

Reference: RGL 83-08

Subject: NATIONWIDE PERMIT MONITORING

Title: NATIONWIDE PERMIT PROGRAM-MONITORING ACTIVITIES

Issued: 06/08/83 Expires: 12/31/85

Originator: DAEN-CWO-N

**Description: REQUIRES FIELD OFFICES TO MONITOR AND REPORT
IMPACTS OF ACTIVITIES AUTHORIZED BY NATIONWIDE PERMITS.**

1. The purpose of this letter is to restate the need to evaluate the environmental effects of activities authorized by the nationwide permits and to assess their cumulative impacts. The basic policy was stated initially in the preamble to the 19 July 1977 regulations:

"We intend to remain aware of potential cumulative impacts that may occur on a regional basis as a result of these nationwide permits. If adverse cumulative impacts are anticipated from any of the discharges subject to these nationwide permits, we intend to take appropriate administrative action including the exercise of authority expressed in Section 323.4-4 to require individual or general permits for these activities."

This was succeeded in detail and clarified by the letters, "Guidance on Nationwide Permits" dated 31 August 1977 and 3 October 1977. That guidance was sunsetted by the 22 July 1982 Interim Final Regulations.

2. The expanded use of nationwide permits increases the need locally to monitor the effects of activities authorized by these permits. This may be accomplished by all reasonable methods that districts find appropriate. Some examples are: (a) obtaining statistics from other Federal, state/local permitting agencies (e.g., Office of Coastal Zone Management, state wetlands or waterways regulatory agencies, local building or zoning commissions); (b) statistically valid surveillance activities; (c) periodic coordination for those permits which rely on another agency's review; (d) discussions with field personnel from other Federal and state agencies; (e) periodic review of activities or water bodies which were considered but rejected for individual discretionary authority. Whatever methods are adopted by the FOA, the information accumulated must be sufficient for OCE to assess the effects of the program on the overall public interest including environmental quality.

3. Ten nationwide permits have built-in reporting requirements either explicitly (330.5(a)(21)) or through established coordination procedures (330.5(a)(1), (7), (8), (9),

(15), (17), (20), (23). and (24). In addition, division commanders have the authority under Section 330.7 to require case-by-case reporting if appropriate. Finally, we have included in the proposed regulations a solicitation of views on the need for a reporting requirement, whether there is a threshold size of fill below which reporting would not be necessary, and whether other management mechanisms such as statistical surveys, periodic reports from state or local agencies with similar programs, or other measures may provide more appropriate controls.

4. Divisions are directed to submit to DAEN-CWO-N by 1 July 1983, individual descriptions of the monitoring plan(s) utilized by each district. An evaluation report will be required by 1 August 1983. Subsequent reports will be requested as needed with an anticipated annual frequency. This is not intended to require districts to establish elaborate monitoring programs. Rather, the extent of monitoring should be tailored to the degree of risk to the resources and the degree of development pressure on the area and the resources involved.

FOR THE CHIEF OF ENGINEERS: