

2012 Nationwide Permits

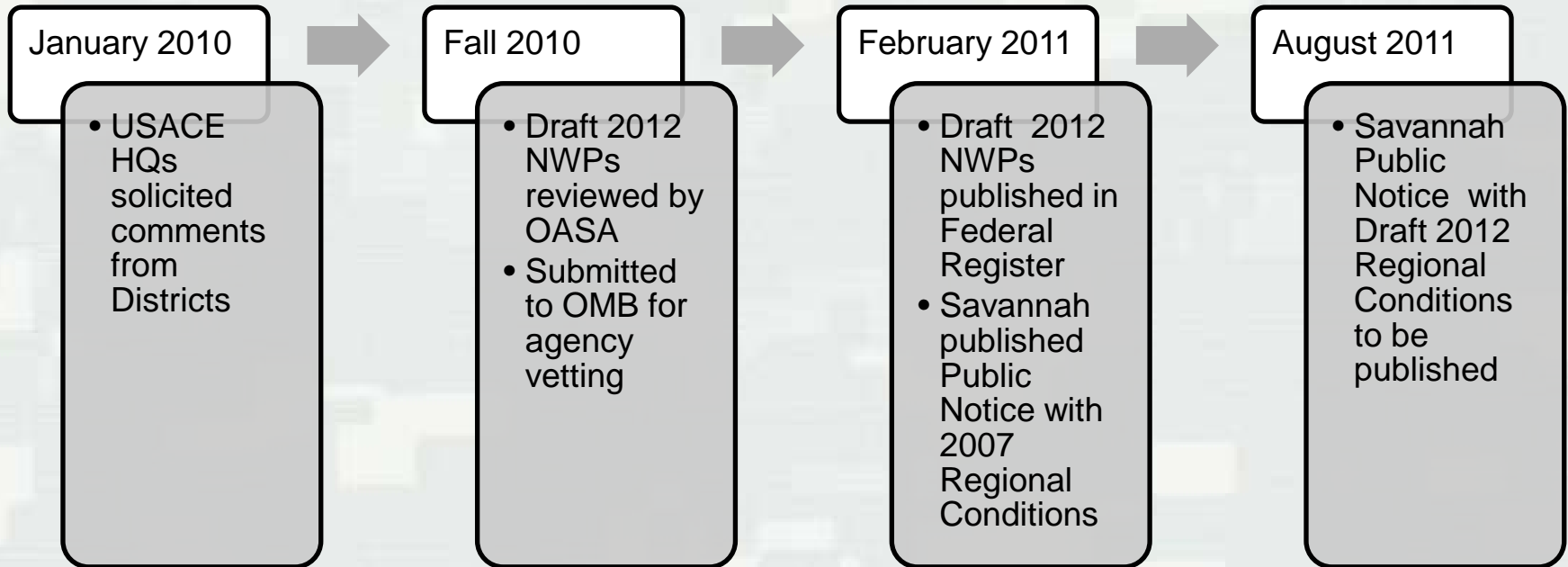


Nationwide Permits (NWP)

- Expedited review process for projects that would result in a minimal impact on the aquatic environment
 - ▶ Utility Lines & Substations
 - ▶ Transportation
 - ▶ Bank Stabilization
 - ▶ Residential / Commercial / Institutional Development
 - ▶ Repair and Maintenance



2012 NWP Renewal Process



2012 NWPs Renewal Process



2012 NWP's

- Proposed Additions / Changes / Deletions
 - ▶ Reissue 48 existing NWP's, with minor changes
 - ▶ Proposed 2 new NWP's (A & B)
 - ▶ Reissue 28 General Conditions
 - ▶ Proposed 2 new General Conditions
 - ▶ Reissue Savannah Regional Conditions (RCs) with 2012 changes



NWPs A & B

Land Based Renewable Energy Generation Facilities



Water-Based Renewable Energy Generation Pilot Projects



General Conditions (GCs)

- GC 14. Discovery of Previously Unknown Remains and Artifacts
 - ▶ Permittee must immediately notify USACE of what has been found & to the maximum extent practicable, stop activities that would adversely affect those remains and/or artifacts. USACE will initiate coordination with Georgia HPD.

- GC 23. Safety of Impoundment Structures
 - ▶ DE may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons.



Regional Conditions

- Regional conditions ensure that activities authorized by the NWP result in minimal individual and cumulative adverse effects on the aquatic environment.
- Region specific
- Coordinated with State and Federal agencies and Indian Tribes
- Cannot override the terms and conditions of the NWP



2012 Regional Conditions

■ **State of Georgia Certification of the 2012 NWP Permit Program:**

We are expecting the Georgia Department of Natural Resources (Georgia DNR) to issue programmatic conditional 401 Water Quality Certification and Coastal Management Program Certification for use of the 2012 NWPs authorizing impacts to waters of the US in Georgia. The conditions of these certifications will be incorporated into the 2012 Savannah NWP Regional Conditions (RCs).

- ▶ **RCs will require applicants to notify Georgia DNR prior to beginning work on any and all NWP authorized projects.**
- ▶ Georgia DNR requirements and notification procedures will be available with the Savannah 2012 RCs, Appendix A.



2012 Regional Conditions

Pre-Construction Notification (PCN)

- Required for all NWPs 3(b), 7, 8, 11, 12, 14, 15, 17, 23, 27, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 48, 49, & 50
- Required for NWPs 3(a), 3(c), 5, 6, 13, 19, & 41 for impacts \leq 0.1 acre of wetlands and/or \leq 100 linear feet of stream
- Required for use of any NWP to construct a new linear utility line activity or a linear transportation project in waters of the US.



2012 Regional Conditions

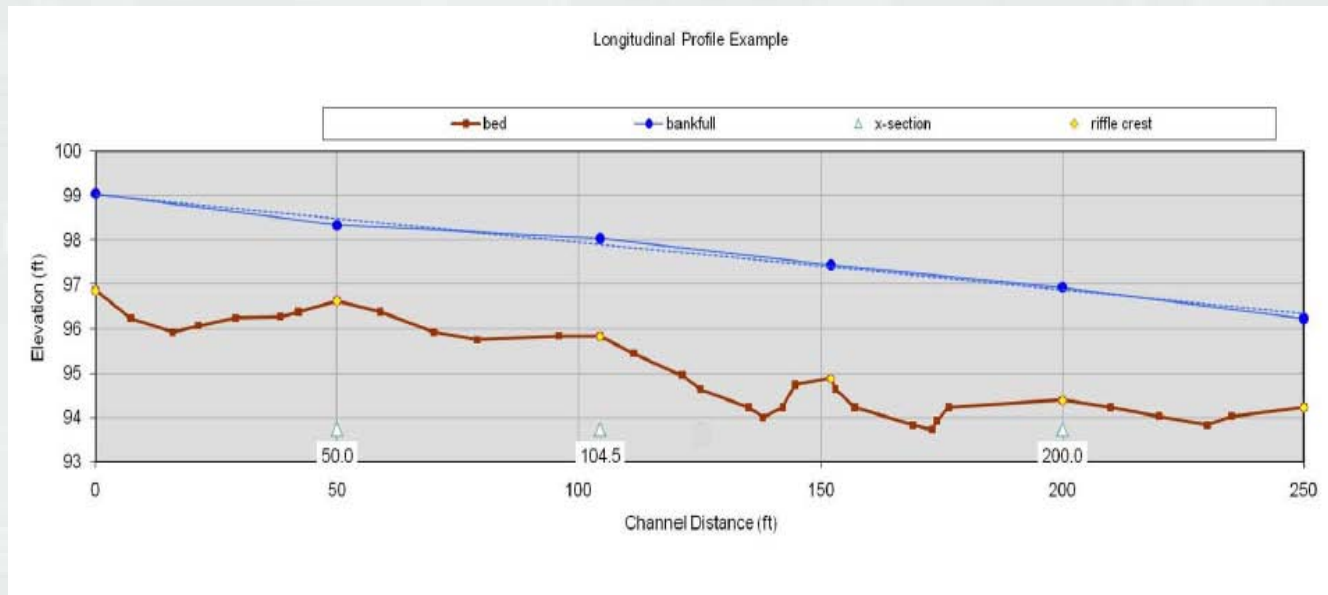
Complete PCN – Culverts in Perennial Streams

- Culvert size/type
- Depth the culvert inlet and outlet culvert will be embedded
- Designed culvert slope along the stream channel



