

Summary of Modifications to the 2017 Chicago District Regional Permit Program



As Finalized, January 9, 2020

- The Agency Request for Comments process is clarified to explain which recipients the District is required by law to consult with, and to clarify the time frames for response by various parties.
- The definition of “impact” is modified to match the language defining “loss of waters of the United States” in the Nationwide Permit Program (see 82 FR 2006).
- The definition of “project area” is removed.
- The definition of “single and complete project” is modified to match the definition in the Nationwide Permit Program. Definitions of “Linear Project” and “Independent Utility” are added, also using language from the Nationwide Permits, to assist in this definition of single and complete project. (see 82 FR 2007.)
- References to *Plants of the Chicago Region* by Swink and Wilhelm are updated to *Flora of the Chicago Region* by Wilhelm and Rericha.
- General Condition 23 is modified to refer to whichever form is posted on the District’s website, in the event that the Joint Application Form is discontinued before the expiration date of the RPP.
- General Condition 23 is modified to give the District the ability to issue, and accept as “complete,” simplified “simple application checklists” for certain types of projects.
- General Condition 25 is modified to clarify how the District will handle projects that were presented as separate phases but were in fact components of a single and complete project.
- Regional Permits 1, 2, 3, 4, 8, 10, and 11 are modified to remove the requirement to process impacts occurring in HQARs under Category II. The District may exercise its discretion to process any project under Category II if site conditions warrant; for example, if a specific aquatic resource requires more detailed analysis.
- Regional Permit 7, item (f), is modified to clarify that areas disturbed by structures or other protective measures are included in the requirement to restore the construction area.
- Appendix A is modified to clarify the calculations of Mean C and FQI to compare against the thresholds that indicate a HQAR.