

### US Army Corps of Engineers ® St. Paul District



# THE CIVIL WORKS PROGRAM

### Introduction

The U.S. Army Corps of Engineers is the nation's primary water resources development agency. Its water resources program began in 1824, when Congress provided funds for improving river navigation. Since then, the Corps of Engineers has been involved in developing recreational and commercial navigation, reducing flood damage and restoring ecosystems. Along with these missions, the Corps of Engineers generates hydropower, makes water supply available to cities and industries and regulates development along navigable waters.

The primary mission areas for the Corps of Engineers Civil Works Program are:

- Navigation
- Flood Risk Management
- Ecosystem Restoration
- Emergency Response
- Recreation

The St. Paul District's Civil Works boundaries encompass an area of approximately 139,000 square miles. The district borders follow the edges of four river basins – Mississippi River, Red River of the North, Souris River and Rainy River. This area includes most of Minnesota, the western half of Wisconsin, the northeastern half of North Dakota and small portions of South Dakota and northern Iowa.

The Corps of Engineers has a wide range of legislative authorities allowing the agency to assist local communities with water resources-related issues. This booklet describes some authorities and programs the Corps uses to partner with state, local, Tribal and non-governmental agencies to address issues of concern. Corps Civil Works authorities require local sponsor support, usually financially, to complete a project or study under a Corps program. Typically, the Corps and the local sponsor execute a cost-sharing agreement at the start of each major phase of the project, and the Corps generally requires financial contributions from the sponsors upfront.

For more information regarding Corps of Engineers assistance with a water resources study or project:



call | 651-290-5807 email | cemvp-pa@usace.army.mil go online | www.mvp.usace.army.mil/Missions/Civil-Works

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### **Continuing Authorities Program**

The continuing authorities program, or CAP, authorizes the Corps of Engineers to plan, design and construct small scale projects under an existing program authority from Congress. Local governments and agencies seeking assistance may request the Corps of Engineers to investigate potential water resource issues that may fit a particular authority.

A CAP project is conducted in two phases. The first phase is a two-step feasibility study, where the federal interest is initially established using up to \$100,000 of federal funding. The remaining feasibility study is cost-shared 50 percent federal and 50 percent non-federal. Typically, this results in a report documenting the issues, objectives, recommended alternative(s) and environmental compliance required for the project.



Once the feasibility phase is complete and the Corps of Engineers has approved the project, the design and implementation phase is initiated. The non-federal sponsor must agree to the following before a project will enter the design and implementation phase:

- Provide all lands, easements, rights-of-way, relocations and disposal, or LERRD, areas necessary for construction and maintenance. The cost of LERRD is applied toward the non-federal sponsor's cost-share;
- Maintain and operate the project after completion without cost to the federal government (most projects);
- Prevent future encroachments, which may interfere with proper functioning of the project; and
- Assume responsibility for any cash requirements, including costs in excess of applicable federal cost limitations.

The design and implementation phase includes completion of design, plans and specifications and construction. This phase is costshared, typically 65 percent federal and 35 percent non-federal.

#### **CAP SECTION 14**

**Emergency Streambank and Shoreline Protection** Flood Control Act of 1946, as amended

The Corps of Engineers is authorized to construct bank stabilization and protection projects to protect endangered public and non-profit infrastructure including highways, bridges, approaches and other essential public services such as hospitals, cultural sites and water supply systems from flood and storm damages due to erosion. Privately owned property and facilities are not eligible for protection under this authority. The maximum federal dollar limit is \$5 million per project.

#### **CAP SECTION 204**

Beneficial Use of Dredged Material Water Resources Development Act of 1992, as amended

The Corps of Engineers can restore, protect or create aquatic and wetland habitats in connection with construction maintenance dredging of an authorized federal navigation project. The cost-share under this program is 65 percent federal and 35 percent non-federal for all costs above the base disposal plan, where the base disposal plan is the least costly plan for typical disposal of dredged material. The federal government pays 100 percent up to the cost of the base disposal plan.





### **CAP SECTION 205**

Flood Control Flood Control Act of 1948, as amended

The Corps of Engineers is authorized to investigate and construct local flood risk reduction projects by construction or improvement of flood control works. Typical flood control projects include levees, floodwalls, channel modifications, pumping stations or some non-structural measures. The maximum federal limit is \$10 million per project.