2012 Regional Conditions

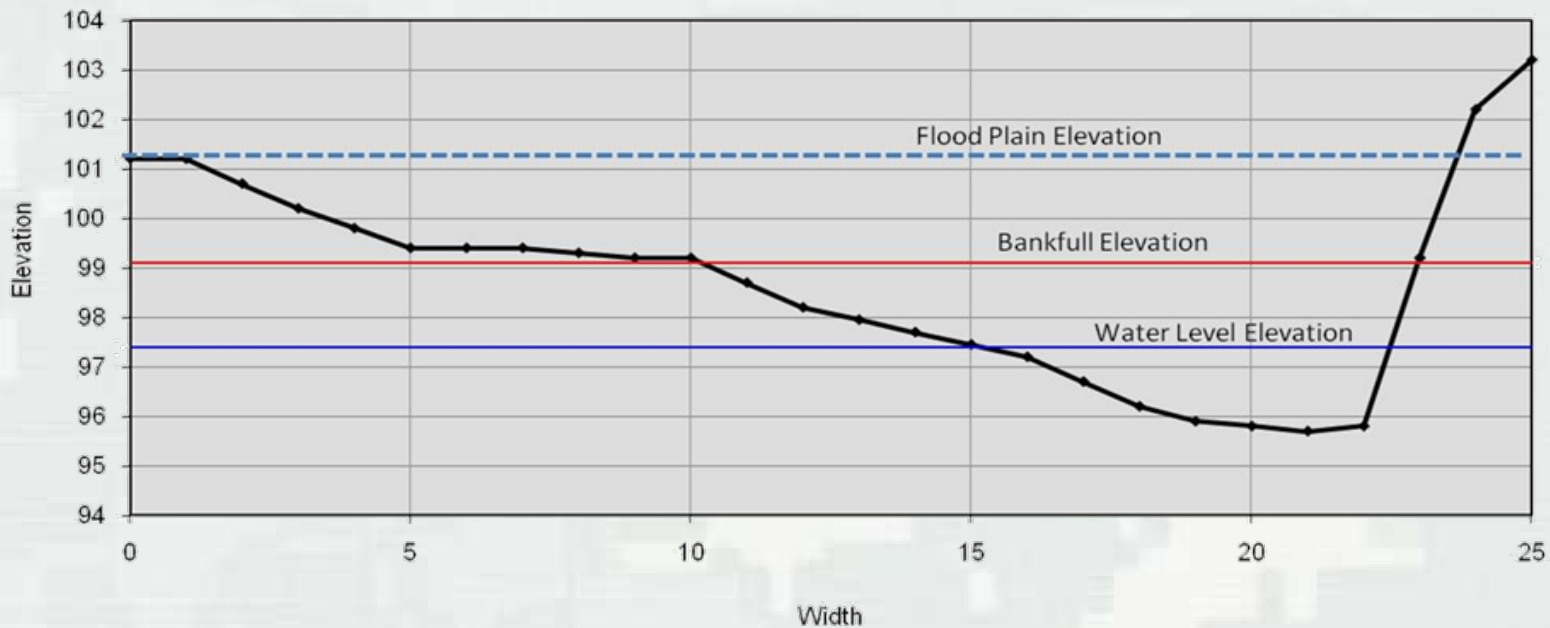
- A profile of the stream bottom (longitudinal profile) beginning at least 50 feet upstream of the culvert inlet and continuing at least 50 feet downstream of the culvert outlet



