



US Army Corps
of Engineers®
Little Rock District

PUBLIC NOTICE

CORPS OF ENGINEERS

Date: March 23, 2017

INFORMATIONAL PUBLIC NOTICE

Announcing
Regional Conditions for Nationwide Permits
in Arkansas and Missouri
and
Section 401 Water Quality Certification for Nationwide Permits
in Arkansas and Missouri

On January 6, 2017, the U.S. Army Corps of Engineers (Corps) published notice in the *Federal Register* announcing the reissuance of all existing nationwide permits (NWP), general conditions, and definitions with some modifications. The Corps also issued two new NWPs and one new general condition. The NWPs became effective on March 19, 2017, and expire on March 18, 2022.

Regional Conditions. Concurrently with the public interest review conducted for the NWPs, the Little Rock District solicited public comment concerning proposed regional conditions for the 2017 NWPs. The regional conditions are intended to provide additional protection for the aquatic environment, by ensuring that the NWPs authorize only those activities with minimal adverse effects on the aquatic environment. The Southwestern Division Commander has approved the Regional Conditions for Arkansas and Missouri. The final Regional Conditions for the 2017 NWPs can be viewed at: <http://www.swl.usace.army.mil/Missions/Regulatory/Types-of-Permits/>.

Section 401 Water Quality Certification. The Arkansas Department of Environmental Quality (ADEQ) and Missouri Department of Natural Resources (MDNR) have issued Section 401 Water Quality Certification (WQC) decisions for the NWPs.

- ADEQ issued WQC for all Section 404 NWPs with the exception of any NWP that may impact Extraordinary Resource Waters, Ecologically Sensitive Waterbodies, and Natural Scenic Waterways. In addition, for NWPs 14, 29, and 43 that require a preconstruction notification (PCN) and occur on waters listed on ADEQ's 303(d) list for turbidity/siltation and waters with an approved Total Maximum Daily Load (TMDL) for turbidity/siltation, individual certification will be required from ADEQ.
- MDNR issued WQC for all Section 404 NWPs except 17, 21, 32, 34, 37, 38, 44, 48, 49, 50, 51, and 52, and included limits on other Section 404 NWPs. Activities not covered by the general WQC will require individual certification from MDNR.

The WQC for Arkansas and Missouri have been accepted by the Southwestern Division Commander and can be viewed at: <http://www.swl.usace.army.mil/Missions/Regulatory/Types-of-Permits/>.

Effective Date. The 2017 Regional Conditions and Section 401 WQC became effective on March 19, 2017.