

SECTION 1135 - ENVIRONMENTAL RESTORATION

(Water Resources Development Act of 1986)

PROJECT SCOPE:

Provides authority to the Corps to review and modify water resources structures and operations constructed by the Corps for the purpose of improving the quality of the environment.

PROJECT PHASES:

CAP projects shall be implemented in two phases: the Feasibility Phase and the Design & Implementation Phase. Each phase is carried out under the provisions of a separate cost sharing agreement that is executed between the District Engineer and the non-Federal sponsor.

PROJECT COST SHARING & AGREEMENTS:

The first \$100,000 of the Feasibility Phase is 100 percent Federally funded. Any additional costs during this phase shall be cost shared 50 percent Federal and 50 percent non-Federal sponsor pursuant to the terms of a Feasibility Cost Sharing Agreement (FCSA). All Costs beyond the Feasibility Phase are considered part of the Design & Implementation Phase, with cost sharing to be specified in the authorizing legislation for that purpose. Specific requirements for the Design & Implementation Phase shall be detailed in the Project Partnership Agreement (PPA).

PROJECT COSTS:

- Sponsor pays 25% of total project costs
- WIK credit toward the Sponsor share is limited to 80%
- Maximum Federal participation is \$10 million

PROJECT MILESTONES:

- Sponsor notifies the Fort Worth District of the problem(s) with a letter requesting assistance
- The Corps conducts an initial site investigation to determine Federal interest
- The Corps request Feasibility study funds
- The Corps conducts the Feasibility study
- The sponsor and Corps sign the PPA agreement to design, implement, and maintain the project
- The Corps prepares the Plans & Specifications
- The Corps initiates project construction
- Following completion of physical construction, a warranty period, monitoring, and/or adaptive management may be performed
- After project close-out, the non-Federal sponsor is responsible for the project's long-term operation and maintenance

SPONSOR CONTRIBUTIONS:

- The non-Federal sponsor has the opportunity to provide their share of project costs in the form of cash, Work-In-Kind (WIK) credit, and/or lands, easements, right-of-way, relocations and disposal areas (LERRDs). Cost sharing for LERRDs as well as operation, maintenance, repair, replacement and rehabilitation (OMRR&R) varies by project authority.