

SHELLFISH AQUACULTURE PERMITTING PROGRAM UPDATE

Seattle District
US Army Corps of Engineers
22 January 2018



"The views, opinions and findings contained in this report are those of the author(s) and should not be construed as an official Department of the Army position, policy or decision, unless so designated by other official documentation."



US Army Corps
of Engineers®



AGENDA

- Welcome by Seattle District Commander COL Mark Gerald
- Introductions
- I. Status of Nationwide Permit 48 Verifications
- II. Feedback:
 - The proffered permit process
 - Implementation of Conservation Measures
- III. Updated Eelgrass Delineation Guidelines
- Questions & Answers
- Closing Remarks



US Army Corps
of Engineers[®]



STATUS OF NWP 48 VERIFICATIONS

Process

Priorities

Status

How can shellfish operators help?



PROFFERED NWP 48 PROCEDURES

- Procedures apply to previously authorized 2012 NWP 48 with no changes
- Applicants received 2 copies of a verification letter and attachments
- If no changes occurred, and are not expected to occur, one copy is signed and returned to the Corps, second copy for grower's records
- ESA coverage from 2012 NWP 48 will carry-over
- Proffered permits must be returned and processed NLT 18 March 2018
- Operations with no previous verification follow standard PCN procedures



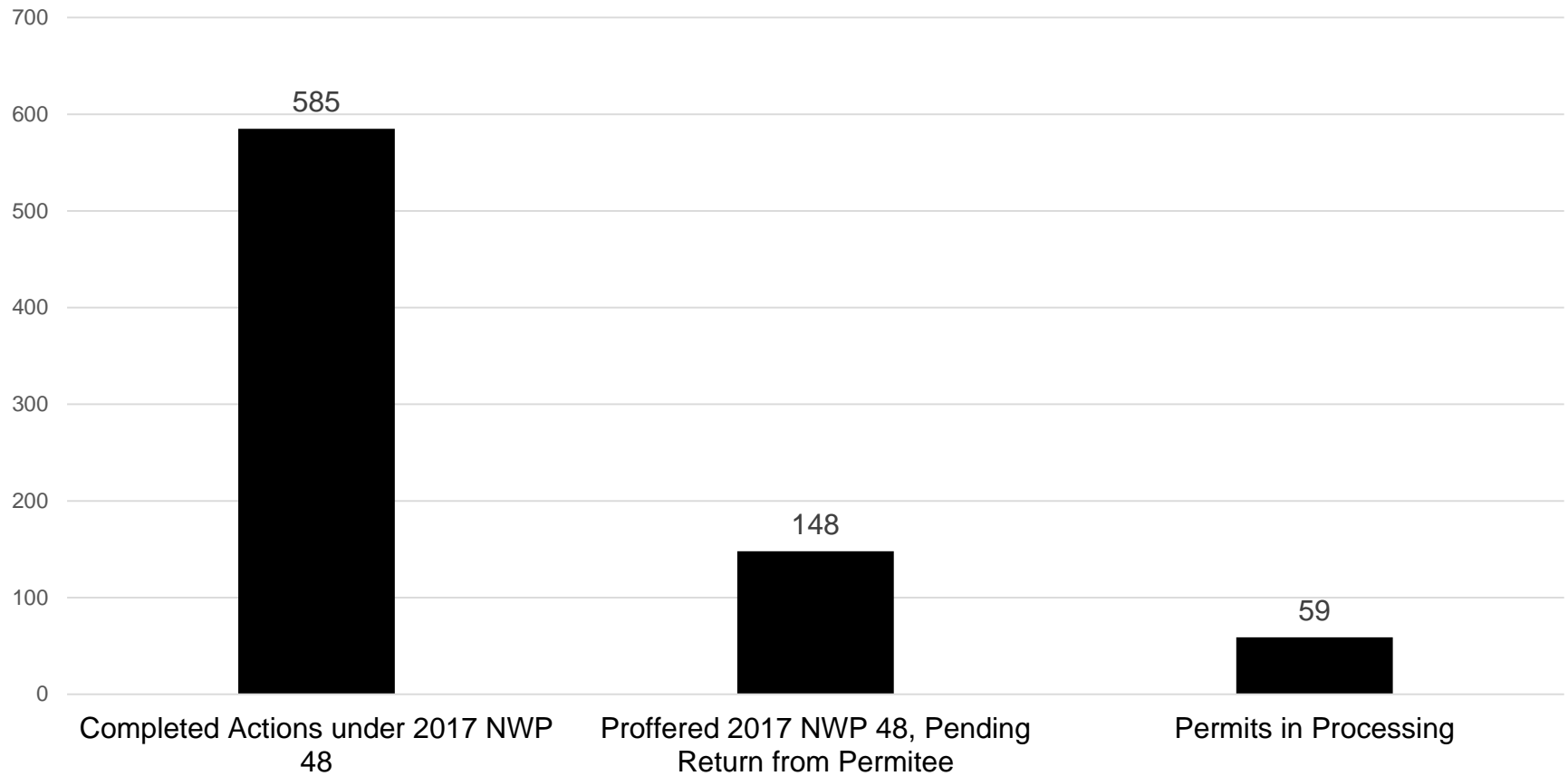
HOW ARE NWP 48 APPLICATIONS PRIORITIZED?

