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Corps of Engineers proposes reissuing general permit for the state of Vermont for minimal-impact activities

CONCORD, Mass. – The U.S. Army Corps of Engineers, New England District is proposing to reissue the statewide Vermont General Permit (GP) for minimal-impact activities within the state of Vermont.

The existing General Permit will expire on Dec. 5, 2012. The Corps is proposing to reissue the Vermont GP for another five years no later than this date. The reissued General Permit will continue the expedited review process for activities in Corps jurisdiction under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899.

A public notice has been issued in accordance with 33 CFR 325.3(b) to coordinate reissuance of the General Permit with Federal resource agencies, state agencies and the public. It is available for review on the District website listed below.

General Permits are encouraged under the President's plan as a way to streamline state and Federal regulatory programs. The New England District has already had success with streamlining these programs with the use of GPs throughout New England. General permits have been in place in Vermont since 1997.

Continued use of the successful GP process in place of the nationwide permits (NWP) provides benefits to the public, including simplifying the process and expediting decisions while maintaining environmental protection. This GP would authorize activities formerly covered under the NWP program and currently covered under the existing Vermont GP. The District suspended all nationwide permits in the six New England states on March 15, 2012.

Projects with minimal individual and cumulative effects on the aquatic environment will be approved administratively under this GP. Projects with the potential for more than minimal effects will be subjected to Individual Permit review as detailed in 33 CFR 325. All GP authorizations will be subject to the applicability requirements, procedures, and conditions contained in the GP documentation. Project eligibility under this GP will fall into two categories: Category 1 (no application required) and Category 2 (application required).

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U.S. ARMY CORPS OF ENGINEERS – NEW ENGLAND DISTRICT
696 VIRGINIA ROAD, CONCORD, MA 01742-2751
<http://www.nae.usace.army.mil>



Corps proposes reissuance of Vermont GP/2-2-2-2-2

Representatives of the Corps, state agencies, and the Federal resource agencies (U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, and the National Marine Fisheries Service) will continue to review Category 2 activities as outlined in the Vermont GP. The current GP is located at <http://www.nae.usace.army.mil>. Select “Regulatory,” “General Information,” “State General Permits,” and then “Vermont.” A hard copy can also be obtained by contacting the project manager listed below.

Projects that do not meet the terms and conditions of the GP will require an Individual Permit. The GP reissuance does not alter Individual Permit review procedures. The reissuance also does not alter the Federal exemptions, which are not necessarily the same as the state of Vermont’s exemptions. In addition, individual GP authorizations do not obviate the requirement to obtain all other required Federal and state permits and/or certifications.

Through interagency screening, the Corps will determine if the individual and cumulative adverse environmental impacts are minimal and whether a project may proceed under GP authorization.

The proposed GP does not affect activities authorized under the existing GP that have commenced work prior to the re-issuance. Activities which have commenced (i.e. are under construction or are under contract to commence) prior to the re-issuance date of this GP, in reliance upon the terms and conditions of the category under which it was authorized, shall remain authorized provided the activity is completed by the project-specific date the Corps provides to the permittee in the GP authorization letter.

Public comments on this proposal should be sent no later than July 26, 2012 to U.S. Army Corps of Engineers, New England District, Vermont Project Office (ATTN: Marty Abair), 8 Carmichael Street, Suite 205, Essex Junction, Vermont 05452. Additional information is available from Corps’ Regulatory Division Permit Project Manager Marty Abair at 978-318-8484 or by email to martha.a.abair@usace.army.mil.

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