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Nationwide Permits/Arkansas Regional Conditions: Arkansas: U.S. Army Corps of Engineers Headquarters Proposal/Little Rock District Public Notice

Arkansas Environmental, Energy, and Water Law Blog

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The United States Army Corps of Engineers (“Corps”) published a June 1st Federal Register Notice containing the reissuance of the existing Clean Water Act Nationwide Permits (“NWP”), general conditions and definitions. See 81 Fed. Reg. 35816.

The Corps Little Rock District issued a June 6th public notice referencing this proposed NWP renewal and proposed regional conditions for the State of Arkansas.

The Corps issues two types of Clean Water Act Section 404 permits.

An individual permit authorizes specific activities on a case-by-case basis. In contrast, a NWP is a general permit that provides standing permission for all activities that fit the description in the permit. Such permits provide for preauthorized permission for activities that conform to the standards of the NWP. Certain NWPs do require some type of authorization from or notice to the Corps prior to starting work.

The Corps is required to periodically renew expiring NWPs. However, besides renewing the existing permits, the Corps is also proposing to issue two new NWPs and one new general condition.

[A link to the Corps Federal Register Notice can be found here.](#)

[Enclosure B of the Corps Little Rock District Public Notice identifying the proposed regional conditions currently under consideration by the Southwest Division of the Corps for the State of Arkansas can be found here.](#)