



US Army Corps
of Engineers
Alaska District

Special Public Notice

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

PUBLIC NOTICE DATE:	October 26, 2015
EXPIRATION DATE:	November 10, 2015
REFERENCE NUMBER:	POA-2009-651
SUBJECT:	WRDA Agreement with AGDC

The purpose of this Special Public Notice is to inform the general public that the U.S. Army Corps of Engineers (Corps), Alaska District has decided to accept and expend funds contributed by the **Alaska Gasline Development Corporation (AGDC)**, a non-Federal public entity. The funds would be used to expedite processing of the **Alaska Stand Alone Pipeline (ASAP)** project Department of the Army permit application.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mary Romero at (907) 753-2773, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at mary.r.romero@usace.army.mil if further information is desired concerning this notice.

On January 31, 2014, the Alaska District circulated the initial Special Public Notice announcing our preliminary intent to accept and expend funds contributed by non-Federal public entities under the provisions of the WRDA of 2000, as amended. We received a response from the AGDC on February 24, 2014, expressing interest in entering into an agreement .

On November 17, 2014, the Alaska District Commander determined that acceptance and expenditure of funds would be in accordance with Section 214 of the Water Resources Development Act (WRDA) of 2000, as amended [WRDA 214 requirements, as amended by the Water Resources Reform and Development Act of 2014, are now codified under 33 U.S.C 2352]. The January 2014 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 decision making. Those procedures include:

- a) All final permit decisions for cases where these funds are used must be reviewed at least by one level above the decision maker, unless the decision maker is the District Commander. For example, if the decision maker is the Chief, South Branch, Regulatory Division, then the reviewer would be the Deputy Chief, Regulatory Division.
- b) All final permit decisions for cases where these funds are used will be made available on the HQ USACE web page www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/Section214.aspx
- c) The Alaska District will not eliminate any procedures or decisions that would otherwise be required for that type of project and permit application under consideration.
- d) The Alaska District must comply with all applicable laws and regulations.
- e) Funds will only be expended to expedite the final decision on the permit application. Funds will not be expended for the review of the decision maker'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 acceptance of funds will allow the Corps to allocate personnel to work directly on the project. Additional staff have been hired to maintain existing timeframes for all other work completed within Regulatory.

Although the MFR indicates AIDEA also requested to utilize the WRDA process they have not confirmed they wish to do so at this time and not are being considered under this public notice.

Copies of the January 2014 Special Public Notice, this Special Public Notice, and the memorandum documenting the Alaska District's decision to accept and expend funds under the WRDA authority as well as other pertinent documents are available from the Alaska District Regulatory Division at the letterhead address or on the Alaska District website at: <http://www.poa.usace.army.mil/Missions/Regulatory/SpecialPublicNotices.aspx>, click on "SPN-POA-2014-12, WRDA_2000 Attachments"

All final documents for 'Active Agreements' will be kept on the Regulatory HQ website <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/Section214.aspx>.