



**DEPARTMENT OF THE ARMY**

U.S. Army Corps of Engineers  
441 G Street N.W.  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

JUL 07 2008

CEMP-NAD

MEMORANDUM FOR COMMANDER, North Atlantic Division (CENAD-PSD-P)

SUBJECT: Implementation Guidance for Section 5088 of the Water Resources Development Act of 2007 (WRDA 2007) – St. Mary’s River, Maryland

1. Section 5088 of WRDA 2007 authorizes the Secretary to carry out the project for shoreline protection, St. Mary’s River, Maryland, under Section 3 of the Act entitled “An Act authorizing Federal participation in the cost of protection the shores of publicly owned property,” approved August 13, 1946 (33 U.S.C. 426g) using funds made available under Energy and Water Development Appropriations Act, 2006 (Public Law 109-103). A copy of Section 5088 is enclosed.

2. The District shall use the funds made available by Congress under the Energy and Water Development Appropriations Act, 2006, to accomplish the remaining work on the subject project substantially in accordance with the Locally Preferred Plan described in the Final Report of the Baltimore District, U.S. Army Corps of Engineers titled St. Mary’s River, St. Mary’s College, St. Mary’s County, Maryland, Section 103 Beach Erosion Control Project, Planning and Design Analysis, dated February 2006. Notwithstanding the benefit to cost ratio of less than 1, the Baltimore District will construct the project in accordance with current Continuing Authorities Program policies and procedures.

3. No additional construction of project features which would require funds beyond those already appropriated shall be undertaken until sufficient funds are appropriated by Congress to complete the project or separable increment(s) of the project. Any funds provided by Congress will be utilized in accordance with current Civil Works program execution guidance.

FOR THE COMMANDER:

Mohan Singh, P.E.  
Chief, North Atlantic Division  
Regional Integration Team  
Directorate of Military Programs

Encl

**SEC. 5088. ST. MARY'S RIVER, MARYLAND.**

(a) IN GENERAL.—The Secretary shall carry out the project for shoreline protection, St. Mary's River, Maryland, under section 3 of the Act entitled “An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property”, approved August 13, 1946 (33 U.S.C. 426g).

(b) USE OF FUNDS.—In carrying out the project under subsection (a), the Secretary shall use funds made available for such project under Energy and Water Development Appropriations Act, 2006 (Public Law 109–103).