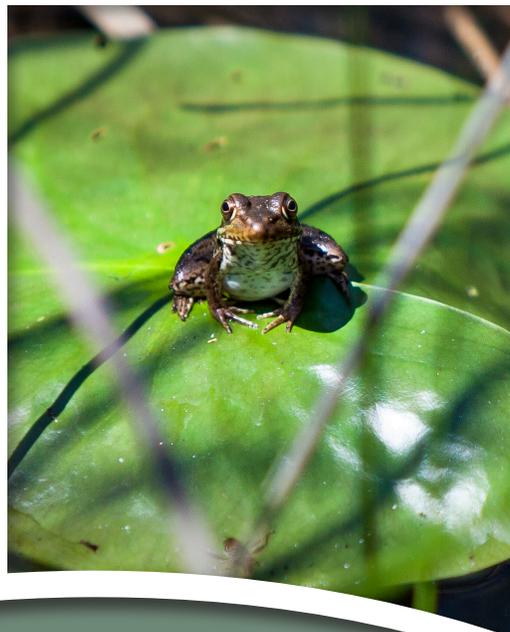




US Army Corps
of Engineers®
Chicago District



Civil Works Policy Guidebook

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Introduction

The U.S. Army Corps of Engineers is one of the world's largest public engineering, design, and construction management agencies. Congress assigned the U.S. Army Corps of Engineers this civil works responsibility.

The Corps Civil Works water resources program began in 1824 when Congress provided funds for improving river navigation. Since then, the Corps has been involved in providing navigation improvements for commerce, national security needs, and recreation; managing risks and reducing damages from riverine flooding; and restoring degraded ecosystems. Along with these primary missions, the Corps restores and protects the coastal shores from storms and erosion, generates hydropower, cooperates in developing water supplies in connection with other projects, and is one of the Nation's largest providers of outdoor recreation opportunities.

The seven major mission areas of the U.S. Army Corps of Engineers Civil Works Program are:

- Navigation
- Flood Risk Management
- Ecosystem Restoration
- Coastal Storm Damage Reduction
- Hydropower
- Water Supply
- Recreation

Additionally, the Civil Works Program includes an important regulatory mission where we regulate construction in navigable waters, including the disposal of dredged and fill material in the waters and wetlands of the United States. The Civil Works Program also includes disaster preparedness response and recovery missions.

If your community, regional, or state government agency is seeking a partner to address a water resource problem within any of our mission areas listed above, please contact our office. Additionally, non-governmental organizations can partner on ecosystem restoration projects. For a sample letter please direct your request to:



Susanne J. Davis
Chief, Planning Branch
Office: (312) 846-5580
CELRC-Planning@usace.army.mil

231 South LaSalle Street
Suite 1500
Chicago, Illinois 60604



Specifically Authorized Project Process

Specifically Authorized Project Process

Navigation

The U.S. Army Corps of Engineers' navigation mission is to provide safe, reliable, and efficient waterborne transportation systems (channels, harbors, and waterways) for the movement of commerce, national security needs, and recreation. The federal interest in navigation improvements stems from the Commerce Clause of the Constitution. Subsequent Supreme Court decisions have established that the federal obligation to regulate navigation includes the right to make necessary improvements in waterways. Navigation in harbors and inland waterways is essential to our nation's transportation system.

The U.S. Army Corps of Engineers, as the federal government's largest water resources development and management agency, began its Civil Works water resources program with the navigation mission in 1824.

Flood Risk Management

One of the primary missions of the U.S. Army Corps of Engineers is to support flood risk management activities of communities in both urban and rural areas throughout the United States. To carry out this mission, the Corps constructs projects that reduce flood risk from riverine or coastal flooding and conducts emergency management activities. At the direction of Congress, the Corps studies and implements flood risk management measures. Over the past several decades, the Corps has significantly reduced the impacts of floods across the nation by implementing measures such as dams, levees, and floodplain management activities.

With specific authority provided by Congress, the Corps can evaluate flood problems and potential solutions, and recommend to Congress whether or not a project should be authorized for implementation. Specific authorization is usually pursued for larger, more expensive projects. Typical projects include structural features such as dams, channel modifications, reservoirs, levees, floodwalls, and flood control structures. Projects can also include non-structural measures such as flood proofing, floodplain evacuation, flood preparedness/response plans, and flood warning systems.

Ecosystem Restoration

The U.S. Army Corps of Engineers ecosystem restoration mission is focused on the restoration of aquatic ecosystems, but can include protection of existing natural resources as part of a complete planning effort. Corps ecosystem restoration projects are formulated to restore degraded ecosystem structure, function, and dynamic processes to a more natural condition by employing system-wide watershed approaches to evaluation, formulation, and implementation of restoration measures. Specific authorization is needed to complete a feasibility study and for project implementation. Typical projects include measures to restore natural structure and function of impaired resources through the removal of invasive species, the re-establishment of site hydrology, the re-establishment of native plants, and/or the installation of other functional features.



Study Process (Specifically Authorized Studies and Projects)

Before the federal government can participate in implementing a project, planning studies must be conducted to determine if the project is feasible and if there is a federal interest in cost sharing. Feasibility studies are conducted in accordance with the Corps' planning process. A description of the feasibility study process follows.

Feasibility Study Process

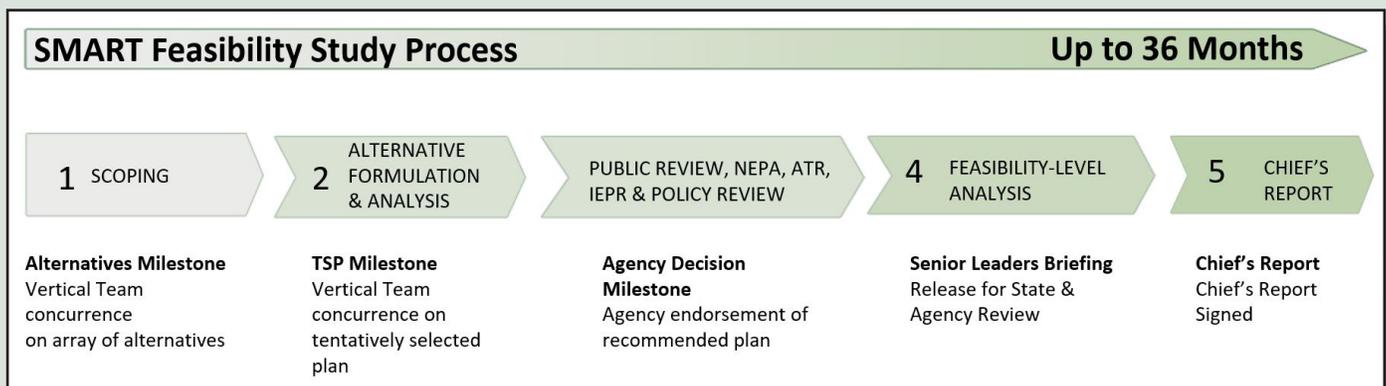
During the feasibility study, the project team investigates identified water resource problems and opportunities, formulates a range of alternative plans, and identifies a recommended plan. The feasibility phase also includes an evaluation of the impacts of the proposed action, in accordance with the National Environmental Policy Act (NEPA). The evaluation is documented in the appropriate compliance document (Environmental Assessment or Environmental Impact Statement).

