



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil

Special Public Notice

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The purpose of this Public Notice is to inform the general public that the Vicksburg District of the U.S. Army Corps of Engineers (USACE), along with the approval of the Federal Highway Administration (FHWA), has decided to accept and expend funds contributed by the Mississippi Department of Transportation (MDOT), a non-federal public agency, in accordance with section 214 of the Water Resources Development Act of 2000, as amended by section 1006 of the Water Resources Reform and Development Act of 2014, codified in 33 U.S.C. § 2352, provides that the Secretary of the Army, after public notice, may accept and expend funds contributed by a non-Federal public entity to expedite evaluation of permit applications from that entity related to public projects or activities falling under Army regulatory jurisdiction. The purpose of the Memorandum of Agreement (MOA) between the Vicksburg District, FHWA and MDOT is to establish a USACE central point of contact (POC) to expedite and streamline programmatic and project specific authorizations related to state and Federal transportation projects within the State of Mississippi. The locations of these projects within Mississippi fall under the jurisdictional areas of five (5) different USACE districts (Vicksburg, Mobile, Memphis, Nashville and New Orleans) where the POC will be located in the Vicksburg District. The Vicksburg District will handle all aspects of permit review and decision making on permit applications from FHWA or MDOT, to include signature authority for the entire State of Mississippi, unless other arrangements are made on a case-by-case basis.

On December 3, 2008, the Vicksburg District circulated a Special Public Notice announcing its preliminary intent to accept and expend funds contributed by a non-Federal public entity. The Notice also outlined the kinds of activities for which funds would be expended and solicited comments from the general public. The kind of activities for which these funds may be expended include, but are not limited to:

- a. application intake review;
- b. permit database entry;
- c. correction of drawings;

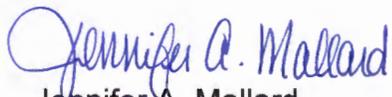
- d. jurisdictional determinations;
- e. jurisdictional delineation verification;
- f. functional or conditional assessment verification;
- g. public scoping meetings;
- h. site visits;
- i. preparation of public notices;
- j. drafting correspondence;
- k. conducting public interest review;
- l. preparation of draft permit decision documents;
- m. engineering, technical, legal, and policy analyses;
- n. real estate evaluation;
- o. risk analysis; technical writing;
- p. coordination activities;
- q. pre-application conferences;
- r. early coordination activities for environmental impact assessment

A series of procedural safeguards has been adopted to ensure that use of the funds will not impact impartial decision-making. These 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.
- b. All final permit decisions for cases where these funds are used will be made available on the Vicksburg District web page.
<http://www.mvk.usace.army.mil/Missions/Regulatory/WRDATEADOT.aspx>
- c. The Corps will not eliminate any procedures or decisions that would otherwise be required for that type of project and permit application under consideration.
- d. The Corps will comply with all applicable laws and regulations.
- e. Funds will only be expended to provide priority review of the participating non-federal entity's permit application.

The Vicksburg District approved this MOA and certified its compliance with applicable Federal laws and regulations. The agreement and supporting standard operating procedures are effective immediately.

Any questions related to this matter may be directed to the U.S. Army Corps of Engineers, Vicksburg District, Regulatory Branch, ATTN: Anthony R. Lobred, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.


Jennifer A. Mallard
Chief, Regulatory Branch
Vicksburg District