



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

MAY 05 2016

CECW-SAD

MEMORANDUM FOR Commander, South Atlantic Division

SUBJECT: Implementation Guidance for Section 4013(e) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Central and Southern Florida Canal

1. Section 4013(e) of the WRRDA 2014 provides general direction and amends Section 316(b)(2) of the Water Resources Development Act (WRDA) of 1996 (Public Law 104-303), Central and Southern Florida, Canal 111, South Dade County, Florida, by:

a. Directing the Secretary shall consider any amounts and associated program income provided prior to the date of enactment of WRRDA 2014 by the Secretary of the Interior for the acquisition of such portions of the Frog Pond and Rocky Glades areas identified in section 316(b)(2) as satisfying the requirements of that paragraph; and as part of the federal share of the cost of implementing the plan under that subsection,

b. Stating that the non-federal interest shall receive credit for land, easements, rights-of-way, and relocations provided for the project as part of the non-federal share of the cost of implementing the plan under section 316(b)(2); and,

c. Inserting a conforming amendment to implement this direction in the first sentence of Section 316(b)(2). This amendment changes the language from the Secretary of the Interior "shall pay" 25 percent to "may pay up to" 25 percent of the cost of acquiring such portions of the Frog Pond and Rocky Glades areas as are needed for the project. Consistent with the unchanged language in Section 316(b)(2), the amount paid by the Secretary of the Interior shall still be included as part of the federal share of the cost of implementing the plan.

2. The amended version of Section 316 of WRDA 1996 is provided as enclosure 1. The specific language of Section 4013(e) of WRRDA 2014 is provided as enclosure 2.

3. Cost-sharing. Project cost-sharing remains unchanged with the federal share of costs other than operation and maintenance remaining 50% Federal and 50% non-federal as identified in the Project Cooperation Agreement (PCA) between the Department of the Army and the South Florida Water Management District as amended 14 August 2014 (hereinafter "the PCA"). In accordance with the PCA dated

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13 January 1995, the Amendment No. 1 to the PCA dated 14 August 2014, and statutory language, the federal 50% project cost-sharing shall still include the amounts and associated program income paid by the Department of Interior prior to 10 June 2014 for the costs of acquiring such portions of the Frog Pond and Rocky Glades areas as are needed for the project. No further contributions are required to be made by the Secretary of the Interior for the acquisition of such portions of the Frog Pond and Rocky Glades areas. As already provided for in the PCA and Amendment No. 1 to the PCA and in a manner consistent with the direction provided in the 29 April 2014 memorandum titled C-111 South Dade Project, PCA Amendment Path Forward, the non-federal sponsor will be credited for the value of lands, easements, rights-of-way, and relocations provided for the project as part of the non-federal share of the cost of implementing the plan authorized under section 316(b)(2) of the WRDA of 1996. Value determinations will be made in accordance with the PCA.

Encls



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ENCLOSURE 1

Section 316, Central and Southern Florida, Canal 111, of the Water Resources Development Act of 1996 (110 Stat. 3715), Public Law 104-303, as amended

SEC. 316. CENTRAL AND SOUTHERN FLORIDA, CANAL 111.

(a) **IN GENERAL.**—The project for Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1948 (62 Stat. 1176) and modified by section 203 of the Flood Control Act of 1968 (82 Stat. 740–741), is modified to authorize the Secretary to implement the recommended plan of improvement contained in a report entitled “Central and Southern Florida Project, Final Integrated General Reevaluation Report and Environmental Impact Statement, Canal 111 (C–111), South Dade County, Florida”, dated May 1994, including acquisition by non-Federal interests of such portions of the Frog Pond and Rocky Glades areas as are needed for the project.

(b) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of implementing the plan of improvement shall be 50 percent.

(2) **SECRETARY OF INTERIOR RESPONSIBILITY.**—The Secretary of the Interior may pay up to 25 percent of the cost of acquiring such portions of the Frog Pond and Rocky Glades areas as are needed for the project. The amount paid by the Secretary of the Interior shall be included as part of the Federal share of the cost of implementing the plan.

(3) **OPERATION AND MAINTENANCE.**—The non-Federal share of operation and maintenance costs of the improvements undertaken pursuant to this section shall be 100 percent; except that the Federal Government shall reimburse the non-Federal interest with respect to the project 60 percent of the costs of operating and maintaining pump stations that pump water into Taylor Slough in the Everglades National Park.

ENCLOSURE 2

SECTION 4013(E) OF THE WATER RESOURCES REFORM AND DEVELOPMENT
ACT OF 2014

(e) CENTRAL AND SOUTHERN FLORIDA CANAL.—

(1) IN GENERAL.—The Secretary shall consider any amounts and associated program income provided prior to the date of enactment of this Act by the Secretary of the Interior to the non-Federal interest for the acquisition of areas identified in section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715)—

(A) as satisfying the requirements of that paragraph; and

(B) as part of the Federal share of the cost of implementing the plan under that subsection.

(2) NON-FEDERAL COST SHARE.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided for the project as part of the non-Federal share of the cost of implementing the plan under section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715).

(3) CONFORMING AMENDMENT.—Section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715) is amended in the first sentence by striking “shall pay” and inserting “may pay up to”.