



# CONTINUING AUTHORITIES PROGRAM

## Section 205 – Small Flood Risk Management Projects

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

### **SCOPE AND AUTHORITY**

Section 205 of the Flood Control Act of 1948, as amended, gives authority to the U.S. Army Corps of Engineers to partner with a non-federal sponsor to plan and construct small flood damage reduction projects, either structural (e.g. levees, flood walls, diversion channels, pumping plants, and bridge modifications, etc.) or non-structural (e.g. floodproofing, relocation of structures, flood warning systems, etc.), that have not previously been specifically authorized by Congress, and are not part of a larger project

### **PROJECT DEVELOPMENT PROCESS**

**Feasibility** – Once a written request from a potential sponsor is received and funding is available, the Corps initiates a preliminary analysis, at federal expense, to determine if a potential project meets program requirements and federal participation is justified. If federal interest is determined, a feasibility study is completed that identifies and evaluates alternatives and recommends a project for implementation. If the feasibility study cost exceeds \$100,000, the Corps and sponsor sign a Feasibility Cost Share Agreement and a project management plan that describes the study cost share arrangement, study scope, schedule, and study cost estimate.

**Design and Construction** - A project is approved for construction if the feasibility study determines it is technically feasible, environmentally acceptable, and cost effective. Before engineering design and construction can begin, the Corps and sponsor negotiate and sign a Project Partnership Agreement that describes the cost share arrangement and operations and maintenance responsibilities.

### **PROJECT COSTS**

Maximum federal expenditure per project is \$10 million, including feasibility, design, and construction costs.

#### **Feasibility**

- The study is initiated with up to \$100,000 in federal funds
- Costs exceeding \$100,000 are cost shared 50 percent federal and 50 percent sponsor
- Sponsor cost share may include cash, work-in-kind, or combination of both

#### **Design and Construction**

- Costs are shared 65 percent federal and 35 percent sponsor
- Sponsor must provide all lands, easements, rights of way, relocations, and disposal areas (LERRDs) needed for project construction and maintenance
- Sponsor's cost share includes credit for provision of required LERRDs and pre-approved work-in-kind. At least 5 percent of the cost share requirement must be provided in cash.

#### **Operation and Maintenance**

- Sponsor is responsible for all operation and maintenance costs once project is completed

### **HOW TO REQUEST ASSISTANCE**

Potential sponsors can request assistance under Section 205 of the Flood Control Act of 1948 by completing the template on the reverse side of this fact sheet and sending it to the address below

U.S. ARMY CORPS OF ENGINEERS – PITTSBURGH DISTRICT

1000 LIBERTY AVENUE | PITTSBURGH, PA 15222

[WWW.LRP.USACE.ARMY.MIL](http://WWW.LRP.USACE.ARMY.MIL)

MAG/AUG19



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### SAMPLE LETTER OF INTENT

(Date)

Lenna Hawkins, Deputy for Programs and Project Management  
US Army Corps of Engineers, Pittsburgh District  
William S. Moorhead Federal Building  
1000 Liberty Avenue  
Pittsburgh, Pennsylvania 15222

Dear Ms. Hawkins:

In accordance with the provisions of Section 205 of the Flood Control Act of 1948, as amended, the **(Local Sponsor)** requests U.S. Army Corps of Engineers to undertake a flood reduction investigation along **(Stream)** in **(Location or Study Area)**.

***(BRIEFLY DESCRIBE NATURE AND SEVERITY OF THE PROBLEM AND POTENTIAL BENEFITS OF A PROJECT)***

We understand that as a local sponsor the following requirements are associated with projects undertaken under this authority.

- a. Feasibility Phase is federally funded up to \$100,000. Costs in excess of \$100,000 are cost shared on a 50/50 basis with the sponsor. The sponsor's 50% share of any costs over \$100,000 may be provided by in-kind services.
- b. The sponsor's share of design & construction consists of provision of lands, easements, rights-of-way, relocations, and disposal areas, plus a cash contribution of at least 5% of the total project cost. If this amount is less than 35% of the total project cost, the sponsor is required to provide an additional cash contribution to achieve the 35%. The sponsor's cost share is limited to a maximum of 50% of the total cost when the project is under the maximum federal expenditure of \$10,000,000.
- c. The sponsor is responsible for the operation and maintenance of the project after it is completed.

We are aware that this letter serves as an expression of intent and is not a contractual obligation. Either party may discontinue the process at any time prior to the execution of a Feasibility Cost Share Agreement.

If you have any questions please contact **(Name, Title)** at **(phone number and address)**.

Sincerely,  
**(Name and Title of public official authorized to request study)**

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