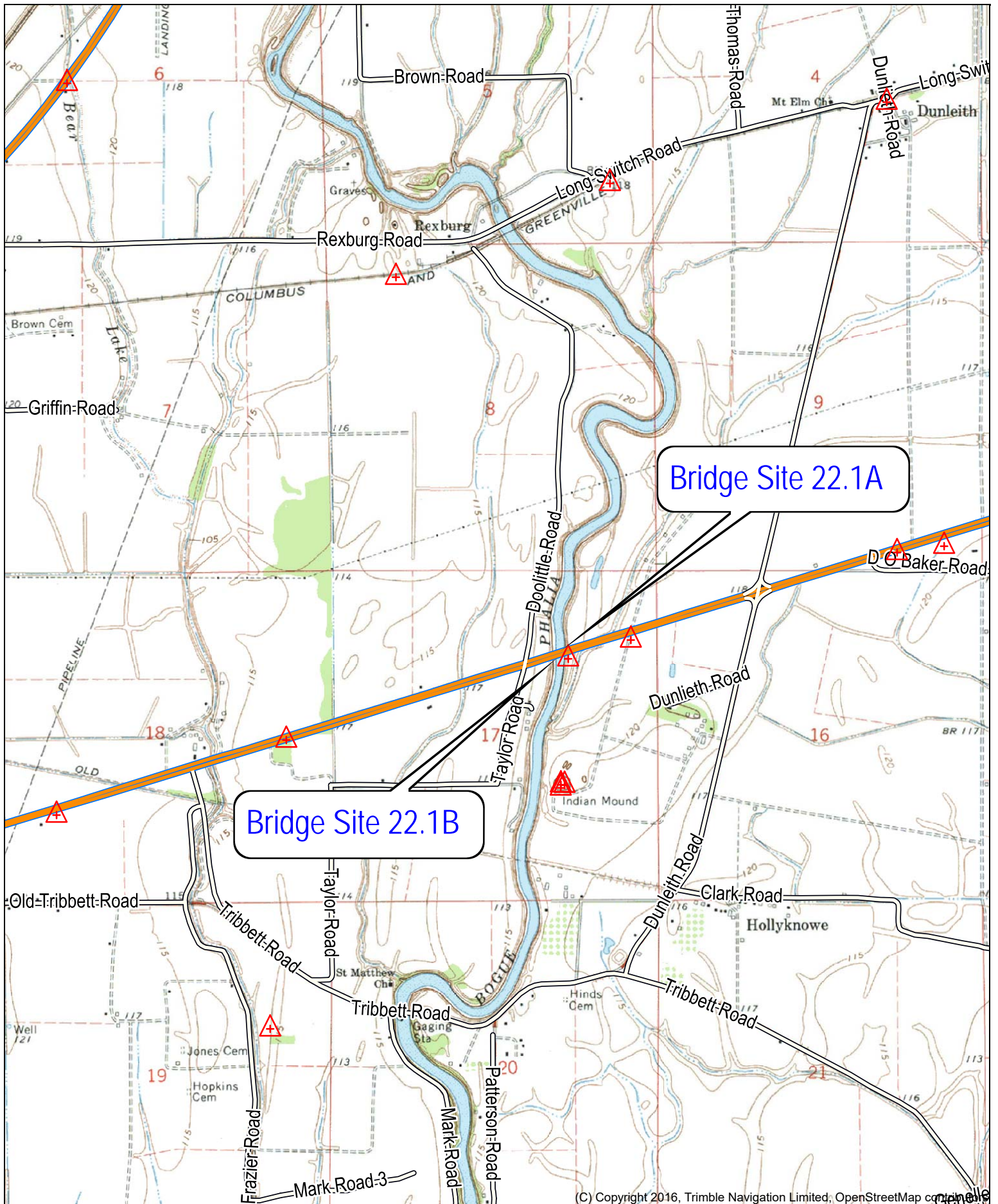


***Washington 82***  
***NHPP-0011-01(076)***  
***109504-301000***

Corps of Engineers Nationwide 3

MDEQ Water Quality Certification

# Location Map



(C) Copyright 2016, Trimble Navigation Limited, OpenStreetMap contributors

Name: Satellite Image  
 Date: 05/30/24  
 Scale: 1 inch = 2,000 ft.

Location: 033° 24' 53.1810" N, 090° 50' 32.2509" W  
 FMS: 109504/301000  
 Washington County SR 82 bridge repair project

(C) Copyright 2016, Trimble Navigation Limited

# Plans

**GENERAL INDEX**

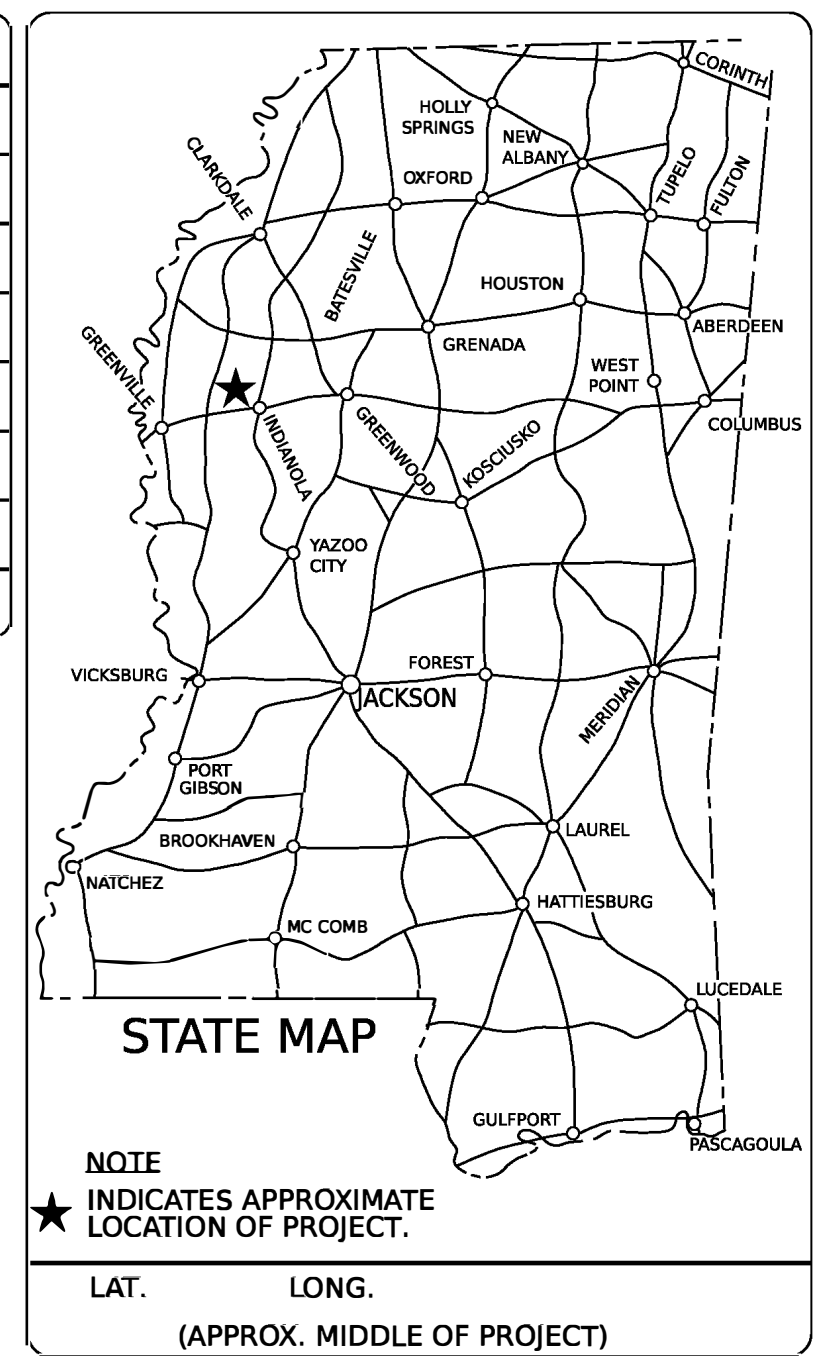
INCLUDED THIS PROJECT	BEGIN WITH SHEET
<input type="checkbox"/> ROADWAY.....	1
<input type="checkbox"/> PERMANENT SIGNS.....	1001
<input type="checkbox"/> TRAFFIC SIGNALS.....	2001
<input type="checkbox"/> ITS COMPONENTS.....	3001
<input type="checkbox"/> LIGHTING.....	4001
<input type="checkbox"/> (RESERVED).....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

**STATE OF MISSISSIPPI  
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

**PLAN AND PROFILE OF  
PROPOSED STATE HIGHWAY  
FEDERAL AID PROJECT NO. NHPP-0011-01(076)**

**US 82 OVER BOGUE PHALIA (22.1 A & B)  
WASHINGTON COUNTY**

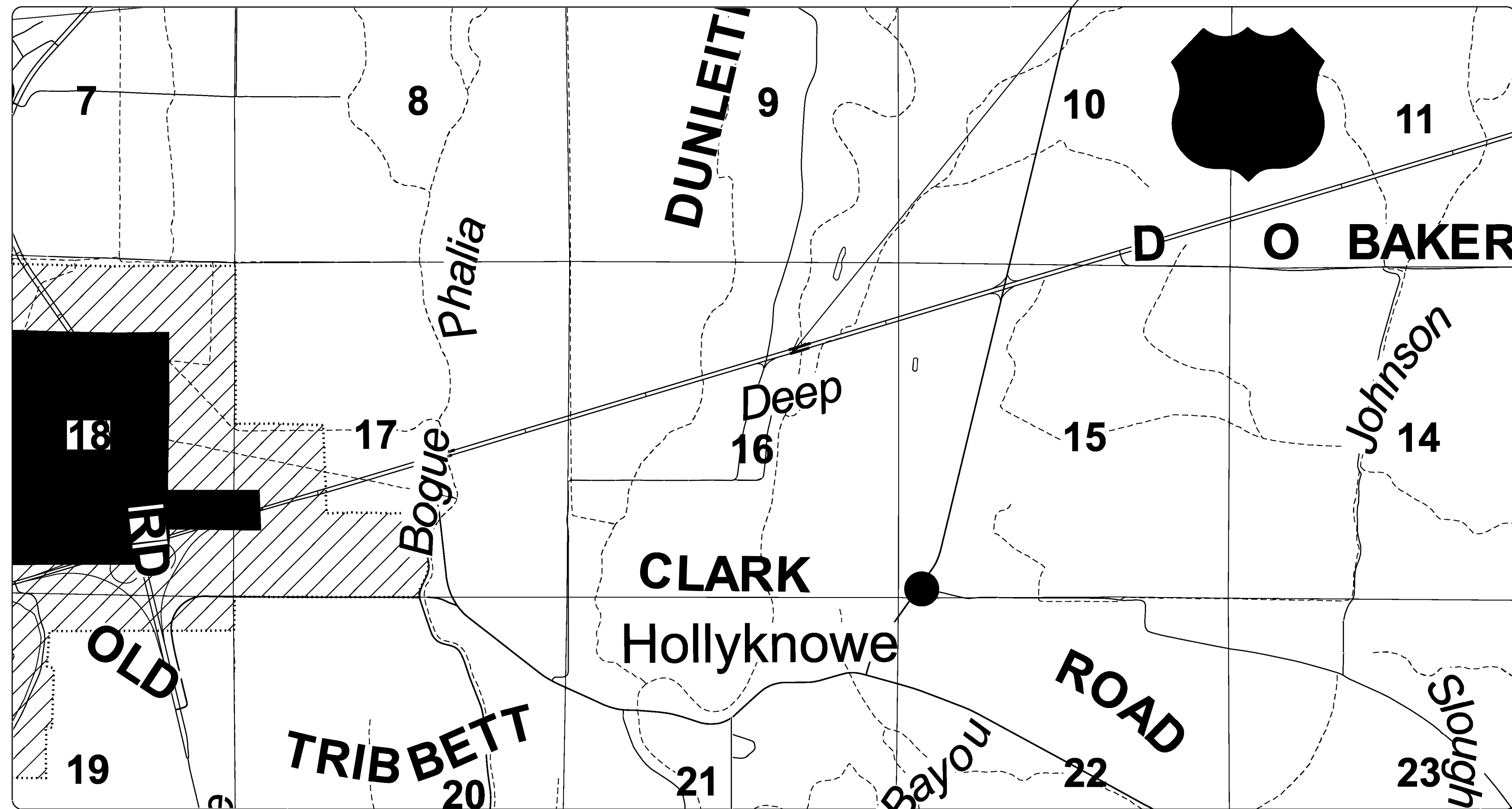
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<input type="checkbox"/> PRE-R.O.W.	
<input type="checkbox"/> FIELD INSPECTION	
<input type="checkbox"/> R.O.W. PLANS TO SMD	
<input type="checkbox"/> FINAL R.O.W.	
<input type="checkbox"/> R.O.W. REVISION	
<input type="checkbox"/> OFFICE REVIEW	
<input type="checkbox"/> DRAFT FINAL	



BR #22.1 A & 22.1 B

BRIDGE STRUCTURES REQ'D.

BOX BRIDGES REQ'D.



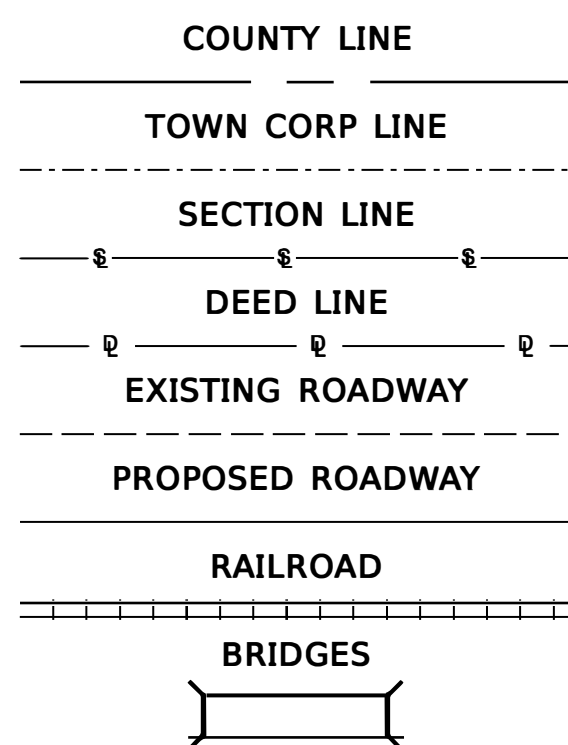
**DESIGN CONTROL**

MPH = V (SPEED DESIGN)  
ADT ( ) = : ADT ( ) =  
DHV = : D = % T = %

**PERMITS ACQUIRED BY MDOT**

WETLANDS AND WATERS PERMITS	
	WATERS WETLANDS
NATIONWIDE #14	<input type="checkbox"/> <input type="checkbox"/>
NATIONWIDE (OTHER)*	<input type="checkbox"/> <input type="checkbox"/>
GENERAL*	<input type="checkbox"/> <input type="checkbox"/>
INDIVIDUAL (404)*	<input type="checkbox"/> <input type="checkbox"/>
STORMWATER PERMIT <input type="checkbox"/>	
Y REQUIRED, CNOI SUBMITTED BY MDOT (DISTURBED AREA=5 ACRES)	
S REQUIRED, SCNOI TO BE SUBMITTED BY CONTRACTOR (1 TO 4.99 ACRES)	
N NO STORMWATER PERMIT REQUIRED (<1 ACRE)	
APPROVED BY: _____	

**CONVENTIONAL SYMBOLS**



**LENGTH DATA**

LENGTH OF ROADWAY	FT.	MI.
LENGTH OF BRIDGES	FT.	MI.
LENGTH OF PROJECT (NET)	FT.	MI.
LENGTH OF EXCEPTIONS	FT.	MI.
LENGTH OF PROJECT (GROSS)	FT.	MI.

