

Section 1135 of the Continuing Authorities Program Project Modification for the Improvement of the Environment

At a Glance:

- \$5 million Federal per-project limit.
- First \$10,000 is 100% Federal cost.
- Remainder of Feasibility is 50/50 cost-sharing
- Remainder of project is cost-shared 75% Federal and 25% non-Federal.

The Authority. Section 1135 of the Continuing Authorities Program was authorized by the Water Resources Development Act of 1986. It allows the Corps of Engineers to study, design and construct restoration projects adjacent to and near Corps projects. To be eligible for consideration, it must be demonstrated that an existing Corps project has contributed to the degradation of the environment.

The Process. A Section 1135 project has two phases: Feasibility, and Design and Implementation.

During the Feasibility phase, a study is conducted to determine if there is a Federal interest in participating in a project. This is determined by evaluating different alternatives – comparing their costs and benefits and identifying any potential environmental affects. The first \$100,000 of the study is provided by the Federal government. If the study cost exceeds \$100,000 all additional costs must be cost-shared 50/50 with the non-Federal sponsor. If the study determines that there is a Federal interest in building the project (i.e. there is a plan with more benefits than costs and is environmentally acceptable), the project will be approved and Federal funds will be provided to develop plans and specifications.

During the Design and Implementation phase, detailed drawings and descriptions of the project will be developed and the project will be constructed. This phase is cost-shared (25% non-Federal).

The non-Federal sponsor's required 25% cost-sharing must be provided during the Design and Implementation phase. The 25% may be contributed in cash, work-in-kind (up to 80% of the required 25%), or credit for any project lands, easements, rights-of-way, relocations, and disposal sites that the sponsor must provide as items of local cooperation. The sponsor must agree to operate and maintain the project after completion of construction.

How to Request a Study. If you think you have an idea for environmental restoration that may fit within Section 1135, please contact the St. Louis District at the phone number below. Our Continuing Authorities Program Manager will speak with you and, if warranted, will visit your problem area to ascertain whether or not your idea fits within our authority. If it does, a potential non-Federal sponsor will need to submit a letter requesting that a study be initiated.

*Michelle Kniep
Continuing Authorities Program Manager
Army Corps of Engineers, St. Louis District
1222 Spruce Street
St. Louis, MO 63103
(314) 331-8404
Michelle.R.Kniep@usace.army.mil*