



Customer Guide

Providing quality engineering and other professional products and services to develop and manage the Nation's water resources needs in an economically and environmentally sustainable manner.



US Army Corps of Engineers[®]
Vicksburg District

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Introduction

Almost everyone knows that the U.S. Army Corps of Engineers (USACE) builds water resources projects.

Not so well known, however, is that USACE also helps other federal entities such as General Services Administration (GSA) and National Park Services (NPS) along with states, Native American tribes, and local governments prepare their own plans and initiate their own actions to manage their water and related land resources.

This book describes three of the Corps of Engineers most effective and efficient small projects programs, specially authorized projects, along with details of the Environmental Assistance and Support for Others.

- **Continuing Authorities Program (CAP)**
- **Flood Plan Management Services (FPMS)**
- **Planning Assistance to States (PAS)**
- **Specially Authorized Projects (SI)**
- **Environmental Assistance (Section 592)**
- **Support for Others (SFO)**

Types of information, technical services, and planning guidance, are addressed along with instructions on how to request assistance, and how to contact the Vicksburg District to obtain additional information.

U.S. Army Corps of Engineers Overview

The U.S. Army Corps of Engineers is the nation's oldest and largest water resources development agency. Congress assigned USACE this civil works responsibility in an effort to conserve the nation's most vital natural resources.

USACE began its water resources program in 1824 when Congress for the first time appropriated money for improving river navigation. Since then, USACE has been involved in improving commercial navigation and reducing flood damage. Along with these missions, USACE generates hydropower, supplies water to cities and industries, regulates development in navigable waters, conducts ecosystem restoration and constructs and manages recreation facilities. Today USACE manages nearly 2,000 water resources projects in the following business lines:

- **Navigation**
- **Flood & Coastal Storm Damage**
- **Hydroelectric Power**
- **Fish & Wildlife Conservation**
- **Environmental Quality**
- **Recreation**
- **Water Supply**

These activities call for careful coordination of many interests, including consideration of environmental impacts.

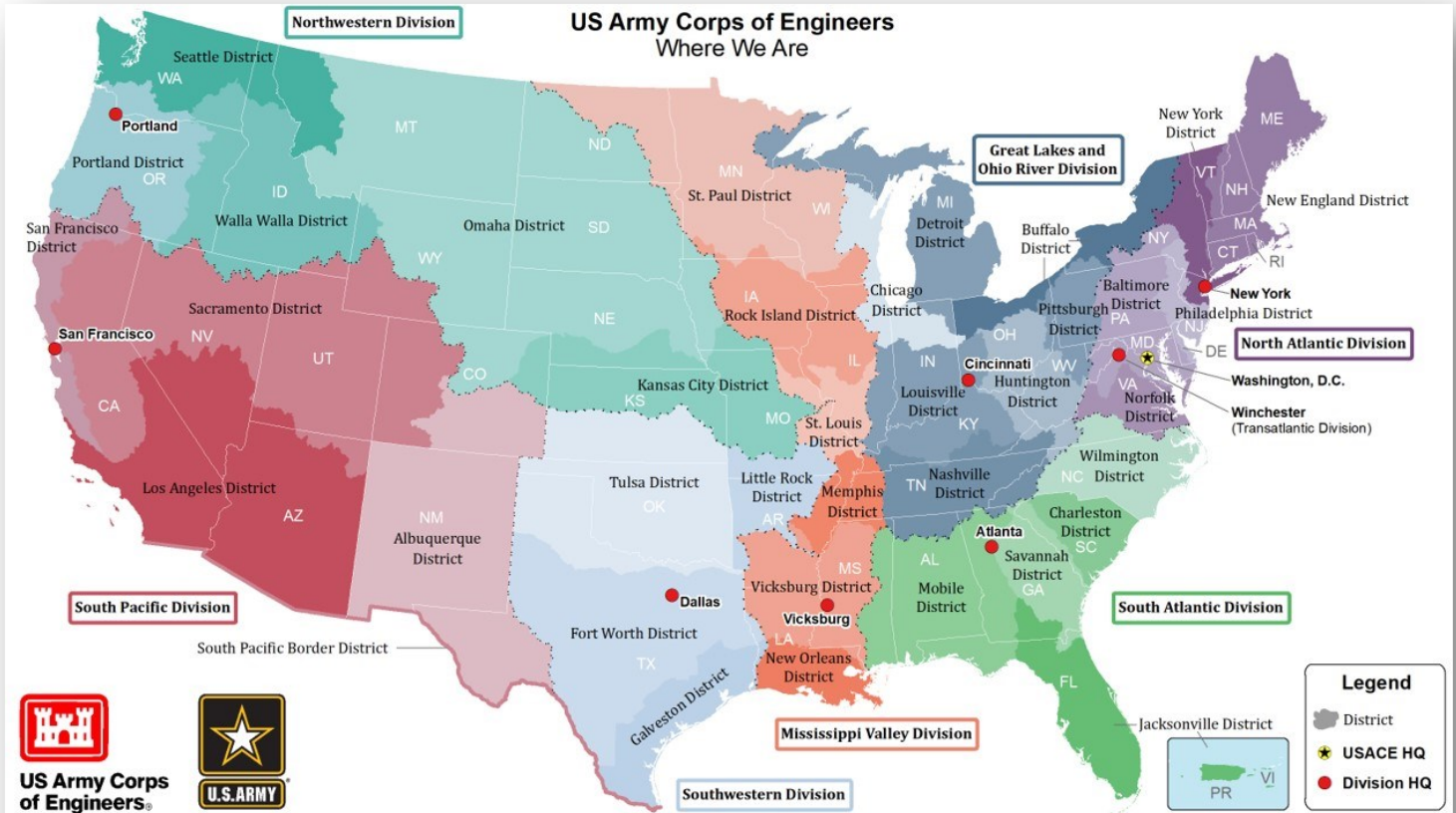
The Corps of Engineers has nine Divisions and 44 District offices located throughout the country. Division and District boundaries are shown on the accompanying maps (see pages 6, 7 and 8). Each of these Division and District offices has a Continuing Authorities Program, a Flood Plain Management Services Program, and a Planning Assistance to States Program Manager who are responsible for drawing on the planning technical resources of the Corps of Engineers to provide a full range of services and guidance on water resources and related matters to states, local governments, other non-federal entities and Native American tribes. The Corps of Engineers also maintains offices in Afghanistan, Europe, Iraq, Japan, and Korea while managing programs and projects all over the world.

The U.S. Corps of Engineers Mississippi Valley Division encompasses six districts, St. Paul, Rock Island, St. Louis, Memphis, Vicksburg, and New Orleans. The Mississippi Valley Division is responsible for coordinating and managing the above-mentioned programs among each of these district offices.

The Vicksburg District has one manager for each of the following programs: Continuing Authorities Program, Flood Plain Management Services and Planning Assistance to States Program. Planning and technical services of each of these programs are handled within the District's office and managed by the appropriate manager. Everything from environmental to flood damage reduction purposes is covered under these programs.

In addition to the Continuing Authorities, Flood Plain Management Services, and Planning to States Programs, details of Specifically Authorized Projects, Environmental Assistance and Support for Others are also described in this guide.

Civil Works Division & Districts



Civil Works Districts shown in United States. Military Districts shown outside United States.

Other Organizations

- 249th Engineer Battalion
- Army Geospatial Center
- Engineering and Support Center, Huntsville
- Engineer Research and Development Center (ERDC), 7 labs
- Institute for Water Resources
- Marine Design Center
- USACE Finance Center
- USACE Logistics Activity

Date: March 2020
USACE Pittsburgh Geospatial



VICKSBURG DISTRICT
OF THE

**Mississippi
Valley
Division**

1 of **9** division commands

6 district offices

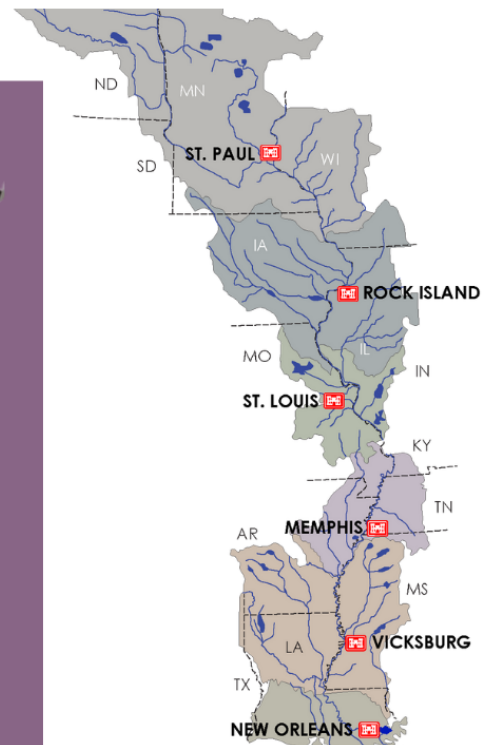
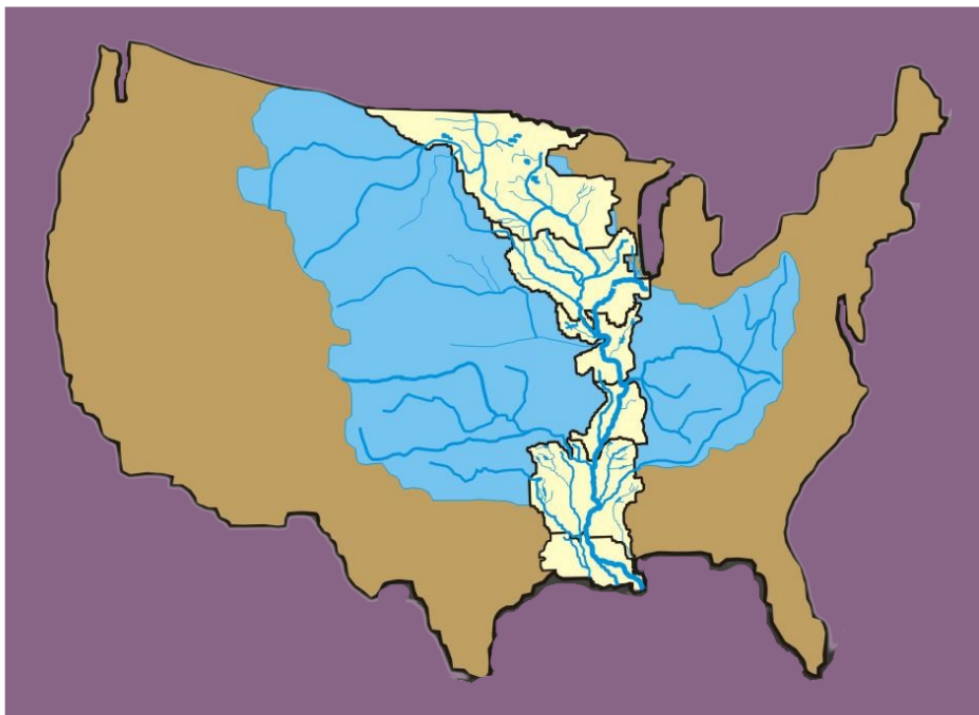
12 Governors

