

Chapter 1

Inside The Corps The Corps' History and Structure

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The U.S. Army Corps of Engineers is the principal federal agency engaged in developing and managing the nation's water resources. The Corps builds and maintains much of the nation's navigation and flood control infrastructure, and regulates the issuance of Clean Water Act dredge and fill and other permits to the private sector. These activities, which have a profound effect on the health of the nation's rivers, coasts, and wetlands, are carried out through a daunting array of directorates, divisions, districts, and research and planning centers. This chapter provides an overview of the Corps' development and a guide to the agency's complicated hierarchy and structure.

I. An Overview of the Corps

The U.S. Army Corps of Engineers (Corps) is the primary federal manager of the nation's water resources. The agency builds and maintains much of the nation's navigation and flood damage reduction infrastructure, and regulates the issuance of Clean Water Act dredge and fill and other permits to the private sector. Since its formation over 225 years ago, the Corps has significantly transformed our nation's rivers, constructing 11,000 miles of inland waterway navigation channels, 8,500 miles of levees and seawalls, and more than 500 dams. It also dredges hundreds of millions of cubic yards of material each year from the nation's rivers and harbors.

A. History of the Corps

The Corps' formation dates back to the Revolutionary War, when the position of Chief Engineer was created in the Continental Army on June 16, 1775. This first generation of the Corps worked solely on military projects, including constructing the fortifications at Bunker Hill. In 1779, Congress established a permanent Corps of Engineers governed by its own set of regulations, but this Corps and most of the Army were disbanded in 1783 when the war ended.

The Corps was reinstated, and the Army expanded, in 1794 in response to increasing hostilities with England. In 1802, the Corps assumed control of the newly established military academy at West Point, New York — the first major engineering school in the nation — which was headed by the Corps' Chief of Engineers until 1866. The Corps underwent major reorganizations in 1802 and again in 1863 from which the Corps evolved into the organization we know today.

The Corps first ventured into civil works projects in the early 1800s. Nineteenth century America called on the Corps to build coastal fortifications and improve harbors; survey roads, canals, and entire river systems; explore and map the western frontier; eliminate navigation hazards on the Mississippi, Ohio, and other rivers; construct buildings and monuments in the nation's capitol; and provide water for the District of Columbia and nearby areas. Throughout the 19th century, the Corps' civil works role expanded with the expanding power of the federal government, and today the Corps' jurisdiction covers a broad array of responsibilities.

Navigation: In 1824, the Supreme Court issued a landmark decision, *Gibbons v. Ogden*, that established the federal government's power to regulate interstate commerce, including river navigation. After the *Gibbons* decision, Congress passed the General Survey Act, granting the president the authority to order surveys of roads and canals for commercial or military purposes. A subsequent act, called the Rivers and Harbors Act of 1824, apportioned funds to improve navigation on the Ohio, Mississippi, and later the

Missouri rivers. The 1826 reauthorization of the Rivers and Harbors Act established the legislative precedent of authorizing Corps surveys and individual “river improvement” navigation projects.

Flood Damage Reduction: Catastrophic flooding in the Mississippi River Valley after the Civil War prompted Congress to pass the first federal legislation authorizing construction of flood control projects. The 1917 law endeavored to protect life and property along the Mississippi and Sacramento rivers. Eleven years later — in the wake of the Great Flood of 1927 — Congress authorized the “Mississippi River and Tributaries Project” (MR&T) a massive and virtually endless series of flood control projects that affect the entire lower Mississippi River. The MR&T program still receives hundreds of millions in annual funding today. The Flood Control Act of 1936 formally placed flood control under federal jurisdiction. It also initiated the benefit-to-cost ratio the Corps uses to determine whether flood control and navigation projects are economically justified.¹

Multipurpose Projects: The Flood Control Act of 1944 ushered in a “multipurpose approach” to Corps projects. The act empowered the Secretary of the Interior to sell the hydroelectric power produced at Corps and other federal agencies’ projects, and authorized the gigantic multipurpose civil works project for the Missouri River Basin. That project produced six huge, main stem dams on the Missouri that were intended to provide flood control, irrigation, navigation, water supply, hydropower, and recreation benefits. After World War II, Congress authorized many other major multipurpose projects like those on the Columbia, Snake, and Arkansas rivers. Postwar growth of hydroelectric “improvements” continued through the 1970s, despite periodic opposition to both the increasingly exorbitant costs of such projects, and the proliferation of administrative and legislative delays in repaying the taxpayers’ investments.

