



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

CECW-P

OCT 19 2017

MEMORANDUM FOR DIVISION COMMANDERS, MISSISSIPPI VALLEY DIVISION, SOUTH ATLANTIC DIVISION, AND SOUTHWESTER DIVISION

SUBJECT: Implementation Guidance for Section 1145, of the Water Resources Development Act of 2016 (WRDA 2016), Gulf Coast Oyster Beds Recovery Assessment

1. Section 1145 of WRDA 2016 directs the Secretary of the Army to conduct an assessment relating to the recovery of oyster beds on the coasts of the Gulf States damaged as a result of natural events including Hurricane Katrina in 2005, the Deepwater Horizon oil spill in 2010, and the Mississippi River floods of 2011 and 2016. Section 1145 further defines the term "Gulf States" to mean each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas and provides that the assessment will be developed in coordination with the Gulf States and will also address the beneficial use of dredged material in providing substrate for oyster bed development. Section 1145 of WRDA 2016 is enclosed.
2. At such time that funds are specifically appropriated to conduct the assessment under this authority, the assessment and report preparation will be performed at full federal expense. In addition to assessing the recovery of the Gulf States' oyster beds, the study will address the role beneficial use of dredged material plays in providing substrate for oyster bed development. The report will include results of coordination with appropriate Federal and state resources agencies concerning past assessments and future planning efforts for the recovery of known oyster habitat related to hurricanes, oil spills, floods, dredging activities, and other events. Additionally, the report will include an assessment of U.S. Army Corps of Engineers (USACE) maintenance dredge material management plans for coastal navigation projects, and new work dredging opportunities within the specified area to be undertaken to identify potential opportunities and costs for beneficial placement in support of oyster habitat recovery. The assessment will be developed in coordination with the Gulf States, as well as with appropriate federal and state resources agencies.
3. The New Orleans District, through the Mississippi Valley Division, will serve as the primary point of contact for the assessment and report preparation, with support provided, as appropriate, by the Galveston, Vicksburg, Mobile, and Jacksonville Districts. The Mississippi Valley Division will submit the report along with its recommendation to the Headquarters USACE for transmittal to the Assistant Secretary

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of the Army for Civil Works (ASA(CW)) for review and a final decision. Upon approval by the ASA(CW), the report will be transmitted to the Senate Committee on Environment and Public Works and House of Representatives Committee on Transportation and Infrastructure as per requirements under Section 1145(d) by the ASA(CW).

4. Questions regarding this implementation guidance may be directed to John Lucyshyn, Mississippi Valley Division Regional Integration Team, at (202) 761-4515 or John.Lucyshyn@usace.army.mil.



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

Encl

SEC. 1145. GULF COAST OYSTER BED RECOVERY ASSESSMENT.

(a) GULF STATES DEFINED.—In this section, the term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY ASSESSMENT.—The Secretary, in coordination with the Gulf States, shall conduct an assessment relating to the recovery of oyster beds on the coasts of the Gulf States that were damaged by events, including—

- (1) Hurricane Katrina in 2005;
- (2) the *Deepwater Horizon* oil spill in 2010; and
- (3) floods in 2011 and 2016.

(c) INCLUSION.—The assessment conducted under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) REPORT.—Not later than 180 days after 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 a report on the assessment conducted under subsection (b).