



# CONTINUING AUTHORITIES PROGRAM

## Section 204 – **Beneficial Use of Dredged Material**

### U.S. ARMY CORPS OF ENGINEERS

#### Scope and Authority

- The U.S. Army Corps of Engineers can partner with a non-federal sponsor (sponsor) to implement projects for the protection, restoration and creation of aquatic and ecologically related habitats, including wetlands, or to reduce storm damage to property, in connection with dredging for the construction or operations and maintenance of an existing authorized Federal navigation project.
- Authority is provided by Section 204 of the 1992 Water Resources Development Act, as amended, also referred to as Section 204 under the Continuing Authorities Program.
- Sec 204 cannot be used to meet mitigation or remediation requirements.



#### Project Development Process

- **Feasibility Study** - Upon receipt of a written Letter of Intent (LOI) from a potential sponsor and when funding is available, USACE initiates a Federal Interest Determination, at federal expense, to determine if a potential project meets program requirements and federal participation is justified. If a federal interest is verified, a feasibility study will be advanced to identify and comprehensively evaluate alternatives and recommend a plan for implementation. The feasibility study is completed at 100% Federal expense (See Project Costs).
- **Design and Construction** - A project is approved for construction if the study determines it is technically feasible, environmentally acceptable, and cost effective. Before engineering design and construction can begin, USACE and sponsor negotiate and sign a Project Partnership Agreement that describes the cost share arrangement and operations and maintenance responsibilities (See Project Costs).

#### Project Costs

The maximum federal expenditure per project is \$15 million, including feasibility study, design and construction costs.

Feasibility Study	<ul style="list-style-type: none"><li>• The study is completed at 100% Federal cost.</li></ul>
Design and Construction	<ul style="list-style-type: none"><li>• Costs are shared 65 percent federal and 35 percent sponsor.</li><li>• Sponsor must provide all lands, easements, rights-of-way, relocations, and dredged material disposal areas (LERRDs) needed for project construction and maintenance.</li></ul>
Operation and Maintenance	<ul style="list-style-type: none"><li>• Sponsor is responsible for all project operation and maintenance costs when the project is completed.</li></ul>

#### How to Request a Project

A template LOI to request a study under the Continuing Authorities Program is available [qp'vj g USACE Planning web site](#).

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Questions? Contact your local USACE District:

<https://usace.maps.arcgis.com/apps/webappviewer/index.html?id=7344e62432694199af7790aa47a32fdd>

