

fill material into waters of the U.S., and must be followed in order for authorization by the NWPs to be valid:

1. **Water Supply Intakes.** No discharge of dredged or fill material may occur in the proximity of a public water supply intake except where the discharge is for repair of the public water supply intake structures or adjacent bank stabilization.

2. **Shellfish Production.** No discharge of dredged or fill material may occur in areas of concentrated shellfish production, unless the discharge is directly related to a shellfish harvesting activity authorized by NWP 4.

3. **Suitable Material.** No discharge of dredged or fill material may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.,) and material discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

4. **Mitigation.** Discharges of dredged or fill material into waters of the United States must be minimized or avoided to the maximum extent practicable at the project site (i.e., on-site), unless the District Engineer approves a compensation plan that the District Engineer determines is more beneficial to the environment than on-site minimization or avoidance measures.

5. **Spawning Areas.** Discharges in spawning areas during spawning seasons must be avoided to the maximum extent practicable.

6. **Obstruction of High Flows.** To the maximum extent practicable, discharges must not permanently restrict or impede the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters).

7. **Adverse Effects from Impoundments.** If the discharge creates an impoundment of water, adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.

8. **Waterfowl Breeding Areas.** Discharges into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

9. **Removal of Temporary Fills.** Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

## REGIONAL GENERAL CONDITIONS FOR NATIONWIDE PERMITS

These conditions must be met for all projects authorized under NWPs in the State.

1. Mitigation or Restoration. Any activity or work authorized under these NWPs shall not adversely impact previously required Federal or State mitigation or restoration efforts.

2. Bog Systems. The use of NWPs is specifically prohibited in bog systems (as defined in the appendix of this public notice), except for projects provided coverage under NWP 34 -- Cranberry Production Activities.

3. Revegetation. Upon completion of the work in a wetland area, the site shall be replanted with native wetland vegetation during the next appropriate planting season. The applicant shall take appropriate measures to ensure revegetation success, as defined below.

The removal or destruction of existing shoreline (marine) or riparian (freshwater) vegetation shall be held to the absolute minimum needed for construction. Immediately following construction, shorelines or riparian zones affected by construction shall be replanted with native vegetation. The applicant shall take appropriate measures to ensure the success of the revegetation effort.

Success is defined as 80 percent of the planted area being covered with native species 5 years after construction is completed. If the percent of cover of native species does not equal or exceed 80 percent at the end of this 5-year period, remedial measures (e.g., replanting, soil amendments, additional monitoring, etc.) may be required until success is achieved.

Measures such as hydroseeding with annual or non-invasive grasses or groundcovers may be used for temporary erosion control.

4. National Wild and Scenic Rivers and Study Areas. The State and the EPA have denied 401 Certification for all proposed projects in National Wild and Scenic River and Study areas. An individual 401 Certification must be obtained for all projects in these areas, which currently include reaches of the following: the Klickitat, Skagit, Sauk, Suiattle, and White Salmon Rivers, and the Hanford Reach of the Columbia River.

5. Commencement Bay. An individual permit is required for activities in the Commencement Bay Study Area (CBSA) previously authorized by the following NWP:

- NWP 13 -- Bank Stabilization.
- NWP 14 -- Road Crossing.
- NWP 23 -- Approved categorical exclusions.
- NWP 26 -- Headwaters and Isolated Waters Discharges.

All other NWPs are still applicable within the CBSA.

The CBSA is located near the southern end of Puget Sound's main basin at Tacoma, Pierce County, Washington. The CBSA extends from Brown's Point around the bay to Point Defiance and includes the commercial waterways, wetlands, and any other jurisdictional waters. From Point Defiance, the line runs southeast to State Route 7 (Pacific Avenue), then south to the centerline of I-5; then east (northbound lanes) along I-5 to the Puyallup River. The boundary extends 200 feet on either side of the Puyallup River southeast to the Clark Creek Road (Melroy) Bridge. From the Puyallup River, the boundary extends east along I-5 to 70th Avenue East. The line then returns to Brown's Point to the northwest, following the 100-foot contour elevation above sea level located east of Hylebos Creek and Marine View Drive.

6. Prohibited Work Times for Fish Protection. For compliance with National General Condition 11, in-water construction activities are prohibited to protect three species of salmon listed as threatened and endangered under the Endangered Species Act as follows:

Columbia River	
Mouth to Bonneville Dam	March 1 - October 30
Bonneville Dam to John Day Dam	March 15 - November 15
Upstream of John Day Dam	April 1 - November 30
Snake River	
Mouth to Hells Canyon Dam (ID)	March 1 - December 15

Exceptions to these prohibited work times can be made by request to the Corps and approved by the NMFS.

Until specific timing restrictions are developed to protect salmonids and other fish species of concern in other river systems, please refer to the timing restrictions in the HPA for the project. Work outside the HPA timing restrictions must specifically be approved by the WDFW and the NMFS for waters with anadromous species or the WDFW and the USFWS for waters with resident species of fish.

7. Prohibited Work Times for Bald Eagle Protection. For compliance with National General Condition 11, the following construction activity prohibitions apply to protect bald eagles, listed as threatened under the *Endangered Species Act*:

a. No construction activity authorized under a NWP shall occur within 1/4 mile of an occupied bald eagle nest, nocturnal roost site, or wintering concentration area, within the following seasonal work prohibition times.

b. No construction activity authorized under a NWP shall occur within 1/2 mile BY LINE OF SIGHT of an occupied bald eagle nest or nocturnal roost site, within the following seasonal work prohibition times.

Work prohibition times: Bald eagle nesting occurs between January 1 and August 15 each year. Bald eagles are found at wintering areas between November 1 and March 31 each year. Exceptions to these prohibited work times can be made by request to the Corps and approved by the U.S. Fish and Wildlife Service (USFWS).

