

401 CERTIFICATION 15-DAY PUBLIC NOTICE

The South Dakota Department of Environment and Natural Resources (DENR) has received an application for state certification under Section 401 of the Clean Water Act. The U.S. Army Corps of Engineers (Corps) is proposing to reissue the 52 existing nationwide permits (NWP), issue five new NWPs, make changes to existing language, and other changes to NWPs.

Nationwide permits are general permits issued on a nationwide basis to streamline the authorization of activities that result in no more than minimal individual and cumulative adverse environmental effects. Many of the proposed NWPs require notification to the district engineer before commencing those activities, to ensure that the activities authorized by those NWPs cause no more than minimal individual and cumulative adverse environmental effects. More information on the Corps proposal is available at: <https://www.federalregister.gov/documents/2020/09/15/2020-17116/proposal-to-reissue-and-modify-nationwide-permits> or www.regulations.gov, docket number COE-2020-0002.

The proposed NWPs would cover permitted activities within the state of South Dakota.

Written comments regarding 401 water quality certification for the proposed NWPs must be received by the department on or before November 5, 2020. Questions and/or written comments concerning this water quality certification should be directed to Shannon Minerich at Shannon.Minerich@state.sd.us. Written comments may also be mailed to the following address: SD DENR SWQP, 523 E Capitol, Pierre, SD 57501-3181. Comments may also be provided using the online comment form, accessible via the “Comment Deadline” link provided at <http://denr.sd.gov/public>. If no objections are received within the specified 15-day period, the Secretary will issue a final determination by December 14, 2020. Any person may request, in writing, within the 15-day comment period, that a public hearing pursuant to ARSD Chapter 74:50:02 be held to consider the water quality certification. Requests for public hearings must state the reasons for holding a public hearing.

Secretary Hunter Roberts