



US Army Corps
of Engineers®
St. Paul District

INFORMATIONAL PUBLIC NOTICE

Date: May 31, 2019

ANNOUNCEMENT OF INTENT TO DEVELOP NEW REGIONAL GENERAL PERMITS

SUMMARY: The purpose of this notice is to inform the public of St. Paul District's (District) intent to develop new regional general permits (RGP) for work in waters of the U.S. associated with 1) stream bank stabilization and accompanying habitat improvement activities, and 2) minor activities not already authorized by existing general permits (nationwide permits or RGPs). The RGPs would be developed 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: The District has issued 42 nationwide permits (NWP) and 7 RGPs for use in Minnesota and Wisconsin. In general, bank stabilization projects are currently being authorized under NWP 13 or an individual permit. Projects with the purpose of stream restoration that have an ecological reference are currently being evaluated in accordance with NWP 27. In accordance with NWP 13, a waiver is required for certain activities that involve 1) discharges into special aquatic sites, 2) are in excess of 500 feet in length, or 3) discharges of greater than an average of one cubic yard per running foot as measured along the length of the treated bank, below the plane of ordinary high water mark or the high tide line. A new RGP would allow for District-specific authorization and conditions for bank stabilization projects and other minor activities.

DRAFT PROPOSAL: The District's goals for this effort are as follows: 1) increase the utility of RGPs for work in waters of the U.S. described above, 2) decrease the need for waivers and increase permitting efficiency for minor activities, 3) develop permit terms and conditions that are protective of the aquatic environment and public interest, and 4) have an additional region-specific general permit in place that would ensure activities would result in no more than minimal adverse effects, individually and cumulatively.

New RGPs will be developed to authorize work in waters of the U.S. associated with bank stabilization and habitat improvement practices, and other prospective minor activities.

Details on the content of the proposed RGPs will be published as a draft in fall 2019 with a 30-day public comment period. The District is proposing to start using the permits in February 2020, provided all necessary agency, tribal, and public consultation and coordination has been completed. All activities authorized by the RGPs under Section 404 of the Clean Water Act will require Section 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: If you are interested in future updates on the development of these RGPs, please send an email to Meghan.A.McKinney@usace.army.mil with the subject line of "RGP emails." You may also call Meghan McKinney at 651-290-5854 to be added to the email list serve. Email addresses will only be used for this expressed purpose.

All other questions concerning development of the RGPs should be directed to either of the following contacts:
Brian Yagle at 651-290-5975 or Brian.B.Yagle@usace.army.mil
Meghan Brown at 651-290-5688 or Meghan.J.Brown@usace.army.mil.

To sign up for other public notices, including on specific project or mitigation proposals, please go to:
http://mvp-extstp.mvp.usace.army.mil/list_server.

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting news stories. This notice is not a contract for classified display advertising. For more information call the St. Paul District Public Affairs Office, 651-290-5807.