



**US Army Corps
of Engineers**

Program Fact Sheet
MITIGATION OF SHORELINE EROSION DAMAGE CAUSED BY
FEDERAL NAVIGATION PROJECTS
Section 111 of the 1968 River and Harbor Act, as amended

Authority and Scope: Section 111 of the 1968 River and Harbor Act, as amended, provides authority for the Corps of Engineers to develop and construct small projects for the purpose of mitigation of shoreline erosion or accretion problems directly influenced by the construction of a Federal navigation project. The amount of mitigation is limited to the level that would have existed without the influence of the navigation project. Each project is limited to a Federal cost of \$12,500,000 and must be economically justified, environmentally sound and engineeringly feasible.

Project Phases and Funding: Section 111 projects have two phases: Feasibility (study phase) and Design and Implementation Phase (detailed project design and construction). The first \$100,000 of Feasibility Phase costs are financed at 100% Federal costs. All Feasibility phase costs above \$100,000 are cost-shared at the same proportion of the original project in accordance with a Feasibility Cost-Sharing Agreement (FCSA) prepared for the study. If the project advances to the Design & Implementation phase, the non-Federal sponsors cash contribution is variable based on the rate at which the Federal navigation structure caused the shore damage. Work beyond that directly attributed to the Federal navigation project is 100% non-Federal.

Non-Federal Responsibilities: Formal assurance of local cooperation must be furnished by a local sponsoring agency. The local sponsor must be a municipality or public agency, fully authorized under state laws to give such assurances and must be financially capable of fulfilling all measures of local cooperation. 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. Costs associated with these items may be creditable towards the non-Federal cash contribution for the project.
- b. Contribute in cash the local share of project construction cost, determined in accordance with existing policies.
- c. Assume full responsibility for all project costs in excess of the Federal cost limitation of \$12,500,000.
- d. Hold and save the United States free from claims for damages which may result from construction and subsequent maintenance of the project, except damages due to the fault or negligence of the United States or its Contractors.
- e. Assume all responsibilities and costs for operation, maintenance, repair, rehabilitation, and replacement (OMRR&R) of the project.

How to Request Assistance: A study of a prospective project under Section 111 will be initiated after receipt of a written request, from an authorized sponsoring agency (see Non-Federal Responsibilities above), and provided Federal funds are available.

For Further Information, Contact:

Jim Luke
Outreach Coordinator
Planning Office
313-226-3387
James.D.Luke@usace.army.mil