



Regulatory Hurricane Helene Response in Georgia

Fact Sheet
October 2024

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The following information is intended to aid in determining what may/may not require a permit from the U.S. Army Corps of Engineers (USACE) following the damage in Georgia from Hurricane Helene. We strongly advise the public to contact us with any questions regarding permitting. You may also contact USACE via:

- General email box: CESAS-RD@usace.army.mil
- Regulatory Request System (Application submission): rrs.usace.army.mil

A majority of work within waters of the U.S. (WOTUS) following the recent storm events is expected to qualify for verification under one or more activities authorized by the Nationwide Permit (NWP) program, unless otherwise exempt. WOTUS include, but are not limited to, lakes/ponds, reservoirs, rivers, streams, intermittent streams, natural drainage courses, and wetlands. Information regarding the Savannah District Regulatory Program, including NWPs and submitting a permit application (if applicable) can be found at:

<https://www.sas.usace.army.mil/Missions/Regulatory/Permitting.aspx>

The following apply to work in WOTUS:

- **Discharge of dredged or fill material:** Permits are required for the discharge of fill material into waters of the U.S. pursuant to Section 404 of the Clean Water Act (CWA), unless otherwise exempt.
- **Structures located in or over navigable waters:** Permits are required for work or structures in or over navigable waters pursuant to Section 10 of the Rivers and Harbors Act of 1899. Navigable waters are defined as those waters that are subject to the ebb and flow of the tide and/or are presently used or have been used in the past or may be susceptible for use to transport interstate or foreign commerce (33 CFR 329.4).
- **NWP authorized activities:** Certain hurricane response activities within WOTUS may qualify for verification under one or more of the following NWPs:
 - NWP 3. Maintenance
 - NWP 13. Bank Stabilization
 - NWP 14. Linear Transportation Projects
 - NWP 22. Removal of Vessels
 - NWP 45. Repair of Uplands Damaged by Discrete Events
 - NWP 57. Electric Utility Line and Telecommunications Activities

NWPs in Georgia:

<https://www.sas.usace.army.mil/Missions/Regulatory/Permitting/General-Permits/Nationwide-Permits/>

2021 NWP Information:

<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll7/id/20099>

- **Standard Permits:** In cases where proposed work is not exempt, and does not qualify for one or more NWPs, a standard permit may be required. You may apply for a standard permit through a website tool, the Regulatory Request System: rrs.usace.army.mil
- **Records:** We strongly advise that you properly document and maintain records that may be useful for evaluating your permit request including photos. Taking before and after photos and sketching existing/proposed conditions is highly recommended. Please note the before/after footprint of fill and document the length of rip rap/stabilization and the pre- and post- size of structures replaced.

The Savannah District Regulatory team remains poised to assist you with your permitting needs or questions.