Public Notice

U.S. Army Corps of Engineers, Norfolk District

CENAO-REG

May 31, 2012

Reissuance of Norfolk
District State Programmatic General Permit

The Norfolk District is announcing the reissuance of the State Programmatic General Permit (SPGP) for Residential, Commercial, Institutional and Linear Transportation Projects. The issuance of the 12-SPGP-01 is to supersede the 07-SPGP-01 effective immediately. Attached is the final 12-SPGP-01 permit language. A copy of the Standard Operating Procedure can be obtained on the Norfolk District and VDEQ websites http://www.nao.usace.army.mil/Regulatory_Branch/Common_Requested.asp.

If a permittee has an existing and valid 07-SPGP-01 authorization, extension of that authorization will occur as follows:

1. Activities that continue to meet the terms and conditions of the 12-SPGP-01 are automatically reissued, via this public notice, and the new expiration date is May 31, 2017. The applicant should print a copy of this public notice and keep it with the 07-SPGP-01 authorization. No additional documentation is needed.
2. Activities which have commenced (i.e. under construction) or under contract to commence in reliance upon the 07-SPGP-01 that do not meet the terms and conditions of the 12-SPGP-01 will remain authorized provided the activity is completed within twelve months of the 07-SPGP-01 expiration, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.7(a-e). If work cannot be completed by June 1, 2013, you must reapply for separate permit authorization in order to meet current permit criteria.
3. Activities that do not meet the terms and conditions of the 12-SPGP-01, that have not commenced construction or that are not under contract to commence construction must be completed by June 1, 2012. The applicant must reapply for separate permit authorization in order to meet current permit criteria.

All project specific special conditions of a 07-SPGP-01 authorization remain effective and the applicant must maintain compliance with those conditions.

At this time changes to the Section 106 process, as described in the SPGP Programmatic Agreement (PA), will not be implemented. Once the Norfolk District has finalized the SPGP PA a separate public notice will be issued announcing implementation of the revised SPGP PA. In the interim the VDEQ will continue to use the 07-SPGP-01 Section 106 review process.

If you have any questions regarding the 12-SPGP-01 permit or SOP please contact Ms. Anna Lawston at 540-937-4197 or by email at anna.r.lawston@usace.army.mil.

If you have any questions regarding the SPGP PA please contact Ms. Audrey Cotnoir at 757-549-8819 or by email at audrey.l.cotnoir@usace.army.mil.

FOR THE DISTRICT COMMANDER:

William T. Walker
Chief, Regulatory Branch

Attachments: