

Enclosure 1: Final 2021 Nationwide Permit (86 FR 73522) Suspensions for the State of Maryland, the Commonwealth of Pennsylvania, and the District of Columbia

I. Commonwealth of Pennsylvania

A. The following NWP's are **suspended** in the Commonwealth of Pennsylvania, except in those areas and activities enumerated in Section I.B. below:

- NWP 1: Aids to Navigation
- NWP 4: Fish and Wildlife Harvesting, Enhancement, & Attraction Devices and Activities
- NWP 5: Scientific Measurement Devices
- NWP 7: Outfall Structures and Associated Intake Structures
- NWP 10: Mooring Buoys
- NWP 11: Temporary Recreational Structures
- NWP 13: Bank Stabilization
- NWP 14: Linear Transportation Projects
- NWP 15: U.S. Coast Guard Approved Bridges
- NWP 18: Minor Discharges
- NWP 19: Minor Dredging
- NWP 20: Response Operations for Oil and Hazardous Substances
- NWP 25: Structural Discharges
- NWP 26: [Reserved]
- NWP 33: Temporary Construction, Access, and Dewatering
- NWP 34: Cranberry Production Activities
- NWP 36: Boat Ramps
- NWP 37: Emergency Watershed Protection and Rehabilitation
- NWP 41: Reshaping Existing Drainage Ditches and Irrigation Ditches
- NWP 45: Repair of Uplands Damaged by Discrete Events
- NWP 46: Discharges in Ditches
- NWP 47: [Reserved]
- NWP 53: Removal of Low-Head Dams
- NWP 54: Living Shorelines
- NWP 59: Water Reclamation and Reuse Facilities

B. This suspension of the NWP's listed in Part I.A of this Special Public Notice is **not applicable** within the Commonwealth of Pennsylvania geographic boundaries for the following:

1. Areas within Pittsburgh District's area of responsibility in the Commonwealth of Pennsylvania. Please see the website below for the Regulatory boundaries of the Pittsburgh District.
https://www.lrp.usace.army.mil/Portals/72/Regulatory_District_Map_Poster%2020190925_0921.pdf

The Pittsburgh District can be reached at the following email and phone numbers for more information.

Pittsburgh Regulatory Branch email: Regulatory.Permits@usace.army.mil

Phone: (412) 395-7155

2. NWP authorization may be available for activities located channelward of the ordinary high-water mark (OHWM) on non-tidal waters and/or the mean high water mark (MHWM) on tidal waters on the following water bodies in Pennsylvania:
 - a) The Delaware River, downstream of the U.S. Route 202 Bridge at New Hope, Pennsylvania
 - b) The Schuylkill River downstream of the Fairmount Dam in Philadelphia, Pennsylvania
3. Nationwide Permit Activities 7, 11, 14, 15, 18, 19, 25, and 33 when the regulated activity or area of indirect impact (secondary impact) is not wholly located within the Commonwealth of Pennsylvania, i.e., the regulated activity extends across state boundaries.

II. State of Maryland

- A. The suspension of the NWPs listed in section II.B of this notice is **not applicable** within the State of Maryland in certain wetlands and other waters of the United States near the Chesapeake and Delaware Canal. These areas include Back Creek (of the Chesapeake and Delaware Canal), east of a line extending from Welch Point to Courthouse Point to the Delaware line and to the Second Street Bridge to the south; Herring Creek east of the line extending from Welch Point to Courthouse Point to the dam that crosses Herring Creek; and Long Branch to the Boat Yard Road Bridge to the north, including adjacent and contiguous jurisdictional wetlands to these tidal waterways. These exempted areas fall within the U.S. Army Corps of Engineers (Corps) Philadelphia District's regulatory geographic boundaries.
- B. The following NWPs are **suspended** in the State of Maryland, except in the areas described in Section II.A above:
 - NWP 1: Aids to Navigation
 - NWP 2: Structures in Artificial Canals
 - NWP 3: Maintenance (except for repair, rehabilitation, or replacement in-kind of any previously authorized, currently serviceable structure or fill destroyed or damaged by storms, floods, fires, or other discrete events)
 - NWP 5: Scientific Measurement Devices
 - NWP 6: Survey Activities
 - NWP 7: Outfall Structures and Associated Intake Structures
 - NWP 9: Structures in Fleeting and Anchorage Areas
 - NWP 10: Mooring Buoys

NWP 11: Temporary Recreational Structures
NWP 13: Bank Stabilization
NWP 14: Linear Transportation Projects
NWP 15: U.S. Coast Guard Approved Bridges
NWP 16: Return Water from Upland Contained Disposal Areas
NWP 18: Minor Discharges
NWP 19: Minor Dredging
NWP 26: [Reserved]
NWP 28: Modifications of Existing Marinas
NWP 33: Temporary Construction, Access and Dewatering
NWP 34: Cranberry Production Activities
NWP 35: Maintenance Dredging of Existing Basins
NWP 36: Boat Ramps
NWP 41: Reshaping Existing Drainage Ditches and Irrigation Ditches
NWP 45: Repair of Uplands Damaged by Discrete Events
NWP 46: Discharges in Ditches
NWP 47: [Reserved]
NWP 49: Coal Remining Activities
NWP 59: Water Reclamation and Reuse Facilities

III. District of Columbia

A. The Following NWPs are **suspended** within the District of Columbia:

NWP 34: Cranberry Production Activities
NWP 49: Coal Remining Activities

IV. Military Installations of Northern Virginia within the Regulatory geographic boundaries of the Baltimore District (i.e., Fort Myer, Fort Belvoir, and the Pentagon).

A. The NWPs are **not suspended** for Fort Myer, Fort Belvoir, and the Pentagon. Please refer to the Norfolk District's final regional conditions applicable to Virginia (including northern Virginia military installations within the Baltimore District's area of responsibility) (<https://www.nao.usace.army.mil/Missions/Regulatory/>).

V. Suspension will terminate the Corps' ability to verify any new projects under one of the suspended NWPs unless and until the Chief of Engineers or the appropriate District or Division Engineer makes a determination to the contrary pursuant to 33 C.F.R. § 330.4 or § 330.5.

For more information regarding the final regional conditions and the suspension of Nationwide Permits, contact Ms. Beth E. Bachur at (410) 962-4336, or email at Beth.Bachur@usace.army.mil.