



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NORTH ATLANTIC DIVISION
FORT HAMILTON MILITARY COMMUNITY
302 GENERAL LEE AVENUE
BROOKLYN NY 11252-6700

MAR 13 2017

CENAD-PD-OR

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, Norfolk District, 803
Front Street, Norfolk VA 23510

SUBJECT: Modification of Nationwide Permits in the Norfolk District

1. References:

- a. Title 33 CFR Parts 330.1(d), 330.4 (e)(1) and 330.5 (c)(1)(iii).
- b. CENAD-PD-OR Memorandum for the Record dated 13 March 2017 (Encl 1).

2. Reference 1b. above summarizes the process followed in the preparation of supplemental decision documents. These documents discuss regional conditions that are necessary to ensure that activities authorized by NWP's will result in no more than minimal individual and cumulative adverse environmental effects in the Commonwealth of Virginia. I hereby approve the regional conditions proposed for the NWP's in the Commonwealth of Virginia.

3. The point of contact is Mr. James Haggerty, Regulatory Program Manager, (347) 370-4650.

Encl

A handwritten signature in black ink, appearing to read "W. H. Graham".

WILLIAM H. GRAHAM
Brigadier General, USA
Commanding



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MEMORANDUM FOR RECORD

SUBJECT: Supplemental Decision Documents for the 2017 Nationwide Permits
Published in the 6 January 2017 issue of the *Federal Register*

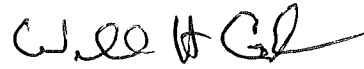
1. In the 6 January 2017 issue of the *Federal Register* (82 FR 1860), the U.S. Army Corps of Engineers (Corps) announced the reissuance of 50 existing Nationwide Permits (NWP) and the issuance of two new NWP. In this *Federal Register* notice, the Corps also announced the reissuance of 31 existing NWP general conditions and one new NWP general condition. The NWP and the general conditions go into effect on 19 March 2017.
2. For each of the reissued and new NWP, HQUSACE issued a decision document that contains an Environmental Assessment (EA), Statement of Findings, public interest review, and if the NWP authorizes discharges of dredged or fill material into waters of the United States, a Clean Water Act section 404(b)(1) Guidelines analysis. The division engineer has the authority to assert discretionary authority by modifying, suspending, or revoking NWP authorizations for a specific geographic area, class of activity, or class of waters, whenever he or she determines there are sufficient concerns for the environment under the Clean Water Act section 404(b)(1) Guidelines or for any other factor of the public interest, or if he or she determines that the NWP would result in more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.4(e)(1)). In accordance with 33 CFR 330.5(c)(1)(iii), division engineers prepare supplemental decision documents for the NWP. The supplemental decision documents address locally important factors relating to the environment, the public interest, and when applicable, compliance with the 404(b)(1) Guidelines, to ensure that the NWP authorize only those activities that result in no more than minimal individual and cumulative adverse environmental effects. Division engineers may also suspend or revoke one or more NWP in a specific geographic area.
3. Each supplemental decision document for an NWP also discusses, as appropriate, regional conditions that are necessary to ensure that activities authorized by that NWP will result in no more than minimal individual and cumulative adverse environmental effects.
4. There are no NWP that will be suspended or revoked in the Commonwealth of Virginia.

CENAD-PD-OR

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5. Based on the considerations discussed in each of the supplemental decision documents, and in accordance with 33 CFR 330.4(e)(1) and 330.5(c), I have determined that each NWP that will be available for use in the Commonwealth of Virginia will only authorize those activities that result in no more than minimal individual and cumulative adverse environmental effects.

6. The point of contact is Mr. James Haggerty, Regulatory Program Manager, (347) 370-4650.



WILLIAM H. GRAHAM
Brigadier General, USA
Commanding