



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

Sept 9, 2011; Updated: Sept 23, 2011

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 in support of Buffalo District Initiative No. 11 – Build Our Emergency Response Capability. 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: As a result of Tropical Storm Irene (August 26-29, 2011) and Lee (September 7-9, 2011) higher than normal rainfall occurred resulting in flooding and subsequently adverse affects to streams within Broome, Chemung, Chenango, Herkimer, Oneida and Tioga Counties. On September 8, 2011, the Federal Emergency Management Agency (FEMA) has declared a Federal Disaster Emergency (FEMA-EM-3341), for the above mentioned 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.

Update: On September 21, 2011, via an email, the Corps was informed that on September 8, 2011, the New York State Department of Environmental Conservation (NYSDEC) issued an Emergency Declaration for the State of New York as a result of the damage caused by Hurricane Irene on August 27, 2011 and the additional flooding caused by Tropical Storm Lee on September 7 & 8, 2011. The Commissioner's Declaration authorizes the NYSDEC, pursuant to Environmental Conservation Law Article 70, to issue Emergency Authorizations where, in the Department's judgment, immediate action is necessary to address an imminent threat to life, health, property, general welfare or natural resources. The declaration was for various counties in Regions 3, 4, 5, 6, 7 and 8. The counties under this declaration that are within the Buffalo District's Regulatory Boundary and not covered under the recent activation of the Emergency Regional Permit No. 99-000-1 are Cortland, Jefferson, Lewis, Madison, St. Lawrence and Tompkins Counties. Therefore, Cortland, Jefferson, Lewis, Madison, St. Lawrence and Tompkins Counties have been added to the list of counties eligible to use the Regional Permit 99-000-1.

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