#### **CAP SECTION 206**

#### Aquatic Habitat Ecosystem Restoration

Water Resources Development Act of 1996, as amended

The Corps of Engineers is authorized to restore and protect aquatic ecosystems and wetland habitats to improve the quality of the environment. Examples of projects include stream and wetland restoration and channel modifications. The maximum federal limit is \$10 million per project.

#### **CAP SECTION 1135**

Project Modifications for Improvement of the Environment Water Resources Development Act of 1996, as amended

The Corps of Engineers is authorized to assist in the restoration of degraded ecosystems through the modification of Corps of Engineers' structures, operations or implementation of measures in affected areas. The maximum federal limit is \$10 million per project.

### **Planning and Assistance to States and Tribes**

SECTION 22 of the Water Resources Development Act of 1974, as amended

#### What the Corps of Engineers Can Do

Typical studies are only at the planning level of detail. They do not include detailed designs for project construction and do not include any construction funding. Work under this authority falls into two categories: comprehensive plans and technical assistance.

#### **Comprehensive Plans**

Comprehensive plans involve water resource planning for the development, utilization and conservation of the water and related resources of drainage basins, watershed or ecosystems, including plans to comprehensively address water resource challenges. Federal allotments for comprehensive planning for each state or Tribe are limited to \$5 million in federal funds annually but typically are much less. Individual studies, of which there may be more than one per state or

### TYPICAL STUDIES

The program can encompass many types of studies dealing with water resource issues. Types of studies conducted in recent years under the program include:

- Water Supply and Demand
- Water Quality
- **Environmental Conservation**
- **Environmental Restoration**
- Wetland Evaluation
- Dam Safety and Failure

Tribe per year, generally range in cost from \$25,000 to more than \$100,000. The cost-share for comprehensive planning is 50 percent federal and 50 percent non-federal.

#### **Technical Assistance**

Technical assistance under this authority involves assisting states or Tribes with technical matters relating to the management of water resources, including the provision and integration of hydrologic, economic or environmental data and analysis. Federal allotments for technical assistance for each state or Tribe are limited to \$2 million in federal funds annually. The cost-share for technical assistance is 50 percent federal and 50 percent non-federal.

COST SHARE 50% FEDERAL 50% NON-FEDERAL

- Flood Risk Management
- Floodplain Management
- Land Use
- Master Planning
- Economic Analysis
- GIS Development

### **Floodplain Management Services**

SECTION 206 of the Flood Control Act of 1960, as amended

#### What the Corps of Engineers Can Do

The floodplain management services program provides a full range of technical services and planning quidance needed to support effective floodplain management. Funding cannot support construction. Under this program, the Corps is authorized, upon request by other federal, nonfederal, local or individual entities or federally recognized Tribes, to provide a full range of technical services and planning guidance on floods and floodplain issues. Funding is allocated to studies based on national and regional priorities. This program is 100 percent federally funded, however, sponsors can make contributions

to enhance approved studies.

100% federally funded

#### **General Technical Services**

This program develops or interprets site-specific data on obstructions to flood flows; flood formation and timing; flood depths or stages; floodwater velocities; and the extent, duration and frequency of flooding. It also provides information on natural and cultural floodplain resources before and after the use of floodplain management measures.





### **Floodplain Management Services**



#### **Special Studies**

Special studies can range from helping a community identify present or future floodplain areas to a broad assessment of the various floodplain management alternatives. Some of the most common types of special studies include:

- Floodplain Delineation/Flood Hazard Evaluation
- Dam Break Analysis
- Flood Warning Systems/Preparedness
- Regulatory Floodway Determination
- Floodplain Management Planning
- Urbanization Impact Analysis
- Storm Water Management
- Hydrologic, Hydraulic, and Sediment Transport Modeling
- Flood Inundation Mapping on Extent, Depth, Duration and Frequency of Flooding
- Disseminating/Developing Information on Non-structural Options and Flood Proofing
- Develop Emergency Evacuation Plans
- Flood Plain Structure Inventories and Flood Susceptibility
- Post Signs Indicating the 1 Percent (100-year) Flood Elevation

### **Tribal Partnership Program**

The Tribal Partnership Program, or TPP, provides authority for the Corps of Engineers to perform water-related planning activities and activities related to the study, design and construction of water resources development projects located primarily on Tribal lands that substantially benefit federally recognized Tribes.

To start the process, a Tribe submits a study request to the Corps of Engineers. The Corps evaluates the request, and if viable, works with the tribe to determine a scope of work and enters into a feasibility cost sharing agreement. Following the execution of the agreement, the Corps seeks federal funding for the study.

Once funding is obtained, the Corps initiates a feasibility study where costs are shared with the tribe. The cost share depends on the type of study and the tribe's per capita income. During the feasibility study phase, the Corps and the tribe identify potential solutions, analyze the costs, benefits and environmental impacts, and develop a recommended project. If a project is deemed feasible, the tribe and the Corps must enter into a design agreement to obtain funding and move forward with the initiation of the project.



### **Environmental Infrastructure Assistance**



The primary objective of the environmental infrastructure program is to provide design and construction assistance to non-federal sponsors interested in carrying out waterrelated environmental infrastructure and resource protection and development projects in North Dakota, Northeastern Minnesota and Northern Wisconsin. Projects may include wastewater treatment and related facilities, water supply and related facilities, environmental restoration and surface water resource protection and development.

The St. Paul District manages projects in North Dakota (Section 594) jointly with the Omaha District, and in Northeastern Minnesota (Section 569), and Northern Wisconsin (Section 154) jointly with the Detroit District. This is a cost-shared program, 75 percent federal and 25 percent nonfederal. The Corps of Engineers can engage in design, construction, or both, for projects under this program. Example projects include storm and sewer systems, water treatment and water delivery.



### **Emergency Management**



#### What the Corps of Engineers Can Do

The emergency management program allows the Corps of Engineers to provide leadership and support to federal, state and local partners in preventing, protecting from, mitigating, responding to, and recovering from disasters. Our intent is to save lives and protect property. To that end we ensure a knowledgeable and experienced work force is always available to respond. Our authority and expertise is in flood risk management and response and is found at Public Law 84-99, as amended. We also are prepared to execute recovery missions assigned by FEMA under Emergency Support Function #3, Public Works and

Engineering. We are always available to provide emergency technical assistance to jurisdictions for a wide range of engineering specialties.

#### **Before and During a Flood Event**

Prevention and protection are accomplished through the Corps of Engineers inspection program for federal and non-federal flood risk management structures. We monitor the status of levee systems and notify levee sponsors of potential issues or



concerns. When flooding is imminent, the Corps is authorized to perform flood response activities. These direct and technical assistance activities are 100 percent federally funded and can include materiel (sandbags, poly and pumps), emergency levee construction, technical assistance, and search and rescue support.

#### After the Event Occurs

The Corps of Engineers supports recovery and mitigation activities for floods and other types of disasters. Flood mitigation and recovery is authorized under Public Law 84-99 and includes repair of eligible flood control structures. Design and coordination of these repairs is 100 percent federal. Implementation of repairs or other work is cost-shared 80 percent federal and 20 percent non-federal. Assistance to individual homeowners and businesses is not permitted. FEMA assigns the Corps of Engineers missions under Public Law 93-288 (the Stafford Act). These missions can include temporary housing, critical public facilities, emergency power, debris removal, temporary roofing and infrastructure assessments.



### Silver Jackets Program

#### "Many Partners, One Team."

Silver Jackets teams are collaborative state-

led interagency teams continuously working together to reduce flood risk at the state level. Through the Silver Jackets program, the Corps of Engineers, the Federal Emergency Management Agency, and additional federal, state and sometimes local and tribal agencies provide a unified approach to addressing a state's priorities. Often, no single agency has the complete solution, but each may have one or more pieces to contribute. The Silver Jackets team is the forum where all relevant agencies come together with the state to collaboratively plan and implement that interagency solution. Through partnerships, Silver Jackets optimize the multi-agency utilization of federal resources by leveraging state/local/ tribal resources, including data/ information, talent and funding, and preventing duplication of effort.

#### The primary goals of the Silver Jackets program are to:

- Facilitate strategic **life-cycle** flood risk reduction
- Create or supplement a continuous mechanism to collaboratively solve state-prioritized issues and implement or recommend those solutions
- Improve processes, identifying and resolving gaps and counteractive programs
- Leverage and optimize resources
- Improve and increase flood risk communication and present a unified interagency message
- Establish close relationships to facilitate integrated pre-event, event response and post-disaster recovery solutions

Silver Jackets allows the **State and Federal partners to work seamlessly ... and anticipate needs during disaster events**. The Silver Jackets program **maximizes the funding** available ... and allows the team members to work together in a synergistic manner, tapping into one another's needs and capabilities, thus **creating ... services that otherwise would not be available**. The program allows the partner agencies to look ahead and identify potential challenges and identify **solutions to address those challenges before they happen**."

