

§ 230.6

RE) WASH DC 20314-1000 (phone number 202-272-0166) is the point of contact for information on Corps NEPA documents, NEPA oversight activities, review of other agencies' EISs and NEPA documents about legislation, regulations, national program proposals or other major policy issues. The Assistant Chief Counsel for Environmental Law and Regulatory Programs, HQUSACE (CECC-E) WASH DC 20314-1000, is the point of contact for legal questions involving environmental matters. Requests for information on regulatory permit actions should be directed to HQUSACE (CECW-OR) WASH DC 20314-1000.

§ 230.6 Actions normally requiring an EIS.

Actions normally requiring an EIS are:

- (a) Feasibility reports for authorization and construction of major projects;
- (b) Proposed changes in projects which increase size substantially or add additional purposes; and
- (c) Proposed major changes in the operation and/or maintenance of completed projects.

District commanders may consider the use of an environmental assessment (EA) on these types of actions if early studies and coordination show that a particular action is not likely to have a significant impact on the quality of the human environment.

§ 230.7 Actions normally requiring an Environmental Assessment (EA) but not necessarily an EIS.

Actions normally requiring an EA, but not an EIS, are listed below:

- (a) *Regulatory Actions*. Most permits will normally require only an EA.
- (b) *Authorized Projects and Projects Under Construction*. Changes which may be approved under the discretionary authority of the Secretary of the Army.
- (c) *Continuing Authorities Program*. Projects recommended for approval of the Chief of Engineers under the following authorities:

- (1) Section 205, Small Flood Control Authority;
- (2) Section 208, Snagging and Clearing for Flood Control Authority;

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(3) Section 107, Small Navigation Project Authority;

(4) Section 103, Small Beach Erosion Control Project Authority; and

(5) Section 111, Mitigation of Shore Damages Attributable to Navigation Projects.

(d) *Construction and Operations and Maintenance*. Changes in environmental impacts which were not considered in the project EIS or EA. Examples are changes in pool level operations, use of new disposal areas, location of bank protection works, etc.

(e) *Real Estate Management and Disposal Actions*. (1) Disposal of a Civil Works project or portions of project properties not reported as excess to the General Services Administration.

(2) Disposal of real property for public port and industrial purposes.

(3) Grants of leases or easements for other than minor oil and gas transmission lines, electric power transmission lines, road and highway rights-of-way, and sewage or water treatment facilities and land fills.

§ 230.8 Emergency actions.

In responding to emergency situations to prevent or reduce imminent risk of life, health, property, or severe economic losses, district commanders may proceed without the specific documentation and procedural requirements of other sections of this regulation. District commanders shall consider the probable environmental consequences in determining appropriate emergency actions and when requesting approval to proceed on emergency actions, will describe proposed NEPA documentation or reasons for exclusion from documentation. NEPA documentation should be accomplished prior to initiation of emergency work if time constraints render this practicable. Such documentation may also be accomplished after the completion of emergency work, if appropriate. Emergency actions include Flood Control and Coastal Emergencies Activities pursuant to Pub. L. 84-99, as amended, and projects constructed under sections 3 of the River and Harbor Act of 1945 or 14 of the Flood Control Act of 1946 of the Continuing Authorities Program. When possible, emergency actions considered major in