



**US Army Corps  
of Engineers®**  
New York District

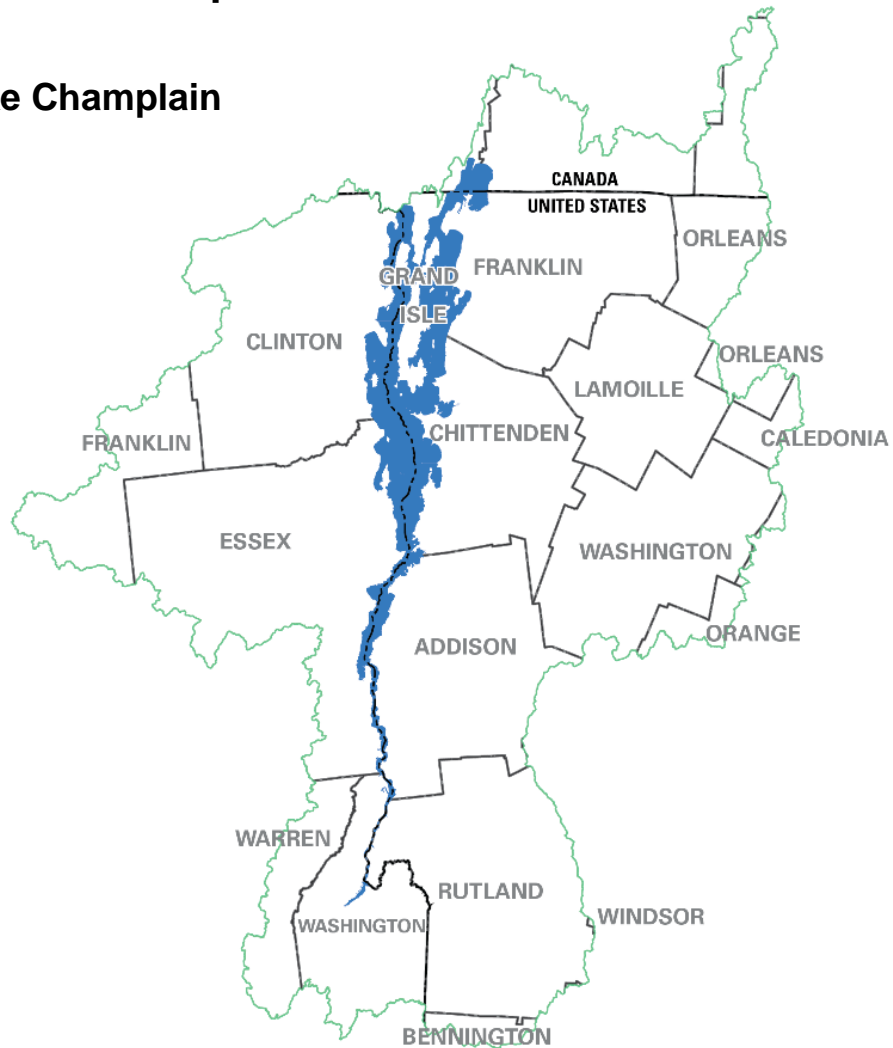


**PATRICK LEAHY**  
**Lake Champlain  
Basin Program**

# Lake Champlain Watershed Environmental Assistance Program

## Invitation for Letters of Request

**HUC-6: 043001 Lake Champlain**



**January 2024**

**Patrick Leahy Lake Champlain Basin Program, in partnership with  
US Army Corps of Engineers, New York District**

## Introduction

The Patrick Leahy Lake Champlain Basin Program (LCBP), in partnership with the US Army Corps of Engineers, New York District (USACE), invites potential non-Federal project partners to submit letters of request for new critical restoration projects in the Lake Champlain Watershed.

## Lake Champlain Watershed Environmental Assistance Program

The Lake Champlain Watershed Environmental Assistance Program, also known as the Section 542 Program, is authorized by the Water Resources Development Act of 2000, Section 542, as amended. This authority enables USACE to assist non-Federal partners with critical restoration projects in the Lake Champlain Watershed. The total authorized funding for the program is \$100,000,000; as of December 2023, approximately 15% had been appropriated. The LCBP supports USACE with the administration of the program, in accordance with the program's *General Management Plan*. See <https://www.lcbp.org/about-us/grants-rfps/partner-grants/> for the most recent version of the plan, under Watershed Environmental Assistance Program.

