

# US Army Corps of Engineers Regulatory Program

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# Permit Requirements

Generally, any discharge of dredged or fill material into waters of the United States, including wetlands, requires a Department of the Army Permit. **Fill** means any material used for the primary purpose of replacing an aquatic area with dry land, or changing the bottom elevation of a waterbody.



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# Types of Permits available for Oyster Cultch and Sanctuaries in North Carolina

Nationwide Permits

Programmatic General Permits

Individual (Standard) Permits



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# Nationwide Permits

NWP 3 / Maintenance – The repair, rehabilitation, or replacement of an previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification.

Notification Not Required.



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# Nationwide Permits

**NWP 27 / Aquatic Habitat Restoration, Establishment, and Enhancement Activities – Activities in waters of the United States associated with the restoration, enhancement, and establishment resulting in a net increase of aquatic resource functions and services, including the construction of oyster habitat over un-vegetated bottom in tidal waters...**

**Notification Procedures Required**



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## Nationwide Permits

**NWP 48 / Commercial Shellfish Aquaculture Activities – Discharges of dredged or fill material in waters of the United States or structures in navigable waters necessary for commercial shellfish aquaculture operations in authorized project areas through a lease or permit issued by an appropriate state or local government agency.....**

**Notification Procedures Required**



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# Programmatic General Permit

**PGP 198000291 / To authorize those construction activities in the 20 coastal counties receiving prior approval from the State of North Carolina in the form of a Coastal Area Management Act (CAMA) Permit, and/or a State Dredge and Fill Permit.....**

**Permit Review Process**



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# Notification Requirements

Notification Procedures and/or Agency Review required if:

- (1) work proposed in areas inhabited by submerged aquatic vegetation;
- (2) Activities include species not previously cultivated in waterbody;
- (3) Involves a change from bottom culture to floating or suspended culture;
- (4) Activity occurs in a new area



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## Individual (Standard) Permit

If at any time the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the applicant will be notified that the project does not qualify for authorization under the NWP or PGP and instruct the applicant on the procedures to seek authorization under an Individual Permit.....



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