

SNAGGING AND CLEARING FOR FLOOD CONTROL

Section 208, Flood Control Act of 1954, as amended

Authority and Scope. Section 208 of the Flood Control Act of 1954, as amended, provides authority for the Corps of Engineers to make improvements for the purposes of flood control. Examples of typical projects include removing accumulated snags and other debris, and clearing and straightening stream channels for flood control. Each project is limited to a Federal cost of not more than \$500,000. The Federal cost limitation includes all project-related costs for feasibility studies, planning, engineering, and construction.

How to Request Assistance. The Corps will initiate a preliminary investigation of a potential project after a letter from a prospective sponsoring agency is received. The sponsor must be fully empowered under State law to provide the required local cooperation. A sample letter of request is shown on the reverse side of this paper.

Funding. The project costs will be shared the same as for flood control projects under the authority of Section 205. The sponsor is required to contribute 35 percent of the total project costs. All lands, easements, rights of way, relocations, and dredged material placement areas (LERRD) necessary for construction of the project are the responsibility of the local sponsor. The value of LERRD may be credited towards the sponsor's share of project costs; however, the sponsor must contribute in cash a minimum of 5 percent of the total project costs for structural flood control solutions.

Local Cooperation. Formal assurance of local cooperation must be furnished by a local sponsoring agency, as defined in the letter of request. During the planning phase, the sponsor will be required to demonstrate financial capability to fulfill all items of local cooperation.

SAMPLE LETTER OF REQUEST

(Type on Letterhead Paper)

(DATE)

District Engineer
U.S. Army Engineer District, Baltimore
P.O. Box 1715
Baltimore, Maryland 21203-1715

Dear Sir:

In accordance with the provisions of Section 208 of the Flood Control Act of 1954, as amended, which authorizes the Federal government to initiate investigations and studies in the interest of snagging and clearing, the *[cooperating agency]* makes formal application for a study of *[waterway or locality, County, State]*.

[Insert paragraph giving a brief description of problem].

The *[cooperating agency]* understands that the problem will be assessed through the conduct of a Planning and Design Analysis (PDA). The Federal government will pay 100 percent of the costs for the PDA up to the Federal funding limit of \$40,000. If the cost exceeds \$40,000, the *[cooperating agency]* can provide 35 percent of this amount in excess of \$40,000, which will be provided during construction of the project.

The *[cooperating agency]* can provide the following local cooperation and participation:

1. Provide without cost to the United States all lands, easements, rights-of-way, relocations, including suitable borrow and dredged material placement areas (LERRD) as determined by the Federal government to be necessary for the construction of the project. The value of LERRD will be included in the total project costs and credited towards the sponsor's share of project costs, as defined in the local cooperation agreement.
2. Hold and save the United States free from claims for damages that may result from the construction and subsequent maintenance of the project, except damages due to the fault or negligence of the United States or its contractors.
3. Assume full responsibility for all project costs in excess of the Federal cost limitation of \$500,000.
4. Maintain and operate the project works after completion without cost to the United States in accordance with regulations prescribed by the Secretary of the Army.
5. Provide a cash contribution in accordance with existing laws as applicable to flood control projects.
6. Prevent future encroachment that might interfere with proper functioning of the project for flood control.
7. Provide guidance and leadership in preventing unwise future development of the floodplain by use of appropriate floodplain management techniques to reduce flood losses.

SIGNATURE OF COOPERATING AGENCY