

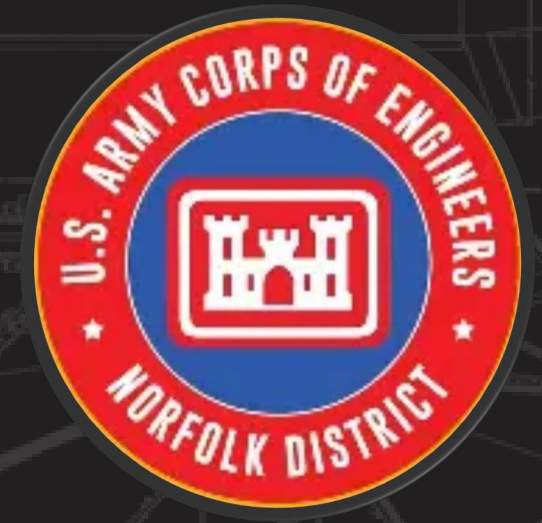
2026 Nationwide Permit and Other U.S. Army Corps of Engineers-Related Updates

Kim Prisco-Baggett
USACE – Norfolk District
Chief, Special Projects Section and Deputy
Chief, Regulatory Branch

Kim will review the 2026 Nationwide Permit (NWP) reissuances and proposed changes, highlighting their impact on project planning, timelines, and compliance. The discussion will also cover the new Virginia State Programmatic General Permit (SPGP) and shifting thresholds, followed by an update on Norfolk District's streamlining efforts, the Regulatory Request System (RRS), and internal reorganization.



US ARMY CORPS OF ENGINEERS NORFOLK DISTRICT UPDATES



Kimberly Prisco-Baggett
Chief, Regulatory Division (Acting)



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AGENDA

- 2026 Nationwide Permits
- Nationwide Permits Round 2
- 2026 Virginia State Programmatic General Permit (SPGP)
- Streamlining Efforts
- Regulatory Request System (RRS)
- Norfolk District Reorganization



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2026 NATIONWIDE PERMITS



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2026 NATIONWIDE PERMITS

- Final **Action** published in the Federal Register on January 8, 2026
- Reissuance of 56 existing Nationwide Permits
- Not reissued: Nationwide Permit 56 – Finfish mariculture activities
- New: NWP 60 - Activities to Improve Passage of Fish and Other Aquatic Organisms



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NATIONWIDE PERMIT 60

NWP 60: Activities to Improve Passage of Fish and Other Aquatic Organisms

- Statutory Authority: Section 10 and Section 404
- Limit: 1-acre
- Pre-Construction Notification: Discharges that result in the loss of greater than 1/10 acre
- Applicability: All waters of the U.S. including navigable waters
- Proposed Activity:
 - Improvements or restoration of passages for fish and other aquatic organisms that are not authorized by Nationwide Permit 27
 - Nature-Based solutions to improve connectivity for fish & aquatic organisms



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GRANDFATHER PROCESS FOR 2021 NWPS

- If project was verified under 2021 NWPs and project is either under contract or has commenced (i.e., under construction) by March 14, 2026, then the permittee has until March 14, 2027, to complete all authorized impacts.
- If project was verified under 2021 NWPs and authorized work has not commenced (i.e., under construction) or is not under contract by March 14, 2026, then review and reverification under 2026 NWPs will be required.
 - If nothing has changed, you can send an email to the REG ROD email cenao.reg_rod@usace.army.mil



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UPDATES TO REGIONAL CONDITIONS

- Addition: NWP 6 - *A PCN is required for all proposed seismic surveying involving sub-bottom profilers or other sound-generating surveying likely to cause behavior modification or injury to fish. **AND** A PCN is required for any proposed survey and/or site characterization activities in any Habitat Area of Particular Concern (HAPC).*
- Addition: NWP 18 - *For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/10-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.*
- Removal: No Trout Waters Regional Condition
- Removal: Optional checklist requirement for NWP 27 due to PCN requirement dropped
- Update: No Conditional CZMA, applicants are not required to do additional DWR Coordination
- Update: All 401 WQC granted (except 32 waived)
- Update: Regional Condition 4 (ESA)