**SCALES**

PLAN 1 IN. = 100 FT.  
PROFILE HOR. 1 IN. = 100 FT.  
LAYOUT VERT. 1 IN. = 10 FT.

EQUATIONS

EXCEPTIONS

TITLE SHEET

5/29/2024 11:42:28 AM RWD-Title.dgn

PRELIMINARY  
NOT FOR  
CONSTRUCTION

DESIGNED BY: _____	
<b>CONSTRUCTION PROJECT DATA</b>	
EXTERNAL PROJECT NUMBER	NHPP-0011-01(076)
FMS & DETAIL	109504/301000
P S & E DATE: _____	
APPROVED: _____	
DEPUTY EXECUTIVE DIRECTOR / CHIEF ENGINEER	
EXECUTIVE DIRECTOR	



DESIGNED BY: STEPHEN DIAZ  
 DETAILED BY: STEPHEN DIAZ  
 CHECKED BY: SHANE WRIGHT  
 DATE: 2024-04-25

FMS CON: 109504/301000  
 PROJECT NO.: NHPP-0011-01(076)  
 COUNTY: WASHINGTON

BRIDGE AT STA. 225+29.19 LT LN  
 BRIDGE AT STA. 225+23.21 RT LN  
**GENERAL NOTES & ESTIMATED QUANTITIES**  
DIR. OF STRUCTURES, STATE BRIDGE ENGINEER - SCOTT WESTERFIELD, P.E.  
 DEPT. DIR. OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - MICAH DEW, P.E.

ESTIMATED BRIDGE QUANTITIES					
PAY ITEM CODE	DESCRIPTION	UNIT	QUANTITY		
			22.1A	22.1B	TOTAL
201-A001	Clearing and Grubbing	LS	1		1
815-A007	Loose Riprap, Size 300	TON	91	90	181
815-E001	Geotextile under Riprap	SY	1,170	1,170	2,340
907-202-B001	Removal of Bridge Deck, Hydrodemolition	SY	1,519	1,349	2,868
907-420-A001	Undersealing	LBS	1,600	1,600	3,200
907-804-O001	Bridge Deck Overlay Concrete	CY	85	75	160
907-808-A002	Joint Repair	LF	81	81	162
907-823-A001	Preformed Joint Seal, Type I	LF	81	81	162
907-823-B001	Saw Cut, Type I	LF	81	81	162
907-824-PP003	Bridge Repair, Epoxy Repair	SF	25	25	50
907-824-PP003	Bridge Repair, Removal of Bridge Deck	SF	38	38	76
907-824-PP004	FRP Wrap, Uni-Directional	SF	2,223		2,223
907-824-PP006	Bridge Repair, Cap Cleaning	EACH	10	9	19
907-824-PP006	Bridge Repair, Bearing Replacement	EACH	12	12	24
907-824-PP006	Bridge Repair, Pile Encasement	EACH		25	25
907-824-PP008	Bridge Repair, Class 2 Spray Finish	LF	724	643	1,367

**GENERAL NOTES:**

- Specifications: Mississippi Standard Specifications For Road and Bridge Construction, 2017.
- No change of plans will be permitted except by written approval of the Director of Structures, State Bridge Engineer.
- Minor changes in detail of design or construction procedure may be authorized by the Director of Structures, State Bridge Engineer provided such changes will not be cause for contract price adjustment. Work for which no pay item is provided will not be paid for directly and shall therefore be considered an absorbed item of work.
- All details are based on the dimensions shown on the original plans for the existing structure. The Contractor shall be responsible for adjusting the elements of the new construction to ensure a proper fit with the existing structure.
- Any damage that occurs to the existing structure during the duration of the project shall be repaired to the satisfaction of the Engineer by the Contractor at no additional cost to the State.

**MAINTENANCE OF TRAFFIC NOTE:**

Maintain traffic in accordance with section 618 of the Standard Specifications of Road and Bridge Construction, 2017 Edition, the latest edition to the Manual on Uniform Traffic Control Devices, Part 6, and the traffic control sheets included in these plans.

**EPOXY MORTAR REPAIR NOTES:**

General Epoxy Repair shall be done in accordance with Special Provision 907-824.03.1 and with the approved materials outlined in Special Provision 907-824.02.1. All work and material required to perform this item of work shall be paid for under Pay Item No. 907-824-A003, General Epoxy Repair. See Epoxy Repair Detail on this sheet for more information.

**TEMPORARY PRECAST BARRIER NOTE:**

Temporary precast barriers shall be anchored to the bridge deck and approach slab. The Contractor shall submit proposed anchor details, including design calculations stamped by a Mississippi registered Professional Engineer prior to beginning work to be approved by the Director of Structures, State Bridge Engineer. After removal of the temporary barriers, all anchor holes shall be cleaned and filled with non-shrink: "Sure-Grip Grout" (The Dayton Sure-Grip and Shore Co.) "Supreme Grout" (Gifford-Hill & Co.) or an approved equal, applied according to the Manufacturer's specifications.

**INFORMATION PLANS**

Additional as-built information plans area available at the Contractor's request & can be provided by Bridge Division.

**SCOPE OF WORK**

- Remove and replace bearing assemblies at end bents
- FRP wrap beam ends
- Hydrodemolition of bridge deck
- Epoxy repair
- Place riprap on banks
- Extend pile encasements
- Apply Class 2 Spray Finish to bridge railing
- Clean all caps
- Remove debris from channel
- Underseal all end bents

**SPECIAL PROVISIONS REQUIRED:**

- 907-202: Removal of Bridge Deck, Hydrodemolition
- 907-420: Undersealing
- 907-804: Bridge Deck Overlay Concrete
- 907-808: Joint Repair
- 907-823: Preformed Joint Seal
- 907-824: Routine Bridge Repair

**UNDERSEALING NOTES:**

- voids under all end bent caps and approach pavement are to be filled with injectable urethane compound material meeting the required properties in the table shown on this sheet.
- Prior to injection, the site shall be prepared according to Manufacturer's recommendations. Urethane compound shall be installed in strict accordance with Manufacturer's instructions.
- All costs associated with filling voids underneath and behind end bent caps with urethane compound shall be included in the price for Undersealing.
- The accepted quantities will be paid for per pound of urethane compound material as reported on packaging.

**CONTRACTOR SUBMITTALS**

Prior to fabrication and construction, the following shall be submitted to the Director of Structures, State Bridge Engineer through the Project Engineer for approval. No work shall begin until all submittals have been authorized by the Director of Structures, State Bridge Engineer.

**FIELD VERIFICATION SUBMITTAL:**

All dimensions of the existing structure and clearances shall be field verified by the Contractor. The Contractor shall be responsible for adjusting the elements of the new construction to ensure proper fit with existing structure. The Contractor shall submit verification of the existing bridge elements associated with the work items described herein. This shall include, but is not limited to:

- Existing bearing dimensions.
- Existing cap dimensions
- Existing finish grades & joint widths
- Any other element that will affect the work items described herein.

**JACKING PLANS SUBMITTAL:**

The Contractor shall submit a complete set of bracing and jacking arrangement plans along with design calculations associated with bearing replacements for each bridge.

**SHOP DRAWING SUBMITTAL:**

The Contractor shall submit shop drawings for new bearing assemblies to be installed at end bents no. 1 & 10.

**CONTAINMENT PLAN SUBMITTAL:**

The Contractor shall submit a containment plan associated with the work items described in these plans.

**HYDRODEMOLITION PLAN SUBMITTAL:**

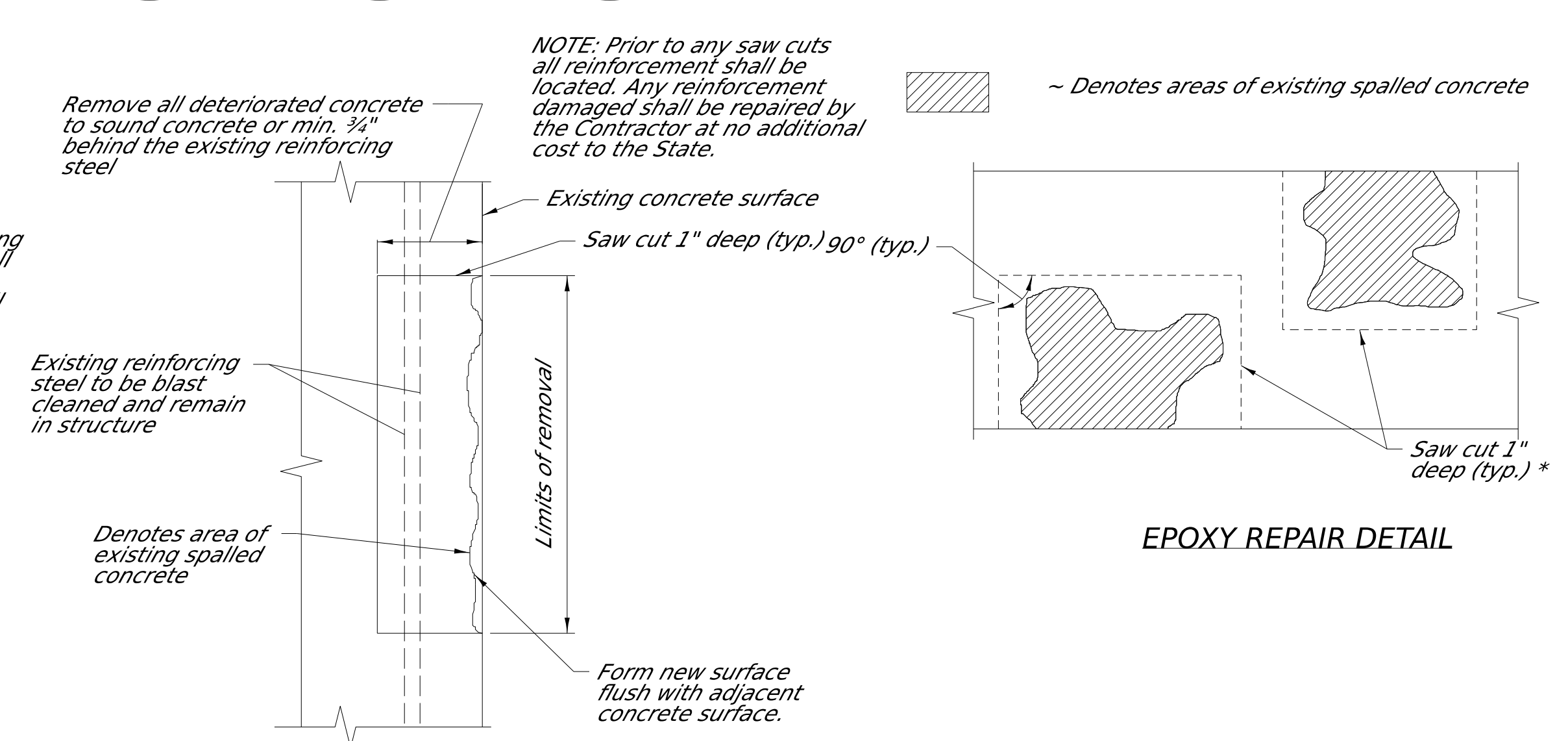
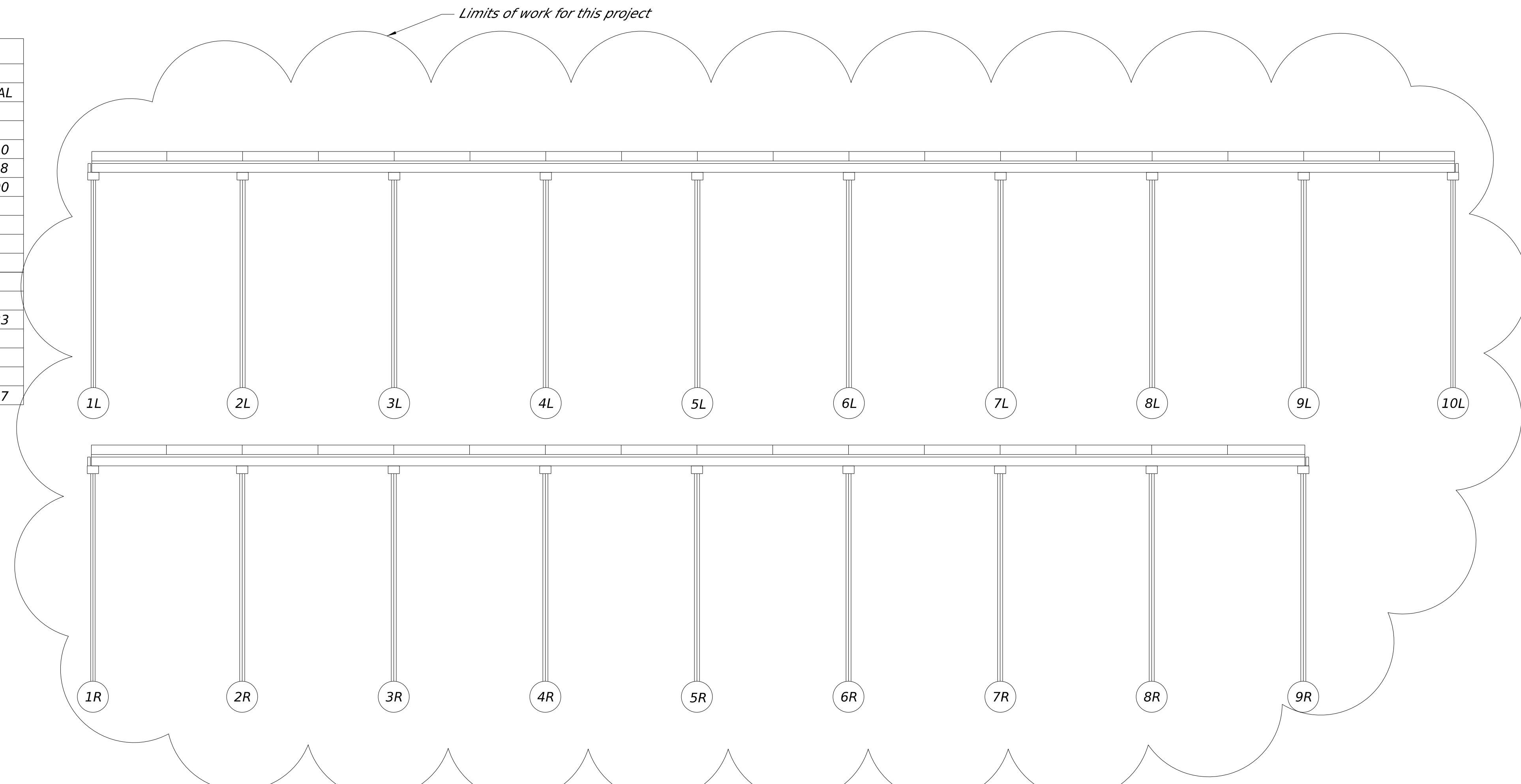
The Contractor shall submit a proposed hydrodemolition plan prior to beginning work to be approved by the Director of Structures, State Bridge Engineer.

**CAP CLEANING NOTE:**

Cap cleaning should be performed by removing all large debris by hand. All other debris (dirt and rust) shall be removed by pressure washing the bent caps to the satisfaction of the Project Engineer. The pressure washer shall be able to maintain 3,500 Psi of pressure. Cap cleaning shall be paid for under 907-824-PP006 Bridge Repair, Cap Cleaning

**BRIDGE RAILING TEXTURE FINISH NOTE:**

Existing bridge railing on both bridges shall receive a Class 2 spray finish. Prior to spraying finish on existing railing, all loose material and grime must be removed. Spray finish shall be in accordance with 804.03.19.3.2--Spray Finish and 804.03.19.6.3--Finishing Formed Concrete Surface of Bridges. This item of work, including cleaning of existing railing shall be absorbed under Pay Item No. 907-824-PP003, Bridge Repair, Class 2 Spray Finish.



REQUIRED URETHANE COMPOUND PROPERTIES		
PROPERTY	MIN. REQUIREMENT	ASTM TEST METHOD
Density	4.0 pcf	D 1622
Tensile Strength	100 psi	D 1622
Compressive Strength	90 psi	D 1621

PLAN SHEET

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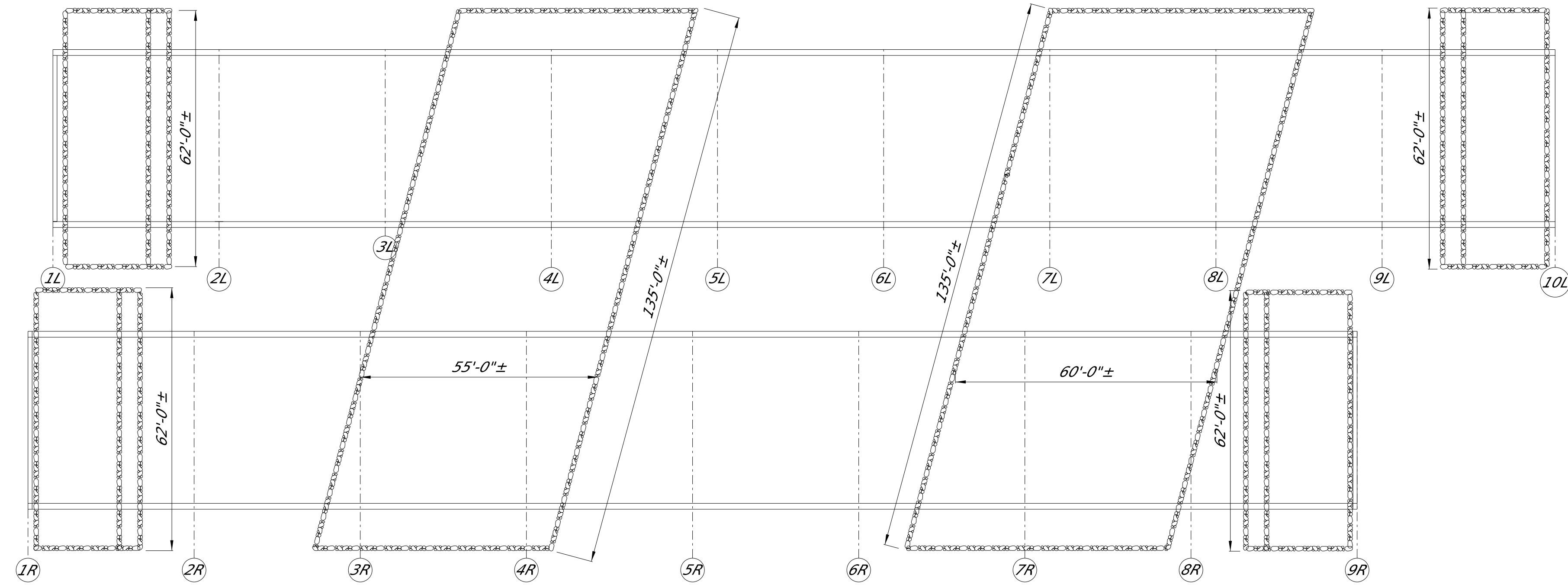


DESIGNED BY: STEPHEN DIAZ  
 DETAILED BY: STEPHEN DIAZ  
 CHECKED BY: SHANE WRIGHT  
 DATE: 2024-04-25

FMS CON: 109504/301000  
 PROJECT NO.: NHPP-0011-01(076)  
 COUNTY: WASHINGTON

**BRIDGE AT STA. 225+29.19 LT LN  
 BRIDGE AT STA. 225+23.21 RT LN  
 RIPRAP PLACEMENT DETAILS**  
DIR OF STRUCTURES, STATE BRIDGE ENGINEER - SCOTT WESTERFIELD, P.E.  
 DEP. DIR OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - MICAH DEW, P.E.

WK. NO.  
**2 OF 6**  
 SHEET NO.  
**8003**

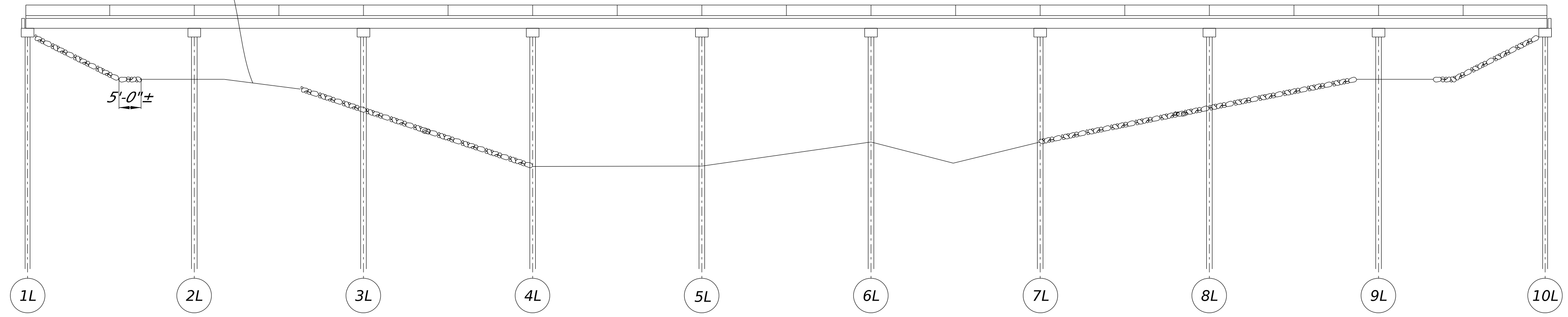


- NOTE:**
1. No dirt can be pushed into the waterway
  2. No silt or spills shall enter the waterway
  3. If a work platform is needed, riprap may be placed. (This is considered an absorbed item)
  4. Minimize disturbance to existing banks
  5. Clearing shall be kept to a minimum and grubbing only where required. (This is considered an absorbed item)
  6. Turbidity barrier shall be used.

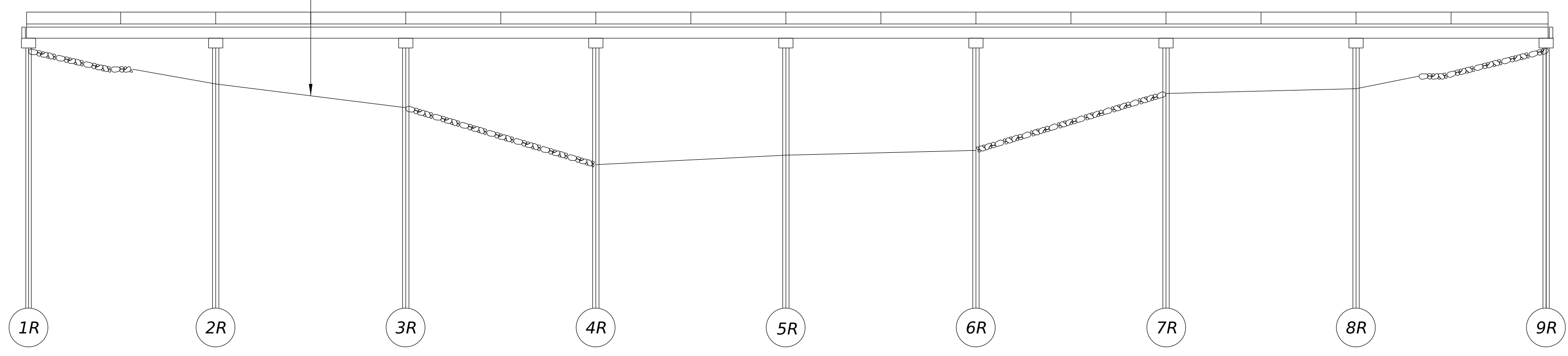
**NOTE:**  
 Geotextile fabric is required under all riprap. All riprap and geotextile fabric shown on the bridge plans are included in the bridge quantities.

**FOUNDATION PLAN**  
 Showing approximate riprap placement

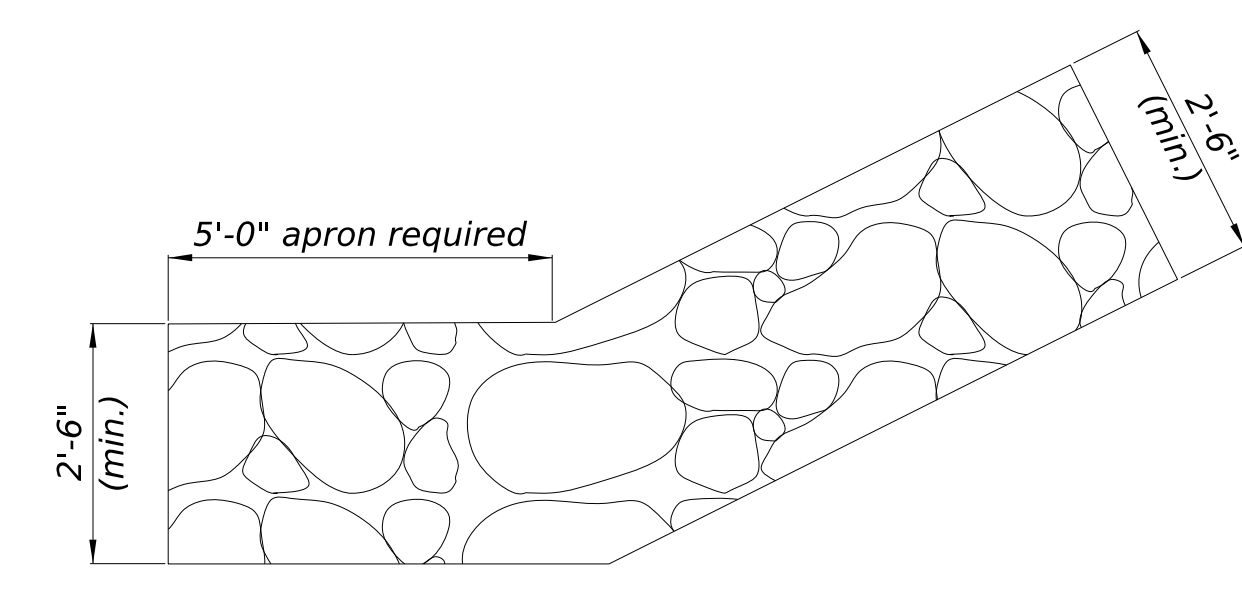
Approximate groundline per 2022 MDOT Bridge Inspection Report



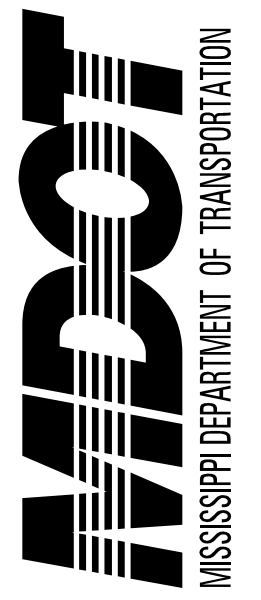
Approximate groundline per 2022 MDOT Bridge Inspection Report



**ELEVATION WITH PROFILE ALONG Q APPROACH ROADWAY**  
 Showing approximate riprap placement



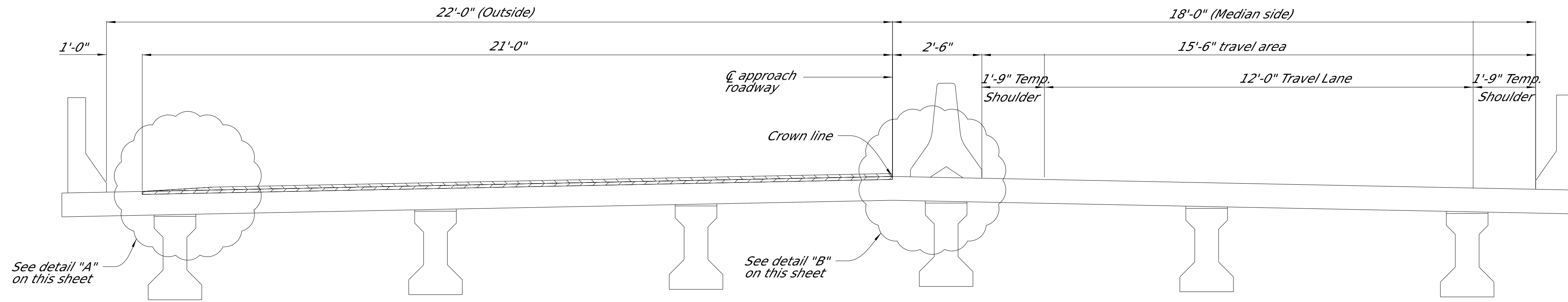
**RIPRAP TOE DETAILS**



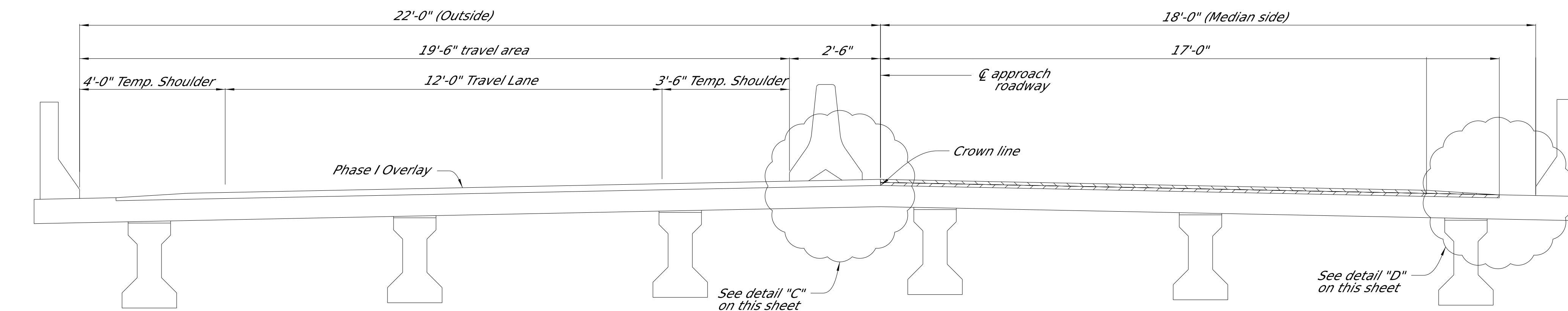
DESIGNED BY: STEPHEN DIAZ  
 DETAILED BY: STEPHEN DIAZ  
 CHECKED BY: SHANE WRIGHT  
 DATE: 2024-04-25

FMS CON: 109504/301000  
 PROJECT NO.: NHPP-0011-01(076)  
 COUNTY: WASHINGTON

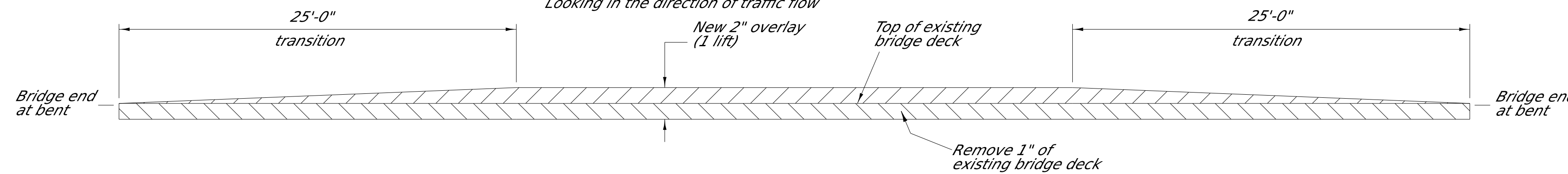
BRIDGE AT STA. 225+29.19 LT LN  
 BRIDGE AT STA. 225+23.21 RT LN  
**HYDRODEMOLITION DETAILS**  
 (PHASED CONSTRUCTION)  
DIR. OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - SCOTT WESBERFIELD, P.E.  
 DEF. DIR. OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - MICAH DEW, P.E.



