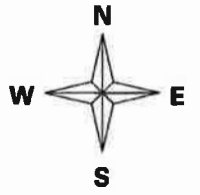


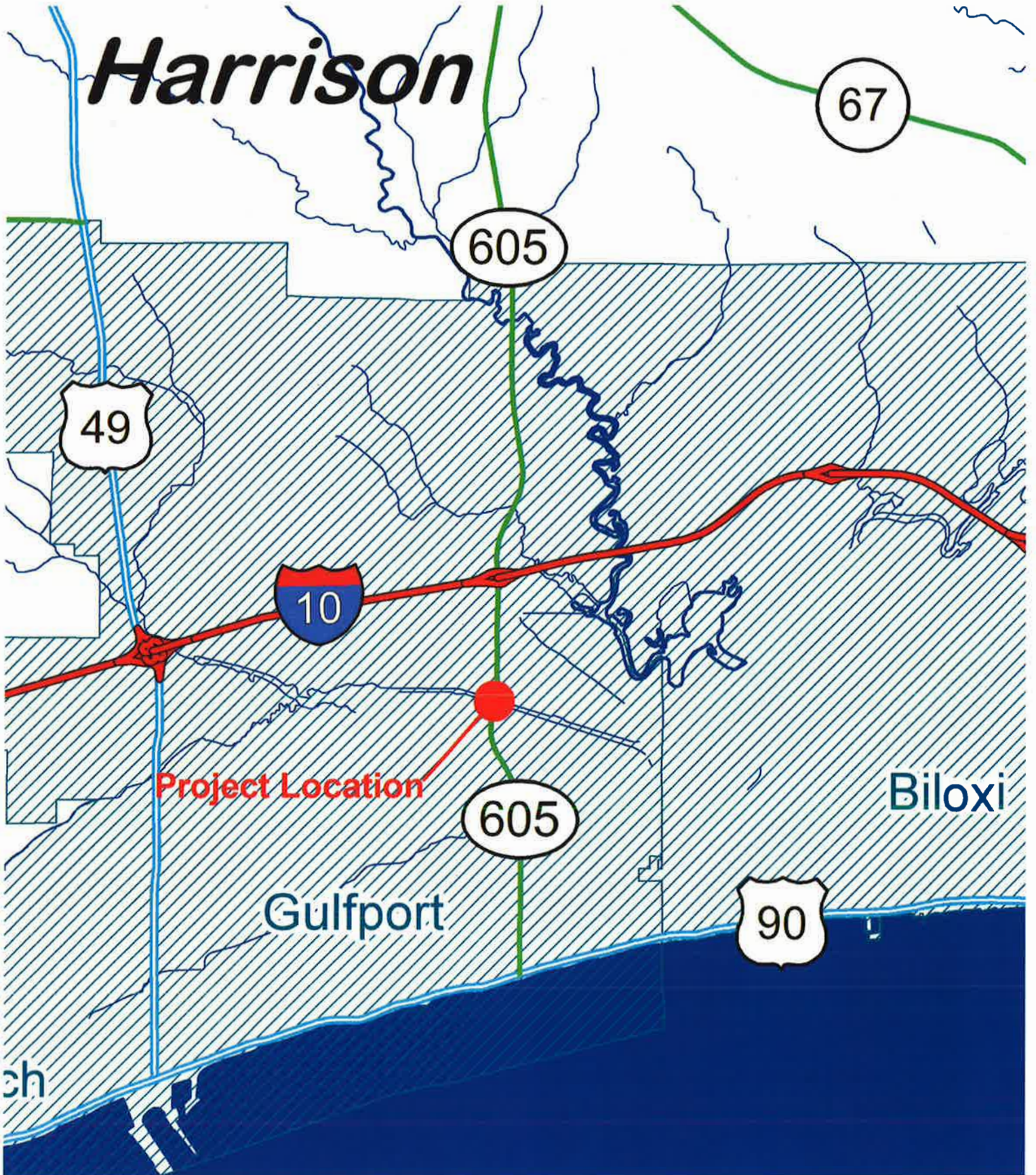
***Harrison 605***  
***BR-9371-01(001); 107505-301000***

Section 404 Nationwide 3,  
Section 401 Water Quality,  
and  
Dept. of Marine Resources  
Certificate of Waiver

## Location Map



# Harrison



67

605

49

10

Project Location

605

Biloxi

Gulfport

90

ch

# Roadway and Bridge Plans

**GENERAL INDEX**

INCLUDED THIS PROJECT	BEGUN WITH SHEET
<input checked="" type="checkbox"/> ROADWAY .....	1
<input type="checkbox"/> PERMANENT SIGNS .....	1001
<input type="checkbox"/> TRAFFIC SIGNALS .....	2001
<input type="checkbox"/> ITS COMPONENTS .....	3001
<input type="checkbox"/> LIGHTING .....	4001
<input type="checkbox"/> (RESERVED) .....	5001
<input checked="" type="checkbox"/> ROADWAY STANDARD DWGS .....	6001
<input type="checkbox"/> BOX CULVERT STD. DRAWINGS (L&P) .....	7001
<input type="checkbox"/> BOX CULVERT STD. DRAWINGS (STD. SPEC.) .....	7501
<input checked="" type="checkbox"/> BRIDGE .....	8001
<input type="checkbox"/> CROSS SECTIONS .....	9001

**BRIDGE STRUCTURES REQ'D.**  
NONE

**BOX BRIDGES REQ'D.**  
NONE

**CONVENTIONAL SYMBOLS**

COUNTY LINE .....	
TOWNSHIP CORPORAION LINE .....	
SECTION LINE .....	
EXISTING ROAD OR TRAVELED WAY .....	
PROPOSED ROAD OR TRAVELED WAY .....	
RAILROAD .....	
SURVEY LINE .....	
WATERSHED .....	

**LENGTH DATA**

LENGTH OF ROADWAY	1513.33	FT.	0.284	MI.
LENGTH OF BRIDGES				
LENGTH OF PROJECT (NET)				
LENGTH OF EXISTING				
LENGTH OF PROJECT GROSS				

**EQUATIONS**  
NONE

**EXCEPTIONS**  
NONE



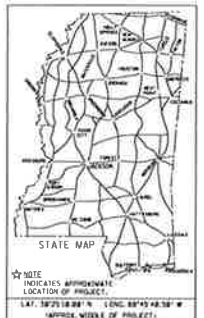
STATE OF MISSISSIPPI  
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

**PLANS FOR REHABILITATION OF  
SR 605 BASCULE BRIDGE  
FEDERAL AID PROJECT NO. BR-9371-01(001)**

FMS. CONST. NO. 107505 /101000  
SR 605 BRIDGE OVER INDUSTRIAL WATERWAY (BRIDGE NO. 3.5)  
HARRISON COUNTY

PLANS STAGE	DATE PRINTED
<input checked="" type="checkbox"/> CONCEPTUAL	03 / 28 / 19
<input type="checkbox"/> PRE-R.G.W.	
<input type="checkbox"/> FIELD INSPECTION	
<input type="checkbox"/> R.D.W. PLANS TO DWG	
<input type="checkbox"/> FINAL R.D.W.	
<input type="checkbox"/> R.O.W. REVISION	
<input type="checkbox"/> OFFICE REVIEW	

STATE	PROJECT NUMBER	SHEET NO.
MISSISSIPPI	BR-9371-01(001)	1



**DESIGN CONTROL**  
MPL - V (SPED) DESIGN

ALL L & A ADT L & A  
DW = L B = N T = S

**PERMITS ACQUIRED BY MODOT**

WEEDS AND WEEDING PERMIT (NECESSARY FOR ALL ROADWORK) ONLY

WATERWAY PERMIT (N) (N)

RAILROAD (OTHER) (Y) (N)

GENERAL (N) (N)

INDIVIDUAL (HQP) (N) (N)

\* ACQUISITION OF RIGHTS OR TEMPORARY OCCUPANCY PERMIT (N)

STATEWATER PERMIT (N)

Y - NEW STATE ROADWAY

S - RECONSTRUCTION OF EXISTING ROADWAY (L-TO-L OR ROAD)

N - NO STATE ROADWAY PERMIT REQUIRED (L-TO-L)

APPROVED BY:

**P S & E DATE:**

APPROVED:

DUPPLY EXECUTIVE DIRECTOR / CHIEF ENGINEER

DESIGNER:

DATE:

PROJECT:

SCALE:

PROJECT NO.:

PROJECT NAME:

PROJECT LOCATION:

PROJECT DATE:

PROJECT STATUS:

PROJECT TYPE:

PROJECT CLASS:

PROJECT PHASE:

PROJECT SUBPHASE:

PROJECT SUBSUBPHASE:

PROJECT SUBSUBSUBPHASE:

PROJECT SUBSUBSUBSUBPHASE:

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PROJECT SUBPHASE:

PROJECT SUBPHASE:

**GENERAL NOTES**

- 1. DESIGN SPECIFICATIONS:**  
American Association of State Highway and Transportation Officials (AASHTO):  
LRFD Bridge Design Specifications Seventh Edition and All Subsequent Addenda.  
AASHTO LRFD Movable Highway Bridge Design Specifications (2012) WITH 2013 Addenda.  
Mississippi Standard Specifications For Road And Bridge Construction, 2017.  
Intermodal Building Code (2015) For Control House.
- 2. VERTICAL DATUM:**  
B.M. Datum Is Based On The National Geodetic Vertical Datum of 1929 (NGVD).
- 3. DESIGN METHODOLOGY:**  
Load And Resistance Factor Design Using Strength, Service, Extreme Event And Fatigue Limit States.
- 4. DESIGN LOADINGS:**  
DEAD LOADS (For Structural Design And Balance Calculations):  
Structural Steel - 400 pcf  
Reinforced Concrete - 150 pcf  
Unreinforced Counterweight Concrete - 145 pcf
- LIVE LOADS:**  
a. HS20  
b. Subroad Live Load As Per AASHTO  
c. Impact Per AASHTO And AASHTO MBD05
- WIND LOADS:**  
As Per AASHTO LRFD Movable Highway Bridge Design Specifications And MDOT Bridge Design Manual.
- CONTROL HOUSE LOADS:**  
Floor Live Load: 100 psf  
Platform Load: 100 psf  
Roof Live Load: 30 psf  
Roof Dead Load: 30 psf  
Wind Load: Basic Wind Speed: 130 mph, Category III  
Wind Exposure: Category D
- 5. CONCRETE:**  
A. ALL CONCRETE SHALL BE CLASS AA.  
B. CONCRETE COVER:  
CP Superstructure = 2" For Top Deck Surfaces  
= 2" For Control House  
= 4" For External Surfaces Cont. Against Earth  
= 4" For Surfaces In Contact With Water  
= 4" For Other External Surfaces  
= 3" For Internal Surfaces  
= 3" For Retaining Walls  
C. Concrete Cover Dimensions Shown In The Plans Do Not Include Placement And Fabrication Tolerances Unless Shown As "Minimum Cover". All Dimensions Pertaining To The Location Of Reinforcing Steel Are To Centerline Of Bar Except Where Clear Dimension Is Noted To Face Of Concrete.  
C. LIGHTWEIGHT CONCRETE:  
Lightweight Concrete Mix - Unit Weight: 110pcf to 3 pcf  
Lightweight Concrete Aggregate As Per ASTM 1330 WITH 1" Maximum Aggregate Size.
- 6. REINFORCING STEEL:**  
All Reinforcing Steel Shall Be ASTM A615, Grade 60.
- 7. EXISTING REINFORCING STEEL:**  
All Superstructure Deck Transverse Reinforcing Steel, Both Top And Bottom Layers, Shall Be Protected, Saturated And Etched. Cutting Of This Reinforcing Steel And Substitution Of Adhesive-Bonded Dowels Is Not Permitted.

- 8. STRUCTURAL STEEL:**  
All New Structural Steel Shall Be In Accordance With ASTM A709, Grade 50, Unless Otherwise Shown. Except That Diagonal Bracing May Be Grade 36. All Structural Tubing Shall Be ASTM A500, Grade B, S.S. Double Stainless Steel All Stainless Steel Shall Be ASTM A276 Type 316, Unless Otherwise Noted.
- A. STEEL FABRICATION:**  
Direction Of Finished Rollage Of Members Shall Be Parallel To The Direction Of Primary Stresses.
- B. FRACTURE CRITICAL MEMBERS:**  
See Framing Plans For Designation Of Fracture Critical Members (FCM). Structural Components Designated In The Plans Or In The Technical Special Provisions As "Fracture Critical" Shall Conform To The Provisions Of Chapter 12 OF THE AASHTO/MSD D1.5 Bridge Working Code.  
Legend:  
Non-Fracture Critical Member (Redundant) Or Member Component;  
Fracture Critical Member Or Member Component (FCM):
- C. FIELD CONNECTIONS:**  
Structural Steel Connections Shall Use ASTM F1225 Grade A325 Type 1 High Strength Mechanically Galvanized Bolts As Per ASTM B940 And ASTM B117 Compliant With Nut And Washers, Use Grouted Washers Or Tapered Plates. All New Bolts Shall Be 1" Diameter Unless Otherwise Specified In The Plans. Do Not Reuse Previously Tightened Bolts. Paint All Bolt Heads, Washers And Nuts After Final Tightening. Bolts Shall Be Excluded From The Shop Plans For Plate Thicknesses Of 1/2" Or Greater Adjacent To The Nut. Bolt Heads Shall Be On The Exterior-Exposed Face Of The Girders. Provide Minimum Of 8 (Eight) Diameters From Center Line Of Drilled Hole For Anchor Bolts To Edge Of Concrete.  
New anchor bolt assemblies shall be Stainless Steel in accordance with ASTM A276 type 316. Specifications unless otherwise noted. All address anchor bolts and concrete reinforcement details shall meet Specifications Sections 416 and 937. Provide a minimum of 8 (Eight) Diameters from center line of drilled hole to edge of concrete.  
Steel Gussel And All Other Connection Plates Not Detailed As Per Drawings Shall Meet The Requirements Of AASHTO Article 6.1.4.2.B.  
All Aluminum Components Shall Be In Accordance With ASTM B221 Alloy 6061 T6. Aluminum Working Details, procedures and Testing Methods Conform To AWS D1.7:2017.  
All Stainless Steel Shall Be In Accordance With ASTM A276 UNS S31600. Stainless Steel Working Details, Procedures, and Testing Methods Conform To AWS D1.6:2010.

