

**US Army Corps
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Implementing the Water Resources Development Act of 2007

**Rich Worthington
U.S. Army Corps of Engineers,
Headquarters
January 17, 2008**

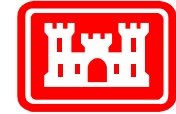
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- **WRDA 2007 (PL 110-114) PROVISIONS IMPORTANT TO AAPA**
- **STATUS:** Passed by House 381-40 on August 1, 2007 and passed by Senate 81-12 on September 24, 2007. Vetoed November 2, 2000. House override 361-54 November 6, 2007 361-54 and Senate override 79-14 on November 8, 2007. Public Law 110-114
- **PROJECT AUTHORIZATIONS**
 - SEC. 1001 (17) Miami Harbor, Miami, Florida
 - SEC. 1001 (25) Port of Iberia, Louisiana
 - SEC. 1001 (40) Corpus Christi Ship Channel, Corpus Christi, Texas
 - SEC. 1001 (45) Craney Island Eastern Expansion

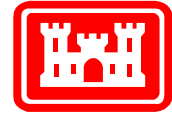
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- **GENERAL PROVISIONS**
 - SEC. 2001. Non-Federal Contributions
 - SEC. 2002. Funding to Process Permits
 - SEC. 2003. Written Agreements for Water Resources Projects
 - SEC. 2004. Compilation of Laws
 - SEC. 2005. Dredged Material Disposal
 - SEC. 2008. Revision of Project Partnership Agreement; Cost Sharing
 - SEC. 2029. Sense of Congress on Criteria for Operation and Maintenance of Harbor Dredging Projects
 - SEC. 2031. Water Resources Principles and Guidelines

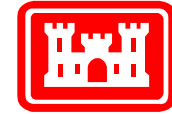
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- **GENERAL PROVISIONS (Continued)**
 - SEC. 2033. Planning
 - SEC. 2034. Independent Peer Review
 - SEC. 2036. Mitigation for Fish and Wildlife and Wetland Losses
 - SEC. 2037 Regional Sediment Management - Amends Section 204
 - SEC. 2047. Federal Hopper Dredges

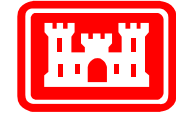
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- **PROJECT RELATED PROVISIONS**
 - Sec. 3018. Hamilton Airfield, California
 - Sec. 3028. Redwood City Navigation Channel, California
 - Sec. 3030. Sacramento Deep Water Ship Channel, California
 - Sec. 3034. Santa Cruz Harbor, California
 - Sec. 3047. Canaveral Harbor, Florida
 - Sec. 3051. Port Sutton Channel, Tampa Harbor, Florida
 - Sec. 3052. Tampa Harbor-Big Bend Channel, Florida
 - Sec. 3053. Tampa Harbor, Cut B, Tampa, Florida
 - Sec. 3079. Calcasieu River and Pass, Louisiana
 - Sec. 3082. Mississippi River Gulf Outlet Relocation Assistance, Louisiana
 - Sec. 3087. Poplar Island, Maryland
 - Sec. 3090. St. Joseph Harbor, Michigan
 - Sec. 3091. Sault Saint Marie, Michigan
 - Sec. 3093. Duluth Harbor, Minnesota
 - Sec. 3123. New York Harbor, New York, New York
 - Sec. 3147. Cedar Bayou, Texas
 - Sec. 3148. Freeport Harbor, Texas

Water Resources Development Act (WRDA) of 2007

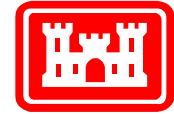


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- **STUDIES**

- Sec. 4026. San Francisco Bay, Sacramento-San Joaquín Delta, California
- Sec. 4050. Duluth-Superior Harbor, Minnesota and Wisconsin
- Sec. 4052. Dredged Material Disposal, New Jersey
- Sec. 4071. Toledo Harbor Dredged Material Placement, Toledo, Ohio
- Sec. 4072. Toledo Harbor, Maumee River, and Lake Channel Project, Toledo, Ohio
- Sec. 4084. Savannah River, South Carolina and Georgia
- Sec. 4092. Port of Galveston, Texas

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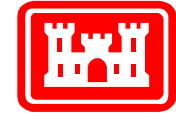


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- **MISCELLANEOUS**

- **Sec. 5001. Maintenance of Navigation Channels - Federal maintenance subject to a finding by the Secretary of economical justification and environmental acceptability. Manatee Harbor basin, Florida; Tampa Harbor, Sparkman Channel and Davis Island, Florida.; West Turning Basin, Canaveral Harbor, Florida; Bayou La Fourche Channel, Port Fourchon, Louisiana; Calcasieu River at Devil's Elbow, Louisiana; Pidgeon Industrial Harbor, Memphis Harbor, Tennessee; Houston Ship Channel Bayport Cruise Channel and Bayport Cruise turning basin; Pix Bayou Navigation Channel, Chambers County, Texas; Racine Harbor, Wisconsin**
- **Sec. 5008. Expedited Completion of Reports for Certain Projects. Sabine Neches Waterway.**
- **Sec. 5014. Great lakes Navigation and Protection**
- **Sec. 5046. LA 3 Dredged Material Ocean Disposal Site Designation, California. Extending deadline for final designation until January 1, 2011.**

