DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:
CECW-PG

12 JUN 2001

MEMORANDUM FOR COMMANDER, North Atlantic Division

SUBJECT: Implementation Guidance for Section 306 of the Water Resources Development Act of 2000 (WRDA 2000) – Delaware River Mainstem and Channel Deepening, Delaware, New Jersey, and Pennsylvania

1. Section 306 of WRDA 2000 amends Section 101(6) of WRDA 92 (P. L. 102-580), as amended, authorizing the Delaware River Mainstem and Channel Deepening, Delaware, New Jersey and Pennsylvania project. Section 306 of WRDA 2000 authorizes the Secretary of the Army to credit toward the non-Federal share of the cost of the project under Section 101(a)(2) of WRDA 86 (P. L. 99-662) the costs incurred by the non-Federal entities in providing additional capacity at dredged material disposal areas, providing community access to the project (including such disposal areas), and meeting applicable beautification requirements for the Delaware River Mainstem and Channel Deepening, Delaware, New Jersey and Pennsylvania project. A copy of section 306 is enclosed for your information.

2. In order to afford such credit, a supplement to the decision document supporting the Project Cooperation Agreement (PCA) for this project should be prepared by the Philadelphia District, including a section titled Crediting Documentation to allow HQUSACE to transmit it to the Assistant Secretary of the Army for Civil Works, ASA (CW) for approval. This section must include an estimate of the costs claimed by the non-Federal sponsor. Upon approval of this document, either the draft PCA currently under negotiation should be revised, or if already executed, an amendment to the PCA should be prepared. The credit is limited in accord with Section 101(a)(2) of WRDA 86 (P. L. 99-662).

3. The credit may be afforded during the first year after the PCA is executed or after the work is completed and the costs are audited, whichever occurs later. Credit will be based on reasonableness, allocability and allowability of the additional project costs, and the

justification and/or policy compliance of the added project features, and their environmental acceptability.

FOR THE COMMANDER:

Encl

JAMES F. JOHNSON
Chief, Planning and Policy Division
Directorate of Civil Works

SEC. 306. DELAWARE RIVER MAINSTEM AND CHANNEL DEEPENING, DELAWARE, NEW JERSEY, AND PENNSYLVANIA.

The project for navigation, Delaware River Mainstem and Channel Deepening, Delaware, New Jersey, and Pennsylvania, authorized by section 101(6) of the Water Resources Development Act of 1992 (106 Stat. 4802) and modified by section 308 of the Water Resources Development Act of 1999 (113 Stat. 300), is further modified to authorize the Secretary to credit toward the non-Federal share of the cost of the project under section 101(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2)) the costs incurred by the non-Federal interests in providing additional capacity at dredged material disposal areas, providing community access to the project (including such disposal areas), and meeting applicable beautification requirements.

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