

**APPENDIX 6**  
**REGIONAL CONDITIONS TO THE 2026 NATIONWIDE PERMITS IN**  
**THE DISTRICT OF COLUMBIA**

All regional conditions listed in Section I and II below are applicable for activities in the District of Columbia. Regional conditions applicable to the Commonwealth of Virginia, including Fort Belvoir, Fort Myer, and the Pentagon within the Baltimore District's area of responsibility, can be found at Norfolk District's website: <http://www.nao.usace.army.mil/Missions/Regulatory/>.

**I. Regional Conditions Applicable to Specific Nationwide Permits within the District of Columbia:**

**A. Nationwide Permit 3 Maintenance:**

1. Prior to commencing the activity, permittees must submit a Pre-Construction Notification (PCN) to the District Engineer (see General Condition 32 and Regional General Condition 32) for all tide gate replacements where a self-regulating tide gate is not being proposed. Self-regulating tide gates should be designed to allow for unconstricted tidal flow and fish passage but can be set to close at a specified water level. For projects not proposing the use of self-regulating tide gates, the applicant shall demonstrate why it is not practicable to replace the tide gate with self-regulating tide gates and shall also provide documentation on the presence or absence of emergent tidal wetlands upstream of the proposed structure located upstream of the proposed structure. The District Engineer will coordinate review of the PCN with the National Marine Fisheries Service-Habitat and Ecosystem Services Division.

2. For activities under NWP 3(b), the removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built but cannot extend further than 50 feet in any direction from the structure, unless specifically authorized by the District Engineer.

**B. Nationwide Permit 5 Scientific Measurement Devices:**

The construction or installation of subaqueous turbines or similar is not authorized by this Nationwide Permit.

**C. Nationwide Permit 6 Survey Activities:**

1. Use of in-water explosives is not authorized under this Nationwide Permit.
2. The permittee shall ensure that all in-stream exploratory trenching is conducted under dry conditions.

**D. Nationwide Permit 7 Outfall Structures and Associated Intake Structures:**

1. Intake structures should be equipped with screening (with mesh size no larger than 1mm) of wedge wire or another material of equal or better performance. In addition, intake velocities should not exceed 0.25 ft. /sec. This condition may be waived by the District Engineer if a prospective permittee proposes to utilize new or improved technologies that meets or exceeds the "wedge wire" design technology.

2. The intake structure shall be positioned such that its design effectiveness minimizes impingement and entrainment of aquatic species where feasible. This would include efforts that result in stream velocities over, around or past the intake structure that exceed the velocities through the intake structure.

**E. Nationwide Permit 10 Mooring Buoys:**

1. Water depths in the mooring area must be sufficient that any moored vessels float at all stages of the tide or mean low water.

2. Mooring buoys are prohibited in areas mapped and/or ground-truthed (during the growing season) as submerged aquatic vegetation habitat. SAV shall be determined using the five (5) most recent years of verified SAV data (See Regional General Condition #32.2). The delineation of SAV may also be supplemented through ground-truthed SAV surveys conducted during the growing season.

**F. Nationwide Permit 11 Temporary Recreational Structures:**

1. Prior to doing the work, permittees must submit a Preconstruction Notification (PCN) to the District Engineer (see NWP General Condition 32 and Regional General Condition 32).

2. Water depths in the mooring area must be sufficient that any moored vessels float at all stages of the tide or mean low water.

3. This Nationwide Permit does not authorize the placement of any temporary structures in any areas containing mapped and/or ground-truthed (during the growing season) with submerged aquatic vegetation. SAV shall be determined using the five (5) most recent years of verified SAV data (See Regional General Condition #32.2). The delineation of SAV may also be supplemented through ground-truthed SAV surveys conducted during the growing season.

**G. Nationwide Permit 12 Oil or Natural Gas Pipeline Activities, Nationwide Permit 57 Electric Utility Line and Telecommunications Activities, Nationwide Permit 58 Utility Line Activities for Water and Other Substances:**

Prior to commencing work, permittees shall submit a Pre-construction Notification (PCN) to the District Engineer (see General Condition 32 and Regional General Condition 32).

