



NEWS RELEASE

U.S. ARMY CORPS OF ENGINEERS

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Corps of Engineers in New England to accept funds from MassDOT to expedite processing Army permit applications

CONCORD, Mass. – The U.S. Army Corps of Engineers, New England District has agreed to accept funds from the Massachusetts Department of Transportation (MassDOT) in order to expedite the processing of MassDOT Department of Army permit applications.

The agreement will expedite Corps review of permit applications submitted by MassDOT pursuant to Section 404 of the Clean Water Act, which regulates the discharge or fill of material in United States waters, including wetlands; and with Section 10 of the Rivers and Harbors Act, which provides for federal regulation of any work in, or affecting navigable waters of the United States.

MassDOT has realized a substantial increase in its highway and bridge construction program over the last several years and state officials have called on MassDOT to accelerate the design, construction and repair of Massachusetts' highways and bridges. Many of these projects fall within Corps jurisdiction under Section 404 of the Clean Water Act. Accelerated review and authorization is critical to MassDOT's ability to advertise these projects so as to meet scheduled dates for obligating federal funding, statewide Transportation Improvement Program targets and accelerated programs. With this funding the Corps will be able to provide MassDOT with dedicated staff to ensure priority review, consistency and opportunity for staff training and process improvements.

A public notice seeking agency and public comments on the original proposal was issued on Jan. 3, 2012. No comments have been received.

The District Commander has determined that the acceptance and expenditure of the funds is in compliance with Section 214 of the Water Resources Development Act (WRDA) of 2000 and is not otherwise contrary to the general public interest. The District will implement Section 214 of WRDA 2000 through a signed Memorandum of Agreement and accept funds from MassDOT. The Corps determined the public interest is better served through cost-effectiveness, enhanced evaluation capability, and streamlined permit processing.

Procedures are in place, detailed in the public notice, to ensure impartial decision-making on permit reviews.

The Corps' Regulatory Program is funded as a congressionally appropriated line item in the annual Federal budget. Additional funds received by the District from a non-federal public entity would be used to augment the District Regulatory budget, in accordance with the provisions of Section 214 of the Water Resources Development Act of 2000. With the supplemental funding, the District would retain a term employee or advertise for additional permanent staff and pay for support services, both technical and administrative.

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Corps agrees to accept funds from Mass DOT to expedite permit reviews/2-2-2-2-2

Permit application review activities will include, but are not be limited to: application completeness review; jurisdictional determinations; site visits; preparation of public notices; public hearings; preparation of correspondence; interagency coordination; meetings (with non-Federal entity, applicants, agencies and general public); coordination concerning endangered species and cultural resources; public interest review; analysis of alternatives; compensatory mitigation proposal reviews; and preparation of environmental assessments and permit decision documents.

The expedited review of the non-federal permit applications is not expected to increase the time for permit evaluations of other projects as there will be no decrease in the permanent staffing level of non-funded reviews.

The public notice on this determination with more information is available at <http://www.nae.usace.army.mil>. Select Regulatory and then public notices or go to: <http://www.nae.usace.army.mil/Regulatory/Public%20Notices/>.

Additional information on this determination is available from the U.S. Army Corps of Engineers, New England District, Regulatory Division (ATTN: Karen Adams), 696 Virginia Road, Concord, MA 01742-2751 or by contacting Permit Project Manager Karen Adams at 978-318-8828 or toll free 800-343-4789 or 800-362-4367 (if calling from within Massachusetts) or by email to: karen.k.adams@usace.army.mil.

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