

ALASKA DISTRICT REGULATORY PROGRAM

PROGRAM OVERVIEW 2017



WELCOME TO THE ALASKA DISTRICT

The U.S. Army Corps of Engineers (USACE), Alaska District is a full-service district with programs that are highly visible in the military and local communities. Its major programs include military, interagency and international services; civil works; regulatory; environmental cleanup and restoration; and emergency management. Deep-seated in Alaskan history, the district has extensive expertise in cold regions engineering.

Geographically, the Alaska District is the largest district in the Nation. The district's area of responsibility includes the expansive state of Alaska and its abundant water resources, including 33,904 miles of coastlines; 15 million miles of potentially navigable waterways; 3 million lakes; and 220 million acres of wetlands and other waters.



43% of the state is designated as wetlands



Alaska is 1/5 the size of the lower 48 states

REGULATORY PROGRAM MISSION

The Regulatory Program is one of the oldest in the federal government. Initially it served 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 changed the program, adding to its breadth, complexity and authority to include the health of our nation's waters.

The Nation's range of water resources serve essential functions relating to fish, wildlife and people. These functions include provision of food, habitat for spawning and rearing, storage of floodwaters, jobs, and an enhanced quality of life.

Our mission is to serve the public interest in Alaska, providing responsive, quality service by balancing protection and reasonable use of aquatic resources through professional administration of the Regulatory Program.



REGULATORY PROGRAM AUTHORITIES

1899 RIVERS AND HARBORS ACT SECTION 10: NAVIGABLE WATERS

USACE is authorized to issue permits for structures or work in, or affecting, the navigable waters of the United States.

Primary Goal: Maintain navigation



1972 CLEAN WATER ACT SECTION 404: ALL WATERS OF THE U.S.

USACE is authorized to issue permits for the discharge of dredged or fill material into waters of the United States.

Primary Goal: Restore and maintain the physical, chemical, and biological integrity of the nation's waters



OTHER LEGAL REQUIREMENTS

USACE permits must comply with other legal requirements such as:



