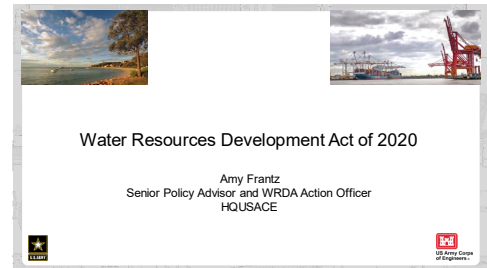


Water Resources Development Act of 2020

March 25, 2021

Q&A Session

This webinar focused on the Water Resources Development Act (WRDA) of 2020 and WRDA 2020 provisions related to USACE Planning. The Consolidated Appropriations Act of 2021, including Division AA, WRDA of 2020, was signed into law December 27, 2020. Presenter Amy Frantz (Senior Policy Advisor and HQUSACE WRDA Action Officer) discussed the WRDA Implementation Guidance process and timeline to help USACE planners understand their roles and responsibilities in implementing the new law.



More information on WRDA 2020, including links to the legislation and implementation guidance as it is published can be found on the [USACE Headquarters WRDA 2020 webpage](#).

This summary of the Question / Answer session of the webinar is not a transcription; questions and responses have been edited and reordered for clarity.

WRDA 2020 Listening Sessions

Are the WRDA 2020 public listening sessions being recorded or will notes from each session be made available?

The public listening sessions are recorded. In addition, the WRDA 2020 team is developing summaries from each session for Mr. Ferrell (Acting Assistant Secretary of the Army for Civil Works) and General Graham (Deputy Commanding General for Civil and Emergency Operations) and can likely share those summaries through the Planning Chiefs or the Planning Community of Practice (PCoP) in the near future. The WRDA 2020 team is working with the Secretary's Office to determine how to best document and summarize the input provided during the listening sessions – as well as how to circulate them internally and make them available to the public.

The WRDA 2020 team is also coordinating with the Secretary's Office regarding how to share comments that may be submitted in writing after the listening sessions. Listening session summaries and all comments will be made public at some point, but the exact process won't be determined until the number of comments received is known.

Does each listening session have a specific WRDA 2020 category or subject matter theme?

Yes. Each listening session addresses specific provisions in WRDA 2020, but interested stakeholders can call in to any of the sessions to share their comments on any of the provisions. The themes of the listening sessions are:

- 16 March – Navigation (Inland and Coastal) provisions
- 23 March – Flood Risk and Coastal Risk Storm Damage provisions
- 30 March – Ecosystem Restoration and Nuisance Species provisions
- 6 April – Water Supply and Hydropower provisions
- 13 April – Open comments

WRDA 2020 Implementation Guidance

Will the WRDA 2020 team notify the field when implementation guidance is finalized, or should planners periodically check the Headquarters WRDA 2020 website?

Notifications were not sent out as implementation guidance was published for previous WRDAs. However, the WRDA 2020 team would like to change this practice and provide weekly or biweekly updates as implementation guidance is completed (e.g., via the PCoP e-mail distribution list). Regardless, the field could also regularly check the [Headquarters WRDA 2020 website](#) for updates.

In addition to providing implementation guidance updates for this WRDA, the WRDA 2020 team would also like to ensure that each WRDA provision is easily accessible by the field, particularly for those provisions for which implementation guidance will not be developed because the WRDA provision itself is clear and does not require interpretation or additional guidance.

During the Flood Risk and Coastal Risk Storm Damage listening session, it was stated that funding is no longer a requirement for implementation guidance to be developed. Can you clarify the relationship between funding being provided and a provision being put into effect?

If the provision is clear and does not require implementation guidance, the field can and should implement it. If the provision is complex, Headquarters may use available funding to develop implementation guidance. Since Headquarters does not plan to develop implementation guidance for every provision, funding is not an issue as it was in the past.

Some WRDA 2020 provisions have direct impacts on study execution (e.g., Section 117, Federal interest determination). Since we are likely to have new start studies initiated prior to the implementation guidance being published, how should planners bridge the gap in guidance?

Planners should reach out to Amy Frantz or your review manager as soon as possible in cases where they believe a WRDA 2020 provision needs to be applied to a new or current study and guidance is needed.

What major "aha! moments" have occurred during the sessions held thus far?

The process has been very interesting to see from start to finish. Congress is already looking at a WRDA 2022, with Committees looking at cleaning up language from WRDA 2020 based on the listening sessions.

What does the process for amending existing implementation guidance entail?

If a WRDA provision modifies an existing provision in law, the Headquarters WRDA team will look at the existing implementation guidance, the new WRDA language, and the intent of Congress and potentially update the implementation guidance to reflect the latest changes. Amy will also be looking to ensure that information on the Headquarters WRDA website is clearer than it has been in the past. For example, if there was a provision in WRDA 2016 that was amended in WRDA 2020, the website will point to the current implementation guidance from both the WRDA 2016 and the WRDA 2020 pages.