



**US Army Corps  
of Engineers®**

# SPECIAL PUBLIC NOTICE

DECISION TO ACCEPT FUNDS FROM  
THE CITY AND COUNTY OF SAN FRANCISCO

*SAN FRANCISCO DISTRICT*

**Public Notice/Application No.:** 2011-00057S

**Public Notice Date:** October 25, 2011

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**SUBJECT:** The purpose of this Public Notice is to inform the general public that the District Commander of the San Francisco District, U.S. Army Corps of Engineers (“Corps”) has decided to accept and expend funds contributed by the City and County of San Francisco. The Corps’ San Francisco District Dredge Material Maintenance Office, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and the National Marine Fisheries Service, as necessary, will also use these funds, administered by the San Francisco District Regulatory Division, to provide priority review of the permit applications submitted by the City and County of San Francisco (CCSF) for capital improvement projects related to the 34<sup>th</sup> America’s Cup, subject to a series of limitations specified below. With the additional funding, the Federal agencies would pay current employees for hours spent working on 34<sup>th</sup> America’s Cup permit applications.

**BACKGROUND:** On August 31, 2011, the San Francisco District Commander 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 No. 106-541).

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. For example, if the decision maker is the Chief of the Regulatory Division, then the reviewer would be the District Commander.
- b. All final permit decisions for cases where these funds are used will be made available on each District’s web page.

- 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 applications.

From June 2, 2011 through July 2, 2011, the San Francisco District circulated a Special Public Notice announcing its preliminary intent to accept and expend such funds. The Notice discussed the kinds of activities for which funds would be expended and solicited comments from the general public. No comments were received.

Information concerning WRDA, including documents referenced in this notice, may be found on our San Francisco District website at <http://www.spn.usace.army.mil/regulatory/WRDA.html>. If you have questions or need additional information please contact the South Branch Chief, Cameron Johnson, at 415-503-6773, or email [cameron.l.johnson@usace.army.mil](mailto:cameron.l.johnson@usace.army.mil).