

**Federal Assistance (U.S. Army Corps of Engineers)
Available for Local Water Resources Projects**

The following is information from the state Division of Water Resources to units of local government across North Carolina concerning the federal water resources development project grant programs.

The U.S. Army Corps of Engineers has many options available to assist local units of government with water resource projects. These include the Continuing Authorities Program, Planning Assistance to States, and Investigations. The following is a brief description of each option and Corps of Engineer's contact information.

Continuing Authorities Program

The Continuing Authorities Program is authorized by Congress for projects meeting certain criteria. The program is focused primarily on water resource related projects of relatively smaller scope, cost and complexity. Unlike the traditional corps' civil works projects that are of wider scope and complexity and require specific authorization and appropriations, the Secretary of the Army, acting through the Chief of Engineers, has been delegated the authority to plan, design, and construct certain types of water resource and environmental restoration projects without specific Congressional authorization pursuant to several legislative authorities. The costs of corps' water resources studies and projects are shared between the federal government (the corps) and the non-federal interest (sponsor), in accordance with the cost sharing requirements outlined in federal laws. All projects are dependent on the availability of funds, and are subject to review and approval at several points in the process.

Section 111 of the 1968 River and Harbor Act provides authority for the Corps of Engineers to develop and construct projects for prevention or mitigation of damages caused by federal navigation work. This applies to both publicly and privately owned shores located along the coastal and Great Lakes shorelines of the United States. There are several stipulations, which must be met in order to qualify for this program. Studies are required to evaluate potential projects. Each project selected must be complete within itself. It also must be environmentally acceptable and economically justified; that is, the benefits resulting from constructing a project must exceed the cost incurred to construct the project. In addition, each separate project is limited to a total federal cost of not more than \$5 million, including all project related costs for feasibility studies, planning, engineering, construction, supervision and administration. The feasibility study phase involves all planning and engineering activities that are required to formulate and evaluate a project. The first \$100,000 of the feasibility phase is all federal cost, with additional feasibility studies cost-shared at 50 percent federal and 50 percent non-federal.

Section 204 of the Water Resources Development Act of 1992 provides authority for the corps to restore, protect and create aquatic and wetland habitats in connection with construction or maintenance dredging of an authorized project. The project costs are identified as those in excess of the least costly plan that accomplishes the disposal of dredged material from a navigation project, consistent with sound engineering practices and environmental standards. There is no per project limit on federal expenditures, however there is an annual appropriation limit of \$15 million nationwide. Project costs are shared at 75 percent federal, 25 percent non-federal. Costs of lands, easements, and rights-of-ways are non-federal and are creditable towards the 25 percent of non-federal cost share. The non-federal sponsor must assume responsibility for operation and maintenance of the project upon completion. The corps does restoration projects in areas that affect water, such as rivers, lakes and wetlands. They evaluate projects that benefit the environment through restoring, improving, or protecting aquatic habitat for plants, fish and wildlife.

Section 205 of the Flood Control Act (FCA) of 1948, as amended; authorizes the corps to plan, design, and construct local flood protection projects at the request of a non-federal local sponsor. Up to

\$100,000 is paid by the corps for the study phase plus half of any additional costs. After the study phase, the corps will contribute between 50 to 65 percent of the costs of design and construction. The federal share cannot exceed \$7 million on any project. The local sponsor must provide lands, easements, rights-of-way, relocations, and disposal sites (LERRDs), pay a minimum of 5 percent cash and additional project costs beyond the federal limit, and assume full maintenance of the completed project. To qualify, the total cost of the project must be less than the damages that would occur without the project.

Section 206 of the Water Resources Development Act of 1996 authorizes the corps to conduct aquatic ecosystem restoration projects that will improve the quality of the environment, are in the public interest and are cost-effective. The roles of the corps and the sponsor are similar to the Section 205 projects. However, the maximum federal contribution is \$5 million per project. Non-federal sponsors must contribute 35 percent of the cost of implementation.

Section 1135 of the Water Resources Development Act of 1986 as amended, authorizes the corps to review the operation of corps' water resource projects to determine if opportunities exist for modifications in its structures and operations that would improve the quality of the environment for the public good. The focus of the program is on restoration of fish and wildlife habitat, and, to the extent possible, existing project lands shall be used. Restoration of wetlands, fisheries habitat and waterfowl habitat are among the goals of current projects in the Section 1135 program. The roles of the corps and the sponsor are similar to Section 205 projects. However, Section 1135 projects are limited to \$5 million and the non-federal sponsor pays 25 percent of all the costs.

