



Salmon Creek berm near Seward, Alaska

How does the process start?

The Corps may begin a Section 205 study after it receives a formal letter of request from the prospective sponsoring community. A sample letter of request is included in this brochure.

The letter of request and any other inquiries about the Section 205 Flood Risk Management Program should be sent to the address below.

U.S. Army Corps of Engineers, Alaska District
ATTN: CEPOA-PM-C
P.O. Box 6898
Joint Base Elmendorf-Richardson, AK 99506-0898
Email: POA.AKCAP@usace.army.mil
FAX: (907) 753-5645

Sample letter to request a study

District Commander
Alaska District, U.S. Army Corps of Engineers
ATTN: CEPOA-PM-C
P.O. Box 6898
Joint Base Elmendorf-Richardson, AK 99506-0898

Dear Sir:

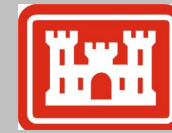
This letter is to request the assistance of the U.S. Army Corps of Engineers under Section 205 of the 1948 Flood Control Act, as amended, in reducing flood damages along (name of river or body of water) in the vicinity of (city, town etc.).

Briefly described the nature and severity of the problem. Examples include the need to protect public infrastructure such as roads, schools, utilities, and public buildings.

Thank you for considering this request. Please contact (name, address, phone, email) for more information.

Sincerely,

Name
Title



®

Alaska District
U.S. Army Corps of Engineers

Section 205 Flood Risk Management Projects

Under the U.S. Army Corps of Engineers Continuing Authorities Program (CAP), **Section 205 of the 1948 Flood Control Act, as amended**, allows the U.S. Army Corps of Engineers to study, plan, and construct small flood risk management projects without specific authorization by Congress. A project is accepted for construction only after detailed study shows engineering feasibility, economic justification, and environmental acceptability. Each project must be complete within itself and not be a component of a larger project.



Dike along Skagway River, Alaska

What the Corps of Engineers can do...

The maximum Federal expenditure per project is \$10 million and includes both planning and construction costs. The non-Federal sponsor must pay any additional costs. In addition, the costs of lands, easements, and operation and maintenance of the project must be non-Federal.

After a State or local agency requests a project, the Corps will conduct a feasibility study if the Division Commander agrees that the project may have a Federal interest and if funds are available. The study begins at Federal expense. After approximately \$20,000 has been spent, a decision is made whether to continue and whether cost sharing is likely to be needed. Study costs in excess of \$100,000 are shared 50/50 with the non-Federal sponsor according to a cost-sharing agreement.

In the study, the problem is defined, the Federal interest is determined, potential solutions are identified, and the most feasible alternative is chosen. The costs, benefits, and environmental impacts of the potential project are analyzed.

A Project Partnership Agreement (PPA) is prepared in which the Government and the sponsor agree to share project costs. No more than 3 years should pass between the start of the study and the start of construction.

For structural flood risk management projects, the non-Federal sponsor must pay a minimum of 5 percent of the project cost in cash during construction. The sponsor must also provide all lands, easements, rights-of-way, relocations, and dredged material disposal areas (LERRD). After receiving credit for any LERRD, the non-Federal sponsor must provide any additional cash contributions or work-in-kind needed to make the sponsor's share of the project cost at least 35 percent.



For non-structural projects, the non-Federal sponsor must provide all LERRD and any additional contributions needed to make the sponsor's share equal to 35 percent. For both types of measures, the sponsor must provide project maintenance, operation, and rehabilitation.

The non-Federal sponsor must agree to the following items:

Formal assurance of local cooperation must be furnished by a State or local agency (for example, an incorporated city) with the legal and financial authority under State law to act as a non-Federal sponsor. The sponsor must agree to items such as:

- Hold and save the United States free from damages due to construction and maintenance of the project, except damages due to the fault or negligence of the United States or its contractors.
- Make all alterations and relocations of buildings, transportation facilities, storm drains, utilities, and other structures and improvements required by

the project (excluding approaches and facilities needed for the normal interception and disposal of local interior drainage at the line of protection).

- Prescribe and enforce regulations to prevent obstruction or encroachments on channels and interior ponding areas that would reduce their flood-carrying capacity or hinder maintenance and operation, and control development in the project areas to prevent undue increase potential flood damage.
- At least annually inform affected interests about the limitations of the protection afforded by the project.

- Publicize flood plain information in the areas concerned and provide this information to zoning and other regulatory agencies for their guidance in preventing unwise future development in the flood plain and to aid them in adopting regulations to ensure compatibility between future development and protection levels provided by the project.

- Comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended: Section 601 of Title VI of the Civil Rights Act of 1964, and Section 221 of the Flood Control Act.