



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

CECW-P/CEMP-CR

APR 27 2017

MEMORANDUM FOR COMMANDER, MISSISSIPPI VALLEY DIVISION

SUBJECT: Water Resources Development Act of 2016 (WRDA 16), Implementation Guidance for Section 1321(b), Sardis Lake, Mississippi

1. This memorandum provides implementation guidance on Section 1321(b) of the WRDA 2016. Section 1321(b) authorizes the Secretary to convey to the lessee, at full fair market value, all right, title, and interest of the United States in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-24, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States. Section 1321(b) of WRDA 2016 is enclosed.
2. A conveyance under this section shall be subject to a restrictive covenant requiring the approval of the Secretary for any substantial change in the use of the property and a flowage easement shall be reserved. The restrictive covenant and flowage easement reservation shall reflect state law and be in the deed.
3. The Vicksburg District Real Estate Division shall complete a Disposal Report. The Disposal Report must include the following documentation: an Environmental Condition of Property Report and other documentation sufficient to satisfy the requirements of the National Environmental Policy Act, the Comprehensive Environmental Response, Compensation, and Liability Act, the National Historic Preservation Act, and other applicable environmental and historic preservation laws; a title report; and an appraisal report. The Disposal Report must also identify any terms and conditions necessary to protect the interests of the United States.
4. To carry out a conveyance under Section 1321(b), CEMVD-PD-SP will submit a disposal package to CEMP-CR for review and approval. The disposal package will include a CEMVK-OD disposal approval memorandum, a Determination Approving Disposal of Real Property prepared by Real Estate for the Chief of Operations and Regulatory signature, and a quitclaim deed or quitclaim deeds for disposal tracts executed by the lessee(s) and prepared for the Director of Real Estate signature. The district shall advise the lessee(s) that HQUSACE will have final approval of the conveyance documents and terms of disposal. The deed and disposal package shall

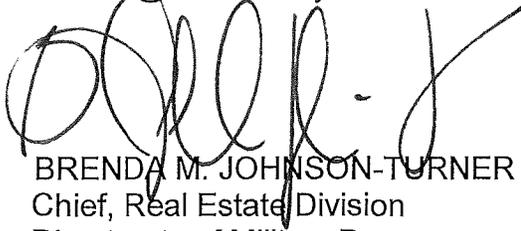
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be reviewed by district and division offices and approved by CEMP-CR, and coordination with CECC-R.

5. In accordance with Section 1321(b)(1), the lessee(s) must pay full fair market value for the property. Furthermore, in accordance with 10 U.S.C. 2695, the lessee(s) shall be responsible for the administrative expenses incurred by the Secretary in entering into the transaction(s).

6. Questions regarding this implementation guidance should be directed to Ada Benavides, Senior Policy Advisor, Planning and Policy Division, at (202) 761-0415, Ada.Benavides@usace.army.mil.



Encl BRENDAM. JOHNSON-TURNER
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