



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

CECW-CE

JUN 02 2017

MEMORANDUM FOR Commanders, Major Subordinate Commands

SUBJECT: Implementation Guidance for Section 1135 of the Water Resources Development Act of 2016 (WRDA 2016), Data Transparency

1. Section 1135 of WRDA 2016 directs the Secretary of the Army to promote Data Transparency by amending Section 2017 of WRDA 2007 to use available funds to make publicly available, including on the Internet, all data in the custody of the U.S. Army Corps of Engineers (Corps) on (1) The planning, design, construction, operation, and maintenance of water resources development projects; and (2) Water quality and water management of projects owned, operated, or managed by the Corps. Section 1135 provides that the requirement to make information available is limited and does not require disclosure of information the Secretary determines is confidential information, privileged information, law enforcement information, national security information, infrastructure security information, personal information, or otherwise cannot be disclosed due to legal requirements. Section 1135 is enclosed.
2. As has been the longstanding practice of the Corps, a wealth of information on Corps projects is routinely made publicly available through draft and final documents prepared under the National Environmental Policy Act process. Moreover, under authorization of Section 2017 of WRDA 2007 the public can now access approximately 600 Corps reservoir conditions, reservoir pool elevation, storage, and water inflow and outflow through the Access to Water Resources Data Portal (<http://water.usace.army.mil>). The Corps has added 655 water quality locations containing approximately 47 years of 262,882 sampling events to the portal providing public access to 2.2M water quality results; such as, PH, alkalinity, temperature, and oxygen for the Corps water resource development projects. By the fall of 2017, the Corps will add biologic water quality results to the portal. Additionally, the Corps is in the process of consolidating additional data, such as reservoir sediment conditions and water control manuals, so that stakeholders can locate the information at the same website.
3. Section 1135 limits, among other information, the public release of data and information determined to be infrastructure security information. Generally, the Corps considers design, construction and maintenance documents as infrastructure security information and does not release that information to the public. Such information may be provided on a regional and project specific basis to federal agencies, adjacent and potentially impacted dam and levee owners and sponsors, and state and local authorities who provide emergency management services. Information may be

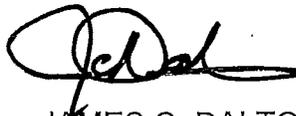
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SUBJECT: Implementation Guidance for Section 3027 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014), Emergency Communication of Risk

provided on a need to know basis, when it assists those entities in protecting health, safety and welfare. Sharing in that manner while limiting the extent to which the information could be used to threaten the project's security, advances federal governmental interests.

4. Section 1135 directs that data is made publicly available under subsection (a) as quickly as practicable after the data is generated by the Corps using available funds. To ensure efficient and consistent delivery of the Corps data, Major Subordinate Commands should coordinate with the Access to Water Resources Data CECW-CE proponents.

5. Questions regarding this implementation guidance should be directed to The Corps Geospatial Community of Practice Lead, Engineering and Construction Division, at (202) 761-7555, Nancy.J.Blyler@usace.army.mil.



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

Encl

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**SEC. 1135. DATA TRANSPARENCY.**

Section 2017 of the Water Resources Development Act of 2007 (33 U.S.C. 2342) is amended to read as follows:

**“SEC. 2017. ACCESS TO WATER RESOURCES DATA.**

“(a) IN GENERAL.—Using available funds, the Secretary shall make publicly available, including on the Internet, all data in the custody of the Corps of Engineers on—

“(1) the planning, design, construction, operation, and maintenance of water resources development projects; and

“(2) water quality and water management of projects owned, operated, or managed by the Corps of Engineers.

“(b) LIMITATION.—Nothing in this section may be construed to compel or authorize the disclosure of data or other information determined by the Secretary to be confidential information, privileged information, law enforcement information, national security information, infrastructure security information, personal information, or information the disclosure of which is otherwise prohibited by law.

“(c) TIMING.—The Secretary shall ensure that data is made publicly available under subsection (a) as quickly as practicable after the data is generated by the Corps of Engineers.

“(d) PARTNERSHIPS.—In carrying out this section, the Secretary may develop partnerships, including through cooperative agreements, with State, tribal, and local governments and other Federal agencies.”