



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

Public Notice

From: US Army Corps of Engineers, Fort Worth District

Date: January 23, 2012

COMPLIANCE WITH EXECUTIVE ORDER 13563 COMMENT PERIOD EXTENDED

As a result of the January 18, 2011, signing of Executive Order 13563, “Improving Regulation and Regulatory Review,” <http://www.gpo.gov/fdsys/pkg/FR-2011-01-21/pdf/2011-1385.pdf>, the U.S. Army Corps of Engineers published its request for comments in the Federal Register <http://www.gpo.gov/fdsys/pkg/FR-2011-11-16/pdf/2011-29633.pdf> on November 16, 2011. As a result of the request for time extensions, the opportunity to comment on the implementation of this Executive Order has been extended 45 days, to March 2, 2012, as published in the Federal Register today <http://www.gpo.gov/fdsys/pkg/FR-2012-01-23/pdf/2012-1269.pdf>

The Regulatory Program of the U.S. Army Corps of Engineers (USACE) is seeking public input on its plan to retrospectively review its Regulations implementing the USACE Regulatory Program at 33 CFR 320-332 and 334. Executive Order 13563, “Improving Regulation and Regulatory Review,” issued on January 18, 2011, directs federal agencies to review existing significant regulations and identify those that can be made more effective or less burdensome in achieving regulatory objectives. The Regulations are essential for implementation of the Regulatory mission; thus, USACE believes they are a significant rule warranting review pursuant to Executive Order 13563. The Executive Order further directs each agency to periodically review its existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed so as to make the agency’s regulatory program more effective or less burdensome in achieving the regulatory objectives.

National Issues Concerning the Proposed Reviews: The Federal Register notice is the public’s opportunity to comment on the proposed retrospective review of the Regulations and the continued periodic review of the NWP program for compliance with Executive Order 13563. Responses to the questions posed in the Federal Register, as well as additional issues or suggestions, are encouraged. The request for information will inform the USACE’s decision on whether adjustments to the regulations are necessary and appropriate, and whether additional guidance, education, or outreach would better assist the Regulation users, agencies, and the public to address critical issues. Comments on national issues relating to these reviews should be

submitted to docket number COE-2011-0028 at <http://www.regulations.gov>, or by email to regulatory.review@usace.army.mil or by mail to Headquarters, U.S. Army Corps of Engineers, Directorate of Civil Works, ATTN: CECW-CO-R, 441 G Street, N.W., Washington, D.C. 20314-1000 on or before March 2, 2012.

The URL for a website that includes the Regulations, as well as all of the Corps' Regulatory Program's current regulations and supporting program data and information is http://www.usace.army.mil/CECW/Pages/reg_materials.aspx. Furthermore, each of the 38 Corps districts has issued local public notices announcing the publication of the Federal Register notice and the request for comments. The Corps will evaluate all comments received to develop its list of review priorities, and will publish a notice in the Federal Register that summarizes the comments received and lists the review priorities. The website will be updated as proposal revisions and final revisions to its regulations occur.