

Civil Works Project Management Branch

U.S. ARMY CORPS OF ENGINEERS

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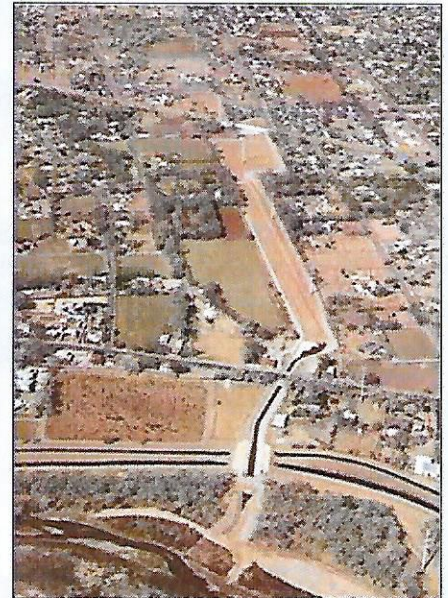
Major USACE Civil Works Mission Areas

The Albuquerque District's Civil Works Project Management Branch manages a variety of projects across Colorado, New Mexico, and Texas. The Branch is comprised of Project Managers who focus on work with non-Federal sponsors under numerous authorities and programs. The U.S. Army Corps of Engineer (USACE) mission is to "Provide vital public engineering services in peace and war to strengthen our Nation's security, energize the economy and reduce risks from disasters. Congress has authorized numerous USACE Programs to fulfill its mission for the Nation. Examples are:

Navigation: Assist in the development and maintenance of waterways to ensure safety and efficiency in waterborne commerce.

Ecosystem Restoration: To return degraded natural areas or ecosystems to partially or fully functioning natural systems.

Flood Risk Management: To implement structural and nonstructural solutions to protect against flooding that endangers life and property across the country.



Authorities and Programs of the USACE

The USACE partners with non-Federal sponsors on a variety of projects across all of our mission areas. Depending on the type of project, there may be an existing authority (legislation) to do work. If not, specific authorization from Congress is needed. Below is a description of the types of projects the USACE typically works on with partners. Sections mentioned, such as 1135, are sections of Water Resource Development Act (WRDA). Other programs are authorized under Flood Contract Act (FCA) laws. A program or project authorized under WRDA or FCA continues to be known by the section of the bill in which it was originally enacted. For example, the Tribal Partnership Program (Section 203) was authorized in WRDA 2000. It was amended as Section 2011 of WRDA 2007, and the Water Resource Reform and Development Act (WRRDA) 2014 extended the program to 2024 and it continues to be known as Section 203.

Individually Authorized Studies and Projects: This is a common form of USACE partnership. This approach requires that Congress provide a specific authorization for the study and a second authorization for implementation (design and construction). When authorized, the USACE jointly conducts a study with the sponsor, and if shown feasible, designs and constructs the project. These projects are normally listed in sections of WRDA, but are usually referred to by their names instead. For example, a project in the Southwest Valley of Albuquerque was authorized by the Water Resource Development Act of 1999, Section 433 is known as *SOUTHWEST VALLEY, ALBUQUERQUE, NM*.

Continuing Authorities Program (CAP): Relatively small projects dealing with flood plain management, flood control, ecosystem restoration, erosion control and stream bank protection fall under the CAP program. Projects are cost shared and usually require no further congressional authorization to proceed to construction. Several authorities fall under the CAP program. The most relevant ones to the Albuquerque District are listed below.

Emergency Stream bank and Shoreline Erosion (Section 14): Provides emergency stream bank and shoreline protection to prevent damage to public facilities such as roads, bridges, hospitals, schools and water treatment plants.



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Planning Assistance to States and Tribes Program (Section 22): In cooperation with a Tribe or State, the USACE offers technical planning services in support of creating a comprehensive water resource strategy for the development, use and conservation of water and related land resources. This is a study only program cost shared 50/50.