1. Proffered applications unchanged from the 2012 verification
2. Previously authorized nationwide permits with changes or modifications
3. NWP 48 that were never previously verified
4. New applications

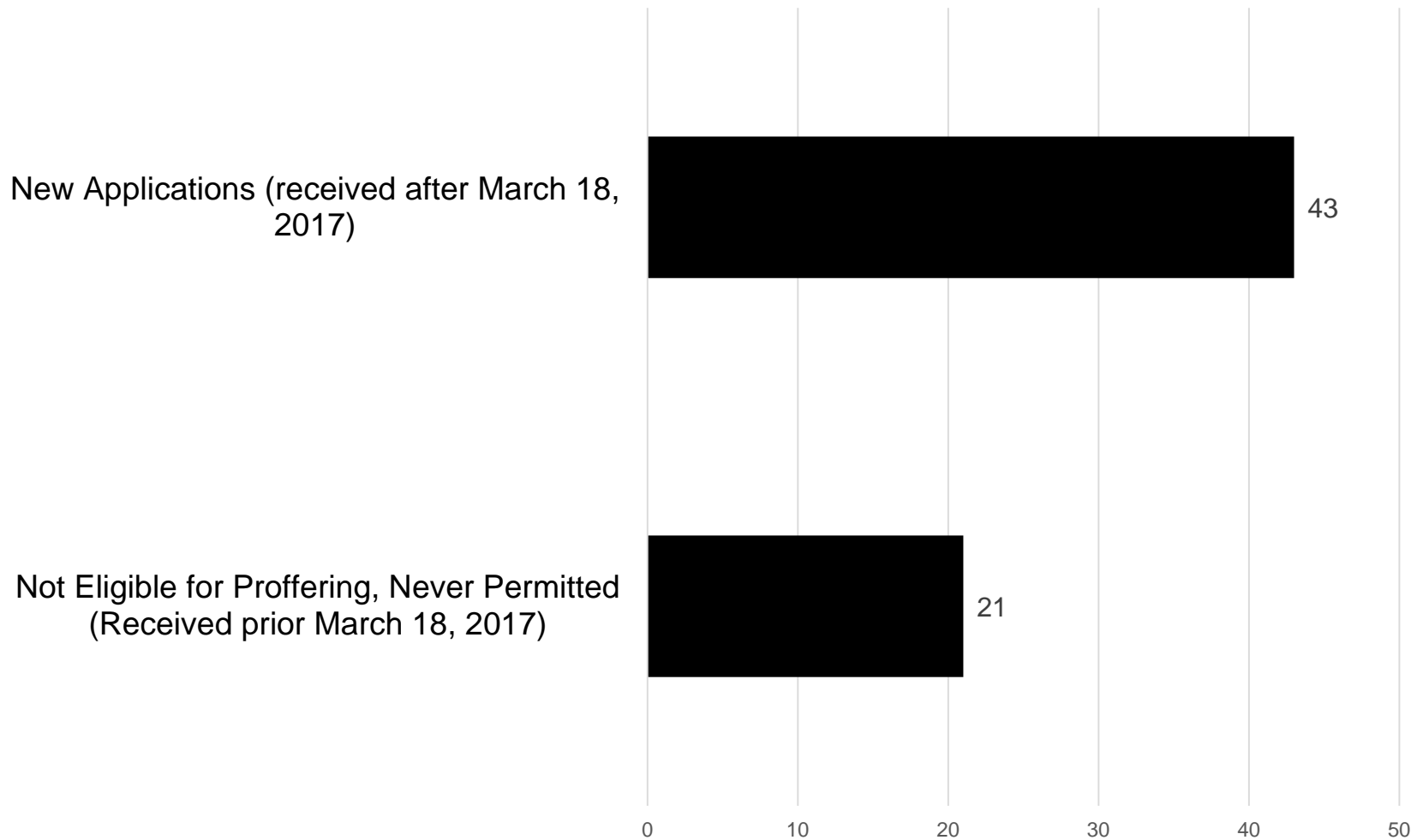


STATUS OF 2017 NWP 48 VERIFICATIONS

Status of 2012 NWP 48s as of
January 8, 2018 (n=792)



NEW APPLICATIONS AND/OR NEVER VERIFIED PROJECTS AS OF JANUARY 8, 2018



SOURCES OF DELAY FOR REMAINING NWP 48 PERMITS :

- Forthcoming modifications not submitted or under review
- Tribal settlement agreement not finalized
- Pending response to additional information request
- Not meeting ESA, need BE or project modification
- Tribal Objection U&A (access)
- Non-compliance



HOW CAN PERMITEES ASSIST?

- Return duplicate signature proffered permit
- Provide modifications by February 2, 2018
- Provide timely responses to information requests
- Contact Corps if no longer operating
- Work diligently to finalize shellfish settlement agreements
- Resolve tribal objections (U&A)



FEEDBACK

- The Proffered Permit Process
- Implementation of ESA BiOp Conservation Measures

Comment Form

Shellfish Aquaculture Information Meeting



U.S. ARMY CORPS OF ENGINEERS

January 22, 2016

BUILDING STRONG[®]

What feedback do you have about your implementation of the Shellfish Activity Programmatic Biological Opinion's Conservation Measures?

What feedback do you have about the proffered NWP 48 (2017) process?

Are there additional shellfish cultivation activities (e.g., other shellfish species, cultivation methods) you would like the Army Corps to consult programmaticaly with NMFS and/or USFWS?

To receive information regarding shellfish aquaculture Army permitting, provide us with your contact information:

Name: _____
 Address: _____
 Email: _____

OTHER Comments:

