

# Section 1135 Project Modification for Improvements to the Environment

Section 1135 of the Water Resources Development Act of 1986, as amended

## What the Corps of Engineers Can Do:

This authority provides for the review and modification of structures and operations of water resources projects constructed by the Corps for the purpose of improving the quality of the environment when it is determined that such modifications are feasible, consistent with the authorized project purposes, and will improve the quality of the environment in the public interest. In addition, if it is determined that a Corps water resources project has contributed to the degradation of the quality of the environment, restoration measures may be implemented at the project site or at other locations that have been affected by the construction or operation of the project, if such measures do not conflict with the authorized project purposes.

## Charges for Assistance:

The initial study is 100% federally funded up to \$100,000. All planning costs after the first \$100,000 are cost shared 50/50. All design and construction costs are cost shared 75% Federal and 25% non-Federal. The Federal cost limit is \$5,000,000. The non-Federal sponsor cost share can be a contribution of cash, Lands, Easements, Rights-of-way, Relocations, and Disposal areas (LERRDs), or work-in-kind. Work-in-kind may be provided subsequent to the execution of a Project Partnership Agreement (PPA), and the value may not exceed 80% of the non-Federal share.

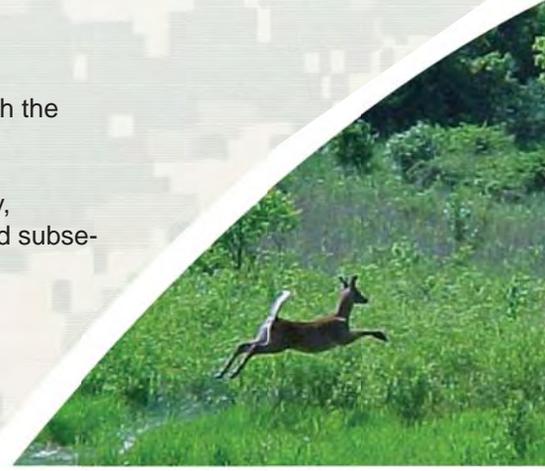
## Responsibility of Project Sponsor:

Formal assurance in the form of a Project Cooperation Agreement must be executed with the project sponsor. In addition, the project sponsor must normally agree to the following:

- Provide without cost to the United States all Lands, Easements, Rights-of-way, Relocations, and Disposal areas (LERRDs) necessary for the construction and subsequent maintenance of the project.
- Maintain and operate the project after completion without cost to the United States.
- Assume responsibility for all costs in excess of the Federal cost limitation of \$5,000,000.
- If the value of the sponsor's land contribution above does not equal or exceed 25 percent of the project cost, provide cash or work-in-kind contributions to make the sponsor's total contribution equal to 25 percent.

## Requests for Assistance:

An ecosystem restoration project under Section 1135 can be initiated upon receipt of a request from a prospective project sponsor.



## Cost Sharing

- **Federal 75%**
- **Non-Federal 25%**
- **Federal Cost Share limited to \$5 million**

