US Army Corps of Engineers®

Regulatory Program

2008 Value to the Nation

Keeping Waters Clean & Clear

Balancing Society's Needs

Through its regulatory program, the U.S. Army Corps of Engineers ensures that any environmental impact on aquatic resources from these construction projects is avoided, minimized, or mitigated. The Corps is dedicated to protecting the nation's aquatic resources while allowing reasonable and necessary development to go forward.

Listening, Evaluating, Acting

The heart of the Corps regulatory program is the public interest review process, which is designed to produce fair, flexible and balanced permit decisions.

Each year thousands of construction projects are undertaken in the United States that could potentially impact the nation's rivers, streams, wetlands and other aquatic resources. Many of these projects also have tremendous value for individuals, communities and the economy.

What Does the Regulatory Program Mean to You?

Just a few of the benefits of an effective regulatory program are:

- **Cleaner water;**
- **A healthier environment;**
- **More jobs; and**
- **A stronger economy.**

Through this review process, the Corps thoroughly considers the views of the public, government agencies, tribes and project proponents.

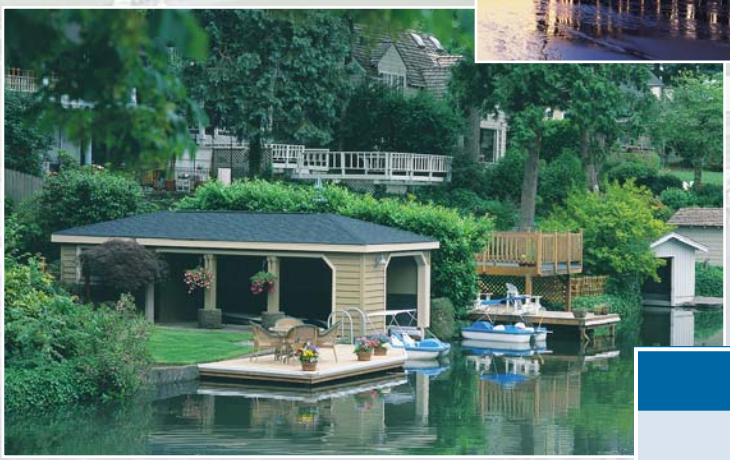
Once all sides have been heard from, the Corps carefully evaluates the positives and negatives of each project to determine what will best serve the public interest.

Finding the Balance

The Corps efforts to balance society's many needs officially begins with the permit process. However, one measure of the success of these efforts is that many developers are working with the Corps during the planning stage of projects to protect the aquatic environment and avoid the need for a permit.

In other cases organizations are making adjustments to minimize the impact of their projects on aquatic resources so that they can gain a permit more quickly. The end result is that developers avoid delays, taxpayers avoid unnecessary costs, and the environment is protected from adverse impact.

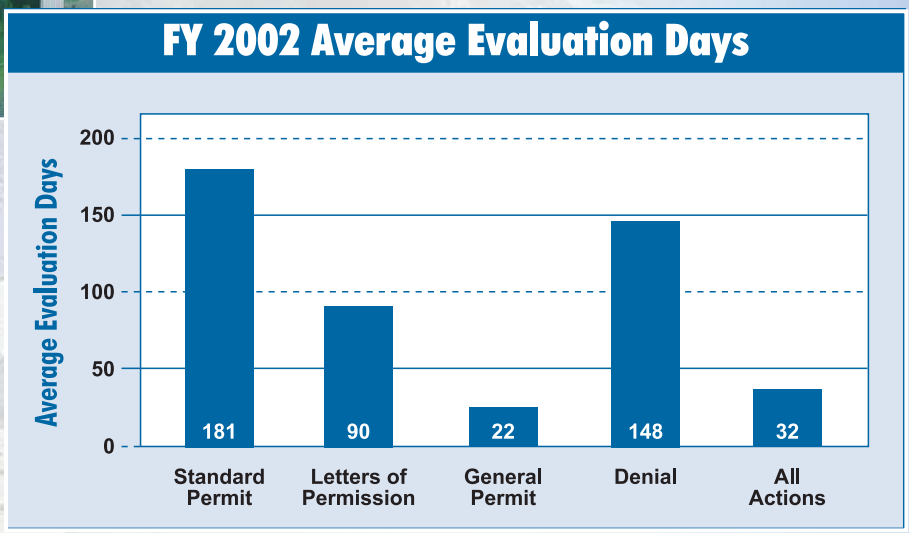
In cases where an impact on aquatic resources is unavoidable organizations must obtain a permit from the Corps. This process is designed to be fair and flexible and to provide timely decisions.



The Corps also is committed to ensuring that the public has a full opportunity to provide input on projects that will have more than a minimal impact on the environment.

There are three basic types of permits: standard, general and letters of permission. Standard permits are issued for projects that are likely to have more than a minimal impact on aquatic resources. General permits, which cover projects that will have minimal impact, and letters of permission are granted on a quicker timeline.

