



SPECIAL PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

Corps Case No.: SPL-2013-00774-AOA

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The purpose of this Special Public Notice is to announce that the Los Angeles District, U.S. Army Corps of Engineers (Corps) has decided to accept and expend funds contributed by the Metropolitan Water District of Southern California (hereafter referred to as the "District"). The funds would be used to expand Corps resources available to evaluate and process the District's permit applications. Though the District would receive more expeditious reviews of their permit applications, the Corps would ensure that regulatory permit decision-making remains impartial and that all applicable procedural and substantive requirements of the Department of the Army permit application review process remain unchanged. The decision to accept funds is in response to the large complexity of upcoming DA permit applications submitted by the District (e.g., permit applications for replacing and or rehabilitating aging infrastructure and long-term maintenance activities for existing facilities), and the need to devote significant staff time to these applications in order to ensure the District and the public are best served throughout the permit evaluation process. The decision to accept funds does not constitute any endorsement or implied consent to the District; rather, it will enable Corps Regulatory Staff to devote the attention required to these applications, in both a more timely and thorough manner, benefiting both the District and the public.

Colonel Kimberly M. Colloton, Commander of the Corps Los Angeles District has 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 106-541 as amended by Public Law 108-137). The Memorandum documenting this decision is attached.

On November 8, 2013, the Los Angeles 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 District. The November 2013 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 the following:

- All final permit decisions for cases where these funds are used must be reviewed at least one level above the normal decision-maker, unless the decision-maker is the District Commander. For example, if the decision-maker were the Regulatory North Coast Branch Chief, then the decision-maker for that permit action would be

raised to the Regulatory Division Chief.

- All final permit decisions for cases where these funds are used will be made available on the Los Angeles District Regulatory web page.
- The Los Angeles District will not eliminate any procedures or evaluations that would otherwise be required for that type of project and permit application under consideration.
- The Los Angeles District must comply with all applicable laws and regulations.
- Contributed District funds will not be expended for supervisory or management review of staff-generated permit decision recommendations. Also, funds would not be used for processing administrative appeals of any decisions on District permit applications. If District funds are used to hire contractors in support of the Corps permit evaluation process, such contractor products will be drafts only and be reviewed by Corps regulatory program employees, before they are utilized in support of any Corps permit decision.

Copies of the relevant documents related to this decision to accept District funds, as well as any permit decisions in the future, which were evaluated by District-funded Corps staff, can be viewed at the Corps regulatory web page at <http://www.spl.usace.army.mil/regulatory>.

For additional information please call Aaron O. Allen of my staff at 805-585-2148 or via e-mail at Aaron.O.Allen@usace.army.mil . This public notice is issued by the Chief, Regulatory Division.



Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

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