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

CECW-P

24 MAR 2008

MEMORANDUM FOR COMMANDER, Mississippi Valley Division (CEMVD-PD)

SUBJECT: Implementation Guidance for Section 3075 of the Water Resources Development Act of 2007 (WRDA 2007) – ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA

1. Section 3075 of WRDA 2007 authorizes the acquisition of fee interest (exclusive of oil, gas, and minerals) of an additional 20,000 acres of land in the Lower Atchafalaya Basin Floodway from willing sellers. This section also amends the study area to consider Eagle Point Park, Jeanerette, Louisiana, and the town of Melville, Louisiana, as alternative sites for recreation features. As originally authorized, the first cost of the public access feature of the project was subject to a limitation on Federal expenditures of $32,000,000. Section 3075 removes that cost limitation retroactive to November 17, 1986. However, the removal of this cost limitation does not increase the total authorized cost of the Atchafalaya Basin Floodway System project. A copy of section 3075 and section 315 of WRDA 2000, as amended, are enclosed for your information.

2. At such time that funds are appropriated, prepare a limited reevaluation report (LRR) in accordance with ER 1105-2-100 (Planning Guidance Notebook). The report should evaluate the advisability of a plan to acquire the fee interest (exclusive of oil, gas, and minerals) of an additional 20,000 acres of land from willing sellers in the Lower Atchafalaya Basin Floodway and consider Eagle Point Park, Jeanerette, Louisiana, and the town of Melville, Louisiana, as alternative sites for recreation features. Conduct an in-progress review with the vertical team to obtain agreement regarding the level of detail required for the study. None of the 20,000 acres of additional lands may be purchased until the LRR is approved and funds are appropriated for that purpose.

3. The $32,000,000 limitation on the maximum Federal expenditure for the first costs of the public access feature no longer applies; however, the total authorized project cost remains as authorized in WRDA 1986 (100 Stat. 4142).

FOR THE COMMANDER:

Theodore A. Brown

Encl

THEODORE A. BROWN, P.E.
Acting Chief, Planning and Policy Division
Directorate of Civil Works

Water Resources Development Act (WRDA) of 2007
SEC. 3075. ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA

(a) ACQUISITION OF ADDITIONAL LAND.—The public access feature of the project for flood control, Atchafalaya Basin Floodway System, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142), is modified to authorize the Secretary to acquire from willing sellers the fee interest (exclusive of oil, gas, and minerals) of an additional 20,000 acres of land in the Lower Atchafalaya Basin Floodway for such feature.

(b) MODIFICATION.—

(1) IN GENERAL.—Subject to paragraph (2), effective November 17, 1986, the $32,000,000 limitation on the maximum Federal expenditure for the first costs of the public access feature referred to in subsection (a) shall not apply.

(2) COST.—The modification under paragraph (1) shall not increase the total authorized cost of the project referred to in subsection (a).

(c) TECHNICAL AMENDMENT.—Section 315(a)(2) of the Water Resources Development Act of 2000 (114 Stat. 2603) is amended by inserting before the period at the end the following: "and shall consider Eagle Point Park, Jeanerette, Louisiana, and the town of Melville, Louisiana, as site alternatives for such recreation features".

WRDA 2000
SEC. 315. ATCHAFALAYA BASIN, LOUISIANA (as amended by WRDA 2007).

(a) IN GENERAL- Notwithstanding the report of the Chief of Engineers, dated February 28, 1983, for the project for flood control, Atchafalaya Basin Floodway System, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142), which report refers to recreational development in the Lower Atchafalaya Basin Floodway, the Secretary--

(1) shall initiate, in collaboration with the State of Louisiana, construction of the visitors center, authorized as part of the project, at or near Lake End Park in Morgan City, Louisiana; and

(2) shall construct other recreational features, authorized as part of the project, within, and in the vicinity of, the Lower Atchafalaya Basin protection levees and shall consider Eagle Point Park, Jeanerette, Louisiana, and the town of Melville, Louisiana, as site alternatives for such recreation features.

(b) AUTHORITIES- The Secretary shall carry out subsection (a) in accordance with--

(1) the feasibility study for the Atchafalaya Basin Floodway System, Louisiana, dated January 1982; and

(2) the recreation cost-sharing requirements of section 103(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(c)).