

US Army Corps of Engineers ® Omaha District

General Investigations

Introduction:

General Investigation (GI) studies refer to the traditional and most common way for the U.S. Army Corps of Engineers (USACE) to assist a community in addressing large-scale, complex water resource problems. These types of studies are typically conducted in partnership with a non-federal entity (sponsor).

A GI study often begins with a *request for assistance from a community or a local or state government entity with a water resource need* (e.g., navigation, flood protection or ecosystem restoration) beyond its capability. Before initiating a study, the Corps generally *requires two types of congressional authority - authorization and appropriations*.

If the Corps has previously conducted a study in the geographic area of concern, a new study can be authorized through a House Transportation and Infrastructure Committee or Senate Environment and Public Works Committee resolution. If the Corps has not previously conducted a study in the geographic area of concern, a new study would need to be authorized through legislation, typically a Water Resources Development Act (WRDA). Once authorized, appropriations for GI studies are appropriated as individual line items in the annual Energy and Water Development Appropriations Act, and historically Congress has modified funding amounts through congressional adds.

Project Phases:

There are three phases that a project passes through before construction begins using GI funding: *reconnaissance, feasibility and preconstruction engineering and design*. These three phases are conducted under a single congressional study authority.

Reconnaissance Phase

The reconnaissance phase report, called a "905(b) report," serves the primary purpose of determining whether there is federal interest in proceeding with the feasibility phase. The reconnaissance phase, which is fully funded by the federal government and generally completed in 12-18 months, accomplishes the following four essential tasks:

- (1) determines if the water resource problem(s) warrant federal participation in feasibility studies;
- (2) determines federal interest based on a preliminary appraisal of costs, benefits and environmental impacts of potential alternatives and documents it in a 905(b) report;
- (3) prepares a Feasibility Cost Sharing Agreement (FCSA) and a Project Management Plan (PMP) outlining responsibilities, guidelines, tasks, estimated costs and schedule for the feasibility phase; and
- (4) assesses the level of interest and support from non-federal entities in the potential alternatives identified and cost-sharing of the feasibility phase and construction.

Feasibility Phase

The feasibility phase serves to more fully define problems and opportunities and formulate and evaluate alternative plans culminating in a detailed presentation of a recommended project. Feasibility phase planning is guided by the requirements of the "Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies" (commonly referred to as the "Principles and Guidelines" or P&G).

The Principles and Guidelines define the federal objective of Corps project planning, which is to contribute to national economic development consistent with protecting the Nation's environment, pursuant to national environmental statutes, applicable executive orders and other federal planning requirements.

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Feasibility phase planning follows these six steps: (1) specify problems and opportunities associated with the federal objective and specific state, Tribal and local concerns; (2) inventory, forecast and analyze existing and future conditions relevant to the identified problems and opportunities; (3) formulate alternative plans to address the problems and capitalize on the opportunities; (4) evaluate the economic, environmental and other effects of each alternative plan; (5) compare the alternative plans and their effects; and (6) select a recommended plan.

Feasibility phase investigations are cost-shared equally between the Corps and a non-federal sponsor, and both parties sign an FCSA that details the responsibilities of each party. This phase concludes with a feasibility report that describes the Corps' proposed action. The feasibility phase is usually completed in 36-60 months depending upon the complexity of the issue and the availability of funding.

The final feasibility report is submitted to USACE Headquarters for a multi-step review and approval process referred to as Washington Level Review. Upon completion of the review and approval, the Assistant Secretary of the Army for Civil Works [ASA(CW)] transmits the final report to Congress for consideration of authorizing the recommended project for construction in the next WRDA.

Preconstruction Engineering and Design Phase

The purpose of the preconstruction engineering and design (PED) phase is to complete any additional planning studies and all of the detailed technical studies and design needed to begin construction of the project. The PED phase typically initiates under GI funding, which allows for continuation of project design and preparation of detailed plans and specifications while awaiting construction authorization through a WRDA.

Preconstruction engineering and design initiates with the negotiation of a Design Agreement (DA) and can last until completion of plans and specifications or receipt of Construction General (CG) funding. It is during the PED phase that the Project Partnership Agreement (PPA) is developed, which outlines the sponsor's and Corps' responsibilities for project construction and operation and maintenance after construction is complete. The execution of the PPA cannot occur until after Congress has authorized the project for construction.

GI Authorities:

Planning Assistance to States (PAS)

- Authority: Section 22, Water Resources Development Act of 1974, as amended
- Allows the Corps to provide technical planning assistance to states, public entities within states and federally-recognized
- Indian Tribes in the preparation of plans for development, utilization and conservation of water and related land resources
- Cost share is 50% federal, 50% non-federal
- Annual federal allotments for each state or Tribe from the nation-wide appropriation \$2,000,000

Flood Plain Management Services (FPMS) Program

- Authority: Section 206, Flood Control Act of 1960, as amended
- Allows the Corps to provide a full range of flood risk information, technical services and planning guidance to support and promote effective flood risk and floodplain management
- Overall Corps FPMS appropriation ceiling amount \$15,000,000

Tribal Partnership Program

- Authority: Section 203, Water Resources Development Act of 2000, as amended
- Allows the Corps to study the feasibility of potential construction projects and to conduct watershed studies that will substantially benefit Indian Tribes on Indian lands
- Maximum federal share for reconnaissance \$100,000