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REGIONAL CONDITION 4 REVISION (21 MAY 2026)

FEDERALLY LISTED THREATENED OR ENDANGERED SPECIES AND DESIGNATED CRITICAL HABITAT FOR NON-FEDERAL PERMITTEES

2021:

The applicant may use IPaC to determine if any federally listed threatened or endangered species or designated critical habitat may be affected by their proposed project. If your Official Species List from IPaC identifies any federally listed threatened or endangered species, you are required to submit a PCN for the proposed activity, unless the project clearly does not impact a listed species or suitable habitat for the listed species.

2026:

The applicant may use IPaC to determine if any federally listed threatened or endangered species or designated critical habitat may be affected by their proposed project. If your Official Species List from IPaC identifies any federally listed threatened or endangered species, you are required to submit a PCN for the proposed activity.

Upcoming Revision:

The applicant may use IPaC to determine if any federally listed threatened or endangered species or designated critical habitat may be affected by their proposed project.

GC 18: Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity



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Regulatory Branch - 2026 Nationwide Permit Conditions

- Nationwide Permit 1 - AIDS TO NAVIGATION
- Nationwide Permit 2 - STRUCTURES IN ARTIFICIAL CANALS
- Nationwide Permit 3 - MAINTENANCE
- Nationwide Permit 4 - FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES
- Nationwide Permit 5 - SCIENTIFIC MEASUREMENT DEVICES
- Nationwide Permit 6 - SURVEY ACTIVITIES
- Nationwide Permit 7 - OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES
- Nationwide Permit 8 - OIL AND GAS STRUCTURES
- Nationwide Permit 9 - STRUCTURES IN FLEETING AND ANCHORAGE AREAS
- Nationwide Permit 10 - MOORING BUOYS
- Nationwide Permit 11 - TEMPORARY RECREATIONAL STRUCTURES
- Nationwide Permit 12 - OIL OR NATURAL GAS PIPELINE ACTIVITIES
- Nationwide Permit 13 - BANK STABILIZATION
- Nationwide Permit 14 - LINEAR TRANSPORTATION PROJECTS

This Nationwide permit is limited to use in tidal waters/wetlands in the State of Virginia

- Nationwide Permit 15 - U.S. COAST GUARD APPROVED BRIDGES
- Nationwide Permit 16 - RETURN WATER FROM UPLAND CONTAINED DISPOSAL AREAS
- Nationwide Permit 17 - HYDROPOWER PROJECTS
- Nationwide Permit 18 - MINOR DISCHARGES
- Nationwide Permit 19 - MINOR DREDGING
- Nationwide Permit 20 - OIL SPILL CLEANUP
- Nationwide Permit 21 - SURFACE COAL MINING ACTIVITIES
- Nationwide Permit 22 - REMOVAL OF VESSELS
- Nationwide Permit 23 - APPROVED CATEGORICAL EXCLUSIONS
- Nationwide Permit 24 - INDIAN TRIBE OR STATE ADMINISTERED SECTION 404 PROGRAMS
- Nationwide Permit 25 - STRUCTURAL DISCHARGES
- Nationwide Permit 27 - AQUATIC ECOSYSTEM RESTORATION ENHANCEMENT AND ESTABLISHMENT ACTIVITIES
- Nationwide Permit 28 - MODIFICATIONS OF EXISTING MARINAS
- Nationwide Permit 29 - RESIDENTIAL DEVELOPMENTS

This Nationwide permit is regionally conditioned, so it may not be used for multiple unit residential developments and residential subdivisions. NWP 29 may still be used for a single residence and attendant features in the State of Virginia.

