken by the partner and USACE.

(2) POPs must be updated annually with a two-year plan of operations by the parties. POPs may be modified at any time by mutual written agreement of the parties. POPs and any modifications thereto must be approved in writing by the designated partner representative and the MSC Operations Chief with concurrence from HQUSACE Natural Resources Branch before enactment.

(3) Once reviewed by the MSC Chief, Operations, the POP must be reviewed and approved by HQUSACE. The POP sets forth the full extent of a partner's authorities and responsibilities at the PSA. Unless otherwise authorized by law, POPs will not include partner activities that USACE could not perform on its own under existing authorities. Partner activities must be described in sufficient detail to ensure a mutual understanding of the parties regarding the parameters of the partner's authorities and responsibilities. Proposed partner construction activities will be supported by a detailed scope of work and construction drawings. Proposed partner equipment acquisitions will be supported by an explanation of the intended use of the equipment and will describe the equipment by model and/or series number, if available.

(4) Background investigations for non-partner personnel are required according to the same guidelines provided under the USACE Volunteer Program in Chapter 9. Services from persons who have been convicted of a violent crime, sexual crime, arson, crime with a weapon, sale or intent to distribute illegal drugs, or are an organized crime figure will not be accepted.

(5) During the term of the CCSCM Agreement, the OPM will notify the non-federal partner of any updates to the existing project master plan affecting the premises and provide the partner an opportunity to comment.

e. Budget.

(1) The partner must submit a proposed two-year budget for initial review to the OPM and to the MSC Operations Chief for final approval. The OPM will coordinate this budget proposal with District, MSC, and HQUSACE Business Line Managers before official enactment. It is mandatory to coordinate these two-year budget/operation plans with Business Line Managers to understand budget implications to appropriations for the subsequent fiscal years.

(2) Partner budgets must provide cost estimates for all partner activities listed in a POP for a given year and all anticipated partner personnel and overhead expenses for the year. The MSC Operations Chief has the sole discretion to approve adjustments of budgeted amounts for each partner activity/expense. Once the MSC Operations Chief approves an annual budget or modification, the budgeted amounts cited therein for each partner activity/expense serve as the maximum limits for partner expenditures on that activity/expense and may not be exceeded without the prior written approval of the MSC Operations Chief.

f. Fees and fiscal management.

(1) Under a CCSCM Agreement, a non-federal partner may collect “Recreation Use Fees” and “Special Use Permit Fees” as those fee types are defined under ER 1130-2-555 or superseding guidance and retain up to 100 percent of collected fees for the operation, maintenance, and management activities at the recreation PSA at which the fees were collected, whether such sites or facilities were developed by the partner or by USACE.

(2) The non-federal partner may charge fees only according to guidance in ER 1130-2-550 or superseding guidance using the USACE fee schedule. Applicable requirements under ER 1130-2-550 include, but are not limited to, limitations on fee rates and items for which fees may be charged; the biennial submission of fee schedules to the District Chief of Operations for approval; and submission of Special Use Permits to the OPM for approval. Within thirty days of executing a CCSCM Agreement, the applicable District and/or project offices will provide training to partner personnel regarding the applicable requirements of ER 1130-2-550.

(3) Fees may be charged by the non-federal partner for the use of the premises or facilities only if a user charge by USACE is permitted. All fees must follow the approved biennial fee schedule. This includes fees for use of campsites, swimming beaches, shelters, and boat launching ramps.

(4) The non-federal partner is required to accept all America the Beautiful Interagency Passes (hereinafter “Interagency Passes”), the USACE Annual Day Use Passes, and discounts at the co-managed PSA as specified in ER 1130-2-550 or

superseding guidance. Partners may be authorized to sell Interagency Passes under the requirements set forth in ER 1130-2-550. However, under no circumstances will a non-federal partner be authorized to retain revenues from the sale of Interagency Passes. Non-federal partners must remit all revenues from Interagency Passes to the project office for deposit in the appropriate special account in the U.S. Treasury as required under ER 1130-2-550.

(5) The non-federal partner may charge fees for outdoor recreation related equipment and services provided for visitor use according to the guidelines set forth in ER 1130-2-550. Examples include firewood, ice, laundry machine use, shower use, dump station use, parking, and equipment rentals such as rent-a-tents or kayaks.

(6) It is the direct responsibility of the non-federal partner to safeguard public monies from the time of collection until deposited.

(7) With the exception of revenues from the sale of Interagency Passes, fees collected by a non-federal partner under this authority are retained on site and are not deposited into the Treasury. All monies received must be used by the non-federal partner for the administration, maintenance, operation, and development of the co-managed PSA according to an approved Partner Development Plan and within the funding limits of an approved annual budget.

