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

CECW-SAD

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MEMORANDUM FOR COMMANDER, SOUTH ATLANTIC DIVISION (CESAD-PDP)

SUBJECT: Implementation Guidance for Section 3053 of the Water Resources Development Act of 2007 (WRDA 2007) – TAMPA HARBOR CUT B, TAMPA BAY, FLORIDA

1. Section 3053 of WRDA 2007 modifies the navigation project at Tampa Harbor, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1818), to authorize the Secretary to construct passing lanes in an area approximately 3.5 miles long and centered on Tampa Harbor Cut B if the Secretary determines that such improvements are necessary for navigation safety. In addition, Section 3053 provides that the non-Federal share of the cost of the General Reevaluation Report (GRR) shall be the same percentage as the non-Federal share of the cost of construction of the project and that the Secretary shall enter into a new partnership agreement to reflect this cost sharing. A copy of Section 3053 of WRDA 2007 is enclosed.

2. The District is currently completing a GRR that will include analysis and recommendations on whether the project modifications are necessary for navigation safety. The District shall provide the GRR through the Division to the SAD RIT for review and submission to the ASA(CW). If the ASA(CW) determines the recommended improvements are necessary for public safety, the Jacksonville District may execute a Design Agreement subject to the availability of funds and to existing budgetary policy and procedural guidance. No construction work may be undertaken until funds are appropriated for construction of the project modifications and a Project Partnership Agreement is executed.

3. The April 15, 2005 Agreement between the Government and the Tampa Port Authority provided for sharing the costs of conducting the GRR 50 percent Federal and 50 percent non-Federal. Section 3053 directs the Corps to enter into a new agreement to cost share the GRR in the same percentage as the non-Federal share of the cost of construction of the project. Based on this Congressional direction, the District shall prepare a draft amendment to the April 15, 2005 Agreement that revises the non-Federal cost share of the GRR to be the same percentage as the cost share of construction of the project. The District shall provide a copy of the draft amendment to the Division and SAD RIT for informal coordination prior to providing a copy of it to the Non-Federal Sponsor.

Theodore A. Brown

Encl

THEODORE A. BROWN, P.E.
Chief, Planning and Policy Division
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SEC. 3053. TAMPA HARBOR CUT B, FLORIDA.

(a) IN GENERAL.—The project for navigation, Tampa Harbor, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1818), is modified to authorize the Secretary to construct passing lanes in an area approximately 3.5 miles long and centered on Tampa Harbor Cut B if the Secretary determines that such improvements are necessary for navigation safety.

(b) GENERAL REEVALUATION REPORT.—The non-Federal share of the cost of the general reevaluation report for Tampa Harbor, Florida, being conducted on June 1, 2005, shall be the same percentage as the non-Federal share of the cost of construction of the project.

(c) AGREEMENT.—The Secretary shall enter into a new partnership agreement with the non-Federal interest to reflect the cost sharing required by subsection (b).