- Nationwide Permit 30 - MOIST SOIL MANAGEMENT FOR WILDLIFE
- Nationwide Permit 31 - MAINTENANCE OF EXISTING FLOOD CONTROL FACILITIES
- Nationwide Permit 32 - COMPLETED ENFORCEMENT ACTIONS
- Nationwide Permit 33 - TEMPORARY CONSTRUCTION, ACCESS, AND DEWATERING
- Nationwide Permit 34 - CRANBERRY PRODUCTION ACTIVITIES



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NATIONWIDE PERMITS ROUND 2

“Notice of Solicitation of Input on Potential Future Changes to Nationwide Permits; Establishment of a Public Docket; Request for Input”

<https://www.govinfo.gov/content/pkg/FR-2026-03-16/pdf/2026-05051.pdf>

- Federal Register Notice soliciting ideas closed on 15 MAY 2026
- Headquarters reviewing comments to determine path forward
- Intent to streamline and add efficiencies to the general permit program



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STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

- Residential, Commercial, Institutional and Recreational Development (RCIR)
- Linear Transportation (LT)
- 2022 SPGPs expire August 01, 2026
- 2026 SPGP is currently under development, but should be effective August 2, 2026
- Will likely include the changes we public noticed in September 2025:
 - SPGP-RCIR to 2 acres and the SPGP-LT to 1 acre.
 - Preliminary Screening Form will remain an optional process
 - Combined the list of procedure and definitions into a second, separate document, one per each SPGP
 - The definitions have been updated to coincide with the Nationwide Permit definitions
 - Residential development definition has been updated to include construction or expansion of a single residence
 - We have changed the formatting to mirror the Nationwide Permit formatting
 - We have reorganized the SPGPs so that authorized activities and excluded activities are listed on the first page of the SPGPs
 - We have made minor editorial changes



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STREAMLINING EFFORTS

“BUILDING INFRASTRUCTURE, NOT PAPERWORK”

- RRS
 - Projects assigned more quickly
 - No Permit Required Module (activities only)
 - No PCN Required Module
- Increasing SPGP Thresholds
- Revising PASDO to reduce federal review to minimum necessary
- Mitigation Team reestablished and working on efficiencies
- Reducing unnecessary/duplicative PM tasks
- Front loading initial screening of projects
- Technology – Template Generator, AI for summarizing comments
- Working on MOA for JD Requests with VDEQ



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REGULATORY REQUEST SYSTEM (RRS)

- Preferred method of submitting most requests except:
 - Reverification of General Permits with no changes from initial proposal
 - Modification of Individual Permits
 - When the Corps PM requests additional information but the project was not originally submitted through RRS
- State data needs to be incorporated as data fields soon
- Working on data sharing capacity for state agencies
- New modules and upgrades being developed all the time
- Feel free to contact us if you have any questions about the process



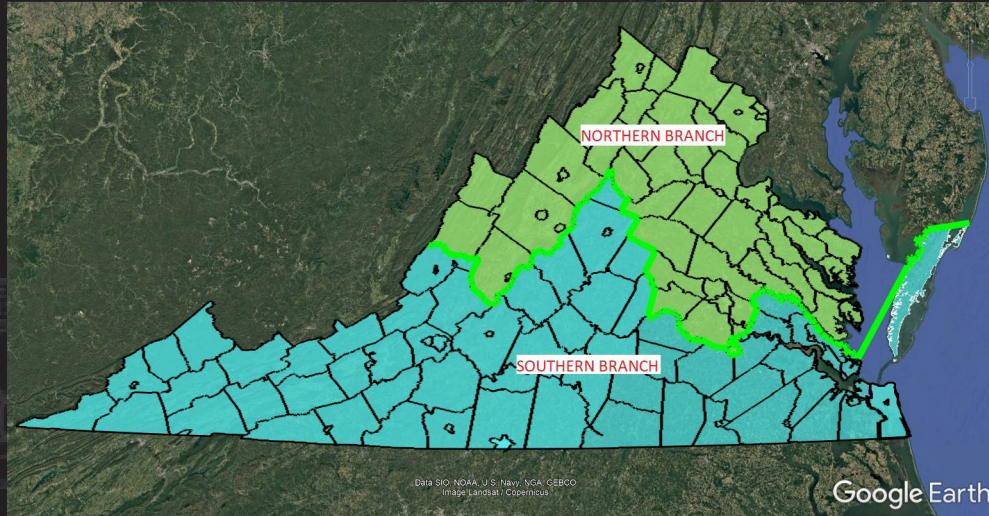
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NORFOLK DISTRICT REORGANIZATION

