

Final 2020 Nationwide Permit Suspensions for the State of Maryland, the Commonwealth of Pennsylvania, the District of Columbia and for Fort Belvoir, Fort Myer, and the Pentagon in Virginia

I. Commonwealth of Pennsylvania

A. The following NWP's are **suspended** in the Commonwealth of Pennsylvania, except in those areas and activities enumerated in Section I.B. below:

NWP 1: Aids to Navigation

NWP 4: Fish and Wildlife Harvesting, Enhancement, & Attraction Devices and Activities

NWP 5: Scientific Measurement Devices

NWP 7: Outfall Structures and Associated Intake Structures

NWP 10: Mooring Buoys

NWP 11: Temporary Recreational Structures

NWP 12: Oil or Natural Gas Pipeline Activities

NWP 13: Bank Stabilization

NWP 14: Linear Transportation Projects

NWP 15: U.S. Coast Guard Approved Bridges

NWP 18: Minor Discharges

NWP 19: Minor Dredging

NWP 20: Response Operations for Oil and Hazardous Substances

NWP 25: Structural Discharges

NWP 26: [Reserved]

NWP 29: Residential Developments

NWP 33: Temporary Construction, Access, and Dewatering

NWP 34: Cranberry Production Activities

NWP 36: Boat Ramps

NWP 37: Emergency Watershed Protection and Rehabilitation

NWP 39: Commercial and Institutional Developments

NWP 40: Agricultural Activities

NWP 41: Reshaping Existing Drainage Ditches and Irrigation Ditches

NWP 42: Recreational Facilities

NWP 43: Stormwater Management Facilities

NWP 45: Repair of Uplands Damaged by Discrete Events

NWP 46: Discharges in Ditches

NWP 47: [Reserved]

NWP 51: Land-Based Renewable Energy Generation Facilities

NWP 53: Removal of Low-Head Dams

NWP 54: Living Shorelines

NWP C: Electric Utility Line and Telecommunications Activities

NWP D: Utility Line Activities for Water and Other Substances

NWP E: Water Reclamation and Reuse Facilities

B. This suspension of the NWP's listed in Part I.A of this Special Public Notice is **not applicable** within the Commonwealth of Pennsylvania geographic boundaries for the following:

a. Areas within Pittsburgh District's area of responsibility in the Commonwealth of Pennsylvania. Please see the website below for the Regulatory boundaries of the Pittsburgh District.

https://www.lrp.usace.army.mil/Portals/72/Regulatory_District_Map_Poster%2020190925_0921.pdf

The Pittsburgh District can be reached at the following email and phone numbers for more information.

Pittsburgh Regulatory Branch email: Regulatory.Permits@usace.army.mil

Phone: (412) 395-7155

b. Part III.A.5 of the PASPGP-5 lists certain ineligible waterways for which PASPGP authorization is not available. Therefore, consistent with the processes outlined in Part V.D of the PASPGP-5 (or its successor) and the NWP's, NWP authorization may be available for activities that include activities located channelward of the ordinary high water line (OHWL) on non-tidal waters and/or the mean high water line (MHWL) on tidal waters on the following water bodies in Pennsylvania):

1. The Delaware River, downstream of the U.S. Route 202 Bridge at New Hope, Pennsylvania;
2. The Schuylkill River downstream of the Fairmount Dam in Philadelphia, Pennsylvania;

c. Nationwide Permit Activities 7, 11, 12, 14, 15, 18, 19, 25, 33, NWP C, and NWP D when the regulated activity or area of indirect impact (secondary impact) is not wholly located within the Commonwealth of Pennsylvania, i.e. the regulated activity extends across state boundaries.

II. State of Maryland

A. The suspension of the NWP's listed in section II.B of this notice is **not applicable** within the State of Maryland in certain wetlands and other waters of the United States near the Chesapeake and Delaware Canal. These areas include Back Creek (of the Chesapeake and Delaware Canal), east of a line extending from Welch Point to Courthouse Point to the Delaware line and to the Second Street Bridge to the south; Herring Creek east of the line extending from Welch Point to Courthouse Point to the dam that crosses Herring Creek; and Long Branch to the Boat Yard Road Bridge to the north, including adjacent and contiguous jurisdictional wetlands to these tidal waterways. These exempted areas fall within the U.S. Army Corps of Engineers (Corps) Philadelphia District's regulatory geographic boundaries.

B. The following NWP's are **suspended** in the State of Maryland:

NWP 1: Aids to Navigation
NWP 2: Structures in Artificial Canals
NWP 3: Maintenance (except for repair, rehabilitation, or replacement in-kind of any previously authorized, currently serviceable structure or fill destroyed or damaged by storms, floods, fires, or other discrete events)
NWP 5: Scientific Measurement Devices
NWP 6: Survey Activities
NWP 7: Outfall Structures and Associated Intake Structures
NWP 9: Structures in Fleeting and Anchorage Areas
NWP 10: Mooring Buoys
NWP 11: Temporary Recreational Structures
NWP 12: Oil or Natural Gas Pipeline Activities
NWP 13: Bank Stabilization
NWP 14: Linear Transportation Projects
NWP 15: U.S. Coast Guard Approved Bridges
NWP 16: Return Water from Upland Contained Disposal Areas
NWP 18: Minor Discharges
NWP 19: Minor Dredging
NWP 21: Surface Coal Mining Activities
NWP 26: [Reserved]
NWP 28: Modifications of Existing Marinas
NWP 29: Residential Developments
NWP 33: Temporary Construction, Access and Dewatering
NWP 34: Cranberry Production Activities
NWP 35: Maintenance Dredging of Existing Basins
NWP 36: Boat Ramps
NWP 39: Commercial and Institutional Developments
NWP 40: Agricultural Activities
NWP 41: Reshaping Existing Drainage Ditches and Irrigation Ditches
NWP 42: Recreational Facilities
NWP 43: Stormwater Management Facilities
NWP 44: Mining Activities
NWP 45: Repair of Uplands Damaged by Discrete Events
NWP 46: Discharges in Ditches
NWP 47: [Reserved]
NWP 49: Coal Remining Activities
NWP 50: Underground Coal Mining Activities
NWP 51: Land-Based Renewable Energy Generation Facilities
NWP 52: Water-Based Renewable Energy Generation Pilot Projects (except for activities in tidal navigable waters of the United States)
NWP C: Electric Utility Line and Telecommunications Activities
NWP D: Utility Line Activities for Water and Other Substances
NWP E: Water Reclamation and Reuse Facilities

III. District of Columbia

A. The Following NWP's are **suspended** within the District of Columbia:

- NWP 21: Surface Coal Mining Activities
- NWP 34: Cranberry Production Activities
- NWP 48: Aquaculture Activities
- NWP 49: Coal Remining Activities
- NWP 50: Underground Coal Mining Activities
- NWP A: Seaweed Mariculture Activities
- NWP B: Finfish Mariculture Activities

IV. Military Installation of Northern Virginia within the Regulatory geographic boundaries of the Baltimore District.

A. The NWP's are not suspended for Fort Myer, Fort Belvoir, and the Pentagon.

V. Suspension will terminate the Corps' ability to verify any new projects under one of the suspended NWP's unless and until the Chief of Engineers or the appropriate District or Division Engineer makes a determination to the contrary pursuant to 33 C.F.R. § 330.4 or § 330.5.

For more information regarding the final regional conditions and the suspension of Nationwide Permits, contact Ms. Beth E. Bachur, CENAB-OP-R, at (410) 962-4336, or email at Beth.Bachur@usace.army.mil.