- 9. DESIGN TEMPERATURE:** (For Bearings And Deck Joints Drags)
- | Mean                            | Rise | Fall | Temp. | Thermal   |                          |
|---------------------------------|------|------|-------|-----------|--------------------------|
| Temp.                           | From | From | Range | Expansion |                          |
| Concrete Only:                  | 70°F | 85°F | 85°F  | 70°F      | 6.5x10 <sup>-6</sup> 1°F |
| Concrete Deck On Steel Girders: | 85°F | 40°F | 85°F  | 80°F      | 6.5x10 <sup>-6</sup> 1°F |
- 10. FINISHES OF WORK:**  
Work Phasing And Progression Of The Work Shall Conform With The Traffic Control Plans. The Contractor Is Responsible To Plan And Execute All Items Of Work In The Phasing And Sequence That Best Fits His Schedule.
- 11. NAVIGABLE WATERWAY:**  
All Construction Equipment Must Be Marked In Accordance With The U.S. Coast Guard "Navigation Rules (CG-100)" And Be With Removed From The Channel When Not Engaged In Construction Activities. A Copy Of The Contractor's Plan, Schedule, And Sequence Of Operations Shall Be Submitted To Doug Balmain, Chief Bridge Administration Branch, U.S. Coast Guard. Any Work That Would Potentially Reduce The Horizontal And/Or Vertical Clearance Of The Waterway Shall Be Included With The Above.
- 12. PLAIN DIMENSIONS:**  
All Dimensions In These Plans Are Measured In Feet Either Horizontally Or Vertically Unless Otherwise Noted.
- 13. UTILITIES:**  
See Existing Plans.
- 14. DIMENSION VERIFICATION:**  
The Dimensions, Elevations And Intersection Angles Shown Are Based On Information As Obtained In The Original Construction Plans Of The Existing Bridge Unless Noted Otherwise, And May Not Represent The As-Built Conditions. It Is The Contractor's Responsibility To Verify This Data Before Beginning Construction And Include In The Shop Drawings To Ensure Proper Fit. Shop Drawings Must Provide Field Verified Dimensions When Required For Proper Fit And Contractor Means And Methods For Installation.
- 15. All Construction Related Debris Shall Be Removed/Cleaned Prior To Final Inspection.**
- 16. Contractor Shall Maintain Proper Lubrication Of Equipment Until Final Inspection.**
- 17. OPERATION NOTE:**  
Contractor Shall Furnish A Bridge Operator And Operate The Bridge During Construction. MDOT Will Provide An Operator To Observe And Document Operations During Normal Working Hours.
- 18. Contractor Shall Provide Training To MDOT Operators On New Bridge Procedures After Final Inspection.**

MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
BRIDGE AT STA. 184+87.97  
GENERAL NOTES 1

PNMS: 187505/101000  
COUNTY: HARRISON  
PROJECT NUMBER: BR-9371-01(001)  
SHEET NUMBER: CN-BR-1  
8002

PRELIMINARY  
NOT FOR  
CONSTRUCTION

STATUS: 30%

**PAINTING NOTES**

1. **GENERAL:**
  - A. Clean Prime And Paint Areas Of Paving Within The Bascule And Anchor Spans. Contractor To Field Verify Areas To Be Painted And To Match The Color Of The Surrounding Area.
  - B. The Machinery Located In The Bascule Pier Requires Solvent Cleaning, Hand Or Power Tool Cleaning Followed By Spot Primer Application And Finish Coat Application. This Includes, But Is Not Limited To Racks, Gears, Trunnions, Motors, Shafts, Etc.
  - C. Protect All Machinery, Platform Components (Hydraulic, Mechanical And Electric) From Abrasion, Water And Coating Overspray During Cleaning And Painting.
  - D. Single Lane Closures May Be Used For Painting Bascule Span Structural Steel See Traffic Control Plans For Requirements. See Note 11 On Previous Sheet For Navigation Channel Restrictions.
  - E. Utilize A Containment System.
2. **MATERIALS:**
  - A. Steel Grit Abrasive Shall Not Be Used For Blast Cleaning In The Bascule Pier.
  - B. The Coating Materials For Machinery Located In The Bascule Pier Shall Include:
    - a. Spot Coat Of Aluminum Epoxy Mastic To All Surfaces With Rust Or Exposed Substrate.
    - b. Finish Coat Of Aliphatic Polyurethane, Colored To Match Existing.
3. **FINISH COAT COLORS:**

Submit Color Samples (3 Each) Of Finish Coat For Structural Steel To The Engineer Prior To Beginning The Painting Operations. The Finish Coat Color Proposal Shall Be Submitted For Approval Final Acceptance Of Colors Shall Be Determined By The Engineer.
4. **HAZARDOUS MATERIALS:**

The Bridge On The Project Has Tested Positive For Metals In The Existing Paint Coating System. Toxic Characteristic Leaching Procedure (TCLP) Test Results Indicate That The Metals Are At Hazardous Concentrations. The Contractor Shall Comply To All Federal, State And Local Regulations When Working With Lead Based Paint.

**SPECIFIC SCOPE OF WORK**

1. **BASCULE SPAN**
  1. Clean, Prime And Paint Areas Of Paving Plant.
  2. Replace All Missing Bolts And Repair Work At The Connections To The Spreader Deck System.
  3. Identify And Repair Cracks In Structural Steel With An Arrestor Hole Or Grout Out The Crack.
  4. Weld Steel Brackets And Longitudinal Connection Bars, Connecting Clips And Grid Members.
  5. Clean Out Counterweight Pockets And Rebalance Bascule Levers As Necessary.
  6. Identify And Repair Spalls And Cracks On Concrete.
2. **ANCHOR SPANS**
  1. Clean, Prime And Paint Areas Of Paving Plant.
  2. Identify And Repair Spalls On Concrete.
  3. Clean Finger Joints And Joint Drainage Systems.
3. **BASCULE PIER**
  1. Clean Finger Joints And Joint Drainage Systems.
  2. Improve Pylon Protection Of Bascule Pier.
4. **FENDER SYSTEM**
  1. Remove And Replace Corroded Single Cable Wires With Straps.
  2. Provide Lighted Depth Gauge.
5. **OPERATOR'S CONTROL HOUSE**
  1. Remove And Replace Windows With Wind Impact Resistant Type.
  2. Remove And Replace Existing Roof.
6. **MECHANICAL:**
  1. Remove Hydraulic Drive Machinery.
  2. Remove all/most intermediate gearing and replace with a parallel non-differential primary reducer.
  3. Fabricate And Install New Drive Shafts For 2 Sets Of Machinery And Motor Brakes Keyed To The Input And Output Shafts Of The Primary Reducer.
  4. Provide Auxiliary Operation Via A New Heated, Secondary Input Shaft Of The Motor, Driven By An Air Motor.
  5. Clean And Lubricate Remaining Open Gearing.
  6. Paint All New And Existing Machinery.
  7. Refurbish Control Lock Assemblies.
  8. Replace Hydraulic Cylinders, Cylinder Lubrication Pans, Hydraulic Power Units And Pumps.
  9. Clean Gears And Corrosion From Remaining Machinery Assembly.
  10. Clean Corrosion From Tract And Tract Assemblies.
  11. Paint Non-Coating Surfaces Of Tract And Straps.
7. **ELECTRICAL:**
  1. Remove And Replace Control Desk With Spring-Loaded Lever Keys And Deadman Switch.
  2. Remove And Replace PLC Controls With Relay Controls With PLC For Monitoring.
  3. Remove And Replace Motor Control Center (MCC).
  4. Remove Span Motor Controls And Replace With Components With Components Compatible With The New Mechanical Modifications.
  5. Remove And Replace All Control And Wiring Supplying Items.
  6. Remove And Replace All Limit Switches And Limit Position Transmitters.
  7. Remove And Replace Submarine Cable And Cabinets.
  8. Remove And Replace 120V Lighting Panel And Associated Transformer.
  9. Remove And Replace Bascule Pier And Machinery Area Lighting And Outlets.
  10. Provide Lighting Protection And Surge Suppression.
  11. Provide Remote Communication System At Locations Inside Of North And South Bascule Piers.
  12. Provide Temporary Electrical System As Needed.
  13. Provide Door Bounding Jumpers In Existing Electrical Enclosures, Cabinets, And Junction Boxes To Be Reused.
  14. Replace Existing Corroded Weyeways Not Covered Under Other Proposed Scope Items.
  15. Replace Navigation Lighting And Wiring.
  16. Key Card Access At The Bascule Pier and Operator's House Entry Points.
  17. Repair/Upgrade To The CCTV Camera System For Assistance In Safe Operation Of The Bascule Span.
  18. New Spacing Straps New Bascule Span Spacing Policy As Prepared By USACE.
  19. Furnish And Install Labels Identifying Electrical Components Throughout The Bridge.
  20. Furnish And Install Electrical Connections On The Traffic Gates To Facilitate Ease of Removal.

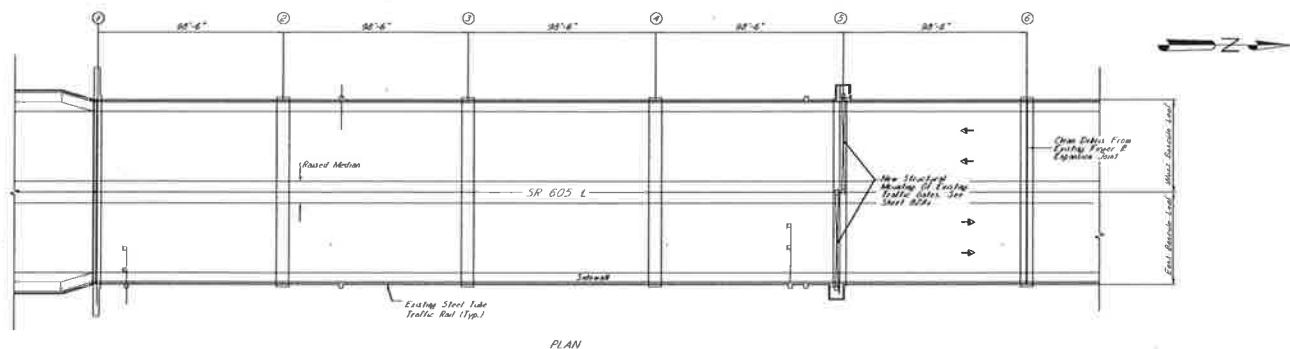
PHASING NOTES WITH SUGGESTED TRAFFIC CONTROL SCHEME

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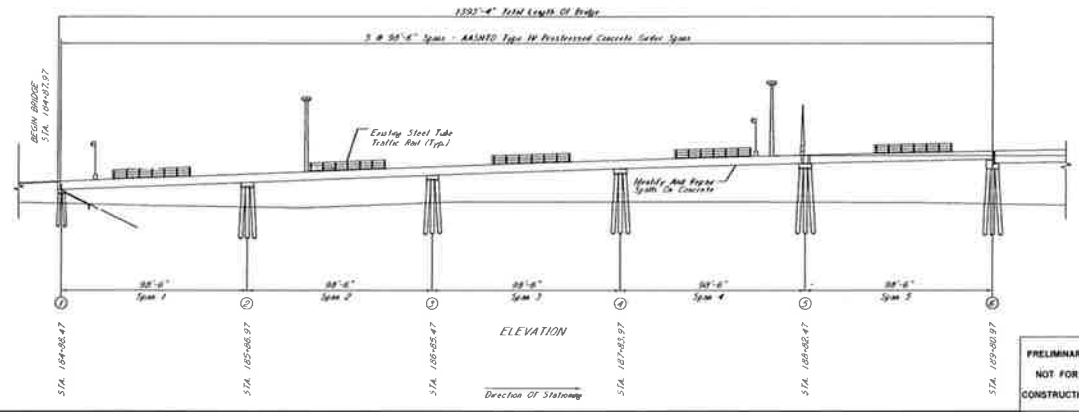
MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
BRIDGE AT STA. 184+87.97	
GENERAL NOTES 2	
PROJECT NUMBER: BR-9371-01(001)	DRAWING NUMBER: CN-BR-2
COUNTY: HARRISON	SHEET NUMBER: 8003
DATE: 10/25/05	SCALE: AS SHOWN
DESIGNED BY: [ ]	CHECKED BY: [ ]
DRAWN BY: [ ]	DATE: 10/25/05

PRELIMINARY  
NOT FOR  
CONSTRUCTION

STATUS: 30%



PLAN



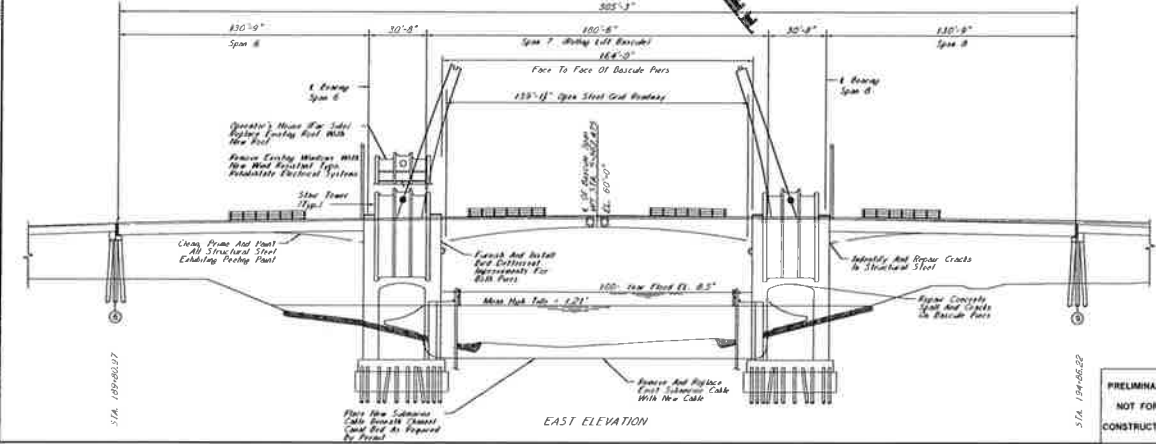
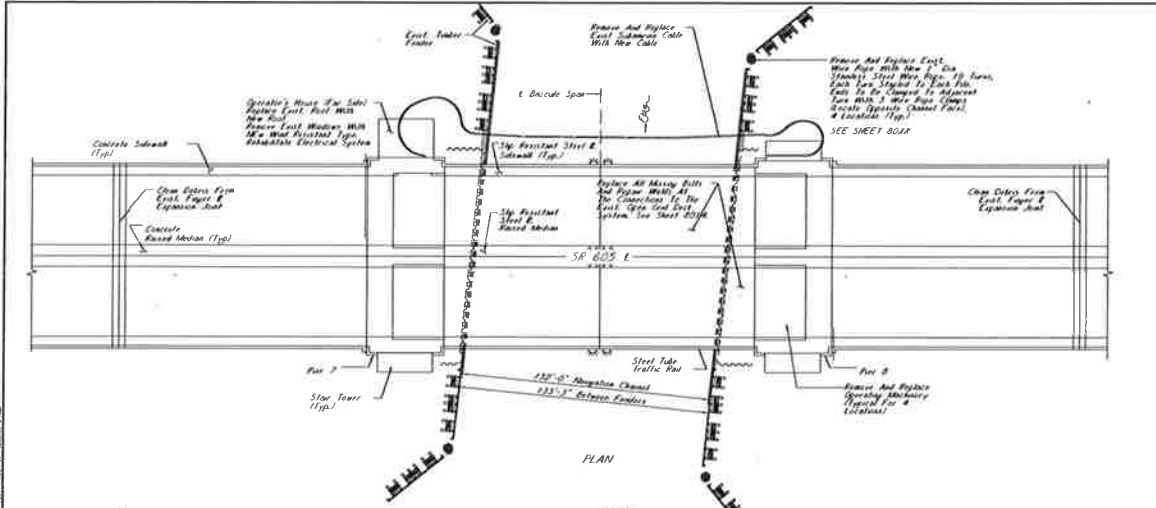
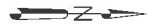
ELEVATION

Direction of Stationing

PRELIMINARY		MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
NOT FOR		BRIDGE AT STA. 184+87.97	
CONSTRUCTION		GENERAL PLAN AND ELEVATION I	
		PROJECT NUMBER: BR-9371-01(001)	
		COUNTY: HARRISON	
		PROJECT NUMBER: 107505/101000	
		SHEET NUMBER: S-01	
		SHEET TOTAL: 8204	

STATUS: 30%

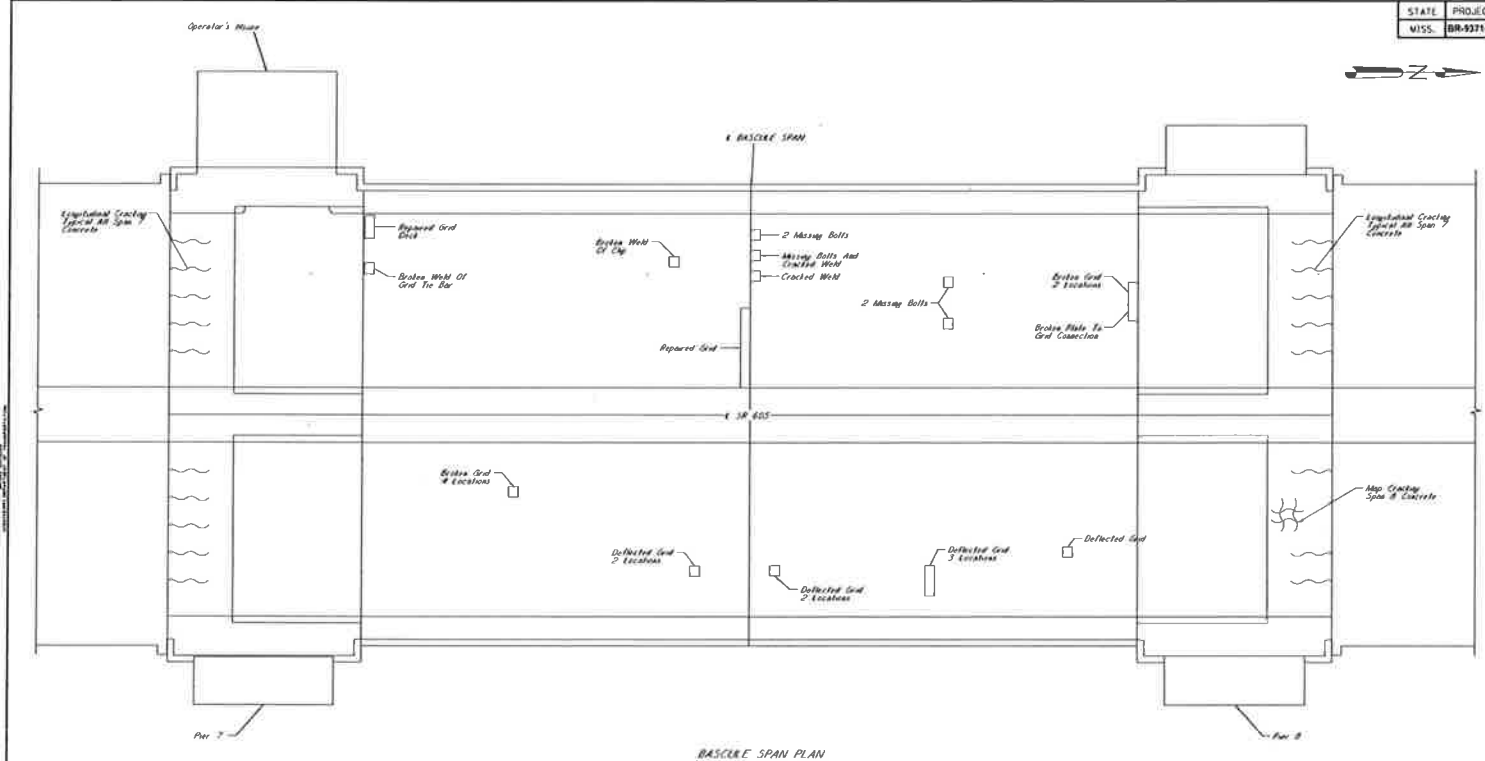




MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
BRIDGE AT STA. 184+87.97	
GENERAL PLAN AND ELEVATION 2	
FHWS: 107505 / 121000	
COUNTY: HARRISON	
PROJECT NUMBER: BR-9371-01(001)	
DATE: 01/11/01	DATE: 01/11/01
BY: J. W. ...	BY: J. W. ...
CH. ...	CH. ...
SCALE: ...	SCALE: ...
STATUS: 30%	SHEET NUMBER: 8005

PRELIMINARY  
NOT FOR  
CONSTRUCTION

STATE PROJECT NO.  
MISS. BR-9371-01(001)

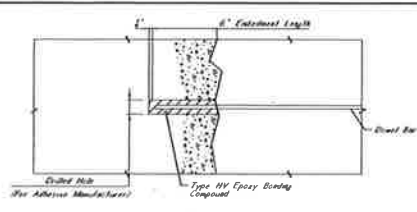


BASCOE SPAN PLAN

MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
BRIDGE AT STA. 184+87.97	
ROADWAY GRID REPAIR DETAIL	
MS: 107505 / 101000	WORKS NUMBER
COUNTY: HARRISON	S-11
PROJECT NUMBER: BR-9371-01(001)	SHEET NUMBER
	B214

PRELIMINARY  
NOT FOR  
CONSTRUCTION

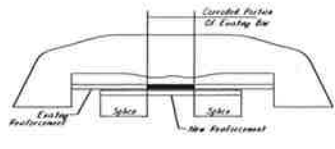
STATUS: 30%



DOWEL DETAIL

DOWEL NOTES:

1. Dowel shall be placed at locations where splicing may result in the removal of excess sound concrete.
2. Before drilling, locate all existing bars adjacent to proposed holes. Protect any damage to existing reinforcement.
3. The diameter of the drilled holes shall be as required by the adhesive manufacturer's recommendation.
4. Holes for dowel bars shall be thoroughly cleaned prior to placing epoxy resin and dowels.
5. The adhesive anchor system shall be set in a structural adhesive bonding compound designed as Type IV and listed in ACOT approved product list.
6. Splice length in Position 1 shall comply with ACOT.
7. The embedment length and type of drilled holes shall be determined by adhesive anchor system manufacturer's requirements.

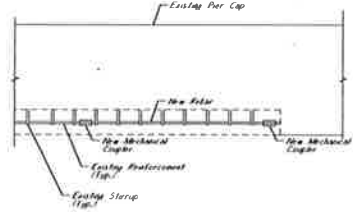


SPICE DETAIL

SPICE NOTES:

1. This detail is applicable when the existing reinforcement exhibits 20% or greater reduction in its cross sectional area due to corrosion.
2. Splice shall be staggered.
3. After splicing, the repair region shall be for 300 mm.
4. As an alternative to splicing, reference the Mechanical Coupler Detail.

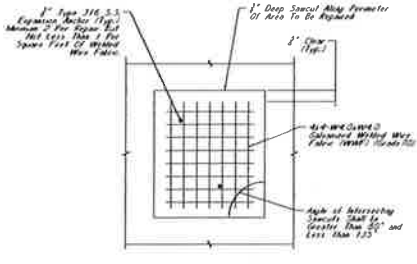
BAR SIZE	MIN. SPACING
4	6"
5	8"
6	10"



MECHANICAL COUPLER DETAIL

MECHANICAL COUPLER DETAIL NOTES:

1. As an alternative to splicing or welding, the coupler may be the mechanical coupler to prevent excess removal of sound concrete.
2. Provide mechanical couplers in order to maintain continuity of reinforcing steel.
3. The mechanical coupler used as splice alternative shall be from the ACOT approved product list.
4. After installing mechanical couplers, the spill repair detail shall be constructed in accordance with the manufacturer's instructions.
5. Coupler shall be a mechanical coupler system from one of the following manufacturers:  
Epoxy Products, Inc.  
Epoxy Products, Inc.  
EPOC International Corp.



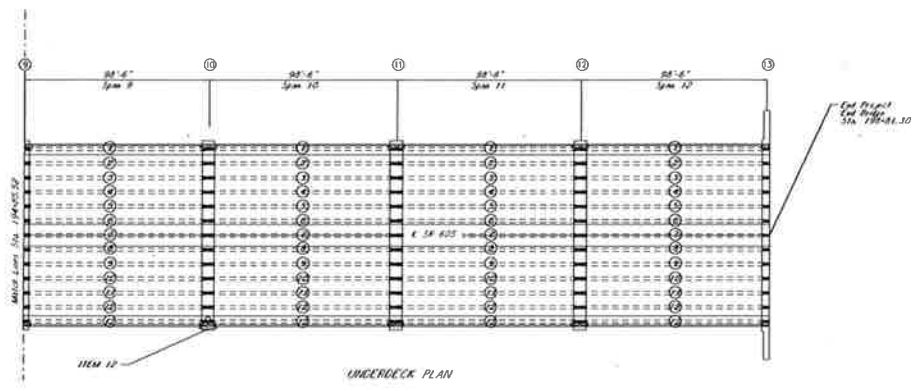
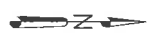
WELDED WIRE FABRIC DETAIL

SPECIAL NOTES FOR WELDED WIRE FABRIC (WWF):

1. Fully bond WWF to concrete with any changes in the concrete surface configuration.
2. For each expansion anchor built in welded wire fabric with galvanized mesh.
3. Expansion anchor built and WWF installation shall be approved by the Engineer prior to placement of repair mortar.

PRELIMINARY		MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
NOT FOR		BRIDGE STA. AT 184+87.97	
CONSTRUCTION		CONCRETE REPAIR DETAILS 2	
FMS 107505 / 101000	COUNTY: HARRISON	PROJECT NUMBER: BR-4371-01(001)	DRAWING NUMBER: 5-09
DATE: 10/15/2010	BY: J. B. WILSON	CHECKED: J. B. WILSON	DATE: 10/15/2010
			SHEET NUMBER: 8012

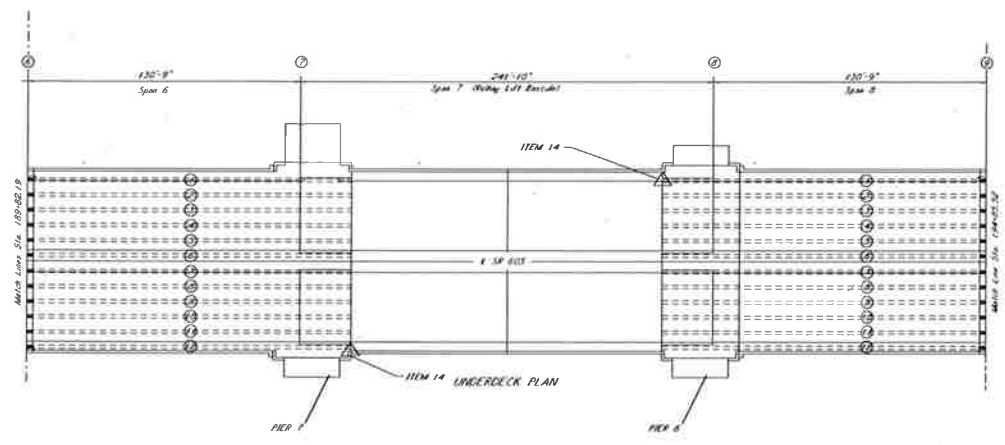
STATUS: 30%



Note:  
1. For Concrete Repair Details See Sheet 8011

PRELIMINARY NOT FOR CONSTRUCTION	MISSISSIPPI DEPARTMENT OF TRANSPORTATION BRIDGE AT STA. 134+87.97 UNDERSIDE OF DECK PLAN & BEARING LAYOUT 3	
	FMS# 107505 / 101000	
	COUNTY: HARRISON PROJECT NUMBER: BR-9371-01(001)	
	SHEET NUMBER <b>8010</b>	PROJECT NUMBER <b>S-07</b>

