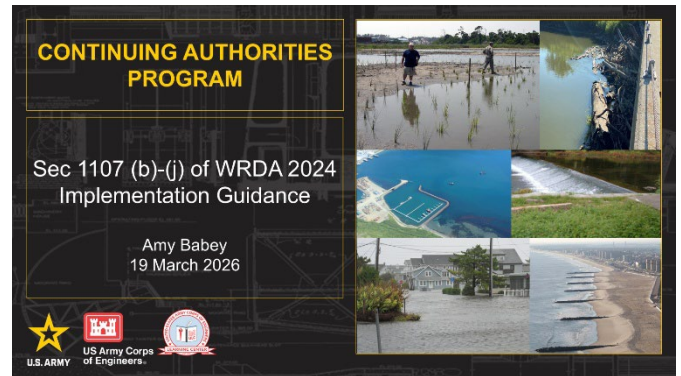


This webinar offered an overview of implementation guidance for Section 1107 (b)-(j) of the Water Resources Development Act (WRDA) of 2024. Presented by Amy Babey (HQUSACE Continuing Authorities Program & Tribal Partnership Program Manager), this webinar covered specifics on changes to the Continuing Authorities Program (CAP) within this section, including the nine Continuing Act Authorities, information on CAP federal per-project limits, key takeaways from the guidance, and more.



This summary of the Question/Answer session of the webinar is not a transcription; questions and responses have been edited and reordered for clarity.

Key Resources:

- [ULC Course Description for PROSPECT #049 - Continuing Authorities Program \(CAP\)](#)

FY2026 CAP Funding

What is the current status of CAP funding allocations for FY2026?

CAP allocations have been paused for FY2026 per direction from the Administration. The Assistant Secretary of the Army for Civil Works (ASA(CW)) is currently reviewing the FY2026 CAP draft allocation plan. The plan is organized into three categories: funding active projects, funding coordination activities, and funding new initial CAP eligibility determinations. Going forward, all CAP allocations will require approval from Secretary Telle.

Will districts be asked to submit a list of their top five CAP projects, similar to the recent request for districts' top five civil works projects?

It is not currently known whether such a request will be made to supplement the ASA(CW)'s [direction to identify USACE's Civil Works priorities](#).

Project Eligibility & Cost Share

What is the current non-delegated approval level for a policy exception when the per-project limit is exceeded?

Any policy exception that exceeds the per-project limit during the feasibility phase must be elevated to the ASA(CW) for approval. The delegations that previously authorized approval at a lower level were rescinded by Secretary Telle.

Can the 85/15 cost share be applied to a CAP Section 1135 project involving anadromous fish passage?

Section 1107(e)(2) of WRDA 2024 specifies that the 85% federal / 15% non-federal cost share only applies to CAP Section 206 (Aquatic Ecosystem Restoration), not Section 1135 (Project Modifications for Improvement of the Environment).

Can a non-federal sponsor opt out of the 85/15 cost share if federal participation limits make an alternative arrangement more advantageous?

Yes. A non-federal sponsor may choose not to apply the 85/15 cost share arrangement if they determine

doing so would be more beneficial, however the choice would have to be made prior to signing a Project Partnership Agreement.

What is the future without project (FWOP) condition for CAP Section 208 projects?

Defining the future without project condition follows the same policy as all studies as described in ER 1105-2-103. The FWOP condition for CAP Section 208 (Clearing and Snagging Projects) is addressed in detail in the CAP PROSPECT training course. A representative scenario would be flooding caused by debris blocking a culvert beneath a bridge, causing water to back up and flood structures and infrastructure. In some cases, the standard USACE planning, design, and implementation process will likely be too lengthy to be an appropriate response given the immediate nature of the problem.

How many [Water Resources Development Act of 2020 Section 165\(a\) CAP pilot projects](#) are currently active?

There are currently 11 active CAP pilot projects in economically disadvantaged communities. The program originally had 12 pilots; however, one project in Alaska was terminated due to a lack of federal interest.

Available CAP Training

Are there upcoming CAP PROSPECT training courses scheduled?

There are several CAP PROSPECT courses scheduled over the course of CY2026. At least one new instructor will be needed to support the program beyond 2027. Seat availability for upcoming CAP PROSPECT training sessions can be found at: <https://ulc.usace.army.mil/CourseListDetail?CtrlNbr=049>.