Regulatory Program: Concerns about potential navigation obstructions like the proliferation of private hydropower dams drove Congress to institute a regulatory program to protect navigable waterways in the 1890s. The Rivers and Harbors Acts of 1890 and 1899 authorized the Corps to regulate private dam construction and required that the Secretary of War and the Corps approve dam sites and plans before construction could begin. The Rivers and Harbors Act of 1899 also gave the Corps authority to regulate most kinds of navigation obstructions.

In 1972, Congress further extended the Corps’ regulatory role by giving the Corps the authority to issue dredge and fill permits in “waters of the United States,” including wetlands, through § 404 of the Clean Water Act. In that same year, Congress gave the Corps the authority to regulate the transportation and disposal of dredged material at designated ocean disposal sites, through § 103 of the Marine Protection, Research and Sanctuaries Act.

B. The Corps Today

Today, the Corps plans, constructs, and operates a multitude of projects for navigation, flood damage reduction, environmental restoration and protection, coastal storm damage prevention, emergency response, hydroelectric power, water supply, and recreation. *See Chapter 2 for more on the Corps' civil works program.*

Through its regulatory program, the Corps regulates the discharge of dredged or fill material into the nation's waters under Clean Water Act § 404. Through this program, the Corps is supposed to ensure that construction carried out by private parties and governmental agencies (including the Corps) in wetlands, streams, rivers, and coastal waters complies with Clean Water Act requirements. The Corps also regulates the construction of structures in navigable waters such as piers, boat docks, boat ramps, breakwaters, revetment, riprap, jetties, artificial islands, pilings, and aids to navigation under § 10 of the Rivers and Harbors Act. In addition, the Corps regulates the transportation and disposal of dredged material at designated ocean disposal sites under § 103 of the Marine Protection, Research and Sanctuaries Act. *See Chapter 3 for a discussion of the Corps' regulatory program.*

The Corps also is responsible for a number of military missions. The Corps provides engineering and technical services to the Army, Department of Defense, and other federal agencies. The Corps constructs military facilities for the Army and Air Force, provides design and construction management support, and conducts hazardous waste removal and disposal at former military sites. The Corps' Directorate of Military Programs also conducts environmental remediation work under the Formerly Utilized Sites Remedial Action Program (FUSRAP) and supports the Environmental Protection Agency's Superfund and brownfields missions.

II. The Corps' Organizational Structure

The Corps employs more than 35,000 employees, the vast majority of which are civilian personnel. In the United States, the agency is organized into a daunting maze of eight divisions, 38 domestic districts, and numerous planning and research centers. Through three overseas districts, the Corps also is active in more than 90 countries around the world. In 2004, the Corps added a ninth provisional division and three additional districts that work in Iraq.

Basic Organizational Structure of the Corps of Engineers

Executive Branch of the Federal Government

President of the United States



U.S. Department of Defense

Secretary of Defense



U.S. Department of the Army

Secretary of the Army

Assistant Secretary of the Army for Civil Works



U.S. Army Corps of Engineers

Chief of Engineers — Lt. General (3 Star General)



Directorate of Civil Works

Director of Civil Works — Major General



8 Domestic Divisions

Division Commander/Engineer — Brigadier General



38 Domestic Districts

District Commander/Engineer — Colonel



Private Contractors

The Corps' basic organizational structure and supervisory authorities (in italics).

Activist Tip

The Assistant Secretary of the Army for Civil Works and the Chief of Engineers do not always see eye-to-eye on projects or policies. Activists may want to work with the ASA(CW) or one of his or her deputies to educate the office about concerns with individual projects and policies. It is important to keep in mind, however, that the ASA(CW) may not be able — or willing — to stop or change a Corps project or policy. This can be particularly true when a specific project or policy has the strong support of powerful Members of Congress.

A. Corps Leadership

Like all federal agencies, the Corps is part of the Executive Branch of the federal government. The Corps is part of the Department of the Army, which is housed within the Department of Defense. Though it is part of the military, the Corps has a predominately civilian workforce. Only about 650 of the Corps' more than 35,000 employees are military personnel.

