



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, PORTLAND DISTRICT
PO BOX 2946
PORTLAND OR 97208-2946

December 27, 2013

REPLY TO

ATTENTION OF:

Operations Division
Regulatory Branch
Corps No.: NWP-2007-999

Mr. Scott Peets
USDA Forest Service
Siuslaw National Forest
3200 SW Jefferson Way
Corvallis, Oregon 97331

Mr. Scott Lightcap
Bureau of Land Management
777 NW Garden Valley Blvd
Roseburg, Oregon 97471

Dear Mr. Peets and Mr. Lightcap:

The U.S. Army Corps of Engineers (Corps), in coordination with the Oregon Department of State Lands (DSL), is evaluating the potential to reauthorize Regional General Permit 4 (RGP-4) which was issued June 24, 2009. One phase of the evaluation process involved a review of existing projects completed under RGP-4 to look at cumulative impacts and compliance with existing conditions. This monitoring process was conducted during the summer of 2013 and the results will assist the Corps and DSL in determining whether changes in design criteria or permit conditions are warranted. The Corps received an application from the U.S. Forest Service (USFS) and Bureau of Land Management (BLM) on September 11, 2013, requesting reauthorization of RGP-4. This application included several new categories of restoration activities. Although the Corps and DSL have met with your agencies to discuss the contents of the application and the results of the compliance monitoring, the permit evaluation process cannot be completed prior to the expiration of the current general permit (December 31, 2013). Therefore, the Corps is extending RGP-4 for one additional year. The new expiration date is now December 31, 2014.

The Corps will be working with your agencies and DSL to develop a timeline for review of the application package so that the permit evaluation process can be completed prior to the December 2014 expiration. We also would like to work with you on the development of training for USFS and BLM staff prior to the 2014 construction season. The goal of this training will be gaining better compliance with permit terms and conditions, and ensuring staff have a thorough understanding of activities authorized by the current RGP.

The Corps previously modified the following RGP-4 General Conditions. USFS/BLM staff training conducted prior to the 2014 construction season should emphasize these changes.

a. General Condition 3 now reads: "USFS/BLM must comply with the conditions specified in the 401 Water Quality Certification issued for the 2012 Nationwide Permits on April 9, 2012, by the Oregon Department of Environmental Quality." A copy of the 401 Water Quality Certification is enclosed. Please take special note of the conditions associated with Nationwide Permit 13 (Bank Stabilization). You should ensure that all staff responsible for the implementation of RGP-4 activities are aware of the certification requirements.

b. General Condition 7 now reads: "USFS/BLM shall comply with the terms and conditions of any programmatic biological opinion issued by the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service for aquatic habitat restoration activities or shall otherwise ensure compliance with the Endangered Species Act for individual actions authorized under this RGP."

All other terms and conditions of RGP-4 remain in full force and effect. This letter must be attached to the original permit and copies provided to all BLM District and National Forest offices.

If you have any questions regarding this permit modification, please contact Ms. Judy Linton at the letterhead address, by telephone at (503) 808-4382, or e-mail at judy.l.linton@usace.army.mil.

FOR THE COMMANDER, GLENN O. PRATT, LIEUTENANT COLONEL, CORPS OF ENGINEERS, DISTRICT COMMANDER:


Shawn H. Zinszer
Chief, Regulatory Branch

Enclosure

Copy Furnished:

Oregon Department of State Lands (Harrington)
Oregon Department of Environmental Quality (Christensen)
Oregon Department of Land Conservation and Development (Hickner)