



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
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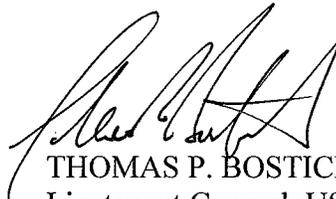
AUG 26 2013

CECG

MEMORANDUM FOR Director of Civil Works

SUBJECT: Delegation of Authority in Section 2034(a)(5)(A) of the Water Resources Development Act of 2007

1. Section 2034 of the Water Resources Development Act of 2007 (Public Law 110-114, 121 Stat. 1086) requires independent peer review (IEPR) of studies of projects with an estimated total cost, including mitigation costs, of more than \$45 million unless the Chief of Engineers determines that the study is exempt from peer review. For such projects, subsection (a)(5)(A) of that section authorizes the Chief of Engineers to exclude a study from IEPR if the study does not include an environmental impact statement, and if the Chief of Engineers determines that the study is not controversial; has no more than negligible adverse impacts on scarce or unique cultural, historic, or tribal resources; has no substantial adverse impacts on fish and wildlife species and their habitat prior to the implementation of mitigation measures; and has, before implementation of mitigation measures, no more than a negligible adverse impact on a species listed as endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or the critical habitat of such species designated under such Act.
2. I hereby delegate to the Director of Civil Works, Mr. Steven Stockton, authority pursuant to Section 2034 of the Water Resources Development Act of 2007 to exclude from peer review a study for a project with an estimated total cost, including mitigation costs, of more than \$45 million that he determines meets the criteria in subsection (a)(5)(A) of that section. This authority may not be further delegated.


THOMAS P. BOSTICK
Lieutenant General, USA
Chief of Engineers