



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

CESAM-RD

July 15, 2011

PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
MOBILE DISTRICT

DRAFT CLEAN WATER ACT GUIDANCE/ NOTICE OF COMMENT PERIOD EXTENSION

On May 2, 2011, the Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (USACE) jointly published in the Federal Register their proposal to issue clarifying guidance for determining which waters and wetlands are protected under the Clean Water Act (CWA) programs. The agencies are soliciting comments on the proposed draft guidance from interested parties, and the comment period will be 60 days.

The proposed draft guidance is intended to improve the consistency, predictability, and transparency of jurisdictional determinations and be fully consistent with the CWA, applicable regulations, and Supreme Court decisions.

You may submit comments, identified by docket number EPA-HQ-OW-2011-0409, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov> at docket ID no. EPA-HQ-OW-2011-0409. Please see the Federal Register notice for instructions on submitting comments.
- E-mail: owdocket@epa.gov. Include EPA-HQ-OW-2011-0409 in the subject line of the message.
- Mail: Send the original and three copies of your comments to: Water Docket, Environmental Protection Agency, Mail Code 2822T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, Attention: Docket ID No. EPA-HQ-OW-2011-0409.
- Hand Delivery/Courier: Deliver your comments to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, DC 20460, Attention: Docket ID No. EPA-HQ-OW-2011-0409. Such deliveries are accepted only during the Docket's normal hours of operation, which are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Special arrangements should be made for deliveries of boxed information. The telephone number for the Water Docket is (202)566-2426.

SUPPLEMENTARY INFORMATION: In the May 2, 2011, issue of the Federal Register (76 FR 24479), the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers announced the availability of draft agency guidance, regarding Clean Water Act (CWA) jurisdiction following the U.S. Supreme Court's decisions in SWANCC and Rapanos. The agencies invited public comment for a 60-day period. Several entities have requested an extension of the comment period for the guidance. The EPA and the Corps find that a 30-day extension of the comment period is warranted. Therefore, **the comment period is extended until July 31, 2011**. A copy of the draft guidance can be found on EPA's Web site at <http://water.epa.gov/lawsregs/guidance/wetlands/CWAwaters.cfm> and on the Corps' Web site at http://www.usace.army.mil/CECW/Pages/cwa_guide.aspx.

A copy of the proposed draft guidance is available through the USACE webpage at <http://www.usace.army.mil/CECW/Pages/nnpi.aspx>, the EPA webpage at <http://www.epa.gov>, at www.regulations.gov (docket number EPA-HQ-OW-2011-0409), or the Federal Register at <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>.

Additional information about the Environmental Protection Agency's CWA programs can be found at: <http://water.epa.gov/lawsregs/guidance/index.cfm>. The U.S. Army Corps of Engineers Regulatory program information can be found at: http://www.usace.army.mil/CECW/Pages/cecwo_reg.aspx

MOBILE DISTRICT
U.S. Army Corps of Engineers