The Corps' military leaders rotate through their posts on a regular basis. As a result, the Corps' civilian employees are the source of the Corps' "institutional memory" for virtually all Corps activities. This is particularly true of activities carried out at the district level.

As with all branches of the military, the Corps ultimately reports to a civilian leader. The Corps' military leader, the Chief of Engineers, reports directly to a Senate-confirmed civilian appointee, the Assistant Secretary of the Army for Civil Works (ASA(CW)). Four Deputy Assistant Secretaries also report to the ASA(CW).²

The Chief of Engineers, a 3-star general, has two separate and distinct command and staff responsibilities: (1) providing military leadership and defining policy for the Corps' civil works activities; and (2) providing military leadership to the Army by advising on engineering matters, real estate, and other related programs. The Chief of Engineers has approximately 20 Corps offices under his direct control. These offices, located within the Corps' Headquarters in Washington, D.C., include the Directorate of Civil Works, Directorate of Military Programs, Directorate of Research and Development, Office of Congressional Affairs, Office of History, and Office of Public Affairs, to name a few.

The Director of Civil Works, with the rank of major general, directs and oversees the civil works program. The bulk of the work of the civil works program is carried out by the Corps' eight domestic divisions and the 38 districts that report to the divisions. Both the divisions and districts are organized by watershed areas. A multitude of private contractors also assist the Corps in constructing and maintaining civil works projects.

B. Transitioning to a Regional Focus — USACE 2012

In 2003, the Corps released USACE³ 2012, a reorganization plan that creates a new framework for interactions between Corps Headquarters, divisions, and districts. USACE 2012 was designed to move the Corps away from a strict hierarchical structure and towards a system of regional operations where interactions between Headquarters, divisions, and districts are more fluid. USACE 2012 also calls for districts to plan projects in conjunction with regional and national experts from outside the district.

The Corps believes that this regional management plan will make Corps services more uniform across districts and help reduce the staffing needs of individual districts. The

Corps also believes that USACE 2012 will help the Corps reduce its workforce by 10 to 20 percent at the headquarters and division levels, which will allow the agency to more easily adjust to ongoing budgetary constraints.

The Corps has until 2012 to complete the reorganization, and individual districts and divisions are implementing the reorganization on different timelines.

USACE 2012 calls for the Corps to reorganize into

- (1) **Regional Business Centers (RBC)**, which will serve as the primary business-operating unit of the Corps. Each RBC will consist of a division office, the district offices that report to the division, and a Washington-based group known as a **Regional Integration Team (RIT)** that is supposed to represent the “interests” of the region at headquarters. According to USACE 2012, the RBC structure is intended to foster “better integration” between headquarters, divisions, and districts during project development, and to involve headquarters and division staff in earlier stages in project planning.
- (2) **Communities of Practice (CoP)**, which will provide the functional support for specific Corps activities, such as planning, operations, and public affairs. Each community of practice is supposed to be integrated vertically throughout the Corps’ headquarters, division, and district levels. Historically, these support functions were provided separately at each of these levels. For example, prior to USACE 2012, the Planning and Policy Division at headquarters would be responsible for headquarters-level planning and policy activities but they would not participate in planning at the district or division levels.

As of the date of this Citizen’s Guide, it remains difficult to gather information on all of the Communities of Practice, which include at least Engineering and Construction, Planning, Operations, Environmental, Cost Engineering, Real Estate, and Program and Project Management. More detailed information is available on the following COPs:

- *Planning Community of Practice*, which among other things, formulates and coordinates civil works policy, develops and manages civil works actions relating to authorizing legislation, serves as the main point of contact with Congress (both the authorizing and appropriations committees), manages policy compliance reviews, formulates and coordinates civil works environmental policy, and develops and maintains planning protocols and procedures. More information can be found at <http://usace.army.mil/CECW/PlanningCOP/Pages/ArticleTemplate.aspx>.
- *Engineering and Construction Community of Practice*, which directs the technical aspects of engineering, construction management, environmental protection and

restoration, operations, and maintenance and repair activities; develops technical policy; develops and integrates new technologies; manages all technical aspects of military and civil infrastructure and water resources missions; and ensures that all projects are value engineered. More information can be found at http://www.usace.army.mil/CECW/Pages/cecwe_index.aspx.