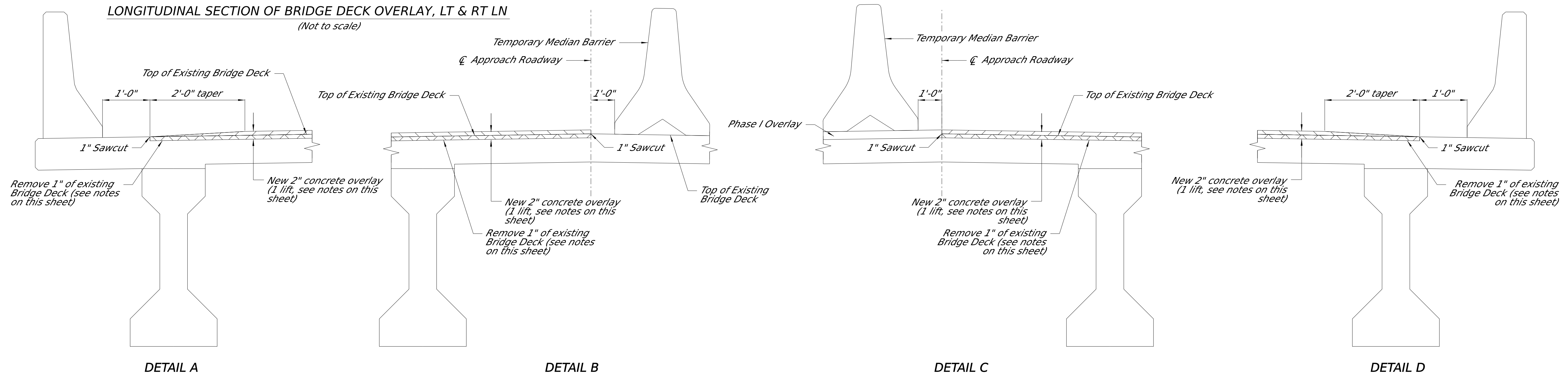
**PHASE I CONSTRUCTION BRIDGES 22.1A & 22.1B**  
 Looking in the direction of traffic flow



**PHASE II CONSTRUCTION BRIDGES 22.1A & 22.1B**  
 Looking in the direction of traffic flow



**LONGITUDINAL SECTION OF BRIDGE DECK OVERLAY, LT & RT LN**  
 (Not to scale)



**DETAIL A**

**DETAIL B**

**DETAIL C**

**DETAIL D**

**HYDRODEMOLITION GENERAL NOTES:**

1. Bridge concrete for hydrodemolition repair and bridge deck repair shall be bridge deck overlay, meeting the requirements of Special Provision 907-304. The mix design shall be furnished by the Contractor for approval by Materials Division.
2. All existing concrete surfaces that will be in contact with new concrete shall be painted with a cement slurry designed to bond new concrete to old concrete.
3. The new concrete overlay shall be trowel finished.

**1" SAWCUT & REINFORCEMENT NOTES:**

1. All 1" sawcuts shall be considered an absorbed item of work. The Contractor shall verify depth of reinforcing steel before making any sawcuts. The depth of the sawcut shall be no more than the depth of the reinforcing steel.
2. All existing reinforcement shall remain in place. Any damage to reinforcing steel shall be repaired to the satisfaction of the Engineer at no additional cost to the State.

**NOTE:**

Construction phases are similar for all spans.

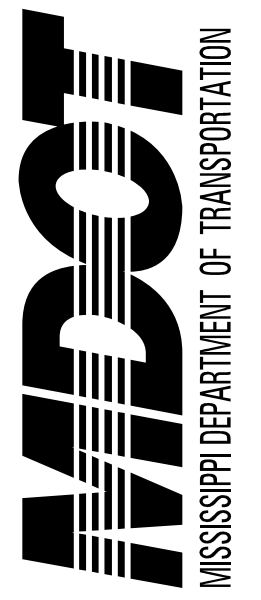
**CONCRETE OVERLAY NOTES:**

1. Remove a minimum of 1" of existing bridge deck or to sound concrete.
2. If sound concrete is reached at a depth less than 1", additional removal to achieve a 1" depth is not required.
3. The new concrete overlay shall be placed in one (1) lift. The existing grade of the bridge deck shall be raised so that the finished overlay includes 1" of additional cover. The new concrete overlay shall have a minimum thickness of 2".

PLAN SHEET

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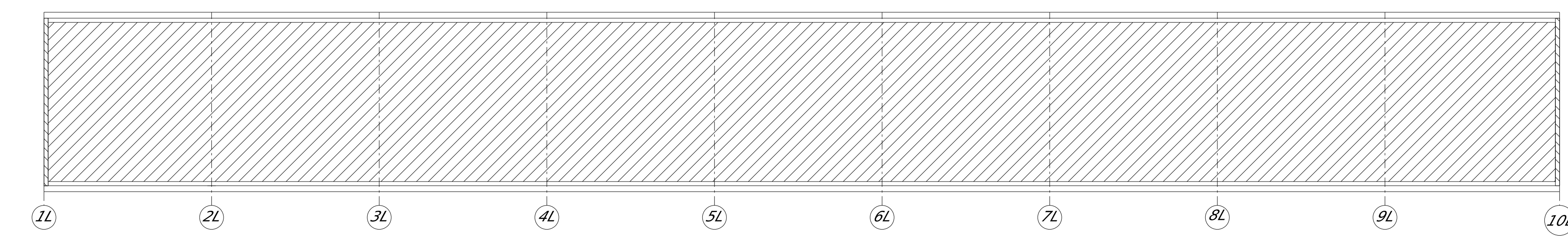




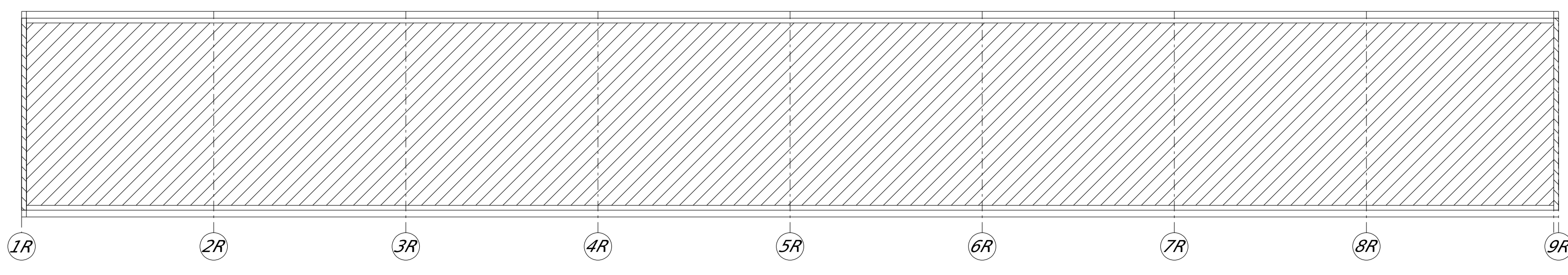
DESIGNED BY: STEPHEN DIAZ  
 DETAILED BY: STEPHEN DIAZ  
 CHECKED BY: SHANE WRIGHT  
 DATE: 2024-04-25

FMS CON: 109504/301000  
 PROJECT NO.: NHPP-0011-01(076)  
 COUNTY: WASHINGTON

BRIDGE AT STA. 225+29.19 LT LN  
 BRIDGE AT STA. 225+23.21 RT LN  
 PLAN OF HYDRODEMOLITION AREA &  
 FRP WRAP DETAILS  
DIR. OF STRUCTURES, STATE BRIDGE ENGINEER - SCOTT WESTERFIELD, P.E.  
 DEF. DIR. OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - MICAH DEW, P.E.



Indicates 30 lb. hammer removal area at joints. See sheet no. xxxx  
 Indicates areas of bridge deck to be repaired by hydrodemolition



**NOTE:**  
 Removal of concrete shall be performed with 30 lb hammers under Pay Item 907-824-PP003: Bridge Repair, Removal of Bridge Deck

**NOTE:**  
 New concrete overlay, full depth deck repair, and/or partial depth deck repair shall be placed in 1 lift

**FRP WRAP NOTES:**  
 FRP Wrap shall be done in accordance with Special Provision Subsection 907-824.03.2 and with the approved materials outlined in Special Provision Subsection 907-824.02.2. All work and material required to perform this item of work shall be paid for under Pay Item No. 907-824-B004, FRP Wrap, Uni-directional.

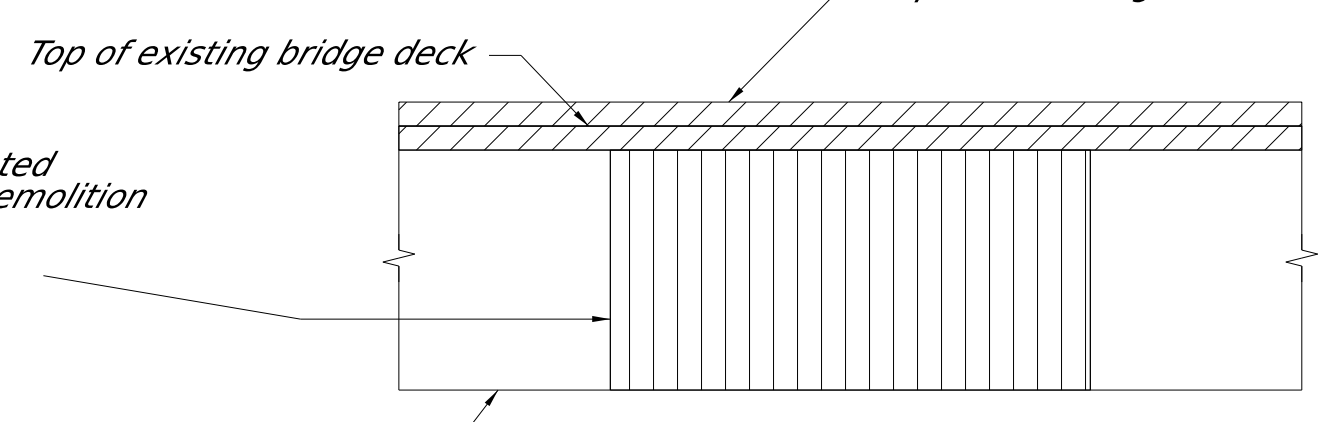
**NOTE:**  
 FRP Wrap shall be oriented in the vertical direction, in the direction of the shear reinforcement and shall have a minimum tensile force of 3.6 kips/in.

**NOTE:**  
 Locations shown are approximate and repair areas should be directed by the Project Engineer. FRP Wrap shall cover all sides of the beam as shown in SECTION A-A.

FRP BEAM WRAP LOCATIONS		
SPAN	BENT	BEAM
1	2	2,3,&4
2	2	1,2,3,4,5,&6
	3	3,4,&5
3	3	1,2,3,4,&6
	4	3,4,&5
4	4	1,2,3,4,5,&6
	5	1,2,3,4,5,&6
5	5	1,2,3,4,5,&6
	6	2,3,4,5,&6
6	6	1,2,3,4,5,&6
	7	1,2,3,5,&6
7	7	1,2,3,4,5,&6
	8	1,2,3,4,5,&6
8	2	1,2,3,4,5,&6
	3	1,2,3,4,5,&6

**PLAN OF SPANS**

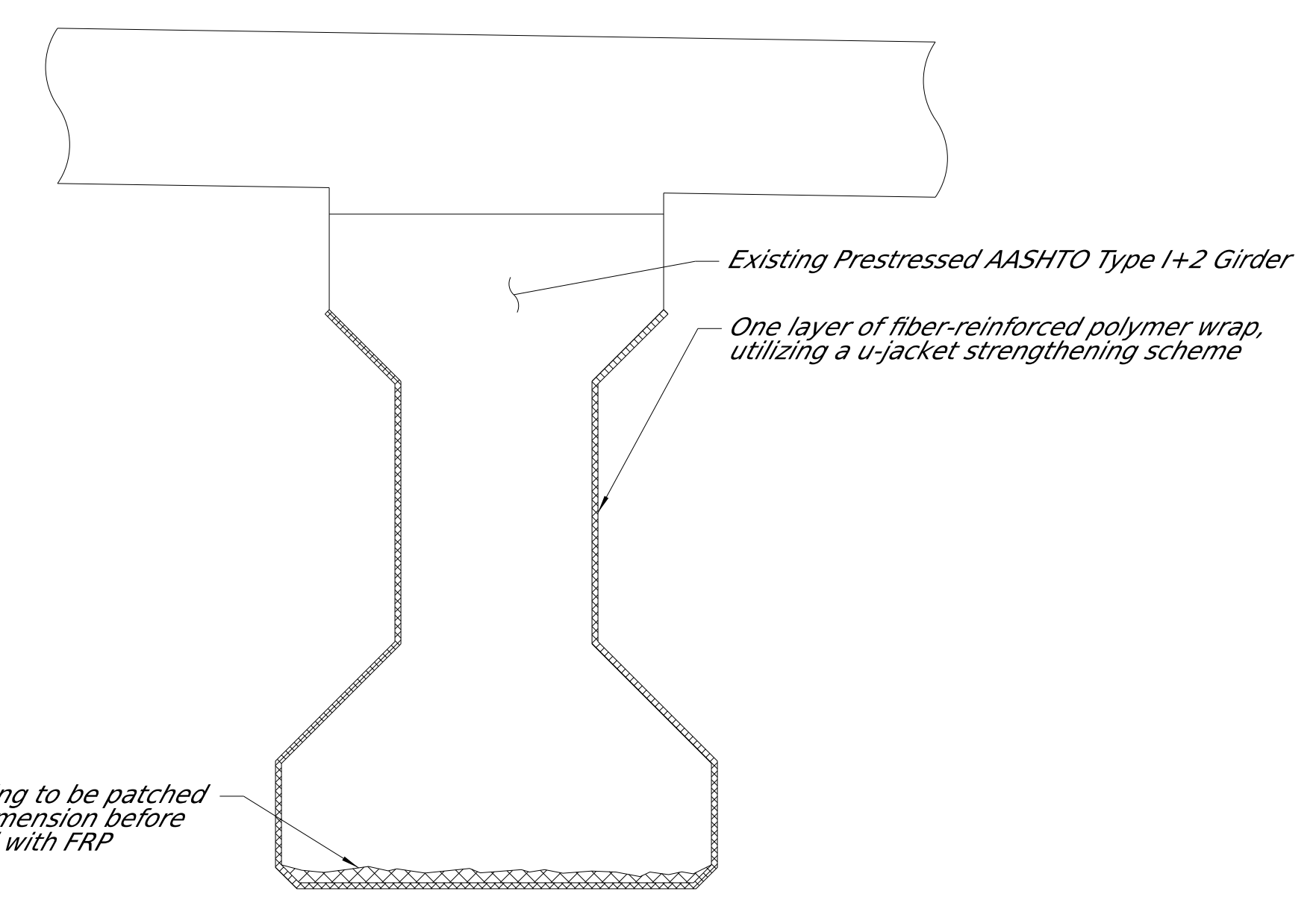
Showing areas of bridge deck to be repaired with hydrodemolition  
 Top of new bridge deck overlay



