

PUBLIC ANNOUNCEMENT
Procedures for 2017 Nationwide Permit (NWP) 48 Verifications
For Activities Verified under the 2012 NWP 48

The U.S. Army Corps of Engineers (Corps) issued the final 2017 Nationwide Permits (NWPs) on March 19, 2017, for a period of five years. NWP 48 for *Commercial Shellfish Aquaculture Activities* was one of the NWPs reissued. All aquaculture activities previously verified under 2012 NWP 48 will need to receive verification under the 2017 NWP 48 or apply for and receive a standard permit in order to continue operations beyond March 18, 2018.

The Corps recognizes the unique ongoing nature of shellfish aquaculture with regards to Corps jurisdictional activities. The Corps will be reaching out directly to parties holding current 2012 NWP verifications for shellfish aquaculture activities in Washington State. This outreach aims to help applicants and the Corps quickly assess verification under the 2017 NWP 48 for ongoing, unchanged activities. The Corps' goal is to provide a reasonable, efficient, and effective method that works for applicants, agencies, Tribes, and the public.

Procedures: Applicants with ongoing activities verified under 2012 NWP with current Endangered Species Act coverage will receive two copies of a tentative verification letter with project drawings as found in the 2012 NWP 48 verification documents for the activities. If there have been no changes to the activities contained in the project drawings and/or project description, then the applicant can sign both copies of the letter and return one copy to the Corps. By signing the verification letter, the applicant will certify the activities are unchanged since their verification as permitted under the 2012 NWP 48 and they accept verification for only those same activities under 2017 NWP 48. An instructional cover letter will accompany these materials. Examples of changes include altering the area of cultivation or changing species or cultivation methods.

We request applicants return the signed letter within 45 days of receipt so we can complete the verification process in a timely manner. The applicant should keep the second copy of the letter and drawings for their records. Applicants seeking to conduct changed activities (those different or in different locations from previously verified drawings and/or project description) must contact the Seattle District to request a modification of the NWP verification and receive written approval prior to commencing work. Also, applicants who would like to consolidate a number of contiguous or proximally located project areas into one NWP 48 verification should contact the Seattle District.

Growers seeking a 2017 NWP 48 verification for activities not currently authorized by the Corps under a 2012 NWP 48 verification (such as in a new project area or an existing project area having never been verified previously by the Corps) must submit a Pre-Construction Notification that includes a complete description of the aquaculture activities anticipated to occur over the duration of the permit authorization within the applicant's project area. To the maximum extent practicable, all activities and structures must avoid submerged aquatic vegetation. For activities in marine waters with the potential to impact native eelgrass the PCN must include a delineation of any eelgrass. For projects requiring a delineation growers should contact the Seattle District for current delineation protocols.

Additional information regarding the 2017 NWP 48 reverification procedures will be provided at the next shellfish information meeting on June 21, 2017. The information meeting will be held from 1:00 to 3:00 p.m. at the Federal Center South, 4735 E. Marginal Way South, Seattle, Washington, in the Salish Sea Room of Building 1202. Notice of the information meeting will be issued in the near future.

For additional information about shellfish aquaculture permitting visit our website at:
<http://www.nws.usace.army.mil/>