



US Army Corps  
of Engineers  
Seattle District

# Special Public Notice

**Regulatory Branch**  
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**Clarification**  
**Public Notice Date: November 30, 2016**  
**Expiration Date: January 6, 2017**

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**CLARIFICATION TO NOVEMBER 23, 2016 SPECIAL PUBLIC NOTICE  
FOR  
NATIONWIDE PERMIT 48 COMMERCIAL SHELLFISH AQUACULTURE ACTIVITIES  
REISSUANCE REQUEST FOR COMMENTS**

On November 23, 2016, the U.S. Army Corps of Engineers (Corps) Seattle District issued a special public notice with proposed regional conditions specific to the proposed 2017 reauthorization of nationwide permit (NWP) 48. This clarification notice corrects an unintended interpretation of those proposed conditions. Proposed regional general conditions 10 and 14 will not be applicable to NWP 48. Potential users of NWP 48 are directed to review the text of General Condition (GC) 23 – *Mitigation* and GC 32 – *Pre-Construction Notification* that are included in the Nationwide Permits published by our [Headquarters office](#). GC 23 describes the requirements regarding mitigation, including the avoidance and minimization of both temporary and permanent adverse effects to waters of the United States. GC 32 describes the requirements for submitting a delineation of special aquatic sites, such as vegetated shallows, with all pre-construction notifications (PCN). The Seattle District has developed a document titled *Components of a Complete Eelgrass Delineation and Characterization Report* dated May 27, 2016, to assist applicants in completing delineations.

The Seattle District continues to seek comments on the two remaining proposed regional conditions for NWP 48. The comment period has been extended to January 6, 2017. Comments should be sent via email to [pamela.sanguinetti@usace.army.mil](mailto:pamela.sanguinetti@usace.army.mil) or by mail to the address listed above.

**PROPOSED NWP 48 SPECIFIC REGIONAL CONDITIONS**

**48. Commercial Shellfish Aquaculture Activities**

1. The PCN must include a complete description of the NWP 48 activities anticipated to occur over the duration of the permit authorization within the applicant's project area. If an operator intends to undertake unanticipated changes to the commercial shellfish aquaculture operation during the effective period of this NWP, and those changes require Department of the Army authorization, the operator must contact the district engineer to request a modification of the NWP verification and receive written approval prior to commencing work.
2. The harvest of clams by means of hydraulic escalator harvester equipment is not authorized by this NWP.