



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

CECW-P

APR 25 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Revised Implementation Guidance for Section 1330(a) of the Water Resources Development Act (WRDA) of 2018, Project Deauthorization and Study Extensions

1. The Assistant Secretary of the Army, Civil Works approved on 18 April 2019 Section 1330(a) of WRDA 2018. The attached implementation guidance is posted for internal and external use on the U.S. Army Corps of Engineers official WRDA website: <http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/>.
2. Please ensure wide dissemination of this guidance. Questions regarding this implementation guidance should be directed to the Headquarters POC, Joseph Mose, Program Manager, Continuing Authorities Program, Programs and Integration Division, at (202) 761-4825 or joseph.h.mose@usace.army.mil.

A handwritten signature in blue ink, appearing to read "J. Dalton".

JAMES C. DALTON, P.E.
Director of Civil Works

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DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
CIVIL WORKS
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WASHINGTON DC 20310-0108

APR 18 2019

MEMORANDUM FOR THE COMMANDING GENERAL, U.S. ARMY CORPS OF ENGINEERS

SUBJECT: Implementation Guidance for Section 1330(a) of the Water Resources Development Act of 2018, Project Deauthorization and Study Extensions

1. References.

a. Implementation Guidance for Sections 6001 and 6003 of the Water Resources Reform and Development Act of 2014, Deauthorization of Inactive Projects and Backlog Prevention, dated 23 February 2015

b. Water Resources Reform and Development Act of 2014, Section 6003, as amended (33 U.S.C. 579c)

c. Revised Implementation Guidance for Sec 1001 of the Water Resources Reform and Development Act of 2014, Vertical Integration and Acceleration of Studies, dated March 8, 2019

2. Section 1330(a) of the Water Resources Development Act of 2018 (WRDA 2018) amends Section 6003(a) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) by extending the length of time from a 7-year period to a 10-year period before a water resources development project, separable element, or environmental infrastructure assistance project or program, authorized for construction in WRRDA 2014, is automatically deauthorized because there have been no obligations for construction during that period beginning on June 10, 2014. With the exception of those projects described in paragraph 3 below, any water resources development project, separable element, or environmental infrastructure assistance project or program, authorized for construction by WRRDA 2014, will automatically be deauthorized on June 10, 2024 if there have been no obligations for construction. Section 6003 of WRRDA 2014, as amended by Section 1330(b) of WRDA 2018, is enclosed.

3. In calculating the 10-year period before automatic deauthorization, the Secretary shall not include any period of time during which the project is being reviewed and awaiting determination by the Secretary to implement a locally preferred plan for that project. The Secretary shall not deauthorize any project during this period of review.

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4. This guidance shall be transmitted to the appropriate Corps Division and District Commanders and posted to the Corps' WRDA website within five business days of receipt (written or electronic) from this office. Guidance shall be transmitted and posted as is and without additional guidance attached.

5. Questions regarding this implementation guidance should be directed to Gib Owen, Office of the Assistant Secretary of the Army for Civil Works at gib.a.owen.civ@mail.mil or 202 520 4867.



R. D. JAMES
Assistant Secretary of the Army
(Civil Works)

Enclosure

cf: MG Scott Spellmon, Deputy Commanding General, Civil and Emergency Operations
James Dalton, Director of Civil Works

Water Resources Development Act of 2018, Section 1330 - Project Deauthorization and Study Extensions

- (a) **PROJECT DEAUTHORIZATIONS.** Section 6003(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579c(a)) is amended
- (1) by striking "7-year period" each place it appears and inserting "10-year period"; and
 - (2) by adding at the end the following:
 - (3) **CALCULATION.** In calculating the time period under paragraph (1), the Secretary shall not include any period of time during which the project is being reviewed and awaiting determination by the Secretary to implement a locally preferred plan for that project under section 1036(a).
 - (4) **EXCEPTION.** The Secretary shall not deauthorize any project during the period described in paragraph (3)."
- (b) **STUDY EXTENSIONS.** Section 1001(d)(4) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)(4)) is amended by striking "7 years" and inserting "10 years."

Water Resources Reform and Development Act of 2014, Section 6003. Backlog Prevention, as Amended by WRDA 2018, Section 1330(a)

- (a) **PROJECT DEAUTHORIZATION.**
- (1) **IN GENERAL.** A water resources development project, or separable element of such a project, authorized for construction by this Act shall not be authorized after the last day of the 10-year period beginning on the date of enactment of this Act unless funds have been obligated for construction of such project during that period.
 - (2) **IDENTIFICATION OF PROJECTS.** Not later than 60 days after the expiration of the 10-year period referred to in paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies the projects deauthorized under paragraph (1).
 - (3) **CALCULATION.** In calculating the time period under paragraph (1), the Secretary shall not include any period of time during which the project is being reviewed and awaiting determination by the Secretary to implement a locally preferred plan for that project under section 701b-15(a) of this title.
 - (4) **EXCEPTION.** The Secretary shall not deauthorize any project during the period described in paragraph (3).
- (b) **REPORT TO CONGRESS.** Not later than 60 days after the expiration of the 12-year period beginning on the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on

Transportation and Infrastructure of the House of Representatives, and make available to the public, a report that contains

- (1) a list of any water resources development projects authorized by this Act for which construction has not been completed during that period;
- (2) a description of the reasons the projects were not completed;
- (3) a schedule for the completion of the projects based on expected levels of appropriations; and
- (4) a 5-year and 10-year projection of construction backlog and any recommendations to Congress regarding how to mitigate current problems and the backlog.