24 Senators

58 Congressional Districts

4,800+ employees

The Mississippi Valley Division's boundaries straddle the world's third largest watershed as the mighty Mississippi River meanders from Canada to the Gulf of Mexico. The Mississippi River watershed serves as a continental funnel that collects vast flows from 41% of the nation's interior, including 31 states, two Canadian provinces, 1.5 million square miles and more than 250 tributaries. As North America's most important waterway, MVD's civil works along the Mississippi represent critical investments in our nation's future. The division's effectiveness in orchestrating the river's immense power greatly benefits America's economy, environment and defense. MVD's borders encompass 370,000 square miles and portions of 12 states bordering the 2,348-mile river.



- 9** Watersheds in Arkansas, Louisiana, & Mississippi, including Bayou Meto, Big Black, Boeuf Tensas, Homochitto, Mississippi, Ouachita, Pearl, Red, and Yazoo
- 7** Mississippi River ports handling over 8.5 million tons of cargo
- 5** Red River ports handling over 1 million tons of cargo
- 12** Locks and 9 dams on the Pearl, Red, and Ouachita Rivers



VICKSBURG DISTRICT ASSETS



- 3** Power Plants capable of generating 168,000 kilowatts of electricity
- 10** Lakes with 1,673 miles of shoreline
- 29** Pumping Plants
- 466K** Acres of project & mitigation lands managed for forestry & wildlife enhancement
- 1,950** Mile of levees, including 460 miles along the Mississippi River
- 1,252** Miles of navigable channel
- 193** Recreation areas
- 478** Flood control structures

Providing quality engineering and other professional products and services to develop and manage the Nation's water resources needs in an economically and environmentally sustainable manner.



VICKSBURG DISTRICT MISSIONS



- Flood Risk Management*
- Navigation*
- Infrastructure & Construction*
- Environmental Stewardship*
- Emergency Operations*
- Support to Contingency Operations*
- Water Supply*
- Regulatory*
- Recreation*
- Hydropower*

VICKSBURG DISTRICT

*Continuing
Authorities
Program*

The U.S. Army Corps of Engineers is the federal government's largest water resources development and management agency. Its responsibilities include flood risk management, improvements to river navigation, and ecosystem restoration.

At the request of local interests, USACE assistance in developing and implementing solutions to water resources problems is available under one of two congressional authorities. Large scope problems require specific congressional authorization. However, in instances where problems are generally "small" in scope, USACE may act directly under its Continuing Authorities Program, also referred to as the "Small Projects" Program.

The Continuing Authorities Program (CAP) allows USACE to respond more quickly than is possible through the specific congressional authorization process. This is because Congress has delegated to USACE general authority to study and, if feasible, approve and construct certain water resources development projects.

The program is comprised of eight different types of projects applicable to the Vicksburg District, each with its own project authority and strict federal contribution limit. With all CAP projects, the initial feasibility study is 100% federally funded up to \$100,000. If the feasibility study exceeds \$100,000, the sponsor must contribute 50% of the study cost exceeding the \$100,000 limit. As favorable studies progress towards more detailed design and construction, certain project costs must be shared with the local sponsor including any and all costs in excess of federal project limits. For this reason, the local sponsor must be a non-federal entity with the power to raise revenue sufficient to satisfy requirements of local cooperation.

Project	Authority	Federal Study Limit (\$)	Study Cost Share if Exceeds Study Limit	Implementation Cost Share Fed/Non-Fed	Federal Project Limit (\$)
Small Flood Control Projects	Section 205 1948 Flood Control Act, as amended	100,000	50%/50%	65%/35% up to 50%/50%	10,000,000
Emergency Streambank and Shoreline Protection	Section 14 1946 Flood Control Act, as amended	100,000	50%/50%	65%/35% up to 50%/50%	10,000,000
Snagging and Clearing for Flood Control	Section 208 1954 Flood Control Act, as amended	100,000	50%/50%	65%/35% up to 50%/50%	500,000
Small Navigation Projects	Section 107 1960 River and Harbor Act, as amended	100,000	50%/50%	80%/20% up to 50%/50%	10,000,000
Mitigation of Shore Damage Attributable to Navigation Works	Section 111 1968 River and Harbor Act, as amended	100,000	50%/50%	65%/35%	10,000,000
Environmental Restoration	Section 1135 1986 Water Resources Development Act, as amended	100,000	50%/50%	75%/25%	10,000,000
Ecosystem Restoration in Connection with Dredging	Section 204 1992 Water Resources Development Act, as amended	100,000	50%/50%	75%/25%	10,000,000
Aquatic Ecosystem Restoration	Section 206 1996 Water Resources Development Act, as amended	100,000	50%/50%	65%/35%	10,000,000

Continuing Authorities Program Manager

Barry Moore

Phone: 601-631-5450

Email: Barrett.G.Moore@usace.army.mil

Eight Authorities of the Continuing Authorities Program (CAP)

Section 14

Emergency Streambank & Shoreline Protection Flood Control Act of 1946 (PL 79-526), as amended by WRDA 1996

Prevents erosion damages to highways, bridge approaches, public works, and other nonprofit public facilities by the emergency construction or repair of streambank and shoreline erosion protection. The federal funding limit is \$10 million per project and the national program limit is \$25.5 million. These are two-phase projects: feasibility studies that exceed \$100,000 are cost shared 50/50 and design and implementation are cost shared 65% federal and 35% non-federal up to 50% federal and 50% non-federal.

Section 107

Small Navigation Projects River and Harbor Act of 1960

Provides improvements to navigation including dredging of channels, widening of turning basins, and construction of navigation aids. The federal funding limit is \$10 million per project and the national program limit is \$63 million. These are two-phase projects: feasibility studies that exceed \$100,000 are cost shared 50/50 and design and implementation are cost shared 80% federal and 20% non-federal up to 50% federal and 50% non-federal.

Section 205

Small Flood Control Projects Flood Control Act of 1948 (PL 80-858), as amended by WRDA 1999

Provides for local protection from flooding by the construction or improvement of flood control works such as levees, channels, and dams. Nonstructural alternatives are also considered. The federal funding limit is \$10 million per project and the national program limit is \$69.25 million. These are two-phase projects: feasibility studies that exceed \$100,000 are cost shared 50/50 and design and implementation are cost shared 65% federal and 35% non-federal up to 50% federal and 50% non-federal.

Section 206

Aquatic Ecosystem Restoration Water Resources Development Act of 1996 (PL 104-303), as amended by WRDA 1999

Provides for restoration and protection of aquatic ecosystems if the project will improve the environment and is in the public interest. The federal funding limit is \$10 million per project and the national program limit is \$63 million. These are two-phase projects; feasibility studies that exceed \$100,000 are cost shared 50/50 and design and implementation are cost shared 65% federal and 35% non-federal.

Section 1135

Project Modification for Improvements to the Environment Water Resources Development Act of 1986 (PL 99-662), as amended by WRDA 1996

Provides for ecosystem restoration through modification to USACE structures or operation of USACE structures or implementation of restoration features when the construction of a USACE project has contributed to degradation or the quality of the environment. The federal funding limit is \$10 million per project and the national program limit is \$50.5 million. These are two-phase projects: feasibility studies that exceed \$100,000 are cost shared 50/50 and design and implementation are cost shared 75% federal and 25% non-federal.

Section 208

Snagging and Clearing for Flood Control Flood Control Act 1954

Provides improvements for flood control by removing accumulated snags and other debris, and clearing and straightening of the channels in streams in the interest of flood control. Study costs for the first \$100,000 is 100% federal with any amount over \$100,000 cost shared 50% federal and 50% non-federal. Implementation costs are cost shared 65% federal and 35% non-federal up to 50% federal and 50% non-federal with a \$500,000 federal limit. This federal cost limitation included all project-related costs for feasibility studies, planning, engineering, construction, supervision, and administration.