Tribal Partnership Program (Section 203): This is a study only authority that enables the USACE to study various water resources and related issues. Specified topics include flood damage reduction, environmental restoration and protection, watershed planning, cultural resources studies, and “such other projects as the Secretary determines to be appropriate,” thus opening the door to many potential kinds of study. If a Federal interest is identified, the project goes into feasibility with a cost-share agreement. Typically, a feasibility study is cost shared 50/50 and watershed planning is cost-shared 75/25. In-kind contributions may be used as cost-share.

Regional Sediment Management Plans (Section 204): Cooperate with preparation of a comprehensive State or regional sediment management plan.

Flood Damage Reduction (Section 205): Small flood control projects to provide structural or non-structural protection from frequent or recurring flooding; includes planning and construction of flood control works such as levees, channels and dams.

Aquatic Ecosystem Restoration (Section 206): Improves and restores aquatic ecosystems in a cost-effective manner to improve the environment and add value to the public. The Reconnaissance phase is at 100% Federal expense. The Feasibility phase is cost shared 50/50. Construction is cost shared 65% Federal and 35% Non-Federal. It has been used extensively by Tribes to restore the Bosque along the Rio Grande.

Project Modification for Improvement to the Environment (Section 1135): Projects to modify existing structures and operation of USACE facilities with the primary goal of improving the environment to plan, design, and construct habitat restoration projects in the public interest.

New Mexico Environmental Infrastructure (Section 595)

The program authorizes the USACE to provide assistance to non-Federal sponsors in the form of design and construction for water-related environmental infrastructure and resource protection and development of publicly owned projects, including projects for wastewater treatment and related facilities, water supply, storm water retention and remediation, environmental restoration, and surface water resource protection and development.



US Army Corps
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Albuquerque District

Continuing Authorities Program

Section 1135

(Water Resources Development Act of 1986)

Project Modifications for the Improvement of the Environment

At a Glance:

- \$10 million federal per-project limit
- First \$100,000 of Feasibility phase is 100% federal cost
- Remainder of the Feasibility phase is cost-shared 50/50
- Design and Implementation phase is cost-shared at 75% federal and 25% non-federal

The Authority. Section 1135 of the Water Resources Development Act of 1986, as amended, allows the U.S. Army Corps of Engineers to study, design and construct restoration projects where ecosystem degradation is associated with an existing Corps project. The Continuing Authorities Program consists of a suite of standing authorities provided by Congress to fund projects within certain limits without the need to obtain specific congressional authorization for each project.

The Process. A Section 1135 project has two phases: the Feasibility phase, and the Design and Implementation phase.

During the Feasibility phase, a study is conducted to determine if there is federal interest in the project. Federal interest is determined by comparing costs and benefits for different alternatives and identifying potential environmental affects. If there is a federal interest in the project (i.e. there is a plan with more benefits than costs that is environmentally acceptable), the study will recommend proceeding to the Design and Implementation phase. The first \$100,000 of the Feasibility phase is provided by the federal government. Feasibility phase costs that exceed \$100,000 must be cost-shared 50% federal and 50% non-federal.

The non-federal share of the amount in excess of \$100,000 may be provided as work-in-kind.

During the Design and Implementation (DI) phase, detailed drawings and descriptions of the project will be developed and the project will be implemented. This phase is cost-shared 75% federal and 25% non-federal.

The non-federal sponsor's required 25% cost-sharing must be provided during the DI phase. The 25% may be contributed in cash, work-in-kind (up to 80% of the required 25%), or credit for any project lands, easements, rights-of-way, relocations, and disposal sites that the sponsor must provide as items of local cooperation. The sponsor must agree to operate and maintain the project after completion of construction.

How to Request a Study. If you have an environmental restoration project that may fit within the Section 1135 authority, please contact the Albuquerque District at the phone number below. Our Continuing Authorities Program Manager will be happy to assist you and, if warranted, will visit the site to determine whether or not the proposed restoration fits within our authority. Upon receipt of a letter of request from a non-federal project sponsor the Corps can initiate the study and request funding.

