

Dover Dam Safety Assurance (DSA) Project Authorizing Legislation

The Dover Dam is located on the Tuscarawas River, a tributary of the Muskingum River, in Tuscarawas County, Ohio. The Dover Dam is one of a series of sixteen U.S. Army Corps' of Engineers flood control dams in the Muskingum River basin. The Dover Dam was authorized for construction by the National Industrial Recovery Act, approved June 16, 1933. The Muskingum Watershed Conservancy District (MWCD) filed its original request to partner with the federal government through an application to the Federal Emergency Administration of Public Works in August 1933. The Administration allocated funds to the U.S. Army Corps of Engineers (USACE) to construct the projects. Construction of the Dover Dam was completed on 29 November 1937 at a cost of \$7,755,300 which included levees at Zoar, Somerdale, three industrial levees to protect the Corundite Refractory at Zoar, the Fairfield Brick Company at Zoarville, the Norton Chemicals Company at Mineral City and associated study costs. In accordance with an agreement to partner in implementing the projects in the Muskingum River Basin, also known as "the 1934 Agreement", the Muskingum Watershed Conservancy District (MWCD) originally contributed \$12,500,000 of the total cost of \$34,590,000 for all dams in the Muskingum Basin (36 %). The Rivers and Harbors Act of 1938 (52 Stat. 1217) directed the Secretary of War to reimburse MWCD \$4,500,000 reducing their cost share to \$8,000,000 or 23 %. Under terms of the 1934 Agreement, USACE held complete responsibility for project construction. The MWCD held responsibility to acquire all necessary real estate, for which USACE later reimbursed it pursuant to the Rivers and Harbors Act of 1938. The MWCD later conveyed all real estate around the flood control pools and dam sites to the United States. Pursuant to § 4 of the Flood Control Act of 1939 (53 Stat. 1414), the MWCD transferred all operation and maintenance responsibility to the USACE. The Dover Dam Safety Assurance Project is being implemented in accordance with ER 1110-2-1155, "modification of completed dams when deemed necessary for safety purposes due to new hydrologic or seismic data or changes in the state-of-the-art design or construction criteria". In accordance with § 1203 of the Water Resources Development Act of 1986 (WRDA '86), the non-federal cost share is 15% of the cost in accordance with the cost sharing in effect at the time of original construction. More simply stated, the non-federal cost share is 15% of 23%, or 3.45%. The Dover Dam is owned, operated and maintained by the U.S. Army Corps of Engineers.