(8) As permitted in POPs and annual budgets, partners may use collected fees to fund contractors and partner staff, whether term, temporary, seasonal, or permanent.

(9) The non-federal partner must comply with the OMB allowable cost principles set forth in OMB Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments). In the event of a dispute over the non-federal partner's use of user fee receipts, to include debt collection actions, the non-federal partner will be held to these allowable cost standards and other limitations as set forth in a CCSCM Agreement, POP, and annual budget.

(10) The non-federal partner will provide an annual statement of receipts and expenditures to the District Commander. The District Commander will have the right to perform audits or require the non-federal partner, using partner-collected user fees, to audit the records and accounts of the partner according to auditing standards and procedures promulgated by the American Institute of Certified Public Accountants or by the state, and furnish the results of such audits to the District Commander.

(11) The goal and expectation of this partnership is that the non-federal partner will make capital investments according to the CW project budget proposals related to maintenance using revenue collected at the site. Cost savings realized by USACE should be invested in other areas at the CW project to the maximum extent possible but may be used for investment at the jointly managed PSA if necessary.

g. Construction and equipment. Non-federal partners may construct facilities and acquire equipment that USACE would otherwise be authorized to construct/acquire for the O&M of the PSA.

(1) All proposed construction activities and equipment acquisitions must be included in the POP and be approved by the USACE OPM before construction starts or acquisition of equipment is allowed.

(2) All partner-constructed facilities and acquired equipment will be considered property of USACE and will remain property of USACE following termination of the CCSCM Agreement, unless the non-federal partner can demonstrate to the OPM's satisfaction that no USACE funding, Recreation Use Fee, or Special Use Permit Fee receipts were used to construct/acquire the facility/equipment. In other words, the partner must demonstrate that it constructed/acquired the item in question using its own extraneous funding sources.

h. Use of property. USACE may provide equipment, materials, or supplies purchased for USACE O&M purposes to the non-federal partner to operate and maintain a co-managed PSA. Any non-expendable property will be considered on loan to the partner and must be returned to USACE at termination of the CCSCM Agreement.

(1) Personnel of the non-federal partner may be authorized to operate, for official use only, government-owned or leased vehicles, vessels, or other equipment if deemed appropriate and beneficial. Partner personnel must have the proper training, license, and/or experience according to USACE operator permit policies before operating a government-owned or leased vehicle, vessel, or equipment. Partner personnel who are assigned to operate machinery or equipment (such as chain saws, power shop tools, or specialized equipment) must also demonstrate proficiency in the operation of that equipment and an understanding of safety requirements to the satisfaction of USACE employees overseeing such work.

(2) The non-federal partner may contribute funds, including cash, materials, personal property, equipment, or services as a portion of the CCSCM Agreement.

i. Protection of property. The non-federal partner will be responsible for any damage that may be caused to property of USACE by the activities of the partner, including actions by the partner's employees, agents, contractors, volunteers, or their invitees, and will exercise due diligence in the protection of all property located on the premises against fire or damage from any and all other causes.

j. Safety. USACE will provide the information, support, and training necessary to ensure that all non-federal partner activities follow USACE safety standards, EM 385-1-1. The non-federal partner is responsible for conducting its activities in compliance with, and ensuring that its personnel otherwise comply with, all USACE safety requirements.

k. Contracts. The non-federal partner may procure and manage contracts for services such as janitorial, mowing, gate attendant, law enforcement, or other services required under the CCSCM Agreement and POPs. Such contracts, and any disputes or liabilities arising therefrom, will be the sole responsibility of the non-federal partner. The

non-federal partner will maintain a contract administration system that ensures the contractors perform according to the terms, conditions, and specifications of their contracts.

l. No requirement for a real estate instrument. CCSCM Agreements do not require a partner to receive an outgrant or other form of real estate interest to accomplish the objectives under a CCSCM Agreement. All responsibilities and obligations of the parties should be set forth in the CCSCM Agreement. Any extraneous arrangements such as concessions outgrants will be handled as separate transactions according to existing regulations and guidance.

m. Real estate interests. USACE reserves the right to grant real estate interests affecting any part of the co-managed PSA to third parties. USACE may solicit input from the partner, but it is the sole responsibility of USACE to administer requests, make awards, and manage grants of real estate interests in the co-managed area. If a partner desires to receive a real estate interest from USACE to perform activities beyond the scope of a CCSCM Agreement, Districts and project offices will handle such requests according to existing USACE regulations and policies and will afford the partner no deference or advantage as a result of a CCSCM Agreement.

n. Partner recognition and publicity. Recognition consistent with standards of ethical conduct is encouraged as a way to express appreciation to partners and publicly acknowledge support that has been received. Partners should be advised to keep USACE apprised of any publicity that they initiate. All publicity will be a joint effort by the partner and USACE, to include mutual agreement of any publicity materials. Procedures for appropriate types of recognition and publicity are provided in Chapter 10.

