



## Section 1135: Aquatic Ecosystem Restoration

Section 1135 of the Water Resources Development Act of 1986 gives the U.S. Army Corps of Engineers the authority to modify the structures or operations of Corps projects to improve the quality of the environment or to implement measures to restore ecosystem that has been degraded as a result of the construction and/or operation of Corps or joint Corps/other Federal agency projects. Section 1135 projects cannot be implemented to fulfill existing Sponsor mitigation commitments.

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### Who can apply?

Any non-Federal government entity can serve as the Sponsor for a Section 1135 project. In some cases, non-government agencies may serve as Sponsors. Project initiation requires letter to the District office requesting Corps assistance.

### What does it cost?

- The initial \$100,000 of any Section 1135 Feasibility Study is paid 100% by the Federal Government.
- All additional feasibility expenditures are cost shared at a rate of 50% Federal, 50% Sponsor. The Sponsor may contribute work in kind for their share.
- The Design and Implementation Phase is cost shared 75% Federal and 25% Non-Federal.
- There is a spending cap of \$10 million of Federal expenditure per Section 1135 project.
- Annual Federal program limit is \$50 million per year.

### How long does it take?

Section 1135 feasibility studies can take approximately 24 to 30 months and include two major milestones. The first is a Federal Interest Determination document to be accomplished with the first \$100,000. The second milestone is an Alternative Formulation Briefing (AFB) to discuss the selected alternatives for a potential construction project. The outcome of the AFB 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](http://www.sac.usace.army.mil/partnerships).

Questions? Email [cesac-planning@usace.army.mil](mailto: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 1135 of the Water Resources Development Act of 1986, as amended, in improving the environment in (CITY OR TOWN, AND SPECIFIC LOCATION), which has been adversely affected by (EXISTING CORPS PROJECT).

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

We understand that as a local sponsor under the Section 1135 program, we are responsible for 50 percent of feasibility study costs exceeding \$100,000 in Federal expenditures and 25 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)