- *Environmental Community of Practice*, which is to provide the public with a central point for information concerning the Corps' civil works and military environmental projects and programs, including ecosystem restoration, formerly used defense sites, environmental stewardship, support to EPA Superfund and Brownfields programs, abandoned mine lands, Formerly Utilized Sites Remedial Action Program (FUSRAP), Base Realignment and Closure 2005, and regulatory. This CoP is also suppose "to serve as the champion for integrating and implementing the Environmental Operating Principles throughout the Corps." Limited information on the Environmental Community of Practice can be found at <http://www.usace.army.mil/Environment/Pages/Welcome.aspx>.

- (3) **Planning Centers of Expertise (PCX)**, which provide expertise on specific areas of project planning. *See subsection D for a discussion of the PCX.*

C. Headquarters, Divisions, and Districts

The Corps plans and implements its civil works activities through its Washington, D.C. headquarters, eight domestic divisions, and 38 domestic districts. *See page 10 for a map of the Corps' domestic divisions and districts.*

Corps Headquarters: The Corps' headquarters are located in Washington, D.C. The Chief of Engineers and the Director of Civil Works lead national headquarters efforts to develop, disseminate, and direct a comprehensive national policy for the Corps. Headquarters is responsible for strategic planning and direction; developing and maintaining national relationships; and managing and developing the Corps' budget.

As mentioned above, the Corps' national headquarters houses some 20 offices or directorates that are under the direct control of the Chief of Engineers. These include the Directorate of Civil Works, Directorate of Military Programs, Directorate of Research and Development, Directorate of Management Resources, Office of Chief Counsel, Office of History, and Office of Public Affairs, to name a few.

Some of the key offices within the Directorate of Civil Works include the:

- **Planning Community of Practice**, which formulates and coordinates civil works policy with the Office of the Assistant Secretary of the Army for Civil Works and other federal entities, manages the Chief's Environmental Advisory Board activities, and serves as the principal civil works point of contact with Congress.

- **Civil Works Policy and Policy Compliance Division** (and its Policy Branch and Office of Water Project Review), which conducts policy compliance reviews for “decision documents” such as feasibility studies, general reevaluation reports, and environmental impact statements, and prepares Chief’s Reports for these decisions. It also helps the regional business centers (or divisions and districts where the USACE 2012 reorganization has not been completed) identify and resolve policy questions during the planning process.
- **Engineering and Construction Community of Practice**, which develops technical policy, manages technical aspects of military and civil infrastructure and water resources missions, and assures that projects are “value engineered.”
- **Operations Community of Practice**, which oversees the operation and maintenance of Corps projects, and undertakes disaster relief and recovery work. The **Regulatory Program**, which is housed within the Operations Community of Practice, oversees private and governmental compliance with certain permit requirements established under the Clean Water Act, Rivers and Harbors Act, and the Marine Protection, Research and Sanctuaries Act.
- **Civil Works Program Integration Division**, which is responsible for developing and managing the Corps’ annual budget and appropriations process.

Corps Divisions: The Corps has eight domestic divisions (also referred to as Major Subordinate Commands or MSC) that are organized by watersheds:

- North Atlantic Division — covering the northeastern states and parts of Europe;
- South Atlantic Division — covering portions of the southeastern states;
- Great Lakes and Ohio River Division — covering portions of the Great Lakes and Ohio River Valley states;
- Mississippi Valley Division — covering portions of states from Minnesota to Louisiana that border the Mississippi River;
- Northwestern Division — covering the Pacific Northwest and portions of states along the Missouri River;
- Southwestern Division — covering portions of Texas, Oklahoma, and Arkansas;
- South Pacific Division — covering California and much of the Southwest; and
- Pacific Ocean Division — covering Alaska, Hawaii, Japan, South Korea, and the Pacific Islands.

A Division Commander, typically an Army Brigadier General, commands each division with the assistance of a Deputy Division Commander, also called the Deputy Division Engineer. Only about three percent of Corps personnel currently are located in division offices. The numbers of division personnel are expected to decline once USACE 2012 is fully implemented.

