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

CECW-PB

MAY 28 2010

MEMORANDUM FOR Commander, South Pacific Division (CESPD-DE)

SUBJECT: Implementation Guidance for Section 4018 of the Water Resources Development Act of 2007 (WRDA 2007) – Los Angeles River Revitalization Study, California

1. Section 4018(a) of WRDA 2007 directs the Secretary to prepare a feasibility study for environmental ecosystem restoration, flood control, recreation, and other aspects of Los Angeles River revitalization that is consistent with the goals of the Los Angeles River Revitalization Master Plan published by the city of Los Angeles, and consider any locally-preferred project alternatives developed through a full and open evaluation process for inclusion in the study. Section 4018(b) states that, in preparing the study, the Secretary is further directed to use, to the maximum extent practicable, (1) information obtained from the Los Angeles River Revitalization Master Plan and (2) the development process of that plan. Section 4018(c) authorizes the Secretary to construct demonstration projects in order to provide information to develop the study. $25,000,000 is authorized to be appropriated to carry out these demonstration projects. Preparation of the feasibility study and construction of the demonstration projects must be done in coordination with the City of Los Angeles. A copy of Section 4018 is enclosed.

2. There is an ongoing feasibility study entitled "Los Angeles River Ecosystem Restoration" being performed under authority of a Senate Committee on Public Works Resolution, approved 25 June 1969, in the area covered by the City's Master Plan. This study is being conducted using appropriated Investigations funds and work on this ongoing study should continue, following the normal planning process per ER 1105-2-100. This ongoing study is investigating ecosystem restoration, flood damage reduction, and recreation, and taking into consideration the goals of the City's Master Plan as well as locally-developed project alternatives, as appropriate. Because the scope and the substance of the ongoing study is identical to that of the study mandated by section 4018, in fulfilling section 4018, the ongoing study will incorporate the section 4018 study. Information developed during preparation of the City's Master Plan will be used to the extent practicable, consistent with the requirements of Section 4018(a) and 4018(b) of WRDA 2007.

3. Section 4018(c) provides authority to implement demonstration projects in order to provide information to develop a feasibility study. FY 2010 Construction funds in the amount of $100,000 (line item entitled "Los Angeles River Demonstration Projects, CA") have been specifically appropriated for this purpose. The results of these demonstration projects will be used in the development of the feasibility study currently underway. For each proposed demonstration project, the Los Angeles District shall prepare a Project Management Plan and a report that describes how the project would provide valuable information or resolve areas of scientific, technical, or engineering uncertainty while providing cost-effective ecosystem restoration. The report will serve as the decision document to support an Agreement to design and construct the

demonstration project as appropriate. Up to $100,000 may be expended at full Federal cost to prepare the PMP and decision document on each demonstration project. Any effort requiring funds above $100,000 must be cost-shared equally (50/50) with the non-Federal sponsor and are subject to additional appropriations. The District Engineer is authorized to approve the PMP developed for each demonstration project. The District shall submit the decision document for each demonstration project through the Division to the SPD-RIT for HQ review and processing to the ASA(CW) for approval.

4. Subject to ASA(CW) approval and additional appropriations, the District should develop an Agreement for implementation of the demonstration project. The District shall submit the Agreement through the Division to the SPD-RIT for HQ review and processing to the ASA(CW) for approval. Cost sharing for implementation of a demonstration project shall be not more than 65% Federal. The non-Federal sponsor will be responsible for all lands, easements, relocations, rights-of-way, dredge material disposal areas and OMRR&R needed for the demonstration project. Implementation of a demonstration project includes monitoring and assessment as well as dismantling and removal of the project as necessary.

5. No additional work should be undertaken under this authority unless additional funds are specifically appropriated for such work.

FOR THE COMMANDER:

Encl

STEVEN L. STOCKTON, P.E.
Director of Civil Works

AUTHORIZING LANGUAGE, WRDA 2007

SEC. 4018. LOS ANGELES RIVER REVITALIZATION STUDY, CALIFORNIA.

(a) IN GENERAL.—The Secretary, in coordination with the city of Los Angeles, shall—
(1) prepare a feasibility study for environmental ecosystem restoration, flood control, recreation, and other aspects of Los Angeles River revitalization that is consistent with the goals of the Los Angeles River Revitalization Master Plan published by the city of Los Angeles; and
(2) consider any locally-preferred project alternatives developed through a full and open evaluation process for inclusion in the study.

(b) USE OF EXISTING INFORMATION AND MEASURES.—In preparing the study under subsection (a), the Secretary shall use, to the maximum extent practicable—
(1) information obtained from the Los Angeles River Revitalization Master Plan; and
(2) the development process of that plan.

(c) DEMONSTRATION PROJECTS.—
(1) IN GENERAL.—The Secretary is authorized to construct demonstration projects in order to provide information to develop the study under subsection (a)(1).
(2) FEDERAL SHARE.—The Federal share of the cost of any project under this subsection shall be not more than 65 percent.
(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000.