## Critical Restoration Projects

Critical restoration projects produce immediate and substantial ecosystem restoration, preservation, and protection benefits in the Lake Champlain Watershed. The projects are publicly owned or will provide substantial public benefit, and align with the LCBP's *Opportunities for Action*, the goals of which are clean water, healthy ecosystems, thriving communities, and an informed and involved public. The most recent version of *Opportunities for Action* is available at <https://www.lcbp.org/about-us/how-we-work/opportunities-for-action/>. Each goal has objectives, strategies, task areas, and metrics. New critical restoration projects should address at least one, and preferably several of the plan's objectives. Counties in the Lake Champlain Watershed (HUC-6: 043001), where projects may be located, include Addison, Bennington, Caledonia, Chittenden, Franklin, Grand Isle, Lamoille, Orange, Orleans, Rutland, and Washington counties in Vermont, and Essex, Clinton, Franklin, Warren, and Washington counties in New York, as pictured on the cover page.

## Eligible Partners

Eligible non-federal partners for new projects include states, political sub-parts of states or groups of states, Native American (Indian) nations, quasi-public organizations chartered under states laws (e.g., soil and water conservation district or regional planning commission), interstate agencies, and non-profit organizations. Partners must have the legal and financial capability to: provide any land, easements, rights-of-way, relocations, and dredged material disposal areas (LERRD) necessary to carry out the project; operate, maintain, repair, replace, and rehabilitate the completed project at 100% non-federal cost; undertake any investigations to identify the existence and extent of regulated Hazardous, Toxic, and Radioactive Wastes (HTRW) in, on, or under the real property interests necessary to construct, operate, and maintain the project and, if HTRW is found, be responsible for performance and costs of HTRW cleanup and response; and provide 35% of total project costs as cash, in-kind contributions, and/or LERRD credit.

## USACE Assistance

The Lake Champlain Watershed Environmental Assistance program authorizes USACE to provide assistance in the form of expertise, labor, and contracts. This is not a grant or

reimbursement program; USACE cannot award grants to partners or reimburse partners for their labor or contracts through this program. USACE has technical expertise in many areas relevant to restoration, including engineering, plan formulation, environmental analysis and compliance, economic and geospatial analysis, contracting, and construction management. USACE can assist partners with project planning and/or implementation through this program. Project planning includes scoping, alternative formulation and analysis, and feasibility-level analysis. Project implementation includes design and construction.

### **Important Considerations**

USACE plans and implements projects in accordance with all federal laws, regulations, and policies. The Lake Champlain Watershed Environmental Assistance program is most appropriate for large, complex projects requiring USACE expertise to plan and/or implement. Any planning or design work completed by a potential project partner prior to requesting USACE's assistance will be reviewed while scoping the project; if the work does not meet USACE standards, the project scope will include any necessary re-work or revisions.

### **Requesting Assistance**

Potential project partners may send USACE a letter of request for a new project at any time. The attached letter of request template provides the content to include. The letter must be on an official letterhead and signed. The letter can be mailed to USACE using the address on the template or emailed to the USACE program Points-of-Contact. USACE will review the letter to determine whether the requested project is eligible for assistance under the Section 542 Program and reach out to the potential project partner with any questions. If the project is found to be eligible, USACE will work with the potential project partner to develop a project summary for the LCBP Technical Advisory Committee to review. Project summaries that receive a favorable review will be considered for approval by the LCBP Steering or Executive Committee. Approved projects will be ranked relative to other pending, approved projects in the Section 542 Program, and USACE will move forward to initiate the highest-ranked projects, subject to the availability of funding.