One of the strengths of the permit program is that it is backed up by a strong enforcement effort. The Corps is committed to enforcing compliance with the terms of all of the permits it issues. The enforcement program also ensures that companies which harm aquatic resources fix the damage. The Corps acts on approximately 6,000 reported violations each year.



© Michael Corey, finalist in EPA's 2002 wetland photography contest

Did You Know...

More than 60,000 acres of wetlands are restored, created, enhanced or preserved by the Corps every year.

Nearly 90,000 important development and renovation projects are permitted every year with little or no impact.

On average permit decisions are made within 32 days.

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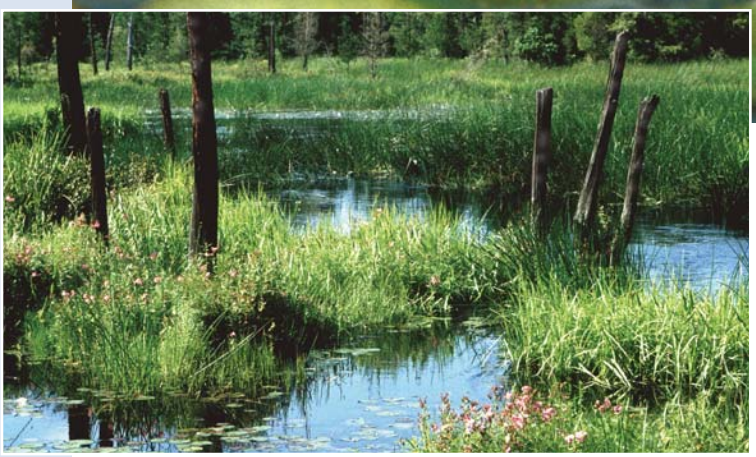

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Value to the Environment

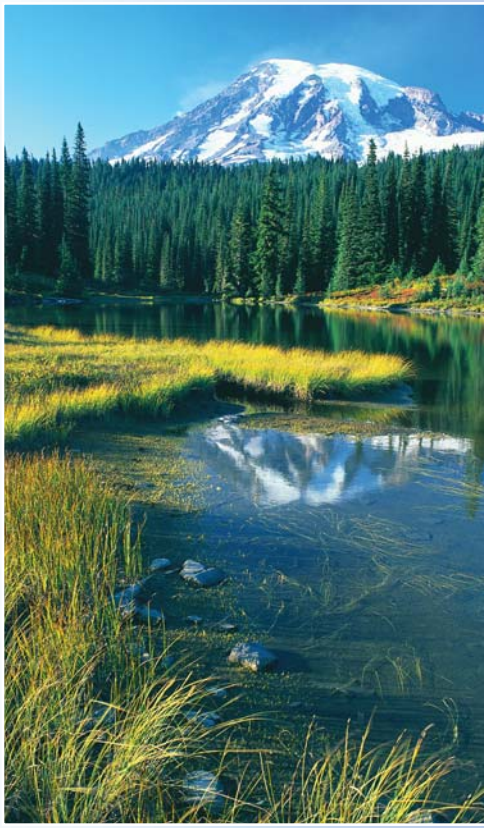
Value to the Environment

The Corps regulatory program helps keep the nation's waters clean and clear and protects the many living creatures that live in and near them, including endangered species. The program covers a wide variety of aquatic resources including wetlands, rivers, streams, tidal waters, coral reefs, shellfish beds and the oceans.

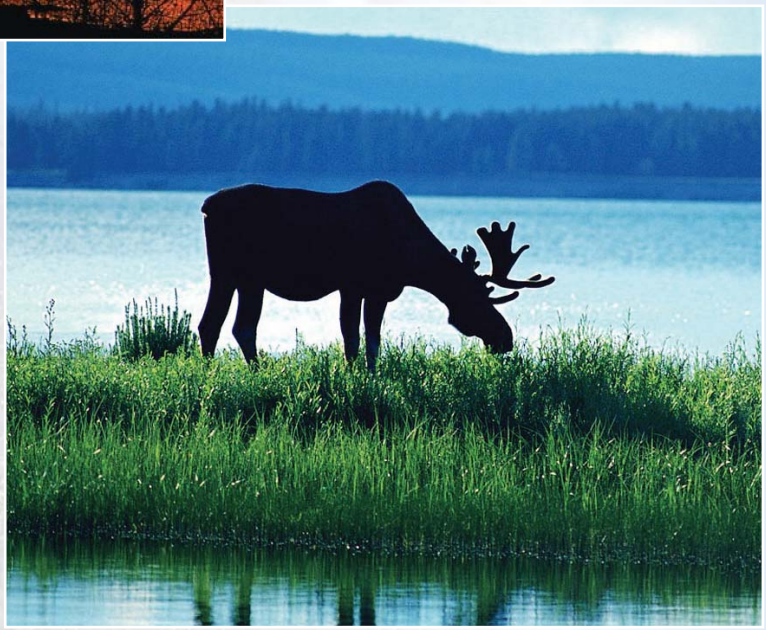
One of the primary missions of the program is to protect the nation's wetlands, which are areas that are covered by water or have waterlogged soils for portions of the growing season. Lying on the border between water and land, wetlands have a rich mix of nutrients, plants and insects that make them the perfect nursery for a wide variety of fish and wildlife during the vulnerable early stages of their lives.