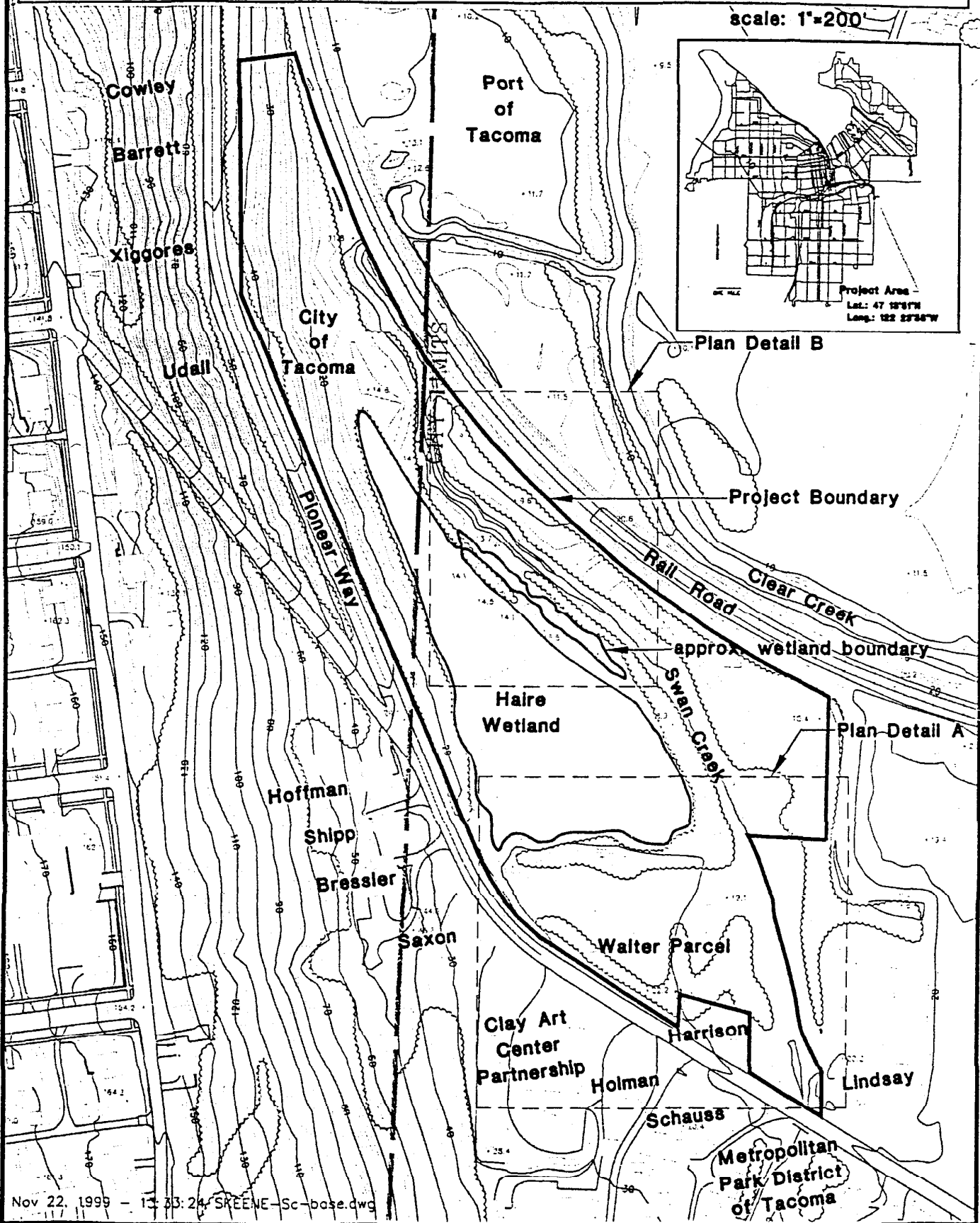
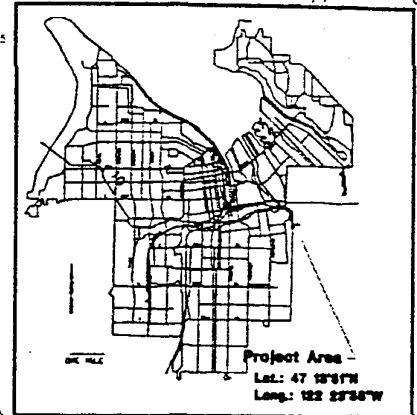
Contact the USFWS to determine if a bald eagle nest, nocturnal roost, or wintering concentration occurs near your proposed project:

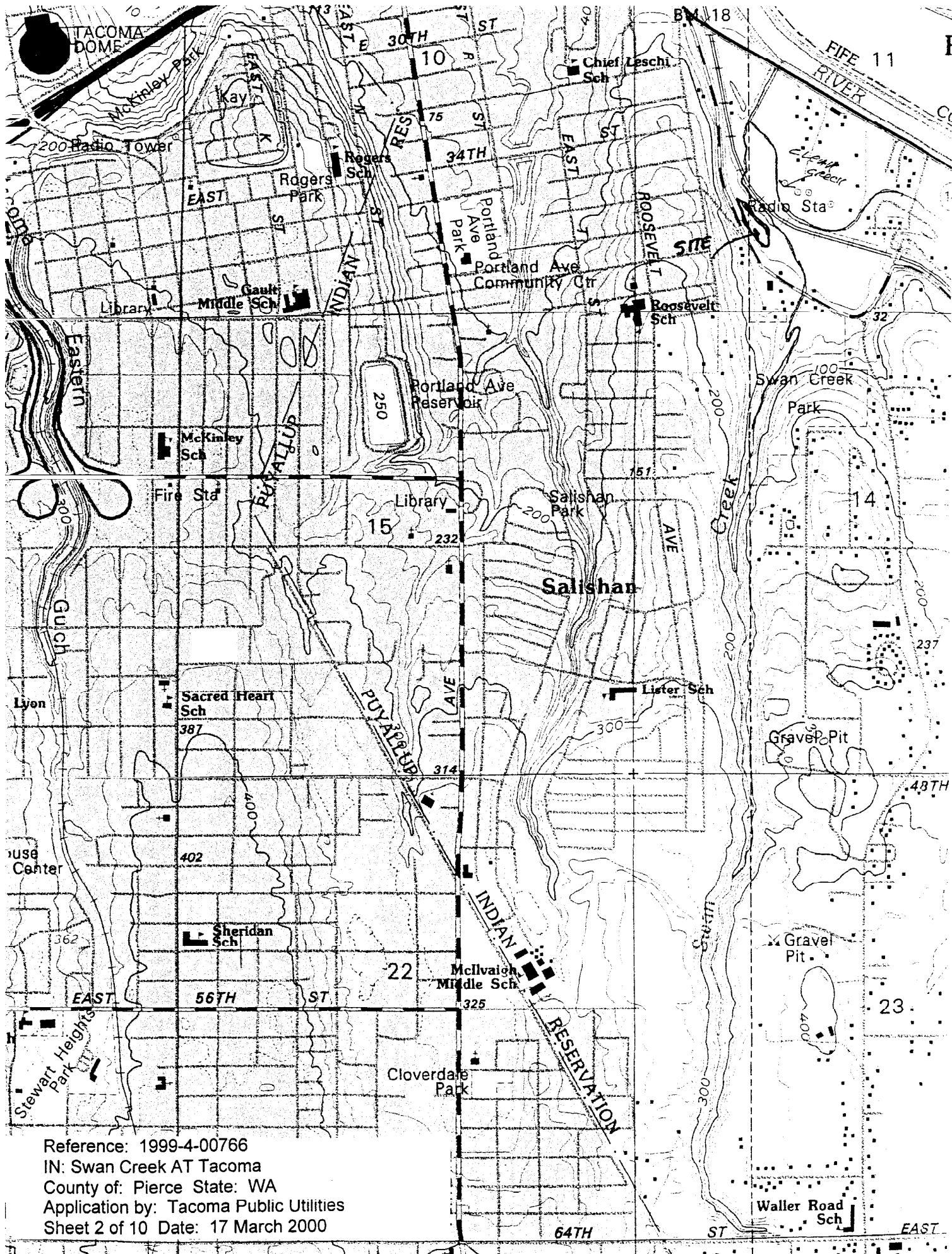
West of Cascades, Olympia Office - (360) 753-9440  
East of Cascades, Moses Lake - (509) 765-6125, or  
Spokane - (509) 891-6839  
Mainstem of the Columbia River  
downstream from McNary Dam - (503) 231-6179

**Purpose: Swan Creek Stream Restoration**  
**Existing Conditions and Vicinity Map**  
**Datum: NGVD29**

Reference: 1999-4-00766  
IN: Swan Creek AT Tacoma  
County of: Pierce State: WA  
Application by: Tacoma Public Utilities  
Sheet 1 of 10 Date: 17 March 2000

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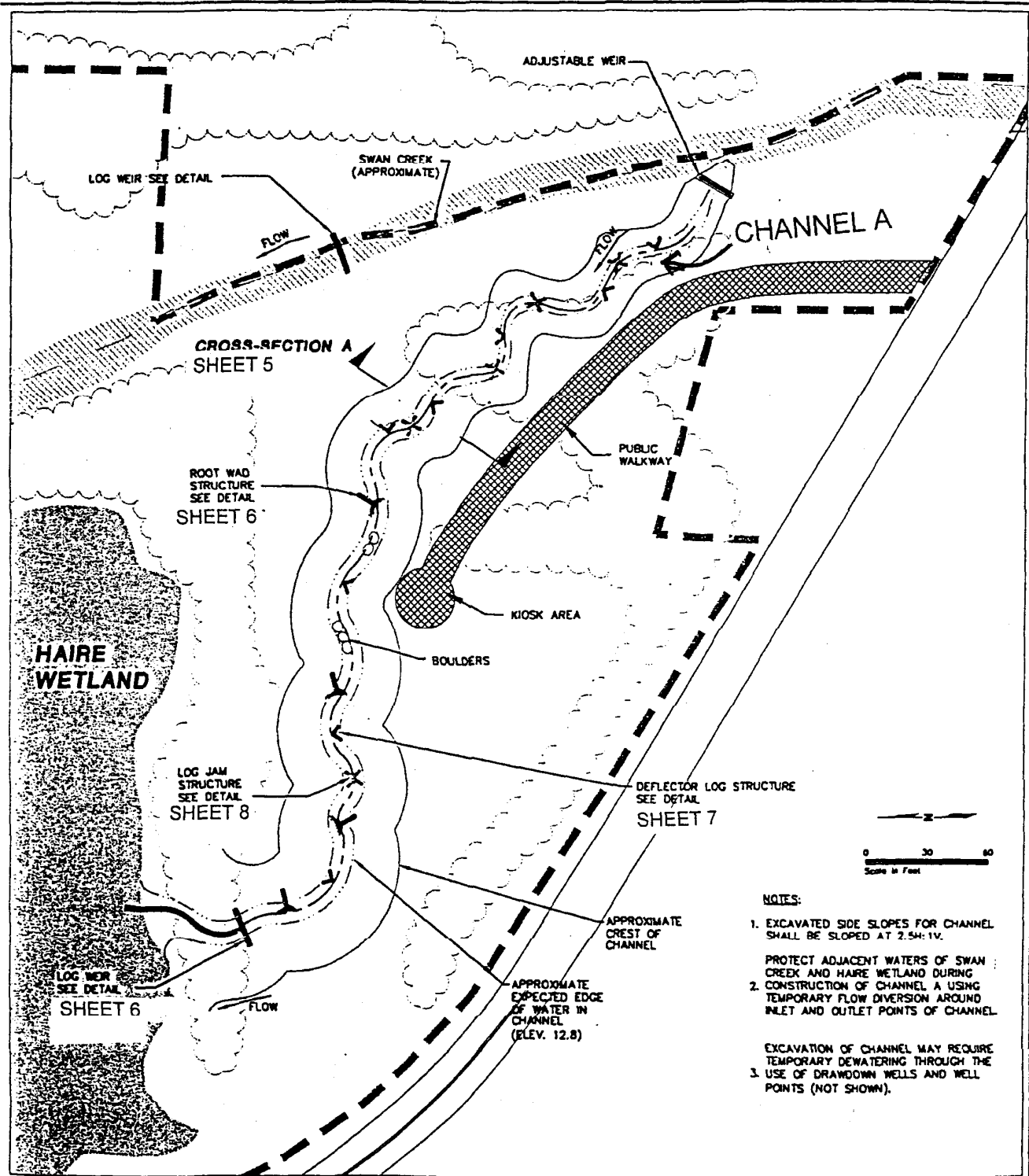




Reference: 1999-4-00766  
 IN: Swan Creek AT Tacoma  
 County of: Pierce State: WA  
 Application by: Tacoma Public Utilities  
 Sheet 2 of 10 Date: 17 March 2000

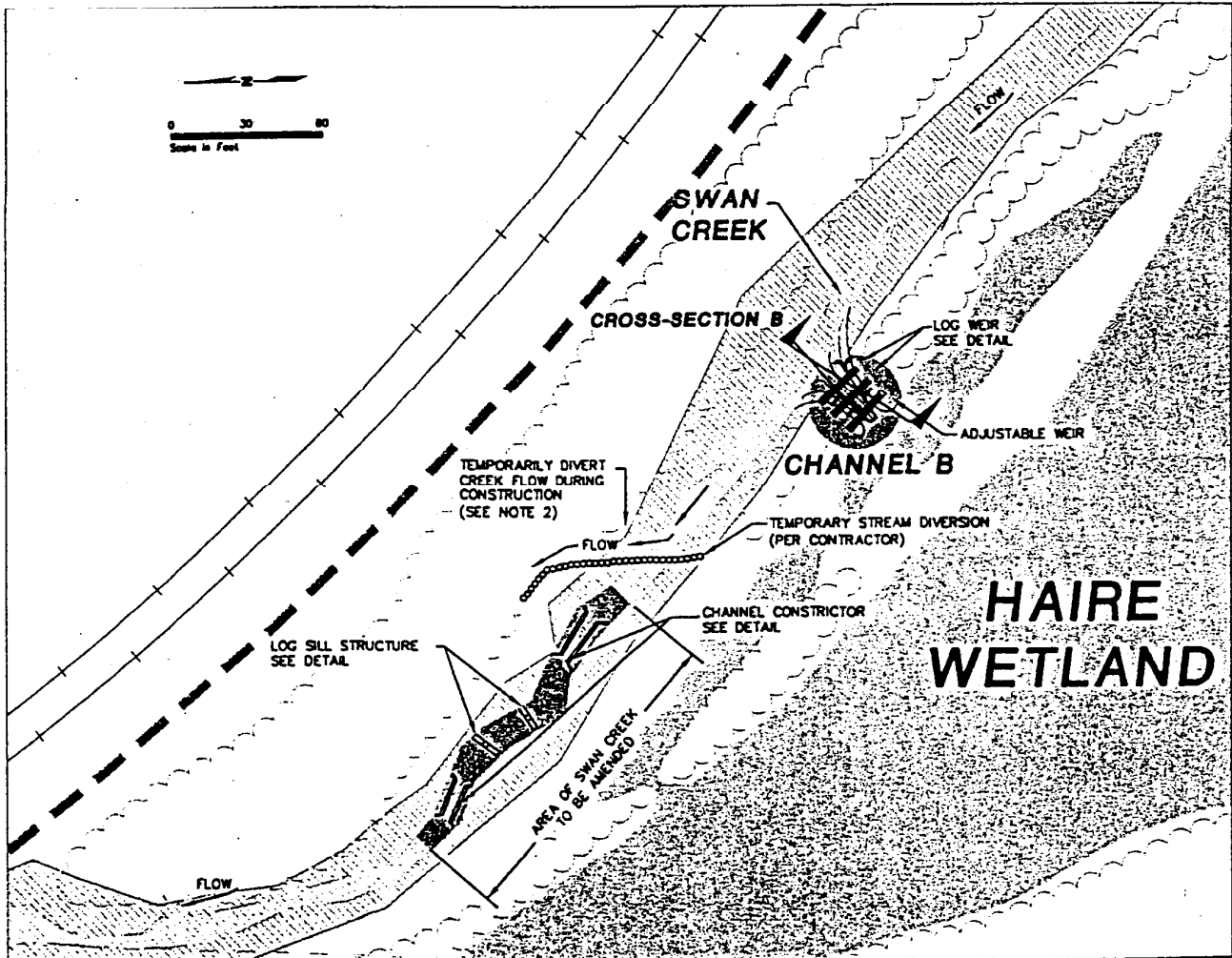
**Purpose: Swan Creek Stream Restoration  
Plan Detail A, Constructed Channel A and  
Public Access walkway  
Datum: NGVD29**

Reference: 1999-4-00766  
IN: Swan Creek AT Tacoma  
County of: Pierce State: WA  
Application by: Tacoma Public Utilities  
Sheet 3 of 10 Date: 17 March 2000



**Purpose: Swan Creek Stream Restoration**  
**Plan Detail B, Constructed Channel B at**  
**Outlet of Haire Wetland to Swan Creek**  
**Datum: NGVD29**

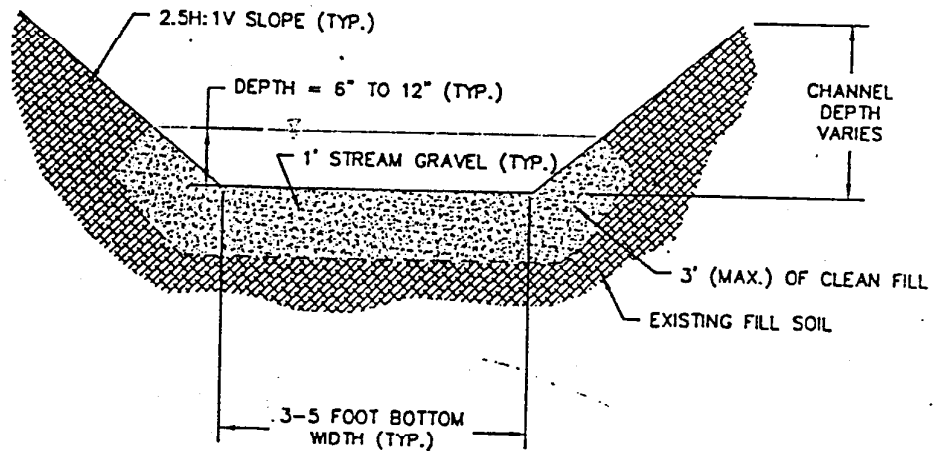
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IN: Swan Creek AT Tacoma  
County of: Pierce State: WA  
Application by: Tacoma Public Utilities  
Sheet 4 of 10 Date: 17 March 2000



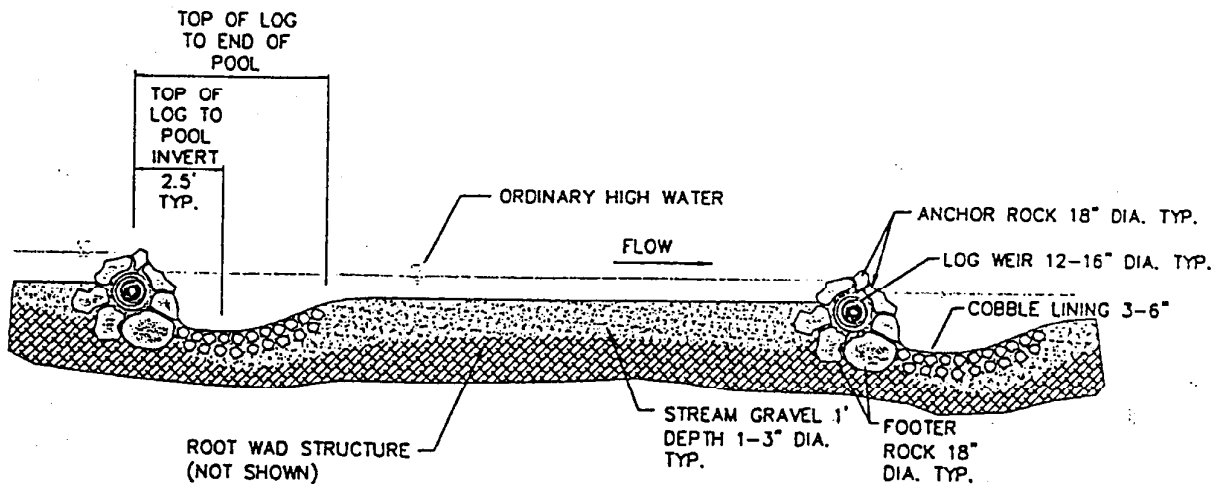


**Purpose: Swan Creek Stream Restoration**  
**Channel Cross Sections**

Reference: 1999-4-00766  
IN: Swan Creek AT Tacoma  
County of: Pierce State: WA  
Application by: Tacoma Public Utilities  
Sheet 5 of 10 Date: 17 March 2000



**CROSS SECTION A**  
NOT TO SCALE



**PARTIAL CROSS SECTION ALONG CHANNEL B**  
NOT TO SCALE

CERTIFICATE OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT

Permit Number: 1999-4-00766

Name of Permittee: TACOMA PUBLIC UTILITIES

Date of Issuance: JUL 14 2000

Upon completion of the activity authorized by this permit, sign this certification and return it to the following address:

Department of the Army  
U.S. Army Corps of Engineers  
Seattle District, Regulatory Branch  
Post Office Box 3755  
Seattle Washington 98125-3755

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers' representative. If you fail to comply with your authorization, your project is subject to suspension, modification, or revocation.

- The work authorized by the above referenced permit has been completed in accordance with the terms and conditions of your permit.
- The mitigation required (not including monitoring) by the above referenced permit has been completed in accordance with the terms and conditions of your permit.

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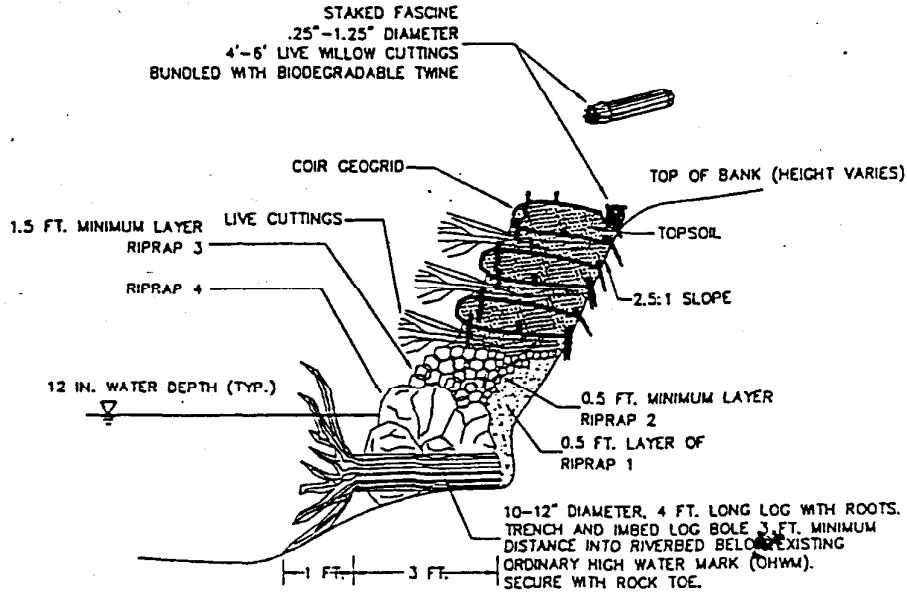
Signature of Permittee

NWP 27

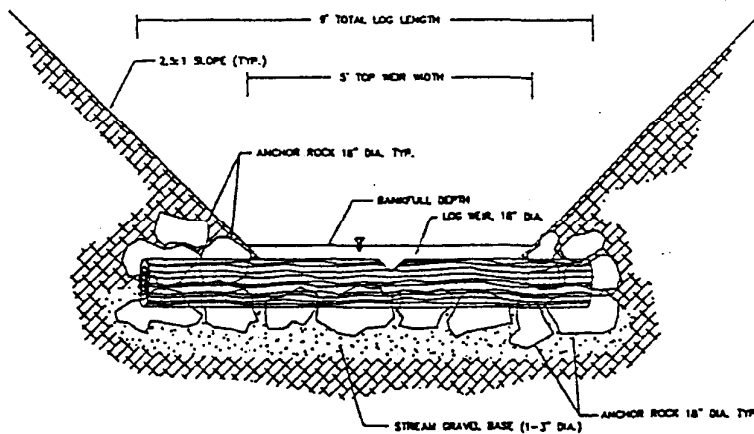
11 February 1997  
CLM7; B: CERTCOMP.97

**Purpose: Swan Creek Stream Restoration**  
**Root Wad Structure detail and**  
**Log Weir detail**

Reference: 1999-4-00766  
 IN: Swan Creek AT Tacoma  
 County of: Pierce State: WA  
 Application by: Tacoma Public Utilities  
 Sheet 6 of 10 Date: 17 March 2000



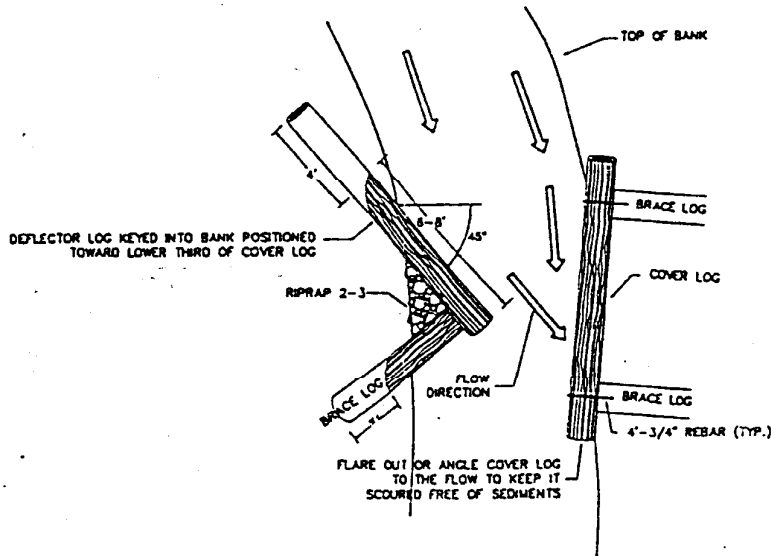
**ROOT WAD STRUCTURE**  
 NOT TO SCALE



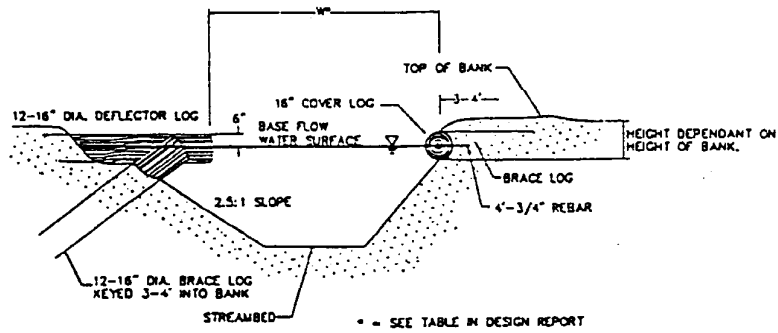
**CROSS SECTION - LOG WEIR**  
 NOT TO SCALE

**Purpose: Swan Creek Stream Restoration**  
**Deflector Log Structure detail**

Reference: 1999-4-00766  
IN: Swan Creek AT Tacoma  
County of: Pierce State: WA  
Application by: Tacoma Public Utilities  
Sheet 7 of 10 Date: 17 March 2000



PLAN VIEW



PROFILE VIEW

**DEFLECTOR LOG STRUCTURE**  
NOT TO SCALE

**Purpose: Swan Creek Stream Restoration**

**Log Jam Structure detail and**

**Log Sill Structure detail**

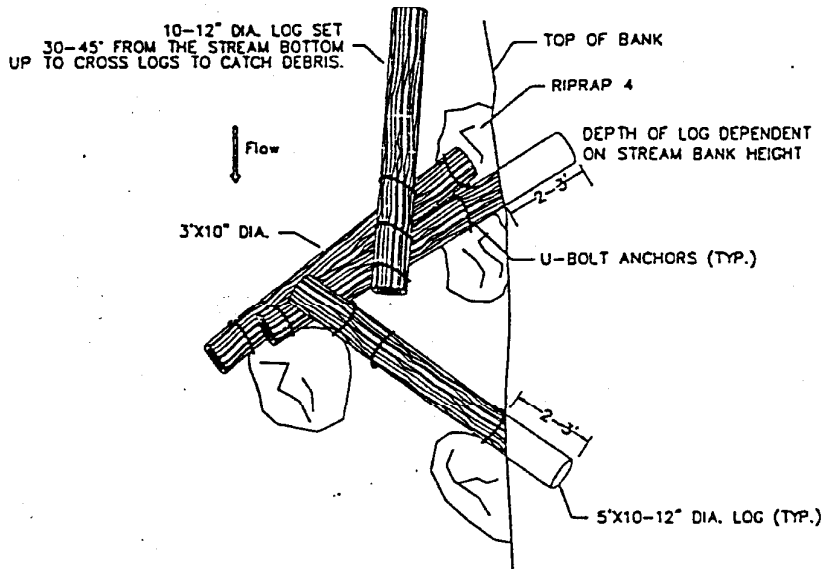
Reference: 1999-4-00766

IN: Swan Creek AT Tacoma

County of: Pierce State: WA

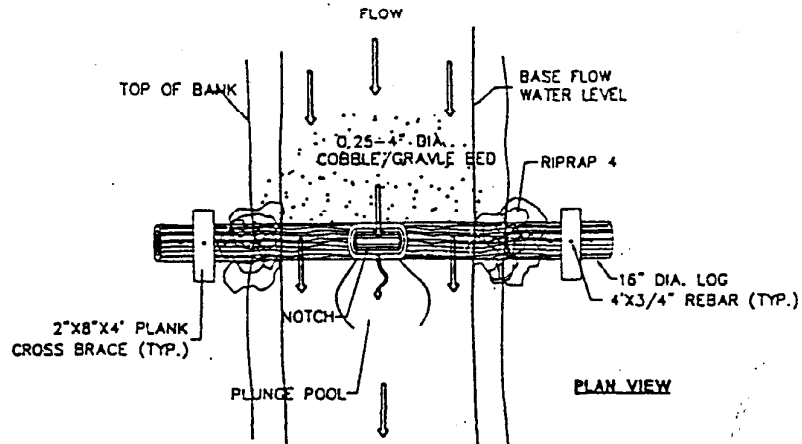
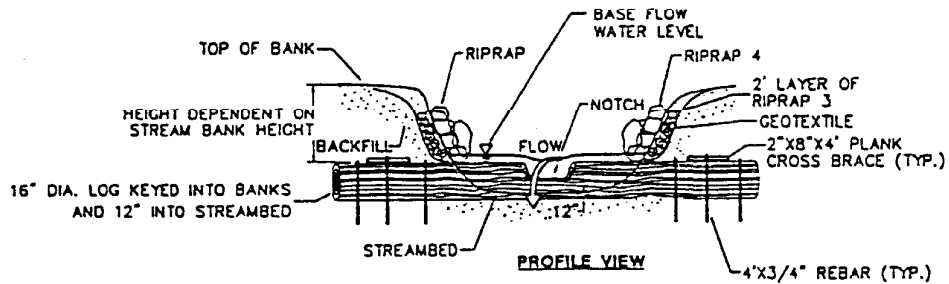
Application by: Tacoma Public Utilities

Sheet 8 of 10 Date: 17 March 2000



**LOG JAM STRUCTURE**

NOT TO SCALE



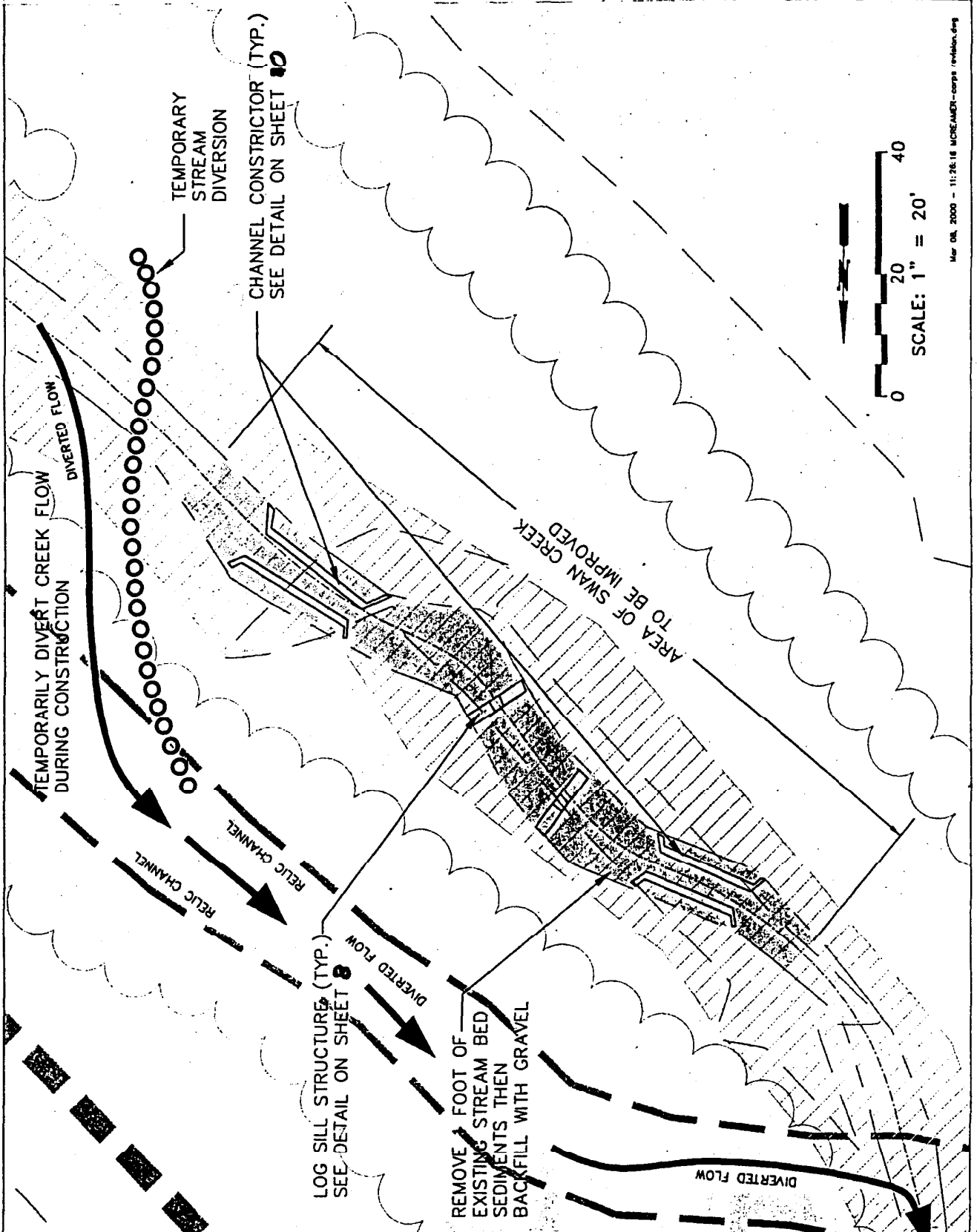
**LOG SILL STRUCTURE**

NOT TO SCALE

**Purpose: Swan Creek Stream Restoration**  
**Area of Swan Creek to be amended**

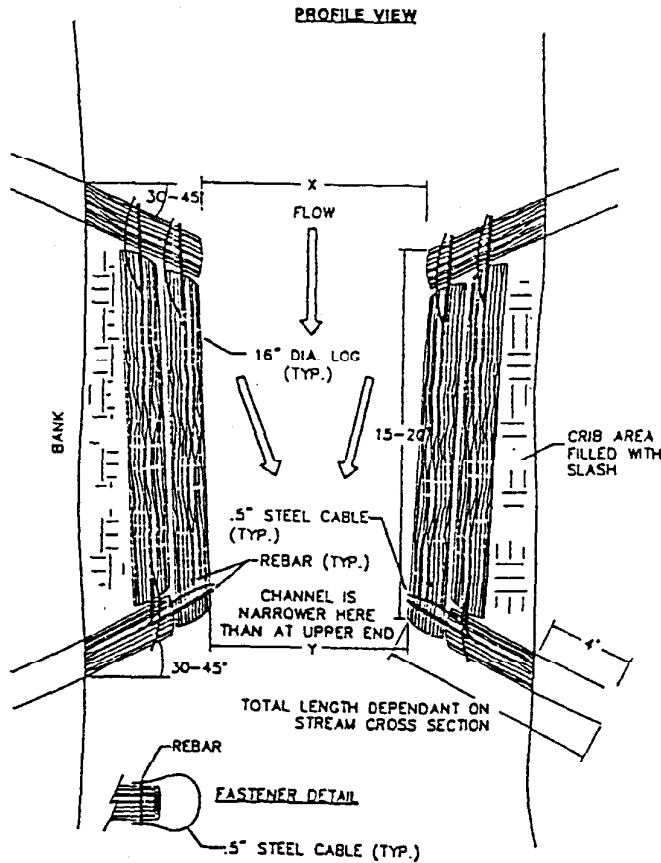
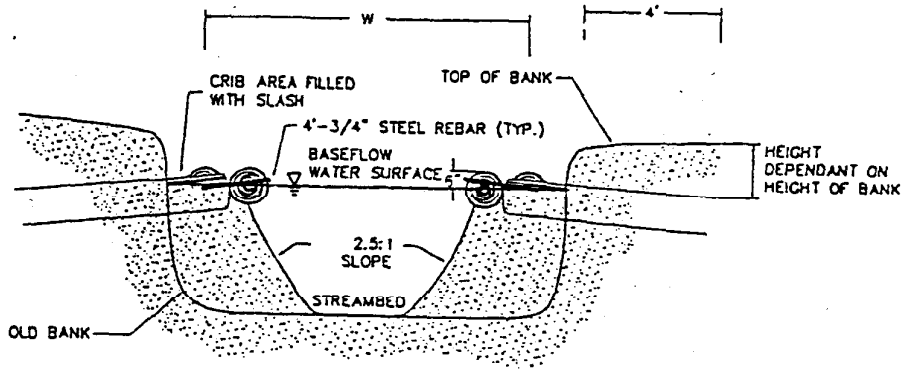
**Datum: NGVD29**

Reference: 1999-4-00766  
IN: Swan Creek AT Tacoma  
County of: Pierce State: WA  
Application by: Tacoma Public Utilities  
Sheet 9 of 10 Date: 17 March 2000



**Purpose: Swan Creek Stream Restoration**  
**Channel Constrictor detail**

Reference: 1999-4-00766  
IN: Swan Creek AT Tacoma  
County of: Pierce State: WA  
Application by: Tacoma Public Utilities  
Sheet 10 of 10 Date: 17 March 2000



**CHANNEL CONSTRICTOR**  
NOT TO SCALE