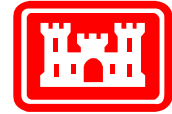
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- **SEC. 2003 Written Agreements for Water Projects**
 - Liquidated damages for each party
 - No obligation of future state appropriation where inconsistent with state law
 - Credit for in-kind contributions –no reimbursement
 - Non-profit entities as partners
 - Approval delegation to District Engineer under certain conditions
 - No Civil penalties for non compliance

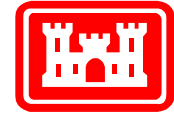
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- **SEC. 2005 Dredged Material Disposal**
 - Partnering agreements for dredged material processing, treatment, contaminant reduction or disposal.
 - Multiple project cost sharing
 - One or more parties perform acquisition, design, construction management or operation
 - Reimbursable (?) Federal payments authorized
 - Credits authorized
 - LERR non-Federal

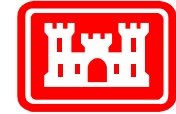
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- **SEC. 2031 Water Resources Principles and Guidelines**
 - Priorities of maximizing sustainable economic development; avoid unwise floodplain use & minimize adverse impacts of floodplain use; protect & restore natural systems and mitigate damage to natural systems
 - Secretary issue revision to P&G within 2 - years
 - Risk & uncertainty; public safety; non structural approaches; integrated water management & adaptive management watershed; and justification by public benefits.
 - Consultation with Interior, Agriculture, Commerce, HUD, Transportation, HUD, EPA, Energy, Homeland Security, NAS, CEQ & public
 - Applicability rules

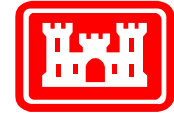
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- **SEC. 2033 Planning**
 - Risk analysis approach to cost estimating & report to Congress on changes to Section 902
 - Benchmarks for 2 year and 4 year (complex) feasibility reports
 - Establish centers of expertise
 - Identify any recommendation that is not the best technical solution
 - No delay of Chief's Reports for potential policy changes
 - Chief's Reports to Congress with recommendations within 120 of completion
 - Completed prior to enactment Chief's Reports to Congress within 180 days

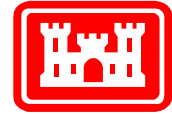
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- **SEC. 2034 Independent Peer Review**
 - Mandatory over \$45 million some exceptions
 - Chief determines timing concurrent with study reports
 - Chief contracts with NAS or equivalent to select review panel
 - Final panel report & responses to accompany Chief's Report
 - Federal cost not more than \$500,000 but with waiver provision
 - Applicable 2 years prior to enactment and 7 years from enactment
 - Report to Congress at 3 and 6 years

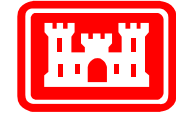
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- **SEC. 2036 Mitigation for Fish and Wildlife Losses**
 - Complies with Regulatory Program standards and policies
 - Plan requirements
 - Monitoring responsibility
 - Consultation on performance
 - Annual reports to Congress on mitigation status
 - Use of mitigation banks

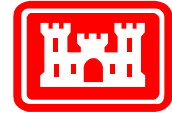
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- **SEC. 2037 Regional Sediment Management**
 - Federally funded regional sediment management plans
 - Beneficial use projects for property protection (flood & storm damage) and habitat
 - WRDA 86 cost sharing for increment 35% non-Federal
 - \$5 million cost limit, \$30 million annual with \$5 million for Federal participation in state studies
 - State plans to Congress

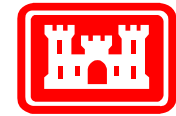
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- **SEC. 2047 Federal Hopper Dredges**
 - Essayons & Yaquina exempted from limitations
 - MacFarland in ready reserve

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- **Implementation**
 - Assign responsibility for each section
 - Draft to AAPA for items of interest
 - Draft reviewed by OASA(CW) before issued
 - Tracking status by HQ
 - Sec 2003 Agreements - Kim Smith
 - Sec 2005 Dredged Material Disposal - Rich Worthington
 - Section 2031 P&G - Larry Prather/Harry Kitch
 - Sec 2033 Planning -Harry Kitch
 - Sec 2034 Independent Peer Review -Harry Kitch
 - Sec 2036 Mitigation -Lisa Morales
 - Sec 2037 Regional Sediment Management -Rich Worthington
 - Sec 2047 Hopper Dredges -Jim Walker
 - Projects -RITS