Appendix A References

Section I

Required Publications

Unless otherwise indicated, Army publications are available at <https://armypubs.army.mil/> and USACE publications are available at <https://www.publications.usace.army.mil/>. To find Code of Federal Regulations (CFR), United States Codes (USC), and Public Law (PL) references, use <https://www.govinfo.gov/>.

AD 2014-23

Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs

AR 11-27

Army Energy Program

AR 608-1

Army Community Service

DoD JTR

(Available at <https://www.travel.dod.mil/Policy-Regulations/Joint-Travel-Regulations/>)

DoD 5500.07-R

Joint Ethics Regulation

EO 12372

Intergovernmental Review of Federal Programs.

EO 14057

Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability

Inmate Labor Program for Federal and State/Local Inmate Labor at Army Civil Works Projects

Department of the Army, U.S. Army Corps of Engineers. 2 March 2020. (Available at <https://corpslakes.erdcdren.mil/partners/moumoa-labor.cfm>)

The Environmental Assessment Manual/Environmental Review Guide for Operations (Available at <https://www.fedcenter.gov/>)

EM 385-1-1

Safety and Occupational Health Requirements

EP 200-2-3

Environmental Compliance Guidance and Procedures

EP 310-1-6A

Sign Standards Manual, Vol 1

EP 310-1-6B

Sign Standards Manual, Vol 2, Appendices

EP 1130-2-500

Partners and Support (Work Management Guidance and Procedures)

ER 1130-2-520

Navigation and Dredging Operations and Maintenance Policies

ER 37-1-29

Financial Management of Capital Investments

ER 37-1-30

Financial Administration – Accounting and Reporting

ER 200-2-3

Environmental Compliance Policies

ER 385-1-91

Training, Testing, and Licensing for Boat Operators of Class A and Class I Motorboats

ER 385-1-99

USACE Accident Investigation and Reporting

ER 405-1-12

Real Estate Handbook

ER 700-1-1

Logistics – USACE Supply Policies and Procedures

ER 1105-2-100

Planning Guidance Notebook

ER 1105-2-101

Risk Assessment for Flood Risk Management Studies

ER 1105-2-103

Planning Policy for Conducting Civil Works Planning Studies

ER 1110-2-240

Water Control Management

ER 1110-2-1156

Safety of Dams – Policy and Procedures

ER 1130-2-540

Environmental Stewardship Operations and Maintenance Policies

ER 1130-2-550

Recreation Operations and Maintenance Policies

ER 1165-2-217

Civil Works Review Policy

FM 3-19.30

Physical Security

Natural Resources Management (NRM) Gateway

(Available at <https://corpslakes.erdc.dren.mil>)

OMB Circular A-87

Cost Principles for State, Local, and Indian Tribal Governments (Available at https://obamawhitehouse.archives.gov/omb/circulars_a087_2004)

PL 113-121

Water Resources Reform and Development Act of 2014

River and Harbor Act

S.3021, 115th Congress. Approved 3 March 1899. U.S. Government Publishing Office. (Available at <https://govinfo.gov>.)

U.S. Army Corps of Engineers Natural Resources Management Gateway

(Available at <https://corpslakes.erdc.dren.mil/nrm.cfm>)

5 CFR 2635

Standards of Ethical Conduct for Employees of the Executive Branch

5 CFR 3601

Supplemental Standards of Ethical Conduct for Employees of the Department of Defense

33 CFR Subchapter S

Boating Safety

36 CFR 327.13

Explosives, Firearms, Other Weapons and Fireworks

46 CFR Part 67

Documentation of Vessels

5 USC 8101 *et seq.*

Federal Employees Compensation Act

5 USC Chapter 81

Compensation for Work Injuries

16 USC 460d

Construction and Operation of Public Parks and Recreational Facilities in Water Resource Development Projects; Lease of Lands; Preference for Use; Penalty; Application of Section 3401 of Title 18; Citations and Arrests With and Without Process; Limitations; Disposition of Receipts

16 USC 470aa–470mm

Archeological Resources Protection

28 USC Chapter 171

Tort Claims Procedure

31 USC 223b

Act of 3 July 1943, as amended by the Act of 28 June 1946 (PL 466, 79th Congress)

