



US Army Corps
of Engineers®

PUBLIC NOTICE

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Mobile District

FEDERAL REGISTER NOTICE ANNOUNCING THE REISSUANCE OF THE NATIONWIDE PERMITS

REISSUANCE OF NWPs: On January 8, 2026, the U.S. Army Corps of Engineers (USACE) published a final action in the Federal Register (91 FR 768) announcing the reissuance of 56 existing nationwide permits (NWP)s and the new NWP 60, as well as the reissuance of NWP general conditions and definitions with some modifications. NWP 56 was not reissued. These 57 NWP)s will go into effect on March 15, 2026, and will expire on March 15, 2031:

Nationwide Permits

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures on the Outer Continental Shelf
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Oil or Natural Gas Pipeline Activities
13. Bank Stabilization
14. Linear Transportation Projects
15. U.S. Coast Guard Approved Bridges
16. Return Water From Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil or Hazardous Substances
21. Surface Coal Mining Activities

22. Removal of Vessels
23. Approved Categorical Exclusions
24. Indian Tribe or State Administered Section 404 Programs
25. Structural Discharges
26. [Reserved]
27. Aquatic Ecosystem Restoration, Establishment, and Enhancement Activities
28. Modifications of Existing Marinas
29. Residential Developments
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access, and Dewatering
34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
39. Commercial and Institutional Developments
40. Agricultural Activities
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities
43. Stormwater Management Facilities
44. Mining Activities
45. Repair of Uplands Damaged by Discrete Events
46. Discharges in Ditches
47. [Reserved]
48. Commercial Shellfish Mariculture Activities
49. Coal Remining Activities
50. Underground Coal Mining Activities
51. Land-Based Renewable Energy Generation Facilities
52. Water-Based Renewable Energy Generation Pilot Projects
53. Removal of Low-Head Dams
54. Living Shorelines
55. Seaweed Mariculture Activities
56. [Reserved]
57. Electric Utility Line and Telecommunications Activities
58. Utility Line Activities for Water and Other Substances
59. Water Reclamation and Reuse Facilities
60. Activities to Improve Passage of Fish and Other Aquatic Organisms

The Headquarters USACE has issued final decision documents for the new and reissued NWP. These final decision documents are available at www.regulations.gov at docket number COE-2025-0002. Furthermore, the national NWP decision documents will be supplemented by Division Commanders to address decisions concerning the addition of regional conditions to the NWPs.

The NWP general conditions and definitions that were issued in the final action that was published in the January 8, 2026, issue of the Federal Register (91 FR 768) apply to the 56 reissued NWPs and the new NWP 60 that were published in the Federal Register on January 8, 2026.

The 56 existing NWPs published in the January 8, 2026, final action replace the 2021 versions of these NWPs. The 2021 versions of these NWPs expire on March 14, 2026.

With the publication of this Federal Register notice, USACE Divisions began finalizing Regional Conditions for these 57 NWPs. Division Commanders prepared supplemental documentation to address decisions concerning the addition of Regional Conditions to the 57 NWPs. If needed, Regional Conditions are intended to provide additional protection for the aquatic environment to help ensure that the NWPs authorize only those activities that have no more than minimal adverse environmental effects. There are no proposed Regional Conditions for the use of the 57 NWPs in the Mobile District. All uses of a NWP must comply with all applicable NWP General Conditions.

The Alabama Department of Environmental Management (ADEM) issued conditioned final Water Quality Certification determinations (WQC) for all the NWPs on December 4, 2025. The WQC conditions have been approved by the Mobile District for use in Alabama.

The U.S. Environmental Protection Agency (EPA), Region 4, is the Section 401 certification authority for the Poarch Band of Creek Indians in Alabama. EPA issued WQC determinations for the NWPs on December 18, 2025. For the Poarch Band of Creek Indians, EPA provided unconditioned consistency determinations for NWPs 3, 4, 5, 6, 7, 13, 14, 16, 18, 19, 21, 23, 25, 27, 29, 30, 31, 33, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 53, 57, 58, 59, and 60(A). EPA waived certification requirements for NWPs 12, 15, 17, 21, 22, 34, 36, 48, 49, 50, 52, and 54.

The ADEM issued final Coastal Zone Management (CZM) Consistency decisions for all the NWPs on September 8, 2025. ADEM provided unconditional CZM consistency determinations for NWPs 1, 6, 8, 17, 23, 31, 32, 33, 37, 38, and 46. ADEM provided conditioned consistency determinations for NWPs 2, 3, 4, 5, 7, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 22, 25, 27, 28, 35, 36, 45, 48, 53, 54, 57, and 58. The CZM conditions have been approved by the Mobile District for use in Alabama. ADEM denied CZM consistency for NWPs 10, 21, 24, 29, 30, 34, 39, 40, 41, 42, 43, 44, 49, 50, 51, 52, 55, 59, and 60(A). These activities are not authorized within the coastal area of Alabama and will require individual review and certification.

The Mississippi Department of Environmental Quality (MDEQ) issued conditioned final WQC certification determinations for all the NWPs on December 5, 2025. The WQC conditions have been approved by the Mobile District for use in Mississippi.

The Mississippi Department of Marine Resources (MDMR) issued conditioned final CZM Consistency decisions for all the NWPs on October 29, 2025. The CZM conditions have been approved by the Mobile District for use in Mississippi.

The January 8, 2026, *Federal Register* notice is available for viewing at <https://www.federalregister.gov/documents/2026/01/08/2026-00121/reissuance-and-modification-of-nationwide-permits>

As an alternative, interested parties can access the January 8, 2026, final action and related documents at: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits/>