Please drop in comment box or mail to: Matthew Bennett, CERWS-ODR, PO Box 3755, Seattle, WA 98124-3755

U.S. ARMY CORPS OF ENGINEERS - SEATTLE DISTRICT
<http://www.usace.army.mil>



US Army Corps of Engineers[®]



EELGRASS DELINEATION GUIDELINES

Updates
Status



EELGRASS DELINEATION GUIDELINES

- NEED: Eelgrass is a *special aquatic site* requiring identification per NWP General Condition 32- Notification
- *Interim* Guidelines made available to public May 2016
- Guidelines are for Regulatory Program and is discretionary
- Training for use of the guidelines provided summer 2017
- Solicited user comments
- Comments incorporated into revised version, January 2018.
- Can be modified in future as new science is developed and or clarifications are needed



CHANGES TO PREVIOUS VERSION

Previous version had 4 tiers:

1. Preliminary-non-quantitative survey to document absence of eelgrass at a site
2. Tier 1 - involves delineation of bed for projects that intend to avoid eelgrass
3. Tier 2 and Tier 3: involve delineation + characterization of eelgrass beds for projects with potential impacts to eelgrass
4. Tier 3 more rigorous than Tier 2 based on size and severity of potential impacts



CHANGES TO PREVIOUS VERSION

- New document separates the delineation and characterization processes.
- New stand alone document is focused on the delineation process
- Intended to document absence of eelgrass or to document avoidance of eelgrass beds
- New document includes preliminary and tier 1 surveys from previous version
- It is now available for use and posted on our website



CHANGES TO PREVIOUS DRAFT

- The Tier 2 and 3 surveys will be incorporated into forthcoming eelgrass characterization guidelines
- The characterization will include metrics associated with eelgrass functions which will inform potential compensatory mitigation



Questions



US Army Corps
of Engineers[®]



U.S. ARMY[®]