

SECTION 101 – WRDA 86, AS AMENDED

**MODEL PROJECT PARTNERSHIP AGREEMENT
FOR
COMMERCIAL NAVIGATION HARBOR PROJECTS
AND
SEPARABLE ELEMENTS
REQUIRING CONSTRUCTION OF A
DREDGED OR EXCAVATED MATERIAL PLACEMENT FACILITY**

MODEL HISTORY:

11 February 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.

30 August 2012 - Model revised to: 1) correct notes 2, 7, and 41; 2) update text in Articles II.J., IV.A., VI.A.1., VI.A.2., VI.A.3., IX, XIII.A., XX, and XXI.A.; 3) replace “disposal” with “placement” throughout; 4) delete old note 20 and old optional Article II.A.4. allowing for deferral in the event total costs of construction of the general navigation features exceeds a specified amount; 5) delete old Article XIII – Officials Not To Benefit; and 6) delete all text regarding removals.

Note: For information regarding the approval authority and signature authority for a project specific agreement developed using the current version of the Commercial Navigation with Dredged Material Placement Facilities model, go to the Implementation Memo link to see the Commercial Navigation with Dredged Material Placement Facilities Model Implementation Memo, dated 16 March 2004.

MODEL APPLICABILITY:

The Commercial Navigation with Dredged Material Placement 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 not require confined dredged material placement facilities and adding a new confined dredged material placement 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 will require construction of one or more confined dredged material placement facilities. It should not be used for implementation of projects under any of the CAP authorities, nor for specifically authorized recreational navigation

projects. If you are unsure of whether to use this model or the model for commercial navigation that does not require confined dredged material placement facilities, recommend using this model.

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).