

**EPA Review under Clean Water Act Section 404**

**Congressional Request: 113 HR 3547 – *Water: Ecosystems.***

**First Report Covering October – December 2013**

The following table lists October – December 2013 EPA comment letters responding to Corps of Engineers Individual Permit public notices. Where the Corps has made a final permit decision, it is documented below and will not appear in subsequent reports. During this reporting period EPA received over four hundred Individual permit public notices, performed a detailed review of 72%, and provided comment letters on 7% of them. EPA is not the only commenter on Corps public notices. Other federal and state agencies and the public routinely provide comments to the Corps.

DA Number	Project Name Tracked by EPA	County	State	Date(s) Received by EPA	Date of Comment Letter(s)	Days under review by EPA <sup>2</sup>	Final Decision by the Corps <sup>4</sup>	Corps Decision Date
SWG-2013-00619	Mr. Glen Forman	Galveston	Texas	25-Sep-13	17-Oct-13	22	Withdrawn due to lack of applicant response	7-May-14
MVK-2013-00377	The Seitz Group, Inc	Madison	Mississippi	20-Sep-13	21-Oct-13	31	Withdrawn by applicant	8-May-14
SWG-2013-00680	Grace Community Church - Houston, TX	Montgomery	Texas	18-Sep-13	22-Oct-13	34	Withdrawn due to lack of applicant response	19-Feb-14
SWF-2013-00180	City of Haltom City, Texas - Backage Road Development Project	Tarrant	Texas	20-Sep-13	24-Oct-13	34	Verified with Special Conditions as an NWP <sup>14</sup>	17-Dec-13
SWF-2013-00312	Victron Energy, Inc.	Bowie	Texas	13-Sep-13	29-Oct-13	46	Issued with Special Conditions	11-Apr-14
SAM-2013-01103	Jeffrey Lawson	Jones	Mississippi	30-Oct-13	1-Nov-13	2	TBD	TBD
SWF-2011-00168	WC Paradise Cove Marina LP	Travis	Texas	20-Sep-13	1-Nov-13	42	TBD	TBD
SWG-2007-00664	Parkwood Land Company- Orange County	Orange	Texas	21-Oct-13	1-Nov-13	11	Issued with Special Conditions	10-Apr-14
SWF-2013-00089	D. R. Horton Residential Development	Collin	Texas	20-Sep-13	4-Nov-13	45	TBD - now being evaluated as a NWP <sup>14</sup>	TBD
SWG-2009-00173	Texas Department of Transportaton-Cameron County	Cameron	Texas	21-Oct-13	13-Nov-13	23	TBD	TBD

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SWF-2013-00309	Northlake Market Retail Development/Stream Relocation	Dallas	Texas	29-Oct-13	15-Nov-13	17	Withdrawn due to lack of applicant response	21-Jan-14
SWT-2013-00051	Principal Chief George Tiger - Muscogee (Creek) Nation - Arkansas River	Tulsa	Oklahoma	24-Oct-13	15-Nov-13	22	TBD	TBD
SPL-2010-00884	Maricopa County DOT - Deer Valley Road	Maricopa	Arizona	30-Oct-13	19-Nov-13	20	TBD	TBD
LRH-2011-00799	Jacks Branch Coal Company - Crooked Run Refuse Impoundment	Boone	West Virginia	29-Oct-13	21-Nov-13	23	TBD	TBD
SWF-2013-00420	SCL McKinney Partners, LP	Collin	Texas	29-Oct-13	22-Nov-13	24	Issued with special conditions	6-Mar-14
MVP-2013-02958	Ron Richard - Premier Horticulture	Carlton	Minnesota	23-Oct-13	25-Nov-13	33	TBD	TBD
POA-2013-00561	ASRC Energy Services, Inc.	North Slope	Alaska	1-Nov-13	25-Nov-13	24	Issued with Special Conditions	31-Mar-14
SWG-2013-00147	Freeport LNG Development, L.P.			20-Nov-13	25-Nov-13	5	TBD	TBD
LRP-2011-00464	Allegheny Mineral Corp.	Butler	Pennsylvania	18-Oct-13	27-Nov-13	40	TBD	TBD
LRL-2008-00297	Arvin Sango, Inc. & Subsidiaries	Jefferson	Indiana	30-Nov-13	2-Dec-13	2	TBD	TBD
SWG-2012-00720	Broad Reach Partners - Canal residential development - League City, Texas	Galveston	Texas	7-Nov-13	4-Dec-13	27	Withdrawn due to lack of applicant response	24-Mar-14
SWG-2013-00797	KB Homes - Willow Fork - Katy, Texas	Fort Bend	Texas	7-Nov-13	4-Dec-13	27	TBD	TBD
POA-2005-01295	POA-2005-1295-M11 Beaufort Sea (Pioneer Resources Inc.) Ooguruk OTP Expansion	North Slope	Alaska	14-Nov-13	6-Dec-13	22	TBD	TBD
LRB-2001-00890	Mohawk Valley EDGE	Oneida	New York	12-Nov-13	10-Dec-13	28	TBD	TBD
NAN-2009-01089	Champlain Hudson Power Express Inc.	Grand Isle	Vermont	18-Oct-13	11-Dec-13	54	TBD	TBD

