



Joint Public Notice

**US Army Corps
of Engineers**
Louisville District ®

Public Notice No.	Open Date:	Close Date:
LRL-2011-6-ncc	21 Jan 2015	5 Feb 2015

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mrs. Norma Condra, CELRL-OPF-N, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: (502) 315-6680

**REQUEST FOR COMMENTS
REGARDING REGIONAL CONDITIONS FOR FIVE (5) NATIONWIDE PERMITS PROPOSED
FOR REINSTATEMENT IN INDIANA**

On February 21, 2012, in the *Federal Register* (72 FR 11092), the U. S. Army Corps of Engineers announced the reissuance of the Nationwide Permits (NWP), which became effective on March 19, 2012. The following link provides the text of the NWPs: <http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf>

On March 19, 2012, the Great Lakes and Ohio River Division (LRD) Commander approved Regional Conditions for the NWPs as well as the continued suspension of 16 NWPs in Indiana: 7, 11, 13, 14, 15, 18, 19, 25, 29, 36, 39, 40, 41, 42, 43, and 44.

As a result of the re-issuance of the Indiana Regional General Permit (RGP), on December 15, 2014, five (5) NWPs, 7, 11, 15, 19 and 25, are proposed for reinstatement in Indiana.

The Louisville, Detroit and Chicago Districts are seeking comments on proposed regional conditions (see enclosure) as they would apply to these five NWPs proposed for reinstatement in Indiana. Furthermore, the Districts are seeking comments on the need for additional regional conditions for these 5 NWPs to help ensure that impacts authorized by them would be minimal.

Comments on issues relating to the regional conditions for the five NWPs are to be sent to Louisville District, U.S. Army Corps of Engineers, P.O. Box 59, Rm 752, ATTN: CELRL-OPF-N, Louisville, Kentucky, 40201-0059. Comments relating to regional conditions are due by February 5, 2015. If you desire to submit your comments on the proposed regional conditions by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2011-6-ncc.

Example:

Subject: LRL-2011-6-ncc

b) Provide your physical mailing address and telephone number.

Operations Division
Regulatory Branch (North)
ID No. LRL-2011-6-ncc

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

Enclosure

Nationwide Permits

- 7. Outfall Structures and Associated Intake Structures
- 11. Temporary Recreational Structures
- 15. U.S. Coast Guard Approved Bridges
- 19. Minor Dredging
- 25. Structural Discharges

1. Proposed Regional Condition 1

Excavation/dredging from areas of known or suspected contamination requires:

- (a) Placement of the material in a Confined Disposal Facility or Class II landfill; or
- (b) Placement of the material by other Corps' approved method; or
- (c) Testing to demonstrate that the material is not contaminated. If the material is determined to be contaminated, it must be disposed of in a. or b. above.

2. Proposed Regional Condition 2

Notification in accordance with Condition 31 is required to the Corps for all activities affecting Designated Salmonid Waters, Outstanding State Resource Waters, Exceptional Use Streams, and Critical Wetlands and Critical Special Aquatic Sites (Attachments 1 and 2).

3. Proposed Regional Condition 3

Notification in accordance with Condition 31 is required to the Corps for all activities which would cause, alter, or affect diversion of water from the Great Lakes basin.

4. Proposed waters subjected to additional pre-construction notification requirements:

a. Great Lakes Basin

b. Designated Salmonid Waters

- Trail Creek & tributaries downstream to Lake Michigan, LaPorte County.
- East Branch of the Little Calumet River and its tributaries downstream to Lake Michigan via Burns Ditch (Waterway), Porter and LaPorte Counties.
- Salt Creek and its tributaries above (upstream of) its confluence with the Little Calumet River, Porter County.
- Kintzele Ditch (Black Ditch) from Beverly Drive downstream to Lake Michigan, Porter County.
- Galena River and its tributaries in St. Joseph County from

the Twin Branch Dam in Mishawaka downstream to the Indiana/Michigan state line, St. Joseph County.

- The St. Joseph River and its tributaries in St. Joseph County from the Twin Branch Dam in Mishawaka downstream to the Indiana/Michigan state line.
- The Indiana portion of the open waters of Lake Michigan.
- Those waters designated by the Indiana Department of Natural Resources (IDNR) for put-and-take trout fishing.

5. Proposed Critical Wetlands and Critical Special Aquatic Sites

- Acid bogs
- Acid seeps
- Circumneutral bogs
- Circumneutral seeps
- Cypress Swamps
- Dune and swales
- Fens
- Forested fens
- Forested swamps
- Marl beaches
- Muck flats
- Pannes
- Sand flats
- Sedge meadows
- Shrub swamps
- Sinkhole ponds
- Sinkhole swamps
- Wet floodplain forests
- Wet prairies
- Wet sand prairies