



## What Corps of Engineers can do . . .

(Continued from page 1)

After the State or a community requests a project, the corps will conduct a feasibility study if the division commander agrees that the problem may have a Federal interest and if funds are available. The study begins at Federal expense. After approximately \$20,000 has been expended, 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

Feasibility Study Cost-Sharing Agreement. In the study the problem is defined, the Federal interest is determined, potential solutions are identified, and the most feasible plan is chosen. A project cooperation agreement (PCA) is drawn up by which the Government and the sponsor agree to share project costs. No more than 3 years should pass between the start of the feasibility study and the start of construction.

## How does the process start?

We may begin a Section 103 study after we receive a written request from the community and obtain approval and funding from our Division office. An example letter is included in this brochure. This request, and any further inquiries about a Section 103 project, should be made to:

U.S. Army Engineer District, Alaska  
ATTN: Dave Martinson, EN-CW-PF  
P.O. Box 6898  
Elmendorf AFB, AK 99506-6898

## 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 non-federal sponsor. The sponsor generally must agree to:

- Contribute in cash the local share of project planning and construction cost.
- Provide without cost to the United States all necessary lands, easements, rights-of-way, and relocations required for construction of the project, including that required for periodic nourishment.
- Hold and save the United States free from claims for damages from construction and subsequent maintenance of the project, except damages due to the fault or negligence of the United States or its contractors.
- Assure continued public ownership and

use of the shore upon which the amount of Federal participation is based during the economic life of the project.

- Assure maintenance and repair, and the local share of beach nourishment where applicable, during the project's useful life as required to serve its intended purpose.
- Provide and maintain needed access roads, parking areas, and other public facilities open and available to all on equal terms.
- Assume all project costs once the Federal expenditure has reached \$2 million.

### **Cost-sharing terms**

- Non-federal interests are responsible for providing all lands, easements, rights-of-way, relocations and dredged material disposal areas (LERRD).
- Costs to protect federally owned lands

and/or shores are 100 percent Federal.

- Costs to protect privately owned lands (undeveloped) and shores (where use is limited to private interests) are 100 percent non-federal.
- Costs to protect privately owned, developed lands with public access and public use are 35 percent non-federal.
- Costs to protect non-federal public shores used for parks and recreation are 50 percent non-federal.
- Non-federal costs for LERRD will be credited against the sponsor's total construction cost share; any excess of LERRD will be reimbursed to the sponsor.
- Non-federal interests must pay all of the operation and maintenance costs for non-federal shores, and hold and save the United States free from damages due to the construction, operation, and maintenance.





## Sample letter to request a study

Send your letter to the District Engineer at the address on this brochure.

Dear Sir:

This letter is to seek the assistance of the U.S. Army Corps of Engineers under Section 103 of the Rivers and Harbor Act, as amended, in reducing the threat of damages along (name of river or body of water) in the vicinity of (city or town, etc.).

(Briefly describe the nature and severity of the problem, and any issues that could affect the acceptability of possible solutions.)

We understand that we would be required to pay no more than 50 percent of the total cost of a project, with credit granted toward this amount for providing lands, easements, and rights-of-way, and that the minimum cash requirement from us would be 5 percent of the total project cost. We are able and willing to proceed to construction within a year, if a feasible project is found. Please contact (name, address, telephone) for further information.

Sincerely,  
(Name and Title)



## Section 103

### Small shore protection projects

#### What can the Corps do?

Section 103 of the 1962 River and Harbor Act, as amended, allows the Corps to study, adopt and construct small shoreline erosion protection projects without specific authorization by Congress. A project is accepted for construction only after detailed study clearly shows its engineering feasibility, environmental acceptability, and economic justification.

To qualify for this program, the shoreline to be protected must be publicly owned or used. Private land may qualify if the project is necessary to protect nearby public facilities. The object is to retain or restore existing land, not to create new land. Each project must be complete within itself. The storm damage must be the result of wind-driven waves and/or ocean tidal action, not streamflow.

The total Federal expenditure for each Section 103 project is limited to \$3 million, which includes both planning and construction costs. Any additional costs must be paid by the non-federal sponsor. Costs of lands, easements, and operation and maintenance of the project must be non-federal.

*(See next page)*



**U.S. Army Engineer District, Alaska**

ATTN: Dave Martinson, EN-CW-PF  
P.O. Box 6898  
Elmendorf AFB, Alaska 99506-6898