Historically, Corps division offices have been responsible for daily problem solving, program development, program execution, regional relationship management, strategic



The Corps' domestic divisions and districts
(source: U.S. Army Corps of Engineers)



Activist Tip

District Engineers typically move on to other military posts after 2 to 3 years on the job. As a result, numerous District Engineers can come and go before planning is complete on a major Corps project. Because the District Engineer represents the first line of approval on a Corps project, activists should fully educate each new District Engineer on projects of concern.

Activists also should work to educate the Corps' civilian planners, biologists, and economists who typically will work on projects for extended periods. These civilian employees do most of the actual planning and are the "institutional memory" for district activities.

planning, inter-agency coordination, Congressional relationships, and implementing the plans and policies of the Chief of Engineers. The divisions also have had supervisory authority over district programs and operations, including review and approval of major plans and programs of the districts.

Under USACE 2012, divisions are responsible for "Program Management," "Regional Interface," "Quality Assurance," and "Command and Control." This somewhat limited role may tend to further decentralize the Corps and give greater autonomy to the districts, rather than focusing the agency on implementing a nationally focused approach to water resource planning.

Corps Districts: The districts carry out the bulk of Corps project work, and typically are the "point of entry" for activists on individual projects. Some 83 percent of Corps employees work in district offices. The District Commander (also referred to as a District Engineer), usually an Army Colonel, is responsible for overall management of the district. The District Commander typically is assisted by two military deputies, a Deputy District Commander and a Deputy District Commander for Project Management.

Districts are the principal planning and project implementation offices of the Corps. They are supposed to plan and execute projects on schedule, within budget, with project sponsor support, theoretically with general public support, and again theoretically, in compliance with all applicable laws and policies. Districts also review and issue Clean Water Act, Rivers and Harbors Act, and Marine Protection, Research and Sanctuaries Act permits.

Districts currently employ a significant complement of technical staff, and this is expected to continue after full implementation of USACE 2012. District technical staff generally include

- Engineering staff to design projects, establish construction costs, and provide technical support during construction;
- Planning, Programs, and Project Management staff to manage projects; conduct feasibility and other studies; analyze project costs, benefits, and impacts; prepare environmental impact statements; and manage project development — these staff include biologists and other environmental scientists, and economists;
- Construction staff to manage and oversee construction contracts;
- Operations staff to operate and maintain projects once they are completed, including operating navigation and flood control structures and dredging navigation channels, and to support state and local governments in emergency response efforts;
- Regulatory staff to analyze and issue Clean Water Act, Rivers and Harbors Act, and Marine Protection, Research and Sanctuaries Act permits (regulatory staff are part of Operations);
- Real estate staff to acquire, manage, and dispose of property in connection with civil works projects;

- Contract procurement staff to prepare, analyze, and award bids to outside contractors; and
- Legal staff to help ensure that Corps projects and activities comply with all applicable federal and state laws.

D. Research, Development, and Field Support Centers

The civil works program is assisted by a number of research, development, and field support centers.

Planning Centers of Expertise (PCX): USACE 2012 creates six subject matter specific Planning Centers of Expertise that are suppose to help move the Corps towards more “collaborative planning” and a “watershed approach to water resources planning.” USACE 2012 gives the PCX responsibility for carrying out scientific review of projects planned at the district level, a responsibility that previously was performed by the district or division. In addition to coordinating technical and independent reviews, the PCX support the planning and analytical needs of Corps projects across the country. Within their areas of expertise, the PCX do such things as provide an internal source of “consulting services” for Corps planners, facilitate studies, facilitate a national focus on issues of concern, coordinate training and the dissemination of information, maintain a clearing house of studies and information, and enhance basic planning expertise.

The six PCX are the

- National Ecosystem Restoration Center;
- National Inland Navigation Center;
- National Deep Draft Navigation Center;
- National Flood Risk Management Center;
- National Coastal Storm Damage Reduction Center; and
- National Water Management and Reallocation Center.

Water Resources Support Center (WRSC): The Water Resources Support Center provides information, advice, and guidance to Corps headquarters, divisions, and districts concerning water resources. The WRSC consists of the Institute for Water Resources, the Navigation Data Center, and the Hydrologic Engineering Center.

