

Discussion Summary — Correspondence with USACE Regarding CAP 205 Eligibility and Federal Flood-Mitigation Pathways (October–November 2025)

This summary reflects correspondence regarding potential federal flood-mitigation pathways related to Mallard Lakes Community Association and is provided for historical context only. It should not be interpreted as an official commitment, funding authorization, or policy determination by the U.S. Army Corps of Engineers (USACE) or any participating official.

Between October and November 2025, Simone Reba exchanged correspondence with representatives from the USACE Philadelphia District seeking clarification regarding Mallard Lakes' status under the USACE Continuing Authorities Program (CAP) 205 and the relationship between CAP 205 and the broader Delaware Inland Bays Study. The correspondence focused on understanding the procedural, funding, sponsorship, and implementation requirements associated with potential future federal flood-mitigation efforts affecting the community.

In the discussions, Simone summarized her understanding that Mallard Lakes had previously been determined eligible for consideration under CAP 205 through the 2016 Delaware Bayshore Federal Interest Determination process and requested confirmation regarding whether the community could still proceed if a qualified non-federal sponsor were identified. Additional questions addressed whether further Congressional authorization would be required, how future projects would compete for federal funding, and how recommendations emerging from the Inland Bays Study might ultimately transition into funded feasibility, design, and construction efforts.

USACE representatives generally confirmed the procedural pathway described in the correspondence, explaining that if a qualified non-federal sponsor expressed confirmed interest, USACE could seek confirmation from regional headquarters that the project remained within current program capability and cost thresholds. USACE further explained that the project would then compete for available federal funding to support development of a Project Management Plan (PMP), which would define the scope and schedule for a future feasibility study and potential Feasibility Cost Sharing Agreement (FCSA) between USACE and a non-federal sponsor. The correspondence also clarified that the initial PMP scoping process was typically conducted at full federal expense, while subsequent feasibility and implementation phases would depend on future agreements, sponsorship, and funding availability.

The exchange reflected the broader complexity associated with navigating federal resilience programs for HOA-governed coastal communities, including the importance of governmental sponsorship, local cost-sharing considerations, long-term coordination requirements, and the distinction between regional planning studies and the separate federal processes required to obtain project-specific engineering, design, and construction funding.