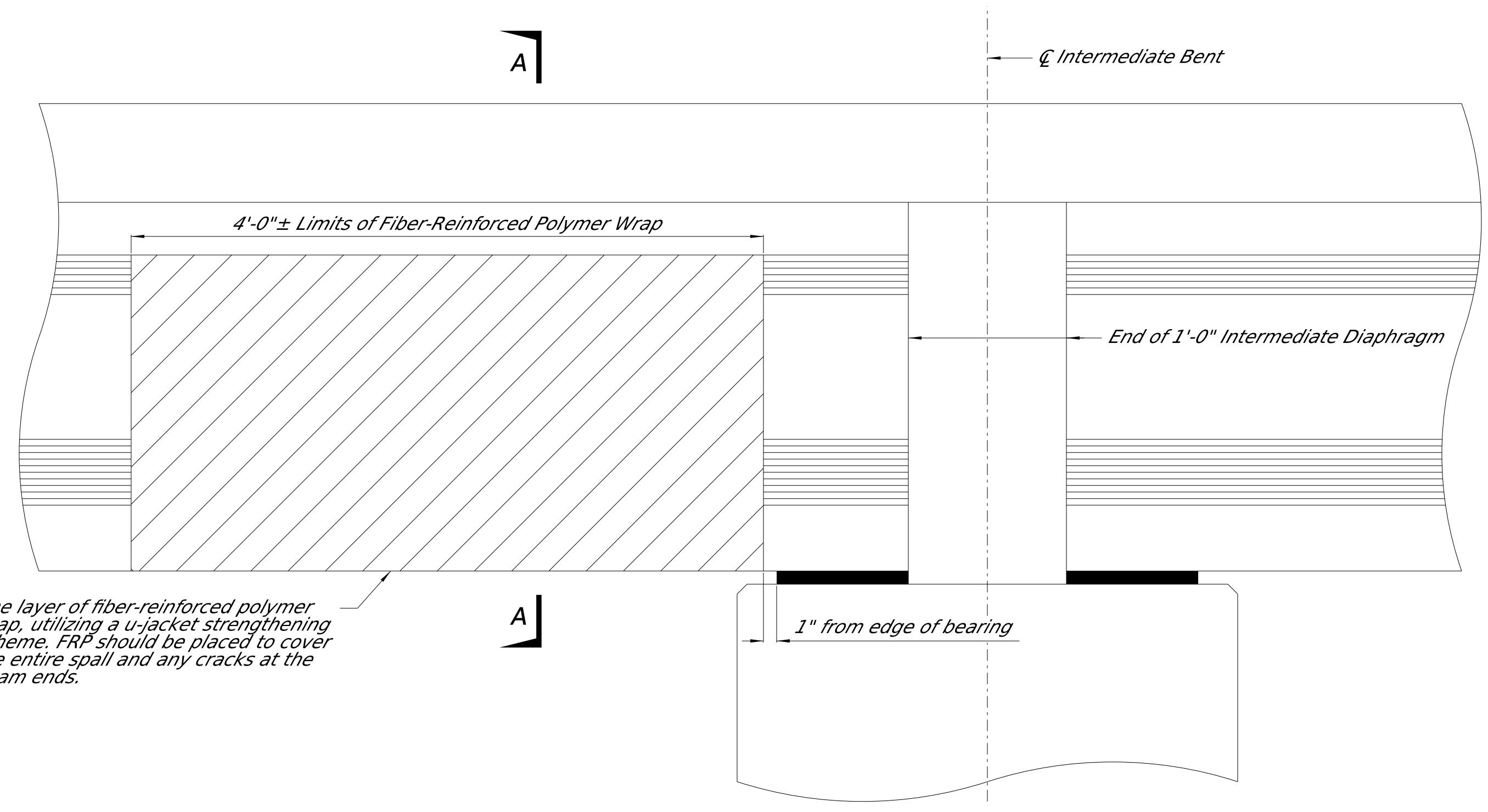
**DETAIL OF FULL DEPTH DECK REPAIR**  
 Deck reinforcement not shown for clarity

**NOTE:**  
 After hydrodemolition, the deck surface shall be sounded and any additional areas of unsound, delaminated, or otherwise deteriorated concrete shall be removed at the direction of the Engineer by hydrodemolition under pay item 907-202-B001 or with 30 lb hammers under pay item 907-824-PP003: Bridge Repair, Removal of Bridge Deck. All concrete placed shall be paid for under pay item 907-804-0001.

\*\*During full or partial depth removal, the Contractor shall ensure that only bridge deck concrete is removed. No damage shall be sustained by the existing beams, diaphragms, or any other part of the structure beyond the depth of the bridge deck. Any damage that occurs to the existing structure removal of the bridge deck shall be repaired by the Contractor to the satisfaction of the Engineer at no additional cost to the State.



**SECTION A-A**



**ELEVATION OF INTERMEDIATE BENTS (BRIDGE 22.1A ONLY)**

PLAN SHEET

5/16/2024 2:22:37 PM Seed2Dw - Bridge.dgn



DESIGNED BY: STEPHEN DIAZ  
 DETAILED BY: STEPHEN DIAZ  
 CHECKED BY: SHANE WRIGHT  
 DATE: 2024-04-25

FMS CON: 109504/301000  
 PROJECT NO.: NHPP-0011-01(076)  
 COUNTY: WASHINGTON

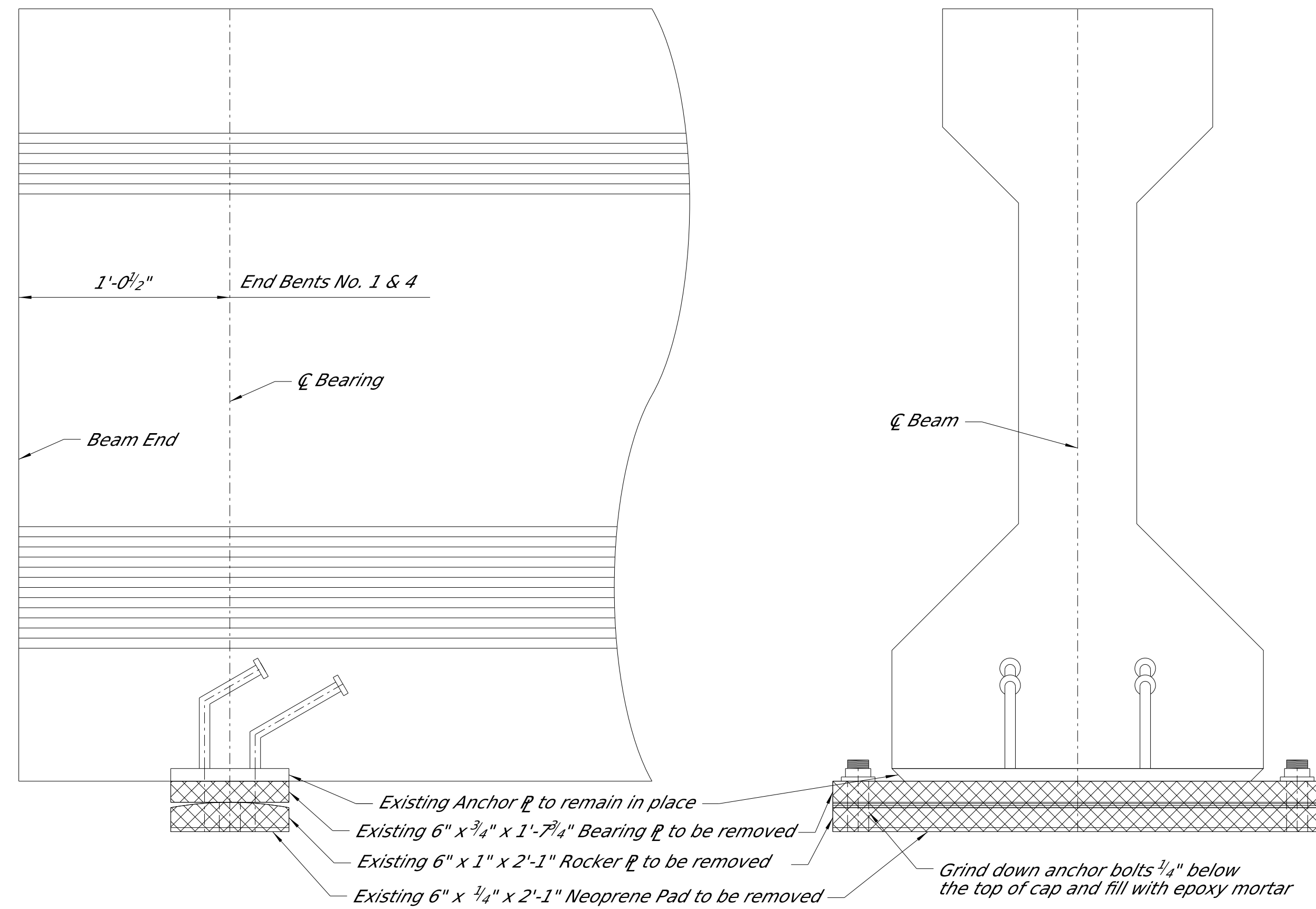
BRIDGE AT STA. 225+29.19 LT LN  
 BRIDGE AT STA. 225+23.21 RT LN  
 BEARING REPLACEMENT DETAILS

DIR OF STRUCTURES, STATE BRIDGE ENGINEER - SCOTT WESTERFIELD, P.E.  
 DEF. DIR OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - MICAH DEW, P.E.

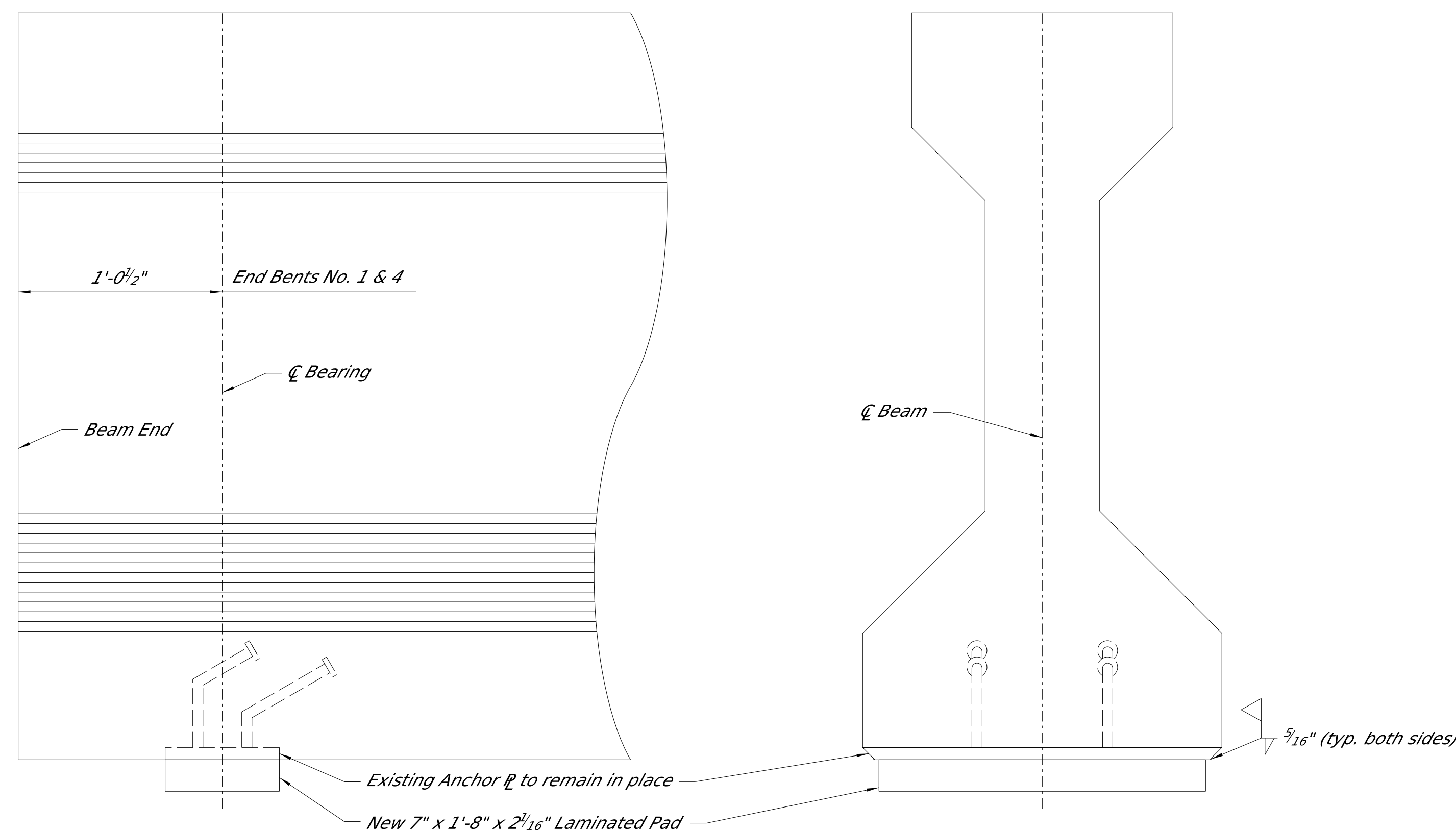
WK. NO.  
**5 OF 6**  
 SHEET NO.  
**8006**

PLAN SHEET

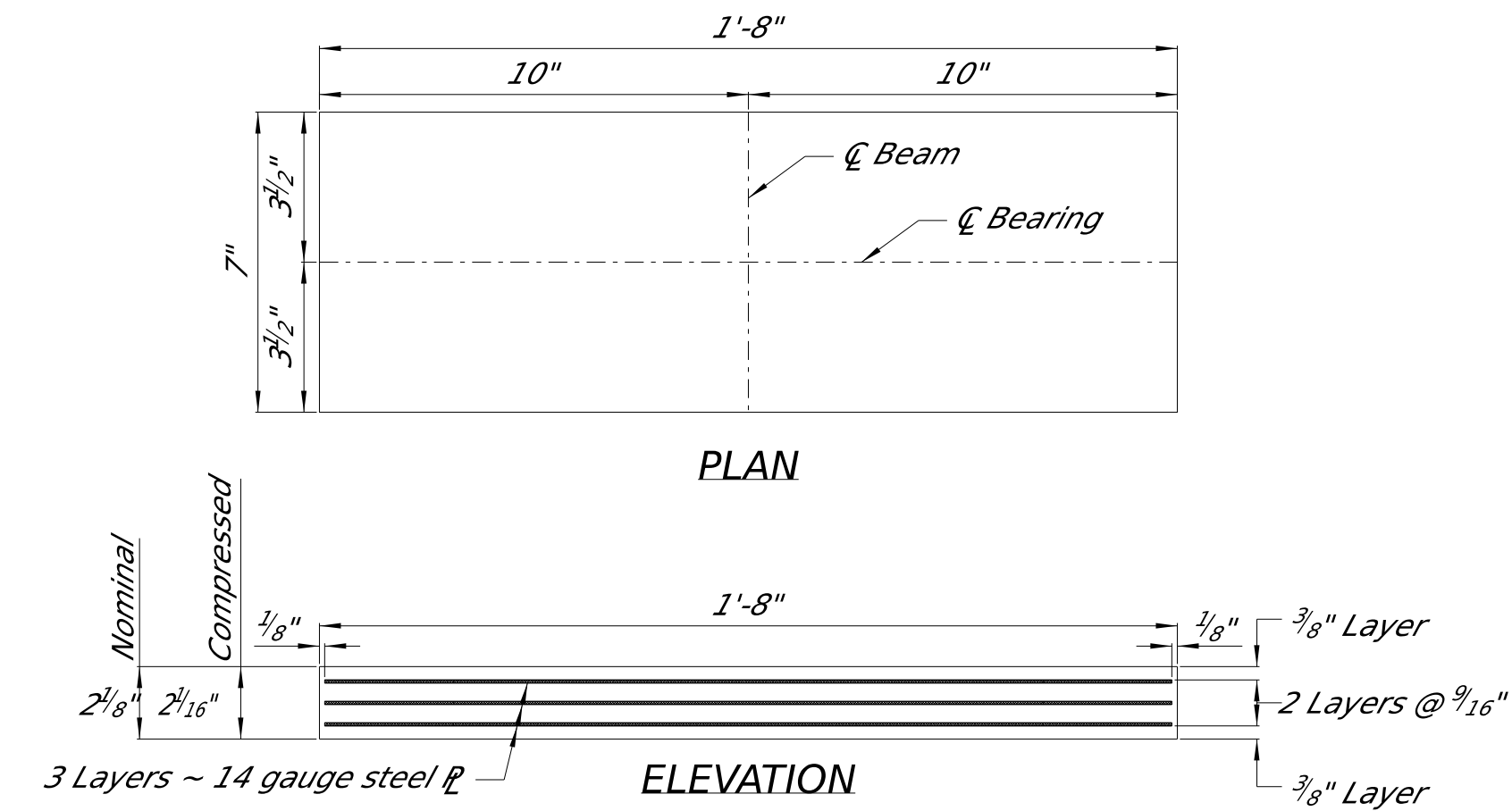
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EXISTING BEARING ASSEMBLY DETAIL



