



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

CECW-P

JUL 11 2017

MEMORANDUM FOR COMMANDERS, MAJOR SUBORDINATE COMMANDS

SUBJECT: Implementation Guidance for Section 1117 of the Water Resources Development Act (WRDA) 2016, Drought Emergencies

1. Section 1117 of WRDA 2016 authorizes the Secretary of the Army, upon the request of the governor of a state in which a drought emergency was in effect on December 16, 2016 (the date of enactment of WRDA 2016), or at any time during the one year period ending on that date, to prioritize the updating of the water control manuals for control structures under the jurisdiction of the Secretary and to incorporate into the updates seasonal operations for water conservation and water supply for such control structures. The Secretary must coordinate these activities with all appropriate federal agencies, elected officials, and members of the public. The section also provides that it does not modify or change the authorized purposes of a U.S. Army Corps of Engineers (Corps) project, or affect the applicability of the Water Supply Act of 1958, as amended (43 U.S.C. 390b). Enclosure 1 contains Section 1117.
2. Section 1117 by its terms applies to control structures under the jurisdiction of the Secretary with control manuals that could be updated. Pursuant to project authorizations, Section 7 of the 1944 Flood Control Act, 33 U.S.C. 709 (Section 7), and Engineer Regulation (ER) 1110-2-240, "Water Control Management," the Corps prescribes regulations for the use of storage in:
 - a. Projects operated by the Corps that require water control plans, including reservoirs, locks, dams, and other water control structures in which storage is operated and managed for authorized purposes, such as flood control, navigation, and other uses (a general list of Corps projects may be found at Appendix C of ER 1110-2-240); and
 - b. Non-Corps reservoirs with storage that is subject to regulation by the Corps pursuant to Section 7.
3. Section 7 directs the Secretary of the Army to prescribe regulations for the use of storage allocated for flood control and navigation storage at all reservoirs, including non-Corps reservoirs, constructed wholly or in part with federal funds. A general list of non-Corps projects subject to Section 7 may be found at Appendix D of ER 1110-2-240, including federal projects (generally those of the Bureau of Reclamation), and non-federal projects.

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4. For purposes of this guidance, a drought emergency is considered to have been in effect in a state during the time period specified in Section 1117 (December 16, 2015 to December 16, 2016) if there was a declaration of drought emergency by the state government during that time period, whether that declaration covered all or a part of the state. Enclosure 2 contains a list of states subject to emergency declarations on December 16, 2016, or at any time during the one year period ending on that date.

5. The Corps will prioritize the updating of water control plans in the states listed in Enclosure 2 to include the revision of such plans to incorporate seasonal operations for water conservation and water supply. This prioritization will be undertaken in coordination with the annual budget and work plan development cycles for operations and maintenance activities. Water control plan updates for Corps-operated projects not meeting the budget criteria in a particular fiscal year may nevertheless be updated pursuant to the evaluations of water supply conservation measures authorized by Section 1116 of WRDA 2016 as set forth in implementation guidance for that section.

6. Updates of water control plans and revisions to incorporate seasonal operations for water conservation and water supply will be processed and approved in accordance with ER 1110-2-240 and ER 1110-2-1400, paragraph 10. In addition, revisions of water control plans must comply with the requirements of ER 1110-2-1156, Chapter 24, concerning dam safety considerations for water supply changes at Corps projects, and such revisions must be coordinated with the appropriate Corps dam safety officers.

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



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

2 Encls

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SEC. 1117. DROUGHT EMERGENCIES.

(a) **AUTHORIZED ACTIVITIES.**—With respect to a State in which a drought emergency is in effect on the date of enactment of this Act, or was in effect at any time during the 1-year period ending on such date of enactment, and upon the request of the Governor of the State, the Secretary is authorized to—

(1) prioritize the updating of the water control manuals for control structures under the jurisdiction of the Secretary that are located in the State; and (2) incorporate into the update seasonal operations for water conservation and water supply for such control structures.

(b) **COORDINATION.**—The Secretary shall carry out the update under subsection (a) in coordination with all appropriate Federal agencies, elected officials, and members of the public.

(c) **STATUTORY CONSTRUCTION.**—Nothing in this section affects, modifies, or changes the authorized purposes of a Corps of Engineers project, or affects the applicability of section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

	Lane, Linn, Malheur, Marion, Morrow, Sherman, Umatilla, Union, Wasco, Wheeler
Pennsylvania	Carbon, Lehigh, Monroe, Northampton
Texas	Archer, Armstrong, Bandera, Baylor, Bosque, Briscoe, Burnet, Callahan, Carson, Childress, Clay, Collin, Collingsworth, Colorado, Comal, Comanche, Cottle, Crosby, Dallam, Dallas, Denton, Dickens, Donley, Eastland, Edwards, El Paso, Erath, Floyd, Foard, Garza, Gillespie, Gray, Hale, Hall, Hamilton, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hidalgo, Hood, Hudspeth, Hunt, Hutchinson, Irion, Jack, Johnson, Kendall, Kerr, Kimble, King, Knox, Lamb, Lampasas, Lipscomb, Llano, Matagorda, McCulloch, McLennan, Medina, Mills, Moore, Motley, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Potter, Real, Roberts, Rockwall, San Saba, Shackelford, Sherman, Somervell, Stephens, Stonewall, Tarrant, Throckmorton, Tom Green, Travis, Uvalde, Walker, Wharton, Wheeler, Wichita, Wilbarger, Willacy, Williamson, Wise, Young
Washington	All

STATES WHERE DROUGHT EMERGENCIES WERE IN EFFECT DURING THE ONE
YEAR PERIOD ENDING ON DECEMBER 16, 2016

State	Counties
Alabama	All
Arizona	All
California	All
Georgia	Banks, Barrow, Bartow, Butts, Carroll, Catoosa, Chattooga, Cherokee, Athens-Clarke, Clayton, Cobb, Coweta, Dade, Dawson, DeKalb, Douglas, Fannin, Fayette, Floyd, Forsyth, Fulton, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Harris, Heard, Henry, Jackson, Lamar, Lumpkin, Meriwether, Monroe, Morgan, Murray, Newton, Oconee, Paulding, Pickens, Pike, Polk, Rockdale, Spalding, Troup, Union, Upson, Walker, Walton, White and Whitfield
Idaho	Blaine, Butte, Clearwater, Custer, Fremont, Jefferson, Lewis, Lincoln, Teton
Kansas	Barber, Barton, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clark, Cloud, Coffey, Comanche, Cowley, Crawford, Decatur, Dickinson, Douglas, Edwards, Elk, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Labette, Lane, Lincoln, Logan, Lyon, Marion, McPherson, Meade, Mitchell, Montgomery, Morris, Morton, Neosho, Ness, Norton, Osage, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace, Washington, Wichita, Wilson
Massachusetts	Worcester, Middlesex, Essex, Suffolk, Norfolk
New Hampshire	Grafton, Hillsborough, Merrimack, Rockingham, Stafford
New York	Allegany, Cattaraugus, Cayugo, Chautaugua, Chemung, Cortland, Erie, Genesee, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, Yates
North Carolina	Alexander, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Lincoln, Watauga
Oregon	Baker, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake,