

SECTION 101 – WRDA 86, AS AMENDED

**MODEL PROJECT PARTNERSHIP AGREEMENT
FOR
COMMERCIAL NAVIGATION HARBOR PROJECTS
AND
SEPARABLE ELEMENTS
THAT DO NOT
REQUIRE CONSTRUCTION OF A
DREDGED OR EXCAVATED MATERIAL DISPOSAL FACILITY**

MODEL HISTORY:

4 June 2004 - Model originally approved.

30 June 2006 - Model revised to incorporate additional language in Option 2 of Article VI.B. and in Article VI.G.2. to clarify timing of payments from the sponsor.

22 January 2009 - Model revised to change PCA to PPA in the title and Whereas clauses.

Note: For information regarding the approval authority and signature authority for a project specific agreement developed using the current version of the Commercial Navigation without Dredged Material Disposal Facilities model, go to the Implementation Memo link to see the Commercial Navigation without Dredged Material Disposal Facilities Model Implementation Memo, dated 30 June 2004.

MODEL APPLICABILITY:

The Commercial Navigation without Dredged Material Disposal Facilities model is one of three models to be developed for commercial navigation harbor and inland harbor projects or separable elements thereof. The other models will address commercial navigation harbor and inland harbor projects or separable elements thereof that do require confined dredged material disposal facilities and adding a new confined dredged material disposal facility to an existing commercial navigation harbor and inland harbor project or separable element thereof.

This model should be used only for specifically authorized commercial navigation harbor and inland harbor projects (and separable elements thereof) that do not require construction of confined dredged material disposal facilities. It should not be used for implementation of projects under any of the CAP authorities, nor for specifically authorized recreational navigation projects.

Project specific agreements developed using this model cannot be approved for execution prior to compliance with all applicable environmental laws and regulations including, but not necessarily limited to, NEPA and Section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341).