DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

CECW-CO

MAY 14 2008

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Implementation Guidance for Section 2012 of the Water Resources Development Act of 2007 (WRDA 2007) – Wildfire Fighting

1. Section 2012 of WRDA 2007 authorizes the U.S. Army Corps of Engineers to establish contracts for wildfire suppression on fee title lands at Corps Civil Works projects with non-Federal government entities. Section 2012 of WRDA 2007 amends Section 309 of Public Law 102-154 (42 U.S.C. 1856a-1; 105 Stat. 1034) by inserting "The Secretary of the Army" after "The Secretary of Energy." A copy of the law is enclosed.

2. ER 1130-2-540, Chapter 8, Section 8-3a., Policy, and EP 1130-2-540, Chapter 8, Section 8-3a., Guidance, will be updated to reflect the new authorization and will include references to comply with all applicable Corps regulations concerning contracts and the procurement of wildfire fighting services.

3. Funding request for wildfire suppression activities will be incorporated into the Operations Natural Resources Budget Code 60411, Management of Natural Resources for Environmental Stewardship. These funding requests will be incorporated during the yearly budget cycle in a similar manner as request for control burns, the establishment and maintenance of firebreaks, and access roads for suppression. No contracts may be established until funds are appropriated for such efforts.

4. The CECW-CO POC for this issue is Mr. Tim Toplisek, (202) 761-4259.

FOR THE COMMANDER:

Encl

MICHAEL G. ENSCH
Chief, Operations
Directorate of Civil Works

Section 309 of the Department of the Interior and Related Appropriations Act, 1992, as amended by section 2012 of the Water Resources Development Act of 2007 (42 U.S.C. 1856a-1)

Notwithstanding any other provision of law, in fiscal year 1992 and thereafter, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Army, and the Secretary of the Smithsonian Institution are authorized to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the presuppression, detection, and suppression of fires on any units within their jurisdiction.

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