



# Public Notice

Public Notice No. NAP-NJSPGP-17 (reissuance)

In Reply Refer to: CENAP-OPR NJSPGP-17

Date: January 3, 2023

**US Army Corps of Engineers**  
Philadelphia District  
100 South Independence Mall West  
Philadelphia, Pennsylvania 19106

---

DEPARTMENT OF THE ARMY  
STATE PROGRAMMATIC GENERAL PERMIT  
STATE OF NEW JERSEY  
U.S. ARMY CORPS OF ENGINEERS  
PHILADELPHIA DISTRICT

PUBLIC NOTICE OF GENERAL PERMIT REISSUANCE

Reference is made to Public Notice NAP-NJ-SPGP17 dated September 13, 2022, proposing the reissuance of Department of the Army General Permit New Jersey-SPGP-17 (NJSPGP-17) under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act for the construction of structures, work, and the discharge of dredged and fill material in substantially developed artificial tidal lagoons in the State of New Jersey.

After a complete review of our file and full consideration of the comments and recommendations received in response to the above referenced public notice, the reissuance of NJSPGP-17 was signed on December 29, 2022 (Enclosure). The NJSPGP-17 was implemented and in full effect in the applicable portions of the State of New Jersey on January 1, 2023. This General Permit authorizes the construction of structures, work, and the discharge of dredged and fill material in substantially developed artificial tidal lagoons in the State of New Jersey. This General Permit is applicable to the appropriate navigable waters located within the geographic boundaries of both the Philadelphia District and the New York District of the Corps of Engineers.

Any person who wishes to perform work under the terms and conditions of this General Permit need only apply to the Department of Environmental Protection, Division of Land Resource Protection, Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420 or [NJDEP-Division of Land Resource Protection-eServices](#). Once the State has determined that the proposed work conforms with this General Permit, any Land Use Authorization or Permit will also include the approval of the NJSPGP-17. Conversely, existing or proposed structures or work in navigable waters of the United States will not be considered approved by this office unless prior review and approval has been completed by the State. No work under the General Permit shall commence until a copy of the NJSPGP-17 is received from the State of New Jersey.

This General Permit has been reissued for a period of five (5) years. It expires on December 31, 2027. At that time, an assessment of the cumulative impacts of this General Permit will be done to determine if the general permit should be reissued.

Please note NJSPGP-17 has been modified. Terms of authorization and special conditions of NJSPGP-17 have been modified as described in the attached NJSPGP-17. Significant changes include A) the removal of approval for access channel dredging outside of lagoons and B) the requirement for usage of alternative materials in portions of lagoons NOT identified as shellfish habitat themselves but immediately drain to mapped shellfish habitat.

Any questions concerning this General Permit should be addressed in writing to the District Engineer at the address on the letterhead of this notice, by calling this office at (215) 656-6728, or by emailing [NAPREGULATORY@usace.army.mil](mailto:NAPREGULATORY@usace.army.mil).

FOR THE DISTRICT ENGINEER:

Todd A. Schaible  
Chief, Regulatory Branch