



US Army Corps
of Engineers
Alaska District

Special Public Notice

ANCHORAGE OFFICE
Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

ISSUANCE DATE: April 28, 2022

REFERENCE NUMBER: POA-2020-00546

The purpose of this special public notice is to inform the general public that the U.S. Army Corps of Engineers, Alaska District (Corps) signed a Memorandum of Agreement (MOA) with the Port of Alaska to accept and expend funds to expedite processing of their Department of the Army (DA) permit applications, subject to a series of limitations.

On September 15, 2021, the Alaska District Commander signed the MOA after determining that acceptance and expenditure of such funds would be in accordance with Section 214 of the Water Resources Development Act of 2000 (WRDA 214), as amended (33 U.S.C 2352). On October 25, 2021, the Municipality of Anchorage signed the MOA.

On July 21, 2021, the Alaska 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 Port of Alaska. The July 21, 2021, 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 funds will not impact impartial decision-making. Those procedures include:

- (a) The Corps will ensure that the evaluation of permits carried out using funds accepted from the Port of Alaska are reviewed at least one level above the decision maker, unless the decision maker is the District Commander, then the Commander of the Corps Division in which the District is located, would review the permit decision. For example, if the decision maker is the Chief of the Regulatory Division, then the reviewer would be the District Commander.
- (b) The Corps will ensure that all final permit decisions carried out using accepted funds from the Port of Alaska are made available to the public, including on the internet at: www.poa.usace.army.mil/Missions/Regulatory/Permitting-Section-Homepage/
- (c) The Corps will utilize the same procedures for decisions that would otherwise be required for the evaluation of permits for similar type projects or activities not carried out using funds accepted from the Port of Alaska.

- (d) The Corps will comply with all applicable laws and regulations.
- (e) The Corps will only expend funds accepted from the Port of Alaska to provide priority review of permit applications, and will not use them to carry out a review of the evaluation of permits, as required under (a) above.

Copies of the July 21, 2021, special public notice and this special public notice are available on the Alaska District Regulatory website at:
www.poa.usace.army.mil/Missions/Regulatory/Special-Public-Notices/

Any questions pertaining to this special public notice may be directed to Heather Markway, Project Manager, via email at Heather.N.Markway@usace.army.mil, by phone at (907) 753-2773, toll free from within Alaska at (800) 478-2712 or by mail at the address above.

District Commander
U.S. Army, Corps of Engineers