Norfolk District
Regulatory Division



Office Symbol: CENAO-RG-(N,S,E,W,C)
UIC: W2SF03(CW)

NORFOLK DISTRICT REGULATORY OFFICE
803 Front Street Norfolk, VA 23510

Revised 07 MAY 2026

Core Hours: 930-11, 1330-1430

August 2025 NEW Section BOD Numbers

Norfolk District FAX Line 757-201-7678

Chief's Office - E4B4000 (MI)	3
VACANT - Chief	
Fredericksburg Field Office	
10300 Spotsylvania Av, St 230, Fredericksburg, VA 22408	
Anna Lawston (TEC SME 106Tribal) *	540-764-4459
Remote (Fort Bragg, NC)	
Brittany Kopitsky (TEC PM) *	757-201-7893

Northern Branch	757-201-7834
Special Projects	540-344-1498
Support Branch	757-201-7873
Southern Branch	757-201-7580

Special Projects - E4B4050 (MU)	8
Roanoke Field Office - R. Lawson Federal Bldg	
210 Franklin Rd SW, Room 749, Roanoke, VA 24011	
Jennifer Serafin - Chief	540-344-1498
Dana Heston *	540-344-1409

Southern Branch - E4B4030 (MD)	11
Norfolk District Regulatory Office	
Peter Kube - Chief	757-201-7504
Dan Bacon	757-201-7060
Steve Gibson *	757-201-7418
Autumn Crawford *	757-289-1426
Moiria Meehan	757-708-3055
Taylor Hollingsworth	757-201-7044
Tamberlain Jacobs	757-201-7105
Nicole Woodward *	757-201-7122
Sayward McLaughlin	757-201-7580
Matt Wicks *	757-201-7540
Randy Steffey *	757-201-7579
VACANT (PM vice Nash)	

Northern Branch - E4B4010 (ME)	12
Norfolk District Regulatory Office	
Tucker Smith - Chief	757-201-7653
Emily Brooks *	757-201-7048
Jaime Longo	757-201-7551
Andrew Griffey	757-618-5211
Keith Goodwin *	757-613-5431

Richmond Field Office	
9100 Arboretum Pkwy, St 235, Richmond, VA 23236	
Wes Hudson	757-503-0540
Steven Vanderploeg (VPRA & VDOT)	804-397-9836

Support Branch - E4B4040 (MT)	5
Norfolk District Regulatory Office	
Kimberly Prisco-Baggett - Chief	757-201-7873
Barry Spence - Reg Systems Admin	757-201-7629
VACANT - Reg Program Asst	
Delilah Duran - QA	757-201-7645
Petrit Bejo - QA	757-201-7610

Fredericksburg Field Office	
10300 Spotsylvania Avenue, St 230, Fredericksburg, VA 22408	
Robert Howell	540-824-2053

Remote (Tobyhanna, PA)	
Justin Decker	

Richmond Field Office	
9100 Arboretum Pkwy, St 235, Richmond, VA 23236	
Laura Herrmann	804-914-4012
Silvia Gazzera *	804-212-6817
Michael Molnar	804-896-2557
Julie Hamilton *	804-436-4725
Michael Bannon	804-510-3505

Norfolk District Regulatory Office	
Rowen Schmidt	309-386-3496
Brian Denson (VDOT) *	757-201-7792

Remote (Virginia Highlands, VA)	
Claire Trent *	276-206-8347

Fredericksburg Field Office	
10300 Spotsylvania Av, Suite 230, Fredericksburg, VA 22408	
Regena Bronson (Dominion) *	757-201-7828



Gate: 757-201-7015	Chiefs	5
Security: 757-201-7014	Admin	4
Exec Sec: Tisa Shillinburg	14 Funded	3
LMER: Wesley S. Thomas (MS)	DA Funded	0
CPAC: Annabel Moxon	TREC	2
Reg 3 EPA Admin Adam Ortiz	Other PMs	25
ASA(CW) - Mr. Adam Telle	Total	39

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