Planning Assistance to States

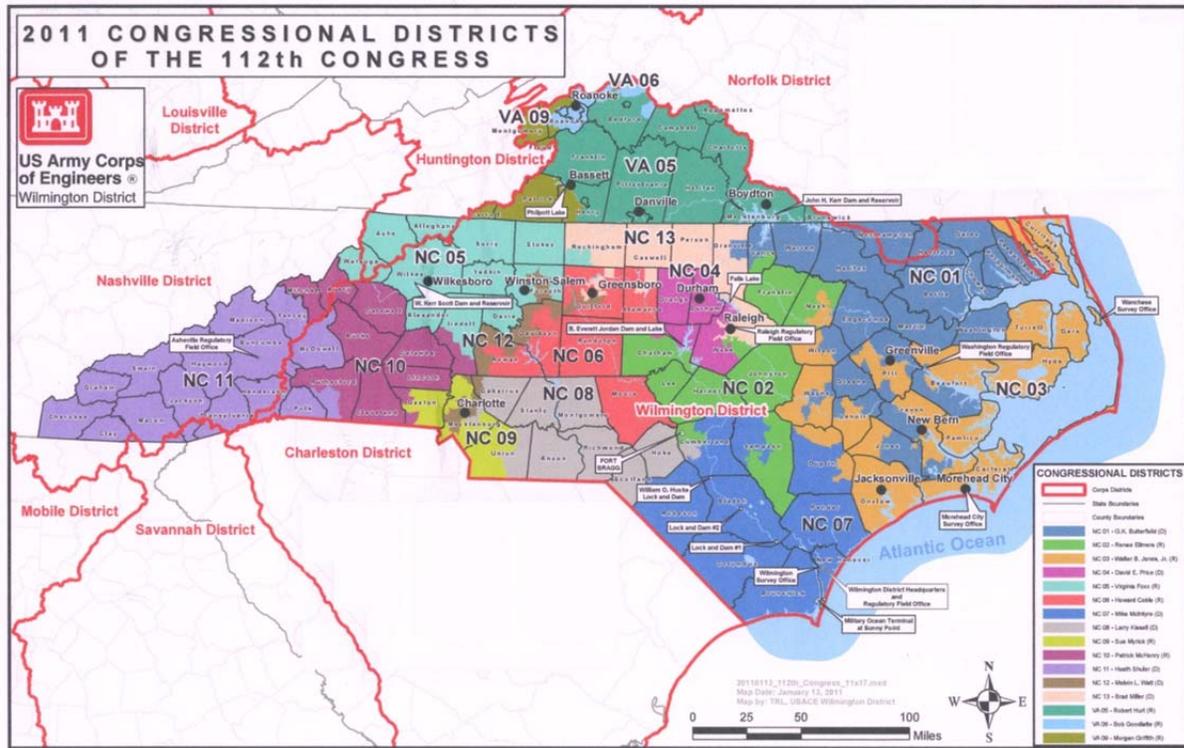
Section 22 of Water Resources Development Act (WRDA) of 1974 provides authority for the Corps of Engineers to assist in the preparation of comprehensive plans for the development, utilization and conservation of water and related land resources. The types of studies that can be done under this program include water supply, water conservation, water quality modeling, flood risk management, flood preparation, wetlands evaluation, navigation, erosion and sedimentation, dam safety, drought planning, groundwater and recreational master planning. Annual federal allotments for each state or tribe are from the nation-wide appropriation and are limited to \$2 million, but are typically much less. These studies are cost shared on a 50 percent federal to 50 percent non-federal basis. No design or construction is authorized under this program.

Investigations Program

Investigations are a program category of funding used to conduct studies for projects specifically authorized by a Congressional study resolution or a Water Resources Development Act. The types of investigations include flood risk management, ecosystem restoration and navigation. There are three requirements: study authority, a willing non-federal sponsor and funding. Each investigation begins with a reconnaissance study, which is 100 percent federally funded, generally limited to \$100,000. The purpose is to determine if there is a federal interest in the project, and if so, develop a scope of work for a cost-shared feasibility study. The purpose of the feasibility study is to evaluate a wide range of solutions and recommend the best solution from economic and environmental perspectives. The cost-share is 50 percent federal and 50 percent non-federal for the feasibility study. If an acceptable solution is identified, the next step is preconstruction engineering and design (PED). The PED includes detailed project design and preparation of construction documents. The initial cost-share for the PED is 75 percent federal and 25 percent non-federal. Post PED is construction, if the funding is available. Construction cost-share varies based on project purpose; the range is 65 percent federal and 35 percent non-federal to 50 percent federal and 50 percent non-federal. PED is ultimately cost-shared at these percentages with any adjustments necessary to bring the non-federal costs in line with the construction cost-share made in the first year of construction.

The U.S. Corps of Engineers in North Carolina

The state of North Carolina is served by five corps districts. The majority of the state falls in the Wilmington District with the remainder divided between the Norfolk, Huntington, Nashville, and Savannah districts. For additional information on any of these programs, contact the corps district that serves your area. See the map below to find which district serves your area.



Contact Information

<p>Huntington District Corps of Engineers 502 Eight Street Huntington, WV 25701-2070</p> <p><u>Continuing Authorities Program</u> <u>Investigations Program</u> Contact: Amy Frantz Contact: David Frantz Phone : 304-399-5845 Phone: 304-399-5949</p>	<p>Savannah District Corps of Engineers 100 W. Oglethorpe Ave. Savannah, Ga. 31401</p> <p><u>Continuing Authorities Program</u> <u>Investigations Program</u> Contact: William Bailey Contact: William Bailey Phone : 912-652-5781 Phone : 912-652-5781</p>
<p>Nashville District Corps of Engineers P.O. Box 1070 Nashville, TN 37202-1070</p> <p><u>Continuing Authorities Program</u> <u>Investigations Program</u> Contact: Patty Coffey Contact: Patty Coffey Phone: 615-736-7865 Phone: 615-736-7865</p>	<p>Wilmington District Corps of Engineers 69 Darlington Avenue Wilmington, NC 28403</p> <p><u>Continuing Authorities Program</u> <u>Investigations Program</u> Contact: Elden Gatwood Contact: Elden Gatwood Phone : 910-251-4505 Phone: 910-251-4505</p>
<p>Norfolk District Corps of Engineers 803 Front Street Norfolk, VA 23510</p> <p><u>Continuing Authorities Program</u> <u>Investigations Program</u> Contact: Planning & Policy Branch Contact: Planning & Policy Branch Phone : 757- 201-7764 Phone: 757- 201-7764</p>	