



Section 206: Aquatic Ecosystem Restoration

Section 206 of the Water Resources Development Act of 1996, as amended, gives the U.S. Army Corps of Engineers the authority to carry out aquatic ecosystem restoration projects if the project will improve environmental quality, is in the public interest, and is cost effective. Most of Section 206 projects include a combination of hydrologic manipulation, structural restoration, and biological restoration. Section 206 projects cannot be undertaken for the sole purpose of improvement of water quality. There must be an aquatic ecosystem benefit other than improved water quality.

Who can apply?

Any non-Federal government entity can serve as the Sponsor for a Section 206 project. In some cases, non-government agencies may serve as Sponsors. Project initiation requires a letter to the District office requesting the Corps' assistance.

What does it cost?

- First \$100,000 of the Feasibility Phase is 100% Federally Funded.
- The remainder of the Feasibility Phase is cost-shared 50/50%.
- The Design and Implementation Phase is cost shared 65% Federal and 35% Non-Federal.
- The non-Federal sponsor cost share can be a combination 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).
- Project costs are limited to \$10 million Federal investment per project.
- Annual Federal program limit is \$62.5 million per year.
- All studies are subject to availability of Federal appropriations.

How long does it take?

Section 206 feasibility studies can take up to 2 years to complete and include two major milestones. The first milestone is a Federal Interest Determination document to be accomplished with the first \$100,000. The second milestone is a Major Subordinate Command Decision Milestone (MDM) to discuss the selected alternatives for a potential construction project. The outcome of the MDM and the feasibility study will be a Detailed Project Report. The feasibility study includes all alternatives analysis, design work, NEPA compliance, and benefit-cost analysis. Construction time varies depending on the project being implemented.

Questions?

To learn more, visit www.sac.usace.army.mil/partnerships.

Questions? Email cesac-planning@usace.army.mil or call (843) 329-8050.

District Engineer
U.S. Army Corps of Engineers
69A Hagood Avenue
Charleston, SC 29403

Dear Sir or Madam,

This letter is to request the assistance of the U.S. Army Corps of Engineers under Section 206 of the Water Resources Development Act of 1996, as amended, in aquatic ecosystem restoration in the vicinity of (CREEK, RIVER, OR BODY OF WATER) in (CITY OR TOWN).

(BRIEFLY DESCRIBE THE NATURE AND SEVERITY OF POTENTIAL DAMAGES AND THE POTENTIAL BENEFITS.)

We understand that as a local sponsor under the Section 206 program, we are responsible for 50 percent of feasibility study costs exceeding \$100,000 in Federal expenditures and 35 percent of project design and construction costs, if a feasible plan is identified. We acknowledge that the cost share contribution can be in the form of "in-kind" services that contribute a direct component to the study, cash, or a combination. Our cost share obligation would include provision of all lands, easements, rights-of-way, relocations, and dredged material disposal areas required for the project. We intend to pursue budgetary actions so that funds are available to meet our cost sharing requirements. We would assume responsibility for operation and maintenance of the project upon completion.

The (NON-FEDERAL SPONSOR) is aware that this letter constitutes an expression of intent to initiate a study partnership to address the specified water resources problems and is not a contractual obligation. We understand that work on the study cannot commence until it is chosen to be included in the Administration's budget. It is understood that we or USACE may opt to discontinue the study at any time after the feasibility study cost sharing agreement is signed but will commit to work together as partners from the scoping phase, and subsequent decision points throughout the feasibility study, on providing the necessary support to risk-informed decision making. If it is determined that additional time or funding is necessary to support decisions to be made to complete the study, our agency will work with USACE to determine the appropriate course of action.

The (NON-FEDERAL SPONSOR) has designated (NAME /PHONE NUMBER) as the point of contact for this project.

Sincerely,
(NAME / TITLE OF OFFICIAL AUTHORIZED TO REQUEST STUDY)