Endangered Species Act



Fish & Wildlife Coordination Act



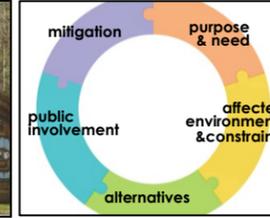
Coastal Zone Management Act



Magnuson-Stevens Fishery Conservation and Management Act



National Historic Preservation Act

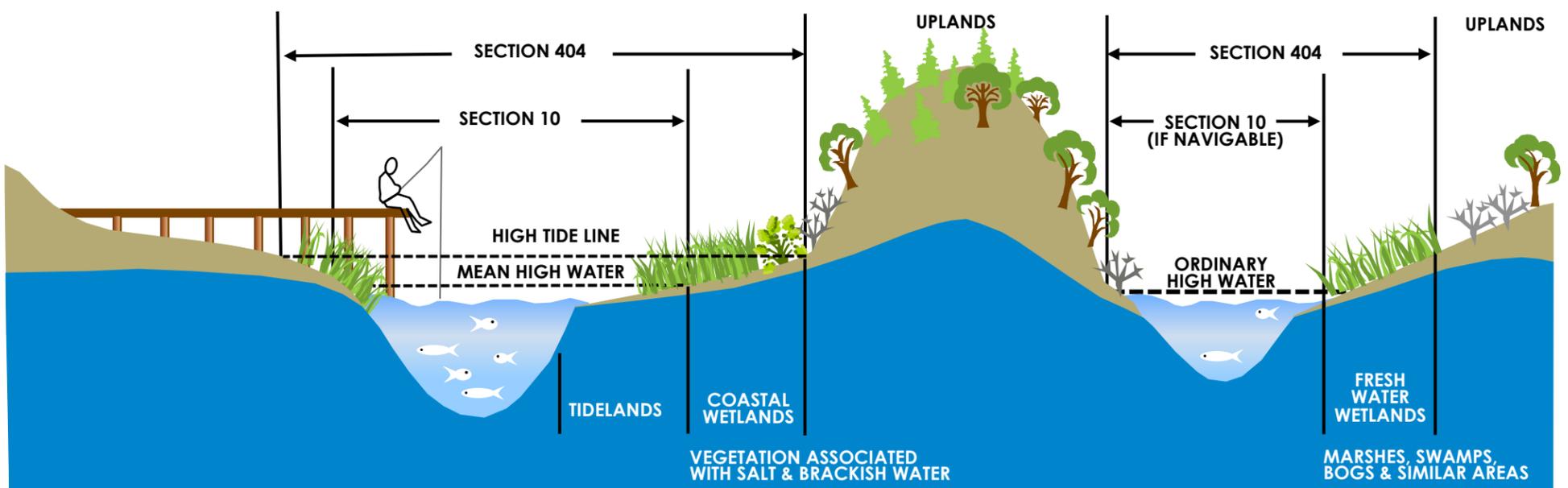


National Environmental Policy Act



1972 Marine, Protection, Research & Sanctuaries Act - Section 103 (USACE Authority)

REGULATORY PROGRAM JURISDICTION



TYPES OF REGULATORY PERMITS UNDER THE SECTIONS 10 AND 404 AUTHORITIES

Nationwide General Permits

- Issued by USACE Headquarters; districts add regional conditions
- Established through public notice and comment
- Valid for 5-year period
- Shorter processing time than Individual Permits (45-60 days)

Regional General Permits

- Issued at the district level through public notice and comment
- Valid for 5-year period
- Minimal adverse effects to the aquatic environment
- Shorter processing time than Individual Permits (45-60 days)

Standard Individual Permits

- Public notice on specific project; 90-120+ day processing times
- Activities with potentially more than minimal impact (outside general permit thresholds)

Other Permit Types

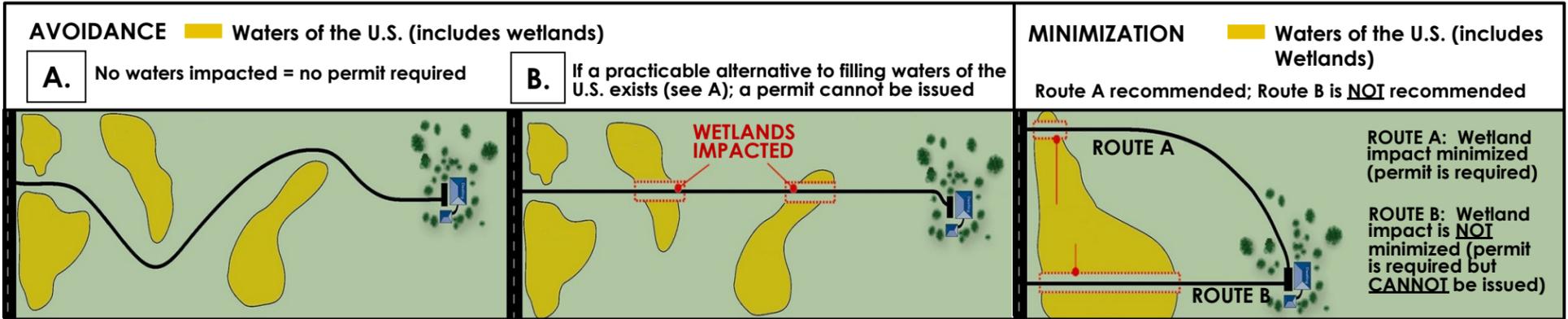
- Letter of Permission:** In Alaska, an expedited review (within 60 days) applicable to certain activities not involving fill in navigable waters (Section 10)



MITIGATION

A fundamental precept of the Regulatory Program is the concept of mitigation which applies to all Regulatory Program authorities. When USACE reviews a project that would require a regulatory permit, its evaluation typically includes a determination of whether the applicant has taken sufficient measures to mitigate the project's likely adverse impact on the aquatic ecosystem.

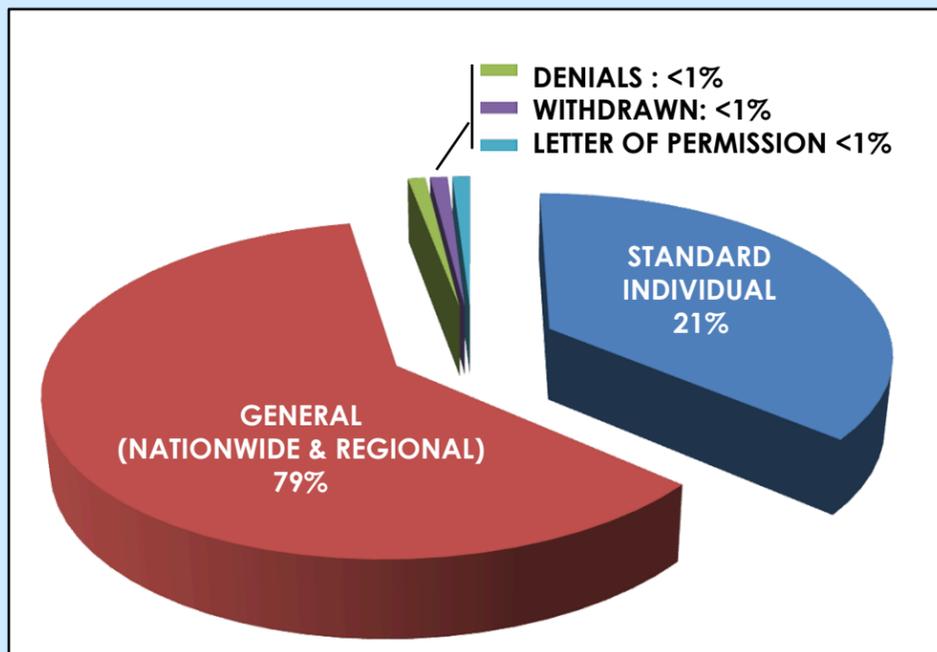
Mitigation is defined as a sequential process of first, avoiding and/or minimizing adverse impacts to the aquatic ecosystem. If adverse project impacts to the aquatic ecosystem cannot reasonably be avoided or further minimized, compensatory mitigation may be required.



ALASKA DISTRICT PERMIT SUMMARY (2011 – 2016)

PERMIT ACTIONS CY 2011- 2016

- NUMBER OF PERMIT ACTIONS (2011-2016): 902, 72%, <120 DAYS
- AVERAGE GP PROCESSING DAYS (2011-2016): 3,358, 86% < 60 DAYS



PERMITS ISSUED VS DENIED CY 2011 - 2016

YEAR	STANDARD PERMITS ISSUED	GENERAL PERMITS VERIFIED	PERMITS DENIED *	% OF PERMITS ISSUED	% OF PERMITS DENIED
CY2011	176	734	0	100.00%	0.00%
CY 2012	191	712	1	99.89%	0.11%
CY 2013	170	668	0	100.00%	0.00%
CY 2014	126	358	1	99.79%	0.21%
CY2015	111	485	0	100.00%	0.00%
CY2016	128	401	0	100.00%	0.00%
TOTALS	902	3358	2	>99%	<1%

* Includes Standard Individual Permits & General (Nationwide & Regional) Permits Denied

NOTE: Totals do not include enforcement & compliance actions; environmental impact statements; pre-application meetings; Mitigation Banks; or In-Lieu Fee Programs.

Regulatory Efficacy and Efficiency

Nationally, 94% percent (94.4%) of all issued/verified permits in FY2016 were GPs. Of those, 87% (86.6%) were verified in 60 days or less.

In the Alaska District, 75% of all issued/verified permits in FY2016, were GPs, Of those, 88% were verified in less than 60 days. This is consistent with the Alaska District's five year performance.

GPs are a workload efficiency measure as well as an environmental protection tool. The abbreviated review times provide incentive for project proponents to minimize their impacts to jurisdictional waters and wetlands.

Nationally, 6% (5.6%) of all issued/verified permits in FY2016 were IPs. Of those, 58% (58.3%) were issued in 120 days or less (excluding formal ESA consultations).

In the Alaska District, 25% of all issued/verified permits in FY2016 were IPs. Of those, 71% were issued in 120 days or less.

FOR ADDITIONAL INFORMATION:

VISIT OUR WEBSITE AT: [HTTP://WWW.POA.USACE.ARMY.MIL/MISSIONS/REGULATORY.ASPX](http://www.poa.usace.army.mil/missions/regulatory.aspx)

OR CONTACT ONE OF OUR REGULATORY OFFICES:

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