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

REPLY TO
ATTENTION OF

MAR 0 2 2015

CEMP-CR

MEMORANDUM THRU COMMANDER, U.S. Army Corps of Engineers, Northwestern Division, ATTN: CENWD-PDS (Mr. Todd Czarnecki), 1125 N.W. Couch Street, Portland, Oregon 97209

FOR COMMANDER, U.S. Army Corps of Engineers, Walla Walla District, ATTN: CENWW-RE (Mr. Rodney Huffman), 201 North Third Avenue, Walla Walla, Washington 99362

SUBJECT: Implementation Guidance for Sections 6005(f) and (g) of the Water Resources Reform and Development Act (WRRDA) 2014, City of Asotin, Washington

1. This memorandum provides implementation guidance on Sections 6005(f) and (g) of WRRDA 2014. The Corps shall convey the public ball fields designated as Tracts 1503, 1605, 1607, 1609, 1611, 1613, 1615, 1620, 1623, 1624, 1625, 1626, and 1631; and other leased areas designated as Tracts 1506, 1522, 1523, 1524, 1525, 1526, 1527, 1529, 1530, 1531, and 1563 to the city of Asotin ("City"), located in Asotin County, Washington, without monetary consideration. A copy of Sections 6005(f) and (g) is enclosed.

2. If the Army determines that the land conveyed ceases to be used for a public purpose, all right, title, and interest in and to the land shall revert, at the discretion of the Army, to the United States. This reversionary clause should reflect state law and be in the deed reviewed by District and Division offices and coordinated with CEMP-CR, which will further coordinate with CECC-R.

3. WRRDA 2014 expressly exempts this land exchange from the screening provisions of Title 10 USC Section 2696. All other applicable Federal Statutes, Code of Federal Regulations, Army Regulations, Engineer Regulations/Circulars, Real Estate Policy Guidance Letters, and state laws will be followed. CENWW-RE will submit an exchange package thru CENWD-PDS to CEMP-CR for review and approval. The disposal package will include a CENWW-OD disposal approval memo, a draft of the Determination Approving Disposal of Real Property prepared for Chief of Operations and Regulatory signature, and a draft quitclaim deed for disposal tracts prepared for Director of Real Estate signature. In addition, a Disposal Report must be completed with appropriate environmental documentation in conformance with all applicable laws. The City shall be advised that HQUSACE will have final approval of the conveyance documents and terms of the disposal.

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4. In accordance with Section 6005(g)(1), the survey to determine the legal description of the land to be conveyed should account for tracts in lease No. DACW68-1-96-15, as amended. If tracts or portions of tracts are in the lease area, but were not accounted for by the legislation; they should be included. If only portions of identified tracts are in the lease area, the survey should include the portion.

5. In accordance with Section 6005(g)(3), additional necessary and appropriate terms and conditions may be placed in conveyance documents to protect the interests of the United States.

6. In accordance with Section 6005(g)(4), the City shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

7. In accordance with Section 6005(g)(5), the City shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

8. Any questions regarding this guidance should be addressed to Theodore Nettles, CEMP-CR, at 202-761-5542.

FOR THE COMMANDER:

Encl

BRENDA M. JOHNSON-TURNER
Chief, Real Estate Division
Directorate of Military Programs

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SEC. 6005 of WRRDA 2014

(f) CITY OF ASOTIN, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall convey to the city of Asotin, Asotin County, Washington, without monetary consideration, all right, title, and interest of the United States in and to the land described in paragraph (3).

(2) REVERSION.—If the land transferred under this subsection ceases at any time to be used for a public purpose, the land shall revert to the United States.

(3) DESCRIPTION.—The land to be conveyed to the cityof Asotin, Washington, under this subsection are—

(A) the public ball fields designated as Tracts 1503, 1605, 1607, 1609, 1611, 1613, 1615, 1620, 1623, 1624, 1625, 1626, and 1631; and

(B) other leased areas designated as Tracts 1506, 1522, 1523, 1524, 1525, 1526, 1527, 1529, 1530, 1531, and 1563.

(g) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(4) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(5) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

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