



Special Public Notice

Regulatory Branch
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Name: WRDA Funded Position

The purpose of this Special Public Notice is to inform the general public that the Portland District, U.S. Army Corps of Engineers (Portland District) has decided to accept and expend funds contributed by the Port of Portland and the Port of Vancouver, USA. The funds will be used to expedite processing of Department of the Army (DA) permit applications submitted by those two Port facilities.

On October 19, 2006, the Portland District Commander determined that acceptance and expenditure of such funds would be in accordance with Section 214 of the *Water Resources Development Act of 2000* (WRDA 2000, Public Law No. 106-541). A series of procedural safeguards has been adopted to ensure that use of the funds will not impact impartial decision-making, and they include the following:

- All final permit decisions for cases where these funds are used must be reviewed at least by one level above the decision maker, unless the decision maker is the District Commander. For example, if the decision maker is the Chief, Regulatory Branch, then the reviewer would be the Chief, Operations Division.
- All final permit decisions for cases where these funds are used will be made available on the Portland District Regulatory web page.
- The Portland District will not eliminate any procedures or decisions that would otherwise be required for that type of project and permit application under consideration.
- The Portland District must comply with all applicable laws and regulations.
- Funds will only be expended to expedite the final decision on the permit application. Funds will not be expended for the review of the decision maker's decision. If contracts are used to develop decision documents, such decision documents must be drafts only and be reviewed and adopted by the Corps regulatory program employees, before the decision is made.

On July 19, 2006, the Portland District circulated a Special Public Notice announcing our preliminary intent to accept and expend such funds, and stated that we had initiated funding discussions with the Ports of Portland and Vancouver.

Those discussions have been finalized, and these two public entities will be participating agencies.

The July 2006 Special Public Notice also discussed the kind of activities for which funds would be expended, the safeguarding procedures which would be used to ensure that the funds will not impact impartial decision making, and solicited comments from the general public.

Questions may be directed to Ms. Judy Linton at (503) 808-4382.