

## Authority of the Regulatory Program

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The U.S. Army Corps of Engineers has been regulating activities in the Nation's waters since 1890. Until the 1960's the primary purpose of the regulatory program was to protect navigation. Since then, as a result of laws and court decisions, the program has been broadened so that it now considers the full public interest for both the protection and utilization of water resources. The regulatory authorities and responsibilities of the Corps of Engineers are based on the following laws:

- [Section 10 of the Rivers and Harbors Act of 1899](#) (33 U.S.C. 403) prohibits the obstruction or alteration of navigable waters of the United States without a permit from the Corps of Engineers.
- [Section 404 of the Clean Water Act](#) (33 U.S.C. 1344). Section 301 of this Act prohibits the discharge of dredged or fill material into waters of the United States without a permit from the Corps of Engineers.

Other laws may also affect the processing of applications for Corps of Engineers permits. Among these are the National Environmental Policy Act, the Coastal Zone Management Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Deepwater Port Act, the Federal Power Act, the Marine Mammal Protection Act, the Wild and Scenic Rivers Act, and the National Fishing Enhancement Act of 1984, and [Section 401 of the Clean Water Act](#).

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