For more information please contact:

*Corinne V. O'Hara
Continuing Authorities Program Manager
U. S. Army Corps of Engineers
Albuquerque District
4101 Jefferson Plaza, NE
Albuquerque, NM 87109-3435
(505) 342-3361
Corinne.V.OHara@usace.army.mil*



US Army Corps
of Engineers®
Albuquerque District

Continuing Authorities Program
Section 1135
(Water Resources Development Act of 1986)
Project Modifications for the
Improvement of the Environment

SAMPLE REQUEST FOR ASSISTANCE

District Engineer
U.S. Army Corps of Engineers, Albuquerque District
ATTN: Civil Works Planning and Project Management Division
4101 Jefferson Plaza, NE
Albuquerque, NM 87109

Dear Sir:

This letter is to request the assistance of the U.S. Army Corps of Engineers under Section 1135 of the Water Resources Development of 1986, as amended, to determine the feasibility of an environmental restoration project at *[location]*.

[Briefly describe the nature of the environmental restoration and any issues that might affect the acceptability of any recommended solution from the perspective of local government and/or the public.]

We understand that once a project partnership agreement (PPA) is completed, the non-federal sponsor would be required to pay 50% of the feasibility phase costs and 25% of the remaining cost of the project. We understand that we can receive credit for work-in-kind, and for any project lands, easements, rights-of-way, relocations, and disposal sites that we provide as items of local cooperation. We also understand the maximum federal cost for this project is limited to \$10,000,000, and that any costs exceeding this amount would be a non-federal responsibility.

We are able and willing to proceed to construction within a year, if a feasible project is identified, and we will accept responsibility for 100% of the operation and maintenance costs of the project upon completion. Please contact *[name, address, telephone]* for further information.

Sincerely,

[Name and Title of public official authorized to request the study]

For more information, please contact CAP manager Corinne V. O'Hara
at (505) 342-3361 or Corinne.V.OHara@usace.army.mil



US Army Corps
of Engineers®
Albuquerque District

Continuing Authorities Program

Section 206

(Water Resources Development Act of 1996)

Aquatic Ecosystem Restoration

At a Glance:

- \$10 million federal per-project limit
- First \$100,000 of the Feasibility phase is 100% federal cost
- Remainder of Feasibility phase is cost-shared 50/50
- The Design and Implementation phase is cost-shared at 65% federal and 35% non-federal

The Authority. Section 206 of the Water Resources Development Act (WRDA) of 1996, as amended, allows the U.S. Army Corps of Engineers to study, design and construct restoration projects in aquatic ecosystems (such as rivers, lakes and wetlands). The Continuing Authorities Program consists of a suite of standing authorities provided by Congress to fund projects within certain limits without the need to obtain specific congressional authorization for each project.

The Process. A Section 206 project has two phases: Feasibility, and Design and Implementation.

During the Feasibility phase, a study is conducted to determine if there is federal interest in the project. Federal interest is determined by evaluating different alternatives – comparing costs and benefits and identifying potential environmental affects. If there is a federal interest in the project (i.e. there is a plan with more benefits than costs that is environmentally acceptable), the study will recommend proceeding to the Design and Implementation phase. The first \$100,000 of the Feasibility phase is provided by the federal government. Feasibility phase costs that exceed \$100,000 must be cost-shared 50% federal and 50% non-federal.

The non-federal share of the amount in excess of \$100,000 may be provided as work-in-kind.

During the Design and Implementation (DI) phase, detailed drawings and descriptions of the project will be developed and the project will be implemented. This phase is cost-shared 65% federal and 35% non-federal.

The non-federal sponsor's required 35% cost-share must be provided during the DI phase. The 35% may be contributed in cash, work-in-kind, or credit for any project lands, easements, rights-of-way, relocations, and disposal sites that the sponsor must provide as items of local cooperation. The sponsor must agree to operate and maintain the project after completion of construction.

How to Request a Study. If you have an environmental restoration project that may fit within the Section 206 authority, please contact the Albuquerque District at the phone number below. Our Continuing Authorities Program Manager will be happy to assist you and, if warranted, will visit the site to determine whether or not the proposed restoration fits within our authority. Upon receipt of a letter of request from a non-federal project sponsor the Corps can initiate the study and request funding.

