



US Army Corps  
of Engineers®  
St. Paul District

# PUBLIC NOTICE

Date: July 13, 2022

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## ANNOUNCEMENT OF INTENT TO ISSUE REGIONAL GENERAL PERMITS

**SUMMARY:** This public notice is to inform the public of the St. Paul District's (District) intent to develop one new regional general permit (RGP) and re-issue seven RGPs for work in waters of the U.S. associated with utility lines, linear transportation, and other minor activities. The new RGP is intended to be associated with stream bank stabilization and accompanying habitat improvement activities. The RGPs are proposed for use in Minnesota and Wisconsin, including Federally recognized American Indian reservations, to authorize work in waters of the U.S. that would result in no more than minimal adverse effects, individually and cumulatively.

**BACKGROUND:** On February 21, 2018, the District issued seven RGPs for use in Minnesota and Wisconsin, including within Federally recognized American Indian reservations. The seven existing RGP's proposed to be reissued include: Beach Creation and Nourishment, Beach Raking, Minor Discharges, Piers and Docks, Transportation, Utility, and Wildlife Ponds. A new RGP for projects including both bank stabilization and habitat improvement activities will also be proposed and would allow for District-specific, tailored general permit coverage compared to the existing nationwide (NWP) general permits NWP 13 and NWP 27. Bank stabilization projects in the District are frequently authorized under NWP, while stream restorations that have an ecological reference are currently typically authorized under NWP 27. Development of this new RGP will allow the District to tailor authorization for these projects on a more-regionally appropriate level using a single general permit.

The District's goals for this effort are as follows: 1) re-evaluate permit terms and conditions for the seven RGP categories above to ensure that the activities authorized are appropriately protective of the aquatic environment, preserve the public interest, and comply with all applicable federal laws and orders, 2) improve the existing permitting processes for minor activities involving both bank stabilization and habitat improvement, and 3) have new RGPs in place prior to the expiration of existing RGPs in February 2023.

**DRAFT PROPOSAL:** Details on the content of the proposed RGPs will be published as a draft in late summer 2022 with a 30-day public comment period. The District is proposing to start using the permits by February 2023, contingent upon completion of all necessary agency, tribal, and public consultation and coordination. All activities authorized by the RGPs under Section 404 of the Clean Water Act will require 401 Water Quality Certification (WQC) from the applicable state agency, tribe, or the United States Environmental Protection Agency (EPA). For each RGP, the applicable agency or tribe may issue the WQC with no conditions, issue the WQC with conditions, deny the WQC, or waive the WQC.

**FUTURE UPDATES AND OPPORTUNITIES FOR COMMENT:** Future public notices regarding the reissuance of the RGPs will be found on our website at: <https://www.mvp.usace.army.mil/Missions/Regulatory/Special-Notices/>. To subscribe to the St. Paul District Regulatory Public Notice RSS Feeds, see our general public notice webpage at <https://www.mvp.usace.army.mil/Missions/Regulatory/Public-Notices/>. Comments on the re-issuance of the RGPs can be submitted by e-mail to [CEMVP-RGP-Comments@usace.army.mil](mailto:CEMVP-RGP-Comments@usace.army.mil).

All other questions concerning development of the RGPs should be directed to the following main contact:  
A.J. Kitchen 651-290-5729, [anthony.j.kitchen@usace.army.mil](mailto:anthony.j.kitchen@usace.army.mil)