



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

REPLY TO

CECW-P

NOV 19 2015

MEMORANDUM FOR Commanders, Major Subordinate Commands

SUBJECT: Approved Model Project Partnership Agreement (PPA) for Beneficial Use of Dredged Material Pursuant to Section 204 of the Water Resources Development Act of 1992, as Amended

1. Section 204 of the Water Resources Development Act of 1992, as amended, authorizes the Secretary to beneficially use dredged material obtained in the construction, operation, and maintenance of federal navigation projects to carry out projects for the purposes of structural and non-structural flood control, hurricane and storm damage reduction and environmental protection and restoration. The enclosed model PPA for Design and Construction of Beneficial Use of Dredged Material Projects implemented under Section 204 is approved for use, as appropriate.
2. This model PPA is for use only for Section 204 projects that are properly formulated in accordance with ER 1105-2-100 and which provide a long term solution to a problem. It is not appropriate for use for the one-time placement of dredged material which provides only temporary benefits. A one-time placement of dredged material is considered additional work for which the non-federal interest pays all incremental costs in excess of the least cost, environmentally acceptable alternative. There is an existing model Memorandum of Agreement available for these situations.
3. The responsibility for review and approval of a Section 204 PPA that does not deviate from the approved model is delegated to the MSC Commander. Division Counsel concurrence that the PPA does not deviate from the subject model, and is appropriate for use for the particular proposal, is required prior to approval.
4. The MSC Commander is also delegated authority to approve non-substantive deviations to the model PPA. Division Counsel review of such deviations, with a recommendation to approve such deviations, is required prior to approval by the MSC Commander. Where there is a question whether the deviation is substantive, HQUSACE is available for consultation. In addition, PPAs with substantive deviations, unique circumstances, or controversial matters must be coordinated with the respective HQUSACE RIT.

STEVEN L. STOCKTON, P.E.
Director of Civil Works

Encl

DISTRIBUTION:
(see next page)

CECW-P

SUBJECT: Approved Model Project Partnership Agreement (PPA) for Beneficial Use of Dredged Material Pursuant to Section 204 of the Water Resources Development Act of 1992, as Amended

DISTRIBUTION:

COMMANDERS,

GREAT LAKES AND OHIO RIVER DIVISION, CELRD

MISSISSIPPI VALLEY DIVISION, CEMVD

NORTH ATLANTIC DIVISION, CENAD

NORTHWESTERN DIVISION, CENWD

PACIFIC OCEAN DIVISION, CEPOD

SOUTH ATLANTIC DIVISION, CESAD

SOUTH PACIFIC DIVISION, CESP

SOUTHWESTERN DIVISION, CESWD