



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

MAY 18 2015

CECW-P

MEMORANDUM FOR COMMANDER, Northwestern Division (CENWD-PDD)

SUBJECT: Implementation Guidance for Section 4003(e) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Missouri River, Missouri River Fish and Wildlife Mitigation.

1. Section 4003(e) of WRRDA 2014 directs the Secretary to develop a report that describes activities carried out by the Secretary relating to the project for mitigation of fish and wildlife losses along the Missouri River, Missouri River Bank Stabilization and Navigation Project (BSNP), Missouri, Kansas, Iowa, and Nebraska. This report is to be submitted by the President in the first budget after the date of enactment of the Act, and biennially thereafter, and shall include an inventory of all actions undertaken by the Secretary in furtherance of the project including an inventory of land owned or acquired by the Secretary, a prioritization of proposed actions, an assessment of the progress made to date, as well as an assessment of additional actions or authority necessary. A copy of Section 4003(e) is enclosed.
2. Funds appropriated for the ongoing actions of the Missouri River Recovery Program (MRRP) may be used by the Kansas City District and the Omaha District, in coordination with the Northwestern Division, to prepare the biennial report(s) starting in 2015 for transmittal to Congress. The report submitted in 2015 will reflect the status of the actions taken as of 2014 to comply with the U.S. Fish and Wildlife Service (USFWS) 2003 Amendment to the 2000 Biological Opinion on the Operation of the Missouri River Main Stem Reservoir System, the Operation and Maintenance of the Bank Stabilization and Navigation Project (BSNP), and the Operation of the Kansas River System (2003 Amended BiOp) and to limit fish and wildlife losses due to construction and operation of the Missouri River BSNP, Missouri, Kansas, Iowa, and Nebraska, authorized by Section 601(a) of the Water Resources Development Act (WRDA) of 1986 (100 Stat. 4143) (as modified by Section 334 of WRDA 1999 and Section 3176 of WRDA 2007)(Missouri River Mitigation Project (MRMP)).
3. The biennial report will be prepared using information summarized from the MRRP Annual Report and shall include:
 - a. An inventory of all of the actions taken in furtherance of the MRMP;
 - b. An inventory of all lands (location and acres) owned or acquired by the Secretary in furtherance of the MRMP to date and the status of modifications upon those lands, if any;

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c. An assessment in the progress made in furtherance of the MRMP, including a description of how each of the actions has impacted the progress and the status of implementation of any applicable requirements of the Endangered Species Act of 1973, including any applicable biological opinions;

d. An assessment of additional actions or authority necessary to achieve the results of the MRMP; and,

e. A prioritization of future actions planned to take place over the subsequent two-year period of the program. Future actions and priorities should be tied to compliance with the 2003 Amended BiOp and applicable WRDAs.

4. The NWD will complete a draft report in 2015 to include activities through 2014 and submit to the NWD RIT no later than July 2015 for transmittal to Congress. Beginning in 2017, the biennial report to Congress should be completed and provided with the President's budget submittal as outlined in Section 4003(e). The report shall be updated biennially and provided to the NWD RIT as part of the annual budget submission from NWD. The draft report will be provided to OASA Action Officer no later than 1 December of the year preceding the biennial year in which the report is due.

Encl

*Appreciate
your
support!*



KAREN DURHAM-AGUILERA
Director of Contingency Operations,
Homeland Security, and Northwestern
Division/Pacific Ocean Division RIT Leader

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SEC. 4003. MISSOURI RIVER

4003(e) MISSOURI RIVER FISH AND WILDLIFE MITIGATION. – The Secretary shall include in the first budget of the United States Government submitted by the President under section 1105 of title 31, United States Code, after the date of enactment of the Act, and biennially thereafter, a report that describes activities carried out by the Secretary relating to the project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143), including-

- (1) an inventory of all actions taken by the Secretary in furtherance of the project, including an inventory of land owned or acquired by the Secretary;
- (2) a description, including a prioritization, of the specific actions proposed to be undertaken by the Secretary for the subsequent fiscal year in furtherance of the project;
- (3) an assessment of the progress made in furtherance of the project, including-
 - (A) a description of how each of the actions identified under paragraph (1) have impacted the progress; and
 - (B) the status of implementation of any applicable requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), including any applicable biological opinions; and
- (4) an assessment of additional actions or authority necessary to achieve the results of the project.