



# Public Notice

U.S. Army Corps of Engineers, Norfolk District

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April 13, 2006

## Permit Compliance

The Norfolk District works diligently with applicants and their representatives during our review of permit applications to avoid and minimize impacts to waters and wetlands and compensate for impacts that are demonstrated to be unavoidable. A large portion of our time is focused on performing preapplication consultations, confirming delineations, and evaluating permit applications.

With additional program efficiencies (preprinted delineation confirmation letters, general permits, and better coordination with localities), we have begun devoting additional resources to permit compliance. Perhaps because of this effort, we have discovered more incidents of permit noncompliance. We have also uncovered instances where a permit application has been submitted, but the work has commenced prior to obtaining a permit.

We take our Clean Water Act and Rivers and Harbors Act responsibilities very seriously. We work independently or with pertinent local, State, and federal agencies to resolve instances of permit non-compliance. Among the tools available to us for resolving permit noncompliance are administrative penalties, litigation, and after-the-fact permits. Those who perform work that is not in compliance with the terms and conditions of their permits or who begin work prior to receiving their permits, may expect to be required to perform substantially more than “typical” mitigation to insure that the temporal losses of waters and wetlands do not occur.

/S/

J. Robert Hume, III  
Chief, Regulatory Branch