



# CONTINUING AUTHORITIES PROGRAM

## Section 14 – Emergency Stream Bank & Shoreline Protection

### U.S. ARMY CORPS OF ENGINEERS

#### Scope and Authority

- The U.S. Army Corps of Engineers can partner with a non-federal sponsor (sponsor) to plan and construct emergency stream bank and shoreline protection (such as riprap or sheet pile) for public facilities in imminent danger of failing (e.g., roads, bridges, hospitals, schools, treatment plants, water and sewer lines).
- Authority is provided by Section 14 of the 1946 Flood Control Act, as amended, also referred to as Section 14 under the Continuing Authorities Program.
- Bank failure must be caused by natural erosion (stream flow, wind-driven waves, etc), and not by inadequate drainage, by the facility itself, or by operation of the facility.



#### Project Development Process

- **Feasibility Study** - Upon receipt of a written request from a potential sponsor and when funding is available, the Corps initiates a preliminary analysis, at federal expense, to determine if a potential project meets program requirements and federal participation is justified. If a federal interest is verified, a feasibility study is completed that identifies and evaluates alternatives and recommends a project for implementation. The least-cost alternative plan is justified if the total cost of the alternative plan is less than the cost to relocate the threatened facility. If the feasibility study cost exceeds \$100,000, the Corps and sponsor sign a Feasibility Cost Sharing Agreement and a project management plan that describes the study cost share arrangement, study scope, schedule, and study cost estimate (See Project Costs).
- **Design and Construction** - A project is approved for construction if the feasibility study determines it is technically feasible, environmentally acceptable, and cost effective. Before engineering design and construction can begin, the Corps and sponsor negotiate and sign a Project Partnership Agreement that describes the cost share arrangement and operations and maintenance responsibilities (See Project Costs).

#### Project Costs

The maximum federal expenditure per project is \$5 million, including feasibility study, design and construction costs.

Feasibility Study	<ul style="list-style-type: none"> <li>• The study is initiated with up to \$100,000 in federal funds.</li> <li>• Costs exceeding \$100,000 are cost shared 50 percent federal and 50 percent sponsor.</li> <li>• Sponsor’s cost share may include cash, work-in-kind or a combination of both.</li> </ul>
Design and Construction	<ul style="list-style-type: none"> <li>• Costs are typically shared 65 percent federal and 35 percent sponsor.</li> <li>• Sponsor must provide all lands, easements, rights-of-way, relocations, and dredged material disposal areas (LERRDs) needed for project construction and maintenance.</li> <li>• Sponsor’s cost share may potentially include credit for provision of required LERRDs and pre-approved work-in-kind. At least 5 percent of the cost share requirement must be provided in cash.</li> </ul>
Operation and Maintenance	<ul style="list-style-type: none"> <li>• Sponsor is responsible for all project operation and maintenance costs when the project is completed.</li> </ul>

#### How to Request a Project

An example template to request a study under Section 14 is provided on the reverse side of this information sheet.

**U.S. ARMY CORPS OF ENGINEERS – San Francisco District**  
[www.spn.usace.army.mil](http://www.spn.usace.army.mil)

Questions? Contact: Tom Kendall, (415) 503-6822, [thomas.r.kendall@usace.army.mil](mailto:thomas.r.kendall@usace.army.mil) or  
 Joel Flannery, (415) 503-6848, [joel.r.flannery@usace.army.mil](mailto:joel.r.flannery@usace.army.mil)

## EXAMPLE REQUEST FOR ASSISTANCE

District Engineer  
U.S. Army Corps of Engineers  
Attn: Planning Branch  
450 Golden Gate Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94102

Dear Sir or Madam:

This letter is to request the assistance of the U.S. Army Corps of Engineers under Section 14 of the Flood Control Act of 1946, as amended, in protecting **(PUBLIC FACILITY or INFRASTRUCTURE)** from damage from **(STREAM BANK OR SHORELINE)** erosion in the vicinity of **(CITY OR TOWN)**.

**(BRIEFLY DESCRIBE THE CAUSE OF THE EROSION AND THE IMPORTANCE OF THE FACILITY OR INFRASTRUCTURE AT RISK).**

We understand that as a local sponsor under the Section 14 program, we are responsible for 50 percent of feasibility study costs exceeding \$100,000 in Federal expenditures and typically 35 percent of project design and construction costs, if a feasible plan is identified. We acknowledge that the cost share contribution can be in the form of "in-kind" services that contribute a direct component to the study, cash or a combination. Our cost share obligation would include provision of all lands, easements, rights-of-way, relocations, and dredged material disposal areas required for the project. We intend to pursue budgetary actions so that funds are available to meet our cost sharing requirements. We would assume responsibility for operation and maintenance of the project upon completion.

The **(NON-FEDERAL SPONSOR)** is aware that this letter constitutes an expression of intent to initiate a study partnership to address the specified water resources problems and is not a contractual obligation. We understand that work on the study cannot commence until it is chosen to be included in the Administration's budget. It is understood that we or USACE may opt to discontinue the study at any time after the feasibility study cost sharing agreement is signed but will commit to work together as partners from the scoping phase, and subsequent decision points throughout the feasibility study, on providing the necessary support to risk-informed decision making. If it is determined that additional time or funding is necessary to support decisions to be made to complete the study, our agency will work with USACE to determine the appropriate course of action.

The **(NON-FEDERAL SPONSOR)** has designated **(NAME /PHONE NUMBER)** as the point of contact for this project.

Sincerely,  
**(NAME / TITLE OF OFFICIAL  
AUTHORIZED TO REQUEST STUDY)**