Studies can be initiated if three conditions are met. First, the study has been authorized by Congress. Second, a willing and capable sponsor has expressed interest in participating in a study. Third, funds are appropriated for the completion of the study. If study authorization is needed, a proposal may be submitted for consideration by Congress through the WRDA 2014 Section 7001 Annual Report for Future Water Resource Projects Process.

In order to express their interest to initiate a feasibility study, the non-federal sponsor(s) must provide a letter of intent stating their willingness to share in the costs of the feasibility study. Once federal funds are allocated, a Feasibility Cost Sharing Agreement (FCSA) is signed with the non-federal sponsor. The costs are shared equally between the U.S. Army Corps of Engineers and the non-federal sponsor(s).

The feasibility study will generally be completed within three years of the date of the FCSA and will generally not cost more than \$3 million, although a waiver from these requirements may be provided for large, complex studies. The feasibility study results in a recommendation for or against federal participation in solutions to the water resources problems and opportunities, documented in a Feasibility Report. The U.S. Army Corps of Engineers policy, which is based on the Principles and Guidelines are used to determine when federal involvement is merited.

A project recommended by the Corps for implementation is submitted to Congress for authorization. Congressional authorization and appropriations are required before a project can be implemented. Certain small projects do not require a specific project authorization from Congress and can be implemented under a delegated authority called the Continuing Authorities Program. These delegated authorities are discussed later in this guidebook.



Project Implementation and Local Partnership

Following authorization for construction of a project, the sponsor enters into a Project Partnership Agreement (PPA) to define the responsibilities of each party. The sponsor must normally agree to the following:

1. Provide without cost to the United States all lands, easements, rights-of-way, relocations and disposal areas (LERRDs) necessary for the construction and subsequent maintenance of the project;
2. Provide without cost to the United States all necessary alterations of buildings, utilities, highways, bridges, sewers, and related and special facilities;
3. Hold and save the United States free from damages due to the construction and subsequent maintenance of the project, except damages due to the fault or negligence of the United States or its contractors;
4. Maintain and operate the project after completion without cost to the United States;
5. Prevent future encroachment, which might interfere with proper functioning of the project;
6. Assume responsibility for all costs in excess of applicable federal cost limitations;
7. If the value of the sponsor's contribution above does not equal or exceed 35 percent of the project cost, provide a cash contribution to make the sponsor's total contribution equal to 35 percent.

How to Request Assistance:

Requests should be directed to:

Chief, Planning Branch
U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC-Planning@usace.army.mil



Project Development Phases		Feasibility Phase	Preconstruction Engineering & Design Phase	Construction Phase	Operations & Maintenance Phase
Duration		Approx. 3 Years	Approx. 2 Years	Varies with Project	As Long as Project Remains Authorized
Funding		Feasibility Funding: 50 percent fed, 50 percent non-fed	PED Funding: 65 percent fed, 35 percent non-fed	Construction Funding: 65 percent fed, 35 percent non-fed	O & M Funding: normally 100% non-fed
Activities		Feasibility Analysis NEPA Analysis Negotiate Design Agreement	General or Limited Reevaluation (If Needed) Design Documentation (If Needed) Plans and Specs. (For 1st Significant Construction Contract)	Economic Reevaluation Report Construction Real Estate Acquisition Relocations Engr. & Design (If Needed) Plans & Specs. (If Needed)	Operation Maintenance Repair Replacement Rehabilitation
Agreements		Design Agreement Signed	Project Partnership Agreement Signed		
Decision Documents		Chief of Engineers	Engineering Design Report (If Needed)		
Significant Reports/Manuals		Feasibility Report and NEPA Documentation		O & M Manual	
Feasibility Cost Sharing Agreement Signed					
Note: Project authorization generally occurs before the PED Phase					

Continuing Authorities Program (CAP)

Congress has delegated to the U.S. Army Corps of Engineers nine standing authorities to plan, design and construct projects without the need for further congressional approval. Collectively, these nine authorities are known as the Continuing Authorities Program. CAP is focused primarily on water resources projects of smaller scope, cost, and complexity. These programs require a cost-sharing partner. Potential cost-sharing partners should request the Corps to investigate potential water and related land resource issues that might fit one of the authorities. Once the Corps determines that the project falls within the delegated authority, the District can request funds to initiate a planning study to determine if there is a federal interest in proceeding with the project. The planning process is done in two phases – a feasibility phase first, and then design and implementation. There are two navigation authorities, four flood risk management authorities, and three ecosystem restoration authorities within this program:

Navigation

Section 107 - Small Navigation Projects

(Authorized by Section 107 of the River & Harbor Act of 1960, as amended)

Section 111 - Mitigation of Damages

(Authorized by Section 111 of the River & Harbor Act of 1968, as amended)

Flood Risk Management

Section 205 - Small Flood Risk Management Projects

(Authorized by Section 205 of the Flood Control Act of 1948, as amended)

Section 14 - Emergency Streambank and Shoreline Protection

(Authorized by Section 14 of the Flood Control Act of 1946, as amended)

Section 208 – Snagging and Clearing for Flood Damage Reduction

(Authorized by Section 208 of the Flood Control Act of 1954, as amended)

Section 103 - Small Beach Erosion Control Projects

(Authorized by Section 103 of the River & Harbor Act of 1962, as amended)

Ecosystem Restoration

Section 1135 - Project Modifications for Improvement of Environment

(Authorized by Section 1135 of the Water Resources Development Act of 1986, as amended)

Section 204 - Beneficial Uses of Dredged Material

(Authorized by Section 204 of the Water Resources Development Act of 1992, as amended)

Section 206 - Aquatic Ecosystem Restoration

(Authorized by Section 206 of the Water Resources Development Act of 1996, as amended)



Navigation



Navigation

The U.S. Army Corps of Engineers' navigation mission is to provide safe, reliable, and efficient waterborne transportation systems (channels, harbors, and waterways) for the movement of commerce, national security, and recreation. The federal interest in navigation improvements stems from the Commerce Clause of the Constitution. Subsequent Supreme Court decisions have established that the federal obligation to regulate navigation includes the right to make necessary improvements in waterways. Navigation in harbors and inland waterways is essential to our nation's transportation system.

The U.S. Army Corps of Engineers, as the federal government's largest water resources development and management agency, began its Civil Works water resources program with the navigation mission in 1824.

