



US Army Corps  
of Engineers®  
San Francisco District

Regulatory Division  
1455 Market Street, 16<sup>th</sup> Floor  
San Francisco, CA 94103-1398

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

PROJECT: **Nationwide Permits and San Francisco District's  
Regional Condition Reissuance**

PUBLIC NOTICE NUMBER: 2016-00006  
PUBLIC NOTICE DATE: June 6, 2016  
COMMENTS DUE DATE: August 6, 2016

PERMIT MANAGER: James Mazza

TELEPHONE: 415-503-6775

E-MAIL: James.C.Mazza@usace.army.mil

On June 1, 2016, the U.S. Army Corps of Engineers (Corps) published in the Federal Register its proposal to reissue the 50 existing nationwide permits (NWP) and issue two new NWP.

Nationwide permits are general permits issued on a nationwide basis to streamline the authorization of activities that result in no more than minimal individual and cumulative adverse environmental effects. Many of the proposed NWP require notification to the District Engineer before commencing those activities, to ensure that the activities authorized by those NWP cause no more than minimal individual and cumulative adverse environment effects.

National Issues Concerning the Proposed NWP: The Federal Register notice is the public's opportunity to comment on the proposed NWP, general conditions, and definitions. Comments on national issues relating to these NWP should be submitted to docket number COE-2015-0017 at [www.regulations.gov](http://www.regulations.gov), or by email to [NWP2017@usace.army.mil](mailto:NWP2017@usace.army.mil), or by mail to Headquarters, U.S. Army Corps of Engineers, Directorate of Civil Works, ATTN: CECW-CO-R, 441 G Street, N.W., Washington, D.C. 20314-1000. Instructions for submitting comments are provided in the June 1, 2016 Federal Register notice. Comments on the proposed NWP are due by August 1, 2016.

Regional Issues Concerning the Proposed NWP, Including Regional Conditioning: 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 the adverse environmental effects of activities authorized by the NWP are no more than 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 the adverse environmental effects caused by activities authorized by those NWP may be more than minimal. An enclosure for this public notice (Enclosure 1) lists the proposed regional conditions currently under consideration by the South Pacific Division of the San Francisco District within portions of the State of California titled, "*Draft San Francisco District Regional Conditions*". A map showing the boundary of the San Francisco District within the State of California is attached (Enclosure 2). In addition, the San Francisco District has coordinated with the Los Angeles District and Sacramento District to develop a list of seven joint Regional Conditions to be used by each

District. These seven joint Regional Conditions have been incorporated into the proposed *Draft San Francisco District Regional Conditions*. The San Francisco District is seeking comments on the proposed regional conditions and seeking comments on the need for additional regional conditions to help ensure that the adverse environmental effects of activities authorized by the proposed NWP are no more than minimal, individually and cumulatively. Unless otherwise noted, all proposed regional conditions listed on this enclosure are applicable for activities within the boundary of the San Francisco District. Comments on regional issues relating to the proposed NWP and regional conditions are to be sent to U.S. Army Engineer District, San Francisco District, Regulatory Division, Attn: Mr. James Mazza, 1455 Market Street, San Francisco, California 94103 (E-MAIL: [James.C.Mazza@usace.army.mil](mailto:James.C.Mazza@usace.army.mil) or 415.503.6775). Comments relating to regional conditions are due by **August 6, 2016**. Similar public notices proposing regional conditions in other regions or States are being published concurrently by other division or district offices.

After the final NWP is issued, the final regional conditions will be issued after they are approved by the Division Commander. After the final NWP is issued, States and Tribes will make their Clean Water Act Section 401 (401) water quality certification and States will make their Coastal Zone Management Act (CZMA) consistency determination decisions. The 401/CZMA decisions must be made within 90 days of the Federal Register notice announcing the issuance of the NWP. The final NWP will go into effect on March 19, 2017.

Draft decision documents for each of the proposed NWP, which include environmental documentation prepared for the purposes of the National Environmental Policy Act, have been prepared by Corps Headquarters. The decision documents will address compliance of the NWP with the requirements for issuance under the Corps general permit authority. These documents, as well as the proposed NWP, are available for viewing at [www.regulations.gov](http://www.regulations.gov), docket number COE-2015-0017. Final decision documents will be prepared for those NWP that are issued. In addition, the national NWP decision documents will be supplemented by Division Engineers to address their decisions concerning regional conditions for the NWP.

Enclosed is an index of the proposed NWP and conditions (Enclosure 3). Anyone wishing to provide comments may obtain a full text copy of the NWP through the Corps Home Page at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>, at [www.regulations.gov](http://www.regulations.gov) in docket number COE-2015-0017, or the Federal Register Federal Register at <https://www.gpo.gov/fdsys/pkg/FR-2016-06-01/pdf/2016-12083.pdf>.

Attachments:

- Enclosure 1: *Draft San Francisco District Regional Conditions*
- Enclosure 2: *Regulatory Division Boundary, San Francisco District, California*
- Enclosure 3: *Index of Proposed Nationwide Permits, Conditions, and Definitions*