

Regional Sediment Management

CAP 204 and the Federal Standard

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Section 204, as amended

General. **Section 204 authorizes the beneficial utilization of sediments obtained through or used in the construction, operation, or maintenance of an authorized Federal water resources project** to construct, repair, modify, or rehabilitate projects for reduction of storm damages to property and protection, restoration and creation of aquatic and biologically related habitat including wetlands, and to transport and place suitable sediment for the purposes of improving environmental conditions in marsh and littoral systems, stabilizing stream channels, enhancing shorelines, and supporting State and local risk management adaptation strategies. **To reduce or avoid Federal costs, the Secretary shall consider the beneficial use of dredged material in a manner that contributes to the maintenance of sediment resources in the nearby coastal system.**

... The cost of the project up to the limit of the cost of the Base Plan established under the above guidance will be funded and cost shared as a construction or operation and maintenance cost, as applicable, of the water resources project that is the source of the sediment. The total Federal costs associated with a beneficial use of sediments project shall not exceed \$10 million. **This cost limit refers to the incremental cost over the Base Plan.**



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White Paper and Approved Model PPA

1. Several 204 reports deemed “not policy compliant” by HQ.
2. Districts and MSC’s, through the RSM Center, began working on White Paper.
3. Approved model PPA released in Nov. 2015.
4. White Paper was finalized asking for clarification of policy and language in the model PPA.



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HQ View: 204 Projects vs. Placement

- WRRDA'14 allows for 204 “projects” and 204 “placements.”
- Project = comparison of alternatives to meet objectives (typical plan formulation.)
- Placement = one-time use with “temporary” benefits.
- 204 guidance with amendments.



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Placements

- **Bottom line: Placements are not Projects.**

Good

- May not need a PPA only MOA w/ easements.
- Maybe no O&M requirement.
- Approved at MSC.
- Ocean Beach, CA is good example.

Bad

- Maybe different cost cap than \$10M for 204 projects.
(reference PGL-56)



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Projects

- Should evaluate alternatives, not just compare the base plan to a preferred beneficial use.
- Use typical plan formulation to compare and screen alternatives.
- HQ mentioned comparing other alternatives that aren't beneficial use.
- Charleston is a good example of a project with an alternative comparison.



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Implementation Guidance

- Concussions and implementation guidance (WRRDA'14) are 2-3 months away.
- Jan Rasgus and Jeff Strahan are working on guidance.
- Provide HQ notes from today.
- Potentially set up call to field questions after providing notes.



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204 Application

HQ application of CAP Section 204 as amended by 2037

Can we take material from behind a federal dam and use the material beneficially (maintenance of the dam)? Or does the source material need to come from a federal navigation project?

If the material taken from behind a dam is part of the normal operation and maintenance of a federally authorized water resources development project, it can be put to a beneficial use. The material does not have to come from a navigation channel only.



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204 Application

HQ application of CAP Section 204 as amended by 2037

If navigation channel material is placed/stockpiled in an upland site. Can CAP 204 be used to remove the stockpiled navigation material and use it beneficially?

HQ will consider addressing this in the updated implementation guidance.



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The Federal Standard

The Federal Standard 33 CFR 335

“the dredged material disposal alternative or alternatives identified by the Corps which represent the least costly alternatives consistent with sound engineering practices and meeting the environmental standards established by the 404(b)(1) evaluation process or ocean dumping criteria”

Base Plan

It is the Corps of Engineers policy to accomplish the disposal of dredged material associated with the construction or maintenance dredging of navigation projects in the least costly manner (ER1105-2-100 (E-70))



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The Federal Standard

Federal Standard is an extremely powerful leveraging tool

Issues with trying to change the Federal Standard

- Navigation is a USACE Priority and budget is already constrained
- RSM stakeholders NEED USACE Navigation as a champion/advocate

Solutions

- Find value added: Are we looking at cost of one action or life cycle costs?
- Use of CDF or ODMDs should include design, permitting, etc. of new areas once capacity is used.
- FED to FED: Provide budgetary consideration (priority) for those projects creating value through RSM and thereby enable leveraging of funds between business lines.
- FED to Non-Fed: Efficient methods to receive non-Federal funds to exceed NAV Federal standard



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Questions?



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