



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

REPLY TO  
ATTENTION OF

JUN 12 2015

CECW-P

MEMORANDUM FOR Commanders, Major Subordinate Commands

SUBJECT: Implementation Guidance for Section 2009 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Inland Waterway Riverbank Stabilization

1. Section 2009 of WRRDA 2014 authorizes the Secretary to conduct studies to determine the feasibility of carrying out projects for inland and intracoastal waterways for purposes of flood damage reduction, emergency streambank and shoreline protection, and prevention and mitigation of shore damages attributable to navigation improvements. Section 2009 further provides the studies will include the feasibility of modifying projects for inland and intracoastal waterways for the purpose of improving the quality of the environment. The Secretary may carry out any project identified in a study under this authority in accordance with the criteria for projects carried out under the several named authorities including Section 14 of the Flood Control Act (FCA) of 1946 (33 U.S.C 701r), Section 205 of the FCA of 1948 (33 U.S.C.701s); Section 111 of River and Harbor Act (RHA) of 1968 (33 U.S.C. 426i); or Section 1135 of the Water Resources Development Act (WRDA) of 1986 (33 U.S.C 2309a) which are components of the Corps' Continuing Authorities Program (CAP). A copy of section 2009 of WRRDA 2014 is enclosed.

2. At such time that funds are specifically appropriated for a study under this authority, a feasibility study will be initiated in accordance with ER 1105-2-100 and other applicable planning regulations and will be cost shared 50% Federal and 50% non-Federal. Additional guidance may be requested from HQUSACE to address the initial scoping efforts as well as the preparation, coordination and processing of a report. If it is determined upon completion of the study that the recommended project fits the criteria for projects carried out under the named authorities, it may be converted to the CAP for design and implementation in accordance with the procedures found in Appendix F of ER 1105-2-100, and funded under the appropriate named authority. The criteria presented in Appendix F of ER 1105-2-100 for each authority will be followed and the per project statutory Federal limit will apply. A study may also be considered for funding under one of the named CAP authorities in accordance with existing budgetary guidance.

CECW-P

SUBJECT: Implementation Guidance for Section 2009 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Inland Waterway Riverbank Stabilization

3. If it is determined that the recommended project exceeds the criteria for the named CAP authorities, the project will be processed in accordance with the procedures for studies requiring specific authorization as found in Appendix H of ER 1105-2-100, including preparation of a Chief's Report for submission to Congress. In addition, the recommended project will be considered for inclusion in the annual report submitted to Congress pursuant to Section 7001 of WRRDA 2014 in accordance with CECW-P memorandum dated 03 December 2014, Subject: Implementation Guidance for Section 7001 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Annual Report to Congress.

4. Study specific project recommendations will be prioritized based on the extent of damage and land loss resulting from river bank erosion; rate of erosion; significant threat of future flood risk to public property, public infrastructure, or public safety; destruction of natural resources or habitats; and potential cost savings for maintenance of the channel.



Encl

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

CECW-P

SUBJECT: Implementation Guidance for Section 2009 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Inland Waterway Riverbank Stabilization

Section 2009 INLAND WATERWAYS RIVERBANK STABILIZATION

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Secretary shall conduct a study to determine the feasibility of—

(1) carrying out projects for the inland and intracoastal waterways for purposes of—

(A) flood damage reduction;

(B) emergency streambank and shoreline protection; and

(C) prevention and mitigation of shore damages attributable to navigation improvements; and

(2) modifying projects for the inland and intracoastal waterways for the purpose of improving the quality of the environment.

(b) RECOMMENDATIONS.—In conducting the study, the Secretary shall develop specific project recommendations and prioritize those recommendations based on—

(1) the extent of damage and land loss resulting from riverbank erosion;

(2) the rate of erosion;

(3) the significant threat of future flood risk to public property, public infrastructure, or public safety;

(4) the destruction of natural resources or habitats; and

(5) the potential cost savings for maintenance of the channel.

(c) DISPOSITION.—The Secretary may carry out any project identified in the study conducted pursuant to subsection (a) in accordance with the criteria for projects carried out under one of the following authorities:

(1) Section 14 of the Flood Control Act of 1946 (33 U.S.C.701r).

(2) Section 205 of the Flood Control Act of 1948 (33 U.S.C.701s).

(3) Section 111 of the River and Harbor Act of 1968 (33U.S.C. 426i).

(4) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(d) ANNUAL REPORT.—For a project recommended pursuant to the study that cannot be carried out under any of the authorities specified in subsection (c), upon a determination by the Secretary of the feasibility of the project, the Secretary may include a recommendation concerning the project in the annual report submitted to Congress under section 7001.