



CONTINUING AUTHORITIES PROGRAM

Section 14 – Emergency Stream Bank & Shoreline Protection

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 plan and construct emergency stream bank and shoreline protection for public facilities in imminent danger of failing (e.g., roads, bridges, hospitals, schools, treatment plants, lighthouses).
- Authority is provided by Section 14 of the 1946 Flood Control Act, as amended, also referred to as Section 14 under the Continuing Authorities Program.
- Bank failure must be caused by natural erosion (stream flow, wind waves, etc), and not by inadequate drainage, by the facility itself, or by operation of the facility.



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. If the feasibility study cost exceeds \$100,000, USACE and sponsor sign a Feasibility Cost Share Agreement and a project management plan that describes the study cost share arrangement, study scope, schedule, and study cost estimate (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	• The study is initiated with up to \$100,000 in federal funds. • Costs exceeding \$100,000 are cost shared 50 percent federal and 50 percent sponsor. • Sponsor's cost share may include cash, work-in-kind or a combination of both.
Design and Construction	• Most projects are cost-shared 65 percent federal and 35 percent sponsor but sponsor cost could increase to 50% with high costs for lands, easements, rights-of-way, relocations, and dredged material disposal areas (LERRDs). • Sponsor must provide all LERRDs needed for project construction and maintenance. • At least 5 percent of the cost share requirement must be provided in cash.
Operation and Maintenance	• Sponsor is responsible for all project operation and maintenance costs when the project is completed.

How to Request a Project

A template LOI to request a study under the Continuing Authorities Program is available on the USACE Civil Works Planning web site.

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Questions? Contact your local USACE District:

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

