



CONTINUING AUTHORITIES PROGRAM

Section 204 – Beneficial Use of Dredged Material

U.S. ARMY CORPS OF ENGINEERS

Scope and Authority

- This authority provides the Corps of Engineers the ability to implement projects providing for the incremental costs of the beneficial use of dredged material for the reduction of hurricane and storm damages to property and to protect, restore, and create aquatic and ecologically related habitats, including wetlands.
- Projects can use sediment obtained through construction, operation, or maintenance of authorized Federal water resources projects.
- This authority is provided by Section 204 of the Water Resources Development Act of 1992, as amended, also referred to as Section 204 under the Continuing Authorities Program.



Project Development Process

- **Feasibility Study** - On 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 conducted that identifies and comprehensively evaluates alternatives and recommends a plan for implementation. Preparing the decision document is at full Federal expense (See Project Costs).
- **Design and Construction** - A project is approved for construction if the detailed 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 \$10 million, including feasibility study and design-and-construction costs.

Feasibility Study	<ul style="list-style-type: none"> • Preparing the decision document is at full Federal expense.
Design and Construction	<ul style="list-style-type: none"> • Costs are shared 65 percent Federal and 35 percent sponsor. • Sponsor must provide all lands, easements, rights-of-way, relocations, and dredged material disposal areas (LERRDs) needed for project construction and maintenance. • Sponsor's cost share includes credit for provision of required LERRDs and pre-approved work-in-kind. At least 5 percent of the cost share requirement must be provided in cash.
Operation and Maintenance	<ul style="list-style-type: none"> • Sponsor is responsible for all project operation and maintenance costs when the project is completed.

How to Request a Project

An example template to request a study under Section 204 is provided on the reverse side of this information sheet.

U.S. ARMY CORPS OF ENGINEERS

(www.spn.usace.army.mil)

Questions? Contact: Tom Kendall, (415) 503-6822, thomas.r.kendall@usace.army.mil or
Joél Flannery, (415) 503-6848, 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
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 204 of the Water Resources Development Act of 1992, as amended, to reduce hurricane and storm damages to property or to protect, restore, and create aquatic and ecologically related habitats, including wetlands near (CITY OR TOWN).

(BRIEFLY DESCRIBE THE NATURE AND SEVERITY OF POTENTIAL DAMAGES AND THE RELATED BENEFITS.)

We understand that as a local sponsor under the Section 204 program, the Corps prepares the feasibility report at full Federal expense and we are responsible for 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) has designated (NAME/PHONE NUMBER) as the point of contact for this project.

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