Most commercial and game fish breed and raise their young in wetlands. Approximately 35 percent of all federally-listed rare and endangered animal species either live in or depend upon wetlands. Wetlands also serve as rest stops for migratory birds, help prevent floods, control erosion and improve water quality.

The Corps regulatory program supports the national goal of "no overall net loss" of wetlands. For permitted activities that result in unavoidable losses, the Corps requires replacement wetlands to offset those losses. The Corps places a significant emphasis on ensuring that the ecological quality of impacted and replacement wetlands are the same. Over time, this focus on ecological quality may lead to a net gain in wetlands.



For example, in 2002, the Corps issued permits that affected 25,000 acres of wetlands. By contrast, more than 58,000 acres were restored, created, enhanced or preserved under the program. In many cases, several small, separate, low value wetlands were replaced with more environmentally beneficial large wetland complexes.



Value to the Economy

The Corps regulatory program has a huge impact on the economy by enabling billions of dollars worth of construction and development projects to proceed each year with limited effects to the environment.

The Corps efficient permit process reduces paperwork and staff time resulting in cost savings for applicants and taxpayers. Many projects are authorized through nationwide or regional general permits. More than 70,000 of the projects

authorized by the Corps each year are approved under general permits.

In many cases, the Corps also works with potential applicants during the planning and design of projects so that problems can be spotted early on and addressed, saving development costs while still reducing potential environmental harm.

The permit program minimizes effects that would have a negative impact on fishing and hunting and it supports commercial navigation and recreational boating activities, all of which are multibillion-dollar industries. For example, the regulatory program ensures the continued viability of wetland-dependent species, which generate $15 billion in revenue a year for the fishing and shellfishing industry.

Finally, the regulatory program helps prevent or modify activities that could increase the potential for flooding or cause erosion, thereby avoiding potentially substantial negative economic effects.

Value to Individuals and Society

The Corps regulatory program creates tremendous benefits for individuals, communities and society as a whole.

By allowing necessary projects to go forward, the program strengthens the economies of local communities and creates jobs for thousands of Americans.

By protecting aquatic and wildlife habitat, the program ensures that current and future generations will be able to enjoy these beautiful natural resources.

By safeguarding recreation areas, the program encourages people to hike, bike, canoe and take part in other physical activities that enhance fitness and mental and emotional well being.

By approving the repair or rebuilding of unsafe structures in waters and the clearing of obstructions, the program helps ensure safe navigation and the unimpeded flow of water, strengthening commercial shipping, fisheries and other industries, which are linchpins of many local and state economies.

By quickly issuing permits to speed recovery efforts after floods, earthquakes, hurricanes and other natural and manmade disasters, the program assists people, businesses, and communities to rapidly rebuild.

Most important, the program facilitates the development of the nation's critical infrastructure, which is such a vital part of all of our lives, while protecting our aquatic resources.

Responding in Time of Crisis

As New York City struggled to deal with the aftermath of the tragic events of Sept. 11, 2001, the Corps regulatory team was on hand to ensure that permits were issued promptly to clear the way for cleanup activities.

For instance, in order to clear the massive amounts of debris from the collapse of the World Trade Center buildings it was necessary to bring barges into docks much closer than would normally be possible. The regulatory team ensured that permits were quickly granted so that Corps personnel could perform the dredging needed to allow this to happen. Expedited permits also were issued for a variety of similar activities related to the cleanup and recovery effort.

Working Together

In carrying out its regulatory program, the Corps works closely with a diverse array of federal, state, tribal and local government agencies, nonprofit groups, businesses and individuals. The Corps is committed to coordinating its efforts with other agencies to avoid duplication of effort. For instance, it has developed joint permit applications with several states. The Corps also partners with many different agencies and organizations on wetlands mitigation projects.

Learning More

To learn more about the valuable benefits of the Corps regulatory program visit the Value to the Nation web site at www.CorpsResults.us. To learn more about the specifics of the regulatory program, including regulations and policies, applicable laws, and court decisions visit www.usace.army.mil/inet/functions/cw/cecwo/reg. This site also has links to related organizations, including Corps district offices and other federal agencies that deal with wetlands and environmental resources.

Produced by the U.S. Army Corps of Engineers: The Institute for Water Resources in partnership with the Headquarters Regulatory Branch. To inquire about this brochure, please contact IWR publications office at (703)428-9042 or Arlene.J.Nurthen@usace.army.mil. To obtain sources for the information used in this brochure, visit www.CorpsResults.us.