



Special Public Notice

**U.S. Army Corps
Of Engineers
Fort Worth District**

****CORRECTED LINK****
2017 Nationwide Permit
Regional Conditions for the
State of Texas

Date Issued: March 31, 2017

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

On January 6, 2017, the U.S. Army Corps of Engineers (Corps) published notice in the *Federal Register* announcing the reissuance of Nationwide Permits (NWP), general conditions, and definitions with some modifications. The NWPs became effective on March 19, 2017, and will expire on March 18, 2022. On March 28, 2017, the Southwestern Division Engineer approved regional conditions for the NWPs in Texas. These conditions apply to all activities authorized by NWPs. Regional conditions provide additional protections for the aquatic environment by ensuring that the NWPs authorize only those activities with minimal adverse effects on the aquatic environment. The Fort Worth District has posted the regional conditions for NWPs issued in Texas on our Regulatory webpage at (**CORRECTED LINK**):

<http://www.swf.usace.army.mil/Portals/47/Users/053/21/821/2017%20NWP%20TX%20RC%20final.pdf?ver=2017-03-28-152956-423>

On March 6, 2017, the Texas Commission on Environmental Quality (TCEQ) issued conditioned water quality certifications (WQC) for all NWPs with the exception of NWP 16 which the Southwestern Division Engineer considered denied due to unenforceability. Applicants seeking authorization under NWP 16 will be required to obtain individual WQC. On March 7, 2017, the Texas General Land Office issued their Coastal Zone Management Act (CZMA) consistency determinations. WQC by the Railroad Commission of Texas has been waived due to a lack of response to Corps coordination efforts.

The Southwestern Division Engineer also removed a proposed Fort Worth District regional condition that would have required pre-construction notification (PCN) for projects involving discharges for the construction of water intake structures under NWP 12. This proposed regional condition will be announced in an upcoming Public Notice and will be coordinated for evaluation statewide in Texas.

Questions regarding this matter should be directed to the Regulatory Division by telephone at 817-886-1744 or by email at darwin.messer@usace.army.mil.

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