Continuing Authorities Program (CAP) & Planning Assistance to States (PAS) Program

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GOALS & OUTLINE

Goals:
- Provide a high level understanding of each program:
  - Requirements
  - Funding details
  - Capabilities
- Provide contact info to arrange future coordination activities via online or site visit when able:
  - Reuben.Trevino2@usace.army.mil

Outline:
- Continuing Authorities Program
- Planning Assistance to States
Continuing Authorities Program (CAP) is a group of nine legislative authorities under which the Corps of Engineers can plan, design, and implement certain types of water resources projects. The purpose of the CAP is to plan and implement projects of limited size, cost, scope and complexity.

- CAP programmatic authorities are to undertake cost-shared projects without requiring project-specific congressional authorization.
- Congress appropriates a certain dollar amount every FY for each authority from construction funds.
- Available funds are distributed based on project status and ranking when compared to all proposed projects across the nation.

FY20 Appropriations Bill: Total of $71,500,000
## CAP DETAILS & FUNDING CONSTRAINTS

<table>
<thead>
<tr>
<th>Program Authority</th>
<th>Description</th>
<th>Federal Limit</th>
<th>FY20 Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sect 14</td>
<td>Emergency stream bank and shoreline protection for public facilities, such as roads, bridges, hospitals, schools, and water &amp; sewage treatment plants, that are in imminent danger of failing.</td>
<td>$5M</td>
<td>$8M</td>
</tr>
<tr>
<td>Sect 103</td>
<td>Protection of public and private properties and facilities against damages caused by storm driven waves and currents by the construction of revetments, groins, and jetties and may also include periodic sand replenishment.</td>
<td>$10M</td>
<td>$4M</td>
</tr>
<tr>
<td>Sect 107</td>
<td>Improvements to navigation including dredging of channels and widening of turning basins.</td>
<td>$10M</td>
<td>$8M</td>
</tr>
<tr>
<td>Sect 111</td>
<td>Prevention of mitigation of erosion damages to public or privately owned shores along the coastline when the damages are a result of a Federal navigation project.</td>
<td>$12.5M</td>
<td>$5M</td>
</tr>
<tr>
<td>Sect 204</td>
<td>Regional Sediment Management and beneficial uses of dredged material from new or existing Federal projects for ecosystem restoration, FRM or HSDR purpose.</td>
<td>$10M</td>
<td>$15M</td>
</tr>
<tr>
<td>Sect 205</td>
<td>Local protection form flooding by non-structural measures such as flood warning systems, or flood proofing; or by structural flood damage reduction features such as levees. Diversion channels, or impoundments.</td>
<td>$10M</td>
<td>$12M</td>
</tr>
<tr>
<td>Sect 206</td>
<td>Aquatic ecosystem restoration.</td>
<td>$10M</td>
<td>$10M</td>
</tr>
<tr>
<td>Sect 208</td>
<td>Local protection from flooding by channel clearing and excavation, with limited embankment construction by uses of materials from the clearing operation only.</td>
<td>$500K</td>
<td>$1.5M</td>
</tr>
<tr>
<td>Sect 1135</td>
<td>Modification of USACE constructed water resources projects to improve the quality of the environment. Also, restoration projects at locations where an existing Corps project contributed to the degradation.</td>
<td>$10M</td>
<td>$8M</td>
</tr>
</tbody>
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GALVESTON DISTRICT CAP PROJECTS

Active Projects:

- Emg Stream Bank Sect 14
  - City of Columbus Wastewater Treatment Plant
  - Matagorda Nature Center
  - Mary Rhodes Pump Station Bay City, Tx
- Aquatic Ecosystem Restoration Sect 206
  - Brownsville Resacas
  - Galveston Municipal Utility District #12
- Regional Sediment Mgmt Sect 204
  - Galveston Island Coastal Erosion

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Non-Federal Sponsor:
- Must be a public agency
- State or local govt, or division thereof, ex. port, utility district
- For Environmental Restoration, can be non-profit organization

Letter of Intent
- Official request for assistance. Includes:
  - Specific Authority
  - Statement of understanding of financial requirement
  - Describes the proposed project
  - Non-binding

Site Visit
- Project Eval for authority suitability
- Project competes on national level
- Environmentally sound
- Engineering feasibility
- Economically justified

Funding Request
- Funds requested for new start following FY.
- Coordination efforts during FY 21 could result in new start FY 22
- Fall & Spring coordination efforts are best to meet timeline

Request for assistance
Request Funding for following FY

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**CAP PROCESS**

1. Letter of Intent (from nonfederal sponsor)
2. Federal Interest Determination
3. Feasibility Cost-Share Agreement (FCSA)
4. Feasibility Study/Environmental Assessment (FS/EA)
5. Project Partnership Agreement (PPA)
6. Design
7. Construction
8. Operations and Maintenance (O&M)

**Feasibility Phase – Follows SMART Planning Principles**
- Initially federally funded up to $100,000. Remaining feasibility phase costs shared 50/50 with non-Federal sponsor.
- Feasibility phase costs vary depending on effort.
  - Ex. $500,000 Total Cost
    - $300,000 Federal
    - $200,000 NFS

**Design & Implementation Phase**
- Detailed design & construction
- Cost Shared. Varies. (Typical: 65% Federal / 35% Non-Federal)
- Where applicable, the NFS provides all necessary lands, easements, rights-of-way, access routes and relocation of utilities.
  - Costs associated with these items may be in-kind contribution for the project.
PLANNING ASSISTANCE TO STATES (PAS)

Planning Assistance to States (PAS) under the authority provided by Section 22 of the WRDA act of 1974 the Corps of Engineers can provide non-federal sponsors (NFS) assistance in the preparation of comprehensive plans for the development, utilization, and conservation of water and related land resources. Typical studies are only planning level of detail; they do not include detailed design for project construction.

Changes under Section 3015, WRRDA 2014
- Annual programmatic amount for Comprehensive Plans increased to $30,000,000
- Authorization of appropriations for technical assistance annual limit of $15,000,000
- Total programmatic limit for PAS of $45,000,000

FY20 program funding was $9,000,000

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<tr>
<th></th>
<th>Comprehensive Water Resources Planning</th>
<th>Technical Assistance State Water Resources Mgmt Plans</th>
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<tbody>
<tr>
<td>Cost Shared</td>
<td>50:50</td>
<td>50:50</td>
</tr>
<tr>
<td>In-Kind Contribution</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Detail Design for Construction</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Federal Limit</td>
<td>Yes by state</td>
<td>Yes by state</td>
</tr>
</tbody>
</table>
GALVESTON DISTRICT PAS PROJECTS

Active Projects:
- South Padre Berm Study - Update to local mgmt. plan on how to manage sediment placement
- Dellanera Beach - Erosion control structure evaluation
- Lower Clear Creek & Dickinson Bayou Watershed Study - Coastal/Riverine Modeling Support

Potential Projects:
- Cameron County Regional Sediment Mgmt. Plan - Local Mgmt. tool
- Port of Victoria - Floodplain Mgmt. Efforts
- Port of Houston - Sedimentation reduction strategies
- Port of Mansfield - Regional Sediment Mgmt. Plan - Local Mgmt. tool
- TxDOT Bolivar Ferry Sediment Plan

Completed Projects:
- Galveston Island Sand Mgmt. Plan 2016
  - Multipurpose Reef & Breakwaters - Addendum 1, 2018
  - Sand Transfer Plant - Addendum 2, 2018
- Brazos River Erosion Management Study Richmond, TX 2017
- Galveston Bay Programmatic Regional Sediment Mgmt Plan, 2010
- Long Term Port of Liberty Navigation Development Plan 2017

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PAS PROCESS

Non-Federal Sponsor:
• Must be a public agency
• State or local government, or division thereof, ex. port, utility district, etc.
• Letter of Intent (LOI)
• Official request for assistance with required details

Federal Actions
• Site Visit
• Scope of Work Developed
• Agrmts drafted and NFS approval
• Request for funding submitted

Funding Available
• Project study begins once fully executed and funded
• Federal exec does not occur until funds have been released

Request for assistance Request Funding Execute Agreement & Start Effort

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# CAP & PAS PROGRAMS

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<tr>
<th></th>
<th>CAP</th>
<th>PAS</th>
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<tbody>
<tr>
<td>Congressional Approval Needed</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Construction Project at Completion</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Assistance in Plan Development</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Federal Limit</td>
<td>Yes, varies w/ programs</td>
<td>Yes by state</td>
</tr>
<tr>
<td>Requires non-federal sponsor match</td>
<td>Yes, varies w/ programs and phase</td>
<td>Yes</td>
</tr>
<tr>
<td>Is this a Grant Program?</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Questions
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