



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT
69 A HAGOOD AVENUE
CHARLESTON SC 29403-5107

Regulatory Division

PUBLIC NOTICE

***ALTERNATIVE PERMIT APPLICATION PROCESSING PROCEDURES FOR
ACTIVITIES IN RESPONSE TO HURRICANE IAN***

The purpose of this notice is to advise the public that the U.S. Army Corps of Engineers, Charleston District will initiate the following alternative permitting procedures in response to conditions resulting from Hurricane Ian. **These alternate procedures will be utilized for a period of 6 months from the date of this Notice, or 28 March 2023:**

1. In accordance with 33 CFR 325.2(e)(4), an “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the permit application under standard procedures.
2. Most “emergency” permitting will likely be accomplished through the nationwide permit (NWP) program. For example, all aspects of the maintenance/repair/replacement (of authorized structures) may be authorized via NWP #3. Additionally, bank stabilization activities may be authorized under NWP #13. These activities would be accomplished under the authorities of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).
3. For those actions that do not qualify for authorization under the terms and conditions of the NWP program, the following procedures will be used:
 - a. Requests for expedited permits associated with **Hurricane Ian** will be reviewed to determine if there is truly an emergency situation associated with the request.
 - b. If the action is determined to be an emergency, descriptions of the proposed action will be transmitted to representatives from each of the commenting agencies, including the State/Commonwealth agencies responsible for Section 401 Water Quality Certification and Coastal Zone Management Act (CZMA) Consistency Concurrence if required.
 - c. The District will make a permit decision after considering/addressing any comments submitted by the agencies. It is anticipated that this process can be finalized within 24-48 hours for most actions.

4. If additional information is needed, please contact the appropriate Regulatory Office within the Charleston District Regulatory Division, U.S. Army Corps of Engineers, as provided at the following link:

<http://www.sac.usace.army.mil/Missions/Regulatory/>

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