Section 204

Ecosystem Restoration Projects in Connection with Dredging Water Resources Development Act of 1992, as amended

Provides for protection, restoration, and creation of aquatic and wetland habitats in connection with construction and maintenance dredging of an authorized project. Study costs for the first \$100,000 is 100% federal with any amount over \$100,000 cost shared 50% federal and 50% non-federal. Implementation costs are cost shared 75% federal and 25% non-federal with a federal funding limit of \$10 million per project and a national program limit of \$63 million.

Section 111

Mitigation of Shore Damages Water Resources Development Act of 1968, as amended

Provides for the prevention or mitigation of erosion damages to public or privately owned shores along the coastline of the U.S. when these damages are a result of a federal navigation project. This authority cannot be used for shore damages caused by river bank erosion or vessel-generated wave wash. It is not intended to restore shorelines to historic dimensions, but only to reduce erosion to the level that would have existed without the construction of a federal navigation project. Cost sharing may not be required for this program. If the federal cost limitation is exceeded, specific congressional authorization is required. Study costs for the first \$100,000 is 100% federal with any amount over \$100,000 cost shared 50% federal and 50% non-federal. Implementation costs are cost shared 65% federal and 35% non-federal with a federal funding limit of \$10 million per project.

How the Vicksburg District Will Respond to Your Request

Once a request for assistance is received, funds are requested to begin the planning process. Problems are identified, alternatives formulated, and solutions proposed. Before a proposed solution can be approved and constructed, four questions must be answered favorably.

Is the solution feasible from an engineering standpoint?

Thorough analyses of engineering considerations are always made, including soils seismic, hydrologic and hydraulic, structural design, and materials availability. Alternatives which present serious technical problems are usually eliminated from consideration.

Is the solution economically justifiable?

Economic justification means that a project must have more benefits than costs or for ecosystem restoration projects, the unit cost for the environmental benefits must be reasonable. With few exceptions, all federal civil works projects must be economically justified.

Is the solution economically sound?

Environmental analysis involves a thorough review of environmental conditions and the impact that construction would have. In general, adverse impacts must be mitigated and the cost of mitigation is included in project implementation costs. An environmental assessment is required for all Continuing Authorities projects.

Are local authorities willing and able to share in costs of planning and construction, as required by Congress?

If a feasible solution is identified and the project advances, the local authorities may be required to provide certain items of local cooperation. These items include funds for project planning and construction, as well as all lands, easements, rights-of-way, relocations of utilities, streets, highways, bridges, buildings, storm drains, and other structures and improvements and disposal areas. Specific cost sharing regulations will be discussed with the local sponsor early in the planning process.

How do you request help?

Assistance through the Continuing Authorities Program begins with a request from a responsible local sponsor such as a city council, county board of supervisors, director of public works, flood control agency, or environmental organization.

To request assistance, contact the Vicksburg District by writing:

U.S. Army Corps of Engineers
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, MS 39183-3435

or

Call the Continuing Authorities Program Manager
at 601-631-5450 or email at
Barrett.G.Moore@usace.army.mil

Requirements to Serve as a Non-Federal Sponsor

Section 221 of the Flood Control Act of 1970, as amended, states that the non-federal sponsor must be “(1) a legally constituted public body (including a federally recognized Native American tribe); or (2) a nonprofit entity with the consent of the affected local government, that has full authority and capability to perform the terms of its agreement and to pay damages, if necessary, in the event of failure to perform.”

- (1) For projects pursued under Sections 14, 103, 107, 111, 204, 205, and 208, non-federal sponsors must be public agencies able to enter into cost sharing agreements in accordance with the requirements of Section 221 of the Flood Control Act of 1970, as amended. Section 221 specifies that the non-federal sponsor must be “a legally constituted public body with full authority and capability to perform the terms of its agreement and to pay damages, if necessary, in the event of failure to perform.” The non-federal sponsor’s responsibilities include paying its required share of project costs; provision or performance of LERRD (or LERR, as applicable) for the project; and performance of OMRR&R for the project as applicable.
- (2) For projects pursued under Sections 206, 1135, and 204 (with ecosystem purpose) a non-federal sponsor may be an entity that meets the “public body” requirement of Section 221, or may be a nonprofit entity. In either event, the non-federal sponsor must have the full authority and capability to perform the terms of its agreement and to pay damages, if necessary, in the event of failure to perform. As with a public body non-federal sponsor, a nonprofit entity that serves as the non-federal sponsor must be able to demonstrate not only its capability to participate during design and implementation of the project but also its long-term commitment and capability to finance and perform any necessary OMRR&R activities. Further, as required by federal statute, the affected local government must consent to a nonprofit entity being the non-federal sponsor for a Section 204, 206, or 1135 project.

Appendix A

Small Flood Control Projects

Section 205 of the 1948 Flood Control Act

Authority and Scope

Section 205 of the 1948 Flood Control Act, as amended, provides authority for the Corps of Engineers to develop and construct small flood control projects. A project is adopted for construction only after detailed investigations clearly show the engineering feasibility and economic justification of the improvement. Each project is limited to a federal cost share of no more than \$10 million. This federal limitation includes all project-related costs for feasibility studies, planning, engineering, construction, supervision and administration.

How to Request Assistance

The Corps of Engineers can initiate an investigation of a prospective small project upon receipt of a request from a sponsoring agency fully empowered under state law to provide the required local cooperation.

Division of Work Responsibility

The federal flood control project alleviates major flooding problems by means of reservoirs, local protection works, or by combinations of both. A local protection project may consist of one or more of the following activities: channel enlargement, realignment or paving; obstruction removal; levee and wall construction; and bank stabilization. The Corps of Engineers would oversee project construction. Maintenance and operation of the project would be the local sponsor's responsibility. Utility relocations and alterations of buildings, utilities, highways, bridges and special facilities are to be accomplished at the sponsor's expense. The sponsor must also provide all lands, easements, rights-of-way, relocations and disposal areas necessary for the project construction.



Small Flood Control Projects

Section 205 of the 1948 Flood Control Act (cont.)

Local Sponsor Responsibility

The local sponsor must be a municipality or public agency fully authorized under state laws to give such assurance and financially capable of fulfilling all measures of local cooperation.

A Feasibility Cost Sharing Agreement (FCSA) must be executed with the sponsoring agency if the feasibility study exceeds \$100,000. The sponsor must contribute 50% of the study cost exceeding \$100,000 in accordance with the FCSA.

Upon study completion, a formal assurance of local cooperation and partnership must be executed with the sponsoring agency. This is done through a Project Partnership Agreement (PPA). In accordance with the PPA, the sponsor must contribute 5% of the total project cost in cash. If the value of lands, easements, rights-of-way, relocations and disposal areas plus the cash contribution do not exceed the minimum of 35% of the total project costs or maximum of 50% of total projects costs, the sponsor must pay the additional amount necessary so that the sponsor's total contribution equals the 35% minimum or up to 50% maximum of total project costs required.

The sponsoring agency must normally agree to:

- A. Provide without cost to the U.S. all lands, easements, rights-of-way, relocations and disposal areas necessary from the construction an subsequent operation and maintenance of project.
- B. Provide without cost to the U.S. all necessary alterations of buildings, utilities, highways, bridges, sewers and related and special facilities.
- C. Hold and save the U.S. free from damages due to the construction and subsequent maintenance of the project, except for damages due to the fault or negligence of the government or its contractors.
- D. Maintain and operate the project works after completion without cost to the U.S. in accordance with regulations prescribed by the Secretary of the Army.
- E. Prevent future encroachment which might interfere with proper functioning of the project for flood control.
- F. Assume responsibility for all costs in excess of the federal cost limitation of \$10 million.

Small Flood Control Projects

Section 205 of the 1948 Flood Control Act (cont.)

- G. Provide guidance and leadership in preventing unwise future development of the floodplain by use of appropriate flood plan management techniques to reduce flood losses.
- H. Provide a cash contribution of 5% of the project cost.
- I. If the value of the sponsor's contribution above does not equal or exceed the minimum of 35% of total project costs or maximum of 50% of total project costs, provide a cash contribution to make the sponsor's total contribution equal to the 35% minimum or up to 50% maximum of total project costs, if required.



Section 205 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, undertake an investigation of flooding problems under the authority of Section 205 of the Flood Control Act of 1948, as amended. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50. If studies indicate a viable solution, our objective will be to proceed with construction. We are capable of fulfilling our financial obligations for construction and operation and maintenance: in general, providing a minimum of 35% project costs, including furnishing lands, easements, rights-of-way, relocations and disposal areas. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Appendix B

Emergency Streambank and Shoreline Protection

Section 14 of the 1946 Flood Control Act

Authority and Scope

Section 14 of the 1946 Flood Control Act provides authority for the Corps of Engineers to develop and construct emergency streambank and shoreline protection projects to prevent erosion damages to endangered highways, highway bridge approaches, public and private nonprofit schools and hospitals, and other nonprofit public facilities. Each project is limited to a federal cost of \$10 million.

How to Request Assistance

An investigation of a prospective small emergency streambank or shoreline project under Section 14 can be initiated upon receipt of a request from a sponsoring agency empowered under state law to provide required local cooperation.

Local Sponsor Responsibility

A Feasibility Cost Sharing Agreement (FCSA) must be executed with the sponsoring agency if the feasibility study exceed \$100,000 and must contribute 50% of the study cost exceeding \$100,000.

