



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

CEMP-POD

DEC 10 2008

MEMORANDUM FOR COMMANDER, PACIFIC OCEAN DIVISION (CEPOD-PDC)

SUBJECT: Implementation Guidance for Section 3002 of the Water Resources Development Act of 2007 (WRDA 2007) – Cook Inlet, Alaska

1. Section 118 of the Energy and Water Development Appropriations Act (EWDAA), 2005, modified the Cook Inlet, Alaska project to authorize the Secretary to construct a harbor depth of minus 45 feet mean lower low water for a length of 10,860 feet at the modified Port of Anchorage intermodal marine facility. In addition, Section 118(a)(3) of EWDAA, 2005, authorized the Secretary to conduct dredging to a depth of at least minus 35 feet mean lower low water in such locations as will allow maintenance of navigation and vessel access to the Port of Anchorage intermodal marine facility during modification of the facility. Section 3002 of WRDA 2007 amends Section 118(a)(3) of EWDAA, 2005, to provide that such dredging will be carried out as operation and maintenance of the Cook Inlet project, i.e., such dredging will be undertaken at 100 percent Federal expense. A copy of Section 3002 of WRDA 2007 and Section 118 of EWDAA, 2005, as amended, are enclosed for your information.

2. No work shall be carried out pursuant to Section 118(a)(3) of EWDAA, 2005, as amended by Section 3002 of WRDA 2007, unless Congress specifically provides the funding necessary for such work.

FOR THE COMMANDER:

Encls
as

A handwritten signature in black ink, appearing to read "Lloyd D. Pike".

LLOYD D. PIKE
Chief, Pacific Ocean Division
Regional Integration Team
Directorate of Military Programs

SEC. 3002. COOK INLET, ALASKA.

Section 118(a)(3) of the Energy and Water Development Appropriations Act, 2005 (title I of division C of the Consolidated Appropriations Act, 2005; 118 Stat. 2945) is amended by inserting “as part of the operation and maintenance of such project modification” after “by the Secretary”.

SEC. 118. COOK INLET, ALASKA.

(a) ANCHORAGE HARBOR

(1) HARBOR DEPTH.--The project for navigation improvements, Cook Inlet, Alaska (Anchorage Harbor, Alaska), authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 299) and modified by section 199 of the Water Resources Development Act of 1976 (90 Stat. 2944), is further modified to direct the Secretary of the Army to construct a harbor depth of minus 45 feet mean lower low water for a length of 10,860 feet at the modified Port of Anchorage intermodal marine facility at each phase of facility modification as such phases are completed and thereafter as the entire project is completed.

(2) COST-SHARING.--If the Secretary determines that the modified Port of Anchorage will be used by vessels operated by the Department of Defense that have a draft of greater than 35 feet, the modification referred to in paragraph (1) shall be at full federal expense.

(3) TRANSITIONAL DREDGING.--Before completion of the project modification described in paragraph (1), the Secretary may conduct dredging to a depth of at least minus 35 feet mean lower low water in such locations as will allow maintenance of navigation and vessel access to the Port of Anchorage intermodal marine facility during modification of such facility. Such work shall be carried out by the Secretary as part of the operation and maintenance of such project modification in accordance with section 101 of the River and Harbor Act of 1958.

(4) FACILITATING FACILITY MODIFICATION.--Before establishing the harbor depth of minus 45 feet mean lower low water, the Secretary may undertake dredging in accordance with section 101 of the River and Harbor Act of 1958 within the design footprint of the modified intermodal marine facility referred to in paragraph (1) to facilitate modification. The Secretary may carry out such dredging as part of operation and maintenance of the project modified by paragraph (1).

(5) MAINTENANCE.--Federal maintenance shall continue for the existing project until the modified intermodal marine facility is completed. Federal maintenance of the modified project shall be in accordance with section 101 of the River and Harbor Act of 1958; except that the project shall be maintained at a depth of minus 45 feet mean lower low water for 10,860 feet referred to in paragraph (1).

(b) NAVIGATION CHANNEL.--The Secretary shall modify the channel in the existing Cook Inlet Navigation Channel approach to Anchorage Harbor, Alaska, to run the entire length of Fire Island Range and Point Woronzof Range and shall modify the depth of that channel to minus 45 feet mean lower low water. The channel shall be maintained at a depth of minus 45 feet mean lower low water.

(c) HYDRODYNAMIC MODELING.--The Secretary shall carry out hydrodynamic modeling of the Knik Arm to identify causes of, and measures to address, shoaling at the Port of Anchorage, at a total cost of \$3,000,000.

(d) ALTERNATIVES ANALYSIS.--No alternative other than the alternative authorized in this section shall be considered in any analysis of the modified project to be carried out by the Secretary in accordance with this section.