31 USC 3527

General Authority to Relieve Accountable Officials and Agents from Liability

31 USC 6301–6308

Federal Grant and Cooperative Agreements Act

32 CFR Subchapter C

Department of Defense Grant and Agreement Regulations (DoDGARs)

33 USC 569c

Services of Volunteers

33 USC 575

61 Stat. 688, Material Sale Act of July 31, 1947

33 USC 2325

Voluntary Contributions for Environmental and Recreation Projects

33 USC 2327

Definition of rehabilitation for inland waterway projects

33 USC 2328

Challenge Cost-Sharing Program for the Management of Recreation Facilities

Section II

Prescribed Forms

The engineer forms are available from this link:

<https://www.publications.usace.army.mil/USACE-Publications/Engineer-Forms/>. The optional forms are available from this link: <https://www.gsa.gov/forms>.

ENG Form 3579

Certificate of Inspection

ENG Form 6175

Small Boat (less than 26 feet) and Equipment Checklist

ENG Form 6251

Determination of Need

OF 301A

Volunteer Service Agreement – Natural and Cultural Resources

OF 301B

Volunteer Sign-up Form for Groups

Glossary of Terms

<u>Term</u>	<u>Definition</u>
ABS	American Bureau of Shipping
ABYC	American Boat and Yacht Council
AD	Army Directive
AIS	Aquatic Invasive Species
ALC	Agency Location Code
AM	Asset Management
AMSCO	Army Management Structure Code
APC	Aquatic Plant Control Program
APCOSC	Aquatic Plant Control Operations Support Center
APCRP	Aquatic Plant Control Research Program
BI	Background Investigation
CECW-CO	HQUSACE Operations and Regulatory Division
CERM	HQUSACE Resource Management
CERM-F	HQUSACE Resource Management, Finance, and Accounting Policy Division
CFR	Code of Federal Regulations
CISM	Critical Incident Stress Management
COD	Certificate of Documentation
COI	Certificates of Inspection
CW	Civil Works
CWBI-OPS	Civil Works Business Intelligence – Operations
DA	Department of the Army
DE	District Engineer
DFOB	Dredge Fleet Oversight Board
EAP	Employee Assistance Program
EO	Executive Order
EQ	Environmental Quality
FBI	Federal Bureau of Investigation
FEM	Facility and Equipment Maintenance
FGCAA	Federal Grant and Cooperative Agreement Act of 1977
FY	Fiscal Year
GDM	General Design Memorandum
GSA	General Services Administration
HQUSACE	Headquarters USACE
HSS	Hydraulic Steel Structure
HUD	Housing and Urban Development's
INDC	Inland Navigation Design Center
ISLT	Invasive Species Leadership Team

<u>Term</u>	<u>Definition</u>
JTR	Joint Travel Regulations
LOSS	Line of Sight Supervision
MDC	Marine Design Center
MMIP	Management Improvement Plan
MMR	Major Maintenance Report
MOU	Memorandum of Understanding
MRER	Major Rehabilitation Evaluations Report
NEATS	NIPRnet Enterprise Alternative Token System
NED	National Economic Development
NRM	Natural Resources Management
O&M	Operation and Maintenance
OCMI	Officer In Charge of Marine Inspection
OF	Optional Form
OMB	Office of Management and Budget
OMP	Operational Management Plan
OMRR&R	Operation, Maintenance, Repair, Rehabilitation, and Replacement
OPM	Operations Project Manager
OSE	Other Social Effects
PCA	Project Cooperation Agreement
PDG	Program Development Policy Guidance
PL	Public Law
POP	Partner Operations Plan
PRIP	Plant Replacement and Improvement Program
PSIP	Personnel Security Investigation Portal
QR	Quick-Response
R&D	Research and Development
RED	Regional Economic Development
SAC	Special Agreement Check
SF	Standard Form
SOI	Security Office Identifier
SON	Submitting Office Number
UFC	USACE Finance Center
USACE	United States Army Corps of Engineers
USC	United States Codes
USCG	United States Coast Guard
WRDA	Water Resources Development Act

Accepting Official

Under the USACE Volunteer Program, the USACE staff member designated to accept the services of volunteers and responsible for the proper observance of regulations while services are performed. Under the Challenge Partnership and Contributions Programs, the USACE staff member appointed by the Finance and Accounting Officer for receiving funds from challenge partnership agreements and donors.

