
REGULATORY PROGRAM OVERVIEW

- The Regulatory Program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.
- The Regulatory Program typically receives over 90,000 permit applications per year.
- The Corps is neither a proponent nor an opponent of any permit proposal.
- The Corps supports the national goal of balancing the need for economic development with the need to protect the aquatic environment.
- Authorization of work performed within waters of the U.S. can fall within one of several types of permits. The two most common are Nationwide Permits and Standard Individual Permits.
- Nationwide Permits authorize activities that have no more than minimal adverse environmental impacts.
- Standard Individual Permits are required for those projects that exceed the no more than minimal adverse environmental impacts threshold for the Nationwide Permits. A public notice is issued to solicit public interest review along with Tribal governments and federal, state, and local agencies' comments.
- In general, Corps Districts have 45 days to complete reviews for proposed Nationwide Permit activities, and 120 days to complete reviews for Standard Individual Permits.
- The Regulatory Program adheres to the Corps' Tribal Policy Principles <http://www.usace.army.mil/Missions/CivilWorks/TribalNations.aspx>
- The Regulatory Program has a responsibility to comply with the National Historic Preservation Act and to fulfill its Trust responsibilities.



- The Corps issued Appendix C to its permitting regulations in 1990, which covers its historic properties review procedures for Corps permit actions. Appendix C is supplemented by guidance issued in 2005 and 2007.
- The Regulatory Program continues to search for ways to involve Tribes in programs, projects and other activities that would enhance communication and collaboration on permit actions in an effort to minimize adverse impacts to resources important to the Tribes.