1. Wherever practicable, excavated material shall be placed on an upland site. However, when this is not practicable, temporary stockpiling is authorized provided that all temporary stockpiling or side-casting of excavated material in wetlands is completely removed from the wetlands within 30 days, unless a longer period of time is specifically reviewed and approved by the District Engineer.

2. The PCN shall include the following additional information:

a. For all submerged oil and gas pipelines, cables, and utility lines across navigable waters of the United States, the PCN shall include a location map and cross-sectional view drawing showing the pipeline, cable, and utility line crossing from bank to bank in relationship to the waterway bottom;

b. For oil and gas pipeline, cable, and utility line projects completed by horizontal directional drilling or boring methods: The PCN shall include a remediation plan to address, to the extent that a Department of the Army authorization is required, any anticipated temporary structures, fills or work within waters of the United States necessary for the remediation of inadvertent returns of drilling fluids to waters of the United States through sub-soil fissures or fractures. If an inadvertent return occurs, and the remediation requires work within waters of the United States that extends beyond the limits of work authorized by the originally approved remediation plan, then the permittee must notify the Corps immediately and submit a revised remediation plan as soon as possible.

3. Selection of an alignment shall avoid and minimize wetland and stream impacts to the maximum extent practicable. The oil and gas pipeline, cable, or utility line should make a perpendicular crossing of a stream where feasible. Horizontal directional drilling shall be reviewed as an option where feasible.

4. For projects that cross federal navigation channels, all oil and gas pipelines, cables, and utility lines shall be buried the minimum depth below the authorized depth of the federal navigation channel consistent with the District's minimum setback requirements (see <http://www.nab.usace.army.mil/Portals/63/docs/Regulatory/Pubs/spn11-17.pdf>). Section 408 permission will be required.

5. The top of any buried oil and gas pipeline, cable, or utility line shall be located a minimum of three feet below the existing bottom elevation of the streambed and shall be backfilled with suitable heavy material to the preconstruction bottom elevation. Where the oil and gas pipeline, cable, or utility line is placed on bedrock, a minimum depth of one foot from the lowest point in the natural contour of the streambed shall be maintained. If this minimum cover over the oil and gas pipeline, cable, or utility line is not practicable, the applicant shall provide a narrative documenting measures evaluated, site conditions, and any other limitations that prohibit achieving these minimum cover criteria in the PCN. The documentation must include photographs documenting site conditions.

6. The Corps will coordinate review of the PCN with the National Marine Fisheries Service – Habitat and Ecosystem Services Division when:

a. An open-cut oil and gas pipeline, cable, or utility line affects a tidal tributary stream or a non-tidal stream; or

b. The oil and gas pipeline, cable, or utility line do not make a direct or perpendicular stream channel crossing; or

c. An open-cut oil and gas pipeline, cable, or utility line constructed in waters of the United States runs parallel to a stream channel and the oil and gas pipeline, cable, or utility line is within 100 feet of the mean high-water mark of a tidal stream; or 100 feet of the ordinary high water mark of a nontidal coastal plain streams.

**H. Nationwide Permit 13 Bank Stabilization:**

To the maximum extent practicable, bank stabilization activities shall be accomplished using natural stabilization techniques and/or natural channel design. Native riparian plantings shall be included in project designs to the extent practicable.

**I. Nationwide Permit 14 Linear Transportation Projects:**

1. Prior to doing the work, the permittees shall submit a Pre-construction Notification (PCN) to the District Engineer (see General Condition 32 and Regional General Condition 32) when:

- a. A Section 10 permit is required;
- b. Low flow or multi-culvert crossings are proposed.

2. For activities in tidal waters and perennial and intermittent nontidal streams that result in a loss more than 1/10 acre of waters of the United States, the District Engineer will coordinate review of the PCN with the National Marine Fisheries Service – Habitat and Ecosystem Services Division.

