



**US Army Corps
of Engineers®**
Buffalo District

August 12, 2014

FACT SHEET

Title/Name: Emergency Regional Permit 99-000-1

Project Description: On 14 July 2010, District Commander LTC Daniel B. Snead reissued Regional Permit 99-000-1. The permit authorizes dredging in navigable waters and the discharge of dredged or fill material, including those discharges associated with excavation activities, into waters of the United States to facilitate the remediation of sites that were damaged as a result of major storm events. The permit is activated by the District Commander as needed in response to these major storm events. This action was processed under a full public interest review including Federal and State Resource agencies and the general public. All comments were considered under this review and incorporated, as necessary to further safeguard the environment.

Purpose: This Regional Permit was developed to enhance our emergency response capabilities. The purpose of this regional permit was to reduce paperwork and improve efficiency without compromising environmental values or the needs and welfare of the general public.

Location: Waters of New York State located within the Buffalo District jurisdiction.

Authority: Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbor Act

Current Status: Significantly higher than normal rainfall occurred throughout Cattaraugus, Ontario, Steuben and Yates Counties, New York between May 13-14, 2014, resulting in flooding and subsequently adverse affects to streams. On May 14, 2014, Governor Cuomo declared a State of Emergency within Yates County and declared a State Disaster within Yates County and contiguous areas. At the time, the Corps contacted potentially affected Soil and Water Conservation Districts (SWCD), and determined that the Regional Permit was also needed within Cattaraugus, Ontario, and Steuben Counties, due to the localized flooding experienced throughout the counties. The New York State Department of Transportation also contacted the Corps with emergency permit needs within these counties.

On July 8, 2014, the U.S. Department of Homeland Security's Federal Emergency Management Agency announced that federal disaster aid has been made available to the State of New York to supplement state and local recovery efforts within in Allegany, Cattaraugus, Chautauqua, Delaware, Herkimer, Lewis, Livingston, Ontario, Otsego, Steuben, and Yates Counties as a result of May rain events.

The Corps was subsequently contacted by the SWCDs for Allegany and Chautauqua Counties and it was determined the Regional Permit is needed within these counties. The Corps also contacted the SWCDs for Herkimer, Lewis and Livingston Counties, who also indicated the need for activation in their respective areas of responsibility. The permit was modified to include these five counties.

Under Regional Permit 99-000-1, applicants will have one year from date of activation to complete work. Additional counties may be added on an as needed basis by the Branch Chief.

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