### **Project Cooperation Agreement Package**

A project will be initiated after USACE executes a project cooperation agreement with the non-federal partner (sponsor). There are two model agreements that may be approved at the USACE New York District or North Atlantic Division level: one for Design Assistance, for projects that will include planning and/or design, and another for Design and Construction Assistance ([Section 542 – Lake Champlain Basin Program \(army.mil\)](#)), for projects that will include design and construction. Any substantive changes to a model agreement would need to be approved at the USACE Headquarters level, adding time. The draft agreement is submitted for approval along with other required documents and forms, including: a Project Management Plan; a non-federal sponsor support letter, certificate of authority, certification regarding lobbying, and self-certification of financial capability; State certification; and USACE New York District Certification of Legal Review. The Project Management Plan, which is negotiated internally within USACE and with the non-federal sponsor, defines the project scope, team, tasks, deliverables, schedule, and cost estimates and provides the basis for the total cost in the agreement.

## **Cost Sharing**

USACE will provide 65% of the project costs, as USACE labor and USACE-awarded contracts. The non-federal sponsor must provide its 35% cost-share in the form of cash, in-kind contributions, and/or LERRD credit. Any cash from the non-federal sponsor will be used to fund USACE labor or contract awards. In-kind contributions include services undertaken, such as engineering, design, and supervision and administration costs, or materials or supplies provided after the effective date of the agreement. In-kind contributions must be properly documented and determined by USACE to be integral to the project to be creditable. A Real Estate Plan will be prepared during design, before construction, to estimate the non-federal sponsor's LERRD credit. Please note, a non-federal sponsor may use funds from another federal agency for all or part of its cost-share if the statutory authority for the funds does not expressly prohibit use of the funds for a USACE study or project and the federal agency that provides the funds determines that the activities for which the funds will be used are otherwise eligible for funding under such statutory authority.

## **Points-of-Contact**

For more information about the Lake Champlain Environmental Assistance Program, please see the program's *General Management Plan* or contact Meg Modley Gilbertson (LCBP) at (800) 468-5227 (from New York or Vermont), (802) 372-3213, or [mmodley@lcbp.org](mailto:mmodley@lcbp.org). For project-specific inquiries, please contact Jennifer Curran (USACE Programs and Project Management) at (917)790-6202 or [jennifer.l.curran@usace.army.mil](mailto:jennifer.l.curran@usace.army.mil), or Maya Dehner (USACE Planning) at (917)790-8630 or [maya.e.dehner@usace.army.mil](mailto:maya.e.dehner@usace.army.mil).

## Letter of Request Template

[use official letterhead]

District Engineer  
US Army Corps of Engineers, New York District  
ATTN: Planning Division  
26 Federal Plaza, 17<sup>th</sup> Floor  
New York, NY 10278-0090

Dear Sir or Madam:

The purpose of this letter is to seek assistance from the U.S. Army Corps of Engineers under Section 542 of the Water Resources Development Act of 2000, as amended, in implementing a critical restoration project on the (*river or creek*) in the vicinity of (*city, town, county, etc.*) (*Provide approx. latitude and longitude*).

*Briefly:*

- *Describe the nature and severity of the environmental problem.*
- *Describe the specific problem(s) to be addressed and note the specific goals, objectives, and/or strategies in Opportunities for Action (<https://www.lcbp.org/about-us/how-we-work/opportunities-for-action/>) that will be addressed by this project.*
- *Identify the studies performed to-date, as well as the reports or materials utilized in the planning or design of this project (if planning or design has already been performed).*
- *Describe the type of work to be accomplished and the expected results.*
- *Include an estimated schedule and cost for the project, including design.*
- *Describe any known issues that might affect the acceptability of any recommended solutions, from the perspective of local government or the general public.*

It is understood that the (*non-federal sponsor*) will pay or contribute to at least 35 percent of the total cost of a project; to provide any land, easements, rights-of-way, relocations, and dredged material disposal areas necessary to carry out the project; to undertake any investigations as to the presence of, and to be fully responsible for the performance and costs of required cleanup and response, for any regulated hazardous, toxic, and radioactive wastes in, on, or under any real property interests required for the project; and to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

Please contact (*name, address, email, telephone, fax*) for further information.

Sincerely,

[Sign]

(*Name and title of public official authorized to request study*)