### **Specifically Authorized Projects**

Projects specifically authorized by Congress allow the Corps of Engineers to provide support for a variety of water resource related issues. These projects differ from projects under other program authorities. First, to initiate a study, the Corps of Engineers requires specific Congressional authorization to address issues within a specific area. Also, the study scope can include one or more different Corps of Engineers mission areas and the total study cost is not limited.

The first phase in the process is the investigation phase which explores the feasibility of constructing a project by identifying problems and opportunities, developing a recommended plan and completing necessary environmental compliance. Once authorized by Congress for construction, the project enters the construction phase in which the final design is completed and the project is constructed.

This program allows the Corps of Engineers to address large-scale projects such as basin-wide flooding issues or ecosystem restoration on an entire river system. The investigation phase is cost-shared 50 percent federal and 50 percent non-federal.



The construction phase is typically 65 percent federal and 35percent non-federal.

COST SHARE 65% FEDERAL 35% NON-FEDERAL



#### **STUDY AREAS**

- Flood Risk Management
- **Ecosystem Restoration**
- Navigation

- Watershed Management
- Water Supply
- Hydro Power
- Recreation

### Navigation and Ecosystem Sustainability Program



The Navigation and Ecosystem Sustainability Program, or NESP, is a long-term program of navigation improvements and ecosystem restoration for the Upper Mississippi River System. The program spans three Corps of Engineers districts: St. Paul, Rock Island and St. Louis. The primary goals of the program are to increase the capacity and improve reliability of the inland navigation system while restoring, protecting and enhancing the environment.

The purpose of the Navigation and Ecosystem Sustainability Program is to

improve efficiency and capacity of this nationally significant Upper Mississippi River – Illinois Waterway navigation system while protecting, preserving and enhancing the structure, diversity and function of this nationally significant ecosystem. This multiuse resource supports an extensive navigation system (made up of 1,200 miles of 9-foot channel and 37 lock and dam sites), a diverse ecosystem [2.7 million acres), floodplain agriculture, recreation and tourism.

In 1986, Congress declared the Upper Mississippi River System "a nationally significant ecosystem and a nationally significant commercial navigation system." The same waters that transport more than 60 percent of America's corn and soybeans are home to 25 percent of North America's fish species and are globally important as a flyway for 40 percent of North America's migratory waterfowl and shorebirds. However, both the river transportation system and the river ecosystem are deteriorating.

The locks that help tows navigate the Mississippi and Illinois rivers are antiquated – increasing costs, safety risks and lost market opportunities. From an ecological perspective, the floodplain is degraded, islands are eroded, backwaters are filled and the rivers' natural flows have been disrupted.

Investment in small scale navigation efficiency projects, new locks, and ecosystem restoration projects will help ensure that this navigation system remains a functioning, living and thriving river system.

### **Upper Mississippi River Restoration**

## **Upper Mississippi River Restoration**

### Leading · Innovating · Partnering

#### VISION:

which is

A healthier and more resilient Upper Mississippi River Ecosystem that sustains the river's multiple uses.



federally

funded

### MISSION:

To work within a partnership among federal and state agencies and other organizations; to construct high-performing habitat restoration, rehabilitation and enhancement projects; to produce state-of-theart knowledge through monitoring, research and assessment; and to engage other organizations to accomplish the Upper Mississippi River Restoration Program's vision. The program area includes the Mississippi River from Minneapolis to Cairo, Illinois; and the Illinois River from the confluence with the Mississippi to



Lake Michigan; 1,200 river miles and 2.7 million acres of floodplain habitat. Habitat rehabilitation provides critical habitat for riverine species, supporting overall ecosystem health and resilience. This program has evolved into a successful program using or mimicking natural river processes, providing benefits at system, reach, pool and local scales. Habitat rehabilitation projects continually build upon lessons learned. Innovations and lessons learned from this concept has benefited other programs on the Upper Mississippi River, throughout the United States, and internationally on other large floodplain river systems.

This is a cost-shared program, 65 percent federal and 35 percent non-federal, unless it's on the Upper Mississippi River National Wildlife and Fish Refuge in which case, it's 100 percent federally funded. HOW TO REQUEST ASSISTANCE FROM THE ST. PAUL DISTRICT

Please email cemvp-pm@

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### St. Paul District <u>Civil Works Program</u> Boundaries

