Permitting approaches for living shorelines

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Overview

- Statutory authorities
- Types of permits, conditions and limitations
  - Nationwide Permits
  - Regional General Permits (RGPs)
  - State Programmatic General Permits (SPGPs)
  - Standard permits
- Pre-application coordination
Regulatory Program Authorities

- Section 10 of the Rivers and Harbors Act
- Section 404 of the Clean Water Act
District Regulatory Boundaries
Nationwide Permits

- Nationwide Permit 13
  - Notification requirements
  - Terms and conditions

- Nationwide Permit 27
  - Notification requirements
  - Terms and conditions
Pre-construction notification process

- Contents of PCN
- Form of PCN
- Evaluation
- Verification
Nationwide Permits 2017 Schedule

- Begin rulemaking process for reissuance in 2015
- January 2016 – Federal Register publication with request for public comment
- December 2016/Jan 2017 – promulgate reissued, modified and/or new NWPs
- To inform proposal, suggestions for modifications or new NWPs may be submitted to Corps HQ
  - Submit in writing by early 2015
Other general permits

- Virginia
  13-RP-19
  Norfolk District

- Maryland
  MDSPGP-4
  Baltimore District
Regional general permits

- South Carolina
  GP SAC-2012-01003
  Charleston District

- Alabama - ALG10-2011
  Mobile District

- Portion of Mississippi
  SGP-03 – Mobile District
Standard permits

- For activities that exceed GP limitations, would cause more than minimal effects and/or may be contrary to the public interest
- Public Notice
- Weigh and balance beneficial and detrimental effects
  - Navigation
  - Wetlands
  - Fish and wildlife
  - Property ownership
  - Aesthetics
  - Safety
Early Coordination

- Pre-application coordination is encouraged
- Early coordination and complete project information helps ensure concerns are identified
- Projects may be modified to reduce any adverse effects
Questions?

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Suggestions on 2017 Nationwide Permits

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