- (1) **The Institute for Water Resources (IWR)** was formed to provide “forward-looking” analysis of water resources problems; develop new planning and decision-support methodologies, improved hydrologic engineering methods and software tools to aid the civil works program; and produce training courses for Corps personnel. The IWR is located in Alexandria, Virginia. A considerable variety of reports and data are available from the IWR, most of which are accessible from its website at <http://www.iwr.usace.army.mil/>.

Activist Tip

It is not clear what role the Planning Centers of Expertise ultimately will play in Corps project planning. Under USACE 2012, the PCX are supposed to be involved only in reviewing and providing specific technical advice concerning projects under their jurisdiction. The PCX are not supposed to be engaged in actual project planning. However, some districts may try to transfer larger portions of their planning responsibilities to the PCX, depending on their staffing capabilities. Under either scenario, activists should work to engage PCX members to help improve planning for projects of concern.

Activist Tip

Corps studies often ignore or contradict the findings of well-recognized scientific and economic experts, including experts from the Corps' own Water Resources Support Centers. These outside findings can be an important tool for challenging Corps projects and can send a powerful message about inadequacies in a Corps study.

Activists should search the Corps' research and support center websites — and other scientific sites — for studies that can assist in highlighting problems with the Corps' analysis of a project of concern. Activists should provide the Corps with copies of those studies (or at least citations to those studies) and request in writing that the studies be included in the project's administrative record.

- (2) **The Navigation Data Center** (with its Waterborne Commerce Statistics Center) in New Orleans, Louisiana, collects, summarizes, and disseminates data regarding waterborne commerce, vessel characteristics, port facilities, dredging information, and information on navigation locks. For example, the Center tracks information on traffic ton-miles for individual waterways or ports, commodities shipped, and breakdowns of commercial versus non-commercial traffic. Much of this information can be useful and can be downloaded from the Navigation Data Center website at <http://www.iwr.usace.army.mil/ndc/>.
- (3) **The Hydrologic Engineering Center (HEC)**, located in Davis, California, provides training and consulting services in the area of hydrologic engineering and modeling. HEC supports Corps field offices, headquarters, and laboratories by providing technical methods and guidance, water resources models and associated utilities, training and workshops, research and development, and technical assistance. The products produced by HEC are available to the public and can be downloaded from the HEC website at <http://www.hec.usace.army.mil/>.

Waterways Experiment Station (WES): The Waterways Experiment Station is a four-laboratory complex located in Vicksburg, Mississippi that specializes in the broad fields of coastal engineering and nearshore oceanography, hydraulics, soil mechanics, concrete, engineering geology, rock mechanics, pavements, expedient construction, and environmental relationships. WES provides Corps divisions and districts with specialized consulting services and training in coastal engineering, and model studies for site-specific design problems. The four laboratories are the Coastal and Hydraulics Laboratory, Environmental Laboratory, Geotechnical and Structures Laboratory, and Information Technology Laboratory. The WES website can be accessed at <http://www.wes.army.mil/>.

Construction Engineering Research Laboratory (CERL): The Construction Engineering Research Laboratory, located in Champaign, Illinois, supports the Army's effort to design, construct, operate and maintain all types of federal infrastructure; and helps ensure environmental quality through compliance and conservation technologies. CERL conducts research, investigations, and analytical studies. The CERL website can be accessed at <http://www.cecer.army.mil/td/tips/index.cfm>.

Cold Regions Research and Engineering Laboratory (CRREL): The Cold Regions Research and Engineering Laboratory, located in Hanover, New Hampshire, serves as the Army Laboratory for science and technology in cold environments. This laboratory devises methods for living, working, and fighting in the world's cold regions, including developing ways of improving winter navigation and ice engineering. The CRREL website can be accessed at <http://www.crrel.usace.army.mil/>.

Army Geospatial Center (AGC): The Army Geospatial Center, located in Alexandria, Virginia, provides research and development in the topographic sciences, including developing mapping, terrain analysis, and image processing systems and techniques. AGC recently expanded its mission to support the Army's Battle Command Systems, and will coordinate and integrate all geospatial information requirements for the Army. Civilian programs include the National Inventory of Dams and electronic navigation charting. The AGC website can be accessed at <http://www.agc.army.mil/>.

E. Boards and Commissions

The Chief of Engineers and Director of Civil Works are advised and supported by a number of boards and commissions, including those described below.

