



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

CESA WRG (1145b)


12 March 2012

MEMORANDUM FOR COMMANDER, SOUTH ATLANTIC DIVISION

SUBJECT: Supplemental Environmental Documentation for the Wilmington District
Nationwide Permit Regional Conditions

1. I have enclosed, for your review and approval, the Wilmington District's supplemental environmental documents for the regional conditions we are proposing to accompany the final Nationwide Permits (NWP), reauthorized on 19 March 2012.
2. Enclosed are the 401 Water Quality Certification (WQC) issued by the North Carolina Division of Water Quality and the Coastal Zone Management Consistency Determination from the North Carolina Division of Coastal Management. At the present time we have not received WQC from the Eastern Band of the Cherokee. As provided by Corps regulations, the Eastern Band of the Cherokee final position on WQC for the NWP must be submitted within 60 days after publication of the final NWP in the Federal Register (i.e., 20 April 2012). If they do not reach a final position on WQC within 60 days of the date of publication of the final NWP in the Federal Register, we will presume that the WQC is waived. As discussed in the 21 February 2012 Federal Register notice, until 20 April 2012, authorization by NWP on the Qualla Boundary is contingent upon the permittee obtaining an individual WQC or a case-specific WQC waiver.
3. I have determined that the NWP, utilizing their terms and conditions as well as our regional conditions and limitations as proposed in the enclosed documents, will authorize only those activities with minimal adverse effects on the aquatic environment, individually, or cumulatively.
4. If you have any questions regarding these documents, please do not hesitate to contact Mr. Ken Jolly, my Regulatory Division Chief, at (910) 251-4630.

Encls


Steven A. Baker
Colonel, EN
Commanding