

USACE Regulatory Process

City of Mosier Information Panel

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US Army Corps of Engineers
BUILDING STRONG®



Regulatory Mission

To protect the nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions.

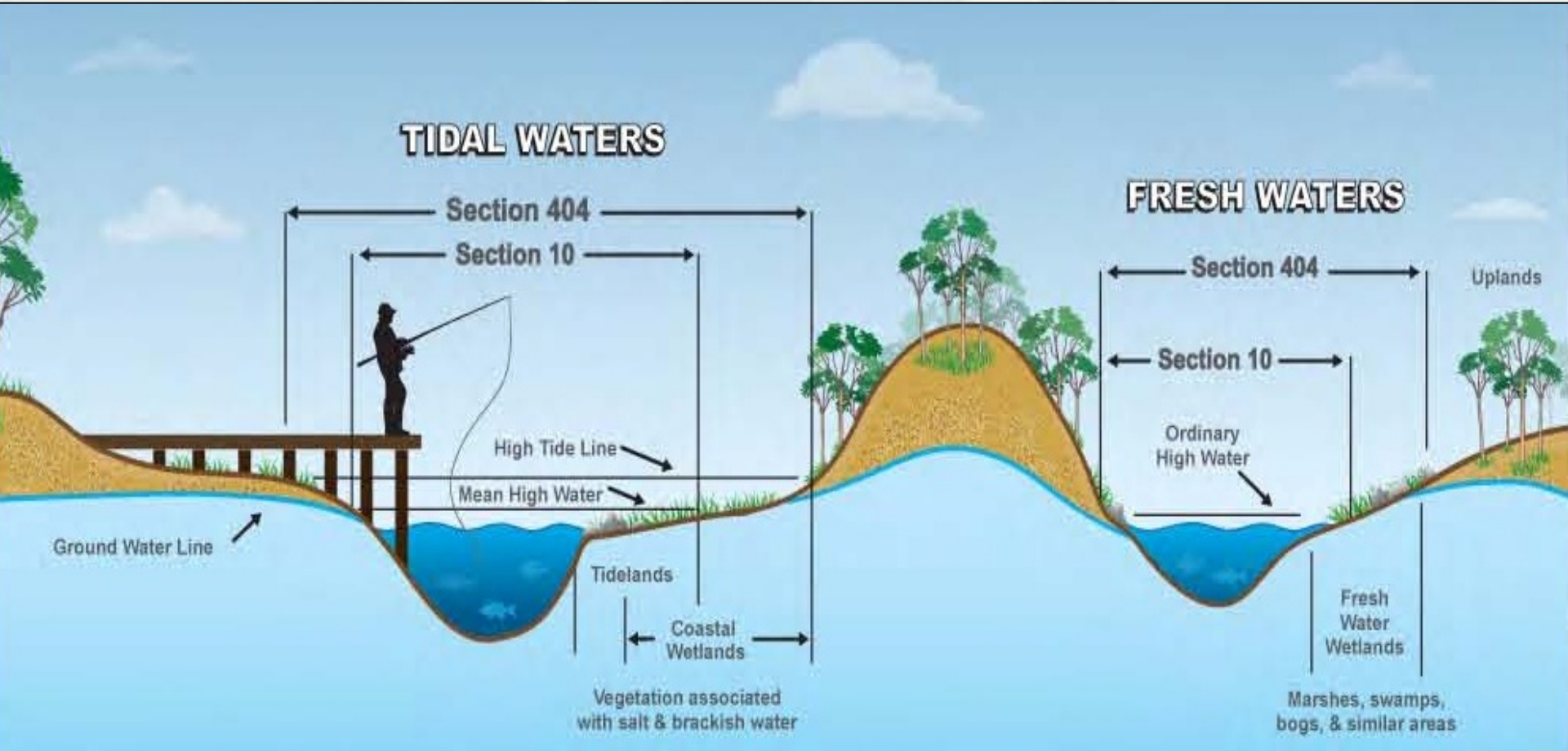


Primary Authorities

- Section 10 – Rivers & Harbors Act (1899)
 - ▶ Maintain navigability
 - ▶ Regulated activities: structures or work in or affecting navigable waters (e.g., Columbia River)
- Section 404 – Clean Water Act (1972)
 - ▶ Passed by Congress “to restore and maintain the chemical, physical and biological integrity of the Nation’s waters”
 - ▶ Regulated activities: discharge of dredged or fill material into waters of the U.S.



