



Special Public Notice

Regulatory Branch
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Name: WRDA 2000

The purpose of this Special Public Notice is to inform the general public that the Seattle District, U.S. Army Corps of Engineers (Seattle District) has decided to accept and expend funds contributed by certain non-Federal public entities. These entities are the City of Seattle, the Port of Seattle, and the Port of Tacoma. The funds would be used to expedite processing of the participating agencies' Department of the Army permit applications.

On November 27, 2001, the Seattle 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). The Memorandum documenting this decision appears as "Decision Memorandum" under the Water Resources Development Act link at the Seattle District's internet Regulatory Home Page: www.nws.usace.army.mil/reg/reg.htm

On August 24, 2001, the Seattle District circulated the initial Special Public Notice announcing our preliminary intent to accept and expend such funds, and stated that we had initiated funding discussions with the City of Seattle, the Port of Seattle, and the Port of Tacoma. The August 2001 Special Public Notice also discussed the kind of activities for which funds would be expended, and the safeguarding procedures which would be used to ensure that the funds will not impact impartial decisionmaking. Those procedures include the following:

- All final permit decisions for cases where these funds are used must be reviewed at least one level above the decisionmaker, unless the decisionmaker is the District Commander. For example, if the decisionmaker 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 Seattle District Regulatory web page.
- The Seattle District will not eliminate any procedures or decisions that would otherwise be required for that type of project and permit application under consideration.

- The Seattle 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 decisionmaker'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.

The August 2001 Special Public Notice appears on our internet Regulatory Home Page as "Initial Special Public Notice" under the WRDA link described above. This second public notice on the subject of WRDA-allowed funding similarly appears on our Regulatory Home Page as "Second Special Public Notice" under the same link. Copies of any of these documents are also available from the Seattle District Regulatory Branch at the letterhead address.