



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
SOUTH PACIFIC DIVISION
450 GOLDEN GATE AVE
SAN FRANCISCO CA 94102-3661

CESPD-ZA (1165)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Delegation of Authority under Section 213 of the Water Resources Development Act of 2000 to Enter into Cooperative Agreements with Non-Federal Public and Nonprofit Entities and Youth Service and Conservation Corps Organizations for Services Relating to Natural Resources Conservation or Recreation Management

1. References:

a. Section 213 of the Water Resources Development Act of 2000, as amended (33 U.S.C. 2339)

b. Secretary of the Army memorandum (Delegation of Authority to Enter into Cooperative Agreements with Non-Federal Public and Nonprofit Entities and Youth Service and Conservation Corps Organizations for Services Relating to Natural Resources Conservation or Recreation Management), 7 August 2024

c. Assistant Secretary of the Army (Civil Works) memorandum (Delegation of Authority under Section 213 of the Water Resources Development Act of 2000 to Enter into Cooperative Agreements with Non-Federal Public and Nonprofit Entities and Youth Service and Conservation Corps Organizations for Services Relating to Natural Resources Conservation or Recreation Management), 9 August 2024

d. Commanding General, USACE memorandum (Delegation of Authority under Section 213 of the Water Resources Development Act of 2000 to Enter into Cooperative Agreements with Non-Federal Public and Nonprofit Entities and Youth Service and Conservation Corps Organizations for Services Relating to Natural Resources Conservation or Recreation Management), 18 September 2024

2. The Secretary of the Army has delegated to the Assistant Secretary of the Army for Civil Works (ASA(CW)), who then redelegate to the Commanding General, U.S. Army Corps of Engineers the authority under Section 213 of the Water Resources Development Act of 2000, as amended (33 U.S.C. 2339), to enter into cooperative agreements with non-Federal public and nonprofit entities, including youth service and conservation corps organizations, for services relating to natural resources conservation or recreation management at USACE Civil Works projects (references 1.b. and 1.c.). The Commanding General redelegate this authority to all MSC Commanders on 18 September 2024 (reference 1.d.).

3. Subject to the provisions in section 213, as amended, I hereby delegate to District Commanders the responsibility and authority to enter into cooperative agreements with non-

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Federal public and nonprofit entities and youth service and conservation corps organizations for natural resources conservation and recreation management at USACE Civil Works projects. This authority cannot be further delegated.

4. This redelegation will not take effect until a record copy of the delegation has been provided through this office to the Administrative Assistant to the Secretary of the Army for archiving. Should conditions warrant, I will suspend the use of and/or rescind this redelegation, as appropriate.

5. The delegation from the Commanding General (reference 1.d) requires vertical coordination and briefing of the Commanding General by an official designated by the Director of Civil Works in those cases where a proposed action or decision represents a change in precedent or policy; is of significant White House, Congressional, Department or public interest; or has been, or should be, of interest or concern to the Commanding General for any reason. Accordingly, any District Commander faced with one of these cases will notify the SPD Programs Director and SPD Chief of Operations, and prepare a briefing for vertical coordination, before taking any action or making a decision unless the exigencies of the situation prevent the briefing.

6. The supporting file for each instrument awarded pursuant to this delegation will document the basis for use of these authorities and the instrument's compliance with Department of Defense Directive 3210.06 (Defense Grant and Agreement Regulatory System (DGARS)). The supporting file will also include a record of legal review before entering into an agreement, solicitation, and award.

7. This delegation will help accomplish critical natural resource conservation and recreation work at USACE Civil Works projects while providing meaningful work experience to the next generation of natural resource managers. This delegation of authority remains in effect until modified, suspended, or rescinded and replaces any prior delegations of the Section 213 authority from the ASA(CW).

8. The point of contact for this memorandum is Mr. Tom Ehrke, SPD NRM Program Manager, at thomas.j.ehrke@usace.army.mil or (559) 356-4701.

Encl

JAMES J. HANDURA
COL, EN
Commanding

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(see next page)

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DISTRIBUTION:

Commander, U.S. Army Corps of Engineers, Albuquerque District

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Commander, U.S. Army Corps of Engineers, San Francisco District

ENCLOSURE

WRDA 2016 Section 1101, WRRDA 2014 Section 1047(e), and WRDA 2000 Section 213

WRDA 2016

SEC. 1101. YOUTH SERVICE AND CONSERVATION CORPS ORGANIZATIONS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended—

- (1) by redesignating subsection (c) as subsection (d); and
- (2) by inserting after subsection (b) the following:

“(c) YOUTH SERVICE AND CONSERVATION CORPS ORGANIZATIONS.—The Secretary, to the maximum extent practicable, shall enter into cooperative agreements with qualified youth service and conservation corps organizations for services relating to projects under the jurisdiction of the Secretary and shall do so in a manner that ensures the maximum participation and opportunities for such organizations.”.

WRRDA 2014

SEC. 1047. SPECIAL USE PERMITS.

(e) TRAINING AND EDUCATIONAL ACTIVITIES.—Section 213(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by striking “at” and inserting “about”.

WRDA 2000

Sec. 213. Assistance Programs

(a) Conservation and recreation management—To further training and educational opportunities at water resources development projects under the jurisdiction of the Secretary, the Secretary may enter into cooperative agreements with non-Federal public and non-profit entities for services relating to natural resources conservation or recreation management.

(b) Rural community assistance—In carrying out studies and projects under the jurisdiction of the Secretary, the Secretary may enter into cooperative agreements with multistate regional private non-profit rural community assistance entities for services, including water resource assessment, community participation, planning, development, and management activities.

(c) Cooperative agreements—A cooperative agreement entered into under this section shall not be considered to be, or treated as being, a cooperative agreement to which chapter 63 of title 31, United States code, applies.