



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

CECW-P

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Delegation of Approval and Execution Authority— Surplus Water Template Agreements Under Section 6 of the 1944 Flood Control Act (33 U.S.C. 708)

1. Reference is made to the Memorandum of the Commanding General, U.S. Army Corps of Engineers, dated 18 May 2020, Subject: Delegation of Approval and Execution Authority for Water Supply Storage Reallocation Report, Water Supply Storage Agreements, and Surplus Water Determinations and Reports.
2. Pursuant to the referenced delegation, this memorandum approves and transmits two surplus water agreement templates, one for general use and one for use at the Missouri River Mainstem Reservoirs, to implement surplus water determinations or reports that have been approved by the Director of Civil Works, or in the case of the Mainstem Reservoirs, by the Northwestern Division Commander.
3. The responsibility for review and approval of a surplus water agreement that does not deviate from the approved models is delegated to the Division Commander. Division Counsel concurrence that the agreement does not deviate from the agreement template, and is appropriate for use for the particular withdrawal is required prior to approval. This authority may not be further delegated.
4. The Division Commander is also delegated the authority to approve non-substantive deviations to the approved surplus water agreement template. This authority may not be further delegated. Division Counsel concurrence that a deviation is non-substantive, with the recommendation to approve the deviation, is required prior to approval by the Division Commander. Where there is a question whether a deviation is substantive, Headquarters, U.S. Army Corps of Engineers (HQUSACE) is available for consultation. An agreement with substantive deviations, including deviations involving policy issues, unique circumstances, or controversial matters, must be forwarded for Division review and then transmitted with the Division Commander's recommendations to the relevant Regional Integration Team for review and approval by the Director of Civil Works.

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5. The Division Commander may delegate to the District Commander authority to execute the agreement after its approval.

6. Any questions may be directed to Amy Frantz, HQUSACE Water Supply Team, at 202-761-0106.

Encls

ALVIN B. LEE
Director of Civil Works

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