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Corps of Engineers Seeks Public Comments About Proposal to Renew and Revise Nationwide Permits

WASHINGTON, DC – The U.S. Corps of Engineers has begun seeking comments about a proposal to renew and revise nationwide permits for work in wetlands and other waters that are regulated by Section 404 of the Clean Water Act and Section 101 of the Rivers and Harbors Act of 1899.

“We shall improve the environmental protection provided by the nationwide permits while providing timely authorizations for work in water and wetlands,” John Paul Woodley Jr., Assistant Secretary of the Army (Civil Works), said. “We have also simplified the text in the permits to clarify them and improve compliance.”

The nationwide permits authorize activities that are similar in nature and cause only minimal adverse environmental impacts separately or on a cumulative basis. Activities range from work associated with aids to navigation and utility lines to Coast Guard-approved bridges and cleanup of hazardous and toxic wastes.

Many of the nationwide permits remain unchanged from 2002.

The Corps’ division engineers may add, after public review and consultation, regional conditions to protect local aquatic ecosystems such as fens or bottomland hardwoods or minimize adverse effects on fish or shellfish spawning, wildlife nesting or other ecologically critical events.

The proposal is to be published in the Federal Register on September 26. The Corps will accept comments for a 60-day period that ends on November 24. The current set of nationwide permits expires in March 2007, and these proposed permits are to replace them.

“Our goal is to develop nationwide permits that provide clarity and certainty, saving time and cost to the government and the regulated public,” Mr. Woodley said. “We want to encourage innovation and creativity in meeting the challenges of protecting America’s wetlands and aquatic resources.”

Additional information about the Corps’ regulatory program can be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/>