



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

CECW-O

FEB 4 2015

MEMORANDUM FOR COMMANDERS, MAJOR SUBORDINATE COMMANDS

SUBJECT: Delegation of Authority under Section 213(a) of the Water Resources Development Act (WRDA) of 2000

1. The Secretary of the Army has delegated the authority to enter into WRDA 2000, section 213(a) cooperative agreements, to the Assistant Secretary of the Army for Civil Works (ASA(CW)), who then re-delegated the authority to the Deputy Commanding General for Civil and Emergency Operations. Section 213(a) authorizes the U.S. Army Corps of Engineers (USACE) to enter into cooperative agreements with non-Federal public and nonprofit entities for services relating to natural resources conservation or recreation management at USACE Civil Works projects (Enclosure 1 – Section 213 WRDA 2000).
2. Subject to the provisions in section 213(a), I hereby delegate to you the responsibility and authority to enter into cooperative agreements with non-Federal public and nonprofit entities for natural resources conservation and recreation management at USACE Civil Works projects. You may re-delegate the authority to enter into these agreements to your district commanders as appropriate. This authority cannot be delegated below the district commander.
3. Any re-delegation of this authority within your MSC must be in writing with the officials designated by organizational title, and a copy of the delegation must be maintained in the office where the authority is held. Any re-delegation will not take effect until a record copy of the delegation has been provided through my office to the ASA(CW) for archiving. Should conditions warrant, you will suspend the use of and/or rescind any re-delegation of this authority, as appropriate.
4. Upon receiving delegated authority from the Southwestern Division, the Fort Worth District will begin action to prepare a national cooperative agreement with a nonprofit organization to provide natural resources conservation and recreation management services at USACE Civil Works projects nationwide. Divisions and districts with delegated section 213(a) authority may be able to use this national agreement. Specific administrative procedures to obtain such services will be provided upon the award of the national agreement.
5. In addition to the national cooperative agreement, USACE districts who have received delegated section 213(a) authority from their MSC Commanders may enter into separate agreements with other qualifying section 213(a) non-Federal public and nonprofit entities for services relating to natural resources conservation or recreation

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management at USACE Civil Works projects. For each instrument awarded pursuant to this delegation, the MSCs and/or districts shall ensure the following documents are part of the agreement and supporting file:

a. A memorandum documenting the basis for use of these authorities and the instrument's compliance with DoD Directive 3210.06, Defense Grant and Agreement Regulatory System.

b. All cooperative agreements must use the standard OMB forms for assistance, budget and assurances (i.e., SF 424, 424A and 424B) and include a certificate of authority from the applicant's attorney; a certification regarding Environmental Tobacco Smoke; a certification regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements.

c. A record of legal review by USACE counsel before solicitation and award.

d. Documentation the award was signed by an authorized grants officer.

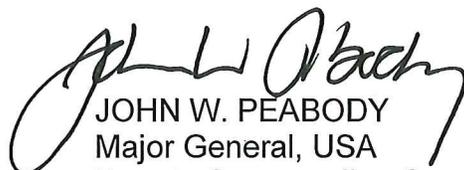
6. An annual report of all cooperative agreements executed each fiscal year shall be provided to the HQUSACE Natural Resources Branch Chief by 15 November each year. The report format will be provided under separate cover.

7. Although not a limitation on the authority of any official named herein to act on the behalf of the Secretary of the Army, 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 me, the ASA(CW) or Secretary of the Army, an official designated by you will brief me before taking the action or making the decision unless the exigencies of the situation prevent the briefing.

8. I support this action which will help accomplish critical natural resource conservation and recreation work at our projects while providing meaningful work experience for young adults and veterans, our next generation of natural resource managers. This delegation to the MSC Commanders is effective immediately and expires on 10 August 2024, unless revoked or superseded. Delegation to the district commanders will be effective when a record copy of the delegation has been provided through my office to the ASA(CW).

Building Strong!

Encl



JOHN W. PEABODY  
Major General, USA  
Deputy Commanding General  
for Civil and Emergency Operations

**SEC. 213. ASSISTANCE PROGRAMS.**

33 USC 2339.

(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 nonprofit 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 nonprofit 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.