



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

CECW-P

JUL 05 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Revised Implementation Guidance for Section 1120 of the Water Resources Development Act (WRDA) of 2018, Transparency and Accountability in Cost Sharing For Water Development Projects

1. The Assistant Secretary of the Army, Civil Works approved on 27 June 2019 Section 1120 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, William Holtzman, Accountant, Resource Management, at (202) 761-1938 or william.l.holtzman@usace.army.mil.

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

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

DISTRIBUTION:

COMMANDERS, REGIONAL BUSINESS AND PROGRAMS DIRECTORS
GREAT LAKES AND OHIO RIVER DIVISION, CELRD
MISSISSIPPI VALLEY DIVISION, CEMVD
NORTH ATLANTIC DIVISION, CENAD
NORTHWESTERN DIVISION, CENWD
PACIFIC OCEAN DIVISION, CEPOD
SOUTH ATLANTIC DIVISION, CESAD
SOUTH PACIFIC DIVISION, CESP
SOUTHWESTERN DIVISION, CESWD



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

JUN 27 2019

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

SUBJECT: Implementation Guidance for Section 1120 of the Water Resources Development Act of 2018, Transparency and Accountability in Cost Sharing for Water Resource Development Projects

1. Section 1120 of the Water Resources Development Act of 2018 (WRDA 2018) directs each U.S. Army Corps of Engineers (Corps) District, using the authority provided under Section 10 of Water Resources Development Act of 1988 (WRDA 1988) (33 U.S.C. 2315), to maintain a "balance sheet" for each water resource development project carried out by the Secretary for which a non-Federal cost share is required and to provide to the non-Federal Sponsor for the project, on its request, a copy of the balance sheet. Section 1120 further provides that if a project is completed at a cost less than the estimated cost, the Secretary shall transfer any excess non-Federal funds to the non-Federal Sponsor in accordance with the cost-share requirement applicable to the project. Section 1120 of WRDA 2018 and Section 10 of WRDA 1988 are enclosed.
2. In accordance with Section 1120 of WRDA 2018 District Commanders will provide a monthly financial statement to each non-Federal Sponsor with which the district has an active study or project. The monthly financial statement will be provided to the non-Federal sponsor electronically or by hard copy or both, per the preference of the non-Federal sponsor.
3. The enclosed form will be used to generate the monthly financial report, which will set forth the estimated construction costs and the Government's and Non-Federal Sponsor's estimated shares of such costs; costs incurred by the Government (including overhead costs), using both Federal and Non-Federal Sponsor funds, to date; the amount of funds provided by the Non-Federal Sponsor to date; the estimated amount of any creditable real property interests, placement area improvements, and relocations; the estimated amount of any creditable in-kind contributions; and the estimated amount of funds required from the Non-Federal Sponsor during the upcoming fiscal year [or upcoming quarter, depending on how frequently funds are to be provided under the cost sharing agreement].
4. Cost sharing agreements already provide for the refund of excess non-federal funds in the event that the cost to complete a study or project is less than its estimated cost and the required cost share for the study or project, respectively. District Commanders shall conduct the final accounting no later than 90 days after completion of a study, or completion of construction of a project, and resolution of all relevant

SUBJECT: Implementation Guidance for Section 1120 of the Water Resources Development Act of 2018, Transparency and Accountability in Cost Sharing for Water Resource Development Projects

claims and appeals and eminent domain proceedings. If the final accounting determines that funds provided by the non-Federal sponsor exceed the amount of funds required to meet its share, the District will refund such excess amount, subject to the availability of funds. Similarly, the District Commander shall notify the non-Federal Sponsor no later than 90 days after completion of a study, or completion of construction of a project, and resolution of all relevant claims and appeals and eminent domain proceedings if additional funds from the non-Federal Sponsor are required to fiscally close out the study or project.

7. 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.

8. 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 703-695-4641.

Enclosures



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

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

Water Resources Development Act of 2018, Section, 1120, - Transparency and Accountability in Cost Sharing for Water Resource Development Projects

- (a) DEFINITION OF BALANCE SHEET. In this section, the term “balance sheet” means a document that describes
- (1) the funds provided by each Federal and non-Federal interest for a water resources development project; and
 - (2) the status of those funds.
- (b) ESTABLISHMENT OF BALANCE SHEET. Each district of the Corps of Engineers shall, using the authority of the Secretary under section 10 of the Water Resources Development Act of 1988 (33 U.S.C. 2315)
- (1) maintain a balance sheet for each water resources development project carried out by the Secretary for which a non-Federal cost share is required; and
 - (2) on request of a non-Federal interest that provided funds for the project, provide to the non-Federal interest a copy of the balance sheet.
- (c) UNDER-BUDGET PROJECTS. In the case of a water resources development project carried out by the Secretary that is completed at a cost less than the estimated cost, the Secretary shall transfer any excess non-Federal funds to the non-Federal interest in accordance with the cost-share requirement applicable to the project.

Water Resources Development Act of 1988, Section 10, - Periodic Statements

Upon receipt of a request from a non-Federal sponsor of a water resources development project under construction by the Secretary, the Secretary shall provide such sponsor with periodic statements of project expenditures. Such statements shall include an estimate of all Federal and non-Federal funds expended by the Secretary, including overhead expenditures, the purpose for expenditures, and a schedule of anticipated expenditures during the remaining period of construction. Statements shall be provided to the sponsor at intervals of no greater than 6 months.

Cost Share Obligations and Expenditures Summary
UNCLASSIFIED//FOR OFFICIAL USE ONLY

District Name:
Project/Title:
Cost Share Control No. XXXX

Report Date

	<u>Estimated</u>	<u>Actual</u>	<u>Remaining</u>	<u>Obligations</u>	<u>Expenditures</u>
Federal Amount					
Non-Federal Amount					
Work in Kind Amount					
LERRDs Amount					
<hr/>					
Total Project Cost					
Required for FY					

Prepared by:
Contact Information: