

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY, DEPARTMENT OF DEFENSE

EDITORIAL NOTE: Other regulations issued by the Department of the Army appear in Title 32, Chapter V; Title 33, Chapter II; and Title 36, Chapter III, of the Code of Federal Regulations.

<i>Part</i>		<i>Page</i>
203	Emergency employment of Army and other resources, natural disaster procedures	5
207	Navigation regulations	26
208	Flood control regulations	106
209	Administrative procedure	140
210	Procurement activities of the Corps of Engineers ..	165
211	Real estate activities of the Corps of Engineers in connection with civil works projects	182
214	Emergency supplies of drinking water	198
220	Design criteria for dam and lake projects	201
221	Work for others	202
222	Engineering and design	218
223	Boards, commissions, and committees	311
230	Procedures for implementing NEPA	312
236	Water resource policies and authorities: Corps of Engineers participation in improvements for environmental quality	324
238	Water resources policies and authorities: Flood damage reduction measures in urban areas	326
239	Water resources policies and authorities: Federal participation in covered flood control channels ..	329
240	General credit for flood control	331
241	Flood control cost-sharing requirements under the ability to pay provision	337
242	Flood Plain Management Services Program establishment of fees for cost recovery	343
245	Removal of wrecks and other obstructions	344
263	Continuing authorities programs	348
273	Aquatic plant control	366
274	Pest control program for civil works projects	371

33 CFR Ch. II (7-1-06 Edition)

<i>Part</i>		<i>Page</i>
276	Water resources policies and authorities: Application of section 134a of Public Law 94-587	375
277	Water resources policies and authorities: Navigation policy: Cost apportionment of bridge alterations	378
279	Resource use: Establishment of objectives	386
320	General regulatory policies	391
321	Permits for dams and dikes in navigable waters of the United States	404
322	Permits for structures or work in or affecting navigable waters of the United States	405
323	Permits for discharges of dredged or fill material into waters of the United States	413
324	Permits for ocean dumping of dredged material	420
325	Processing of Department of the Army permits	421
326	Enforcement	451
327	Public hearings	462
328	Definition of waters of the United States	465
329	Definition of navigable waters of the United States	467
330	Nationwide permit program	472
331	Administrative appeal process	483
334	Danger zone and restricted area regulations	498
335	Operation and maintenance of Army Corps of Engineers civil works projects involving the discharge of dredged or fill material into waters of the U.S. or ocean waters	593
336	Factors to be considered in the evaluation of Army Corps of Engineers dredging projects involving the discharge of dredged material into waters of the U.S. and ocean waters	595
337	Practice and procedure	602
338	Other Corps activities involving the discharge of dredged material or fill into waters of the U.S. ...	609
384	Intergovernmental review of Department of the Army Corps of Engineers programs and activities	610
385	Programmatic regulations for the comprehensive Everglades Restoration Plan	613

PART 203—EMERGENCY EMPLOYMENT OF ARMY AND OTHER RESOURCES, NATURAL DISASTER PROCEDURES

Subpart A—Introduction

- Sec.
203.11 Purpose.
203.12 Authority.
203.13 Available assistance.
203.14 Responsibilities of non-Federal interests.
203.15 Definitions.
203.16 Federally recognized Indian Tribes and the Alaska Native Corporations.

Subpart B—Disaster Preparedness

- 203.21 Disaster preparedness responsibilities of non-Federal interests.

Subpart C—Emergency Operations

- 203.31 Authority.
203.32 Policy.

Subpart D—Rehabilitation Assistance for Flood Control Works Damaged by Flood or Coastal Storm: The Corps Rehabilitation and Inspection Program

- 203.41 General.
203.42 Inspection of non-Federal flood control works.
203.43 Inspection of Federal flood control works.
203.44 Rehabilitation of non-Federal flood control works.
203.45 Rehabilitation of Federal flood control works.
203.46 Restrictions.
203.47 Modifications to non-Federal flood control works.
203.48 Inspection guidelines for non-Federal flood control works.
203.49 Rehabilitation of Hurricane and Shore Protection Projects.
203.50 Nonstructural alternatives to rehabilitation of flood control works.
203.51 Levee owner's manual.
203.52 [Reserved]

Subpart E—Emergency Water Supplies: Contaminated Water Sources and Drought Assistance

- 203.61 Emergency water supplies due to contaminated water source.
203.62 Drought assistance.

Subpart F—Advance Measures

- 203.71 Policy.
203.72 Eligibility criteria and procedures.

Subpart G—Local Interests/Cooperation Agreements

- 203.81 General.
203.82 Requirements of local cooperation.
203.83 Additional requirements.
203.84 Forms of local participation—cost sharing.
203.85 Rehabilitation of Federal flood control projects.
203.86 Transfer of completed work to local interests.

AUTHORITY: 33 U.S.C. 701n.

SOURCE: 68 FR 19359, Apr. 21, 2003, unless otherwise noted.

Subpart A—Introduction

§ 203.11 Purpose.

This part prescribes administrative policies, guidance, and operating procedures for natural disaster preparedness, response, and recovery activities of the United States Army Corps of Engineers.

§ 203.12 Authority.

Section 5 of the Flood Control Act of 1941, as amended, (33 U.S.C. 701n) (69 Stat. 186), commonly and hereinafter referred to as Public Law 84-99, authorizes an emergency fund to be expended at the discretion of the Chief of Engineers for: preparation for natural disasters; flood fighting and rescue operations; repair or restoration of flood control works threatened, damaged, or destroyed by flood, or nonstructural alternatives thereto; emergency protection of federally authorized hurricane or shore protection projects which are threatened, when such protection is warranted to protect against imminent and substantial loss to life and property; and repair and restoration of federally authorized hurricane or shore protection projects damaged or destroyed by wind, wave, or water of other than ordinary nature. The law includes provision of emergency supplies of clean water when a contaminated source threatens the public health and welfare of a locality, and activities necessary to protect life and improved property from a threat resulting from a major flood or coastal storm. This law authorizes the Secretary of the Army (Secretary) to construct wells and to transport water