



REPLY TO  
ATTENTION OF

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

CECW-NWD

JUN 03 2016

MEMORANDUM FOR COMMANDER, NORTHWESTERN DIVISION

SUBJECT: Implementation Guidance for Section 4003(f) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Lower Yellowstone Project, Montana

1. Section 4003(f) of WRRDA 2014 amends Section 3109 of the Water Resources Development Act (WRDA) of 2007. Section 3109 of WRDA 2007 provides discretionary authority to the Secretary of the Army for Civil Works to use Missouri River recovery and mitigation program funds to assist the Bureau of Reclamation in the design and construction of the Lower Yellowstone project at Intake, Montana for the purpose of ecosystem restoration. Section 4003(f) of WRRDA 2014 further amends Section 3109 of WRDA 2007 to ensure that the Secretary consults with and considers activities being carried out by other Federal agencies, conservation districts, the Yellowstone River Conservation District Council, and the State of Montana when assisting the Bureau of Reclamation in the design and construction of the Lower Yellowstone project. A copy of Section 3109 of the WRDA 2007 as amended by Section 4003(f) of WRRDA 2014 is enclosed.
2. If at such time the ongoing litigation is resolved and the design and construction of the project proceeds, the district shall consult with and consider the activities being undertaken by Federal agencies, conservation districts, the Yellowstone River Conservation District Council, and the State of Montana in the design and construction of the Lower Yellowstone Project.

Encl

KAREN DURHAM-AGUILERA, P.E., SES  
Director of Contingency Operations,  
Homeland Security, and Northwestern  
Division/Pacific Ocean Division RIT Leader

CECW-CE

SUBJECT: Implementation Guidance for Section 4003(f) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Lower Yellowstone Project, Montana

**SEC. 3109. LOWER YELLOWSTONE PROJECT, MONTANA as amended by Section 4003(f) of WRRDA 2014.**

*(a) IN GENERAL –The Secretary may use funds appropriated to carry out the Missouri River recovery and mitigation program to assist the Bureau of Reclamation in the design and construction of the Lower Yellowstone project of the Bureau, Intake, Montana, for the purpose of ecosystem restoration.*

*(b) LOCAL PARTICIPATION – In carrying out subsection (a), the Secretary shall consult with, and consider the activities being carried out by –*

- (1) other Federal agencies;*
- (2) conservation districts;*
- (3) the Yellowstone River Conservation District Council; and*
- (4) the State of Montana.*