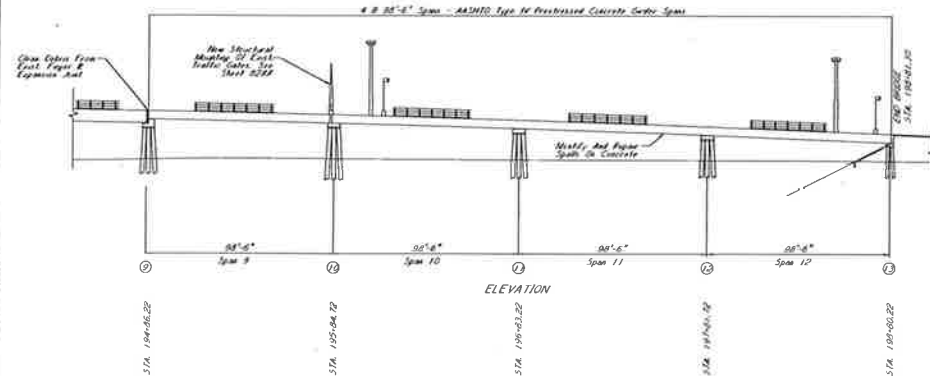
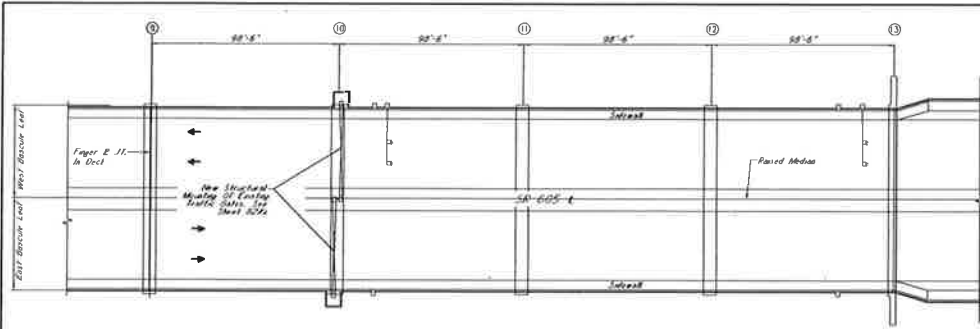
STATUS: 30%



Notes:  
1. For Concrete Repair Details See Sheet 8011

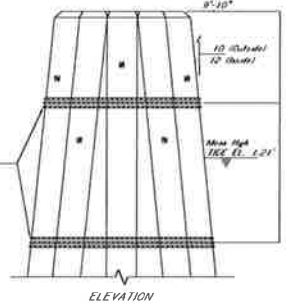
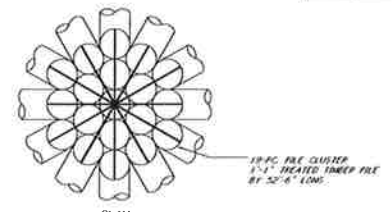
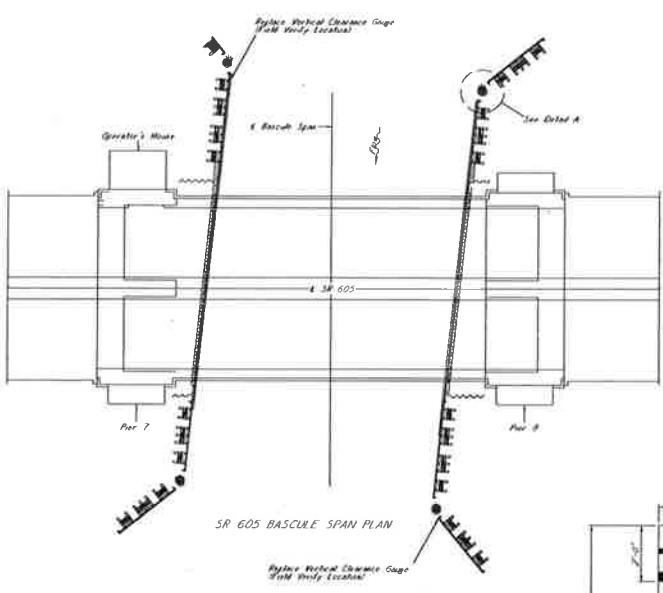
PRELIMINARY NOT FOR CONSTRUCTION	MISSISSIPPI DEPARTMENT OF TRANSPORTATION BRIDGE AT STA. 184+87.97 UNDERSIDE OF DECK PLAN & BEARING LAYOUT 2	SHEET NUMBER 5-86
	FMS: 107525 / 101000 COUNTY: HARRISON PROJECT NUMBER: BR-9371-01(001)	SHEET NUMBER 8009

STATUS: 30%



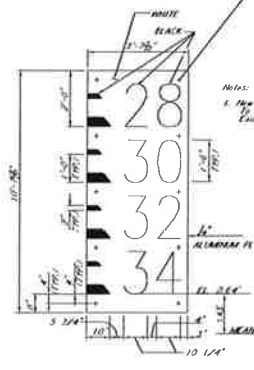
PRELIMINARY NOT FOR CONSTRUCTION	MISSISSIPPI DEPARTMENT OF TRANSPORTATION		SHEET NUMBER S-03
	BRIDGE AT STA. 184+87.97		
		GENERAL PLAN AND ELEVATION 3	SHEET NUMBER 8006
		PROJECT NUMBER: BR-9371-01(001)	

STATUS: 30%



Remove Existing Wood Rigs and replace with new 2\"/>

STAINLESS STEEL SELF TAPPING SHEET METAL SCREWS WITH S.S. WASHER AND BUSHING FROM WASHINGTON 1 1/2\"/>

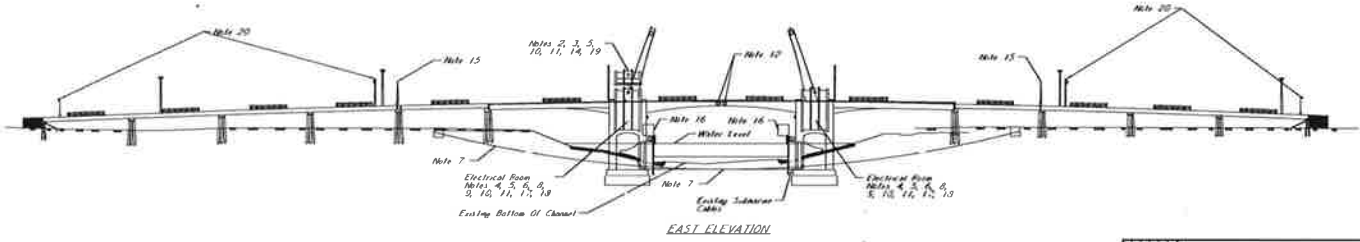
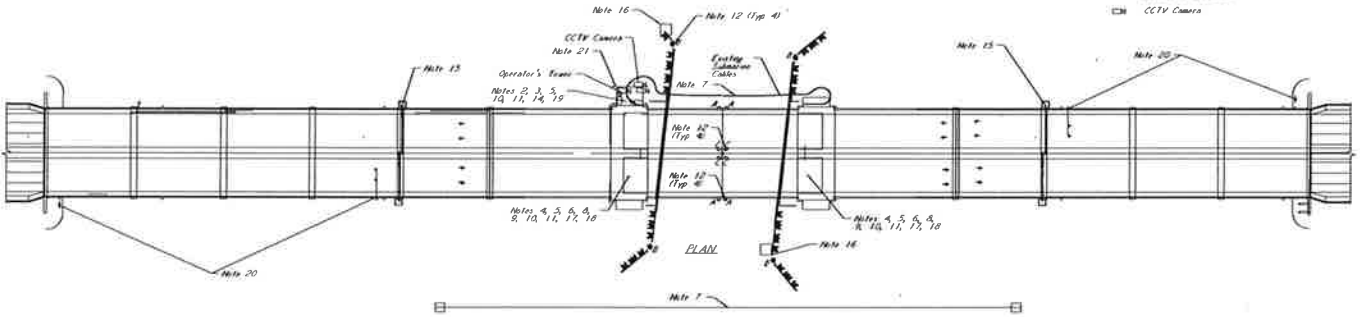


Note:  
1. New Depth Gauge to be mounted at Existing Locations

PRELIMINARY		MISS 107505/101000		MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
NOT FOR		COUNTY: HARRISON		BRIDGE AT STA. 184+87.97	
CONSTRUCTION		PROJECT NUMBER: BR-9371-01(001)		DOLPHIN REPAIR DETAIL	
		SHEET NUMBER: S-12		DRAWING NUMBER: 8015	

STATUS: 30%

Key To Navigation Lights  
 1 Left Turn Light, 180° Green When All Levers Are Fully Open For Navigation, 180° Red For All Other Positions Of Levers. (Outside Of Channel) (6 Required)  
 2 Port Light, 180° Red (6 Required)  
 3 Left Turn Light, 180° Red For All Positions Of Levers, Turn Off When All Levers Are Open For Navigation, (Interior Side Of Channel) (6 Required)  
 4 CCTV Camera



MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
BRIDGE AT STA. 184+87.97	
GENERAL ELECTRIC PLAN AND ELEVATION VIEW	
MS: 187505/101000	DATE: 08/10/00
COUNTY: HARRISON	PROJECT NUMBER: BR-9371-01(001)
DESIGNED BY: [blank]	CHECKED BY: [blank]
DRAWN BY: [blank]	DATE: [blank]
SCALE: [blank]	SHEET NUMBER: E-04
STATUS: 30%	8204



404 Permit Conditions &  
401 Water Quality Certification

**SPECIAL CONDITIONS**  
**NATIONWIDE PERMIT No. 3**

Maintenance

(a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor 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 are authorized. This NWP also authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(b) This NWP also authorizes the removal of accumulated sediments and debris outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.

(c) This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be

placed in a manner, that will not be eroded by expected high flows. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Authorities: Section 10 of the Rivers and Harbors Act of 1899 and section 404 of the Clean Water Act (Sections 10 and 404))

Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act section 404(f) exemption for maintenance.



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GARY C. RIKARD, EXECUTIVE DIRECTOR

March 6, 2017

Certified Mail No. 7012 3460 0003 2548 6988

Ms. Jennifer Mallard  
Regulatory Branch Chief  
U.S. Army Corps of Engineers, Vicksburg District  
4155 Clay Street  
Vicksburg, Mississippi 39183-3435

Dear Ms. Mallard:

Re: US Army Corps of Engineers  
Nationwide Permit No. 3  
Warren County  
COE No. MVK-2017-114  
WQC No. WQC2017003

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Office of Pollution Control (OPC) issues this Certification, after public notice and opportunity for public hearing, to the U.S. Army Corps of Engineers, an applicant for a Federal License or permit to conduct the following activity:

US Army COE, Nationwide Permit No. 3:

Nationwide Permits are general permits issued on a nationwide basis to streamline the authorization of activities that have no more than minimal and cumulative adverse effects on the aquatic environment. The U.S. Army Corps of Engineers issues NWP's to authorize certain activities that require Department of the Army permits under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899.

3. *Maintenance.*

(a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most

recently authorized modification. Minor 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 are authorized. This NWP also authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

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of materials, and be placed in a manner, that will not be eroded by expected high flows. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to preconstruction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

*Notification:* For activities authorized by paragraph (b) of this NWP, the permittee must submit a preconstruction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.

**Note:** This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act section 404(f) exemption for maintenance. [MVK-2017-114, WQC2017003].

The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

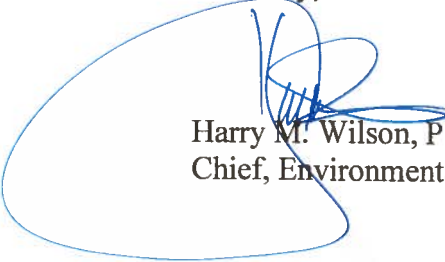
1. The permittee shall obtain appropriate wastewater permits and/or approvals for the proposed activity prior to the commencement of construction activities.
2. For projects greater than five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall obtain the necessary coverage under the State of Mississippi's Large Construction Storm Water General NPDES Permit. For projects greater than one, to less the five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall follow the conditions and limitations of the State of Mississippi's Small Construction Storm Water General NPDES Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained.
3. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

4. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50-Nephelometric Turbidity Units.

The Office of Pollution Control also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If we can be of further assistance, please contact us.

Sincerely,



Harry M. Wilson, P.E., DEE  
Chief, Environmental Permits Division

HMW: ld

- cc: U.S. Army Corps of Engineers, Mobile District  
Attn: Mr. Craig Litteken  
U.S. Army Corps of Engineers, Memphis District  
Attn: Mr. Tim Fudge  
U.S. Army Corps of Engineers, Nashville District  
Attn: Mr. Timothy Wilder  
U.S. Army Corps of Engineers, New Orleans District  
Attn: Mr. Michael Farabee  
Ms. Willa Brantley, Department of Marine Resources  
Mr. David Felder, U.S. Fish and Wildlife Service  
Mr. William Ainsley, Environmental Protection Agency

## 2017 Nationwide Permits General Conditions, Further Information, and Definitions

### A. Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.



4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. Tribal Rights. No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the

NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures

wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed.

(d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic

Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that

the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)).

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.



(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

\_\_\_\_\_  
(Transferee)

\_\_\_\_\_  
(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the

permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the

45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide

electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWP's and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWP's, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

#### B. District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (i.e., NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2-acre.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal

with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters (e.g., streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.



C. Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

**STATE OF MISSISSIPPI**  
**NATIONWIDE PERMIT REGIONAL CONDITIONS**

**A. REGIONAL CONDITIONS FOR ALL NATIONWIDE PERMITS**

**1. For ALL Nationwide Permit (NWP) authorizations in the Coastal Zone of Mississippi (Hancock, Harrison, and Jackson Counties):**

The applicant must contact the Mississippi Department of Marine Resources (MDMR) for concurrence that proposed activities under the NWP are consistent to the maximum extent practicable with the enforceable policies of the State of Mississippi's coastal management program. Applicants are advised that additional measures may be required to ensure the activity is consistent with State coastal zone management program. If a Coastal Zone Management Act Consistency Determination (CZCD) is required: (1) the applicant shall submit their proposed project information directly to MDMR using the Joint Application & Notification form with a consistency determination; (2) the applicant is required to receive the CZCD concurrence prior to project initiation to achieve compliance with NWP conditions; (3) upon receipt of the CZCD concurrence from MDMR, the applicant must provide the CZCD concurrence to the applicable Corps District.

The Joint Application and Notification form may be downloaded or printed from the MDMR website at: <http://www.dmr.ms.gov/index.php/coastal-resources-management/wetland-permitting>

If a pre-construction notification (PCN) to the Corps is required, the attachment to these Regional Conditions highlights the minimum additional information needed.

The completed submittal shall be sent directly to MDMR at the following address:

Mississippi Department of Marine Resources  
Bureau of Wetlands Permitting  
1141 Bayview Drive  
Biloxi, Mississippi 39530

**2. A PCN to the appropriate Corps District is required for all regulated activities located within or adjacent to Black Creek** within the reach beginning approximately ¼-mile upstream of Moody's Landing and ending approximately ¼-mile downstream of the Fairly Road Bridge crossing. The Corps will coordinate the PCN with the National Forest Service per requirements of Section 7 of the Wild and Scenic Rivers Act and General Condition 16 of the NWPs.

