



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

CECW-LRD

MAR 18 2009

MEMORANDUM FOR COMMANDER, GREAT LAKES AND OHIO RIVER DIVISION

SUBJECT: Implementation Guidance for Section 3101 of the Water Resources Development Act of 2007 (WRDA 2007) – Two Harbors, Minnesota

1. Section 3101(a) of WRDA 2007 states that the project for navigation at Two Harbors, Minnesota, being carried out under Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is justified on the basis of navigation safety. Section 3101(b) provides that the maximum amount of Federal funds that may be expended for the project shall be \$7,000,000. A copy of Section 3101 is enclosed for information.

2. Subject to the availability of Section 107 funds, the Detroit District shall resume work and complete the feasibility phase in accordance with the procedures in Appendix F of ER 1105-2-100. If the feasibility phase can be completed for less than \$100,000, a Feasibility Cost Sharing Agreement will not be required. The District shall make maximum use of existing information in the preparation of the decision document. Upon completion of the feasibility phase, the project may proceed to design and implementation to the extent that funds are specifically provided for this project and in accordance with current policy and budgetary guidance. The maximum amount of Federal funds that may be expended for the project is \$7,000,000.

FOR THE COMMANDER:

Encl


MICHAEL G. ENSCH
Chief, Regional Integration Team
Great Lakes and Ohio River Division
Civil Works Directorate

WATER RESOURCES DEVELOPMENT ACT OF 2007

SEC. 3101. TWO HARBORS, MINNESOTA.

(a) **IN GENERAL.**--Notwithstanding the requirements of section 107(a) of the River and Harbor Act of 1960 (33 U.S.C. 577(a)), the project for navigation, Two Harbors, Minnesota, being carried out under such authority, is justified on the basis of navigation safety.

(b) **MAXIMUM FEDERAL EXPENDITURES.**--The maximum amount of Federal funds that may be expended for the project shall be \$7,000,000.