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers has been authorized by Congress to maintain the nation's inland waterways. These services can be performed under two different types of authorities: (1) specifically authorized navigation projects, and (2) the Continuing Authorities Program. Each of the authorities requires a study process and a cost-share sponsor before implementation of a project. The specifically authorized project process was previously described, starting on page 3.

How to Request Assistance

Requests to initiate navigation studies or questions related to navigation projects should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil



CAP Section 107 - Small Navigation Projects

Section 107 of the River & Harbor Act of 1960, as amended

What the U.S. Army Corps of Engineers Can Do

The Corps of Engineers is authorized to plan, design, construct, and maintain projects for commercial navigation in accordance with current policies and procedures governing projects of the same type which are specifically authorized.

Cost Sharing

The first \$100,000 of the feasibility study is a federal expense, all costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal, requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are shared 65 percent federal and 35 percent non-federal. Each project is limited to a total federal cost of \$10 million.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement must be executed with the project sponsor. The project sponsor must normally also agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$10 million.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 35 percent.

How to Request Assistance

An investigation of a prospective small navigation project under Section 107 may be initiated upon receipt of a request from a sponsoring agency empowered under state law to provide local partnership and availability of funds.

Project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil



CAP Section 111 - Mitigation of Damages caused by Federal Navigation Projects

Section 111 of the River & Harbor Act of 1968, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers is authorized to plan, design, and construct projects of a justified level of work for prevention or mitigation of damages to both non-federal public and privately owned shores to the extent that such damages can be directly identified and attributed to federal navigation works located along the shorelines of the United States.

Cost Sharing

The first \$100,000 of the feasibility study is a federal expense. All costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal, and require the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are shared in the same proportion as the costs for the navigation project that caused the damage. Each project is limited to a total federal cost of \$10 million. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDS), cash, work-in-kind, or any combination thereof. Potential Section 111 projects in excess of the \$10 million per project federal limit can also be pursued, but require specific congressional authorization for implementation.

Responsibility of the Sponsor

If the feasibility study identifies a mitigation project that is feasible and advisable, formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the non-federal sponsor in order to proceed with design and implementation. The U.S. Army Corps of Engineers would oversee project construction; once constructed, the operation, maintenance, repair, replacement, and rehabilitation of the mitigation measures would be the responsibility of the non-federal sponsor. The non-federal sponsor must hold and save the U.S. free from damages due to the construction, operation, and maintenance of the project. Non-federal sponsors may be required to provide public access if the mitigation project is within a reach of shoreline where public access is required under another federal project.

How to Request Assistance

Investigation of a prospective project to mitigate damages under Section 111 may be initiated upon receipt of a request from a sponsoring agency empowered under state law to provide local partnership and availability of funds.

Project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil





Flood Risk Management

Flood Risk Management

Federal involvement in flood risk management began in the early 19th century in the Mississippi River Basin when interrelationships between navigation and flood risk management became apparent. As the nation developed, disastrous floods endangered life and property, as well as transportation. In the Flood Control Act of 1936, Congress extended federal interest in flood risk management to the entire nation.

Although efforts of federal, state, tribal, and local interests to reduce flood damage have been substantial, flooding still accounts for 90 percent of all natural disaster damage. Flooding forces several hundred thousand people to be evacuated from homes and workplaces every year. Flood risk management helps prevent or reduce the probability and consequences of flooding using structural and non-structural measures.

Structural Measures: Structural measures are physical modifications designed to reduce the frequency of flood damages. Structural flood risk management measures include dams and reservoirs, channel modifications, levees, and floodwalls.

Non-Structural Measures: Non-structural measures reduce flood damages without significantly altering the nature or extent of flooding by changing the use of floodplains or accommodating existing uses to the flood hazard. Non-structural measures include modifying homes, businesses, and other facilities to reduce flood damages and removing them from the floodplain. Evacuated land can be used for ecosystem restoration, outdoor recreation, or natural open space. Flood warning systems are also considered non-structural measures.

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers has been authorized by Congress to perform flood risk management. These services can be performed under two different types of authorities: (1) specifically authorized flood risk management projects; and, (2) the Continuing Authorities Program. Each of the authorities requires a study process and a cost-share sponsor before implementation of a project. The specifically authorized project process has been previously addressed, starting on page 3.

How to Request Assistance

Requests to initiate flood risk management studies or questions related to such projects should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil



CAP Section 205 - Small Flood Risk Management Projects

Section 205 of the Flood Control Act of 1948, as amended

What the U.S. Army Corps of Engineers Can Do

The Corps is authorized to construct local flood protection projects or improvement of flood control works. The types of studies and/or projects are tailored to be site specific. Typical flood risk management projects may include levees, floodwalls, impoundments, pumping stations, and channel modifications as well as non-structural measures. Non-structural measures reduce flood damages by changing the use of floodplains or by accommodating existing uses to the flood hazard. Examples include flood proofing, relocation of structures, and flood response/preparedness plans and warning systems. The Corps oversees planning, design, and construction of flood risk management projects in close coordination with the project sponsor.

Cost Sharing

The initial study to determine federal interest is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are cost shared 65 percent federal and 35 percent non-federal. The federal cost limit is \$10 million. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof. Design and implementation work-in-kind may be credited.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement must be executed with the project sponsor. The project sponsor must normally also agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$10 million.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal 35 percent.

How to Request Assistance

An investigation of a prospective small project under Section 205 may be initiated upon receipt of a request from a sponsoring entity empowered under state law to provide local partnership and availability of funds. Project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil



CAP Section 14 - Emergency Streambank and Shoreline Protection

Section 14 of the Flood Control Act of 1946, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers is authorized to construct bank protection works to protect endangered highways, highway bridge approaches, and other public works such as municipal water supply systems, sewage disposal plants, churches, hospitals, schools, profit public services, and known cultural sites that are endangered by flood-caused bank or shoreline erosion. Privately owned property and facilities are not eligible for protection under this authority.

Cost Sharing

The initial study to determine federal interest is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal, requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are shared 65 percent federal and 35 percent non-federal. The federal cost limit is \$5 million. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof. Design and implementation work-in-kind may be credited.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the project sponsor. In addition, the project sponsor must normally agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$5 million.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal 35 percent.

How to Request Assistance

An investigation of a prospective emergency streambank or shoreline protection project under Section 14 may be initiated upon receipt of a request from a sponsoring agency empowered under state law to provide local partnership and availability of funds. Project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil



CAP Section 208 - Snagging and Clearing for Flood Damage Reduction

Section 208 of the Flood Control Act of 1954, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers is authorized to plan for and provide removal of accumulated snags and other debris from waterways and to clear stream channels in the interest of flood control. Each project must be complete within itself, not part of a larger project. The limited scope of these projects allows for prompt action to eliminate the threat of flooding. This is recognized in the streamlined study and shortened time frame of the Section 208 program.

