



**US Army Corps
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PUBLIC NOTICE

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ISSUANCE OF THE DEPARTMENT OF ARMY MASSACHUSETTS GENERAL PERMITS (MA GPs)

The New England District, U.S. Army Corps of Engineers hereby announces the issuance of the attached state-wide Department of Army General Permit for the Commonwealth of Massachusetts (MA GPs), pursuant to 33 CFR Part 325.5(c)(1) for minimal impact projects. The MA GPs will replace the prior state-wide Massachusetts General Permit, which expired on April 5, 2023. These GPs will become effective on June 1, 2023 and will continue the expedited review process of activities subject to USACE jurisdiction under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, located in waters of the United States, including navigable waters, within the boundaries of the Commonwealth of Massachusetts.

General Permits are used as a way to streamline state and Federal regulatory programs. The New England District has already had success with streamlining these projects with the use of regional general permits (RGPs) throughout New England.

Some of the notable changes from the previous MA GP include:

1. Addition of two new RGP Activities: GP 20 -Living Shoreline Projects and GP 25- Emergency Situations.
2. Modification to the mitigation thresholds as referenced in General Condition (GC) 7 and detailed in Section V of the MA GP to improve USACE's ability to ensure no net loss.
3. New impact allowances under multiple GP activities for self-verification eligible activities. Notably, impact thresholds have been modified to allow minimal impacts in tidal waters under self-verification.
4. Section 103 activities are no longer authorized under the RGP.
5. Incorporated digital review process.
6. Minor edits and grammatical changes including updated weblinks, agency contact information, and definitions.
7. Edits and updates to general conditions. Notably GC 6: Tribal Rights & Burial Sites, GC 10: Federal Threatened and Endangered Species, GC 11: Essential Fish Habitat, GC 14 Historic Properties, and GC 22: Temporary Fill, Work & Construction Mats.
8. New self-verification notification process.
9. Addition of Appendix B Pre-Construction Notification Form, Appendix C Self-Verification Notification Form, and Appendix D Pre-Construction Notification Application Checklist.

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FILE NO. NAE-2022-02649 (Massachusetts General Permit – 2023)

The 2023 MA GPs supersede the previous GPs which expired on April 5, 2023. Activities authorized by the previous GPs but had not commenced or were not under contract to commence by April 5, 2023, will need to apply for a new authorization under the new GPs. Conversely, activities authorized by the previous GPs that have either commenced or are under contract to commence will have an additional year from the expiration date of April 5, 2023, to complete the work.

The MA GP can be found at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/>. Copies of the MA GP can also be requested from CENAE-R-MA@usace.army.mil.

Please contact Christine Jacek at 978-318-8026 or at Christine.M.Jacek@usace.army.mil for more information.

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