

decision in such form as such Corps official in his or her discretion deems appropriate. The Corps official may also supplement the written explanation by providing the explanation to the single point of contact by telephone, other telecommunication, or other means.

(b) In any explanation under paragraph (a)(3) of this section, the responsible Corps official informs the single point of contact that:

(1) The Corps of Engineers will not implement its decision for at least 10 days after the single point of contact receives the explanation; or

(2) The Assistant Secretary of the Army (Civil Works), or the next higher level responsible Corps official, has reviewed the case and determined that, because of unusual circumstances, the waiting period of at least 10 days is not feasible.

(c) For purposes of computing the waiting period under paragraph (b)(1) of this section, a single point of contact is presumed to have received written notification 5 days after the date of mailing of such notification.

§384.11 What are the Corps of Engineers obligations in interstate situations?

(a) The responsible Corps official is responsible for:

(1) Identifying proposed federal financial assistance and direct federal development that have an impact on interstate areas;

(2) Notifying appropriate officials and entities in states which have adopted a process and which select the Corps of Engineers program or activity.

(3) Making efforts to identify and notify the affected state, areawide, regional, and local officials and entities in those states that have not adopted a process under the Order or do not select the Corps of Engineers program or activity;

(4) Responding pursuant to §384.10 of this part if the responsible Corps official receives a recommendation from a designated areawide agency transmitted by a single point of contact, in cases in which the review, coordination, and communication with the Corps of Engineers has been delegated.

(b) The responsible Corps official uses the procedures in §384.10 if a state process provides a state process recommendation to such official through a single point of contact.

§384.12 [Reserved]

§384.13 May the Corps of Engineers waive any provision of these regulations?

(a) Emergency and disaster recovery actions performed under Pub. L. 99, 84th Congress, are excluded from the requirements of the Order and this regulation.

(b) In other emergencies, the Division Engineer may waive any provision of these regulations.

PART 385—PROGRAMMATIC REGULATIONS FOR THE COMPREHENSIVE EVERGLADES RESTORATION PLAN

Subpart A—General Provisions

Sec.

385.1 Purpose of the programmatic regulations.

385.2 Applicability of the programmatic regulations.

385.3 Definitions.

385.4 Limitation on applicability of programmatic regulations.

385.5 Guidance memoranda.

385.6 Review of programmatic regulations.

385.7 Concurrency statements.

Subpart B—Program Goals and Responsibilities

385.8 Goals and purposes of the Comprehensive Everglades Restoration Plan.

385.9 Implementation principles.

385.10 Implementation responsibilities, consultation, and coordination.

Subpart C—CERP Implementation Processes

385.11 Implementation process for projects.

385.12 Pilot projects.

385.13 Projects implemented under additional program authority.

385.14 Incorporation of NEPA and related considerations into the implementation process.

385.15 Consistency with requirements of the State of Florida.

385.16 Design agreements.

385.17 Project Delivery Team.

385.18 Public outreach.

385.19 Environmental and economic equity.