For more information please contact:

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US Army Corps
of Engineers ®
Albuquerque District

Continuing Authorities Program
Section 206
(Water Resources Development Act of 1996)
Aquatic Ecosystem Restoration

SAMPLE REQUEST FOR ASSISTANCE

District Engineer
U.S. Army Corps of Engineers, Albuquerque District
ATTN: Civil Works Planning and Project Management Division
4101 Jefferson Plaza, NE
Albuquerque, NM 87109

Dear Sir:

This letter is to request the assistance of the U.S. Army Corps of Engineers under Section 206 of the Water Resources Development Act of 1996, as amended, to determine the feasibility of an aquatic ecosystem restorations project at *[location]*.

[Briefly describe the nature of the aquatic ecosystem restoration any issues that might affect the acceptability of any recommended solutions, from the perspective of local government and/or the public.]

We understand that once a project partnership agreement (PPA) is completed, the non-federal sponsor would be required to pay 50% of the feasibility phase costs and 35% of the remaining cost of the project. We understand that we can receive credit for work-in-kind, and for any project lands, easements, rights-of-way, relocations, and disposal sites that we provide as items of local cooperation. We also understand the maximum federal cost for this project is limited to \$10,000,000, and that any costs exceeding this amount would be a non-federal responsibility.

We are able and willing to proceed to construction within a year, if a feasible project is identified, and we will accept responsibility for 100% of the operation and maintenance costs of the project upon completion. Please contact *[name, address, telephone]* for further information.

Sincerely,

[Name and Title of public official authorized to request the study]

For more information, please contact CAP manager Corinne V. O'Hara
at (505) 342-3361 or Corinne.V.OHara@usace.army.mil



US Army Corps
Of Engineers
Albuquerque District

Goes To headquarters ^{DC} - Pushed by
**GENERAL INVESTIGATIONS
PROGRAM**

Local
Congressman

WHAT CAN THE CORPS DO? The Corps of Engineers' General Investigation (GI) program is great for finding solutions to large complex problems. Flooding, ecosystem restoration, loss of land and property, floodplain management, and watershed planning and analyses are all candidates for this program.

During the Feasibility Phase, an in-depth, comprehensive analysis is performed which results in an array of alternative solutions to the problems identified. These solutions are evaluated and a "best plan" is determined based on economic justification, technical adequacy, environmental compliance, socio-economic effects, and other factors. If the project is authorized by Congress, the Corps and the project sponsor can move ahead with detailed design and construction.

WHAT ARE THE LOCAL RESPONSIBILITIES? Costs for a GI study are shared between the federal government and a non-federal sponsor in accordance with the Water Resources Development Act of 1986, as amended. The Feasibility Phase is cost shared 50% Federal, 50% non Federal. A Feasibility Cost Sharing Agreement (FCSA) is signed between the sponsoring entity and the Corps of Engineers prior to any release of funding. The non-Federal sponsor may contribute up to 50% of *their share* (25% of the study costs) in the form of in-kind services.

HOW CAN HELP BE REQUESTED? The Corps can begin a GI study after we receive a written request from the prospective sponsor, the project is authorized in legislation and funds are appropriated for the project. A sample letter is offered below:

*Ms. Lisa Kiefel
U.S. Army Corps of Engineers
441 G Street, NW
Washington DC 20314-1000*

Dear Ms. Kiefel:

This letter is to seek the assistance of the U.S. Army Corps of Engineers under the General Investigation program to (describe desired scope of study such as "reducing flood damages", "provide watershed planning", etc) along (river or creek) in the vicinity of (city or town, etc.)

(Briefly describe the nature and severity of the environmental problem. Briefly describe the known issues that might affect the acceptability of any recommended solutions, from the perspective of local government and/or the public.)

It is understood that under the General Investigations program, a Reconnaissance Study is completed at full Federal expense. It is also understood that if the Reconnaissance Study indicates that a project with a federal interest is likely, the project would proceed into the Feasibility Phase, for which the (non-federal sponsor) would be required to enter into a contract to pay half the cost.

Please contact (name, address, telephone) for further information.

Sincerely,

(Name and Title of public official authorized to request the study)

For more information, contact Mr. Jerry Nieto, Chief, Civil Project Management Branch, at (505) 342-3362 or email at jerry.d.nieto@usace.army.mil.