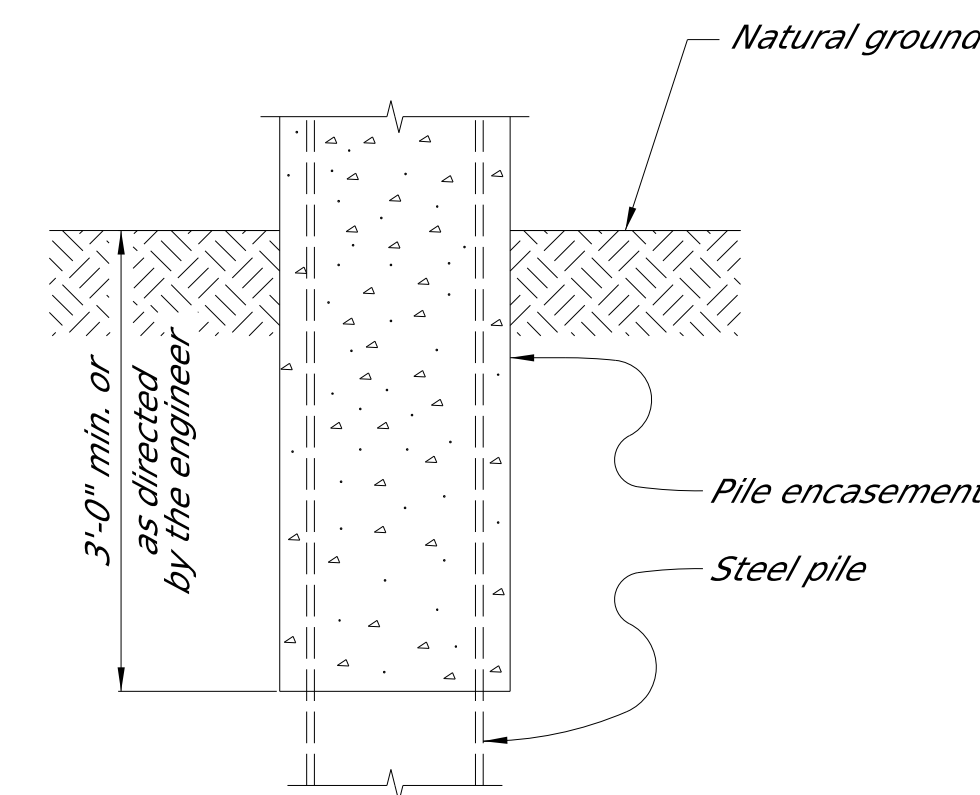
REPLACEMENT BEARING ASSEMBLY DETAIL



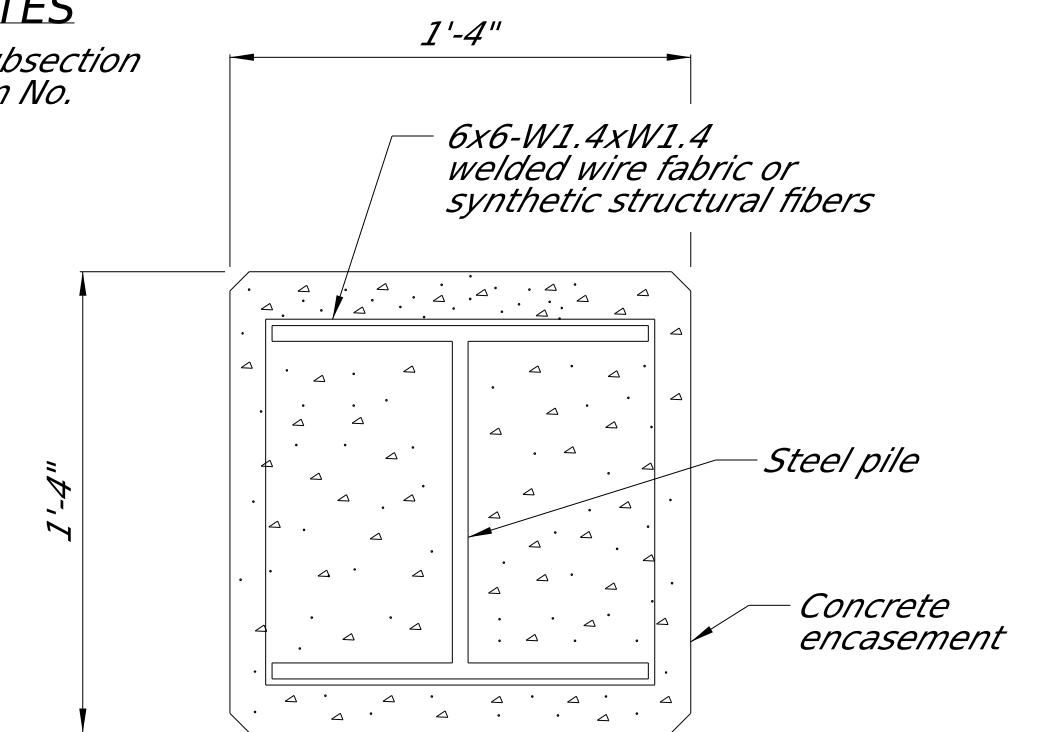
**LAMINATED PAD DETAILS**  
 Testing acceptance procedure shall be in accordance with Section 714.10.2 of the Specifications.  
 Elastomer shall have a hardness of 50 durometer with a minimum shear modulus at 73°F of 0.095 ksi and a maximum shear modulus at 73°F of 0.130 ksi.

**BEARING REPLACEMENT & VERTICAL JACKING NOTES**

Bearings shall be replaced in accordance with Special Provision Subsection 907-824.03.4. Payment for this work shall be made under Pay Item No. 907-824-D001, Bearing Replacements.



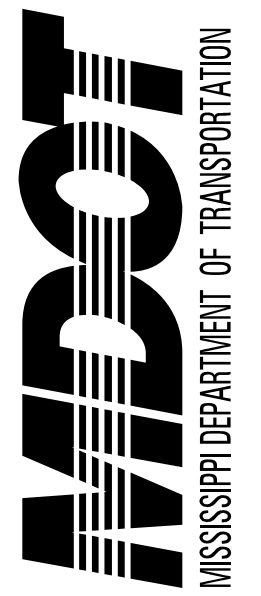
PILE ENCASEMENT DETAIL  
 HP12x53 steel piles



**NOTE:**  
 Concrete for pile encasement shall be class "AA" and will be paid for as bridge concrete.  
 Class "AA" concrete with #67 aggregate may be used for pile encasement.  
 Pile encasement shall be reinforced with 6x6-W1.4xW1.4 welded wire fabric weighing 0.21 lbs. per sq. ft. (not a separate pay item) or synthetic structural fiber applied at a dosage rate of 4 lbs. per cubic yd. Synthetic structural fiber shall meet requirements of Special Provision No. 907-711 (not a separate pay item).  
 Chamfer corners of encasement 3/4".

PILE ENCASEMENT DETAIL  
 HP12x53 steel piles

PILE ENCASEMENT LOCATIONS (BRIDGE 22.1B ONLY)	
BENT	PILE
3	1
4	1,2,3,4,5,&6
5	1,2,3,4,5,&6
6	1,2,3,4,5,&6
7	1,2,3,4,5,&6



DESIGNED BY: STEPHEN DIAZ  
 DETAILED BY: STEPHEN DIAZ  
 CHECKED BY: SHANE WRIGHT  
 DATE: 2024-04-25

FMS CON: 109504/301000  
 PROJECT NO.: NHPP-0011-01(076)  
 COUNTY: WASHINGTON

BRIDGE AT STA. 225+29.19 LT LN  
 BRIDGE AT STA. 225+23.21 RT LN  
 END BENT JOINT REPAIR DETAILS  
 DIR. OF STRUCTURES, STATE BRIDGE ENGINEER - SCOTT WESTERFIELD, P.E.  
 DEF. DIR. OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - MICAH DEW, P.E.

WK. NO.  
**6 OF 6**  
 SHEET NO.  
**8007**

**NOTES ON ASSOCIATED ITEMS OF WORK:**

**907-808-A002 JOINT REPAIR**

**Description:** Shall include the work necessary to repair joints in preparation for the placement of new expansion material, as designated in the detail drawings provided. Removal of existing silicone sealed, compression, and AC sealed joint materials shall be included under this item of work. Removal of joint materials and any trash and debris (including but not limited to compacted dirt, vegetation and trash) located at any depth within the joint shall be included under this item of work. All other requirements shall be in accordance with the applicable provisions of Section 808 of the specifications and any other sections specified therein.

**Basis Of Payment:** The Accepted Quantities Will Be Paid For In Linear Feet At The Contract Unit Price Along The Length Of The Bridge Deck On Each Side Of The Centerline Joint.

**907-823-A001 PREFORMED JOINT SEAL, TYPE I**

**Description:** Shall include the manufacturer's required joint preparation including sandblasting both sides of the joint and blowing the joint free of debris with compressed air and placement of the new preformed joint seal.

**Basis Of Payment:** The Accepted Quantities Will Be Paid For In Linear Feet At The Contract Unit Price Along The Length Of The Centerline Joint.

**907-823-B001 SAW CUT, TYPE I**

**Description:** The Saw Cut Depth Shall Be Equivalent To The Installation Depth Required By The Manufacturer's Specifications. The Saw Cut Type Shall Be The Same As The Preformed Joint Seal Selected.

**Basis Of Payment:** The Accepted Quantities Will Be Paid For In Linear Feet At The Contract Unit Price Along The Length Of The Bridge Deck On Each Side Of The Centerline Joint.

**\*NOTES:**

1. The Preformed Joint Seal Shall Be One Of The Following, Installed According To The Manufacturer's Specifications:

A. Silcoflex Joint Sealing System  
 Manufactured By R.J. Watson, Inc. In Alden, NY  
 www.rjwatson.com

B. Wabo SPS Joint System  
 Manufactured By Watson Bowman Acme Corporation In Amherst, NY  
 www.wbacorp.com

C. Silspec SSS Silicone Strip Seal  
 Manufactured By SSI Commercial & Highway Construction Materials  
 www.ssicm.com

2. For Estimating Purposes, The Rj Watson Silcoflex Joint Sealing System Was Selected. However, Should Another Supplier Be Chosen, It Is The Contractor's Responsibility To Ensure That The Manufacturer's Recommendations Are Followed For Joint Preparation, Installation Depths And Widths, Adhesive Setting Times, And Any Other Variances Between The Specifications Provided By The Manufacturers. A Manufacturer Representative Shall Be Present At The Time Joint Sealing Begins To Ensure That The Contractor Is Properly Schooled In Installation Of The Joint Material.

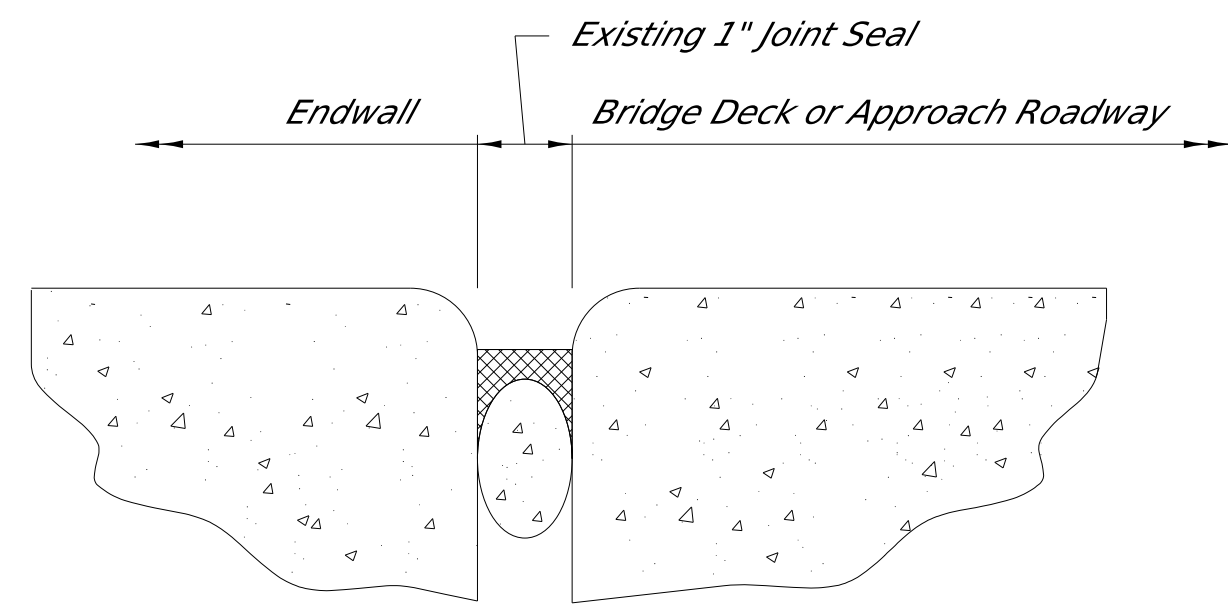
3. Joints Shall Be Sealed At Their Design Widths, Dimension "A", Which Is Defined As The Actual Width Of The Joint Opening. This Width Does Not Account For The 1/4" Seat Required On Both Sides Of The Joint. Preformed Joint Seal, Type I, Shall Be Used For Design Widths Less Than 2". Preformed Joint Seal, Type II, Shall Be Used For Design Widths Greater Than Or Equal To 2", With The Maximum Design Width Being 2 1/2". In Cases Where Design Widths Are Greater Than 2 1/2", Another Type Of Expansion Material Shall Be Required As Directed By The Director Of Structures, State Bridge Engineer. It Is The Contractor's Responsibility To Ensure That The Size Selected Is Appropriate For The Width Of The Joint.

**GENERAL NOTES:**

- Specifications: Mississippi Standard Specifications For Road And Bridge Construction, 2017.
- No Change Of Plans Will Be Permitted Except By Written Approval Of The Director Of Structures, State Bridge Engineer. Minor Changes To Detail Of Design Or Construction Procedure May Be Authorized For The Bridge Engineer Provided Such Changes Will Not Be Cause For Contract Price Adjustment.
- Work For Which No Pay Item Is Provided In The Proposal Will Not Be Paid For Directly And Shall Therefore Be Considered An Absorbed Item Of Work.

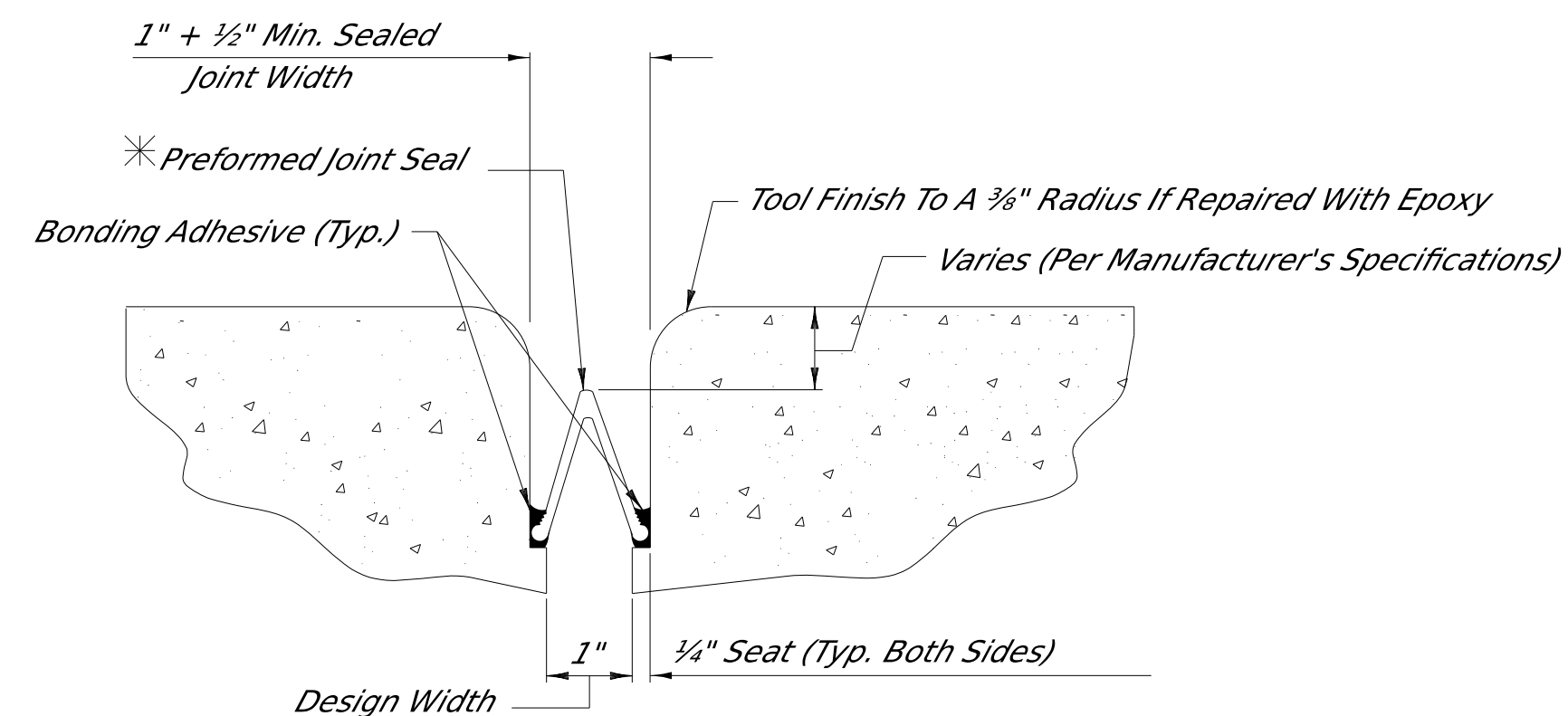
**APPROACH ROADWAY NOTES:**

Existing approach roadway to remain in place. Any damage that occurs to the existing approach roadway or existing endwall shall be repaired by the Contractor to the satisfaction of the Engineer at no additional cost to the state.



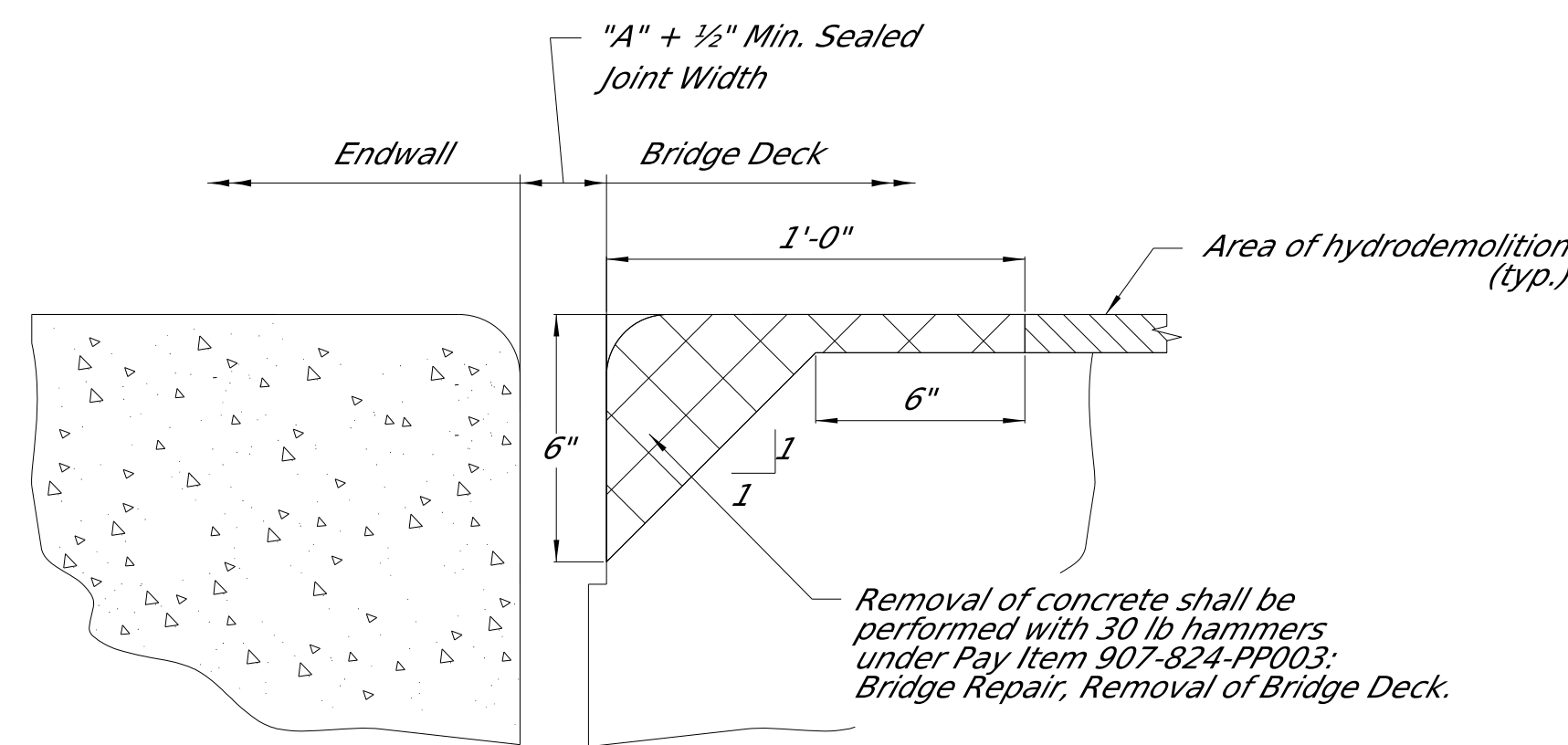
**TYPICAL SECTION AT SEALED JOINT BENTS 1 & 10**

Showing Existing Joint to be Removed and Replaced with Preformed Joint



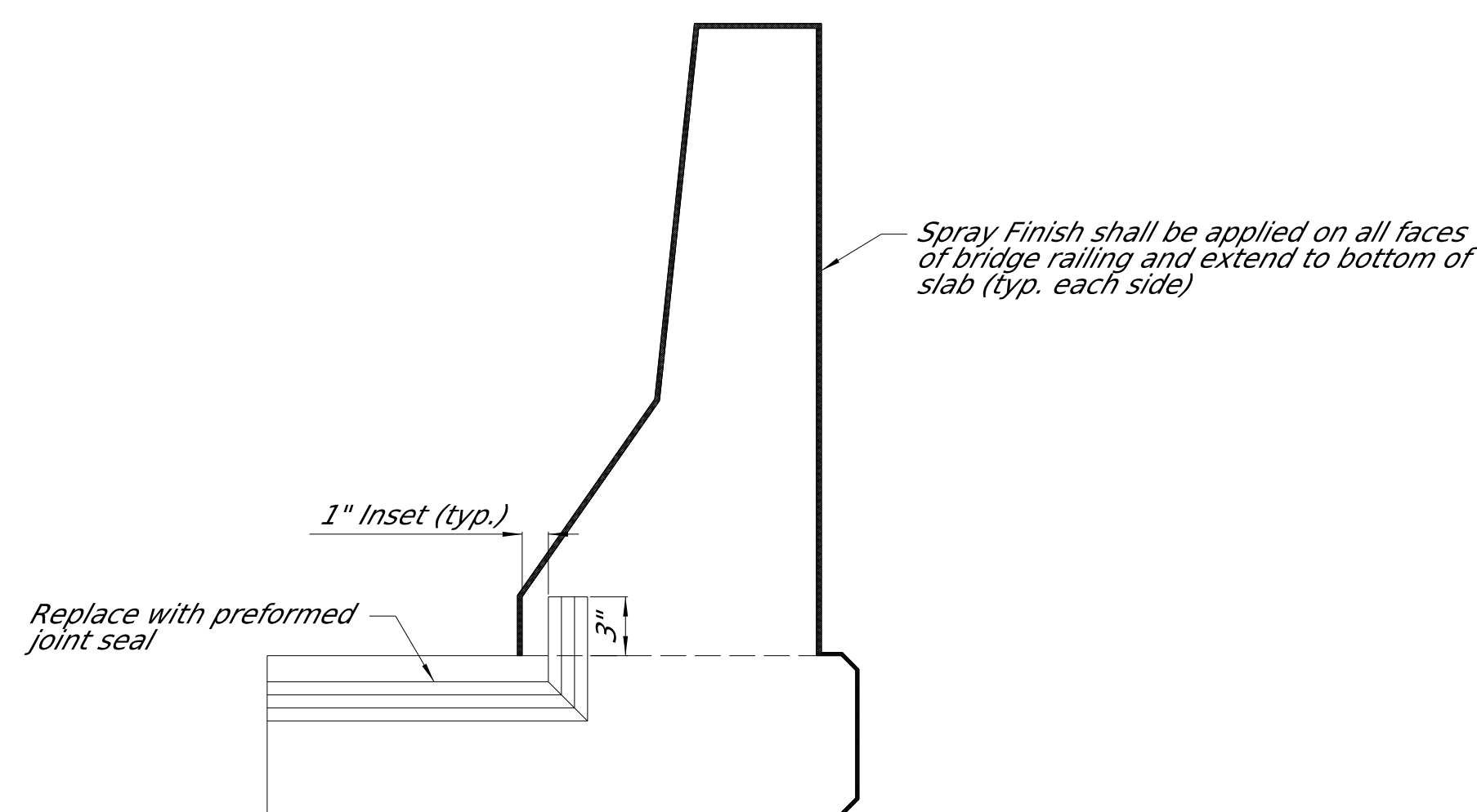
**TYPICAL SECTION AT SEALED JOINT BENTS 1 & 10**

Showing Sealed Joint After Sawcut and Joint Repair



**TYPICAL SECTION AT EXISTING JOINT**

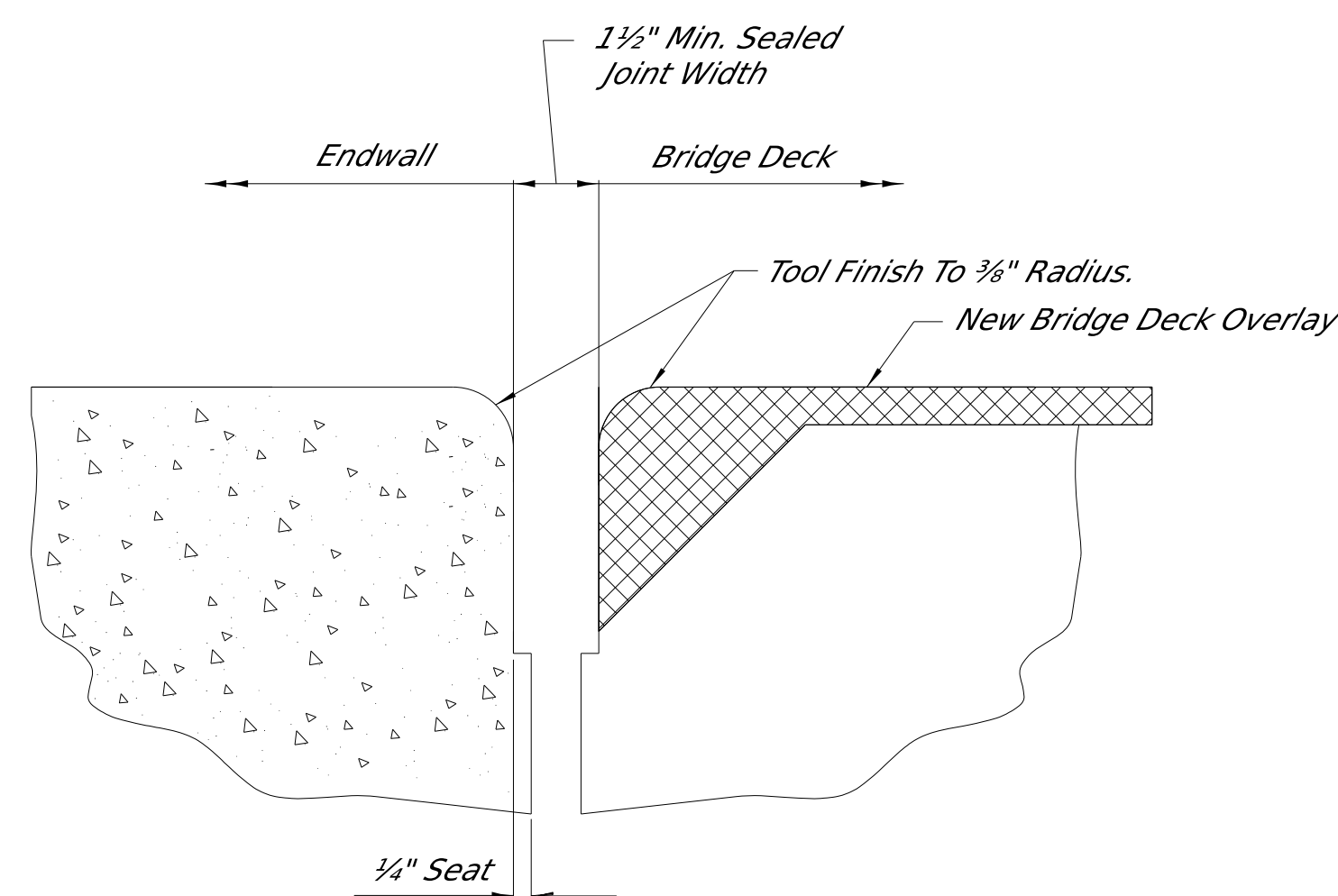
Showing areas of deck concrete to be removed by Hydrodemolition and Hammer Removal.



**ELEVATION AT END OF SPAN**

**\*NOTES:**

For Jersey Shape Barriers, The minimum required Vertical Joint Seal Dimension Within The Barrier Is 3".  
 For Post and Beam Barriers, The minimum required Vertical Joint Seal Dimension Within The Barrier Is 6".

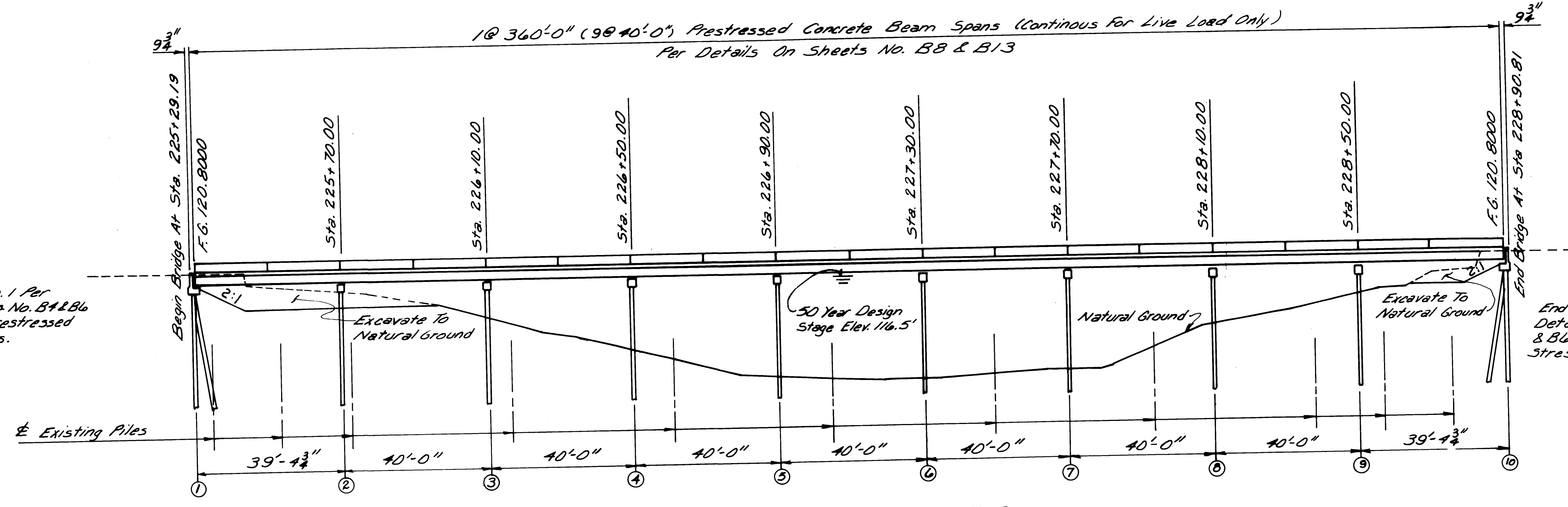


**TYPICAL SECTION AT EXISTING JOINT**

Showing Areas To Be Replaced with Bridge Deck Overlay Concrete

GRADE 0.0000%

Total Length Of Bridge 361'-8"



ELEVATION WITH PROFILE ALONG APPROACH ROADWAY - LEFT LANE

Scale: 1"=20'-0"

**GENERAL NOTES**

Specifications: Mississippi State Highway Department, 1976. No Change Of Plans Will Be Permitted Except By Written Authority Of The Bridge Engineer. Minor Changes In Details Of Design Or Construction May Be Authorized In Writing By The Bridge Engineer, Provided Such Changes Are Not Justifiable Reasons For Contract Price Adjustments.

Expansion Joint Material Shall Be Bituminous Fiber Type Unless Otherwise Noted. The Final Surface Texture Of The Bridge Deck Shall Be Obtained By Use Of The Drag Finish, Broom Finish, Or Belt Finish Method Per Section 501.15G Of The Specifications.

Shop Drawings Of Prestressed Beams, Including An Erection Plan, Shall Be Submitted In Duplicate To The Bridge Engineer For Approval Prior To Manufacture Of Beams. Bar Bending Details Shall Be In Accordance With "Manual Of Standard Practice For Detailing Reinforced Concrete Structures" (ACI 315-57). No Payment Will Be Allowed For Excavation Incidental To The Construction Of End Bents. All Work For Which No Pay Items Are Provided In The Proposal Will Not Be Paid For Directly And Compensation Therefor Will Be Considered Included In The Prices And Payment For Bid Items. Concrete Surfaces Shall Receive A Class 2 Rubbed Or Sprayed Finish In Accordance With The Specifications.

All Bridge Concrete Shall Be Class "AA". All Reinforcing Steel Shall Be A.S.T.M. A615 Grade 60, Unless Otherwise Noted.

SPAN NOTE: Seal Deck Joints At End Bents Per Details On Sheet No. B10.

**PILE NOTES:**

Test Piles Shall Be Driven As Permanent Piles At The Locations And To The Tip Elevations Shown In The TEST PILE SCHEDULE On This Sheet Unless Otherwise Directed By The Bridge Engineer And Will Be Paid For As Test Piles Only. In The Event Loading Test Are Required, The Maximum Test Load Shall Be 12.5 Tons. Test Pile Data And Recommended Pile Lengths Shall Be Submitted To The Bridge Engineer For Approval. It Is Intended That Permanent Piles In Bents No. 2-9 Be Founded At A Tip Elevation No Higher Than Elev. 57.9. All Piles Shall Be Prestressed Type Per Sh. No. B14.

**SPECIAL PROVISIONS REQUIRED**

Aluminum Paint..... No. 907-710  
Neoprene Bearing Pads..... No. 907-714  
Concrete Bridges And Structures..... No. 907-804

**DRAINAGE DATA**

Drainage Area..... 480 Sq. Mi.  
Q<sub>50</sub> (U.S.G.S.)..... 10,300 C.F.S.  
Effective Area Provided..... 4,585 Sq. Ft.

**DESIGN DATA**

Specifications..... A.A.S.H.T.O., 1983 Int. Thru 86  
Loading..... HS20-44  
Roadway Width..... 40'-0" (Gutter To Gutter)

**MINIMUM PILE BEARING CAPACITY**

End Bents..... 38 Tons  
Int. Bents..... 50 Tons

TEST PILE SCHEDULE		
Bent No.	Min. Lgth.-Ft.	Tip Elevation
3	90	30.86
8	90	35.86

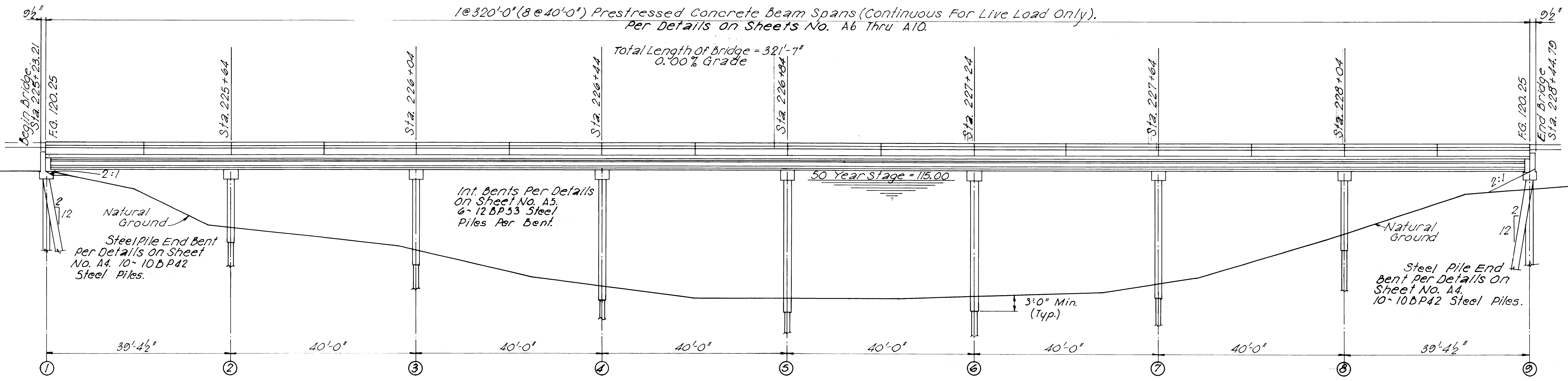
US 82  
22.1A

**ESTIMATED QUANTITIES**

Item	Class "AA" Bridge Concrete		Reinforcement	Concrete Railing	40 Ft. Prest. Conc. Beam	14" x 14" Prest. Conc. Piling	16" x 16" Prest. Conc. Piling	16" x 16" Prest. Conc. Test Pile	Loading Test
	C.Y.	Lb.	L.F.	L.F.	L.F.	L.F.	Each		
Spans	404.37	75,016	720.00	2,118.50					
End Bents	40.80	5,820				1,200.0			
Int. Bents	96.96	10,704					3,680.0	2	1
<b>Totals</b>	<b>541.53</b>	<b>91,540</b>	<b>720.00</b>	<b>2,118.50</b>	<b>1,200.0</b>	<b>3,680.0</b>	<b>2</b>	<b>1</b>	

14984

MISSISSIPPI STATE HIGHWAY DEPARTMENT	
BRIDGE AT STA. 225 + 29.19 LT. LN.	
U.S. HWY. 82 ACROSS	
BOGUE PHALIA RIVER	
PROJECT BR-011-(27)	
85-0011-01-027-10	
WASHINGTON COUNTY	WORKING NUMBER
	B1 of 14
DESIGNED B.S.C. DETAILED J.P. TRACED J.P.	SHEET NUMBER
CHECKED D.W.M. ISSUED J.P. DATE 6-15-88	480



**ELEVATION WITH PROFILE ALONG & SURVEY**

**MINIMUM PILE BEARING CAPACITY**  
 End bents 34 tons  
 Int. bents 50 tons

BENT NO.	MIN. LGTH-FT.	TIP ELEV.
2	50	75.61
5	75	45.61
8	60	65.61

NOTE: Test Piles Shall Be Driven To Tip Elevation Shown Unless Otherwise Directed By The Bridge Engineer.

**ULTIMATE LOADING TEST NOTE:**  
 An Ultimate Loading Test Shall Be Performed On The Test Pile In Bent No. 1.  
 A Four-Day Waiting Period Shall Be Observed Before Commencing The Ultimate Loading Test. In The Event This Pile Proves Unsatisfactory Under The Loading Test, It Shall Be Driven To A Lower Tip Elevation As Directed By The Engineer. No Payment Will Be Allowed For Any Additional Driving.  
 Ultimate Loading Tests May Be Ordered To Be Performed On Other Piles As Deemed Necessary By The Bridge Engineer.

**GENERAL NOTES:**  
 Specifications: Mississippi State Highway Department, 1967.  
 No Change Of Plans Will Be Permitted, Except By Written Authority Of The Bridge Engineer. Minor Changes In Details Of Design Or Construction May Be Authorized In Writing By The Bridge Engineer, Provided Such Changes Are Not Justifiable Reasons For Contract Price Adjustment.  
 Expansion Joint Material Shall Be Bituminous Fiber Type Unless Otherwise Noted.  
 Finish For Concrete Surfaces Shall Be In Accordance With Subsection 804.24. See Special Provision No. 907-804 For Alternate Sprayed Finish.  
 Where Practicable, Steel Piles Shall Be Driven Full Length And Shall Not Be Spliced Except By Authority Of The Bridge Engineer.  
 Steel Piles Will Be Paid For At The Contract Price Per Linear Foot Complete In Place. No Additional Payment Will Be Allowed For Splicing And Welding.  
 Test Piles Shall Be Driven As Permanent Piles In Accordance With "TEST PILE SCHEDULE" Shown On This Sheet And Will Be Paid For As Test Piles Only.  
 Test Pile Data & Recommended Pile Lengths Shall Be Submitted To The Bridge Engineer For Approval.  
 Shop Drawings Of Prestressed Beams, Including An Erection Plan, Shall Be Submitted In Duplicate To The Bridge Engineer For Approval Prior To Manufacture Of Beams.  
 No Payment Will Be Allowed For Excavation Incidental To Construction Of The End Bents.  
 Bar bending Details Shall Be In Accordance With Manual Of Standard Practice For Detailing Reinforced Concrete Structures (ACI-315-57).  
 All Work For Which No Pay Items Are Provided In The Proposal Will Not Be Paid For Directly And Compensation Therefor Will Be Considered Included In The Prices And Payments For Bid Items.  
 All Welding Shall Be Done By The Electric Arc Process. Steel Piling Shall Be Shipped Unpainted. After Driving, Piles Shall Be Thoroughly Cleaned Of Rust Prior To Encasement In Concrete.  
 No Paint Is Required For Piles.

**DRAINAGE DATA:**  
 Drainage Area: 481 Sq. Miles  
 Q50 (U.S.G.S): 12,000 C.F.S.  
 Effective Area Provided: 4,400 Sq. Ft.

**DESIGN DATA:**  
 Specifications: A.A.S.H.O. 1969 & Int. (70 & 71).  
 Loading: HS 20-44  
 Roadway Width: 38'-6" (Gutter to Gutter).

**SPECIAL PROVISIONS REQUIRED:**  
 Alt. Spray Finish For Conc.: No. 907-804  
 Bearing Piles: No. 907-803  
 Ultimate Loading Test: No. 907-803  
 Preformed Elastic Joint Sealer: No. 907-705

\*For Measuring Apparatus, See Sheet No. All

Item	Class "B" Bridge Concrete C.Y.	Reinforcement Lb.	Concrete Railing L.F.	40' Prestressed Conc. Beams L.F.	10BP42 Steel Piling L.F.	12BP53 Steel Piling L.F.	12BP53 Steel Test Piles Each	*Ultimate Loading Test Each	Loading Test Each
Spans	325.60	85,328	640	1,894.00					
End Bents	41.52	5,812			500				
Int. Bents	126.07	8,658				2,145	3		
Totals	493.19	99,798	640	1,894.00	500	2,145	3	1	1

14985

<b>MISSISSIPPI STATE HIGHWAY DEPARTMENT</b>	
<b>BRIDGE AT STA. 225+23.21 RT. LANE OVER BOGUE PHALIA RIVER</b>	
PROJECT	SP-0011-1(18) 79-0011-01-018-10
WASHINGTON COUNTY	WORKING NUMBER 51 OF 3
DESIGNED WEM	SHEET NUMBER 477
CHECKED J.R.R.	DATE 2-18-72

# Permit Conditions

**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 of dredged or fill material, 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.



## **2021 Nationwide Permits General Conditions, District Engineer's Decision and Further Information**

### **2021 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 or her 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 Structures and Fills. Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. 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. Permittees 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 activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

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 designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical

habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of “effects of the action” for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding “activities that are reasonably certain to occur” and “consequences caused by the proposed action.”

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). 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 species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, 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 species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) 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. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) 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 species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference 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 or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(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 that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects 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) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places 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 (see 33 CFR 330.4(g)(1)). 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 commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or 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.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has 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. 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. Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they 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 NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 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 by permittees in the designated critical resource waters including wetlands adjacent to

those waters. The district engineer may authorize activities under these NWP's only after she or he determines 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) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-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. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-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. 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. If restoring riparian areas



involves planting vegetation, only native species should be planted. 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 NWP, 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)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal

agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(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 or federal, 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. (a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority 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)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. 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 CWA 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 authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot 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.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 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.”

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(Transferee)

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(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 review by, or 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 and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review 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. 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) (i) 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.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, 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 (including those single and complete crossings authorized by an NWP but do not require PCNs).

This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) 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 and intermittent 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 or 3/100-acre of stream bed 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 species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) 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 NWP activity that requires permission from, or review by, 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, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. 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 NWPs 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 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 (iii) 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 NWPs, including the need for mitigation to ensure that 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.

### **2021 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 single and complete crossings of waters of the United States that require PCNs 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 of waters of the United States authorized by an NWP. If an applicant requests a waiver of an applicable limit, as provided for in NWPs 13, 36, 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.

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 an 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 or 3/100-acre of stream bed, 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. 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 that 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), 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.

### **2021 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

TATE REEVES  
Governor

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

October 12, 2021

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

Re: US Army Corps of Engineers  
Nationwide Permit No. 3  
WQC No. WQC2021032

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 Permits:

Nationwide Permits (NWP) 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 NWPs 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 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 of dredged or fill material, 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. [NWP No. 3, WQC2021032].

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. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B) (Statement A)
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. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.) (Statement A & B)
3. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.) (Statement C)
4. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3)) (Statement C)

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the

Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

(A) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.

(B) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.

(C) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams

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 you have any questions, please contact the Department.

Sincerely,



Krystal Rudolph, P.E., BCEE  
Chief, Environmental Permits Division

KR: ld

cc: U.S. Army Corps of Engineers, Mobile District  
U.S. Army Corps of Engineers, Memphis District  
U.S. Army Corps of Engineers, Nashville District  
U.S. Army Corps of Engineers, New Orleans District  
Mississippi Department of Marine Resources  
U.S. Fish and Wildlife Service  
U.S. Environmental Protection Agency, Region 4