



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

Issue Date: June 9, 2008

To Whom It May Concern:

This public notice announces that on June 9, 2008, the new rule on Compensatory Mitigation for Losses of Aquatic Resources becomes effective. The new rule requires that standard Department of the Army permit applications for activities regulated under Section 404 of the Clean Water Act (applications that require a Public Notice) contain a mitigation statement. As per 33 CFR 332.4, the mitigation statement must contain an explanation of how project impacts are to be avoided, minimized, and compensated for. The statement should include the methods of avoidance and minimization and the amount, type and location of proposed compensatory mitigation. Types of compensatory mitigation include in-kind compensation, out-of-kind compensation, use of a mitigation bank, or in-lieu fee program. Applicants should provide a level of detail commensurate with the scope and scale of the impacts.

All documents related to the new rule are posted online at:

<http://www.usace.army.mil/cw/cecwo/reg/citizen.htm>

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

Richard L. Tomer
Chief, Regulatory Branch