



**US Army Corps
of Engineers**
Baltimore District

April 2019

REGIONAL SEDIMENT MANAGEMENT

Section 204 of the Water Resources Development Act of 1992, as amended

Authority and Scope: Section 204 of the Water Resources Development Act of 1992, as amended, authorizes the U.S. Army Corps of Engineers 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. There is a \$10,000,000 federal per project limit and the annual national appropriations limit is \$50,000,000.

Project Phases and Funding: Section 204 projects start with the Feasibility Phase which is funded 100% federally. After approval of the feasibility report, the project enters the Design and Implementation Phase. Costs of the Design and Implementation Phase are shared 65% Federal and 35% non-Federal with the non-Federal sponsor given credit for Lands, Easements, Rights of Way and Relocations and some other costs. Operation, Maintenance, Repair, Rehabilitation and Replacement of the project in the future is at 100% non-Federal cost.

Non-Federal Responsibilities: Formal assurance of local cooperation must be furnished by a local sponsoring agency. The local sponsor must be a public agency or a non-profit environmental organization. Private interests may also qualify if there is no requirement for future operation and maintenance of the project modification. The sponsoring agency must normally agree to:

- a. Provide without cost to the United States all necessary lands, easements, rights-of-way, access routes and relocation of utilities necessary for project construction and subsequent operation and maintenance of the project.
- b. Provide 35 percent of the Design and Implementation Phase costs.
- c. Maintain and operate the project after completion without cost to the United States.

How to Request Assistance: A study of a prospective Section 204 project will be initiated after receipt of a written request (see sample below), from an authorized sponsoring agency (see non-Federal Responsibilities above), and provided Federal funds are available.

For Further Information, Contact:

Mr. Anthony Clark
Continuing Authorities Program Manager
Planning Division
anthony.a.clark@usace.army.mil
(410) 962-3413

**SAMPLE LETTER OF REQUEST
FOR A
SECTION 204 STUDY**

John T. Litz, PMP
Colonel, U.S. Army
Commander and District Engineer
U.S. Army Engineer District, Baltimore
2 Hopkins Plaza
Baltimore, Maryland 21201

ATTN: Planning Branch

Dear COL Litz:

In accordance with the provisions of Section 204 of the Water Resources Development Act of 1992, as amended, the (state, city, county, town, non-profit organization) is requesting Corps of Engineers assistance in addressing an ecosystem restoration or storm damage protection problem using dredged material at (name and location of the project opportunity with an associated federal navigation project).

[Insert paragraph giving a brief description of problem].

We are fully aware of the following non-Federal requirements associated with projects under the Section 204 authority.

Feasibility Phase: Funded 100% by the Federal government.

Design and Implementation Phase: The non-Federal sponsor is responsible for costs of all lands, easements, relocations and disposal areas. If this amount is less than 35% of the total project cost, the non-Federal sponsor must provide either in-kind services or an additional cash contribution to make the total equal 35% of the total project cost.

We are aware that this letter serves as an expression of non-Federal intent to cooperate on this project and is not a contract obligation. Either party may discontinue this effort at any point prior to construction.

SIGNATURE OF COOPERATING AGENCY