



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

JUN 13 2016

CECW-P

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Implementation Guidance for Section 1026 of the Water Resources Reform and Development Act of 2014 – Clarification of Impacts to Other Federal Facilities

1. Section 1026 of WRRDA 2014 provides discretionary authority for the Secretary to accept funds from other Federal agencies to address adverse impacts in any case where the modification or construction of a water resources development project carried out by the Secretary adversely impacts other Federal facilities. Actions necessary to address the adverse impact include removal, relocation, or reconstruction, of these other Federal facilities. A copy of Section 1026 of WRRDA 2014 is enclosed.
2. The evaluation of actions to address possible adverse impacts to other Federal agency facilities will be conducted during the study of the proposed construction or modification in accordance with existing regulations and laws. Where construction or modification of a water resources development project will adversely impact other Federal facilities, the Corps may accept funds from other Federal agencies under the Economy Act, 10 U.S.C. 3036(d), or the Economy Act, 31 U.S.C. 1535, as appropriate, to address these impacts. Adverse impacts may be alleviated by removing, replacing, or reconstructing the other Federal facilities.
3. Corps appropriations may only be used to address adverse impacts to other Federal facilities if specifically authorized by Congress. Such authorization may occur through a specific authority or a project authorization based on a Report of the Chief of Engineers (Chief's Report) that recommends the Corps address the impacts to other Federal agencies' facilities as part of the implementation of the project.

Encl


THEODORE A. BROWN, P.E.
Chief, Planning and Policy
Directorate of Civil Works

DISTRIBUTION:
(see next page)

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DISTRIBUTION:

COMMANDERS,

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WRRDA 2014 SEC. 1026. CLARIFICATION OF IMPACTS TO OTHER FEDERAL FACILITIES.

In any case where the modification or construction of a water resources development project carried out by the Secretary adversely impacts other Federal facilities, the Secretary may accept from other Federal agencies such funds as may be necessary to address the adverse impact, including by removing, relocating, or reconstructing those facilities.