**J. Nationwide Permit 18 Minor Discharges:**

Prior to doing the work, permittees shall submit a Pre-Construction Notification (PCN) to the District Engineer (see NWP General Condition 32 and Regional General Condition 32).

**K. Nationwide Permit 19 Minor Dredging:**

Prior to doing the work, permittees shall submit a Pre-construction Notification (PCN) to the District Engineer (see NWP General Condition 32 and Regional General Condition 32).

**L. Nationwide Permit 23 Approved Categorical Exclusions:**

Prior to doing the work, permittees shall submit a Pre-construction Notification (PCN) to the District Engineer (see NWP General Condition 32 and Regional General Condition 32).

**M. Nationwide Permit 27 Aquatic Ecosystem Restoration, Enhancement, and Establishment Activities:**

1. Prior to doing the work, permittees shall submit a Pre-construction Notification (PCN) to the District Engineer (see NWP General Condition 32 and Regional Condition 32).

2. Any activity involving shellfish seeding, such as the placement of shell material or any other habitat development or enhancement for shellfish, is restricted to shellfish species that are native to that waterbody.

3. For all activities in tidal waters, tidal wetlands, and perennial and intermittent streams, the District Engineer will coordinate review of the PCN and, an essential fish habitat assessment with the National Marine Fisheries Service-Habitat and Ecosystem Services Division.

4. The full suite of aquatic habitat functions and services must be considered when determining whether the net gains in aquatic resource functions and services required by this NWP will occur. When conducting these evaluations to determine NWP 27 eligibility, there should not be a focus on a specific aquatic resource function, or the ecological service(s) produced from that aquatic resource function. To assist the Corps in making these determinations, prospective permittees considering such activities should provide supporting information in their NWP 27 PCNs to demonstrate net increases in aquatic resource functions and services. Prospective permittees should consider using a Corps-accepted before-and-after functional or conditional assessment protocol to demonstrate project net gains in aquatic resources and services has been achieved.

**N. Nationwide Permit 28 Modifications of Existing Marinas:**

Prior to doing the work, permittees shall submit a Pre-construction Notification (PCN) to the District Engineer (See NWP General Condition 32 and Regional General Condition 32).

**O. Nationwide Permit 29 Residential Developments:**

This Nationwide Permit (NWP) does not authorize the construction of in-stream impoundments.

**P. Nationwide Permit 33 Temporary Construction, Access, and Dewatering:**

1. Prior to doing the work, permittees shall submit a Pre-construction Notification (PCN) to the District Engineer (see NWP General Condition 32 and Regional General Condition 32).

2. The Corps shall provide the required PCN to National Marine Fisheries Service-Habitat and Ecosystem Services Division, including any supporting documentation, when:

a. The activity affects more than 0.5 acre of tidal waters, including jurisdictional tidal wetlands; or

b. The activity affects more than 500 linear feet of perennial nontidal streams.

**Q. Nationwide Permit 35 Maintenance Dredging of Existing Basins:**

Prior to doing the work, permittees must submit a Pre-construction Notification (PCN) to the District Engineer (see NWP General Condition 32 and Regional General Condition 32).

**R. Nationwide Permit 36 Boat Ramps:**

1. Construction material must be clean rock or stone free of fine materials such as silt, clay, or sand to preclude more than minimal detrimental impacts to the waterway from turbidity and sedimentation effects.

2. The length of boat ramps authorized by this nationwide permit shall not exceed 30 feet channelward of the mean high-water line, nor 25% of the width of the waterway, unless waived by the District Engineer.

3. Where the water depth at the proposed ramp is less than two feet at mean low water, permittees must submit a Pre-construction Notification to the District Engineer (see General Condition 32 and Regional General Condition 32).

**S. Nationwide Permit 38 Cleanup of Hazardous and Toxic Waste:**

For activities in all tidal waters, tidal wetlands, and perennial and intermittent nontidal coastal plain streams, a Pre-Construction Notification (PCN) is required, and the District Engineer will coordinate review of the PCN and, when applicable, an essential fish habitat (EFH) assessment with the National Marine Fisheries Service - Habitat and Ecosystem Services Division.

