



**US Army Corps
of Engineers**
Wilmington District

Section 1135 - Project Modifications for Improvement of the Environment

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What is it?

Section 1135 of the Continuing Authorities Program (CAP) provides the 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 the part of the ecosystem that has been degraded as a result of the construction and/or operation of Corps or joint Corps/other Federal agency projects.

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. All it takes is a simple request to the local Corps office and a representative will discuss your problem and associated qualification requirements with you. Section 1135 projects cannot be implemented to fulfill existing sponsor mitigation commitments.

What does it cost?

- The initial \$100,000 of any Section 1135 project is 100% Federally funded.
- The remainder of the feasibility phase is cost-shared 50/50% and requires a cost-sharing agreement.
- The design and implementation phase is cost shared 75% Federal and 25% non-Federal. The cost-sharing agreement is developed initially at 100% Federal cost not to exceed \$100,000, and is cost-shared upon execution of the agreement.
- There is a spending cap of \$10 million of Federal expenditures per Section 1135 project.
- All projects are subject to the availability of Federal appropriations.

How long does it take?

The CAP feasibility study may take approximately 24 to 30 months and includes two major milestones. The first milestone is a Federal interest determination document to be accomplished with the first \$15,000 in Federal funding. The second milestone is an MSC decision meeting (MDM) to discuss the selected alternatives for a potential construction project. The outcome of the MDM and the feasibility study will be a decision document. The feasibility study consists of alternatives analysis, design work, National Environmental Policy Act (NEPA) compliance, and benefit-cost analysis. Construction time varies depending on the project alternative being implemented.