**3. NWP authorizations for regulated activities in the Grand Bay National Estuarine Research Reserve**, a designated critical resource water located in Jackson County, Mississippi, shall adhere to General Condition 22 of the NWPs.

Effective March 19, 2017

Enclosure 4

**4. For all regulated activities that might affect a federally-listed threatened or endangered species or designated critical habitat, or essential fish habitat:**

Submittal of a complete PCN to the appropriate Corps District is required. Note: For activities in waters described in Regional Condition A.1., all PCNs shall instead be submitted directly to MDMR using the Joint Application and Notification form and include information required by NWP General Condition 32. Waterways in Mississippi with reported occurrences of federally-listed threatened or endangered species and their critical habitats, as of March 2017, are listed below. The list below also includes certain types of essential fish habitat (EFH) for federally-managed fisheries that may occur in coastal waterways. This list is provided to heighten awareness of the possibility of interaction between federally-protected species/habitats and regulated activities; it is not intended to be all-inclusive. Applicants are advised that the federal protection status of species and habitats may change during the time period in which these Regional Conditions are in effect, and that those changes may not be reflected in the list below.

Further, this Regional Condition does not lessen the restrictions or requirements provided by General Condition 18. As stated in General Conditions 18 and 32 (82 FR 1860-2008), the PCN from non-federal applicants must include a delineation of waters of the U.S. in the project area and the name(s) of the threatened or endangered species that might be affected by the proposed work or that utilize designated critical habitat that might be affected by the proposed work. PCNs from federal applicants must include documentation of compliance with the Endangered Species Act and Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as applicable.

NOTE: The following definitions apply to the list below, as well as the list in Section B.1. of these Regional Conditions: C = Candidate Species; CH = Critical Habitat; LE = Listed Endangered; LT = Listed Threatened; PT = Proposed Threatened; EFH = Waters and substrate necessary to MSFCMA-protected fish for spawning, breeding, feeding, or growth to maturity.

**Bayou Pierre River and following tributaries:** White Oak Creek, Foster Creek, and Turkey Creek – Located in Claiborne, Copiah, Hinds and Lincoln Counties  
Species: bayou darter (*Etheostoma rubrum* - LT)

**Bear Creek** – Located in Tishomingo County  
Species: cumberlandian combshell mussel (*Epioblasma brevidens* – LE, CH); slabside pearl mussel (*Lexingonia dolabelloides* – LE, CH), rabbitsfoot mussel (*Quadrula cylindrica cylindrica* – LT, CH), snuffbox mussel (*Epioblasma triquetra* - LE) and snail darter (*Percina tanasi* – LT)

**Big Black River** – Located in Hinds and Warren Counties, from Porter Creek confluence south to Highway 27  
Species: rabbitsfoot mussel (*Quadrula cylindrica cylindrica* – LT, CH)

**Big Sunflower River** – Located in Sunflower County, from Highway 442 to Quiver River confluence

Species: rabbitsfoot mussel (*Quadrula cylindrica cylindrica* – LT, CH) and sheepsnose mussel (*Plethobasus cyphus*- LE)

**Bogue Chitto River** – Located in Pike and Walthall Counties, from State Highway 570, southward

Species: Gulf sturgeon (*Acipenser oxyrinchus desotoi* - LT, CH)

**Mississippi River and adjacent land west of the mainline levee** – Located in the following Counties: Adams, Coahoma, Jefferson, Warren, Bolivar, DeSoto, Sharkey, Washington, Claiborne, Issaquena, Tunica, and Wilkinson

Species: interior least tern (*Sterna antillarum* - LE), pallid sturgeon (*Scaphirhynchus albus* - LE), and fat pocketbook mussel (*Potamilus capax* - LE)

**MS Coastal Waterways and Streams including: Back Bay of Biloxi, Biloxi River, Escatawpa River, Old Fort Bayou, Pascagoula River, and Tchoutacabouffa River** – Located in Harrison and Jackson Counties

Species: Alabama red-bellied turtle (*Pseudemys alabamensis* - LE)

EFH: estuarine emergent wetlands, submersed aquatic vegetation or vegetated shallows, live bottoms (e.g. oyster bars, limestone outcroppings)

**Mississippi Sound and other back bays** – Located in Hancock, Harrison, and Jackson Counties

Species: piping plover (*Charadrius melodus* - LE, CH), red knot (*Calidris canutus rufa* – LT), West Indian manatee (*Trichechus manatus* – LE), green turtle (*Chelonia mydas* - LT), Kemp's ridley turtle (*Lepidochelys kempii* - LE), leatherback sea turtle (*Dermochelys coriacea* – LE), loggerhead turtle (*Caretta caretta* - LT), and Gulf sturgeon (*Acipenser oxyrinchus desotoi* - LT, CH)

EFH: estuarine emergent wetlands, submersed aquatic vegetation or vegetated shallows, live bottoms (e.g. oyster bars, limestone outcroppings)

**Pascagoula River and the following tributaries: Bouie, Chickasawhay, Okatoma, and Leaf Rivers** – Located in the following Counties: Clarke, Greene, Perry, Forrest, Jackson, Stone, George, Jones, and Wayne

Species: yellow-blotched map turtle (*Graptemys flavimaculata* - LT), Gulf sturgeon (*Acipenser oxyrinchus desotoi* - LT, CH), pearl darter (*Percina aurora* - PT), and Alabama red-bellied turtle (*Pseudemys alabamensis* - LE)

EFH: estuarine emergent wetlands, submersed aquatic vegetation or vegetated shallows, live bottoms (e.g. oyster bars, limestone outcroppings)

**Pearl River** – Located in the following Counties: Copiah, Leake, Neshoba, Scott, Hinds, Madison, Pearl River, Hancock, Simpson, Lawrence, Marion, and Rankin

Species: ringed map turtle (*Graptemys oculifera* - LT), Gulf sturgeon (*Acipenser oxyrinchus desotoi* - LE, CH), and inflated heelsplitter (*Potamilus inflatus* - LT)

EFH: estuarine emergent wetlands, submersed aquatic vegetation, live bottoms (e.g. oyster bars, limestone outcroppings)

**Tombigbee River and the following tributaries: Buttahatchie, Luxapalilla, Noxubee, and Bull Mountain** – Located in Itawamba, Lowndes and Monroe Counties  
Species: heavy pigtoe mussel (*Pleurobema taitianum* - LE), southern combshell mussel (*Epioblasma penita* - LE), southern clubshell mussel (*Pleurobema decisum* - LE), ovate clubshell mussel (*Pleurobema perovatum* - LT), black clubshell mussel (*Pleurobema curtum* - LE), Alabama moccasinshell (*Medionidus acutissimus* - LT), orange-nacre mucket (*Lampsilis perovalis* - LT), and inflated heelsplitter (*Potamilus inflatus* - LT)

#### **5. Supplement to General Condition 2 (Aquatic Life Movements) and General Condition 9 (Management of Water Flows)**

Culverts must be of sufficient capacity to maintain expected high and low water flows and be installed at a sufficient depth to not substantially disrupt the necessary life cycle movements of aquatic life species.

### **B. REGIONAL CONDITIONS FOR SPECIFIC NATIONWIDE PERMITS**

#### **1. For all NWP 12 and NWP 14 regulated activities that require a PCN:**

To assess all individual and cumulative impacts, complete PCNs must include a description of the anticipated direct and indirect environmental effects, including both temporary and permanent impacts at all single and complete crossings of waters of the U.S. which are a part of the total linear project.

#### **2. NWP 12 (Utility Line Activities) and NWP 14 (Linear Transportation Projects)**

Submittal of a complete PCN to the appropriate Corps District is required for all regulated activities that may directly or indirectly affect federally-listed species and/or their designated critical habitat. The list below includes some species that could be encountered along a linear project and a general description of their typical habitat types utilized. This list is provided to heighten awareness of the possibility of interaction between federally-protected species/habitats and regulated activities; it is not intended to be all-inclusive. Applicants are advised that the federal protection status of species and habitats may change during the time period in which these Regional Conditions are in effect, and that those changes may not be reflected in the list below. NOTE: For regulated activities in waters described in Regional Condition A.1., all PCNs shall instead be submitted directly to MDMR using the Joint Application and Notification form, and include information required by NWP General Condition 32. The attachment to these Regional Conditions highlights the minimum additional information needed.

**Gopher tortoise (*Gopherus polyphemus* - LT), and black pine snake (*Pituophis melanoleucus lodingi* - LT)** – Located in Clarke, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Marion, Pearl River, Perry, Smith, Stone, Walthall, and Wayne Counties and associated with certain upland habitats that may be adjacent to wetlands and/or other waters of the U.S.

**Louisiana quillwort (*Isoetes louisianaensis* - LE)** – Located in Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Pearl River, Perry, Stone, and Wayne Counties and associated with intermittent and small perennial streams

**Dusky gopher frog (*Rana sevosa* – LE, CH)** – Located in Jackson, Forrest, Perry, and Harrison Counties and associated with isolated ephemeral (temporary) ponds/wetlands located in upland long-leaf pine habitat

**Mississippi sandhill crane (*Grus canadensis pulla* – LE)** – Located in Jackson County and associated with pine savannas, brackish marsh, cultivated fields, and pasture lands within 5 miles of the Mississippi Sandhill Crane National Wildlife Refuge

**Mitchell's satyr butterfly (*Neonympha mitchellii mitchellii* – LE)** – Located in Alcorn, Itawamba, Monroe, Prentiss, and Tishomingo Counties and associated with wetlands created by beaver ponds and other similar habitats

**Gray bat (*Myotis grisescens* – LE), Indiana bat (*Myotis sodalis* - LE) and Northern Long-eared bat (*Myotis septentrionalis* – LT),** – Located in counties north of Interstate 20 and associated with caves, box culverts, bridges, and/or forested uplands, wetlands, and riparian habitats (trees over 5 inches dbh)

**Pondberry (*Lindera melissifolia* - LE)** - Located in Bolivar, Coahoma, Holmes, Humphreys, Issaquena, Leflore, Quitman, Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington, and Yazoo Counties and associated with bottomland hardwood wetlands

**Price's potato bean (*Apios priceana* - LT)** – Located in Alcorn, Chickasaw, Clay, Kemper, Lee, Lowndes, Monroe, Noxubee, Oktibbeha, Pontotoc, Prentiss, and Union Counties and associated with wooded areas that grade into creek and river bottoms

**Red-cockaded woodpecker (*Picoides borealis* - LE)** – Located in Amite, Copiah, Forrest, Franklin, George, Greene, Harrison, Jackson, Jasper, Jefferson, Jones, Lamar, Lincoln, Noxubee, Oktibbeha, Pearl River, Perry, Scott, Smith, Stone, Wayne, Wilkinson, and Winston Counties (primarily found on or near US National Forests and the Noxubee National Wildlife Refuge); Species excavates nesting cavities in mature pine trees (60+ years old)

**Wood stork (*Mycteria americana* - LT)** – Located Statewide and associated with freshwater marshes, tidal pools, cypress swamps; Species does not breed in MS, foraging habitat only

**White fringeless orchid (*Platanthera integrilabia* – C)** – Located in Alcorn, Itawamba, Monroe, Prentiss, and Tishomingo Counties and associated with wet boggy areas at heads of streams and on seepage slopes that are partially shaded

### **3. NWP 21 (Surface Coal Mining Activities)**

This NWP, via disavowal of water quality certification by the Mississippi Department of Environmental Quality, is considered **denied without prejudice**. Individual requests for approval under this NWP will be considered on a case-by-case basis only after receipt by the appropriate Corps district of an individual water quality certification, waiver, or other approval by the Mississippi Department of Environmental Quality.

### **4. NWP 44 (Mining Activities)**

This NWP, via disavowal of water quality certification by the Mississippi Department of Environmental Quality, is considered **denied without prejudice**. Individual requests for approval under this NWP will be considered on a case-by-case basis only after receipt by the appropriate Corps district of an individual water quality certification, waiver, or other approval by the Mississippi Department of Environmental Quality.

## **C. REGIONAL CONDITIONS FOR WATER QUALITY CERTIFICATION FOR MISSISSIPPI BAND OF CHOCTAW INDIANS TRIBAL LANDS**

By letter dated March 2, 2017, the Environmental Protection Agency (EPA), Region 4, acting on behalf the Mississippi Band of Choctaw Indians, issued final decisions on water quality certification for Nationwide Permit (NWP) activities on Mississippi Band of Choctaw Indians (MBCI) Tribal Lands.

## **D. REGIONAL CONDITIONS FOR WATER QUALITY CERTIFICATION**

By letters to the Corps dated March 6, 2017, the Mississippi Department of Environmental Quality (MDEQ) issued its final decisions on WQC for use of each of the NWPs in Mississippi.

## **E. REGIONAL CONDITIONS FOR COASTAL ZONE MANAGEMENT ACT CONSISTENCY**

The applicant must contact the Mississippi Department of Marine Resources (MDMR) for concurrence that proposed activities under the NWP are consistent to the maximum extent practicable with the enforceable policies of the State of Mississippi's coastal management program. In accordance with Corps regulations at 33 CFR 330.4(d), if MDMR does not concur with the Corps determinations for use of a NWP in Mississippi, then the Corps will deny authorizations for the regulated activities that would affect coastal resources by the NWP within the State without prejudice. Under these "denial" situations, anyone wanting to perform such regulated activities would be required to first obtain an activity-specific CZMA consistency determination or waiver thereof from MDMR before proceeding under the NWP.

For those NWP's that MDMR concurs with the Corps' consistency determination, any associated conditions deemed necessary by MDMR to ensure that proposed activities under the NWP are consistent to the maximum extent practicable with the enforceable policies of the State of Mississippi's coastal management program will be reviewed by the Corps to assure the conditions are reasonably implementable or enforceable.

As per 33 CFR 330.4(c), if the Corps accepts MDMR's consistency conditions, the conditions will become Regional Conditions for the NWP activities which may result in a regulated work, structures, and/or discharges into waters of the U.S. in Mississippi, and the Regional Conditions will be attached to the NWP verification letter(s).

If the Corps determines that the consistency determination(s) and the associated conditions (for the NWP activities which may result in a regulated work, structures, and/or regulated discharge into waters of the U.S. in Mississippi) are not reasonably implementable or enforceable, according to 33 CFR 325.4(c), the Corps will consider the determination(s) denied without prejudice, and work may not proceed under the NWP(s) until the permittee obtains an individual CZMA consistency determination or waiver thereof.