Chief of Engineers Environmental Advisory Board (EAB): The Chief of Engineers' Environmental Advisory Board is intended to provide outside expert advice to the Chief of Engineers on environmental policy and procedural matters. EAB members are selected by the Chief of Engineers. The Board's five to ten members are supposed to represent a broad range of expertise and experience in environmental matters. EAB meetings are open to the public in accordance with the Federal Advisory Committee Act (FACA), and are announced in the Federal Register. Information on the EAB and its members can be found at <http://www.usace.army.mil/CECW/Pages/eab.aspx>.

Current membership on the EAB includes six individuals representing academia and organizations such as the Great Lakes Fishery Commissions and the Nature Conservancy. In the past, the EAB has undertaken in-depth looks at independent review, environmental operating principles, and making Corps projects more environmentally sustainable. EAB members also have been given the opportunity to look in depth at specific Corps projects, including the Upper Mississippi River lock expansion, Everglades restoration, and Yazoo Backwater Pumping Plant projects.

Coastal Engineering Research Board (CERB): The Coastal Engineering Research Board is an advisory board that provides guidance on policy and reviews plans for research and development in coastal engineering. The CERB also recommends priorities for carrying out research projects. Information on the EAB and its members can be found at <http://chl.erdc.usace.army.mil/cerb>.

Inland Waterway Users Board: The Inland Waterway Users Board is an eleven member federal advisory committee established by the Water Resources Development Act of 1986. Board members are selected by the Secretary of the Army and must represent all geographic areas and a spectrum of the primary commercial users and shippers of the nation's inland and intracoastal waterways. The Board is headed by the Director of Civil Works and is supported by staff from the Institute for Water Resources. The Board typically meets three times annually, with the meetings open to the public and required to be noticed in the Federal Register.

The Board makes recommendations to Congress and the Secretary of the Army on priorities for spending monies in the Inland Waterways Trust Fund. The Trust Fund is funded by a 20-cent tax on diesel fuel used for commercial transportation on inland waterways, and monies in the Fund are used to pay for 50 percent of construction and rehabilitation projects on the fuel-taxed portions of the inland navigation system. The Board submits its recommendations through an annual report. Information on the Inland Waterways User Board and copies of recent annual reports to Congress can be accessed at <http://www.iwub.iwr.usace.army.mil/>.

The Mississippi River Commission (MRC): The Mississippi River Commission recommends and approves plans for navigation and flood control on the Mississippi River. The MRC's jurisdiction extends from the headwaters of the Mississippi River in Minnesota to its mouth in Louisiana. Established in 1879, the statutory mission of the MRC is to "take into consideration and to mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel and protect the banks of the Mississippi; improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the postal service." The MRC and its work are funded separately from other civil works projects through the "Mississippi River and Tributaries" (MR&T) appropriations accounts.

The MRC makes annual Mississippi River "high water" and "low water" tours on a Corps of Engineers yacht to receive public testimony on the management of the River. The tours stop in many communities along the River, where the Commission holds public forums that afford an opportunity to raise critical River-related issues. Information on the MRC can be accessed at <http://www.mvd.usace.army.mil/mrc/index.php>.

Endnotes

1. The Flood Control Act of 1936 states that “the Federal Government should improve or participate in the improvement of navigable waters or their tributaries, including watershed thereof, for flood control purposes if the benefits to whomsoever they may accrue are in excess of the estimated costs.” 33 U.S.C. § 701a. This provision remains in effect today. The assumptions used by the Corps in developing these benefit-cost analyses have long been criticized by the environmental and scientific communities as creating a bias for large scale structural projects and for ignoring the benefits of healthy rivers and wetlands.
2. The four Deputy Assistant Secretaries are: Principal Deputy Assistant Secretary of the Army for Civil Works; Deputy Assistant Secretary of the Army for Policy and Legislation; Deputy Assistant Secretary of the Army for Management and Budget; and Deputy Assistant Secretary of the Army for Project Planning and Review. For purposes of effectively dealing with military leadership within the Corps, the Principal Deputy ASA is the equivalent of a 3-star general and the Deputy Assistant Secretaries are treated as the equivalent of 2-star generals.
3. USACE stands for United States Army Corps of Engineers.