

**U.S. Army Corps of Engineers - Charleston District
Checklist for 2012 Nationwide Permit Review
Nationwide Permit 44**

**Mining Activities
(404)**

SAC#: _____

Applicant Name: _____

Waterway/Location: _____

Project Name: _____

***A Pre-Construction Notification (PCN) is required for all activities authorized by NWP 44**

1. Does the activity involve the discharge of dredged or fill material into non-tidal waters of the U.S. for mining activities, except for coal mining activities?

Yes* No

2. Will the discharge cause the loss of greater than ½-acre of non-tidal waters of the U.S.?

Yes No*

3. Will the discharge cause the loss of greater than 300 linear feet of streambed?

Yes No*

4. Will the discharge occur in non-tidal wetlands adjacent to tidal waters?

Yes No*

5. Are all of the applicable NWP General or Regional Conditions satisfied, 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

6. If reclamation is required by other statutes, was a copy of the reclamation plan submitted with the PCN?

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 SEPARATE PCN CHECKLIST TO INSURE APPLICANT SUBMITS REQUISITE INFORMATION, INCLUDING COMPENSATORY MITIGATION.**

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: _____