

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

GEORGIACARRY.ORG, INC.,)
et al.,)

Plaintiffs,)

v.)

U.S. ARMY CORPS OF)
ENGINEERS et al.,)

Defendants.)

CIVIL ACTION FILE NO.

4:14-CV-139-HLM (consolidated
with 4:15-CV-0009-HLM)

**CERTIFICATION OF THE ADMINISTRATIVE
RECORD FOR 36 C.F.R. PART 327**

I, Stephen B. Austin, am currently employed as a Natural Resources Manager for the U.S. Army Corps of Engineers, Headquarters, 441 G Street NW, Washington, D.C. In that capacity, I was responsible for overseeing the most recent promulgation of the U.S. Army Corps of Engineers' (Corps) rules on the public use of Water Resources Development projects administered by the Corps.


I certify that the documents identified in the attached Index to the Administrative Record are a true and correct copy of all non-privileged materials located by the Corps that comprise the administrative record to the 36 C.F.R. Part 327, Final Rule, "Public Use of Water Resources Development Projects Administered by the Chief of Engineers" published in the Federal Register on February 11, 2000 (65 Fed. Reg. 6896) and other historical documents.

After an extensive search, the Corps was unable to locate original copies of the public comments that the Corps received in response to the 36 C.F.R. Part 327, Notice of Proposed Rulemaking, "Public Use of Water Resources Development Projects Administered by the Chief of Engineers" published in the Federal Register on July 20, 1999 (64 Fed. Reg. 38,854). Additionally, the Corps was unable to locate a hard-copy file compiled between 1984 and 1986 that contained the

comprehensive history and rationale behind 36 C.F.R. Part 327 up until the time the file was created.

In accordance with 28 U.S.C. § 1746, I certify and declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: November 10, 2015



Stephen B. Austin