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

CECW-P

12 August 2020

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Section 552 Environmental Infrastructure Assistance Program, New York City Watershed, Updated Model Agreements and Delegation of Approval and Execution Authority

1. Reference: Assistant Secretary of the Army (Civil Works) Memorandum to the Commanding General, U.S. Army Corps of Engineers, dated 30 July 2020, subject: Section 552 Environmental Infrastructure Assistance Program, New York City Watershed, Model Agreements and Delegation of Approval and Signature.

2. This memorandum transmits the updated model agreements for providing assistance for publicly owned, non-federal water-related environmental infrastructure and resource protection and development projects in the New York City Watershed, including projects for water supply, storage, treatment, and distribution facilities, and surface water resource protection and development, pursuant to Section 552 of the Water Resources Development Act of 1996 (Public Law 104-303), as amended.

3. Enclosed are two model agreements to be used when a non-federal sponsor will be performing the work, with reimbursement of the federal share of such work. One is a model agreement for the provision of design assistance; the other is a model agreement for the provision of design and construction assistance. Any previous versions of the model agreements for Section 552 should no longer be used. Also enclosed is a new Certificate of Authority that is to be used specifically for Environmental Infrastructure Assistance agreements. The updated model agreements and Certificate of Authority are also available on the Headquarters, U.S. Army Corps of Engineers (HQUSACE) Project Partnership Agreements website.

4. The responsibility for review and approval of a Section 552 agreement that does not deviate from the approved models is delegated to the Division Commander. This authority may not be further delegated. Division Counsel concurrence that the agreement does not deviate from the subject model, and is appropriate for use for the project, is required prior to approval.

5. The Division Commander also is delegated authority to approve non-substantive deviations to the model agreements. This authority may not be further delegated. Division Counsel concurrence that a deviation is non-substantive and recommendation that the deviation be approved is required prior to approval by the Division Commander.

Where there is a question whether a deviation is substantive, HQUSACE is available for consultation. An agreement with substantive deviations, including deviations involving policy issues, unique circumstances, or controversial matters, must be forwarded for MSC review and then transmitted with the Division Commander's recommendations to the NAD Regional Integration Team for review and approval by the Director of Civil Works.

6. The District Commander is authorized to execute the agreement after its approval.

7. Any questions may be directed to Daniela Todesco, HQUSACE Agreements Team, at 202-761-8816.

Encls

ALVIN B. LEE
Director of Civil Works

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COMMANDER, REGIONAL BUSINESS AND PROGRAMS DIRECTORS,
NORTH ATLANTIC DIVISION, CENAD