

**U.S. Army Corps of Engineers - Charleston District
Checklist for 2012 Nationwide Permit Review
Nationwide Permit 3**

**Maintenance
(10/404)**

SAC#: _____

Applicant Name: _____

Waterway/Location: _____

Project Name: _____

I. Nationwide Permit 3 (a), (b), and/or (c) Complete #1-4 of this section I for ALL Nationwide Permit 3 projects. Complete Sections II, III and/or IV as appropriate.

1. Does the activity involve beach nourishment, new stream channelization, or stream relocation, or maintenance dredging for navigation, including excavation of accumulated sediment or other material in areas adjacent to existing private or commercial dock facilities, canals dug for boating access, marinas, or boat slips?

Yes No

2. Does the activity comply with all of the NWP General and Regional Conditions, including mitigation, 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

3. Is the project located adjacent to an authorized Federal Navigation project? These Federal Navigation areas include Adams Creek, Atlantic Intracoastal Waterway (AIWW), Ashley River, Brookgreen Garden Canal, Calabash Creek, Charleston Harbor (including the Cooper River and Town Creek), Folly River, Georgetown Harbor (Winyah Bay, Sampit River, and Bypass Canal), Jeremy Creek, Little River Inlet, Murrells Inlet (Main Creek), Port Royal Harbor, Savannah River, Shem Creek (including Hog Island Channel & Mount Pleasant Channel), Shipyard Creek, Village Creek and the Wando River.

Yes* No

4. Is the activity proposed in designated critical resource waters or their adjacent wetlands? (critical resource waters include NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves)

Yes* No

II. Nationwide Permit 3 (a) *(Complete #1- 6 of this section II if paragraph (a) applies to project)*

N/A -Skip to Sections III and/or IV as appropriate.

1. Is the activity for repair, rehabilitation, or replacement of any previously authorized, currently serviceable¹ structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3?

Yes No

2. Will the structure or fill be put to uses different from those specified in the original permit or the most recently authorized modification?

Yes No

3. Are the deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement that occur with the project considered minor?

Yes No N/A

4. For any stream modifications that are associated with the project, are they limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill AND/OR are the modifications, including the removal of material from the stream channel, located immediately adjacent to the project or within the boundaries of the structure or fill?

Yes No N/A

5. If the activity involves the repair, rehabilitation, or replacement of structures or fills that were destroyed or damaged by storms, floods, fire or other discrete events, has the work commenced or is under contract to commence within two years of the date of the destruction or damage, OR in cases of catastrophic events, such as hurricanes or tornadoes where this two-year limited may be waived, has the permittee demonstrated delays due to funding, contract, etc?

Yes No NA

6. Does the discharge of dredge or fill material cause a loss of greater than 1/10 acre of waters of the United States or is there a discharge in a special aquatic site, including wetlands and riffle pool complexes?

Yes* No

III. Nationwide Permit 3 (b) *(Complete #1- 6 of this section III if paragraph (b) applies to project) NOTE: All Nationwide Permit 3 (b) activities require a Pre-Construction Notification*

N/A -Skip to Section IV as appropriate.

1. Does the activity involve the removal of accumulated sediments and/or debris in the vicinity of existing structures (e.g. bridges, culverted road crossings, water intake structures, etc.) AND/OR the placement of new or additional riprap to protect the structure?

Yes* No

2. Is the removal of the sediment and/or debris limited to the minimum work necessary to restore the waterway in the vicinity of the structure, to the approximate dimensions that existed when the structure was built AND does the removal activities extend less than 200 feet in any direction from the structure?

Yes* No

3. Does the activity involve the maintenance dredging for removal of accumulated sediments that are blocking or restricting outfall and intake structures OR does the activity involve the maintenance dredging for removal of accumulated sediments from canals associated with outfall and intake structures? (The 200 foot limit does not apply).

Yes* No

4. Will all dredged or excavated materials be deposited in and retained in an area with no waters of the U.S. unless otherwise specifically approved by the district engineer under separate authorization?

Yes* No

5. Will the placement of new or additional riprap be directly associated with a structure AND will the riprap be the minimum necessary to protect or ensure the safety of the structure? **NOTE:** Any bank stabilization measures not directly associated with a structure will require a separate authorization from the district engineer.

Yes* No NA

6. Does the Pre-Construction Notification (PCN) include information regarding the original design capacities and configurations of the outfalls, intakes small impoundments, and canals?

Yes No

IV. Nationwide Permit 3 (c) (complete #1- 5 if paragraph (c) applies to project) N/A

1. Does the activity involve temporary structures, fills, and work necessary to conduct the maintenance activity

Yes No

2. Have appropriate measures been taken to maintain normal downstream flooding to the maximum extent practicable, when the temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites.

Yes No

3. Do the temporary fills consist of materials, and will they be placed in a manner, that will not be eroded by expected high flows?

Yes No

4. Will the temporary fills be removed in their entirety, the affected areas returned to pre-construction elevations, and the affected areas revegetated as appropriate?

Yes No

5. Does the discharge of dredge or fill material cause a loss of greater than 1/10 acre of waters of the United States or is there a discharge in a special aquatic site, including wetlands and riffle pool complexes?

Yes* No

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: