



Civil Works Study and Project Partnerships

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG.

Partnering with the Corps of Engineers to Solve Water Resources Problems

The US. Army Corps of Engineers (USACE) is authorized to conduct investigations related to its core mission areas of navigation, flood risk management, and ecosystem restoration, to determine if Congressional authorization and implementation of a specific Civil Works project are warranted.

The Civil Works feasibility study is an initial step in the USACE's process for addressing many of the nation's significant water resources needs. A feasibility study is used to investigate the Federal interest, engineering feasibility, economic justification and environmental acceptability of a recommended water resources project.

After Congress has both authorized and appropriated funds to begin a study, USACE Planners work with a non-federal sponsor (Sponsor) and multi-disciplinary study teams to identify water resources problems, formulate and evaluate solutions, resolve conflicting interests, and prepare recommendations.

The USACE Civil Works Planning Program conducts a broad range of studies, including studies leading to new projects that require Congressional authorization, studies involving evaluation and design of projects under continuing authorities, and reexaminations of existing projects.

The Important Role of the Non-Federal Sponsor

USACE feasibility studies are cost-shared with a Sponsor, reflecting our shared responsibility for the nation's water resources. A Sponsor can be a state, tribe, county, city, town, or any other political subpart of a state or group of states that has the legal and financial authority and capability to provide the funding and real property requirements needed for a a study and a project.

The Sponsor's role begins before a study is initiated, for example, when a local community, or some element of a community, perceives or experiences a water resources problem that is beyond their ability to solve. A community representative, who may represent the possible sponsoring agency, is invited to meet with their local USACE District staff to discuss avenues of assistance, including a feasibility study and potential recommendation for a Federally authorized water resources project.

Before USACE becomes involved in studying a particular water resources problem, two types of Congressional authority are required: study authority and budget appropriations. A study authority approves the conduct of an investigation to address the identified problems. Once a study authority is available, budget appropriations to allow for the expenditure of Federal funds for the study can be provided by Congress (usually in the annual Energy and Water Development Appropriations Act). In certain cases, USACE can provide technical assistance or planning assistance through other authorities or projects without further Congressional authorization.

If there is no available study authority, community representatives may contact their Congressional delegation to request a new study authority and may also submit a proposal for Congressional consideration via the Assistant Secretary of the Army's *Annual Report to Congress on Future Water Resources Development*.

Once an appropriate study authority is available, USACE will follow the normal Federal budgetary process to request Federal funding. Once budget appropriations are available, the study may begin.

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What is the Sponsor's Role on the Project Team?

The Sponsor is a study partner and plays many roles during project development. The Sponsor:

- Helps define the water resources problem(s) and opportunities, study scope, tasks, cost estimates and schedules.
- Participates in study decisions, including the type and mix of study objectives, and contributes to the development and evaluation of alternatives and selection of an alternative plan.
- Communicates with the community about study proposals and assists with public communications about a potential project.
- Contributes to project design, including environmental and aesthetic features, and ensures that, to the extent possible, other factors that affect sponsoring communities are addressed during the planning process.

Outline of Steps to Completion of a Civil Works Project:

1. *Sponsor Problem Identification*
2. *Congress Establishes Study Resolution or Authority*
3. *Congress Appropriates Study Funding*
4. *Corps/Sponsor Conducts Feasibility Study*
5. *Administration Review*
6. *Congressional Authorization of Project*
7. *Preconstruction, Engineering and Design*
8. *Congress Appropriates Construction Funding*
9. *Construction*
10. *Sponsor Operations, Maintenance, Repair, Replacement, and Rehabilitation (OMRR&R)*

What are the Sponsor's Obligations?

A Sponsor must contribute 50 percent of feasibility study costs plus 25-35 percent of Preconstruction, Engineering and Design (PED) costs. Three agreements between the Sponsor and USACE are signed over the course of the development and construction of a project:

- The Feasibility Cost Sharing Agreement (FCSA) must be signed before the feasibility study can begin. A model FCSA for a \$3 million total study cost, signed by the Sponsor and USACE at the beginning of a study, may be amended if the study's scope and complexity justifies a higher total cost level. The Sponsor may provide a percentage of the cost-share requirement through work-in-kind (amounts vary based on program authority); some program authorities may require a minimum cash contribution.
- The Design Agreement covers additional PED activities to prepare plans and specifications for construction of a project, after completion of a final feasibility study report that recommends implementation of a specific water resources project.
- The Project Partnership Agreement (PPA) between the Sponsor and USACE covers construction activities once the project has been authorized by Congress and Construction funding has been appropriated.

In addition to the legal and financial capability to fulfill the cost sharing and local cooperation requirements, the Sponsor also agrees to:

- Provide, without cost to the Federal Government, all lands, easements, rights-of-way, relocations and disposal areas (LERRD) necessary for construction, and OMRR&R of a project, including all necessary access routes and utility relocations. The Sponsor cost share for a project includes eligible LERRD credit and cash contributions.
- Comply with provisions of pertinent Federal laws (e.g., National Environmental Policy Act, Endangered Species Act, Clean Water Act, etc.).
- Once the project is completed, it must be maintained and operated without cost to the Federal Government.

For More Information

Contact your local USACE District's Planning Department: <http://www.usace.army.mil/Locations.aspx>

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