
PUBLIC NOTICE



**US Army Corps
of Engineers**

Omaha District

**INFORMATIONAL
PUBLIC NOTICE**

Issue Date: September 3, 2009

Expiration Date: September 17, 2009

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

Reply To:

U.S. ARMY CORPS OF ENGINEERS, OMAHA DISTRICT, REGULATORY BRANCH
1616 CAPITOL AVE, OMAHA NE 68102-4901: Phone (402) 995-2458; Fax (402) 996-3842

JOINT PUBLIC NOTICE: The purpose of this notice is to inform the public that, September 2, 2009, the Omaha District, U.S. Army Corps of Engineers (Corps) entered into an agreement with the Federal Highway Administration (FHWA) and the Nebraska Department of Roads (NDOR) to accept and expend funds contributed by NDOR in accordance with Section 214 of the Water resources Development Act (WRDA) of 2000 (Public Law 106-541), as amended, and Section 600.1 and Section 600.2 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act; A Legacy for Users (SAFETEA-LU). These State and/or Federal funds contributed by NDOR in conjunction with FHWA will expand the Corps' resources available to evaluate and more expeditiously process permit applications related to State and Federal transportation projects in the State of Nebraska. Specifically, the funds will be used for such items as hiring additional personnel, review of permit applications/mitigation proposals/jurisdictional determinations/verifications, technical writing of environmental documents, site visits and interagency meetings (including travel costs), coordination activities, programmatic initiatives reproduction costs, acquisition of GIS data, and so forth.

To ensure the use of State and/or Federal funds received from NDOR will not impact impartial decision-making with respect to permits, either substantively or procedurally, the Corps will implement the following procedures:

- a. All final permit decisions for cases where these funds are used will be reviewed at least by one level above the decision maker, unless the decision maker is the District Commander.
- b. All final permit decisions for cases where these funds are used will be made available on the Omaha District Regulatory web page.
- c. The Omaha 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 Omaha District will comply with all applicable Federal laws, statutes, regulations, and guidance.
- e. Funds will be expended only to expedite the final decision on permit applications. They will not be expended for supervisory or management review of staff-generated permit decision recommendations. They also will not be used for processing administrative appeals of any decisions on NDOR permit applications. If contracts are used to develop decision documents, such decision documents will be drafts only and will be reviewed and adopted by Corps Regulatory staff before the decision is made.

Use of these State and/or Federal Highway funds is not expected to negatively impact the Omaha District's Regulatory Program or to increase the processing time for other permit evaluations. With the additional of personnel dedicated to work on NDOR projects, current Regulatory staff in the State of Nebraska will be able to devote their resources to non-highway projects.

Comments related to this matter may be directed to Mr. John Moeschen, Nebraska Regulatory Office; 8901 South 154 Street, Omaha, NE 68138-3621 [(402) 896-0896] or Ms. Terri Thomas, Omaha District at (402) 995-2458.