



**US Army Corps
of Engineers®**

SPECIAL PUBLIC NOTICE

March 2, 2012

LOS ANGELES DISTRICT

NATIONWIDE PERMIT REISSUANCE – REGIONAL CONDITION AMENDMENT

On February 16, 2011, the U.S. Army Corps of Engineers published in the Federal Register its proposal to reissue 48 of its existing nationwide permits (NWP) and issue two new NWP. In conjunction with the Federal Register notice, Corps districts announced proposed regional conditions for these NWP for public comment. The public review and comment period closed April 11, 2011.

Today's Special Public Notice is to provide notification of a proposed minor amendment to one of the regional conditions proposed for use by the Los Angeles District. Namely, the following regional condition is modified to add two new NWP (numbers 51 and 52) to the list of 2012 NWP whose use in the San Diego Creek and San Juan Creek/Western San Mateo Creek Watersheds in Orange County, California will be revoked:

8. In conjunction with the Los Angeles District's Special Area Management Plans (SAMP) for the San Diego Creek Watershed and San Juan Creek/Western San Mateo Creek Watersheds in Orange County, California, the Corps' Division Engineer, through his discretionary authority has revoked the use of the following 26 selected NWP within these SAMP watersheds: 03, 07, 12, 13, 14, 16, 17, 18, 19, 21, 25, 27, 29, 31, 33, 39, 40, 41, 42, 43, 44, 46, 49, 50, 51, and 52. Consequently, these NWP are no longer available in those watersheds to authorize impacts to waters of the United States from discharges of dredged or fill material under the Corps' Clean Water Act section 404 authority.

Comments on regional issues relating to the proposed NWP and regional conditions were accepted and received on or before April 11, 2011. A 15-day public review and comment period pertaining to the Los Angeles District's proposed minor amendment to regional condition #8 described above closes **March 17, 2012**. Comments on this proposed minor amendment are to be sent to Antal.J.Szjij@usace.army.mil or U.S. Army Corps of Engineers, Ventura Field Office, 2151 Alessandro Drive, Suite 110, Ventura, CA 93001, Attn: Antal Szjij on or before **March 17, 2012**.

After the final NWP are issued, the final regional conditions will be issued after they are approved by the Division Commander. After the final NWP are issued, States and Tribes will make their Clean Water Act Section 401 (401) water quality certification and Coastal Zone Management Act (CZMA) consistency determination decisions. The 401/CZMA decisions must be made within 90 days of the Federal Register notice announcing the issuance of the NWP. The final NWP will go into effect on or before March 19, 2012.

As previously stated, draft decision documents, which include environmental documentation required by the National Environmental Policy Act, have been prepared by Corps Headquarters. The decision documents will address compliance of the NWP with the requirements for issuance under general permit authority. These documents, as well as the proposed NWP, are available for viewing at Los Angeles District, Regulatory Branch, 915 Wilshire Blvd, Los Angeles, CA 90017 or on the Internet at www.regulations.gov, docket number COE-2010-0035. Final decision documents will be prepared for those NWP that are issued. In addition, the national NWP decision documents will be supplemented by division engineers to address their decisions concerning regional conditions for the NWP.