

Presentation by:

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at:

Public Hearing on Stormwater Management
Issues and Legislation, Pennsylvania
House of Representatives Environmental
Resources and Energy Committee

Findlay Township Building, Allegheny County

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Good morning. My name is Jim Purdy. I am Chief of the Natural and Cultural Resources Branch within the Planning Division of the U.S. Army Corps of Engineers, Pittsburgh District. Our office is located in the William S. Moorhead Federal Building, 1000 Liberty Avenue in Downtown Pittsburgh.

I am accompanied by Mr. Ricky Lowe, a Civil Engineer in our Planning Division.

I appreciate the opportunity to attend this hearing to give a brief explanation of the Corps of Engineers' programs available to address flooding problems and to answer questions about these programs.

As a Federal agency, we have no direct involvement in the Commonwealth of Pennsylvania's Stormwater Law. However, in carrying out our own programs, we work very closely with many of the State and local entities who are involved in the implementation of the State Law.

SECTION 205 PROGRAM:

One of the Corps of Engineers' programs for addressing localized flooding problems is the "Section 205 Program". The authority for this program lies in Section 205 of the Flood Control Act of 1948, as amended. Under this Program, the Corps can investigate and construct relatively small local flood damage reduction projects, without having to obtain specific Congressional authorization.

Under this program, the federal share of the total cost of a particular project is limited to \$5 million. A project may consist of structural solutions such as channel enlargement, earth levees or concrete flood walls and/or non-structural solutions such as flood warning systems, flood proofing individual structures and the acquisition and relocation of flood plain developments.

The primary prerequisites for a project to be implemented under this program are as follows:

1. The benefits attributable to the project (i.e., the monetary value of the damages that would be prevented by the project) must be equal to or greater than the project costs.
2. The project must be environmentally and socially acceptable.

3. A non-Federal governmental entity must serve as the local project sponsor, and in that capacity, share in the cost of the project investigations and implementation, and assume full responsibility for maintenance after the project is built. The local sponsor may be the municipality in which the flood problem is located, or the county, the state, or combinations of these entities.

As shown on the attached chart, the first phase of project development is the Feasibility Study. In this phase, the first \$100,000 of cost is funded entirely by the Corps of Engineers; and costs in excess of \$100,000 are cost-shared 50%/50% by the Corps and the local sponsor.

The next phases are the preparation of Plans and Specifications and then Construction. Cost sharing for these phases is 65% Federal and 35% Local. As previously mentioned, the limit on the Federal share of the cost on any project is 5 million. After construction is completed by the Corps the project is turned over to the local sponsor which is responsible for maintaining the project.

Traditionally, for local flood damage reduction projects, the Commonwealth of Pennsylvania, Department of Environmental Protection, contributes funds to the local sponsor to assist them with their financial obligation toward the particular project. However, such funding by the Department of Environmental Protection is determined by that agency on a case by case basis.

To initiate the investigation of a project under the Section 205 program, the potential local sponsor must submit a letter to the Corps of Engineers requesting the investigation and indicating their intent to assume the financial responsibilities of local sponsorship. Upon receipt of the letter, the District Office of the Corps requests funds from its higher authority to initiate the investigation.

At the present time, the Corps' Pittsburgh District office has Section 205 investigations underway for three locations along the Connoquenessing Creek in Beaver and Butler Counties, Pennsylvania and at one location along the Youghiogheny River at Connellsville, Pennsylvania.

We have a handout, that you can pick up later, which summarizes the Section 205 program.

FLOOD PLAIN MANAGEMENT SERVICES PROGRAM.

The Corps of Engineers has another program, called the Flood Plain Management Services Program. It is designed to provide

information to the occupants of flood plain areas as to what actions they can take to reduce property damage and to prevent the loss of life caused by flooding.

The program's authority stems from Section 206 of the 1960 Flood Control Act, as amended.

The Flood Plain Management Services Program differs from the Section 205 Program, that I previously described, in that it is not aimed at producing a detailed design for the construction of a Corps of Engineers project. Instead, under this program, the Corps can provide a range of technical services and planning guidance that are needed to support effective flood plain management. These services include:

- General Technical Services - For example, this could include information on flood levels and flood frequencies at a particular location.
- General Planning Guidance - These could include special studies such as Flood Plain Delineation Studies and Stormwater Management Studies.
- Guides, Pamphlets, and Supporting Studies - An example would be the handout material the Corps prepares on such topics as flood proofing techniques, flood plain regulations, etc.

These services are provided at full Federal cost to State, regional and local governments and other non-Federal public agencies contingent upon the availability of funds. Program services can also be offered to the private sector on a 100% cost recovery basis.

We have a white-covered publication titled "Water Resources Planning" which further explains the Flood Plain Management Services and how to request assistance from the Corps of Engineers under this program.

PLANNING ASSISTANCE TO STATES PROGRAM

A third program is our Planning Assistance to States Program which we call the Section 22 Program because its authority lies in Section 22 of the Water Resources Development Act of 1974, as amended.

Under the Section 22 Program, the Corps of Engineers can assist the State, local governments and non-Federal entities by performing technical studies, at a planning level of detail,

which can serve as a basis for local planning decisions on water resources issues.

The Section 22 Program is similar to the Flood Plain Management Services Program, which I just described, except that the Section 22 Program requires that studies be cost-shared on a 50% Federal/50% Non-Federal basis.

Our white-covered publication titled "Water Resource Planning" also explains the Section 22 Program and the procedures for requesting assistance.

EMERGENCY OPERATIONS PROGRAM

The fourth and final program that I will briefly describe is our Emergency Operations Program which applies to a short time frame immediately after the occurrence of a flood.

Under this program, the Corps' services may consist of emergency assistance to save lives and protect property. For example, this could include such efforts as:

- Furnishing technical advice;
- Clearance of drainage channels or bridge openings blocked by debris deposited during the particular flood event;
- Clearance of blockages of critical water supply intakes and sewer outfalls, and
- other emergency efforts.

Certain criteria must be met to obtain Corps of Engineers' assistance under the Emergency Operations Program:

- First, the assistance must be supplemental to state and local efforts;
- Second, written request must be made to the Corps by the governor or his authorized representative; and
- Third, the local interests must provide certain assurances prior to the undertaking of any work. We have a brochure titled "Emergency Operations" which provides more details.

In summary, I have briefly described four programs of the Corps of Engineers that address flooding problems:

- The Section 205 Program which can possibly lead to the construction of a Corps flood damage reduction project if the project is feasible and if a non-Federal entity agrees to be the local project sponsor;

- The Flood Plain Management Services Program which provides technical services to non-Federal governmental entities at Federal cost;

- The Section 22 Program which similarly provides technical and planning services to non-Federal governmental entities on a cost-sharing basis.

- and finally our Emergency Operations Program under which the Corps can provide short-term assistance after a major flood event.

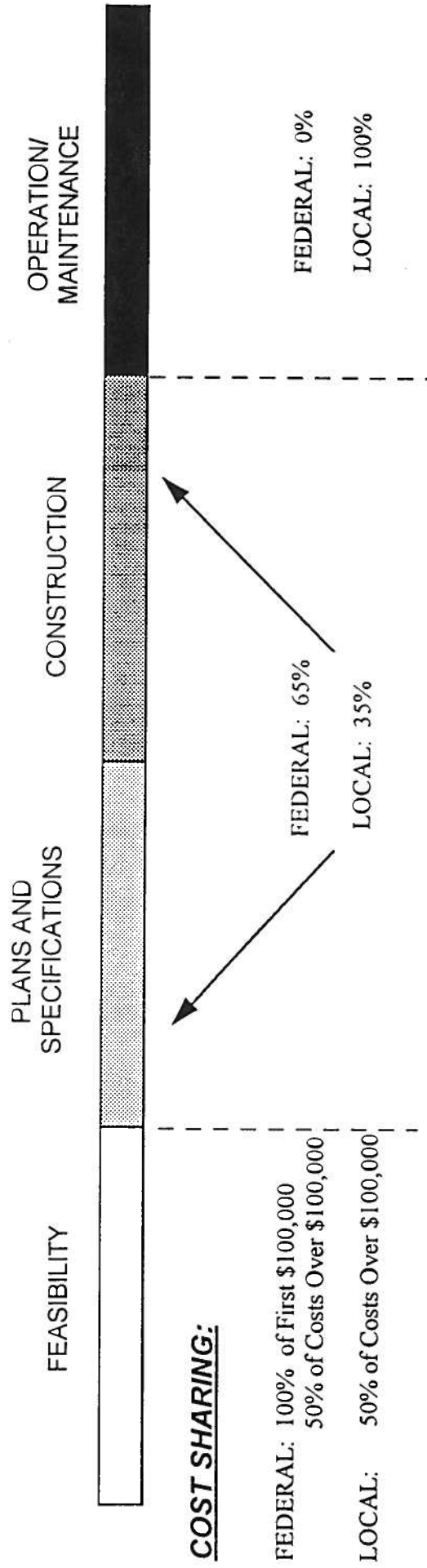
We have handout material on these programs which you may later pick up while leaving the room.

I am available, together with Ricky Lowe, to answer any questions that you may have.

Thank you.

PROJECT DEVELOPMENT SEQUENCE CORPS OF ENGINEERS SECTION 205 PROGRAM

PROJECT PHASES



COST SHARING:

FEDERAL: 100% of First \$100,000
50% of Costs Over \$100,000

LOCAL: 50% of Costs Over \$100,000

NOTE: All lands, easements, rights of way, relocations, and dredged material disposal areas (LERRDS) necessary for construction of the project are the responsibility of the local sponsor. The value of LERRDS is credited to the local sponsor's 35% share of the Plans and Specifications and Construction phases. The Local Sponsor is also responsible for 100% of the cost of maintaining the project after it is completed. Limit on Federal share of total project cost is \$5,000,000.