

PUBLIC NOTICE



**US Army Corps
of Engineers
St. Louis District**

**Nationwide Permit Reauthorization
Issue Date: October 20, 2011
Expiration Date: November 10, 2011**

21-Day Notice

SECOND PUBLIC NOTICE

REQUEST FOR COMMENTS FOR MISSOURI REGIONAL CONDITIONS

On February 16, 2011, the U.S. Army Corps of Engineers published in the Federal Register its proposal to reissue 48 of its existing nationwide permits (NWP) and issue two new NWP. A full text copy of the proposed 2012 NWP can be accessed through the Corps home page at <http://www.usace.army.mil/CECW/Pages/nnpi.aspx>, www.regulations.gov, docket number COE-2010-0035, or the Federal Register address at <http://www.gpo.gov/fdsys/pkg/FR-2011-02-16/pdf/2011-3371.pdf>

On March 1, 2011, the St. Louis District issued an initial public notice of the proposed regional conditions to ensure activities authorized by the proposed NWP result in no more than minimal individual and cumulative adverse effects on the aquatic environment. Based on public comments received and subsequent agency coordination, we have modified the initial version of the regional conditions. Specifically, we have added two new regional conditions. One new condition applies to NWP 23 and one applies to listed waters that provide habitat for sensitive aquatic resources. Additionally, we have made revisions to other regional conditions, including Regional Condition 1 for stream crossings. A copy of the revised regional conditions can be found at: http://www.nwk.usace.army.mil/regulatory/NWP_2012/MO/MORegCon.pdf.

Nationwide permits are general permits issued on a nationwide basis to streamline the authorization of activities that result in minimal individual and cumulative adverse effects on the aquatic environment. Many of the proposed NWP require notification to the district engineer before commencing the work, to ensure that the activities authorized by those NWP have minimal individual and cumulative adverse impacts on the aquatic environment.

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 that impacts to the aquatic environment authorized by the NWP are 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 impacts authorized by those NWP may be more than minimal. All Corps districts with regulatory responsibilities in Missouri are seeking comments on the proposed regional conditions to help ensure that impacts authorized by the proposed NWP are minimal. Unless otherwise noted, all proposed regional conditions listed at the above link are applicable for activities in Missouri.

Comments on the regional conditions can be submitted to Kale Horton at the U.S. Army Corps of Engineers, Kansas City Regulatory Office, 635 Federal Building, 601 East 12th Street, Kansas City, Missouri, 64106, by telephone at (816) 389-3656 or by email at kale.e.horton@usace.army.mil. Comments relating to regional conditions are due by November 8, 2011.

After the final NWP's are issued, the final regional conditions will be issued after they are approved by the Division Engineer. After the final NWP are issued, States and Tribes will make their Clean Water Act Section 401 (401) water quality certification consistency determination decisions. The 401 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, 2012.

NOTE: This public notice is posted on the St. Louis District Regulatory web page and can be viewed at the following address:

<http://www.mvs.usace.army.mil/ConOps/permits/pn.htm>