



US Army Corps  
of Engineers  
Portland District

# Public Notice

## Nationwide Permit Re-issuance Request for Comments

**Point of Contact:** Judy Linton  
**Phone:** (503) 808-4382  
**Email:** [judy.l.linton@usace.army.mil](mailto:judy.l.linton@usace.army.mil)

**Issue Date:** June 15, 2016  
**Expiration Date:** August 1, 2016

---

On June 1, 2016, the U.S. Army Corps of Engineers published in the Federal Register its proposal to reissue 50 existing Nationwide Permits (NWP) and issue two new NWP.

Nationwide permits are general permits issued on a nationwide basis to streamline the authorization of activities that result in no more than minimal individual and cumulative adverse environmental effects. To ensure this threshold is met, many of the proposed NWP require notification to the district engineer before commencing the proposed work.

National Issues Concerning the Proposed NWP: The Federal Register notice is the public's opportunity to comment on the proposed NWP, general conditions, and definitions. Comments on national issues relating to these NWP should be submitted to docket number COE-2015-0017 at [www.regulations.gov](http://www.regulations.gov), by email to [NWP2017@usace.army.mil](mailto:NWP2017@usace.army.mil), or by mail to Headquarters, U.S. Army Corps of Engineers, Directorate of Civil Works, ATTN: CECW-CO-R, 441 G Street, N.W., Washington, D.C. 20314-1000. Instructions for submitting comments are provided in the June 1, 2016, Federal Register notice. Comments on the proposed NWP are due by August 1, 2016.

Regional Issues Concerning the Proposed NWP, Including Regional Conditioning: Division engineers are authorized to add regional conditions specific to the needs and/or requirements of a particular region or state. Regional conditions are important mechanisms to ensure the adverse environmental effects of activities authorized by the NWP are no more than minimal, both individually and cumulatively. Division engineers may also suspend or revoke specific NWP in certain geographic areas (e.g., states or watersheds) or high-value aquatic systems where the adverse environmental effects caused by activities authorized by those NWP may be more than minimal. An enclosure to this public notice (Enclosure 1) lists the proposed regional conditions currently under consideration by the Portland District for the State of Oregon. The Portland District is seeking comments on the proposed regional conditions and seeking comments on the need for additional regional conditions to help ensure that the adverse environmental effects of activities authorized by the proposed NWP are no more than minimal, individually and cumulatively. Unless otherwise noted, all proposed regional conditions listed on this enclosure are applicable for activities in Oregon.

In reviewing the proposed Regional Conditions, we are especially seeking input on Regional Condition 2 (Aquatic Resources of Special Concern). Are there other resources

that should be added to the list? If you do think other resources should be added, please provide a brief justification as to why the resource should be added along with a definition of the resource. Also, for those resources currently on the list, Portland District is working on developing definitions that are adequate to provide guidance to the public and our Project Managers on how to identify them. Public suggestions on these definitions are welcome.

Comments on regional issues relating to the proposed NWP's and regional conditions are to be sent to U.S. Army Corps of Engineers Portland District, Attn: Ms. Judy Linton (CENWP-OD-G), P.O. Box 2946, Portland, Oregon 97208-2946. Comments may also be provided by email to Ms. Judy Linton at [judy.l.linton@usace.army.mil](mailto:judy.l.linton@usace.army.mil). Comments relating to regional conditions are due by August 1, 2016. Similar public notices proposing regional conditions in other regions or states are being published concurrently by other division or district offices.

After the final NWP's are issued, the final regional conditions will be issued following approval by the Division Commander. Appropriate state agencies and Tribal governments will also make their Clean Water Act Section 401 (401) water quality certification and Coastal Zone Management Act (CZMA) consistency determination decisions. The 401/CZMA decisions must be made within 90 days of the Federal Register notice announcing the issuance of the NWP's. The final NWP's will go into effect on or before March 19, 2017.

Draft decision documents for each of the proposed NWP's, which include environmental documentation required by the National Environmental Policy Act, have been prepared by Corps Headquarters. The decision documents will address compliance of the NWP's with the requirements for issuance under the Corps general permit authority. These documents, as well as the proposed NWP's, are available for viewing at [www.regulations.gov](http://www.regulations.gov), docket number COE-2015-0017. Final decision documents will be prepared for those NWP's issued. In addition, the national NWP decision documents will be supplemented by division engineers to address their decisions concerning regional conditions for the NWP's.

Enclosure 2 of this public notice is an index of the proposed NWP's and conditions. Anyone wishing to provide comments may obtain a full text copy of the NWP's through the Corps Home Page at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>, at [www.regulations.gov](http://www.regulations.gov) in docket number COE-2015-0017, or the Federal Register at <http://www.gpo.gov/fdsys/pkg/FR-2016-06-01/pdf/2016-12083.pdf>.