



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS, LA 70118-3651

February 14, 2022

SPECIAL PUBLIC NOTICE
NATIONWIDE PERMIT REGIONAL CONDITIONS FOR LOUISIANA

On December 27, 2021, the U.S. Army Corps of Engineers (Corps) published notice in the *Federal Register* (86 FR 73522) announcing the reissuance of 40 existing Nationwide Permits (NWP) and issuance of one new NWP. The NWP general conditions and definitions published in the January 13, 2021 issue of the *Federal Register* (86 FR 2744) for the 16 NWP also apply to these 41 NWP. The following 41 NWP will go into effect on February 25, 2022, and will expire on March 14, 2026:

- NWP 1 – Aids to Navigation
- NWP 2 – Structures in Artificial Canals
- NWP 3 – Maintenance
- NWP 4 – Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
- NWP 5 – Scientific Measurement Devices
- NWP 6 – Survey Activities
- NWP 7 – Outfall Structures and Associated Intake Structures
- NWP 8 – Oil and Gas Structures on the Outer Continental Shelf
- NWP 9 – Structures in Fleeting and Anchorage Areas
- NWP 10 – Mooring Buoys
- NWP 11 – Temporary Recreational Structures
- NWP 13 – Bank Stabilization
- NWP 14 – Linear Transportation Projects
- NWP 15 – U.S. Coast Guard Approved Bridges
- NWP 16 – Return Water From Upland Contained Disposal Areas
- NWP 17 – Hydropower Projects
- NWP 18 – Minor Discharges
- NWP 19 – Minor Dredging
- NWP 20 – Response Operations for Oil or Hazardous Substances
- NWP 22 – Removal of Vessels
- NWP 23 – Approved Categorical Exclusions
- NWP 24 – Indian Tribe or State Administered Section 404 Programs
- NWP 25 – Structural Discharges
- NWP 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities
- NWP 28 – Modifications of Existing Marinas
- NWP 30 – Moist Soil Management for Wildlife
- NWP 31 – Maintenance of Existing Flood Control Facilities
- NWP 32 – Completed Enforcement Actions
- NWP 33 – Temporary Construction, Access, and Dewatering
- NWP 34 – Cranberry Production Activities
- NWP 35 – Maintenance Dredging of Existing Basins
- NWP 36 – Boat Ramps
- NWP 37 – Emergency Watershed Protection and Rehabilitation
- NWP 38 – Cleanup of Hazardous and Toxic Waste
- NWP 41 – Reshaping Existing Drainage Ditches
- NWP 45 – Repair of Uplands Damaged by Discrete Events

- NWP 46 – Discharges in Ditches
- NWP 49 – Coal Remining Activities
- NWP 53 – Removal of Low-Head Dams
- NWP 54 – Living Shorelines
- NWP 59 – Water Reclamation and Reuse Facilities

On February 3, 2022, the Mississippi Valley Division Engineer approved regional conditions for the state of Louisiana that apply to all activities authorized by these 41 NWPs. Regional conditions provide additional protections for the aquatic environment by ensuring that the NWPs authorize only those activities with minimal adverse effects on the aquatic environment. The New Orleans District has posted the regional conditions for NWPs issued in Louisiana on our Regulatory webpage at:

<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Nationwide-Permits-Program/>

On December 15, 2020, the Louisiana Department of Environmental Quality (LDEQ) issued water quality certification (WQC) for these NWPs. On December 14, 2020, the Louisiana Department of Natural Resources (DNR) issued their Coastal Zone Management Act (CZMA) consistency determinations. NWP 3, 6, 7, 13, 14, 18, 20, 22, 23, 31, 33, 35, 36, 38, 41, 45, 46, 53, 54, and 59 have been conditionally approved by DNR, applicants seeking authorization will be required to obtain a coastal use permit prior to commencement of work. It is noted that in general, use of the Programmatic General Permit (PGP) supersedes the use of a NWP within the coastal zone of Louisiana.

Questions regarding this matter should be directed to Mr. Brenda Archer at (504) 862-2046 (Brenda.A.Archer@usace.army.mil) of the Regulatory Division.

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