

JUN 04 2012



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

INTERSTATE WATERS OFFICE

May 29, 2012

Ms. Beth Bachur
Acting Chief, Regulatory Division
USACE-Baltimore
P.O. Box 1715
Baltimore, MD 21203-1715

Re: Federal Consistency/2012 Nationwide Permit Reissuance

Dear Ms. Bachur:

The Pennsylvania Coastal Resources Program (CRM) has reviewed the Federal Consistency Determination for the 2012 reissuance of the Nationwide Permits (NWP) and two new NWPs described in your letter dated March 2, 2012 and announced by the Army Corps of Engineers (ACOE) in the *Federal Register* on February 21, 2012. Our review is required under the Federal Coastal Zone Management Act of 1972, as amended, and regulation 15 CFR Part 930 Subpart C – Consistency for Federal Agency Activities.

CRM proposed to concur with your consistency determination for the reissued NWPs and the regional conditions issued by the Baltimore District for Pennsylvania, conditional upon their receiving certification in Pennsylvania under Section 401 of Clean Water Act. CRM solicited public comment on this proposed concurrence in a notice posted in the April 21, 2012 issue of the *Pennsylvania Bulletin*. No comments were received.

CRM hereby concurs with your federal consistency determination for the 2012 reissuance of the NWPs, the two new NWPs, and their regional conditions for Pennsylvania, conditional upon their receiving certification in Pennsylvania under Section 401 of the Clean Water Act. This concurrence does not apply to any NWPs which have been suspended by ACOE for use in Pennsylvania. Activities covered under these suspended NWPs may instead be authorized under PA State Programmatic General Permit 4 (PASPGP-4).

Please note that this determination pertains only to the federal consistency review requirements under the Federal Coastal Zone Management Act of 1972, as amended, and does not constitute a waiver from further Department of Environmental Protection's review or other Departmental permits.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew D. Walderon".

Matthew D. Walderon
Federal Consistency Coordinator
Coastal Resources Management Program