**T. Nationwide Permit 39 Commercial and Institutional Developments:**

This Nationwide Permit (NWP) does not authorize the construction of in-stream impounds.

**U. Nationwide Permit 40 Agricultural Activities:**

1. Pond construction must be of the minimum size required for the farming use.
2. In-stream ponds should be avoided to the maximum extent practicable.

**V. Nationwide Permit 51 Land-Based Renewable Energy Generation Facilities:**

This Nationwide Permit does not authorize the construction of in-stream ponds.

**W. Nationwide Permit 52 Water-Based Renewable Energy Generation Pilot Projects:**

1. The PCN must indicate the estimated life span of the proposed pilot project and a description of maintenance and planned decommissioning activities that require a Department of the Army permit.

2. For all activities, the Corps of Engineers will coordinate review of the PCN with the National Marine Fisheries Service-Habitat and Ecosystem Services Division.

**X. Nationwide Permit 53 Removal of Low-Head Dams:**

For activities in all tidal waters, tidal wetlands, and perennial and intermittent nontidal coastal plain streams, a Pre-Construction Notification (PCN) is required, and the Corps of Engineers will coordinate review of the PCN and, when applicable, an essential fish habitat assessment with the National Marine Fisheries Service – Habitat and Ecosystem Services Division.

**Y. Nationwide Permit 54 Living Shorelines:**

1. Wetland components of living shoreline projects shall be maintained as a wetland, with areal coverage by native, hydrophytic, non-nuisance species of at least 85% for three (3) consecutive years. Monitoring reports documenting areal coverage shall be submitted to the Corps annually. If 85% coverage by such species is not attained, the reasons for the failure must be documented in writing and provided to the Corps with proposed corrective measures, including replanting. Final corrective measures must be completed, as approved by the Corps.

2. Living shoreline projects must result in no net loss of wetlands

3. For all activities, the District Engineer will coordinate review of the Pre-Construction Notification and an EFH assessment with the National Marine Fisheries Service - Habitat and Ecosystem Services Conservation Division.

4. Ecologically beneficial, existing tidal wetlands should be incorporated into the design of Living Shorelines. Where maintaining existing wetlands on-site would not provide the desired ecological uplift of the project, impacted tidal wetlands should be replaced on-site with the same or similar reference wetland species that occupy the same relative marsh elevations. The conversion of low marsh to high marsh is typically undesirable as these habitats perform different ecological functions and services; however, there are certain cases where conversion from low marsh to high marsh could be ecologically beneficial. Written documentation is required to justify the ecological benefits of converting low marsh to high marsh, if proposed.

5. Grain size analyses for both the dredged and/or fill material and placement site are required. The discharged material must be equal to or larger in grain size and character than the existing beach material or determined otherwise to be compatible with existing site conditions. The discharged material may not contain more than 10 percent silts and clays, or control measures such as breakwaters, groins or similar structures should be used to control movement.

**Z. Nationwide Permit 57 Electric Utility Line and Telecommunications Activities:**

See Regional Conditions in I.A above.

**AA. Nationwide Permit 58 Utility Line Activities for Water and Other Substances:**

See Regional Conditions in I.A above.

**BB. Nationwide Permit A Activities to Improve Passage of Fish and Other Aquatic Organisms:**

Prior to doing the work, the permittee shall submit a Pre-Construction Notification (PCN) to the District Engineer (see General Condition 32 and Regional General Condition 32).

## II. Regional Conditions Applicable to All 2026 Nationwide Permits within the District of Columbia Unless Otherwise Stated:

**Note:** To qualify for NWP authorization, the prospective permittee must comply with the following regional general conditions, as applicable, in addition to any nationwide permit specific regional conditions identified above in Section I, all terms and conditions found in the issuance and reissuance of the NWPs published in the *Federal Register* on January 8, 2026 (91 FR 768), and any activity-specific verification conditions imposed by the Corps.

### A. Nationwide Permit Regional General Condition #2 Aquatic Life Movement:

1. **Anadromous Fish Time-of-Year Restriction:** This condition applies to NWPs: 2, 3a, 3b, 5, 7, 11, 12, 13, 14, 15, 17, 18, 19, 22, 23, 25, 27, 28, 29, 31, 33, 35, 36, 37, 38, 39, 40, 42, 43, 45, 52, 53, 54, 57, 58, 59, and A.

To ensure that activities do not impact spawning habitat or a migratory pathway for anadromous fish, work is prohibited during March 1 to June 30 each year to protect sensitive life stages of anadromous fish in all perennial and intermittent streams, unless specifically waived by the District Engineer in consultation with National Marine Fisheries Service-Habitat and Ecosystem Services Division.

2. **Culverted Road Crossings:** Culverted road crossings of perennial and intermittent streams must meet the below depression criteria, or a Pre-Construction Notification (PCN) is required to be submitted to the District Engineer for review. Extensions, repairs, or maintenance of existing culverts that are not depressed below the stream bottom do not require a PCN.

a. Culverts measuring greater than 36 inches in diameter must be depressed 12 inches below the stream bottom; or

b. Culverts measuring 36 inches or less in diameter must be depressed 6 inches below the stream bottom.

c. If depression of the culvert is not practicable in accordance with this depression criteria, the applicant must submit a Pre-Constructive Notification (PCN), including a narrative documenting measures evaluated to minimize disruption of the movement of aquatic life, as well as specific documentation concerning site conditions and limitations on depressing the culvert, cost, and engineering factors that prohibit depressing the pipe/culvert. Options that need to be considered include the use of a bridge, bottomless pipe, partial depression, or other measures to provide for the movement of aquatic organisms. The documentation must also include photographs documenting site conditions. The Corps shall provide a copy of the PCN, including the supporting documentation, to the National Marine Fisheries Service-Habitat and Ecosystem Service Division for culverts which cannot be depressed as outlined in this Regional General Condition 2 for *Aquatic Life Movements*. The applicant may find it helpful to contact the National Marine Fisheries Service for recommendations about the measures to be taken to allow for fish passage.

**B. Nationwide Permit Regional General Condition #18 Endangered Species:**

1. **For the United States Fish and Wildlife Service (FWS) ESA species:** All permittees must use the FWS Chesapeake Bay Field Office Project Review website (<https://www.fws.gov/office/chesapeake-bay-ecological-services/project-review>) and the Information for Planning and Consultation (IPaC) tool (<https://ecos.fws.gov/ipac/>) to determine if any federally listed species or designated critical habitat may be present in the proposed project area. A complete application must contain a FWS Official Species List and a completed Determination Key, if applicable, tailored for the proposed project area with the PCN. An Official Species List is considered valid for 90 days.

2. **Interactions with National Marine Fisheries Service Federally Threatened or Endangered Species:** Any interaction between sturgeon, sea turtles, or any species listed now or in the future under federal law as a threatened or endangered species (“listed species”) and the vessels associated with the project must be reported to the National Marine Fisheries Service as follows:

a. If the animal appears alive and uninjured (i.e., breathing normally, no visible wounds, movement uninhibited), the permittee or its representative must report the incident to the National Marine Fisheries Service Northeast Region Marine Mammal and Sea Turtle Stranding and Entanglement Hotline at (866) 755-6622 within 24 hours of returning from the trip on which they made the discovery;

b. If the animal requires assistance, the call to the hotline must be made immediately;

c. If the animal appears to be injured (i.e., bleeding, gasping for air, etc.) or dead, the permittee or its representative must also immediately call the hotline so the appropriate rehabilitation or stranding network representative can be contacted. The applicant shall also notify District Engineer of all communications and coordination with the National Marine Fisheries Service within two calendar days. Additional information about any federally threatened or endangered species may be obtained online at <https://www.greateratlantic.fisheries.noaa.gov/protected/section7/index.html>. An interaction is defined as an entanglement or capture of a listed species or a strike/direct contact between vessels or equipment used for the project and a listed species.

