



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

CECW-CO

OCT 04 2017

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Implementation guidance for Section 1165 of the Water Resources Development Act of 2016 (WRDA 2016), Disposition Studies

1. Section 1165(a) of the Water Resources Development Act of 2016 (WRDA 2016) provides specific considerations for the Secretary of the Army to evaluate when conducting a disposition study for a project of the U.S. Army Corps of Engineers (Corps). These considerations include economic, cultural, historic or recreational significance or impacts at the national, state, or local level. Section 1165(b) requires that these additional considerations be evaluated in assessments of property under Section 6002 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014). Section 1165(b) of WRDA 2016 also requires the Secretary to complete the assessment required by Section 6002(a) of WRRDA 2014 within one year of enactment of WRDA 2016. A copy of Section 6002 of WRRDA 2014 and Section 1165 of WRDA 2016 are enclosed.
2. Disposition studies conducted in accordance with Section 1165(a) of WRDA 2016 will utilize a risk-informed planning process, following the CECW-P Interim Guidance on the Conduct of Disposition Studies (dated August 22, 2016) until such time as the guidance is finalized. The level of detail for each study will be at a scale appropriate to support a recommendation.
3. Section 1165(b) of WRDA 2016 requires the Secretary, within one year of enactment, to assess all properties under the control of the Corps and provide an inventory of those properties not needed for the missions of the Corps, required under Section 6002(a) of the Water Resources Reform and Development Act of 2014. Funding for the assessment required in WRDA 2016 Section 1165(b) may be considered in accordance with existing budgetary policy and guidance. At such time funds are made available, additional implementation guidance will be provided for this provision.

SECTION 1165 OF WRDA 2016. DISPOSITION STUDIES.

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4. Questions regarding this implementation guidance should be directed to Robert Leitch, USACE Asset Management Program Manager, Headquarters at (202) 761-5904 or Robert.B.Leitch@usace.army.mil.



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

Encl

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SECTION 1165 OF WRDA 2016. DISPOSITION STUDIES.

(a) **IN GENERAL.**—In carrying out a disposition study for a project of the U.S Corps of Engineers, including a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a) or an assessment under section 6002 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349), the Secretary shall consider the extent to which the property concerned has economic, cultural, historic, or recreational significance or impacts at the national, State, or local level.

(b) **COMPLETION OF ASSESSMENT AND INVENTORY.**—Not later than 1 year after the date of enactment 25 of this Act, the Secretary shall complete the assessment and inventory required under section 6002(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349).

SECTION 6002 OF WRRDA 2014. REVIEW OF CORPS OF ENGINEERS ASSETS.

(a) **ASSESSMENT AND INVENTORY.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct an assessment of all properties under the control of the U.S. Corps of Engineers and develop an inventory of the properties that are not needed for the missions of the U.S. Corps of Engineers.

(b) **CRITERIA.**—In conducting the assessment and developing the inventory under subsection (a), the Secretary shall use the following criteria:

- (1) The extent to which the property aligns with the current missions of the U.S. Corps of Engineers.
- (2) The economic impact of the property on existing communities in the vicinity of the property.
- (3) The extent to which the utilization rate for the property is being maximized and is consistent with nongovernmental industry standards for the given function or operation.
- (4) The extent to which the reduction or elimination of the property could reduce operation and maintenance costs of the U.S. Corps of Engineers.
- (5) The extent to which the reduction or elimination of the property could reduce energy consumption by the U.S. Corps of Engineers.

(c) **NOTIFICATION.**—As soon as practicable following completion of the inventory of properties under subsection (a), the Secretary shall provide the inventory to the Administrator of General Services.

(d) **REPORT TO CONGRESS.**—Not later than 30 days after the date of the notification under subsection (c), 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 publicly available a report containing the findings of the Secretary with respect to the assessment and inventory required under subsection (a).