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Summary of the 2026 proposed Nationwide Permits (NWP) and Section 401 Water Quality Certifications

Nationwide Permit	Water Quality Certification Determination
NWP 1 – Aids to Navigation	Certify as written
NWP 2 – Structures in Artificial Canals	Certify as written
NWP 3 – Maintenance	Certify with conditions
NWP 4 – Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities	Certify as written
NWP 5 – Scientific Measurement Devices	Certify with conditions
NWP 6 – Survey Activities	Certify as written
NWP 7 – Outfall Structures and Associated Intake Structures	Certify with conditions
NWP 8 – Oil and Gas Structures on the Outer Continental Shelf	Certify as written
NWP 9 – Structures in Fleeting and Anchorage Areas	Certify as written
NWP 10 – Mooring Buoys	Certify as written
NWP 11 – Temporary Recreational Structures	Certify as written
NWP 12 – Oil or Natural Gas Pipeline Activities	Certify with conditions
NWP 13 – Bank Stabilization	Certify with conditions
NWP 14 – Linear Transportation Projects	Certify with conditions
NWP 15 – U.S. Coast Guard Approved Bridges	Certify with conditions
NWP 16 – Return Water From Upland Contained Disposal Areas	Deny
NWP 17 – Hydropower Projects	Deny
NWP 18 – Minor Discharges	Certify with conditions
NWP 19 – Minor Dredging	Certify with conditions
NWP 20 – Response Operations for Oil or Hazardous Substances	Certify as written
NWP 21 – Surface Coal Mining Operations	Certify with conditions
NWP 22 – Removal of Vessels	Certify as written
NWP 23 – Approved Categorical Exclusions	Certify with conditions
NWP 24 – Indian Tribe or State Administered Section 404 Programs	Certify as written
NWP 25 – Structural Discharges	Certify with conditions

Continued on the next page.

Summary of the 2026 proposed NWP's and Section 401 Water Quality Certifications continued

Nationwide Permit	Water Quality Certification Determinations
NWP 27 – Aquatic Ecosystem Restoration, Enhancement, and Establishment Activities	Certify with conditions
NWP 28 – Modifications of Existing Marinas	Certify as written
NWP 29 – Residential Developments	Certify with conditions
NWP 30 – Moist Soil Management for Wildlife	Certify with conditions
NWP 31 – Maintenance of Existing Flood Control Facilities	Certify with conditions
NWP 32 – Completed Enforcement Actions	Deny
NWP 33 – Temporary Construction, Access, and Dewatering	Certify with conditions
NWP 34 – Cranberry Production Activities	Certify as written
NWP 35 – Maintenance Dredging of Existing Basins	Certify as written
NWP 36 – Boat Ramps	Certify with conditions
NWP 37 – Emergency Watershed Protection and Rehabilitation	Certify with conditions
NWP 38 – Cleanup of Hazardous and Toxic Waste	Deny
NWP 39 – Commercial and Institutional Developments	Certify with conditions
NWP 40 – Agricultural Activities	Certify as written
NWP 41 – Reshaping Existing Drainage Ditches	Certify as written
NWP 42 – Recreational Facilities	Certify with conditions
NWP 43 – Stormwater Management Facilities	Deny
NWP 44 – Mining Activities	Deny
NWP 45 – Repair of Uplands Damaged by Discrete Events	Certify with conditions
NWP 46 – Discharges in Ditches	Certify with conditions
NWP 48 – Commercial Shellfish Mariculture Activities	Certify as written
NWP 49 – Coal Remining Activities	Certify with conditions
NWP 50 – Underground Coal Mining Activities	Certify with conditions
NWP 51 – Land-Based Renewable Energy Generation Facilities	Certify with conditions
NWP 52 – Water-Based Renewable Energy Generation Pilot Projects	Deny
NWP 53 – Removal of Low-head Dams	Deny
NWP 54 – Living Shorelines	Certify as written
NWP 55 – Seaweed Mariculture Activities	Certify as written
NWP 57 – Electrical Utility Line and Telecommunications Activities	Certify with conditions
NWP 58 – Utility Line Activities for Water and Other Substances	Certify with conditions
NWP 59 – Water Reclamation and Reuse Facilities	Certify with conditions
NWP A – Activities to Improve Passage of Fish and Other Aquatic Organisms	Certify with conditions