Upon completion of the feasibility study, formal assurance of local cooperation and partnership must be executed with the sponsoring agency. This is done through a Project Partnership Agreement (PPA). The local sponsor must be a municipality or public agency fully authorized under state laws to give such assurance and financially capable of fulfilling all measures identified in the PPA. The sponsor must contribute 5% of the total project cost in cash. If the value of lands, easements, rights-of-way, relocations and disposal areas plus the cash contribution do not equal or exceed the minimum of 35% of total project costs or maximum of 50% of total project costs, the sponsor must pay the additional amount necessary so that the sponsor's total contribution equals the 35% minimum or up to 50% maximum of total project costs required.

The sponsoring agency must normally agree to:

- A. Provide without cost to the U.S. all lands, easements, rights-of-way, relocations and disposal areas necessary for the construction and subsequent operation and maintenance of project.
- B. Hold and save the U.S. free from claims for damages which may result from construction and subsequent maintenance of the project, except for damages due to the fault or negligence of the U. S. or its contractors.

Emergency Streambank and Shoreline Protection Section 14 of the 1946 Flood Control Act (cont.)

- C. Assume full responsibility of all project costs in excess of the federal cost limitation of \$10 million.
- D. Assure maintenance and repair during the useful life of the works as required to serve the project's intended purpose.
- E. Provide a cash contribution of 5% of the project cost.
- F. If the value of the sponsor's contribution above does not equal or exceed the minimum of 35% of total project costs or maximum of 50% of total project costs, provide a cash contribution to make the sponsor's total contribution equal to the 35% minimum or up to 50% maximum of total project costs required.



Section 14 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, undertake an investigation of this streambank erosion problem under the authority of Section 14 of the Flood Control Act of 1946, as amended. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50. If studies indicate a viable solution, our objective will be to proceed with construction. We are capable of fulfilling our financial obligations for construction and operation and maintenance: in general, providing a minimum of 35% project costs, including furnishing lands, easements, rights-of-way, relocations and disposal areas. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Appendix C

Snagging and Clearing

Section 208 of the 1954 Flood Control Act

Authority and Scope

Section 208 of the 1954 Flood Control Act provides authority for the Corps of Engineers to make improvements for flood control by removing accumulated snags and other debris, and clearing and straightening of the channels in streams in the interest of flood control. Each project is limited to a federal cost of no more than \$500,000. This federal cost limitation includes all project-related costs for feasibility studies, planning, engineering, construction, supervision and administration.

How to Request Assistance

The Corps of Engineers can initiate an investigation of a small snagging and clearing project upon receipt of a request from a prospective sponsoring agency fully empowered under state law to provide required local cooperation.

Local Sponsor Responsibility

Local cooperation for such projects will be the same as for small flood control projects.



Section 208 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, undertake an investigation of flooding problems under the authority of Section 208 of the Flood Control Act of 1954, as amended. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50. If studies indicate a viable solution, our objective will be to proceed with construction. We are capable of fulfilling our financial obligations for construction and operation and maintenance: in general, providing a minimum of 35% project costs, including furnishing lands, easements, rights-of-way, relocations and disposal areas. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Appendix D

Small Navigation Projects

Section 107 of the 1960 River and Harbor Act

Authority and Scope

Section 107 of the River and Harbor Act of 1960, as amended, provides authority for the Corps of Engineers to develop and construct small navigation projects. The Corps of Engineers adopts a project for construction after detailed investigation clearly shows the engineering feasibility and economic justification of the improvement. Each project is limited to a federal cost of not more than \$10 million. This federal cost limitation includes all project-related costs for feasibility studies, planning, engineering, construction, supervision and administration.

How to Request Assistance

The Corps of Engineers can initiate an investigation of a small navigation project upon receipt of a request from a prospective sponsoring agency fully empowered under state law to provide required local cooperation.

Division of Work Responsibility

The federal project can provide only general navigation facilities. These may include a safe entrance channel protected by breakwaters or jetties if needed, anchorage basin, turning basin, and a major access channel leading to the anchorage basin or locally provided berthing area. General navigation facilities are constructed and maintained by the Corps of Engineers. Construction and maintenance of docks, landings, piers, berthing and fleeting areas, boat stalls, slips, mooring facilities, launching ramps, access roads, parking areas and interior access channels needed for maneuvering into berths are entirely a local responsibility, provided at non-federal expense. The project sponsor also provides all lands, easements, rights-of-way, relocations and disposal areas including dikes, alterations, as well as all servicing facilities, including policing and other services. The project sponsor must also assure availability of a public landing or wharf.



Small Navigation Projects

Section 107 of the 1960 River and Harbor Act (cont.)

Local Cooperation

A Feasibility Cost Sharing Agreement (FCSA) must be executed with the sponsoring agency if the feasibility study exceeds \$100,000 and must contribute 50% of the study cost exceeding \$100,000.

Upon completion of the feasibility study, formal assurance of local cooperation and partnership must be executed with the sponsoring agency. This is done through a Project Partnership Agreement (PPA). The local sponsor must be a municipality or public agency fully authorized under state laws to give such assurance and financially capable of fulfilling all measures identified in the PPA. Projects implemented under this authority have the same project cost sharing requirements as commercial navigation projects implemented under specific congressional authorization.

The sponsoring agency must normally agree to:

- A. Contribute in cash the local share of project construction cost, determined in accordance with existing policies.
- B. Provide, maintain and operate without cost to the U.S. any adequate public landing or wharf with provisions for the same of motor fuel lubricants and potable water open and available to the use of all on equal terms.
- C. Provide without costs to the U.S. all necessary lands, easements, rights-of-way, relocations and disposal areas required for construction and subsequent maintenance of the project, including suitable dredged material disposal areas with any necessary retaining dikes, bulkheads and embankments.
- D. Hold and save the U.S. free from damages that may result from construction and subsequent maintenance of the project, except damages due to the fault or negligence of the U.S. or its contractors.



Small Navigation Projects

Section 107 of the 1960 River and Harbor Act (cont.)

- E. Accomplish without cost to the U.S. alterations and relocations as required in sewer, water supply, drainage and other utility facilities.
- F. Provide and maintain berthing and fleeting areas, floats, piers, slips and similar marina and mooring facilities as needed for transient and local vessels, as well as, necessary access to roads, parking areas and other needed public use shore facilities open and available to all on equal terms. Only minimum basic facilities and services are required as part of the project. The actual scope or extent of facilities and services provided over and above the required minimum is a matter for local decision. The manner of financing such facilities and services is a local determination.
- G. Assume full responsibility for all project costs in excess of the federal cost limitation of \$10 million.
- H. Establish regulations prohibiting discharge of untreated sewage, garbage, and other pollutants to the waters of the harbor. The regulations shall be in accordance with applicable laws and regulations of federal, state and local authorities responsible for pollution prevention and control.



Section 107 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, undertake an investigation of a port at (location) under the authority of Section 107 of the River and Harbor Act of 1960. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50. If studies indicate a viable solution, our objective will be to proceed with construction. We are capable of fulfilling our financial obligations for construction and operation and maintenance: in general, providing a minimum of 20% project costs, including furnishing lands, easements, rights-of-way, relocations and disposal areas. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Appendix E

Mitigation of Shore Damage Attributable to Navigation Work

Section 111 of the 1968 River and Harbor Act

Authority and Scope

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 U.S. Each project is limited to a federal cost of no more than \$10 million.

How to Request Assistance

The Corps of Engineers can initiate an investigation of a prospective mitigation of damages project upon receipt of a request from a sponsoring agency empowered under state law to provide required local cooperation.

Limitations of Authority

This authority may not be used for the following purposes:

- A. To construct works for prevention or mitigation of shore damage caused by river bank erosion or vessel-generated wave wash.
- B. To prevent or mitigate shore damage caused by non-federal navigation projects.

Criteria for a Favorable Recommendation

A recommendation to construct a project to prevent or mitigate shore damage attributable to a federal navigation project may be considered when both of the following conditions exist:

- A. The navigation project has been determined to be the cause of the damage and abandonment of the navigation project is not the most viable solution.
- B. Analysis based on sound engineering and economic principles clearly demonstrates the feasibility of the proposed work.

Mitigation of Shore Damage Attributable to Federal Navigation Work

Section 111 of the 1968 River and Harbor Act (cont.)

Cost Sharing—Study

A Feasibility Cost Sharing Agreement (FCSA) must be executed with the sponsoring agency if the feasibility study exceeds \$100,000 and must contribute 50% of the study cost exceeding \$100,000.

Cost Sharing—Construction

The federal cost sharing requirements are as follows:

- A. If the work recommended is confined to mitigation work where erosion is totally attributable to the federal navigation works, costs are shared in the same manner as the project causing the erosion or shoaling.
- B. If the work recommended is a combination of mitigation and restoration of beaches eroded due to other causes, mitigation work will be shared in the same manner as the project causing the erosion or shoaling and the remaining work will be 100% local, unless it qualifies as a federal beach erosion control project.



Section 111 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, undertake an investigation under the authority of Section 111 of the River and Harbor Act of 1968. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50. If studies indicate a viable solution, our objective will be to proceed with construction. We are capable of fulfilling our financial obligations for construction and operation and maintenance: in general, provide cost sharing of the total project costs (percentage correlates to existing navigation project) including furnishing lands, easements, rights-of-way, relocations, and disposal areas. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Appendix F

Project Modification for Improvements to the Environment Section 1135 of the 1986 Water Resources Development Act

Authority and Scope

Section 1135 of the 1986 Water Resources Development Act (WRDA), as amended, provides authority for the Corps of Engineers to restore degraded ecosystems. If the construction or operation of a Corps of Engineers project has contributed to the degradation of the quality of the environment, measures for restoration through modifications of the structure or operation of the structure may be undertaken at the project site. Measures at other locations that have been affected by the construction or operation of the project can be undertaken if such measures do not conflict with the authorized project purpose.

How to Request Assistance

An environmental improvement project under Section 1135 can be initiated upon receipt of a request from a prospective local sponsor.

Local Sponsor Responsibility

A Feasibility Cost Sharing Agreement (FCSA) must be executed with the sponsoring agency if the feasibility study exceeds \$100,000 and must contribute 50% of the study cost exceeding \$100,000.

Upon completion of the feasibility study, a formal assurance of local cooperation and partnership must be executed with the local sponsoring agency. This is done through a Project Partnership Agreement (PPA). The local sponsor must be a municipality or public agency fully authorized under state law to give such assurance and financially capable of fulfilling all measures identified in the PPA. If the value of lands, easements, right-of-way, relocations and disposal areas plus the cash contribution is less than 25% of the project cost, the sponsor must pay the additional amount necessary so that the sponsor's total contribution equals 25% of the project cost.



Project Modification for Improvements to the Environment

Section 1135 of the 1986 Water Resources Development Act (cont.)

The sponsoring agency must normally agree to:

- A. Provide without cost to the U.S. all lands, easements, rights-of-way, relocations and disposal areas necessary for the construction and subsequent maintenance of the project.
- B. Maintain and operate the project after completion without cost to the U.S.
- C. Assume responsibility for all costs in excess of the federal cost limitation of \$10 million.
- D. The non-federal share may be provided with “work-in-kind” contributions from the sponsor.
- E. If the value of the sponsor’s contribution is less than 25% of the project cost, provide a cash contribution to make the sponsor’s total contributions equal to 25%.



Section 1135 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, undertake an investigation of this degrading ecosystem under the authority of Section 1135 of the Water Resources Development Act of 1986, as amended. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50. I understand that non-federal cost sharing would be required for the Ecosystem Restoration Report, plans and specifications, and project construction. We are capable of fulfilling our financial obligations; in general, providing 25% of the total project cost which includes furnishing lands, easements, rights-of-way, relocations, and disposal areas, and we will operate and maintain the project upon completion. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Appendix G

Ecosystem Restoration Projects in Connection with Dredging Section 204 of the 1992 Water Resources Development Act

Authority and Scope

Section 204 of the 1992 Water Resources Development Act (WRDA), as amended, provides authority for the Corps of Engineers to restore, protect, and create aquatic and wetland habitats in connection with construction or maintenance dredging of an authorized project.

How to Request Assistance

Investigations of an environmental improvement project under Section 204 can be initiated upon receipt of a request from a prospective sponsoring agency.

Local Sponsor Responsibility

A Feasibility Cost Sharing Agreement (FCSA) must be executed with the sponsoring agency if the feasibility study exceeds \$100,000 and must contribute 50% of the study cost exceeding \$100,000.

Upon completion of the feasibility study, a formal assurance of local cooperation and partnership must be executed with the local sponsoring agency. This is done through a Project Partnership Agreement (PPA). The local sponsor must be a municipality or public agency fully authorized under state law to give such assurance and financially capable of fulfilling all measures identified in the PPA. If the value of lands, easements, right-of-way, relocations and disposal areas plus the cash contribution is less than 25% of the project cost, the sponsor must pay the additional amount necessary so that the sponsor's total contribution equals 25% of the project cost. Local expenditures in excess of the 25% contribution will be reimbursed.

The sponsoring agency must normally agree to:

- A. Provide without cost to the U.S. all lands, easements, rights-of-way, relocations, and disposal areas necessary for the construction and subsequent maintenance of the project.
- B. Maintain and operate the project after completion without cost to the U.S.
- C. If the value of the sponsor's contribution above is less than 25% of the project cost, provide a cash contribution to make the sponsor's total contributions equal to 25%.
- D. Assume responsibility for all cost in excess of the federal cost limitation of \$10 million.

Section 204 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, undertake an investigation of this degrading ecosystem under the authority of Section 204 of the Water Resources Development Act of 1992, as amended. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50 and if studies indicate a viable solution, non-federal cost sharing would be required for the feasibility report, plans and specifications, and project construction. We are capable of fulfilling our financial obligations; in general, providing a minimum of 25% of the total project cost, including furnishing lands, easements, rights-of-way, relocations, and disposal areas, and we will operate and maintain the project upon completion. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Appendix H

Aquatic Ecosystem Restoration

Section 206 of the 1996 Water Resources Development Act

Authority and Scope

Section 206 of the 1996 Water Resources Development Act (WRDA), as amended, provides authority for the Corps of Engineers to restore degraded aquatic ecosystems. A restoration project is adopted for construction only after an investigation shows that the restoration will improve the environment and/or elements and features of an estuary is in the public interest and is cost effective. A project may include removal of a dam. Each project is limited to a federal cost of no more than \$10 million. This federal limitation includes all project-related costs of feasibility studies, planning, engineering, construction, supervision, and administration.

How to Request Assistance

An aquatic restoration project under Section 206 can be initiated upon receipt of a request from a prospective local sponsor.

Local Sponsor Responsibility

A Feasibility Cost Sharing Agreement (FCSA) must be executed with the sponsoring agency if the feasibility study exceeds \$100,000 and must contribute 50% of the study cost exceeding \$100,000.

Upon completion of the feasibility study, a formal assurance of local cooperation and partnership must be executed with the local sponsoring agency. This is done through a Project Partnership Agreement (PPA). The local sponsor must be a municipality or public agency fully authorized under state law to give such assurance and financially capable of fulfilling all measures identified in the PPA. If the value of lands, easements, right-of-way, relocations and disposal areas plus the cash contribution is less than 35% of the project cost, the sponsor must pay the additional amount necessary so that the sponsor's total contribution equals 35% of the project cost.

The sponsoring agency must normally agree to:

- A. Provide without cost to the U.S. all lands, easements, rights-of-way, relocations, and disposal areas necessary for the construction and subsequent maintenance of the project.
- B. Maintain and operate the project after completion without cost to the U.S.

Aquatic Ecosystem Restoration

Section 206 of the 1996 Water Resources Development Act (cont.)

- C. The entire local sponsor's share of project costs may be provided as "work-in-kind" contributions. Credit for work-in-kind may not result in any reimbursement to the local sponsor.
- D. If the value of the sponsor's contribution is less than 35% of the project cost, the sponsor must pay the additional amount necessary so that the sponsor's total contributions equal 35% of the project costs.
- E. Assume all responsibility for all costs in excess of the federal cost limitation of \$10 million.



Section 206 Study Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

(Briefly discuss the need for study and nature, extent, and source of flooding and provide any other available information such as number of structures flooded, estimated dollar damage, etc.)

I request that the U.S. Army Corps of Engineers, Vicksburg District, investigate this degrading ecosystem under the authority of Section 206 of the Water Resources Development Act of 1996, as amended. (Local official government entity) hereby expresses our willingness to serve as the non-federal sponsor.

I understand that the study would be federally funded up to \$100,000 and if exceeded a Feasibility Cost Sharing Agreement (FCSA) would be executed to be cost shared 50/50 and non-federal cost sharing will be required for the Ecosystem Restoration Report, plans and specifications, and project construction. We are capable of fulfilling our financial obligations; in general, providing a minimum of 35% of the total project cost, including furnishing lands, easements, rights-of-way, relocations, and disposal areas, and we will operate and maintain the project upon completion. We are aware that both the Corps of Engineers' and our responsibilities will be delineated in the Project Partnership Agreement (PPA), which both parties will execute before construction commences.

If you need additional information, please contact:

(Designee) at (phone number).

Sincerely,

Local Official

Flood Plain Management Services (FMPS)

Authority, Objective, and Scope

The Flood Plain Management Services (FMPS) Program's authority is provided by Section 206 of the Flood Control Act of 1960, as amended. Its' objective is to foster public understanding of the options for dealing with flood hazards and to promote prudent use and management of the nation's flood plains.

Land use adjustments based on proper planning and the employment of techniques for reducing flood damages provide a rational way to balance the advantages and disadvantages of human settlement on flood plains. These adjustments are the key to sound flood plain management.

Types of Assistance

The FMPS Program provides the full range of technical services and planning guidance that is needed to support effective flood plain management.

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



Flood Plain Management Services (cont.)

- B. **General Planning Guidance.** On a larger scale, the program provides assistance and guidance in the form of “special studies” on all aspects of flood plain management planning, including the possible impacts of off-flood plain land use changes on the physical, socioeconomic, and environmental conditions of the flood plain.

This can range from helping a community identify present or future flood plain areas and related problems to a broad assessment of the various remedial measures that may be effectively used.

Some of the most common types of special studies include:

- Flood Plain Delineation/Flood Hazard Evaluation Studies
- Dam Break Analysis Studies
- Hurricane Evacuation Studies
- Flood Warning/Preparedness Studies
- Regulatory Floodway Studies
- Comprehensive Flood Plain Management Services
- Comprehensive Flood Plain Management Studies
- Flood Damage Reduction Studies
- Urbanization Impact Studies
- Stormwater Management Studies
- Floodproofing Studies
- Inventory of Flood-Prone Structures

This program also provides guidance and assistance for meeting standards of the National Flood Insurance Program and for conducting workshops and seminars on nonstructural flood plain management measures, such as floodproofing.

- C. **Guides, Pamphlets, and Supporting Studies.** Studies are conducted under the program to improve the methods and procedures for mitigating flood damages. Guides and pamphlets are also prepared on floodproofing techniques, flood plain regulation, flood plain occupancy, natural flood plain resources, and other related aspects of flood plain management.



Flood Plain Management Services (cont.)

The study findings and the guides and pamphlets are provided free of charge to federal agencies, Native American tribes, state, regional, and local governments and private citizens for their use in addressing flood hazard.

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.

Program services also are offered to non-water resource federal agencies and to the private sector on a 100% cost-recovery basis. 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 requestors are encouraged to furnish available field survey data, maps, historical flood information and the like to help reduce the cost of services.

How to Request Assistance

Agencies, governments, organizations, and individuals interested in flood-related information or assistance should contact Vicksburg District FPMS Program Manager Barry Moore at 601-631-5450 or at Barrett.G.Moore@usace.army.mil, or write to the address in the sample letter request (see next page).

Information that is readily available will be provided in response to a telephone request. A letter request is required for assistance that involves developing new data, making a map, or preparing a report.



FPMS Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

This is in reference to your Flood Plain Management Services Program. We understand that Section 206 of the Flood Control Act of 1960, as amended, authorizes the U.S. Army Corps of Engineers to help others mitigate flood losses. The (requesting agency or private entity) requests assistance for (body of water or waterway), located in (city, and/or county and state).

(Add brief paragraph describing problem or need.)

Property descriptions (site plans, maps and/or photographs) are enclosed. Upon your review of this initial request, we would like to discuss the availability of information, required schedule, and level of effort required (to negotiate the appropriate charge if applicable). Please contact (name, title, phone number) to arrange a further discussion of this request.

Sincerely,

Signature of Cooperating Agency or Individual

Planning Assistance to States (PAS)

Authority and Scope

Section 22 of the Water Resources Development Act (WRDA) of 1974, as amended, provides authority for the Corps of Engineers to assist the states, local governments, and other non-federal entities in the preparation of comprehensive plans for the development, utilization, and conservation of water and related land resources, as well as technical work related to management of state water resources in support of a water resources management plan. Section 208 of the WRDA of 1992 amended the WRDA of 1974 to include Native American tribes as equivalent to a state.

Funding

The Planning Assistance to States (PAS) Program is funded annually by Congress. Federal allotments for each state or tribe from the nationwide appropriation are limited to \$2 million annually, but typically are much less. Individual studies, there may be more than one per state or tribe each year, generally cost \$25,000 to \$75,000. These studies are cost shared on a 50% federal/50% non-federal basis.

In-Kind Services

Section 208 of WRDA 1992 as amended per Section 2013 (4) of WRDA 2007 allows the acceptance of in-kind products or services from study sponsors for up to 100% of their share of the PAS study cost. In-kind products and/or services may be provided at any time subsequent to execution of the cost share agreement. Technical Assistance is not eligible for in-kind contributions and requires a cash match.

Program Development

The required planning assistance is determined by the individual states and Native American tribes. Every year, each state or Native American tribe can provide the Corps of Engineers performing district its request for studies under the program, and the Corps of Engineers then accommodates as many studies as possible within the funding allotment. The District PAS Program Manager will be responsible for compiling and coordinating with their respective states and/or Native American tribes, the District's PAS Program, as well as the prioritization of projects within each state and/or Native American tribe.

Planning Assistance to States (cont.)

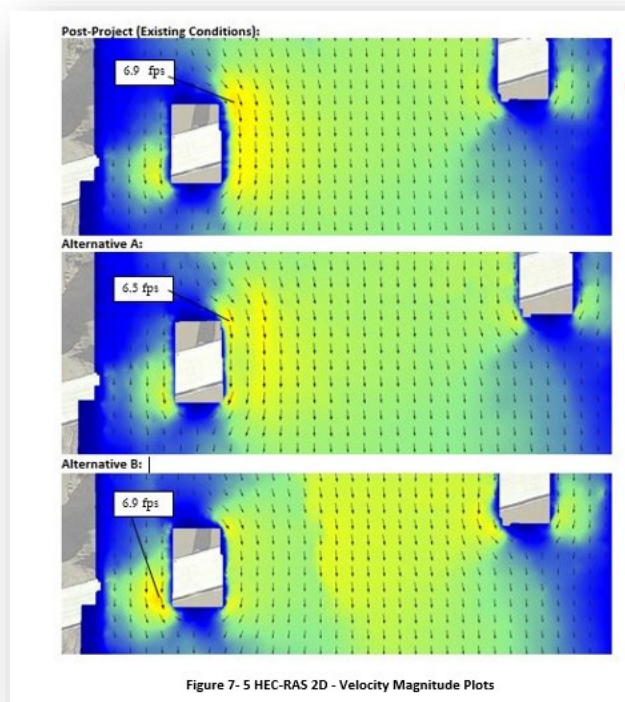
Typical Studies

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

- **Water Supply and Demand Studies**
- **Water Quality Studies**
- **Environmental Conservation/Restoration Studies**
- **Wetlands Evaluation Studies**
- **Dam Safety/Failure Studies**
- **Flood Damage Reduction Studies**
- **Flood Plain Management Studies**
- **Coastal Zone Management/Protection Studies**
- **Harbor/Port Studies**

How to Request Assistance

State, local government, and tribal officials who are interested in obtaining planning assistance under this program can contact Barry Moore by at 601-631-5450 or at Barrett.G.Moore@usace.army.mil, or write to the address in the sample letter request (see next page).



PAS Request Example

Commander
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Sir:

This is in reference to U.S. Army Corps of Engineers Planning Assistance to States Program. We understand that the provisions of Section 22 of the Water Resources Development Act of 1974, as amended, provides authority for the Corps of Engineers to assist in the preparation of comprehensive plans for development, utilization, and conservation of water and related land resources. The (name of state, Native American tribe, local government, or other non-federal entity) requests planning assistance for (briefly describe problem or need, including if appropriate, the name of the body of water or waterway, and city and/or county and state).

We would like to discuss the availability of information, required schedule, and level of effort required in order to negotiate the appropriate Letter of Agreement to initiate a Section 22 study. Please contact (name, title, phone number) to arrange further discussion of this inquiry.

Sincerely,

Signature of Cooperating Agency or Individual

Specially Authorized Projects

Introduction

The Water Resources Development Act (WRDA) of 1986 made numerous changes in the way Corps of Engineers projects are developed. It established a framework for partnerships between the federal government, represented by the Corps of Engineers, and non-federal interests, represented by project sponsors. This act gives sponsors a key role in project planning and design, balanced by requirements for greater non-federal financial shares in the costs of studies and projects.

The Water Resources Development Act (WRDA) of 2014 also made numerous changes to the study phase in order to streamline the process. A civil works project evolves from an idea about how to solve a problem to a functioning solution that reflects both the nation's and local community's interests. During its lifetime, a project passes through five basic phases: reconnaissance; feasibility; preconstruction engineering and design; construction, including real estate acquisition and performance of relocations; and operations and maintenance. General Investigations (GI) is limited to feasibility and preconstruction engineering and design.

Who Can Be a Sponsor?

A sponsor can be a state or any other political subpart of a state or group of states, a Native American tribe, or a port authority, which has legal and financial authority. A sponsor must be able to provide the cash and real estate requirements needed for the project. A sponsor can also be an interstate agency, established under a compact between two or more states with the consent of Congress under Section 15 or Article 1 of the Constitution.

The Sponsor's Role

The sponsor's role in the life of the project changes as the project progresses from phase to phase. A particular responsibility for a sponsor is to participate in many of the day-to-day jobs that lead to a project. In general, it is expected for the sponsor to play a very active role in such activities as:

- **Attending meetings about the project**
- **Preparing documents about the project**

Specially Authorized Projects (cont.)

The major Corps of Engineers documents that are written over a project's life are described within this document and you are encouraged to help prepare them. The feasibility cost sharing and Project Partnership Agreements (PPAs) are usually the most important documents to the local sponsor.

- **Making joint decisions about the project, including project costs and schedules; the type and mix of project objectives; formulation and selection of alternative plans; project design, including environmental and aesthetic features; construction phasing; and other factors that affect sponsoring communities.**
- **Acquiring real property and performing relocations of utilities and public facilities.**

The Corps of Engineers and sponsor partnership is the foundation for many relationships needed to produce a project. The people involved represent local, state and federal government agencies, homeowner's associations, sporting clubs, industrial plants, businesses, and others. These sources provide a wide range of professional opinions, political positions, and personal views. With a number and a diversity of views to consider, some conflict among participants may occur. However, the discussion and resolution of disagreements usually produce new and better ideas that will improve the final outcome.

First Steps

All of the projects originate with a request from a local community for assistance. The following six steps will initiate the process that results in a reconnaissance investigation.

1. A local community experiences a water resources problem that is beyond their ability to solve.
2. Community representatives meet with their local Corps of Engineers district staff to discuss available forms of help, including federal programs. Before the Corps of Engineers can get involved in providing assistance, there are two types of authority needed from Congress-- study and budget authority. A study authority authorizes the Corps of Engineers to conduct an investigation of the identified problems. Once the study authority is available, a budget authority can be provided in an annual Appropriation Act. In certain cases, technical assistance or relief through some smaller studies or projects without further congressional authorization can be provided.
3. If there is no available authority for the Corps of Engineers to investigate the problem, the community representatives may contact their congressional delegation to request a study authority.

Specially Authorized Projects (cont.)

4. A member of Congress may then ask the Senate Committee on Environment and Public Works, Subcommittee on Transportation and Infrastructure, or the House of Representatives Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, for an authority for the Corps of Engineers to study a problem. The subcommittees then send a docket letter to the Corps of Engineers requesting information about the study area, problems, and potential solutions. If the Corps of Engineers have previously investigated and reported on water resource problems in the area, the committee may adopt a study resolution to provide the necessary authority to take another look at the area and review the earlier study.
5. Once a congressional study authority is available, the study will be assigned to the local Corps of Engineers district. The District may then ask for money to conduct the first phase of the study: the reconnaissance.
6. When federal funds to conduct the feasibility phase are included in an Annual Energy and Water Development Appropriations Act, the local Corps of Engineers district may begin the study of the community's water resource problem.

Feasibility Phase

Section 1001 of WRDA 2014 provides that to the extent practicable the feasibility report be complete in 3 years, have a maximum federal cost of \$3 million and the district, division and HQUSACE review concurrently. The purpose of this phase is to describe and evaluate alternative plans and fully describe a recommended project. The feasibility phase is cost shared equally between the sponsor and the Corps of Engineers (except for inland navigation projects, which are 100% federal). The sponsor may provide their share by in-kind services instead of cash.

The feasibility phase begins when the local district receives both the sponsor's funds and the federal funds needed to initiate the feasibility study and after the Feasibility Cost Sharing Agreement (FCSA) has been signed.

Feasibility phase planning is guided by requirements of the "Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies" (often called the Principles and Guidelines or P&G). The P&G define the federal objective of the Corps of Engineers project planning, which is to contribute to national economic development consistent with protecting the nation's environment, pursuant to national environmental statutes, applicable executive orders, and other federal planning requirements.

Specially Authorized Projects (cont.)

The Principles and Guidelines also describe the major steps to be followed in planning and repeated throughout the feasibility phase. The P&G are:

- **Specify the problems which are relevant to the planning setting, and which are associated with the federal objective and specific state and local concerns.**
- **Inventory, forecast, and analyze conditions in the area that are relevant to the identified problems and opportunities.**
- **Formulate alternative plans that would resolve the identified problems and realize the identified opportunities.**
- **Evaluate the economic, environmental, and other effects, both beneficial and adverse, of each alternative plan.**
- **Compare alternative plans and their effects.**
- **Select a recommended plan based on the comparison of alternative plans.**

The major documents prepared during this phase are the feasibility report which is supported by several technical reports for project engineering, real estate, and other factors, and the project management plan which describes the project schedule and cost estimate.

The sponsor must take a very active role in feasibility phase work for it is during this time that a variety of solutions are investigated and the project takes shape. The Real Estate Plan is developed during this time, and it includes a description of the minimum real property interests needed for the project. The sponsor is also encouraged to participate as a member of the study team and must participate on the study executive committee which oversees study costs, schedules and other aspects of work progress. Decisions made during this phase are based on the views of the sponsor and what is best for the rest of the project's life.

Preconstruction Engineering and Design

The Preconstruction Engineering and Design phase (PED) follows the feasibility study. The purpose of this phase is to complete all of the detailed, technical studies and designs needed to begin construction of the project. This phase usually requires about two years to complete and overlaps with the end of the feasibility phase. Soon after the PED phase begins, the Division Commander's public notice is issued so that technical studies and design may proceed while the Washington level review of the feasibility report is ongoing. This phase ends with the completion of the first detailed construction drawings and specifications.

Specially Authorized Projects (cont.)

Preconstruction engineering and design is cost shared between the Corps of Engineers and the sponsor. Upon execution of the Project Partnership Agreement (PPA), the sponsor shall begin contributing their share of the PED phase.

The major documents prepared during this phase are the Design Memorandum (DM), which includes the results of technical engineering studies and design; the plans and specifications, which are the detailed drawings and instructions for building the project; and the PPA, which describes sponsor and Corps of Engineers responsibilities for project construction, operation, and maintenance.

Construction

The construction phase brings the project into being. During construction, the features that have been agreed to by the Corps of Engineers, the sponsor, and other project interests are built and begin to function as needed. Since the Corps of Engineers does not have its own construction workforce or equipment, contractors are needed to actually build a project.

This phase begins soon after Congress appropriates funds specifically for initiation of construction, and these funds are allotted to the local Corps of Engineers district. Then the Project Partnership Agreement is signed, which may be the most important project document from the sponsor's perspective. Jointly signed by the sponsor and the Assistant Secretary of the Army (Civil Works), the agreement sets forth the partner's responsibilities and commitments for what will be built, cost sharing, real estate acquisitions and relocations, and other factors.

Real estate acquisitions begin when the Corps of Engineers provides the sponsor with written descriptions and/or final right-of-way drawings that show the area and estates required for the project and notify the sponsor in writing to begin acquisition. The types of real property interests to be acquired will vary from project to project. Usually, some type of standardization easement estate is required, and acquisition is by lease, purchase, donation, or condemnation. Formal notification to proceed will occur at the same time as, or soon after, the PPA is signed.



Specially Authorized Projects (cont.)

Ordinarily, sponsors acquire any necessary real property interests; however, the sponsor may request the Corps of Engineers to acquire them on their behalf. If the Corps of Engineers elects to perform this service, the sponsor will be solely responsible for all costs of the requested services and must provide sufficient funds in advance of the Corps of Engineers incurring any financial obligations associated with this work. However, the sponsor is ultimately responsible for acquiring the necessary real estate, seeking assistance when needed, and seeing to it that all legal requirements are met. In either case, title to real property interests is normally retained by the sponsor. The time required for real estate acquisition varies from project to project depending upon the acreage, number of tracts and ownerships, and experience and capability of sponsors. Advertisements of the construction contract may proceed when the Corps of Engineers certifies the sponsor has obtained adequate real property interests. The sponsor only needs to provide the Corps of Engineers with authorization for entry and proof that they have sufficient interest in the necessary lands. In addition, the sponsor will be responsible for:

- **Preparing surveys, maps, and legal descriptions**
- **Performing individual tract appraisals**
- **Obtaining title evidence and performing curative work**
- **Conduct negotiations and eminent domain proceedings**
- **Providing relocation assistance services and processing relocation assistance claims and appeals by displaced persons**
- **Performing or ensuring the performance of relocations of utilities and public facilities**
- **Submitting lands, easements, rights-of-way, relocations, and disposal areas credit requests for approval and documenting same**

Construction work begins soon after the PPA is approved and executed, the real estate is acquired, and a contract is awarded. The job of building the project may take several years to complete if the project consists of large or complex structures. Smaller projects, such as shorter stretches of channels, can often be finished in much less time. Construction is considered to be complete when the project has been inspected and accepted from the contractor, and it is turned over to you for use, usually including operation and maintenance.

Specially Authorized Projects (cont.)

The cost to build a project is shared between the Corps of Engineers and the sponsor in accordance with the requirements of various federal laws, especially the Water Resources Development Act of 1986. Different cost-sharing requirements apply to projects with different purposes.

Two major documents are also prepared during this phase: the construction contract(s), which is the agreement between the Corps of Engineers and the contractor(s) about how the project will be built, and the project operation and maintenance (O&M) manual, which contains the instructions for the sponsor to follow for project use after construction is finished.

As construction proceeds, the sponsor should be actively involved in reviewing contract documents, and monitoring fiscal and physical progress as work is conducted. The sponsor must also work very closely with the Corps of Engineers in reviewing the O&M manual to ensure that it reflects the needs and limitations of the sponsor, and that it is easily understood and helpful to its future users.

Operation and Maintenance

Once a Corps of Engineers Civil Works project is built, it is usually turned over to the sponsor for ongoing operation and maintenance including repair, rehabilitation, and major replacement. During this phase, all of the activities needed to make the project work are conducted. These activities range from day-to-day maintenance, such as trash removal, to long-term or less frequent jobs, such as repairing access roads. It also includes final certification of necessary real estate for operation and maintenance. Unlike most other projects, navigation projects are usually maintained by the Corps of Engineers.

The sponsor's responsibility for the project operation and maintenance begins when the project is turned over following construction, and continues indefinitely. The sponsor must pay for all operation and maintenance costs, except for navigation, fish and wildlife enhancement projects where the Corps of Engineers has some responsibility for funding. The funding requirements for work following construction can be explained by the project manager. The Corps of Engineers involvement after construction normally will consist of periodic routine inspections to ensure that the project is being properly maintained and is functioning as intended. In certain circumstances, such as if there is a need to correct a design or construction deficiency, the Corps of Engineers may return to the project to restudy a situation or to take additional action.

Specially Authorized Projects

Cost Sharing

Introduction

The costs of Corps of Engineers water resource studies and projects are shared between the federal government (the Corps of Engineers) and non-federal interests (sponsors) in accordance with the cost sharing requirements outlined in federal laws, primarily the Water Resources Development Act of 1986. By combining non-federal money with federal funds, limited federal dollars can be spread further to support a larger volume of construction nationwide. The Corps of Engineers share of the costs is provided through the federal budget process. The sponsor's share of the costs can be provided by a variety of means available to local governments, such as local taxes, bonds, and grants from other sources.

The following discussion of cost sharing applies to individually authorized projects. Under the Continuing Authorities Program (CAP), which can be used to design and build projects under standing authorities, the same cost sharing arrangements apply.

The discussions of cost sharing and federal and local project financing are very general and do not reflect all of the potentially applicable legal and financial requirements and procedures. They are intended to provide an overview of a subject that may have very complex applications for some projects. The sponsor should discuss cost sharing and financing with their project managers to understand the full range of requirements and how they would apply in their case.

Cost Sharing and Timing

The foundation for building a project or conducting a study is a description of what must be done to complete the job, along with estimates of how long that will take and what it will cost. The sponsor plays a critical role in working with the Corps of Engineers to accomplish this.

Cost sharing between the sponsor and the Corps of Engineers is based on formulas in federal law that are usually stated as percentages for the shares. Different rules about sharing costs and when funds must be made available apply to each phase of project development. Different cost sharing rules also apply to various project purposes, such as flood damage reduction, navigation and environmental restoration. The amount of money needed from each partner depends on the total estimated cost of each individual study and project and is calculated by applying the applicable rules to the total estimated cost.

Feasibility Phase

The cost of this second phase of the project planning is shared equally (50/50) between the sponsor and the Corps of Engineers. The sponsor may provide their share in the form of in-kind services.

Specially Authorized Projects

Cost Sharing (cont.)

In-kind services could include attendance at meetings, document review, technical studies that the sponsor conducts, or analyses performed by a contractor hired by and working for the sponsor. Study cost sharing applies for all Corps of Engineers studies except feasibility studies of navigation on inland waterways, which the Corps of Engineers fully funds.

Preconstruction Engineering and Design

The cost of design following the feasibility phase is shared in the same proportion as the cost of project construction, as explained in the next paragraph.

Construction

The cost to construct a project is shared based on the project's purpose(s). In general, the sponsor must provide, at their own expense and prior to construction, all lands, easements, and rights-of-way required to implement the project. Also, the sponsor must provide at their expense any improvements determined to be necessary for the proper disposal of dredged or excavated material and perform any necessary relocations of utilities and public facilities. In addition, the sponsor must provide a certain portion of the total project construction cost in cash. However, the value of lands, easements, rights-of-way, relocations and disposal areas may be credited toward this cash contribution, with certain exceptions.

The timing of when the cash contribution for construction is required varies with each purpose and the circumstances of a particular project. As a general guideline, the sponsor must pay the Corps of Engineers all the required funds throughout the construction period. The sponsor should discuss the timing of making funds available and other cost sharing issues, such as reimbursement for advance work, with the project manager.

Operation and Maintenance Phase

In most cases, cost for operation, maintenance, repair, replacement and rehabilitation (OMRR&R) for new completed projects are 100% sponsor costs. Exceptions to this are made for commercial navigation, where the Corps of Engineers usually pays 100% of OMRR&R costs for projects with depths at 45 feet, and 50% of increased OMRR&R costs for depths in excess of 45 feet.

A project's cost estimate and cost sharing requirements and timing for the project construction phase are described in each project's Project Partnership Agreement (PPA) which is negotiated and jointly signed by the sponsor and the Assistant Secretary of the Army (Civil Works) or District Commander before construction starts. Costs for the preconstruction engineering and design phase and the operation and maintenance phase are also covered in the agreement.

Specially Authorized Projects

Sponsor Financing

How can Sponsors Raise Funds for Their Share of a Civil Works Project?

Sponsors can use any one, or a combination, of a number of means to fund their cash share of a project or study. These include:

- **Revenue and/or tax receipts.**
- **Bonds, including general obligation bonds, limited or special obligation bonds, and revenue bonds.**
- **Grants and loans from federal, state, or other government agencies, or financial institutions. We can accept federal funds from a local sponsor for construction only if the statute under which the funds are provided to you specifically authorizes use of the funds for that purpose.**
- **Donations and contributions from potential project beneficiaries.**
- **Cash on hand.**

Sponsors may also use various methods to acquire necessary real estate interests, including:

- **Purchase or condemnation, which would require a source of funds as described above.**
- **Donation by, for example, potential project beneficiaries.**

If the sponsor borrows funds to purchase or condemn real estate or provide the cash contribution, money to repay the lender may be raised through taxes, special assessments, and user charges. These methods are also widely used after project construction to pay for ongoing project operation, maintenance, repair, replacement, and rehabilitation costs that are the sponsor's responsibility.



Specially Authorized Projects

Sponsor Financing (cont.)

How can Sponsors Provide Their Cash Share of a Civil Works Project to the Corps of Engineers?

Sponsors may provide their share of project or study costs to the Corps of Engineers by one of the following means:

- **Direct Cash Payment:** projects completed in one year require a direct cash payment
- **Escrow or Similar Account:** the sponsor may deposit their funds in an interest-bearing account that the Corps of Engineers can draw on as needed
- **Letter of Credit:** the sponsor may deposit their funds in a financial institution that guarantees the Corps of Engineers that funds are available to meet cash outlays
- **Federal Repayment Districts:** Section 916 of the Water Resources Development Act of 1986 provides that the Assistant Secretary may enter into a contract with a Federal Repayment District, or other political subdivision of a state, for the payment or recovery of a share of a project prior to the project's construction, operation, improvement, or financing

During the period of study or construction when funds are needed, the sponsor has considerable flexibility in payment of funds for the project. The sponsor does not need to provide their total cash share before construction begins unless the project is to be built under a single contract fully obligated at the start of construction. However, before the Corps of Engineers obligates federal funds for a project or study, the sponsor must either pay their share of the funds to be obligated, place the funds in an escrow account or other account acceptable to the Corps of Engineers, or provide some other irrevocable commitment of payment. To the extent possible, projects and studies are scheduled to permit an incremental obligation of both the sponsor and Corps of Engineers funds, and cash contributions should be provided in the same proportion. If the sponsor requests the Corps of Engineers to perform any real estate services, the sponsor must provide the full amount of the funds required to pay for such work in advance of the Corps of Engineers incurring any financial obligation associated with it.

What is the Sponsor's "Financial Analysis"?

Prior to signing any agreement such as Feasibility, Design, PPA and MOA or decision documents, the sponsor is required to sign a self-certification of financial capability.

Environmental Assistance

Section 592 of the Water Resources Development Act (WRDA) of 1999, as amended

Project Scope

Section 592 of the Water Resources Development Act (WRDA) of 1999, as amended, provides authority for the Corps of Engineers to conduct design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Mississippi, such as sewer systems, wastewater treatment, and water supply systems.

- **Project must be publicly owned**
- **Cost Sharing: 75% federal and 25% non-federal**
- **Operation and Maintenance: 100% non-federal**
- **Execute Project Partnership Agreement (PPA)**
- **Non-federal sponsor receives credit for lands, easements, rights-of-way, and relocations provided for the project**
- **Non-federal sponsor receives credit for design and construction work**
- **Dependent upon annual appropriations**

Section 592 Point of Contact:

Greg Anderson

Phone: 601-631-7205

Email: Gregory.L.Anderson@usace.army.mil



Support for Others (SFO)

Support for Others (SFO) includes reimbursable work performed by the U.S. Army Corps of Engineers under applicable Federal law and funded by non-Department of Defense Federal agencies, and state and/or local governments of the United States. Support is provided under a Memorandum of Agreement (MOA) executed between agencies.

Design/Construction

- Bank Stabilization
- Multipurpose Buildings
- Bridges/Tunnels
- Highways/Pavements
- Transmitter Facilities
- Flood Control Structures
- Disposal Sites
- Water Treatment
- Waste Treatment
- Shore/Harbor Protection
- Port Facilities
- Intrusion Detection Systems
- Power Production Facility
- Rehabilitation/Renovation
- Railroad Relocations
- Recreational Facilities

Program/Project Management

- Scope/Schedule
- Network Analysis
- Life Cycle Costs
- Performance Monitoring
- Reports

Disaster Recovery

- Emergency Response
- Preparedness Planning
- Restoration of Services
- Damage Appraisal
- Expedient Construction
- Cleanup
- Claims Revaluation

Information Management

- Systems Administration
- Applications Development
- Desktop Support
- Visual/Graphics Products
- Network Management

Real Estate

- Acquisition/Disposal
- Management
- Appraisal
- Leasing

Engineering and Other Disciplines Site

- Selection/Development
- Surveying/Mapping
- Geotechnical/Subsurface Investigations
- Seismic Analysis and Design
- Civil
- Structural
- Mechanical
- Electrical
- Architecture
- Transportation
- Hydraulic
- Cost/Engineering
- Environmental
- Marine Vessel
- Water Resources
- Value Engineering
- Sciences
 - Geology
 - Hydrology
 - Archeology
 - Biology
 - Chemistry

Support for Others (cont.)

Procurement and Contracting

- Construction
- Architect/Engineering Services
- Inspection Services
- Equipment/Supplies
- Partnering
- Third Party Contracting
- Job Order Contracting

Training

- Water Resource Related
- Dam Safety
- Safety
- Water
- Construction
- Quality Assurance
- Quality Control

Operation and Maintenance

- Lock/Dam/Ports
- Flood Control Structures
- Recreation Sites
- Hydropower
- Masonry Restoration
- Secure Facilities
- Intrusion Protection Systems
- Power Production
- Facility Rehabilitation
- Railroad Relocations
- Recreational Facilities
- Expedient Construction
- Cleanup
- Claims Evaluation



Environment

- Survey/Audits
- Inventories
- Habitat Mitigation
- Wetlands Protection
- Compliance Documentation
- Impact Assessments
- Impact Statements
- Remedial Designs/Action
- Air/Water Quality
- Hazardous Waste Response

Planning

- Multi-objective Planning
- Strategic/Long Range Planning
- Alternatives Analysis
- Master Planning
- Economic Analysis
- Water Resources
- Recreation
- Cultural Resource Investigations
- Flood Plain Management
- Planning Assistance to States
- Architect/Engineer Contract Management

Dredging

- Dredge Design/Procurement
- Excavation
- Maintenance

Connecting with the Corps of Engineers

Request Letters should be sent to:

District Engineer
U.S. Army Corps of Engineers,
Vicksburg District
ATTN: CEMVK-PP-D
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Continuing Authorities Program Manager

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Support for Others (SFO)

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2024 Customer Guide



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