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SPK-2013-00734	Roger Chamberlain - Long Valley Sewer Improvement District - East Fork of the Virgin River	Kane	Utah	21-Nov-13	11-Dec-13	20	Withdrawn due to lack of applicant response	5-Feb-14
SWG-2013-00526	Port Arthur Housing Initiative - Jefferson County, Texas	Jefferson	Texas	7-Nov-13	11-Dec-13	34	Issued With Special Conditions	11-Apr-14
SWG-2004-02523	Sabine Pass LNG Terminal Phase III - Cameron Parish, LA	Cameron	Louisiana	13-Dec-13	16-Dec-13	3	TBD	TBD
NAE-2012-00192	Pike Industries, Inc. Hooksett Crushed Stone Quarry Expansion [s. 404]	Merrimack	New Hampshire	21-Nov-13	19-Dec-13	28	TBD	TBD
NWS-2013-01115	Sam Shipp - City of Bellingham - Bear Creek	Whatcom	Washington	6-Dec-13	19-Dec-13	13	TBD	TBD
POA-2013-00558	POA-2013-558 Beluga Lake, Homer (Peter Fefelov) Storage Yard	Kenai Peninsula	Alaska	26-Nov-13	19-Dec-13	23	TBD	TBD
POA-2013-00068	Kuukpik Corporation, Nuiqsut spur road	North Slope	Alaska	29-May-13; 22-Oct-13	17-Jun-13; 21-Aug-13; 16-Sep-13; 22-Nov-13	141 <sup>3</sup>	Issued with Special Conditions	12-May-14
SPK-2010-01058	Lee Gibson - Regional Transportation Commission - Steamboat Creek	Washoe	Nevada	27-Aug-13	28-Oct-13	62	Withdrawn on 21-Feb-14 due to lack of applicant response - has since been resubmitted	TBD
SPK-2012-00209	Kirk Bone - Marble Valley Company, LLC - Deer Creek, Marble Creek	El Dorado	California	1-Nov-13	19-Dec-13	48	Withdrawn by applicant	21-Oct-13
LRH-2010-00637	Pocahontas Coal Company, LLC	Raleigh	West Virginia	27-Nov-13	20-Dec-13	23	Withdrawn by applicant	28-Apr-14
POH-2012-00199	Hawaii Dept. of Land and Natural Resources	Kauai	Hawaii	27-Nov-13	20-Dec-13	23	TBD	TBD
SWG-1999-02499	Port of Houston	Harris	Texas	8-Mar-13; 12-Nov-13	5-Apr-13; 25-Nov-13	41	Permit modified	24-Apr-14

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1 Standard permits are those individual permits which have been processed through application of the Corps' public interest review procedures (33 CFR 325) and EPA's Section 404(b)(1) Guidelines (40 CFR 230), including public notice and receipt of comments. Standard permits do not include letters of permission, regional permits, nationwide permits, or programmatic permits.

2 Reflects the cumulative total calendar days for EPA review and development of formal comment letters. The Corps public comment period for standard permit public notices can be as short as 15 or as long as 45 days, not including extensions.

3 This review period includes several interagency meetings with the Corps, other commenting agencies and the applicant, and the review of additional documentation developed and provided throughout the process.

4 Applications can be withdrawn throughout the review process for various reasons. For example, some applications are withdrawn at the request of an applicant who no longer wishes to pursue the project; some are withdrawn after the district requests additional information and the applicant fails to respond within a prescribed time (most commonly 30 to 60 days); and some are withdrawn because the project is modified to avoid all impacts and a permit is no longer required. Some projects are not finalized as SPs because the impacts were further avoided or minimized during the review process and the project now qualifies for a general permit (e.g., Nationwide, Regional or Programmatic General Permit). If this has occurred, notes are provided in the "Final Decision by the Corps" column.