

Definition of an Infrastructure Investment and Jobs Act (IIJA) Project for the USACE Regulatory Program

“IIJA projects” fall into two categories: **(1)** certain categories of infrastructure activities that may require a Department of the Army (DA) permit; and **(2)** specific initiatives that improve program effectiveness and efficiency for processing permits for infrastructure activities.

(1) Infrastructure projects that may require a DA permit are either,

a) activities where it has been confirmed in writing that they have been or will be funded (partially or entirely) under the IIJA; or

b) activities identified in the IIJA (Public Law 117-58 – Nov 15, 2021) as priority infrastructure projects¹ listed below:

- Road and bridge construction and repairs
- Railroad upgrades and maintenance except for high-speed rail
- Power grid (lines and cables) upgrades
- Clean energy technology, including critical minerals mining, battery processing, manufacturing, and recycling
- Broadband expansion
- Water infrastructure for tribal communities
- Infrastructure protection from cybersecurity attacks
- Infrastructure protection against climate change - to address flooding, wildfires, erosion, droughts, and other extreme weather events
- Public transit systems nationwide, including new bus routes and improved accessibility
- Airport construction, expansion, and maintenance
- Clean up of superfund and brownfield sites, abandoned mines, and old oil and gas wells
- Ports infrastructure development programs aimed at improving resiliency from natural disaster events and reducing pollutant and greenhouse gas emissions, funded through the Coast Guard, ferry terminals, and reduction of truck emissions at ports²
- Highway, pedestrian, and pipeline safety improvements
- Western water infrastructure to address drought conditions in the western half³ of the country, through investments in water treatment, storage, and reuse facilities
- Construction of electric vehicle charging stations
- Electric school buses with an emphasis on bus fleet replacement in low-income, rural, and tribal communities.

¹ The activities identified in the above list may or may not need a DA permit. This would be determined once a permit application is submitted.

² Note that half the funding for ports infrastructure projects is going to USACE. Those projects will not come under review from Regulatory. Additional funds would go to the Coast Guard, ferry terminals, and reduction of truck emissions at ports.

³ As stated in Title IX of the Act – Western Water Infrastructure (Sec. 40901-40910). Since the funding is specific to Dept. of Interior – Bureau of Reclamation (BoR), it is limited to the 17 western states where BoR has jurisdiction: <https://www.usbr.gov/main/about/>