



## Regulatory – Protecting the Integrity of America’s Waters

The U.S. Army Corps of Engineers’ (USACE) Regulatory Program has evolved significantly over the past hundred years. Initially it served a fairly narrow purpose: to protect and maintain the navigable capacity of the nation’s waters. Time, changing public needs, evolving policy, case law, and new statutory mandates have changed the scope of the program, adding to its complexity and authority. Today, USACE regulates structures and work in navigable waters of the U.S. under Sections 9 and 10 of the Rivers and Harbors Act of 1899, discharges of dredged and fill material in waters of the U.S. (including jurisdictional wetlands) under Section 404 of the Clean Water Act, and the transportation of dredged material for the purpose of ocean disposal under Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972. The program implements accessible and efficient regulatory permit decision-making processes to sustain aquatic resources.

### Funding

The President’s Budget for Fiscal Year 2017 (FY17) provides \$4.6 billion in gross discretionary funding for the Civil Works program of the USACE and includes \$200 million for the Regulatory Program. This request will support approximately 1,250 USACE Regulatory Program staff nationwide to complete approximately 130,000 final actions and jurisdictional determinations, and to issue the 2017 Nationwide Permits (NWP). It is estimated that the Regulatory Program provides approval for billions of dollars in economic development for critical transportation, energy, and other infrastructure projects annually; thus, facilitating job creation and enabling economic activity. The Regulatory Program is committed to protecting the Nation’s aquatic resources, while allowing reasonable development through fair, flexible, and balanced permit decisions.

### Program Objective

- To protect the Nation’s aquatic resources, while allowing reasonable development through fair and balanced permit decisions.

Key Messages	Facts & Figures
<ul style="list-style-type: none"> <li>• The evolution of the Regulatory Program reflects changing public needs, policy, and case law.</li> <li>• The Regulatory Program strives to increase utilization of watershed tools, and web-based technology to deliver an accessible, predictable and transparent program to the public.</li> <li>• The Regulatory Program continues to invest in science and technology initiatives, knowledge management and training of new and existing staff for efficient and consistent Program execution.</li> <li>• Reducing infrastructure project permit decision times is a goal of the Regulatory Program. The Regulatory Program relies on strong collaborative relationships with Federal, Tribal, State and local partners to deliver a consistent, efficient, and effective program.</li> </ul>	<ul style="list-style-type: none"> <li>• The Regulatory Program completes decisions on approximately 80,000 permit-related activities and completes approximately 50,000 jurisdictional determinations annually.</li> <li>• Approximately 86% of General Permit verifications were issued within 60 days of receipt of a complete application.</li> <li>• Approximately 60% of Individual Permits were issued within 120 days of receipt of a complete application.</li> <li>• There are approximately 1,300 approved mitigation banks and 52 approved in-lieu-fee programs, including single client programs, authorized for compensatory mitigation of impacts associated with regulatory permits.</li> <li>• For more information about USACE’s Regulatory Program, visit <a href="http://www.usace.army.mil/reg">http://www.usace.army.mil/reg</a>.</li> </ul>