



REPLY TO
ATTENTION OF

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

4 OCTOBER 2022

Regulatory Division

PUBLIC NOTICE

EMERGENCY PERMIT APPLICATION PROCESSING PROCEDURES FOR HURRICANE IAN

The purpose of this notice is to advise the public that the U.S. Army Corps of Engineers, Wilmington District will initiate the following alternative permitting procedures in response to conditions resulting from possible erosion, and storm damage associated with recent passing of Hurricane Ian. **These alternate procedures will be utilized until March 29, 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 permitting will likely be accomplished through the nationwide permit (NWP) program. For example, all aspects of the maintenance/repair/replacement (of previously authorized structures) and containment/clean-up/restoration operations may be authorized via NWP #3. 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 which 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 agencies responsible for Section 401 Water Quality Certification and Coastal Zone Management Consistency 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 Wilmington District Regulatory Division, U.S. Army Corps of Engineers, as

provided at the following link:

<https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Contact/>

Tommy Fennel
Chief, Regulatory Division
Wilmington District