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

REPLY TO
ATTENTION OF:

12 JUN 2001

CECW-PG

MEMORANDUM FOR COMMANDER, North Atlantic Division

SUBJECT: Implementation Guidance for Section 333 of the Water Resources Development Act of 2000 (WRDA 2000) – Fox Point Hurricane Barrier, Providence, Rhode Island

1. Section 333 of WRDA 2000 amends Section 352 of WRDA 99 (P. L. 106-53) that the Secretary of the Army shall credit toward the non-Federal share of the cost of the project or reimburse the non-Federal interest for the Federal share the costs of repairs authorized under subsection (a) of Section 352 of WRDA 1999, as amended, that are incurred by the non-Federal interest before the date of execution of the project cooperation agreement for the Fox Point Hurricane Barrier, Providence, Rhode Island project. A copy of section 333 is enclosed for your information.

2. A decision document supporting the Project Cooperation Agreement (PCA) for this project must include a section titled Crediting Documentation. This section must include an assessment of the costs claimed by the non-Federal sponsor for repair work that preceded the date of the execution of the PCA. The crediting documentation section of the decision document must include the necessary information to determine whether the repair work performed by the sponsor is compatible to the Fox Point Hurricane Barrier project to determine which are creditable or reimbursable costs. This decision document should be forwarded to HQUSACE and ASA (CW) for approval.

3. The credit for prior work may be afforded during the first year after the PCA amendment 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 costs. The total amount of credit afforded shall not exceed the non-Federal share. If the credit amount exceeds the non-Federal share, then reimbursement may occur subject to the availability of Federal funds.

FOR THE COMMANDER:

James F. Johnson

Encl

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

SEC. 333. FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.

Section 352 of the Water Resources Development Act of 1999 (113 Stat. 310) is amended--

(1) by inserting `(a) IN GENERAL- ' before `The'; and

(2) by adding at the end the following:

`(b) CREDIT TOWARD NON-FEDERAL SHARE- The Secretary shall credit toward the non-Federal share of the cost of the project, or reimburse the non-Federal interest, for the Federal share of the costs of repairs authorized under subsection (a) that are incurred by the non-Federal interest before the date of execution of the project cooperation agreement.'.

ENCL