



US Army Corps
of Engineers
Portland District

INFORMATIONAL PUBLIC NOTICE

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The U.S. Army Corps of Engineers Regulatory Branch strives to make timely, efficient, and consistent permit decisions. Portland District Regulatory Project Managers are routinely encountering situations where information needed to finalize permit decisions (such as mitigation plans, cultural resource surveys, etc.) is not being provided as requested. Not receiving this requested information is adversely affecting the District's ability to provide the regulated public with permit decisions that are efficient and timely.

2009 Regulatory Standard Operating Procedure (SOP) (Pages 18-19)

It is the district's responsibility to establish a point in the evaluation process when there is sufficient information on the major issues to proceed with a decision.

Applicants are responsible for providing all information that the district determines is essential for making the decision on the permit application (see 33 CFR 325.1(e)).

If necessary, the applicant is to be advised that if the required information is not provided, the permit application will be withdrawn or the district will take a final action on the application based on the information that is available, which may include permit denial.

33 CFR 325.2 (d)(5)

The applicant will be given a reasonable time, not to exceed 30 days, to respond to requests of the district engineer. The district engineer may make such requests by certified letter and clearly inform the applicant that if he does not respond with the requested information or a justification why additional time is necessary, then his application will be considered withdrawn or a final decision will be made, whichever is appropriate. If additional time is requested, the district engineer will either grant the time, make a final decision, or consider the application as withdrawn.

The time requirements in these regulations are in terms of calendar days rather than in terms of working days.

The Regulations give the District Engineer the discretion to either withdraw an application deemed incomplete or make a final permit decision based on the information currently available. To improve the processing times for applications and better serve the regulated public, Portland District Regulatory will be adhering more closely to the above regulations and guidelines.

This informational public notice reflects existing policy and guidance and is therefore available for immediate use. For additional guidance or information, contact the PortlandDistrict Regulatory Branch: Shawn Zinszer, Corps of Engineers, 503-808-4380, shawn.h.zinszer@usace.army.mil