HOPE

MAY NOT BE WARRANTED AT THIS POINT.
DESPAIR
It's Always Darkest Just Before It Goes Pitch Black.
TRADITION

Just because you’ve always done it that way
doesn’t mean it’s not incredibly stupid.
Authorities and Policies Governing DMPA Use

- WRDA96, ‘217b’ DMPA use with fee eventually returned to DMPA
- WPCA72, ‘401c’ DMPA use with fee to treasury
- PGL47, guidance related to WRDA96
- Implementation guidance for above, Feb., 2017
Implementation Concerns

- Coordination of 408, 404
- Real Estate administration fees
- Owner notification, if Corps holds the easement, why can’t they notice the underlying owners?
- Outgrant vs. Consent of Easement, why would anyone pursue an outgrant?
- Linkage to Federal project, any berth or access channel using the Federal project qualifies. What wouldn’t qualify?
- Why no multi-event consideration? Many projects have berths with routine O&M dredging, just like the Fed channel
Implementation Concerns

- Why must MSC approve the Letter Report?
- Placement fee calculation will include DAMP cost with no consideration/credit for DAMP capacity gains?
- 401c market rate calculations, Why does Federal government get a profit on real estate it doesn’t own and its use is provided at no cost by the Sponsor?
- 217a, Additional Capacity, interaction with 217b, If Sponsor pays for 217a, does it have to pay again for 217b?
Sponsor Led Activities

- Ability of Sponsor to construct additional capacity under 217a
- Ability of Sponsor to construct necessary capacity under 1113 of WIIN16?
- Does 217a or 217b apply to 1113?