3. **Vessel Buffer:** When listed species are sighted, vessels must attempt to maintain 50-yards (150 feet) or greater between the animal and the vessel whenever possible. State and federal regulations prohibit approaching a right whale within a 500-yard (1,500 foot) buffer zone. Any vessel finding itself within the 500-yard (1,500 foot) buffer zone created by a surfacing right whale must depart immediately at a safe, slow speed. If other listed species are detected, vessels will reduce their speeds to 10 knots or to the maximum extent practicable to ensure human safety. If listed species are sighted off of a moving dredge, intentional approaches within 100-yards (300 feet) of the animal must be avoided. Dredge vessels must reduce speeds to 4 knots or the lowest speed practicable to ensure human safety. Any interactions must be reported as described above in condition #2, *Interactions with NMFS Federally Threatened or Endangered Species*.

**4. Conditions for Pile Driving Activities Applicable Within Tidal Waters in the District of Columbia:**

a. A Pre-Construction Notification (PCN) must be submitted to District Engineer if a minimum of one of the following conditions cannot be met:

i. Plastic or concrete piles must be less than 12-inches in diameter when a cushioned impact hammer or vibratory hammer is utilized for installation.

ii. Timber piles must be 12-inches or less in diameter when a vibratory hammer is utilized for installation.

iii. Vinyl or timber sheet piles must be 24-inches or less in width, as measured from the outer edge of corrugation to the inner edge of corrugation, when a cushioned impact hammer or vibratory hammer is used.

iv. Pile driving activities must be located within freshwater tributaries or within tidal or nontidal wetlands.

v. Piles of any size/type with any hammer method must be installed behind diversion structures or in the dry when the tide is out in the intertidal zone.

vi. Piles of any size/type with any hammer method must be installed between November 30 and March 15.

b. Pile driving must be initiated with a soft start each day of pile driving, building up power slowly from a low energy start-up over a 20-minute period to allow fish and other wildlife to leave the area.

**5. Sediment Disturbing Activities Time-of-Year Restriction:** Within all tidal waters with salinity levels <6 parts per thousand, sediment disturbing activities which include pile driving activities, are prohibited during the period April 1 through June 30 for the protection of shortnose sturgeon during early life stages unless a waiver is received from the District Engineer (see attached Figure 1).

**6. Critical Habitat:** Any work proposed in designated or proposed critical habitat requires a Pre-Construction Notification (PCN) to the Corps. Current designated Critical Habitat within the District of Columbia includes:

The Potomac River from the mouth of the Chesapeake Bay to the Little Falls Dam.

**C. Nationwide Permit Regional General Condition #32 Pre-Construction Notification:**

The following regional general conditions are incorporated as part of the terms and conditions of NWP General Condition 32, *Pre-Construction Notification*. These regional general conditions are applicable to all NWPs where a PCN is submitted to the District Engineer. This includes the following: (a) those NWPs that require a PCN, (b) those NWPs requiring notification to the District Engineer pursuant to the NWP General Conditions 18 and 22, (c) those NWPs requiring notification to the District Engineer pursuant to a regional condition, and

(d) any other pre-constriction notifications to the District Engineer where an applicant has requested verification of an NWP authorization.

1. A PCN shall be submitted to the Baltimore District Corps of Engineers for proposed construction and modification of docks, piers, and other structures that will occur along and/or within 150 feet of the horizontal limits of a federally authorized channel within the Baltimore District Civil Works Boundary as identified by: <http://www.nab.usace.army.mil/Missions/Civil-Works/Nav-Maps>. In addition, a PCN is required for the replacement of previously authorized, currently serviceable structures located along federally authorized channels that are destroyed by an act of nature or sudden event. All proposed work shall comply with the most current version of the Baltimore District's setback guidance on the Baltimore District Regulatory website at <http://www.nab.usace.army.mil/Portals/63/docs/Regulatory/Pubs/spn11-17.pdf>. As part of any PCN for an activity adjacent to a federally authorized channel, the permittee must provide the latitude and longitude of the channelward most point of the proposed structure.