Cost Sharing

The initial study to determine federal interest is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are shared 65 percent federal and 35 percent non-federal. The federal cost limit is \$500,000. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof. Design and implementation work-in-kind may be credited.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the project sponsor. The project sponsor must normally also agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$500,000.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 35 percent.

How to Request Assistance

An investigation of a prospective snagging and clearing for flood damage reduction project under Section 208 may be initiated upon receipt of a request from a sponsoring agency empowered under state law to provide local partnership and availability of funds. Project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil



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CAP Section 103 - Small Beach Erosion Control Projects

Section 103 of the River & Harbor Act of 1962, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers is authorized to study, design and construct projects to reduce damages from beach erosion and hurricane and storm damage reduction.

Cost Sharing

The initial study to determine federal interest is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). The non-federal sponsor is responsible for 35 percent of total project costs assigned to hurricane and storm damage reduction, plus 50 percent of total project costs assigned to recreation plus 100 percent of total project costs assigned to privately owned shores (where use of such shores is limited to private interests) during the design and implementation phase. Any costs assigned to protection of Federally owned shores are 100 percent Federal. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof. Design and implementation work-in-kind may be credited. The federal cost limit is \$5 million per project.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the project sponsor. The project sponsor must normally also agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$5 million.
- If the value of the sponsor's land contribution above does not equal or exceed the non-federal share of the project cost, the sponsor must provide cash or work-in-kind to make up the difference.

How to Request Assistance

An investigation of a prospective small beach erosion control project under Section 103 may be initiated upon receipt of a request from a sponsoring agency empowered under state law to provide local partnership and availability of funds. Project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Econ@usace.army.mil



Ecosystem Restoration



Ecosystem Restoration

Ecosystem Restoration is one of the primary missions in the Civil Works Program of the U.S. Army Corps of Engineers (USACE). USACE is authorized to plan, design, construct and monitor regionally and nationally significant ecosystem restoration and protection projects. Aquatic habitats, wetlands, riparian habitats, floodplains and adjacent buffer areas are the most appropriate for the Corps' involvement. USACE activities include an examination of the problems contributing to the ecosystem degradation and a determination of the feasibility and cost effectiveness of restoring the ecosystem to a less degraded natural condition. The USACE ecosystem restoration program seeks to reestablish the attributes of a natural, functioning and self-regulating system. Restoration is typically accomplished through modification and restoration of site hydrology, hydraulics, and geomorphology, re-connection of the site to other functioning ecosystems, removal of invasive species and re-establishment of native plant communities.

What the U.S. Army Corps of Engineers Can Do:

The U.S. Army Corps of Engineers has been authorized by Congress to perform ecosystem restoration. These services can be performed under two different types of authorities: (1) specifically authorized ecosystem restoration projects; and (2) the Continuing Authorities Program. Each of the authorities requires a study process and a cost-share sponsor before implementation of a project. The specifically authorized project process has been previously addressed, starting on page 3.

How to Request Assistance

Requests to initiate ecosystem restoration studies or related questions should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Eco@usace.army.mil



CAP Section 1135 - Project Modifications for Improvement of the Environment

Section 1135 of the Water Resources Development Act of 1986, as amended

What the U.S. Army Corps of Engineers Can Do

This authority specifically targets instances where the Department of Defense or the Corps has adversely affected the environment. The U.S. Army Corps of Engineers can assist in the restoration of these degraded aquatic ecosystems, typically through the modification of Corps structures/features, operations, or implementation of other restorative measures in affected areas.

Cost Sharing

The initial study to determine federal interest is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are shared 75 percent federal and 25 percent non-federal. The federal cost limit is \$10 million. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof. Design and implementation work-in-kind may be credited.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the project sponsor. In addition, the project sponsor must normally agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$10 million.
- If the value of the sponsor's land contribution above does not equal or exceed 25 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 25 percent.

How to Request Assistance

An ecosystem restoration project under Section 1135 may be initiated upon receipt of a request from a prospective project sponsor and availability of funds. Section 1135 project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Eco@usace.army.mil



CAP Section 204 - Beneficial Uses of Dredged Materials

Section 204 of the Water Resources Development Act of 1992, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers can create aquatic and wetland habitats in connection with construction or maintenance dredging of an authorized federal navigation project.

Cost Sharing

All project planning costs are 100 percent federally funded. Design and implementation costs above the base plan are shared 65 percent federal and 35 percent non-federal. The federal cost limit is \$10 million per project. The non-federal sponsor cost share can be a contribution of cash or lands, easements, rights-of-way, relocations, and disposal areas (LERRDs). Only the increased cost above the cost of the planned dredge disposal that would have been implemented without ecosystem restoration (referred to as the base plan) is cost shared. The sponsor pays 35 percent of the project costs above the base plan in a Section 204 project.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement must be executed with the project sponsor. The project sponsor must normally agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$10 million.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 35 percent.

How to Request Assistance

An ecosystem restoration project under Section 204 may be initiated upon receipt of a request from a prospective project sponsor and availability of funds. Section 204 project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Eco@usace.army.mil



CAP Section 206 - Aquatic Ecosystem Restoration

Section 206 of the Water Resources Development Act of 1996, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers can carry out aquatic ecosystem restoration and protection projects. Such projects generally include modification of the hydrology in and along bodies of water, including wetlands and riparian areas. A project is approved for construction only after a detailed investigation determines that the project will improve the quality of the environment and is in the best interest of the public.

Cost Sharing

The initial study to determine federal interest is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are cost shared 65 percent federal and 35 percent non-federal. The federal cost limit is \$10 million. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof. Design and implementation work-in-kind may be credited.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the project sponsor. The project sponsor normally agrees to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$10 million.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 35 percent.

How to Request Assistance

An ecosystem restoration project under Section 206 may be initiated upon receipt of a request from a prospective project sponsor and availability of funds. Section 206 project requests should be directed to:

Chief, Planning Branch

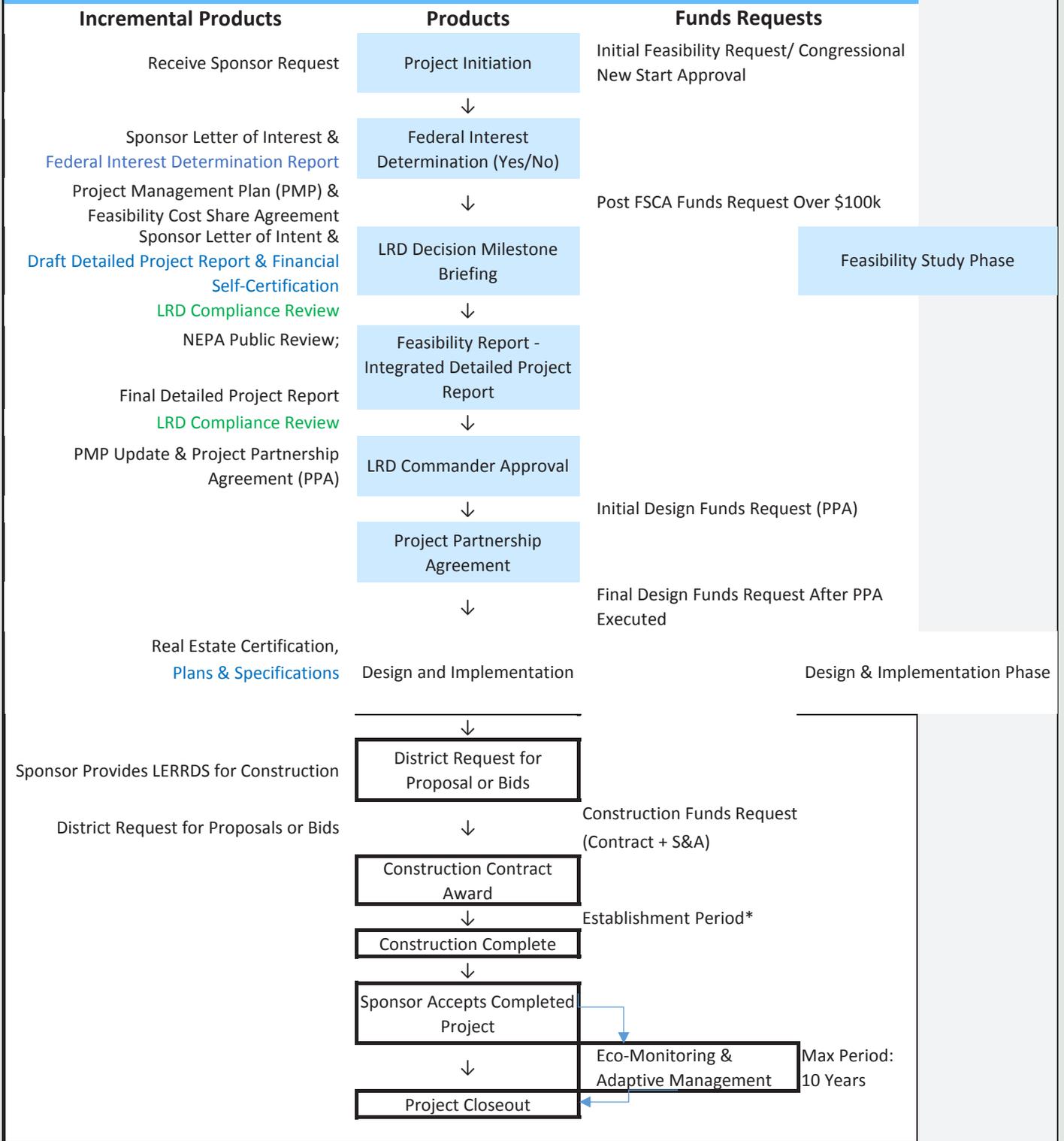
U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Eco@usace.army.mil



CAP Projects: Key Schedule Milestones and Products



Blue Fill- Feasibility Study Phase; Blue Font- Key CAP Products; Green Font- Great Lakes and Ohio River Division (LRD) Reviews

*Establishment period for vegetation occurs prior to construction completion.



Other Small Project Authorities

Other Small Project Authorities

The U.S. Army Corps of Engineers also has authority to perform work on small projects under three authorities outside of the Continuing Authorities Program. They are:

Other Small Project Authorities

Section 125 – Restoration of the Lake Michigan Waterfront and Related Areas, Lake and Porter Counties, Ind.
(Authorized by Section 125 of the Energy and Water Appropriations Act of 2006)

Section 219 – Environmental Infrastructure
(Authorized by Section 219 of the Water Resources Development Act of 1992, as amended)

Section 506 – Great Lakes Fishery and Ecosystem Restoration
(Authorized by Section 506 of the Water Resources Development Act of 2000)

Section 401 – Great Lakes Remedial Action Plans
(Authorized by Section 401 of the Water Resources Development Act of 1990)
This authority is limited to technical, planning and engineering assistance to states and local governments



Section 125 - Restoration of the Lake Michigan Waterfront and Related Areas, Lake and Porter Counties, Indiana

Section 125, Energy and Water Appropriations Act of 2005 (P.L. 109 -103)

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers can carry out a continuing program for the restoration of the Lake Michigan Waterfront and related areas that impact or influence the waterfront or aquatic habitats in Indiana's Lake and Porter counties. Restoration is defined as activities to improve a site's ecosystem function, structure, and dynamic processes to a more natural condition, or the management of contaminants to allow the site to be safely used for ecological and/or economic purposes.

Cost Sharing

The initial study to determine federal interest is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 will be shared at 50 percent federal and 50 percent non-federal requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are shared 65 percent federal and 35 percent non-federal. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof. Design and implementation work-in-kind may be credited.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the project sponsor. In addition, the project sponsor must normally agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 35 percent.

How to Request Assistance

An ecosystem restoration project under Section 125 may be initiated upon receipt of a request from a prospective project sponsor and availability of funds. Section 125 project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_Eco@usace.army.mil



Section 219 - Environmental Infrastructure

Section 219 of the Water Resources Development Act of 1992, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers can assist non-federal interests in Benton, Jasper, Lake, Newton and Porter counties, Indiana along with Cook County, Illinois., in carrying out water-related environmental infrastructure and resource protection and development projects such as: water supply and storage, treatment and distribution systems; stormwater storage; and waste water treatment systems including treatment plants. Such assistance may be in the form of technical, planning, and/or design assistance.

Cost Sharing

The initial study is 100 percent federally funded for up to the amount of \$25,000. All costs for planning, design and implementation after the first \$25,000 are cost shared 75 percent federal and 25 percent non-federal requiring. The non-federal sponsor cost share for construction can be a contribution of cash and/or lands, easements, rights-of-way, relocations, and disposal areas (LERRDs).

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnering Agreement (PPA) must be executed with the project sponsor. In addition, the project sponsor must normally agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- If the value of the sponsor's land contribution above does not equal or exceed 25 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 25 percent.

How to Request Assistance

Please direct requests for additional information on the Section 219 program to:

Project Manager (Cook County, IL)

U.S. Army Corps of Engineers

Office: 312-846-5580

Email: CELRC_Planning_219@usace.army.mil

Project Manager (Calumet Region, IN)

U.S. Army Corps of Engineers

Office: 312-846-5580

Email: CELRC_Planning_219@usace.army.mil



Section 506 - Great Lakes Fishery & Ecosystem Restoration (GLFER)

Section 506 of the Water Resources Development Act of 2000, as amended

What the U.S. Army Corps of Engineers Can Do

The U.S. Army Corps of Engineers can assist in planning, design and construction of projects to protect and/or restore the fishery, ecosystems and beneficial uses of the Great Lakes.

