



# SPECIAL PUBLIC NOTICE

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ANNOUNCEMENT OF 5-YEAR FUNDS AGREEMENT BETWEEN CORPS AND  
PENNSYLVANIA TURNPIKE COMMISSION

**U.S. ARMY CORPS OF ENGINEERS  
BALTIMORE DISTRICT**

**Special Public Notice No.:** 24-31  
**Corps District POC:** Marion Gall, (814) 235-1761  
[marion.gall@usace.army.mil](mailto:marion.gall@usace.army.mil)

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## **PURPOSE OF PUBLIC NOTICE:**

To inform you that on July 24, 2024, an agreement was finalized, for a period of five years, between the United States Army Corps of Engineers, Regulatory Branches of the Baltimore, Philadelphia, and Pittsburgh Districts (Corps) to accept and expend funds provided by the Pennsylvania Turnpike Commission (Commission) to expedite processing of Commission Department of the Army permit applications.

## **AUTHORITY:**

Section 214 of the Water Resources Development Act of 2000 (WRDA 2000, Public Law No. 106-541), as amended, provides:

1. Section 214 of the Water Resources Development Act of 2000 (WRDA 2000, Public Law No. 106-541), as amended and codified at 33 U.S.C. 2352, authorizes the Secretary of the Army, after public notice, to accept and expend funds contributed by non-Federal public entities, public-utility companies, natural gas companies, or railroad carriers to expedite the evaluation of a permit of that entity, company, or carrier related to a project or activity for a public purpose under the jurisdiction of the Department of the Army.
2. In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decision making with respect to permits, either substantively or procedurally.

The Secretary of the Army has delegated this responsibility to District and Division Commanders, including the Commanders of the Philadelphia, Pittsburgh, and Baltimore Districts, United States Army Corps of Engineers.

The Corps is implementing the provisions of Section 214 of WRDA 2000, as amended, with the Commission through a signed memorandum of agreement posted on our website at: <https://www.nab.usace.army.mil/Missions/Regulatory/WRDA/>.

#### **PROCEDURES TO ENSURE IMPARTIAL DECISION-MAKING:**

To ensure the funds will not impact impartial decision-making, the districts have incorporated the following procedures into the funding agreement:

1. All final permit decisions where funds were used for the permit review process will be reviewed and approved in writing by a Corps official that is at least one level above the typical Corps decision-maker. Funds accepted under the agreement will not be expended for review of such decisions by supervisors or other Corps officials in the decision-making chain of command. Additionally, the one-level-above reviewer will hold a position that is not partially or fully funded by the Commission for at least one year.
2. Instruments for mitigation banks or in-lieu fee programs proposed for review by the funding entity will be signed by the District's Regulatory Branch Chiefs, an equivalent, or a higher-level position that is not funded by any funding agreement.
3. All preliminary jurisdictional determinations (JDs) and approved JDs where funds will be used to complete the JD will have documentation in the administrative record that a non-funded Corps Regulatory Program staff member conducted a review of the determination. This review will not require a field review. For those approved JDs that require coordination with the United States Environmental Protection Agency, additional internal review will not be required.
4. The Corps will not use funds accepted under this agreement to conduct enforcement activities; this includes, but is not limited to, the resolution of non-compliance issues.
5. The Corps will comply with all applicable laws and regulations and will not eliminate any procedures or decisions that will otherwise be required for the type of project and permit application under consideration.
6. To ensure transparency, the Corps will ensure the funding agreement and all final permit decisions carried out using funds accepted from the Commission will be made available to the public on the Corps Headquarters' public web pages at: <https://permits.ops.usace.army.mil/orm-public#> and <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Section-214/>.

Additional information concerning Section 214 of WRDA 2000, as amended, may be found on the Corps Headquarters website at

<https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Section-214/>.

If you have questions or would like additional information, please contact Ms. Marion Gall, Regulatory Project Manager, at (814) 235-1761 or [marion.gall@usace.army.mil](mailto:marion.gall@usace.army.mil). This public notice is issued by the Baltimore District Chief, Regulatory Branch.