Cooperating Association

A legal entity organized under state law that enjoys a nonprofit and tax-exempt status under Internal Revenue Service codes and that operates under the terms of a Cooperating Association Agreement with USACE.

Cooperating Association Agreement

The agreement between a cooperating association and USACE defining the functions and responsibilities of each party to the agreement, wherein cooperating associations enter into partnerships with USACE for their mutual benefit. Specific procedural guidance and required formats are presented in Chapter 8 of this regulation.

Design

All work necessary to prepare plans and specifications for acquisition. In general, the design phase begins with the approval of the Design Memorandum and concludes with the issue of a solicitation. However, design effort is expended until completion of the project. The design phase may be a major effort involving a detailed design or the preparation of a simple performance specification with one or two sketches to depict a concept. The scope of the design phase for USACE floating plant will be determined by the USACE MDC based on the complexity of the project.

Design Effort

The summation of all design iterations required to establish a concept; determine feasibility; prepare Design Memoranda, preliminary cost estimates, and contract plans and specifications; and may include design during construction. This covers all work from the beginning of a project to the issue of a solicitation. However, design effort is expended until completion of the project. Submittal of the Design Memoranda (General and Feature) for approval may represent up to 35 percent of the Design Effort.

FAO, USAED

Finance and Accounting Office, US Army Engineering District. Monetary contributions will be deposited into a U.S. Treasury account and will be available until expended regardless of fiscal year received. Checks should be made out to FAO, USAED, (insert District name here).

General Design Memorandum (GDM)

Updates the feasibility study information and data on formulation, evaluation, cost allocation, items of local cooperation, environmental matters, and public acceptability. It develops sufficient engineering and project design detail to reaffirm the authorized project plan and, as may be appropriate, develops information to justify any proposed revisions to that plan, and updates the estimate of costs. Analyses are based on current criteria. The essential objective is to either reaffirm the basic planning decisions made during the general investigations stage (feasibility study) or to reformulate the project to respond to changed conditions and/or needs since authorization. If the project is not complex, the GDM, with incorporation of detailed design data on project features as appropriate, may serve as the only preconstruction planning and engineering report required for project construction. If the project is not unusual, large, or complex, the GDM may be approved by the Division Engineer.

Hosted Worker

An individual from the private sector or state and local government agencies whose employers facilitate the donation of their employee's services to USACE on a short-term, limited basis while keeping them on their payroll. A hosted worker is considered a volunteer.

Incidental Expenses

Out-of-pocket expenses, including expenses relating to uniforms, transportation, lodging, and subsistence that a volunteer may incur in performing a service for USACE. Incidental expenses are different from the expenses USACE would accrue in providing materials or overhead associated with the service a volunteer performs.

Major Item New Start

Those items exceeding HQUSACE authority and requiring submittal to and approval from OMB and notification to the Congressional Committees on Appropriations.

Major Items of Floating Plant

Included in this category are the following types of plant: aircraft, structures with an estimated replacement cost of \$500,000 or more, major mobile land plant, dredges, derrick boats, tugboats, towboats, tenders, patrol boats, survey boats 40 feet or longer, debris boats, crane barges, drill boats, jet probing barges, maneuver boats, mooring barges, concrete casting plant, mechanical bank graders, mattress sinking plant, quarter boats, and any other items of plant that have an estimated replacement cost of \$500,000 or more.

Master Plan

The document guiding the use and development of the natural and manmade resources of a given project or group of projects.

Minor Item New Start

Those items exceeding the current capitalization level in the financial regulations, but that do not exceed the HQUSACE authority level.

Operational Management Plan (OMP)

A five-year management action document that describes in detail how resource objectives and concepts prescribed in the master plan will be implemented and achieved. OMPs are the basis for project budgets.

Project

Water resource development lands and waters for which USACE has administrative responsibility.

Preventive Maintenance

Preventive maintenance is based on a well-developed program of systematic inspection, lubrication, and repair of equipment and facilities that, when put into practice, will ensure optimum utilization of equipment and facilities of the project. A timely preventive maintenance program reduces, and virtually eliminates, breakdown of essential equipment and, if properly carried out, substantially reduces major overhaul and repair of equipment essential to fulfilling the project functions.

Voluntary Service

Services provided in support of official government business, having value to USACE, conducted by volunteers under the direction of a paid USACE staff member.

Volunteer

A person who, pursuant to 33 USC 569c and USACE implementing regulations, performs work for USACE for which they receive no pay from USACE. A volunteer is not an employee of the United States Government except for the purposes of Chapter 171 of Title 28 of the USC, relating to tort claims, and 5 USC Chapter 81, relating to compensation for work injuries.