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Corps modifies statewide Massachusetts General Permit for minimal impact activities on aquatic environment

CONCORD, Mass. – The U.S. Army Corps of Engineers, New England District is modifying the statewide Massachusetts General Permit for minimal impact activities within waters of the U.S. in the Commonwealth of Massachusetts.

The modified General Permit will continue the simplified review process for activities in Corps of Engineers jurisdiction under Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research and Sanctuaries Act.

The only changes were to update contact information for the Mashpee Wampanoag Tribe and Narragansett Tribe provided in Appendix F, Contacts and Tribal Areas of Interest on page 2.

The General Permit's expiration of Jan. 20, 2015 will not change. General Permits (GPs) are encouraged under the President's plan as a way to streamline state and Federal regulatory programs. A GP has been in place in Massachusetts since 1993. The current GP is located at <http://www.nae.usace.army.mil/Regulatory/> under "State General Permits."

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

The Corps coordinates Category 2 activities with state and Federal resource agencies (U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, and National Marine Fisheries Service) as required and determines if the individual and cumulative adverse environmental impacts are minimal and whether a project may proceed under GP authorization. Projects that do not meet the terms and conditions of the GP require an Individual Permit. Projects authorized under the GP are not valid until all other required Federal and state permits and/or certifications are obtained.

Questions on this General Permit (file # NAE-2009-1217) can be directed to the U.S. Army Corps of Engineers, New England District, Regulatory Division (ATTN: Greg Penta), 696 Virginia Road, Concord, MA 01742-2751; by phone at 978-318-8862 or toll free 800-343-4789 or 800-362-4367 (if calling from within Massachusetts) or by email to: gregory.r.penta@usace.army.mil.

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