2. **Waters Containing Submerged Aquatic Vegetation (SAV) Beds:** A PCN is required for all activities proposed within 50 feet of mapped SAV utilizing composite mapping of the five (5) most recent years of verified SAV data derived from the Virginia Institute of Marine Science aerial surveys located at <https://www.vims.edu/research/units/programs/sav/access/maps/index.php> and <https://mobjack.vims.edu/sav/savwabmap>. Locations of SAV otherwise identified from actual on-site SAV surveys conducted during the growing season can be used to supplement VIMS data. When a PCN is required, the District Engineer will provide a copy of the complete PCN to the National Marine Fisheries Service-Habitat and Ecosystem Services Division (NMFS) for all activities proposed within 50 feet of mapped SAV or locations of SAV otherwise identified from actual on-site SAV surveys conducted during the growing season. The SAV survey period in Maryland is defined as May 15 - June 15 for Zannichellia and July 15 - Sept 15 for all other species. The PCN shall include plans depicting the entire project footprint and adjacent waters overlaid on composite mapping of the five (5) most recent years of verified SAV data (derived from the Virginia Institute of Marine Science (VIMS) aerial surveys or locations of SAV otherwise identified from actual SAV surveys conducted during the growing season). Additional avoidance and minimization measures, such as relocating a structure, or time-of-year restrictions (April 15 – October 15) may be required to reduce impacts to SAV habitat. The Virginia Institute of Marine Science aerial surveys may be obtained at <https://www.vims.edu/research/units/programs/sav/access/maps/index.php> and <https://mobjack.vims.edu/sav/savwabmap>.

3. A PCN is required for mechanical dredging activities where the total dredged area exceeds 1,500 square feet and/or the total dredging volume exceeds 100 cubic yards of material, when the activity is (1) proposed within 1500 feet of mapped SAV (as described in Regional General Condition 32.2) and (2) conducted during the SAV growing season (April 15-October 15). When a PCN is required, the District Engineer will provide a copy of the complete PCN to the National Marine Fisheries Service-Habitat and Ecosystem Services Division (NMFS- HESD).

4. All PCNs to the District Engineer shall be completed using the established District Engineer permit application procedures for that locality (<https://www.nab.usace.army.mil/Missions/Regulatory/Permits-DC/>). Preferably all PCN information can be submitted electronically or alternatively a hard copy may be sent to the

Corps. All PCNs to the District Engineer shall include the following information, where applicable, in addition to the information specified in the NWP conditions, including General Condition 32:

a. For projects along and/or within 150 feet of the horizontal limits of a federally authorized channel, the location and depth of any federal navigation channel shall be shown in relation to the proposed project.

b. An official species list from FWS and other applicable documentation concerning any federally listed Threatened and Endangered Species that may be present in the project action area such as an effects determination, a completed Determination Key or written correspondence with FWS. Completion of the required screening identified in Regional General Condition 18 and submission of the documents required by the PCN serves as compliance with this condition.

c. Copy of response from the State Historic Preservation Officer concerning historic properties that may be affected by the proposed activity.

d. Documentation from the appropriate state agency indicating whether the proposed project is located within a State Natural Heritage site (District of Columbia Department of Energy and Environment), Outstanding National Resource Water (District of Columbia Department of Energy and Environment), or National Estuarine Research Reserve (<https://coast.noaa.gov/nerrs/>). For further information, reference NWP General Condition 22.

**D. Nationwide Permit Regional General Conditions A for Certain Activities in Navigable Waters:**

1. The following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by existing fixed bridges, or the clearances which would be required by the United States Coast Guard for new fixed bridges, in the vicinity of the proposed aerial transmission line. These clearances are based on the low point of the line under conditions producing the greatest sag, taking into consideration temperature, load, wind, length of span, and type of supports as outlined in the National Electrical Safety Code:

<b>Nominal System Voltage (kV)</b>	<b>Minimum additional clearance (ft.) above clearance required for bridges</b>
115 and below	20
138	22
161	24
230	26
350	30
500	35
700	42
750-765	45

a. The PCN for aerial transmission lines over navigable waters must include the nominal system voltage and the additional clearance above low steel for bridges, if available, or above maximum high water elevation;

b. Corps of Engineer regulation ER 1110-2-4401 prescribes minimum vertical clearances for power communication lines over Corps lake projects. In instances where both this regional condition and ER 1110-2-4401 apply, the greater minimum clearance is required; and

c. Clearances for communication lines, stream gaging cables, ferry cables, and other aerial crossings must be a minimum of ten feet above clearances required for bridges, unless specifically authorized otherwise by the District Engineer.

d. All proposed work shall comply with the most current version of the Baltimore District's setback guidance on the Baltimore District Regulatory website at <http://www.nab.usace.army.mil/Portals/63/docs/Regulatory/Pubs/spn11-17.pdf>.

2. Within 60 days of completing an activity that involves an aerial transmission line, submerged cable, or submerged pipeline across a navigable water of the United States (i.e., Section 10 waters), the permittee shall furnish the District Engineer and the National Oceanic and Atmospheric Administration, Nautical Data Branch, N/CS26, Station 7317, 1315 East-West Highway, Silver Spring, Maryland, 20910 with professional, certified as-built drawings, to scale, with control (i.e., latitude/longitude, state plane coordinates), depicting the alignment and minimum clearance of the aerial wires above the mean high water line at the time of survey or depicting the elevations and alignment of the buried cable or pipeline across the navigable waterway.

3. Aids to Navigation: If the Corps or the United States Coast Guard determine that private aids to navigation are required to mark the project area, the permittee must prepare and provide for USCG approval (address below) using a Private Aids to Navigation Application (CG-2554), and the approval must be received prior to commencement of the authorized work. The form can be found at [https://www.navcen.uscg.gov/pdf/AIS/CG\\_2554\\_Paton.pdf](https://www.navcen.uscg.gov/pdf/AIS/CG_2554_Paton.pdf). Within 30 days of the date of receipt of the USCG approval, the permittee must provide a copy to the Corps.

**E. Nationwide Permit Regional General Condition B Poured Concrete into Forms:**

Any activity that involves the discharge of poured concrete must be contained within cells or watertight forms until the concrete is set.

**F. Nationwide Permit Regional General Condition C Temporary Impacts to Streams:**

Following completion of construction, temporarily affected stream beds and banks shall have contours restored using clean native materials, where practicable.

**G. Section 401 Water Quality Certification Condition:**

Before proceeding under the NWP, an applicant is required to obtain an individual Section 401 Water Quality Certification or waiver thereof from the Department of Energy and Environment for activities authorized under the following NWPs: 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, 53, 54, 57, 58, 59, and A.

**SPECIAL NOTES:**

As required, the District Engineer shall coordinate a PCN with the following federal and state agencies:

Environmental Protection Agency  
Region 3  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

District of Columbia  
Office of Planning Historic Preservation Office  
1100 4th Street  
SW Suite E 650  
Washington, DC 20024

Department of Energy and Environment Water Quality Division  
1200 First Street NE  
5<sup>th</sup> Floor  
Washington, DC 20002

Department of Energy and Environment Regulatory Review Division  
1200 First Street NE  
5<sup>th</sup> floor  
Washington, DC 20002

United States Fish & Wildlife Service Chesapeake Bay Field Office  
177 Admiral Cochrane Drive  
Annapolis, Maryland 21401

NOAA/National Marine Fisheries Service  
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Figure 1 - Low Salinity (<6 ppt) Waters of the Chesapeake Bay in Maryland

2026 Nationwide Permits (NWP) - Maryland Chesapeake Bay

Sediment disturbing activities (pile driving, discharges of dredged or fill material, and dredging) are subject to a time-of-year restriction prohibiting in-water work during the period April 1 - June 30 within low salinity waters upstream of the delineated lines on the figure. Please see regional general conditions of the NWP for more information.

For NWP 27, submerged aquatic vegetation surveys for Horned Pondweed (*Zanichellia palustris*) are not required upstream of the delineated lines on this figure and in the Maryland Atlantic Coastal Bays.

