



**DEPARTMENT OF THE ARMY**  
U.S. Army Corps of Engineers  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

12 FEB 2003

CECW-PM

MEMORANDUM FOR Commander, Mississippi Valley Division (CEMVD-MD-PM)

SUBJECT: Implementation Guidance for Section 402 of the Water Resources Development Act of 2000 (WRDA 2000) – Lower Mississippi River Resource Assessment

1. Section 402 authorizes the Secretary, in cooperation with the Secretary of the Interior and area states, to assess needs for management information, habitat, and recreation and access for the river and adjacent floodplains for the Mississippi River and tributaries below Cairo, and the Atchafalaya basin floodway system. Section 402 states the Secretary shall forward a report to Congress on the assessment results within two years of initiating each assessment. Section 402 states the reports shall include recommendations for: (1) the collection, availability, and use of data needed for river management; (2) the implementation of measures to restore, protect, and enhance habitat; and (3) potential projects for river recreation and access. The authorized Federal cost is \$1,750,000. A copy of section 402 is enclosed.
2. The development of the assessment should be approached consistent with watershed planning. The basic policy related to watershed activities is found in Policy Guidance Letter No. 61. The objective of the assessment will be to prepare a watershed planning document that furthers watershed resource management. The objectives and the scope of this document will be agreed upon by the Corps and sponsor(s) and outlined in a negotiated agreement. This agreement should identify actions to be undertaken by the various partners and stakeholders in order to meet the objectives of the plan.
3. Upon receipt of funds in the initial work allowance, up to \$500,000 of Federal funds may be used to prepare an initial assessment collaboratively with Federal resource agencies and the states cited in section 402, and negotiate a cost sharing agreement with a non-Federal partner. HQUSACE approval of the initial assessment and execution of a cost sharing agreement is required before proceeding with the next phase. This agreement should follow the model Feasibility Cost Sharing Agreement and should be approved in the same manner. Since this assessment will be conducted as a watershed study, the activities included in the agreement will be cost shared 50/50. In-kind services may not exceed 25 percent of the assessment costs.
4. The final assessment should address the needs and recommendations for actions cited in section 402. The completed final assessment will be submitted to HQUSACE for review and processing to the Assistant Secretary of the Army (Civil Works) and Congress as appropriate.


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Any potential Corps of Engineers projects identified for further study or implementation in the assessment may be pursued through the normal authorization and budget processes.

FOR THE COMMANDER:

Encl

  
for JAMES F. JOHNSON  
Chief, Planning and Policy Division  
Directorate of Civil Works

SEC. 402. LOWER MISSISSIPPI RIVER RESOURCE ASSESSMENT.

(a) ASSESSMENTS- The Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall undertake for the Lower Mississippi River system--

- (1) an assessment of information needed for river-related management;
- (2) an assessment of natural resource habitat needs; and
- (3) an assessment of the need for river-related recreation and access.

(b) PERIOD- Each assessment referred to in subsection (a) shall be carried out for 2 years.

(c) REPORTS- Before the last day of the second year of an assessment under subsection (a), the Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall transmit to Congress a report on the results of the assessment to Congress. The report shall contain recommendations for--

- (1) the collection, availability, and use of information needed for river-related management;
- (2) the planning, construction, and evaluation of potential restoration, protection, and enhancement measures to meet identified habitat needs; and
- (3) potential projects to meet identified river access and recreation needs.

(d) LOWER MISSISSIPPI RIVER SYSTEM DEFINED- In this section, the term 'Lower Mississippi River system' means those river reaches and adjacent floodplains within the Lower Mississippi River alluvial valley having commercial navigation channels on the Mississippi mainstem and tributaries south of Cairo, Illinois, and the Atchafalaya basin floodway system.

(e) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated \$1,750,000 to carry out this section.