Jurisdiction



Corps Evaluation

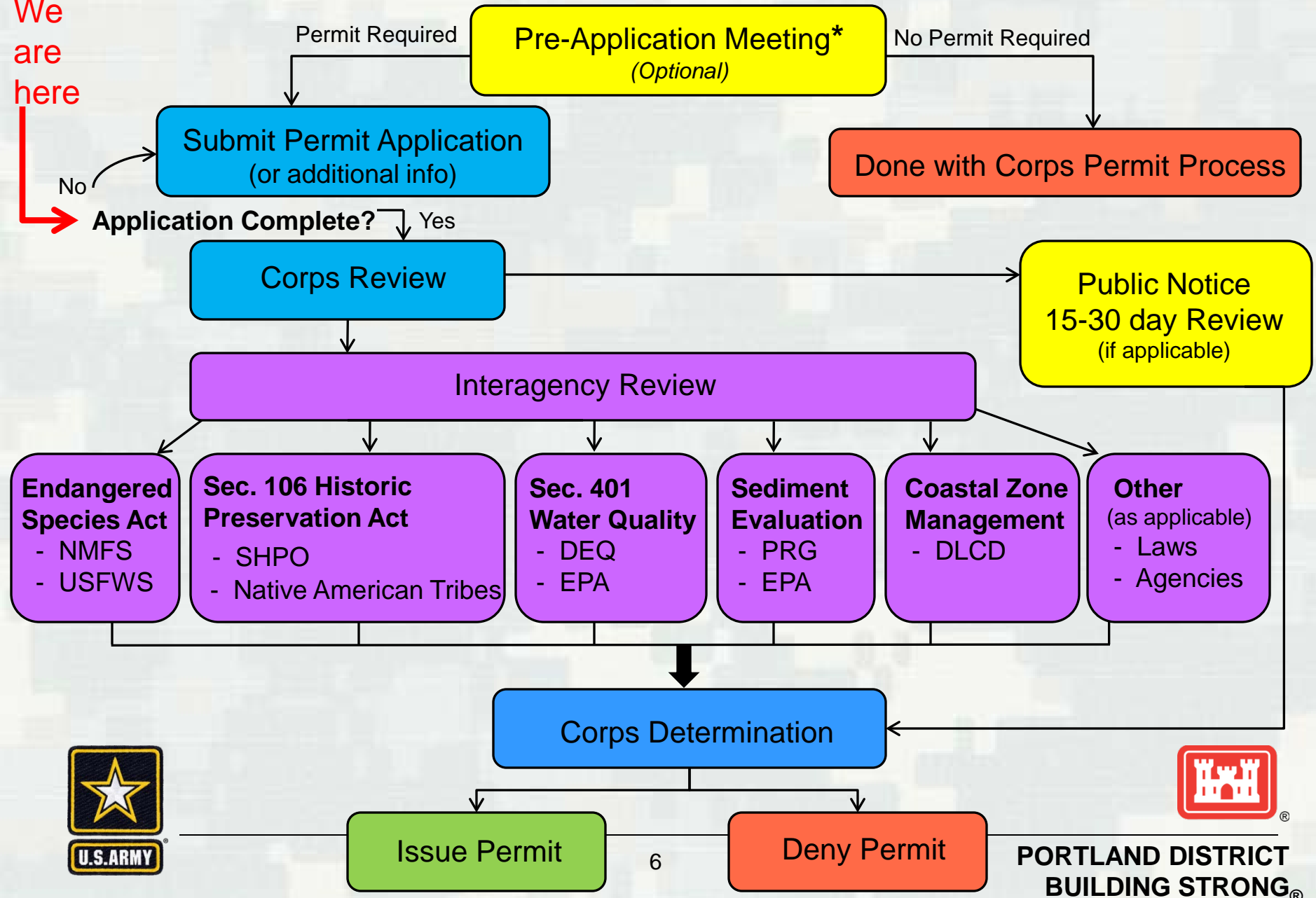
The Corps is neither a proponent nor opponent of any permit proposal.

- Public interest review
 - ▶ General balancing of expected benefits and foreseeable detriments on the public interest.
- Clean Water Act 404(b)(1) guidelines
- Compliance with related laws
- Tribal Trust Responsibility
 - ▶ The Corps will meet trust obligations, protect trust resources, and obtain Tribal views of trust and treaty responsibilities.



Regulatory Process Diagram

We are here



How you can participate

- 30-day Corps Public Notice (Coming Soon)
 - ▶ Tell us what you want us to know about potential impacts: positive and negative
 - ▶ We give full consideration and appropriate weight to all comments
 - ▶ Tip for effective comments: be very clear when describing your issue or concern and associated positive or negative impacts

Are you on our PN mailing list?

Sign-up here or email me:

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Permit Decision

- Based on evaluation of probable impacts of the proposed activity on the public interest
- Decision will reflect the national concern for both protection and utilization of important resources
- “weighing and balancing” of relevant public interest factors



USACE Real Estate Division

- The Corps has flowage easements on lands adjacent to the Columbia River that may be affected by the proposed project. On lands containing Corps flowage easements, certain types of development may be prohibited unless otherwise approved by the Corps. A consent to easement authorization may be required from Portland District's Real Estate Division to construct a portion of this project.



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