



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

CECW-CO

JUN 08 2017

MEMORANDUM FOR SOUTHWESTERN DIVISION AND LITTLE ROCK DISTRICT
COMMANDERS AND CHIEFS, OPERATIONS DIVISIONS

SUBJECT: Implementation Guidance for Section 1185 of the Water Resources
Development Act of 2016 (WRDA 2016), Table Rock Lake, Arkansas and Missouri

1. Section 1185 of the Water Resource Development Act of 2016 (WRDA 2016) requires the Secretary of the Army to finalize the revision of the Table Rock Lake Master Plan and Shoreline Management Plan; temporarily lift or suspend the current moratorium on the issuance of new, and modifications to existing, shoreline use permits; and establish an oversight committee to review permit requests under the existing Master Plan at the recommendation of the district engineer, and to advise the district engineer on revisions to the Master Plan and Shoreline Management Plan. Section 1185 of WRDA 2016 is enclosed.
2. To carry out the requirements under Section 1185, the U.S. Army Corps of Engineers (USACE) Southwestern Division (SWD) and Little Rock District (SWL) shall:
 - a. Conduct a 60-day public comment period for revisions to the Table Rock Lake Master Plan and Shoreline Management Plan and undertake all work necessary to prepare both plans for issuance. SWD and SWL may not finalize or begin implementation of revisions to either plan until such time as the oversight committee envisioned under Section 1185(c) is established and has an opportunity to advise on the revisions, or the two-year period set forth in Section 1185(a)(2) is about to expire and HQUSACE provides written direction to finalize the plans.
 - b. Immediately lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits. As provided in Section 1185(b), matters related to permit issuance and compliance shall be governed by the existing Shoreline Management Plan, last updated in 1996, and the existing Master Plan, last updated in 2014. After establishment of the oversight committee, the district engineer may, at his discretion, recommend that the committee review permits to be issued under the 1996 Shoreline Management Plan and 2014 Master Plan.
 - c. Submit a request for the establishment of the oversight committee required under Section 1185(c). The request for committee establishment must comply with the requirements of the Federal Advisory Committee Act (5 U.S.C. App. 2) and applicable regulations (e.g., 41 C.F.R. Part 102-3, DoDI 5105.04 and AR 15-1). SWD and SWL

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will coordinate the process and procedures for forming the Committee with HQUSACE. Upon receipt, HQUSACE will coordinate the plan for executing the Committee with the ASA(CW) and other offices, as appropriate.

3. Any study conducted by USACE regarding shoreline management permit fees, as directed in Section 1185(c)(4), will be done nationally in accordance with 36 CFR 327.31. Commencement of any such study is subject to the availability of funds. Therefore, SWD and SWL shall not conduct any activities related to the permit fee study until further directed.

4. Questions regarding this implementation guidance should be directed to Mary Coulombe, Chief, Natural Resources Management, at (202) 761-1228 or mary.j.coulombe@usace.army.mil.



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

Encl

SEC. 1185. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary—

(1) shall include a 60-day public comment period for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and

(2) shall finalize the revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 2-year period beginning on the date of enactment of this Act.

(b) **SHORELINE USE PERMITS.**—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(c) **OVERSIGHT COMMITTEE.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish an oversight committee (referred to in this subsection as the “Committee”).

(2) **PURPOSES.**—The purposes of the Committee shall be—

(A) to review any permit to be issued under the existing Table Rock Lake Master Plan at the recommendation of the District Engineer; and

(B) to advise the District Engineer on revisions to the new Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(3) **MEMBERSHIP.**—The membership of the Committee shall not exceed 6 members and shall include—

(A) not more than 1 representative each from the State of Missouri and the State of Arkansas;

(B) not more than 1 representative each from local economic development organizations with jurisdiction over Table Rock Lake; and

(C) not more than 1 representative each representing the boating and conservation interests of Table Rock Lake.

(4) **STUDY.**—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those permits and achieve cost savings;

(B) submit to Congress a report on the results of the study described in subparagraph (A); and

(C) begin implementation of a new permit fee structure based on the findings of the study described in subparagraph (A).