



Monitoring & Enforcement

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG.

Under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) has regulatory authority over construction, excavation, and deposition of materials in, over, or under navigable waters of the United States (WOUS). Under Section 404 of the Clean Water Act, the USACE regulates the discharge of dredged or fill material into WOUS, including freshwater wetlands. WOUS includes, but is not limited to lakes, ponds, streams, drainageways, and wetlands.

Monitoring on-going permitted projects and investigating unauthorized activities allows the USACE to pursue corrective actions for activities that may adversely affect the functions that WOUS provide. These functions include habitat for fish and wildlife, flood storage capacity, water quality, etc.

The Buffalo District Regulatory Program includes dedicated Monitoring and Enforcement staff responsible for ensuring that permittees comply with issued permits (compliance), as well as investigating activities that may have taken place without the proper permits (unauthorized activities). Regulatory staff approach compliance and enforcement issues in a fair and balanced manner and seek to equitably resolve non-compliance and unauthorized activities.



Helpful Advice for Avoiding Enforcement Actions:

- Never initiate any activities in WOUS without proper Department of the Army authorization.
- Obtaining state or local authorizations does not relieve you of your responsibility to obtain a permit from the USACE.
- Read all permit conditions – general and special.
- Adhere to all permit conditions.
- Contact the USACE for any post-permitting changes or inadvertant fills.
- When in doubt, or for information, **call the USACE.**

To report a wetland, stream, or lake fill, submit the form located at:

<http://www.lrb.usace.army.mil/Portals/45/docs/regulatory/ReportofViolation.pdf>

U.S. ARMY CORPS OF ENGINEERS – Buffalo District

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Email: LRB.Regulatory@usace.army.mil
<http://www.lrb.usace.army.mil/Missions/Regulatory.aspx>