Cost Sharing

The initial study is 100 percent federally funded up to \$100,000. All planning costs after the first \$100,000 are cost shared 65 percent federal and 35 percent non-federal requiring the execution of a Feasibility Cost Sharing Agreement (FCSA) with the sponsor(s). All design and implementation costs are shared 65 percent federal and 35 percent non-federal. The federal cost limit is \$10 million per project. The non-federal sponsor cost share can be a contribution of lands, easements, rights-of-way, relocations, and disposal areas (LERRDs), cash, work-in-kind, or any combination thereof.

Responsibility of Project Sponsor

Formal assurance in the form of a Project Partnership Agreement (PPA) must be executed with the project sponsor. The project sponsor must normally also agree to the following:

- Provide without cost to the United States all lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) necessary for the construction and subsequent operation maintenance of the project.
- Operate and maintain the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the federal per project cost limitation of \$10 million.
- If the value of the sponsor's land contribution above does not equal or exceed 35 percent of the project cost, the sponsor must provide cash or work-in-kind to make the total contribution equal to 35 percent.

How to Request Assistance

Section 506 project requests should be directed to:

Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_506@usace.army.mil

Additional Information Requests

Please direct requests for additional information on the Section 506 program to:

Project Manager

U.S. Army Corps of Engineers

Email: CELRC_Planning_506@usace.army.mil



Planning Assistance to States and Tribes



Planning Assistance to States and Tribes

Section 22 of the Water Resources Development Act of 1974

What the U.S. Army Corps of Engineers Can Do

It is well known that the U.S. Army Corps of Engineers builds water resource projects. Not so well known, however, is that the Corps also provides assistance to help states, eligible Native American Indian tribes, and local governments prepare their own plans and initiate actions to manage their water and related land resources. Assistance is determined through a request by a governmental agency or non-federal interest for technical assistance in the management of water resources. Requests for studies are assessed every year and are approved and funded at the discretion of the Secretary of the Army. Typical studies are completed at a planning level; they do not include detailed design for project construction. The studies generally involve the analysis of existing data for planning purposes using standard engineering techniques, although some data collection is often necessary.

Funding

Congress funds the Planning Assistance to States (PAS) Program annually. States and tribes are limited to a \$2 million allotment annually from the nationwide appropriation, but typically are much less. Individual studies, of which there may be more than one per state or tribe per year, generally range in cost from \$25,000 to over \$100,000. These studies are cost shared on a 50 percent federal, 50 percent non-federal basis. All of the non-federal cost share can be provided as work-in-kind.

Typical Studies

The program can encompass many types of studies dealing with water and related land resource issues. Types of studies conducted in recent years under the program include the following:

- Water Supply and Demand Studies
- Water Quality Studies
- Environmental Conservation Studies
- Environmental Restoration Studies
- Wetland Evaluation Studies
- Dam Safety/Failure Studies
- Flood Risk Management Studies
- Floodplain Management Studies
- Land Use Studies
- Master Planning
- Brownfields Environmental Assessments
- GIS development

How to Request Assistance

Contact the Chicago District's Planning Assistance to States coordinator:

Project Manager, PAS

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_PAS@usace.army.mil



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Floodplain Management Services



Floodplain Management Services

What the U.S. Army Corps of Engineers Can Do

The Floodplain Management Services (FPMS) Program provides the full range of technical services and planning guidance that is needed to support effective floodplain management.

Types of Assistance

General Technical Services: The program develops or interprets site-specific data on obstructions to flood flows; flood formation and timing; flood depths or stages; floodwater velocities; and the extent, duration, and frequency of flooding. It also provides information on natural and cultural floodplain resources before and after the use of floodplain management measures.

General Planning Guidance: On a larger scale, the program provides assistance and guidance in the form of special studies on all aspects of floodplain management planning, including the possible impacts of off-floodplain land use changes on the physical, socioeconomic, and environmental conditions of the floodplain. Special studies are accomplished at 100 percent federal cost. However, funding for these studies is very limited and competitive.

Special Studies can range from helping a community identify present or future floodplain areas to a broad assessment of the various floodplain management alternatives. Some of the most common types of special studies include:

- Floodplain Delineation/Flood Hazard Evaluation Studies
- Dam Break Analysis Studies
- Flood Warning/Preparedness Studies
- Regulatory Floodway Studies
- Comprehensive Floodplain Management Studies
- Urbanization Impact Studies
- Storm Water Management Studies
- Hydrologic, hydraulic, and sediment transport modeling

The program also provides guidance and assistance for meeting standards of the National Flood Insurance Program and for conducting workshops and seminars on non-structural floodplain management measures, such as flood proofing and relocation of structures from the floodplain.

Guides, Pamphlets, and Supporting Studies

Studies are conducted under the program to improve the methods and procedures for mitigating flood damages. Guides and pamphlets also are prepared on flood proofing techniques, floodplain regulation, floodplain occupancy, natural floodplain resources, and other related aspects of floodplain management.



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Charges for Assistance

Upon request, program services are provided to state, regional, and local governments, Native American tribes, and other non-federal public agencies without charge, based on available funding.

Program services are also offered to non-federal public agencies and to the private sector on a 100 percent cost recovery basis. Requests from federal agencies and private persons for services limited to “quick-responses” (walk-in or telephone requests each of which require only ten minutes or less of work by one person) may also be honored without charge. For most of these requests, payment is required before services are provided. A schedule of charges is used to recover the cost of services taking up to one day to provide. Letter requests or signed agreements are used to charge for those that take longer. All requesters are encouraged to furnish available field survey data, maps, historical flood information, and the like to help reduce the cost of services.

In addition, Section 202 of the WRDA of 1999 authorized the voluntary contribution of funds by states, local governments, and Native American Tribes for the purpose of expanding the scope of services requested under Floodplain Management Services by these entities.

How to Request Assistance

Agencies, governments, organizations, and individuals interested in flood-related information or assistance should contact the Chicago District’s Floodplain Management Services Program coordinator:

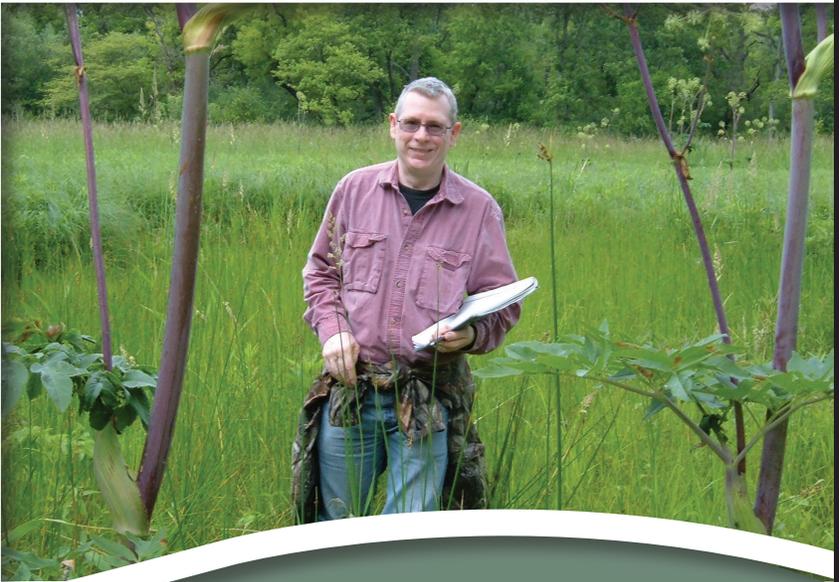
Chief, Planning Branch

U.S. Army Corps of Engineers

Office: (312) 846-5580

Email: CELRC_Planning_FPMS@usace.army.mil





Additional Missions

Additional Missions

In addition to the primary Civil Works missions, the U.S. Army Corps of Engineers has been involved in improving recreation and controlling beach erosion. Along with these missions, the U.S. Army Corps of Engineers generates hydropower, supplies water to cities and industry, regulates development in navigable waters, and manages a recreation program.

Regulatory

The Corps' regulatory mission is to preserve and protect the nation's aquatic resources, while allowing development through fair, flexible, and balanced permit decisions. The Chicago District regulatory mission operates under two legal authorities: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Protecting streams, lakes, and wetland is critical due to their role in providing habitat for fish and wildlife, as well as the extensive value they provide to the public.

Some aquatic resources are regulated by the Corps' regulatory mission, while others are not. The regulatory mission uses legal opinions, rule-making, and guidance from our Headquarters to determine whether or not an aquatic resource is regulated and therefore jurisdictional. Jurisdictional aquatic resources or "Waters of the U.S." may include rivers, lakes, streams, tributaries and wetlands, swamps, bogs, or fens. The regulatory mission also utilizes its 1987 Wetland Delineation Manual along with the appropriate supplements to determine the boundaries of jurisdictional aquatic areas and their floristic quality prior to any proposed development in or near those aquatic areas.

The placement of fill material or structures in waters of the United States may require a permit from the regulatory mission. Numerous minor activities in Waters of the United States are covered by Chicago District regional permits and nationwide permits, although some complex activities require an individual permit which entails a more stringent review process. The placement of fill material or a structure in a jurisdictional waterway or wetland should be coordinated with the Chicago District's Regulatory Branch to determine whether or not a permit is needed.

How to Request Information

Contact the Chicago District's Regulatory Branch:

Chief, Regulatory Branch

U.S. Army Corps of Engineers

Office: (312) 846-5530

Email: lrcregweb@usace.army.mil

Website: <http://www.lrc.usace.army.mil/Missions/Regulatory.aspx>



Emergency Readiness and Response

Public Law 84-99

Preparedness Assistance

The preparedness program allows the U.S. Army Corps of Engineers to undertake activities necessary to insure that a knowledgeable and experienced work force is always available to respond to natural disasters. The planning aspect includes development of an emergency management organization, planning, training, and maintaining adequate supplies, and an inspection program for federal and non-federal flood risk management structures.

- Participation in emergency seminars and exercises when requested by state or local officials.
- Inspection of flood risk management works for Public Law 84-99 eligibility, and advisement to local officials of needed maintenance.
- Technical assistance for development of plans at the state and local levels.

Response and Recovery Assistance

The U.S. Army Corps of Engineers may provide emergency assistance for flood response and post-flood response activities to save lives and protect improved property (i.e., public facilities/services and residential/commercial developments) during or following a flood. Assistance to individual homeowners and businesses is not permitted. This includes agricultural lands. Emergency operations assistance will be undertaken to supplement state and local efforts.

Authority to perform post-flood activities immediately after a flood is provided by Public Law 84-99 as amended, along with Public Law 93-288 as administered by the Federal Emergency Management Agency (FEMA). U.S. Army Corps of Engineers assistance must be required immediately, and is limited to major flood disasters resulting in life-threatening or property-damaging situations.

On a national level, the Chicago District also provides engineering expertise, manpower, supplies, and equipment before, during, and after natural disasters such as flooding, coastal storms, and hurricanes.

Examples of Response Assistance

- Search and rescue operations.
- Furnish technical advice and assistance.
- Provide emergency repairs to levees and other flood control projects.
- Furnish materials such as sandbags, polyethylene sheeting, lumber, pumps, and rock for stabilization when the U.S. Army Corps of Engineers is actively participating in a flood fight.

If the U.S. Army Corps of Engineers is not actively participating in a flood fight, government supplies may be furnished only if local resources are exhausted or will become exhausted. Under such circumstances, supplies will be replaced in-kind or paid for by local interests. All unused stock should be returned or reimbursed to the government at replacement cost.



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Examples of Recovery Assistance

- Furnish technical advice and assistance.
- Provide restoration repairs to eligible flood risk management projects.
- Debris removal necessary to reopen vital transportation routes.
- Temporary restoration of critical public services or facilities.
- Identify hazard mitigation opportunities.

How to Request Information

Emergency Manager

U.S. Army Corps of Engineers

Office: (312) 846-5475

Email: CELRC-EOC@usace.army.mil

Real Estate and Potential Sponsors

Non-federal sponsors are required to furnish real estate interests required for cost-shared projects. It will be necessary to include a provision in the Project Partnership Agreement (PPA) which states that the non-federal sponsor will provide all lands, easements, rights-of-way, relocations, and disposal/borrow areas (LERRD) required for construction, operation, and maintenance of the project. Non-federal sponsors are generally eligible for a credit toward their cost-sharing obligation based on the fair market value of the LERRDs required for the project.

It will also be necessary to include a provision in the PPA in which the non-federal sponsor agrees to comply with the applicable principles of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) as amended by Public Law 100-17. It will contain other important provisions, some of which may be generic in nature and some specific to the particular project.

During early planning stages, a copy of a standard PPA will be provided to the non-federal sponsor by the plan formulator/project manager. The PPA will be refined to exactly fit the specific project as the study progresses.

PROJECT PHASES

Federal Interest Determination (Small Delegated Authorities)

The U.S. Army Corps of Engineers' Real Estate Division staff works with staff from the Planning Branch and Technical Services Division to estimate administrative costs of completing the study, to establish preliminary project boundaries, and to prepare rough cost estimates for necessary LRRDs.



An important aspect of the Federal Interest Determination (FID) is the assessment of local support and willingness and capability of a non-federal sponsor to share in the cost of a feasibility study. Real Estate Division will consult with the potential non-federal sponsor to insure the non-federal sponsor's understanding of its future real estate related requirements. Among the issues addressed at this stage are:

1. Real estate acquisition requirements and procedures.
2. Appraisal requirements.
3. Non-federal sponsor's resource capabilities.
4. Approval of non-federal sponsor's appraiser(s).
5. Obtaining rights-of-entry for future studies.
6. Requirements of Public Law 91-646.
7. Acquisition of LERRDs by the Corps on behalf of the non-federal sponsor.
8. Crediting

This phase ends with the submission of a Federal Interest Determination Report which contains an assessment of water and related land resources problems and opportunities specific to the study area.

Feasibility Study

The purpose of a feasibility study is to conduct the engineering, economic, real estate, environmental, and design analyses needed to select and describe a recommended plan. As a part of the feasibility study, the Corps prepares a real estate plan (REP) that includes: general project information; a description of the types and acres of real estate required in fee, and temporary or permanent easements for construction of the project; a gross appraisal of land costs, and estimated acquisition costs.

The Corps also prepares a property valuation which is a planning level cost and possibly subject to change. The REP is part of the feasibility report. The following represents real estate related activities to be performed:

1. Refine project boundaries and acreage requirements and begin documenting ownerships.
2. Attorney's opinions of compensability for utilities.
3. Refine cost estimate/prepare property valuation.
4. Obtain rights-of-entry for investigations (geotechnical, environmental, etc.).
5. Draft Project Partnership Agreement (PPA).
6. Draft crediting plan.
7. Prepare real estate plan (REP).
8. Draft Memorandum of Agreement (MOA) if Corps acquiring LERRDs on behalf of non-federal sponsor.
9. Complete capability assessment checklist.
10. Coordination between the Corps' Real Estate Division and the non-federal sponsor regarding administrative costs and acquisition schedule.

During the feasibility phase, Real Estate Division staff may attend public meetings on the project and will advise the non-federal sponsor on real estate requirements. In addition, Real Estate Division staff will more thoroughly explain crediting procedures to the non-federal sponsor and provide the non-federal sponsor with a draft copy of a crediting plan which identifies responsibilities of the non-federal sponsor and the Corps with respect to the crediting process and assures that there is an understanding of allowable and allocable credits and the procedures to be followed in making credit claims. A schedule for real estate acquisition activities is developed at this time.



Preconstruction Engineering and Design

During the Preconstruction Engineering and Design (PED) phase, the local Corps office continues detailed technical studies and investigations needed to begin construction. Plans and specifications, detailed drawings and instructions for building the project, are prepared. The Real Estate Division staff continue to meet with the non-federal sponsor during this phase.

Construction

When non-federal sponsor funds are received by the Corps, Real Estate Division staff begins to work with the non-federal sponsor in maintaining the LERRD acquisition schedule developed during the feasibility level of study. Real Estate Division staff coordinates with the non-federal sponsor to prepare the final real estate maps, legal descriptions, estate requirements, appraisals, and title information, as well as to complete negotiations, relocations, and closings.

All LERRDs must be acquired in accordance with the PPA, the provisions of the Water Resources Development Act of 1986, and Public Law 91-646. When all required interests in lands have been obtained, the non-federal sponsor must provide the Corps with an Authorization for Entry for Construction and Attorney's Certificate of Authority.

Crediting and Completion

The non-federal sponsor's share of total project cost includes the cost of LERRDs. The claim for credit for lands and acquisitions, including lands for facility and utility relocations with supporting documents should be submitted by the non-federal sponsor to the Real Estate Division within 60 days after the right-of-entry for construction is made available to the government. The non-federal sponsor is responsible for preparing the final credit appraisal by a Corps-approved appraiser. The final credit appraisal will be submitted for review and approval. All other items such as Public Law 91-646 relocation payments, unresolved condemnation cases, and other associated costs may be submitted annually, or earlier if possible. The Real Estate Division Chief will review and approve a non-federal sponsor's request for LERRD credit prior to final approval and entry into the accounting records by the project manager.

How to Request Information

Please direct requests for additional information to:

Real Estate Specialist
U.S. Army Corps of Engineers
Office: (312) 846-5576
Email: CELRC_RE@usace.army.mil

Chief, Real Estate Division
U.S. Army Corps of Engineers
Office: (313) 226-3480
Email: CELRC_RE@usace.army.mil



Work-In-Kind and Potential Sponsors

A local sponsor can perform work-in-kind (WIK) activities during the feasibility or the design and implementation phases of the project. This covers activities that are considered integral to the project and that would otherwise be performed by the Corps or its contractors. All WIK to be credited must be performed after execution of a Feasibility Cost Sharing Agreement (FCSA) or Project Partnership Agreement (PPA). A sponsor may also preserve the opportunity to be credited for implementation WIK performed in advance of a PPA by signing a Memorandum of Understanding (MOU), but will only receive credit if a PPA is ultimately signed. Prior to conducting WIK the project manager and local sponsor will identify potential WIK activities that are deemed to be integral to the project and estimate a reasonable cost. WIK should be documented in the Project Management Plan (PMP).

A local sponsor can only get credit for their actual cost to complete the WIK. The Corps will work with the local sponsor to verify estimated costs to complete WIK for use in the FCSA or PPA. The Corps will not reimburse the local sponsor for any WIK in excess of their cost-share requirement if their entire share is provided as WIK.

The local sponsor will submit an auditable package requesting WIK. The package shall include a cover letter, summary of expenditures and support documentation. The cover letter will reference the project name, applicable cost-share agreement, total amount of WIK credit requested and the period of performance for the credit. Also included is a summary of expenditures that comprise the credit request during the period of performance. This summary can be in the form of a spreadsheet, or a printout from an accounting system or other automated program. The support documentation should describe the work performed, demonstrate proof of payment, and provide sufficient detail to determine if the work effort represented is reasonable in scope and cost. Types of acceptable documentation include, but are not limited to: contract authorization forms, contracts, invoices with explanations of services or materials purchased, expense logs, summary sheets, labor reports showing charges to the project, receipts, cancelled checks, approved fringe benefits and overhead rates, cost engineering estimates agreed upon by both parties during a technical review, etc.

Additionally, the project manager and the local sponsor shall establish a schedule for the submission of an auditable package requesting WIK credit. This schedule may be dependent on the size, cost, and scope of the services being provided. The project manager will request WIK quarterly. The local sponsor will submit an auditable package requesting earned WIK credit at an interval not to exceed 6 months for the date of request.

Lastly, the Corps will review all WIK performed to ensure that the work is accomplished in a satisfactory manner and in accordance with applicable federal laws, regulations, and policies, with documentation of satisfactory environmental compliance for the construction portion of the WIK.

Social Media Contact Information



Facebook: <https://www.facebook.com/usacechicago>



Youtube: <http://www.youtube.com/user/chicagousace>



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