#### **F. NWP's NOT APPLICABLE IN MISSISSIPPI**

The Vicksburg District, as Lead Corps District for Mississippi, determined that NWP 8 (Oil and Gas Structures on the Outer Continental Shelf) and NWP 24 (Indian Tribe or State Administered Section 404 Programs) are not applicable for Department of the Army permit requirements in Mississippi.



**Attachment**  
**Joint Application and Notification Form – Minimum Additional Information Requirements for NWPs, as per General Condition 32 (PCN Requirements)**

- (1) The PCN must include a delineation of wetlands, other special aquatic sites (e.g. mudflats, vegetated shallows, sanctuaries, refuges), and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The applicant may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the U.S. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate.
- (2) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands, the applicant must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the applicant may submit a conceptual or detailed mitigation plan.
- (3) If any federally listed threatened or endangered species might be affected or is in the vicinity of the regulated activity, or if the regulated activity is located in designated critical habitat, for non-federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected or might utilize the designated critical habitat that may be affected by the proposed regulated activity. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act.
- (4) For a regulated activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-federal applicants the PCN must state which historic property may be affected by the proposed regulated activity or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Department of Marine Resources  
Certificate of Waiver



**STATE OF MISSISSIPPI**

Tate Reeves  
Governor

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

Joe Spraggins, Executive Director

**CERTIFICATE OF WAIVER**

Certification Number: DMR-200183

Date: February 24, 2020

Issued to: Mississippi Department of Transportation  
Attn: Charles Walters  
P.O. Box 551  
Hattiesburg, MS 39403

Project Description: Installation of Utility Line and Bridge Maintenance

Project Location: Bernard Bayou Industrial Canal  
Along the rights-of-way of SR 605 Bascule Bridge  
Gulfport, Harrison County, Mississippi

DMR Project Manager: Chris Pickering  
228-523-4117  
chris.pickering@dmr.ms.gov

***NOTICE: Read this document carefully. Failure to follow the listed conditions can result in substantial fines and penalties.***

The Department of Marine Resources (MDMR) has reviewed your request to make repairs and replacements to the SR 605 Bascule Bridge in Gulfport, Harrison County, MS.

In accordance with the provisions of the Mississippi Coastal Wetlands Protection Act and our findings made in compliance with Chapter Eight, Section 2, Part II.D. of the Mississippi Coastal Program, a Certificate of Waiver is issued to you this day by the Executive Director or his designee. The activities herein authorized shall be conducted in a manner resulting in the least damaging impacts to wetlands and the coastal environment.

The following activities and impacts are authorized by this Certificate as indicated on the attached approved diagrams:

1. Installation of approximately 180.5 feet of utility lines by means of trenching within the Industrial Canal along the rights-of-way of SR 605 Bascule Bridge

2. Temporary side casting of excavated material for backfill or bedding associated with the above-listed activities
3. Repair and Replacement of the Bascule Span, Approach Spans, Bascule Pier, Control House, Machinery, and Electrical Systems as described in the enclosed Scope of Work.

The applicant must abide by specific conditions as listed below.

**Any deviations beyond the above-authorized dimensions, the project footprint as shown on the attached approved diagram, or the specific conditions as set forth below will be considered a violation and may result in the revocation of the permit. Violations of these conditions may be subject to fines, project modifications, and/or site restoration. Both the permittee and the contractor may be held liable for such violations or for conducting unauthorized work. A modification to the project dimensions or footprint or to these conditions may be requested by submitting a written request along with a revised project diagram to MDMR. Proposed modifications to project dimensions, footprint, or conditions must be approved in writing prior to commencement of work.**

The specific conditions of this certification are as follows:

1. Utility lines must:
  - a. Be buried at least 10 feet below authorized channel depth within maintained channels and 4 feet below the mud line outside maintained channels
  - b. Avoid shipwrecks and areas of unique historical and cultural interest
2. Wetlands impacted by trenches or bore holes must:
  - a. Be backfilled with the removed material after installation of the authorized utility line(s), with care taken to maintain the original wetland elevation
  - b. Be revegetated with indigenous species within 1 year of the completion of the project
3. All authorized structures (including mooring pilings) must:
  - a. Be marked with reflectors and/or lights to avoid navigational hazards
  - b. Be constructed from steel, concrete, plastic, vinyl, or timber treated to meet appropriate marine conditions
  - c. Not be a hazard to navigation
  - d. Not provide for the permanent mooring of houseboats
  - e. Not be constructed from materials containing creosote
4. All authorized activities must:
  - a. Use Best Management Practices (BMPs) at all times during construction, including, but not limited to, the use of staked hay bales; staked filter cloth; sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site
  - b. Be conducted in a manner that minimizes the discharge of turbid waters into Waters of the State
  - c. Not result in construction debris, sewage, oil, refuse, other pollutants, or unauthorized fill material entering Coastal Wetlands or Waters of the State
  - d. Not impact wetlands, submerged aquatic vegetation, or shellfish beds unless specifically authorized above

**Work authorized by this certification must be completed on or before:  
February 24, 2025.**

***Enclosed is a Notice of Compliance (NOC) which must be conspicuously displayed at the site during construction of the authorized work.***

**This certification is contingent on Water Quality Certification from the Mississippi Department of Environmental Quality (DEQ) and the Permittee shall maintain all water quality standards, regulations, and restrictions as set forth by the DEQ.**

Issuance of this certification by MDMR does not release the applicant from other legal requirements including but not limited to other applicable federal, state, or local laws, ordinances, zoning codes, or other regulations, including a possible Tidelands Lease from the MS Secretary of State's Office, required City or County construction setbacks, or building permits from the City or County where the project is located. A list of contacts has been provided for your assistance in determining whether any further certifications are required.

This certification conveys no title to land and water, does not constitute authority for reclamation of coastal wetlands and does not authorize invasion of private property or rights in property.

The MDMR has also coordinated a review of your project through the Coastal Program review procedures and determined that the project referenced above is consistent with the Mississippi Coastal Program, provided that you comply with the noted conditions and reviewing Coastal Program Agencies do not disagree with said plans. By copy of this certification, we are notifying the U.S. Army Corps of Engineers of this determination.

Please notify this Department upon completion of the permitted project so that compliance checks may be conducted by DMR staff.

**THIS CERTIFICATION IS EFFECTIVE IMMEDIATELY.**



Willa J. Brantley  
Director, Bureau of Wetlands Permitting  
MS Department of Marine Resources

WJB/csp

Attachment: NOC/Approved Diagram

cc: Mr. Anthony Lobred, USACE  
Ms. Florance Bass, OPC  
Mr. Raymond Carter, SOS



**Department of Marine Resources**

**NOTICE OF COMPLIANCE  
DMR- 200183 CERTIFICATE OF WAIVER  
THIS NOTICE ACKNOWLEDGES THAT:**

**DATE: February 24, 2020**

**Mississippi Department of Transportation  
Attn: Charles Walters  
P.O. Box 551  
Hattiesburg, MS 39403**

**HAS, THROUGH APPLICATION TO THIS DEPARTMENT, DULY COMPLIED WITH THE MISSISSIPPI COASTAL WETLANDS PROTECTION ACT. THE FOLLOWING ACTIVITIES AND IMPACTS ARE AUTHORIZED AS INDICATED ON THE ATTACHED APPROVED DIAGRAM:**

1. Installation of approximately 180.5 feet of utility lines by means of trenching within the Industrial Canal along the rights-of-way of SR 605 Bascule Bridge
2. Temporary side casting of excavated material for backfill or bedding associated with the above-listed activities
3. Repair and Replacement of the Bascule Span, Approach Spans, Bascule Pier, Control House, Machinery, and Electrical Systems as described in the enclosed Scope of Work.

On Bernard Bayou Industrial Canal along the rights-of-way of SR 605 Bascule Bridge in Gulfport, Harrison County, Mississippi.

Furthermore, this project as proposed has been found to be consistent with all guidelines for conduct of regulated activities in coastal wetlands as set forth in the Mississippi Coastal Program.

**No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters.**

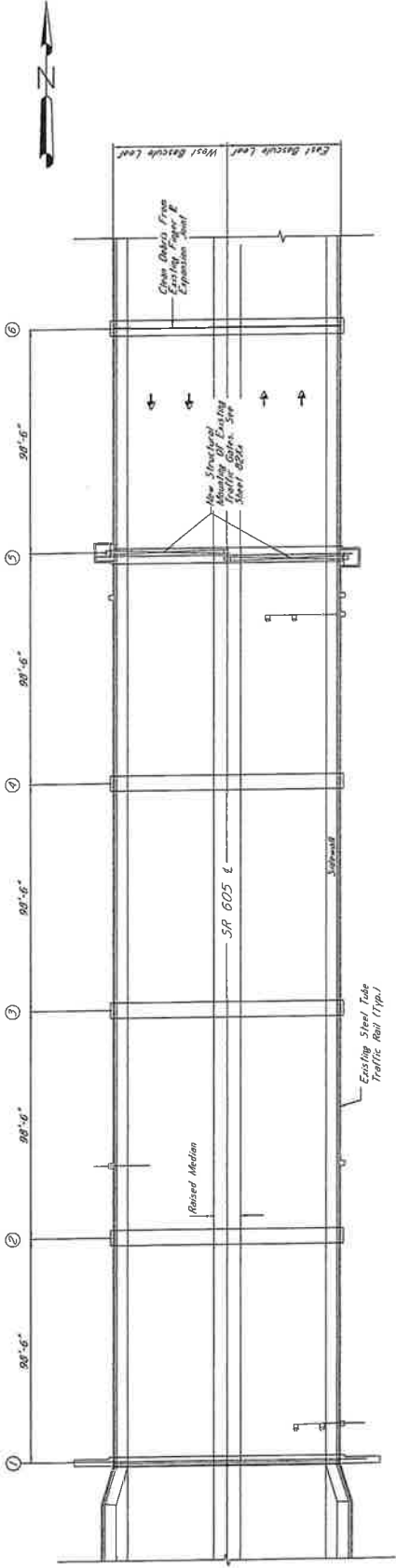
**ALL CONDITIONS AS SPECIFIED IN THE WRITTEN CERTIFICATION DATED FEBRUARY 24, 2020, TO WHICH THIS NOTICE OF COMPLIANCE AND APPROVED DIAGRAM ARE ATTACHED MUST BE FOLLOWED AT ALL TIMES DURING CONSTRUCTION AND CONTINUING FOR THE LIFE OF THE PROJECT. ANY DEVIATIONS FROM THESE CONDITIONS, THE ABOVE-LISTED DIMENSIONS, OR THE PROJECT FOOTPRINT AS SHOWN ON THE ATTACHED APPROVED DIAGRAM SHALL BE CONSIDERED A VIOLATION AND MAY RESULT IN THE REVOCATION OF THE PERMIT.**

**VIOLATIONS MAY BE SUBJECT TO FINES, PROJECT MODIFICATIONS, AND/OR SITE RESTORATION. BOTH THE PERMITTEE AND THE CONTRACTOR MAY BE HELD LIABLE FOR SUCH VIOLATIONS OR FOR CONDUCTING UNAUTHORIZED WORK.**

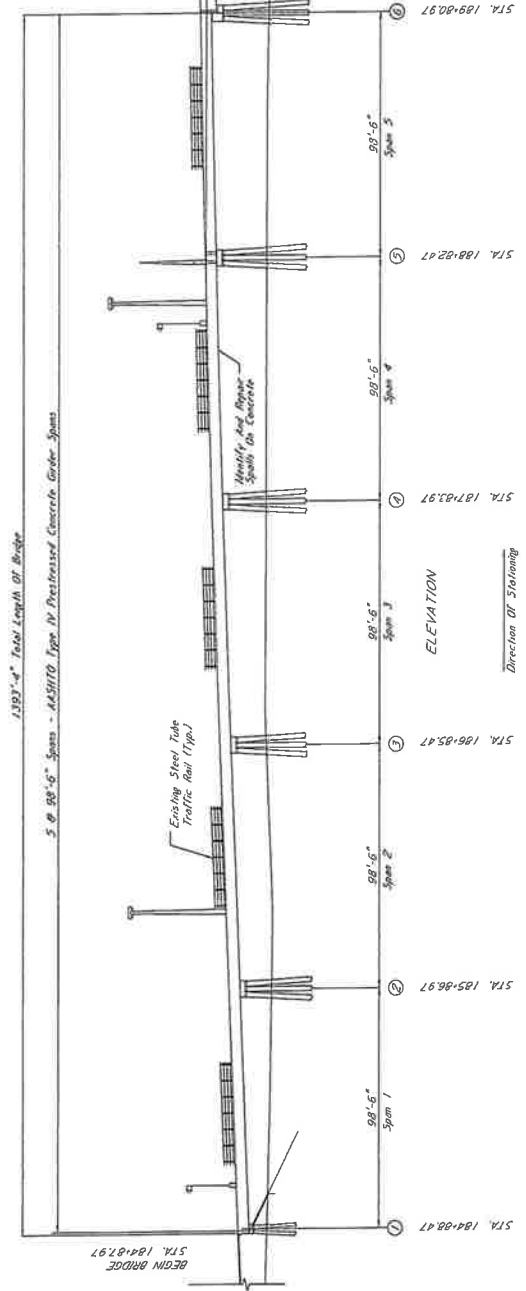
  
Director, Bureau of Wetlands Permitting

**POST THIS NOTICE CONSPICUOUSLY AT SITE OF WORK**

STATE PROJECT NO.  
MISS. BR-5371-01(001)



