



Regulatory – Enabling economic activity and aquatic resource protection through timely and balanced permit decisions

The U.S. Army Corps of Engineers' (USACE) Regulatory Program has evolved significantly over the past hundred years. Initially it served a fairly narrow purpose: to protect and maintain the navigable capacity of the nation's waters. Time, changing public needs, evolving policy, case law, and new statutory mandates have altered the scope of the program, adding to its complexity and authority. Today, USACE regulates structures and work in navigable waters of the U.S. under Sections 9 and 10 of the Rivers and Harbors Act of 1899, discharges of dredged and fill material in waters of the U.S. (including jurisdictional wetlands) under Section 404 of the Clean Water Act, and the transportation of dredged material for the purpose of ocean disposal under Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972. The mission of the Regulatory Program is to protect the Nation's aquatic resources and navigable capacity while allowing economic development through fair and balanced decisions.

Funding

The President's Budget for Fiscal Year 2020 (FY20) provides \$4.827 billion in gross discretionary funding for the Civil Works program of the USACE and includes \$200 million for the Regulatory Program. This request could potentially support approximately 1,249 USACE Regulatory Program staff nationwide, which is a reduction of current staffing levels, to complete approximately 83,000 final permit and permit-related actions and jurisdictional determinations. It is estimated that the Regulatory Program provides approval for billions of dollars in economic development for critical transportation, energy, and other infrastructure projects annually; thus, facilitating job creation and enabling economic activity. The Regulatory Program aims to issue balanced, timely, and transparent regulatory decisions, rooted in sound science and compliant with applicable laws, providing equitable levels of service to the public across the nation while also providing protection to aquatic resources in accordance with statutory authorities.

Program Objective

- Execute the Regulatory Program in an effective and efficient manner through timely and defensible decisions that enable economic activity and aquatic resource protection.

| Key Messages | Facts & Figures |
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| <ul style="list-style-type: none"> The evolution of the Regulatory Program reflects changing public needs, policy, and case law. The Regulatory Program continues to invest in science and technology, knowledge management and training of new and existing staff for efficient and effective Program execution. Reducing processing times for permit decisions, including decisions concerning infrastructure projects, is a goal of the Regulatory Program. The Regulatory Program relies on strong collaborative relationships with Federal, Tribal, State and local partners to deliver a consistent, efficient, and effective program. | <ul style="list-style-type: none"> The Regulatory Program completes decisions on approximately 76,000 permit-related activities and completes approximately 27,000 jurisdictional determinations annually. Regulatory statistics continue to demonstrate that the Regulatory Program is efficient. In FY 2018, 95% of our permit workload was processed by General Permits (GPs). Approximately 84% of GP verifications were issued within 60 days of receipt of a complete application. Approximately 61% of Individual Permits were issued within 120 days of receipt of a complete application. There are approximately 1,456 approved mitigation banks and 60 approved in-lieu-fee programs, including single client programs, authorized for compensatory mitigation of impacts associated with regulatory permits. For more information about USACE's Regulatory Program, visit http://www.usace.army.mil/reg. |