



October 2014

## Army Corps of Engineers Abandons New England General Permit

The U.S. Army Corps of Engineers, New England District, has decided to discontinue its plan for a regional general permit for activities within its jurisdiction that would have covered all six New England states. In 2013, the Corps began to consider using a regional permit and, on July 31, 2014, released a second draft of the general permit for public comment. Based on comments received from stakeholders, [the Corps announced on October 9, 2014](#), that it would terminate the plan and continue with the state programmatic general permits (PGPs). The Massachusetts PGP will be the first to expire on January 20, 2015, and the Corps intends to issue a new PGP by that date.

It is not yet clear what modifications, if any, the Corps will make to each state's PGP as it comes up for reauthorization. With the discontinuance of the regional approach, those planning or contemplating an activity within the Corps' jurisdiction should continue to review their state PGP to determine if they can avoid having to apply for an individual permit for their planned activity.

If you have any questions or would like to discuss ACOE permitting issues, please contact one of the following lawyers:

[John P. Casey](#) | [Pamela K. Elkow](#) | [W. Richard Smith Jr.](#)

[Michael S. Giaimo](#) | [Peter V. Lacouture](#) | [Jonathan H. Schaefer](#)

Or contact any other member of the [Environmental + Utilities Group](#).

Boston | Hartford | New York | Providence | Stamford | Albany | Los Angeles | New London | Sarasota | **rc.com**

© 2014 Robinson & Cole LLP. All rights reserved. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without prior written permission. This document should not be considered legal advice and does not create an attorney-client relationship between Robinson+Cole and you. Consult your attorney before acting on anything contained herein. The views expressed herein are those of the authors and not necessarily those of Robinson+Cole or any other individual attorney of Robinson+Cole. The contents of this communication may contain attorney advertising under the laws of various states. Prior results do not guarantee a similar outcome.