



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

CECW-P

JUL 08 2016

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Implementation Guidance for Section 4012 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) – Red River Basin

1. Section 4012 of WRRDA 2014 provides discretionary authority to the Secretary to reassign unused irrigation storage to storage for municipal and industrial (M&I) water supply for use by a State or local interest that has entered into an agreement with the Secretary prior to the date of enactment of WRRDA 2014 for water supply storage for a reservoir located within the Red River Basin, located in southwestern United States, for which the Department of the Army is authorized to provide municipal and industrial water supply storage and irrigation storage. Any reassignment is subject to such terms and conditions as the Secretary determines to be appropriate and necessary in the public interest. A copy of Section 4012 of WRRDA 2014 is enclosed.
2. Prior to any reassignment of unused irrigation storage to M&I water supply storage, a reallocation study must be conducted in accordance with guidance contained in ER 1105-2-100 to determine if the reallocation of storage is in the public interest. The reallocation study will also identify if there is a need to compensate existing irrigation storage contract holders for the unused irrigation storage and to determine the appropriate cost for the storage reallocated to M&I water supply storage. Only non-Federal entities with an existing water supply storage contract within basin reservoirs executed prior to 10 June 2014 are eligible to receive any irrigation storage reallocated to M&I water supply storage under this authority.
3. No study may be undertaken by the Corps until such time as funds are appropriated. Funding may be considered in accordance with existing policy and budgetary guidance.

Encl

  
THEODORE A. BROWN, P.E.  
Chief, Planning and Policy Division  
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DISTRIBUTION:  
COMMANDERS,  
MISSISSIPPI VALLEY DIVISION, CEMVD  
SOUTHWESTERN DIVISION, CESWD

*Section 4012 RED RIVER BASIN*

*(a) IN GENERAL.— In the case of a reservoir located within the Red River Basin for which the Department of the Army is authorized to provide for municipal and industrial water supply storage and irrigation storage, the Secretary may reassign unused irrigation storage to storage for municipal and industrial water supply for use by a State or local interest that has entered into an agreement with the Secretary for water supply storage at that reservoir prior to the date of enactment of this Act.*

*(b) ADMINISTRATION.— Any assignment under subsection (a) shall be subject to such terms and conditions as the Secretary determines to be appropriate and necessary in the public interest.*