



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

CECW-LRD

MAY 03 2017

MEMORANDUM FOR COMMANDER, GREAT LAKES AND OHIO RIVER DIVISION

SUBJECT: Implementation Guidance for Section 1402(a) of the Water Resources Development Act of 2016 (WRDA 2016), Special Rules, Mill Creek, Tennessee

1. Section 1402(a) of the WRDA 2016 directs that the portion of the Mill Creek flood risk management project, specifically authorized by Section 1401(2)(4) of WRDA of 2016, that consists of measures within the Mill Creek basin be carried out pursuant to Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s). Sections 1402(a) and 1401(2)(4) of the WRDA 2016 are enclosed.
2. The Mill Creek, Tennessee project, authorized by Section 1401(2)(4), consists of flood risk management measures located within two basins, the Mill Creek basin and the Sevenmile Creek basin. The portion of the authorized project in the Mill Creek basin consists of modifying the Briley Parkway Bridge, widening the Mill Creek channel at mile 7.1, and implementing non-structural measures for 47 residential structures located along Mill Creek. The portion of the authorized project in the Sevenmile basin consists of constructing a 377-acre-foot capacity storm water detention basin at mile 3.67 on Sevenmile Creek and implementing nonstructural measures for 42 frequently damaged residential structures.
3. The portion of the authorized project to be implemented under Section 205 are those measures located within the Mill Creek basin.
4. The Nashville District must confirm and document through a written analysis that the portion of the authorized project to be implemented under Section 205 is economically justified in accordance with ER 1105-2-100, Appendix F, and will not exceed applicable cost limitations. The district shall submit this analysis for review and approval by the Great Lakes and Ohio River Division. At such time that the analysis is approved and funds are provided, a project partnership agreement following the Section 205 Model using Option 6, which addresses cost sharing for structural and nonstructural measures, must be executed prior to initiation of design and construction of the project in accordance with ER 1105-2-100, Appendix F and the Continuing Authorities Program Standard Operation Procedures.

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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](mailto:Ada.Benavides@usace.army.mil).

A handwritten signature in black ink, appearing to read 'J. Dalton', with a long horizontal flourish extending to the right.

JAMES C. DALTON, P.E.  
Director of Civil Works

Encl

**WRRDA 2016 Section 1401(2)(4).**

**(2) FLOOD RISK MANAGEMENT.—**

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimate d Costs</b>
4. TN	Mill Creek	Oct. 16, 2015	Federal: \$17,950,000 Non-Federal: \$10,860,000 Total: \$28,810,000

**Section 1402. SPECIAL RULES.**

(a) MILL CREEK.—The portion of the project for flood risk management, Mill Creek, Tennessee, authorized by section 1401(2) of this Act that consists of measures within the Mill Creek basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).