Regional Conditions

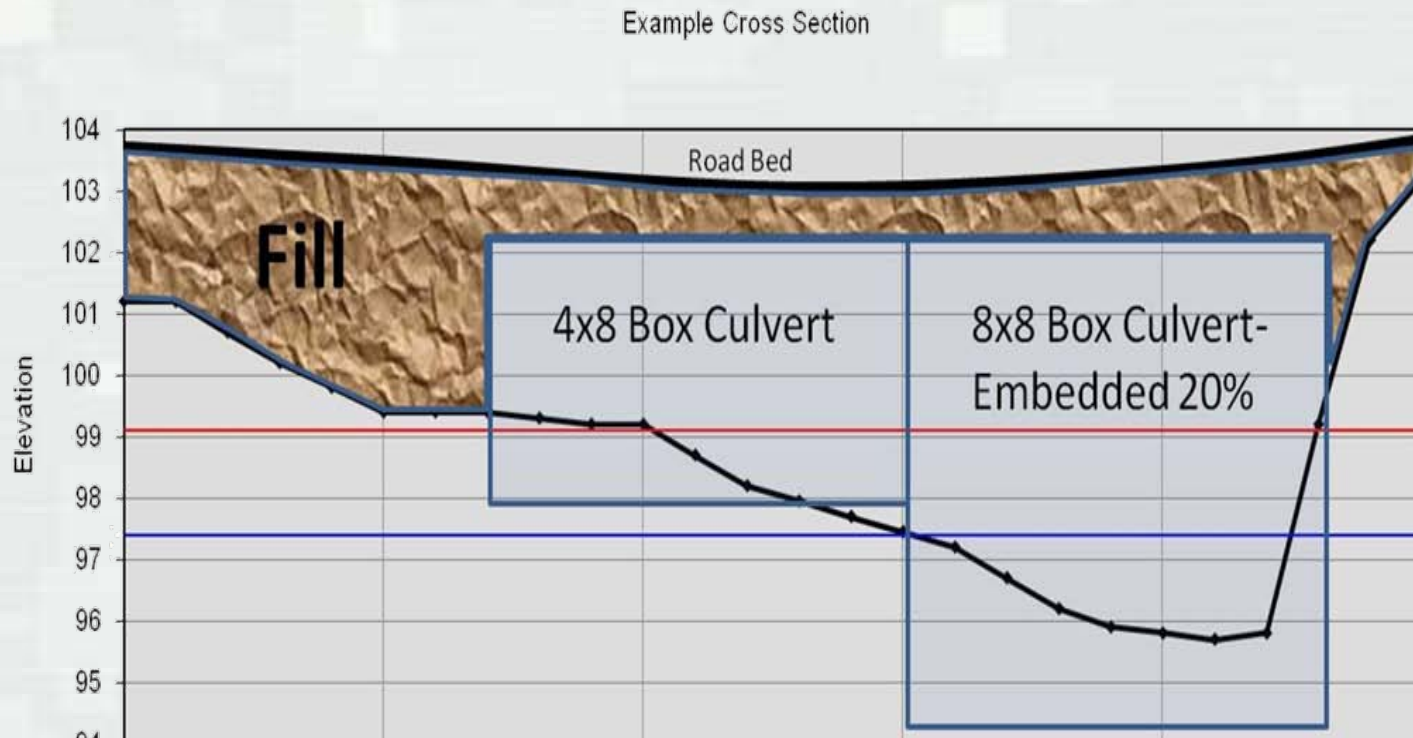
- Three cross-sectional scale diagrams of the stream channel and banks measured at the beginning, middle, and end of the proposed culvert location are required.

Example Cross Section



Regional Conditions

- A scale cross-sectional diagram showing as-built conditions will be submitted with the signed & dated Certification of Compliance



Regional Conditions

- **Loss of Waters of US**
 - ▶ US waters permanently adversely affected by filling, flooding, excavation or drainage by a regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material into a streambed, or change an aquatic area to dry land, or increase bottom elevation or change use of a waterbody.
 - ▶ USACE has discretion to determine loss of waters of the US and the resulting functional aquatic losses for determining potential mitigation requirements



Regional Conditions

- **Adverse Impact to Waters of US**
 - ▶ Losses/changes in aquatic function resulting from activities that cause a loss of waters of the US and losses/changes in aquatic function resulting from activities that cause an impact to waters of the US, but do not result in a loss of waters



Regional Conditions

NWP Specific Conditions

- NWP 12 – Utility Line Activities
 - ▶ If adverse impacts and/or loss of waters of the US resulting from the construction of a utility line activity would cumulatively be ≤ 0.1 acre of wetland and/or ≤ 100 linear feet of stream, mitigation may be required for all impacts and losses for the entire utility activity



Questions???

- Coastal Branch

- ▶ 1-800-448-2404 or 912-652-5050
- ▶ Albany Field Office 299-430-8568 / 8567

- Piedmont Branch

- ▶ 678-422-2720 or 678-422-2735
- ▶ Lanier Field Office 770-904-2509 / 2365