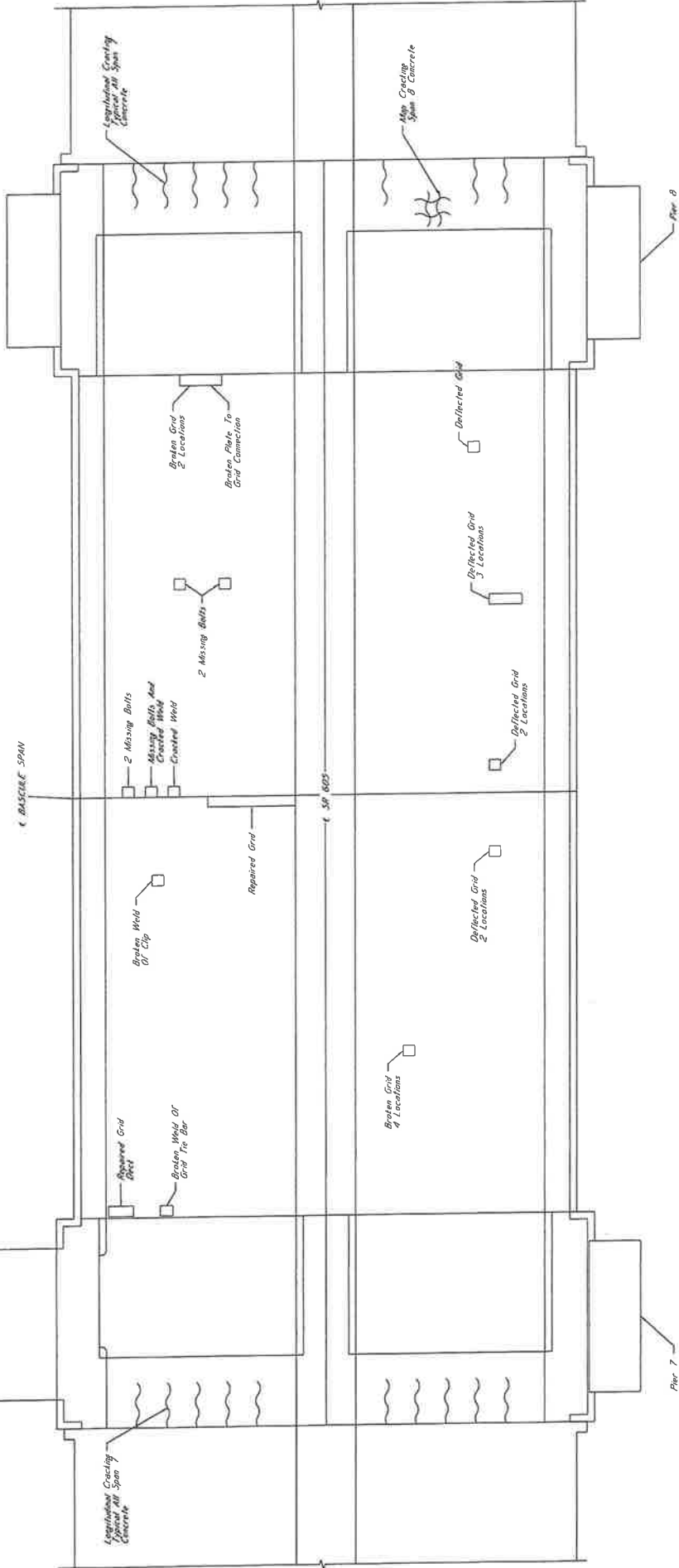
PLAN



ELEVATION

MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
BRIDGE AT STA. 184+87.97	
PLAN AND ELEVATION 1	
PROJECT NUMBER: BR-5371-01(001)	DATE: 11/15/00
COUNTY: HARRISON	SCALE: AS SHOWN
FMS: 107505/101000	PROJECT NUMBER: BR-5371-01(001)
RELAY NUMBER: 107505/101000	DATE: 11/15/00
DESIGNED BY: [Name]	CHECKED BY: [Name]
DRAWN BY: [Name]	DATE: 11/15/00
PROJECT NUMBER: BR-5371-01(001)	SHEET NUMBER: 5-01
STATUS: 30%	800/4

PRELIMINARY  
NOT FOR  
CONSTRUCTION

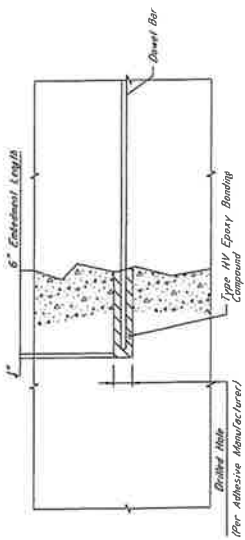


BASCULE SPAN PLAN

MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
BRIDGE AT STA. 184+87.97	
ROADWAY GRID REPAIR DETAIL	
PROJECT NUMBER: BR-5371-01(001)	WORKING NUMBER: S-11
COUNTY: HARRISON	SHEET NUMBER: 8014
DATE: 10/10/00	DATE: 10/10/00
BY: J. HARRISON	CHECKED: J. HARRISON
DESIGNED: J. HARRISON	APPROVED: J. HARRISON
STATUS: 30%	

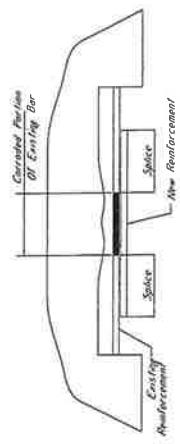
PRELIMINARY  
NOT FOR  
CONSTRUCTION





DOWEL DETAIL

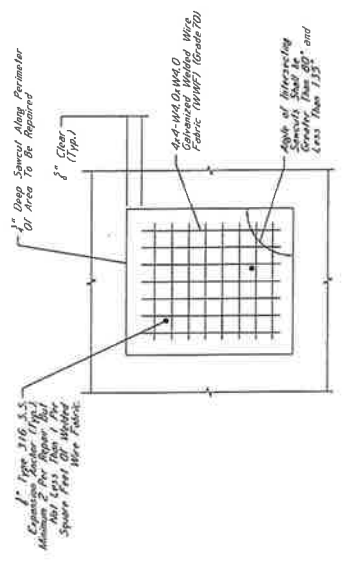
- DOWEL NOTES:**
1. Dowel shall be drilled at locations where splicing may result in the dowel being located in existing reinforcement.
  2. Before drilling, locate all existing bars adjacent to proposed holes.
  3. Prepare and clean all existing reinforcement.
  4. Adhesive manufacturer's recommendations shall be as required by the adhesive manufacturer's recommendations.
  5. Holes for dowel bars shall be thoroughly cleaned prior to placing adhesive.
  6. New adhesive anchor system used shall be set in a structural adhesive bonding compound designed as Type HV and listed in MDOT Support Dowel in Position Until Epoxy is Set.
  7. The Embedment Length and Size of Dowel Nails shall be determined by adhesive anchor system manufacturer's requirements.



SPLICE DETAIL

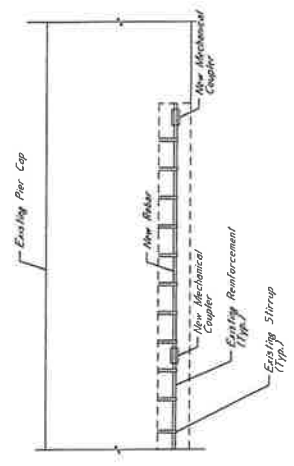
- SPLICE NOTES:**
1. This Detail is Applied When The Existing Reinforcement Exhibits 20% Or Greater Loss In Its Cross Sectional Area Due To Corrosion.
  2. Splices Shall Be Staggered.
  3. Splices Shall Be Staggered From The Splice Repair Detail.
  4. At An Alternative To Splicing, Reference The Mechanical Coupler Detail.

BAR SIZE	TABLE
4	1
5	2
6	3



WELDED WIRE FABRIC DETAIL

- SPECIAL NOTES FOR WELDED WIRE FABRIC (WWF):**
1. Field Bond WWF To Conform With Any Changes In The Concrete Surface Configuration.
  2. Use Each Expansion Anchor Bolt To Hold Wire Fabric With Galvanized Expansion Anchor Bolts and WWF Installation Shall Be Approved By The Engineer Prior To Placement Of Repair Material.

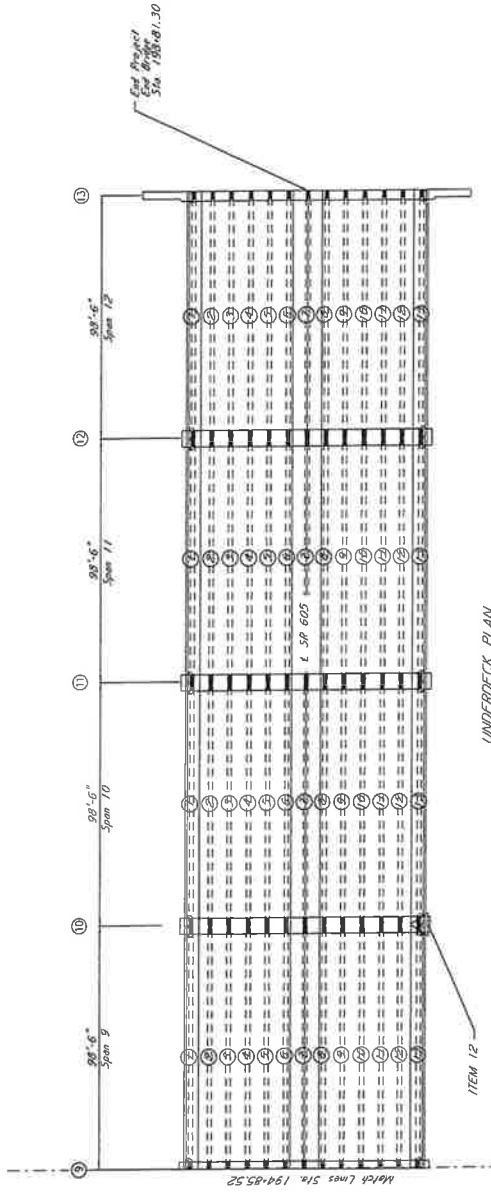


MECHANICAL COUPLER DETAIL

- MECHANICAL COUPLER DETAIL NOTES:**
1. As An Alternative To Splicing Or Bonding, The Contractor May Use Mechanical Couplers To Connect Reinforcement Bars.
  2. The Contractor Shall Provide Adequate Support For All Reinforcement Bars From The Time They Are Installed Until They Are Fully Encased In Concrete.
  3. After Installing Mechanical Couplers, Use Splice Repair Detail-2.
  4. Contractor Shall Use A Mechanical Coupler System From One Of The Following Manufacturers:  
- Ductal Products, Inc.  
- Hilti Products, Inc.  
- 3M Products, Inc.

PRELIMINARY  
NOT FOR  
CONSTRUCTION

STATE MISS. PROJECT NO. BR-9371-01(001)



UNDERDECK PLAN

Note:  
1. For Concrete Repair Details See Sheet 8011

DATE	BY	REVISION
11/15/00		

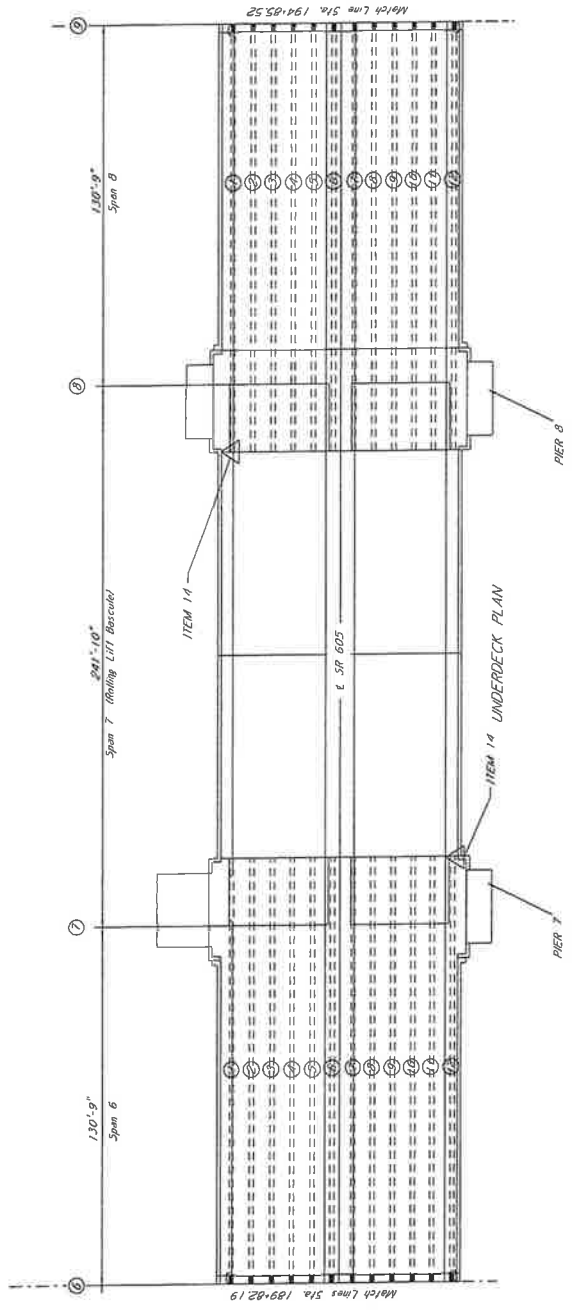
MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
 BRIDGE AT STA. 184+87.97  
 UNDERSIDE OF DECK PLAN  
 BEARING LAYOUT 3

COUNTY: HARRISON  
 PROJECT NUMBER: BR-9371-01(001)  
 MS: 107505/101000

DATE: 11/15/00  
 DRAWN BY: J. L. HARRISON  
 CHECKED BY: J. L. HARRISON  
 PROJECT NUMBER: BR-9371-01(001)  
 SHEET NUMBER: 5-07  
 STATUS: 30%

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

STATE PROJECT NO.  
MISS. BR-9371-01(001)



Note:  
1. For Concrete Repair Details See Sheet B011

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10

MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
BRIDGE AT STA. 184+87.97  
UNDERSIDE OF DECK PLAN  
&  
BEARING LAYOUT 2

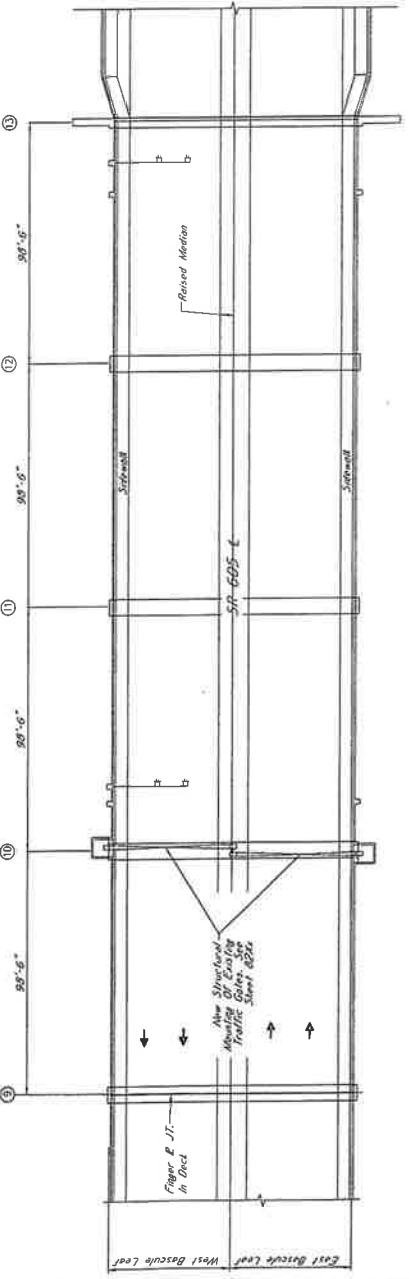
FMS: 107505/101000  
COUNTY: HARRISON  
PROJECT NUMBER: BR-9371-01(001)

WORKING NUMBER: S-06  
SHEET NUMBER: 8009

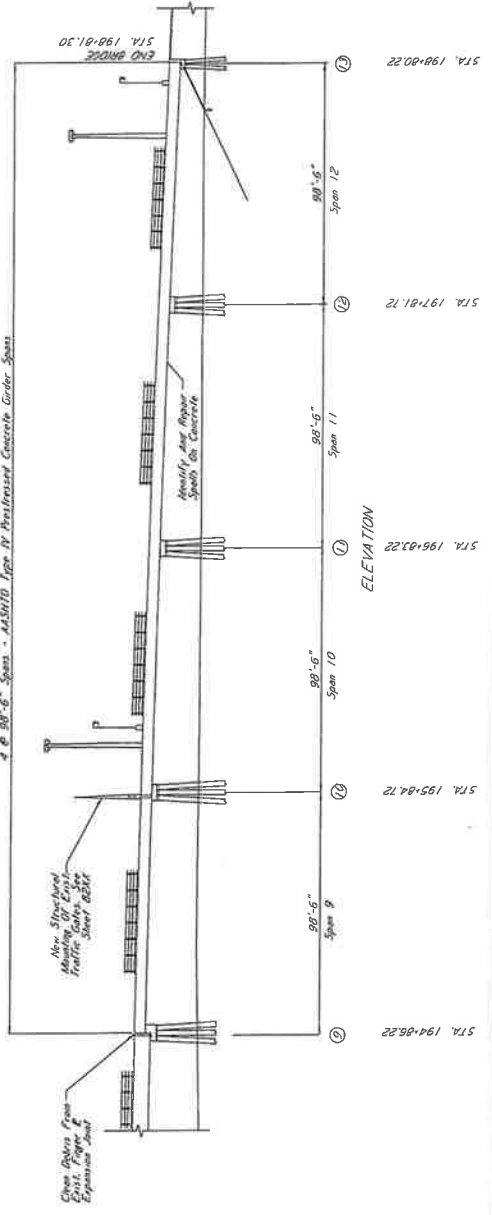
PRELIMINARY  
NOT FOR  
CONSTRUCTION

STATUS: 30%

STATE MISS. PROJECT NO. BR-9371-41(001)



PLAN



ELEVATION

REVISION	DATE

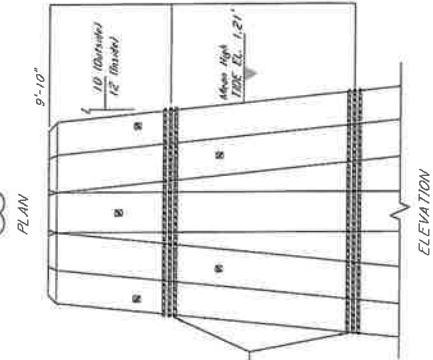
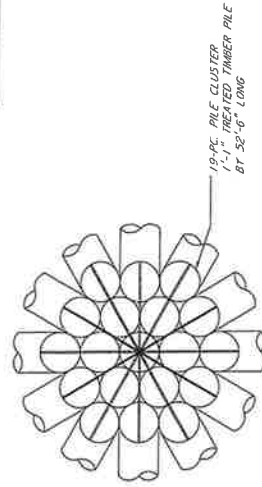
MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
 BRIDGE AT STA. 184+87.97  
 COUNTY: HARRISON  
 PROJECT NUMBER: BR-9371-01(001)  
 COUNTY: HARRISON  
 PROJECT NUMBER: BR-9371-01(001)  
 COUNTY: HARRISON  
 PROJECT NUMBER: BR-9371-01(001)  
 COUNTY: HARRISON  
 PROJECT NUMBER: BR-9371-01(001)

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

STATUS: 30%

WORKING NUMBER: S-03  
 SHEET NUMBER: 8006

STATE MISS. PROJECT NO. BR-9371-01(001)

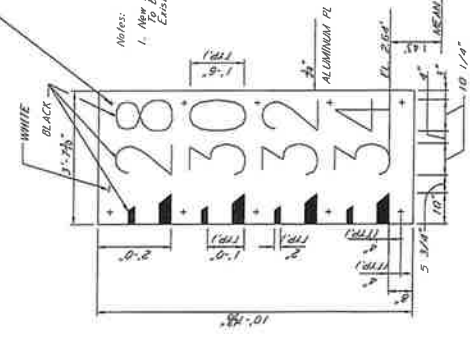


TYPICAL PILE CLUSTER ELEVATION

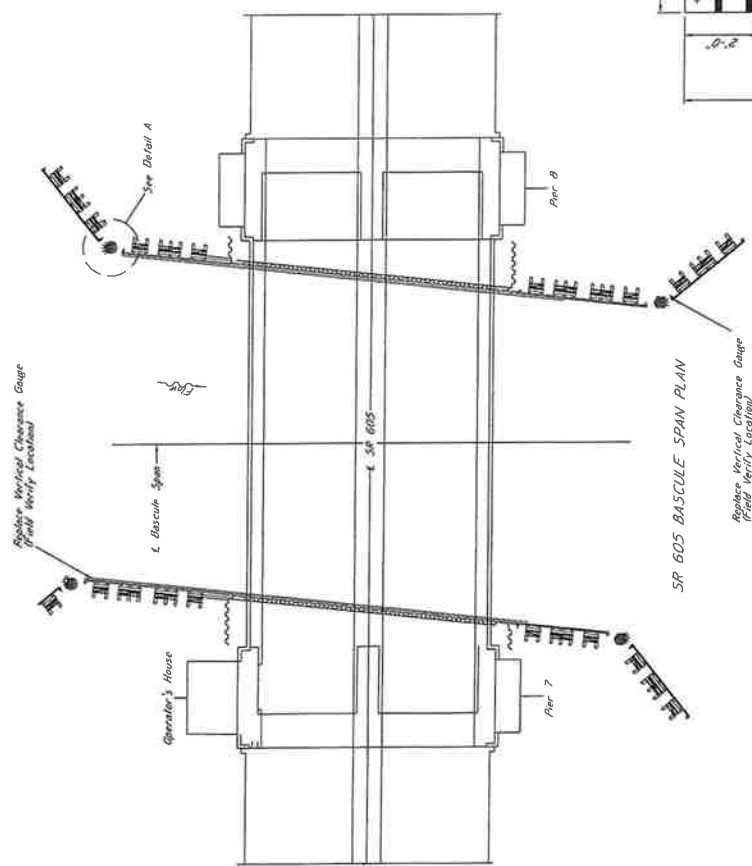
Remove Existing Wire Rope  
 19 Stacks Steel Wire Ropes  
 19 Turns Each Turn 3 Turns  
 To Adjust Length of Wire  
 Rope Clamps Remains Opposite  
 Opposite Face.

STAINLESS STEEL SELF  
 TAPPING SHEET METAL  
 WASHER AND BOWDED FROM WASHER  
 @ 1 1/2\"/>

Notes:  
 1. New Depth Gauge at  
 Existing Location



NEW DEPTH GAUGE DETAIL  
 (2 LOCATIONS)



SR 605 BASCULE SPAN PLAN

MISSISSIPPI DEPARTMENT OF TRANSPORTATION	
BRIDGE AT STA. 184+87.97	
DOLPHIN REPAIR DETAIL	
PROJECT NUMBER: BR-9371-01(001)	WORKING NUMBER: S-12
COUNTY: HARRISON	SHEET NUMBER: 8015
DATE: 10/25/05	SCALE: AS SHOWN
DESIGNED BY: [Name]	CHECKED BY: [Name]
DRAWN BY: [Name]	APPROVED BY: [Name]

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

STATUS: 30%



## Scope of Work for Rehabilitation of SR605 Bridge

### STRUCTURAL:

1. Clean, prime and paint areas of peeling paint within the bascule and anchor spans.
2. Replace all missing bolts and repair welds at the connections to the open grid deck system.
3. Repair cracks in structural steel with an arrestor hole or grind out the crack.
4. Weld steel roadway grid longitudinal connection bars, connecting clips, and grid members.
5. Clean out counterweight pockets, and rebalance bascule leaves as necessary. Perform a strain gauge balance test.
6. Replace live load uplift supports.
7. Spall repair on the north face of Pier 7 and other locations as necessary.
8. Clean finger joints and joint drainage system.
9. Improve Pigeon proofing of bascule pier.
10. Remove and replace corroded dolphin cable wraps with stainless steel rope.
11. Structural connections on the traffic gates to facilitate ease of removal prior to hurricanes

### MECHANICAL:

1. Span Drive Machinery
  - a. Remove Hydraulic drive machinery: Hydraulic Power Unit, pipping, and hydraulic motor.
  - b. Remove inboard intermediate gearing and replace with a parallel, non-differential primary reducer. If possible, due to clearances in machinery room, remove 2<sup>nd</sup> intermediate open gear set (middle gear set) and replace with an in-line, planetary secondary reducer. New reducer output shafts shall be coupled to modified existing shafts. Primary reducer input shafts shall be coupled to two new redundant AC electric motors.
  - c. Furnish and install new drum brakes for 2 sets of machinery and motor brakes keyed to the input and output shafts of the primary reducer.
  - d. Provide auxiliary operation via a hex headed, secondary input shaft of the motor, driven by an air motor.
  - e. Clean and lubricate remaining open gearing.
  - f. Paint all new and existing machinery.
2. Center Locks
  - a. Refurbish Center Lock assemblies. Replace and re-align wear plates where possible.
3. Rear Locks
  - a. Replace hydraulic cylinders, cylinder linkage mount, pins, hydraulic power units and pipping. Provide drip pans for all new hydraulic power units. (Will investigate replacement with an electric actuator instead)
  - b. Clean grease and corrosion from remaining assembly. Paint new and existing assembly. Lubricate strike plates.
4. Track and Treads
  - a. Clean corrosion from assemblies
  - b. Paint non-contacting surfaces
5. An updated depth gauge

## **ELECTRICAL**

1. Remove and replace control desk with spring-loaded lever knobs and deadman switch.
2. Remove and replace PLC controls with relay controls with PLC for monitoring.
3. Remove and replace motor control center (MCC).
4. Remove span motor controls and replace with components compatible with the proposed mechanical modifications.
5. Remove and replace conduit and wiring supplying items to be replaced. Provide additional conduit for future use.
6. Remove and replace all limit switches and leaf position transmitters. Use lever-arm limit switches mounted on sturdy welded steel supports.
7. Remove and replace submarine cable and cabinets.
8. Remove and replace the 120V Lighting Panel and associated transformer.
9. Remove and replace bascule pier and machinery area lighting and outlets.
10. Provide lightning protection and surge suppression.
11. Provide remote communication system at locations inside of north and south bascule piers.
12. Provide temporary electrical control as needed.
13. Provide door bonding jumpers in existing electrical enclosures, cabinets, and junction boxes to remain.
14. Replace existing corroded wireways not covered under other proposed scope items.
15. Replace the navigation lighting and wiring
16. Key card access at the entry points
17. Repairs/Upgrades to the CCTV camera system for assisting in openings and safety
18. Inspecting the gates to see if they need to be updated and replacing gate arms
19. New signage stating our new opening policy as required by the USCG
20. Labels identifying electrical components throughout the bridge
21. Electrical connections on the traffic gates to facilitate ease of removal prior to hurricanes

## **CONTROL HOUSE:**

1. Addressing the leaks in the ceiling (mold) and windows in the control house

## **TEMPORARY TRAFFIC CONTROL PLAN:**

1. Provide Detour route if possible
2. Provide lane closure Temporary Traffic Control Plan



Lexis Advance®

Document: Miss. Code Ann. § 49-15-9

## Miss. Code Ann. § 49-15-9

### Copy Citation

Current through the 2019 Regular Session.

**Mississippi Code 1972 Annotated Title 49. Conservation and Ecology (Chs. 1 – 37) Chapter 15. Seafood (Arts. 1 – 7) Article 1. General Provisions. (§§ 49-15-1 – 49-15-100.3)**

#### § 49-15-9. Rights of riparian owners on Gulf Coast defined.

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The sole right of planting, cultivating in racks or other structures, and gathering oysters and erecting bathhouses and other structures in front of any land bordering on the Gulf of Mexico or Mississippi Sound or waters tributary thereto belongs to the riparian owner and extends not more than seven hundred fifty (750) yards from the shore, measuring from the average low water mark, but where the distance from shore to shore is less than fifteen hundred (1500) yards, the owners of either shore may plant and gather to a line equidistant between the two (2) shores, but no person shall plant in any natural channel so as to interfere with navigation, and such riparian rights shall not include any reef or natural oyster bed and does not extend beyond any channel. A riparian owner shall comply with the Coastal Wetlands Protection Act in exercising the use of these riparian rights. Stakes of such frail materials as will not injure any watercraft may be set up to designate the bounds of the plantation, but navigation shall not be impeded thereby. The riparian owner shall clearly mark such cultivation racks and other structures. The commission may adopt regulations to require that the racks are adequately marked to ensure the safety of users of public waters. Any oysters planted by such riparian owner are the private property of such riparian owner, subject to the right of the commission to adopt reasonable rules and regulations as to the planting and gathering of such oysters. All bathhouses, piers, wharfs, docks and pavilions, or other structures owned by riparian owner are likewise the private property of such owner, who shall be entitled to the exclusive use, occupancy and possession thereof, and may abate any private or public nuisance committed by any person or persons in the area of his riparian ownership and may, for such purposes, resort to any remedial action authorized by law. The governing authorities of any municipality and the board of supervisors of any county are authorized to adopt reasonable rules and regulations to protect riparian owners in the enjoyment of their riparian rights, and for such purposes may regulate the use of beaches, landings, and riparian areas abutting or fronting on roads, streets or highways.

#### History

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Codes, 1942, § 6047-10; Laws, 1960, ch. 173, § 10; Laws, 1962, ch. 193, § 10; Laws, 1991, ch. 438 § 1, eff from and after passage (approved March 21, 1991).

