

**U.S. Army Corps of Engineers - Charleston District
Checklist for 2012 Nationwide Permit Review
Nationwide Permit 48**

**Commercial Shellfish Aquaculture Activities
(10/404)**

SAC#: _____

Applicant Name: _____

Waterway/Location: _____

Project Name: _____

1. Is the discharge of dredged or fill material in waters of the U.S. or structures or work in navigable waters of the U.S. necessary for commercial shellfish aquaculture operations in authorized project areas? *(NOTE: For the purposes of this NWP, the project area is the area in which the operator is currently authorized to conduct commercial shellfish aquaculture activities, as identified through a lease or permit issued by an appropriate state or local government agency, a treaty, or any other easement, lease, deed, or contact which establishes an enforceable property interest for the operator)*

Yes No

2. Are the commercial shellfish aquaculture operations located in a new project area? *(Refer to #1 above for definition of project area)*

Yes* No

3. For commercial shellfish aquaculture operations in a new project area, is a copy of the lease or permit issued by an appropriate state or local government agency, a treaty, or a legal contractual document establishing a valid property interest provided with the PCN as required by Regional Condition #34?

Yes* No N/A

4. Does the commercial shellfish aquaculture operation involve the installation of buoys, floats, racks, trays, nets lines, tubes, containers, and other structures into navigable waters of the U.S. AND/OR does the work involve the discharge of dredged or fill material into waters of the U.S. necessary for shellfish seeding, rearing, cultivating, transplanting, and harvesting activities?

Yes No

5. Does the activity involve the cultivation of a nonindigenous species (unless previously cultivated in the waterbody), the cultivation of an aquatic nuisance species as defined in the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, the construction of attendant features such as docks, piers, boat ramps, stockpiles, or staging areas, AND/OR the deposition of shell material back into waters of the U.S. as waste?
- Yes No
6. Will any rafts or floating structures be securely anchored and clearly marked?
- Yes No N/A
7. Will the activity in a new project area directly affect more than ½ acre of submerged aquatic vegetation beds?
- Yes No*
8. Does the activity involve dredge harvesting, tilling, or harrowing in areas inhabited by submerged aquatic vegetation?
- Yes* No
9. Does the activity involve the cultivation of a species not previously cultivated in the waterbody?
- Yes* No
10. Does the activity involve a change from bottom culture to floating or suspended culture?
- Yes* No
11. For activities requiring a PCN, is the following required information included with the PCN: a) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; b) the name(s) of cultivated species; AND c) whether canopy predator nets are being used?
- Yes No N/A
12. Are all of the applicable NWP General and Regional Conditions satisfied, including endangered species, and cultural resources, and if any Federally listed species and/or designated critical habitat occurs in the action area, have you made an effect determination and properly documented it in the administrative record?
- Yes No

13. Will the U.S. Coast Guard be notified regarding the project?

Yes No

14. For projects that reuse material that has been taken from a different waterbody, will the material be treated in accordance with the applicable regional aquatic nuisance species management plan?

Yes No N/A

TO QUALIFY FOR THE NWP, UNLESS OTHERWISE NOTED, EVERY NUMBERED ITEM MUST HAVE A CHECKED BOX.

* - REQUIRES A PRE-CONSTRUCTION NOTIFICATION (PCN) TO THE DISTRICT ENGINEER. **SEE THE SEPARATE PCN CHECKLIST TO ENSURE THE PROSPECTIVE PERMITTEE SUBMITS THE REQUISITE INFORMATION.**

Remember, determination of completeness must be made within 30 days of the date of receipt. If all required information is not provided, the prospective permittee will be notified that the preconstruction notification (PCN) is still incomplete and the review will not commence until all requested information has been received. If the applicant has not received any written notice from the DE within **45 days** of the date of receipt of the PCN, ***the verification is issued by default.***

Reviewed by: _____

Date: _____