

## MEMORANDUM FOR MAJOR SUBORDINATE COMMANDS AND DISTRICT COMMANDS

SUBJECT: Policy Guidance Letter (PGL) No. 22, Guidance for Placement of Materials on Beaches

## 1. References:

- a. Section 933 of Public Law 99-662
- b. Section 934 of Public Law 99-662
- c. ER 1105-2-100

2. Background. Recent questions have been raised on the formulation, economic evaluation, cost-sharing and application of the referenced legislation.

## 3. Section 933.

a. It is Corps policy to participate in the additional costs for placing clean sand or other suitable material, dredged by the Corps during construction or maintenance of Federal navigation projects, onto adjacent beaches or near shore waters if the following requirements are met:

(1) The added cost of such placement must be justified by the benefits associated with protection of such beach or beaches. Recreation benefits produced as a consequence of the basic project may exceed 50 percent of total project benefits, but economic justification must be demonstrated on the basis of recreation benefits limited to 50 percent of total benefits.

(2) The beaches involved must be open to the public.

b. Once the above requirements are met, the section 933 project is considered to be in the Federal interest and the cost sharing for the complete recommended plan is 50 percent Federal and 50 percent non-Federal. Cost allocation for different benefit categories is not necessary.

c. The state is the only acceptable non-Federal sponsor for section 933 projects.

## 4. Section 934

a. Federal participation in periodic beach nourishment at existing projects may be extended if it is determined that, based on current evaluation guidelines and policies, the existing project is economically justified. Although no other

alternatives are implementable under the authority of section 934, an analysis of alternatives, similar in scope to an initial appraisal under Section 216 of the 1970 Flood Control Act should be included as part of the section 934 study.

b. The analysis of alternatives may indicate that the NED plan formulated for hurricane and storm damage reduction may be different from the authorized plan. In this case, appropriate future studies should be considered. If additional studies are needed, the recommendation of the section 934 project should include a time limit on the extension of Federal participation in periodic nourishment less than the maximum allowed under the law.

c. As the basic decision is to determine if continued Federal participation in the authorized project is justified given current conditions of development and current budgetary priorities, the without project beach profile should approximate pre-project conditions (i.e. conditions that existed just prior to initial project construction). The following two step process is required:

(1) identify (update, no indexing) current benefits of the existing project to determine if continued maintenance of the existing project is economically justified and consistent with current policies; and (2) develop alternatives (size & timing) for nourishment and recommend the most cost-effective nourishment scheme for the authorized project.

d. Environmental documentation for section 934 should be limited and focused on the following:

(1) Verify that impacts presented in the original project environmental documentation were accurately and adequately projected.

(2) Address the environmental implications of any unanticipated or unforeseen impacts.

(3) Address project impacts relative to any changed conditions or requirements (i.e., new endangered species, new environmental legislation, slight modifications or refinements to the project, etc.).

(4) Incorporate documentation of coordination with Federal and state agencies and others. The thrust of the coordination should be to ascertain whether there are significant environmental reasons why the project should not continue and to provide opportunity to identify "new" environmental concerns. In particular, comments from the Fish and Wildlife Service (at a level commensurate with a Planning Aid Report) under the Fish and Wildlife Coordination Act, Environmental Protection Agency, National Marine Fisheries Service, state coastal agency, and state water quality agency should be included.

The above information could be succinctly presented in the appropriate NEPA documentation as part of the section 934 report.

5. The policy contained in this letter will be incorporated into ER 1105-2-100.

FOR THE COMMANDER:

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Director of Civil Works