



**US Army Corps
of Engineers**
Fort Worth District

Public Notice

Public Notice Date: September 16, 2008

Subject: Water Resources Development Act (WRDA) of 2000

The purpose of this public notice is to inform you that the Fort Worth District has decided to accept and expend Regulatory Program funds contributed by a non-federal public entity.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources.

Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

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PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

BACKGROUND: On July 18, 2008, the Fort Worth District circulated a Public Notice announcing a proposal to accept and expend Regulatory Program funds contributed by a non-federal public entity (the North Central Texas Council of Governments acting by and through its Regional Transportation Council (RTC)) as authorized by Section 214 of The Water Resources Development Act (WRDA) 2000 Public Law No. 106-541 as amended.

The Public Notice provided general information about WRDA, information on how and why funds would be expended, information concerning how acceptance and expenditure of funds will effect the Regulatory Branch, and safeguard procedures to make sure the acceptance and expenditure of funds will not impact impartial decision making with respect to permits, either substantively or procedurally. No comments were received regarding the July 18, 2008 Public Notice.

SUBJECT: On September 12, 2008, the Fort Worth District Commander determined that the acceptance and expenditure of funds from the RTC would be in accordance with Section 214 of WRDA 2000 and would serve the public interest through cost-effectiveness, enhanced evaluation and capability, streamlined permit processing, or other appropriate justification.

All public notices, final permit decisions, and information concerning WRDA 2000, Section 214 authorizations in the Fort Worth District will be made available on the Fort Worth District Regulatory Branch webpage: <http://www.swf.usace.army.mil/regulatory/>. In addition, you may visit the Regulatory Branch in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday if you have questions concerning this issue. Telephone inquiries should be directed to (817) 886-1731

**DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS**