



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
TALLAHASSEE REGULATORY FIELD OFFICE
2051 EAST DIRAC DRIVE, SUITE 123H
TALLAHASSEE, FLORIDA 32310-3760

REPLY TO
ATTENTION OF

May 02, 2003

Regulatory Division
North Permits Branch
Tallahassee Regulatory Office
200205672 (NW-JWS)

Florida Department of Transportation
c/o Frank Roberts
P.O. Box 607
Chipley, Florida 32428

Dear Mr. Roberts:

Reference is made to your Department of the Army permit, application number 200205672 (NW-JWS), requesting authorization to place 0.45 acres of crutch bent and riprap around bridge pilings and construct a temporary fill/access road that will impact 1.77 acres of wetlands. The project is located on Interstate 10, over Little River, bridge numbers 500097 & 500098, Section 34, Township 02 North, Range 03 West, Gadsden County, Florida.

This verifies that your crutch bent/riprap proposal (0.45 acres) is authorized by Nationwide Permit Number 03 and your temporary fill/access road proposal (1.77 acres) is authorized by Nationwide Permit Number 33.

All mitigation requirements shall be adhered to and implemented as outlined in the attached 9-page *Regional Mitigation Plan* for *Tates Hell State Forest*, as provided by the Northwest Florida Water Management District (NWFWM). The permittee shall ensure that the approved, detailed mitigation plan is fully implemented.

The Nationwide Permit authorization is approved in accordance with our regulations as stated in the January 15, 2002, Federal Register, Notice of Issuance of Nationwide Permits (67 FR 2020). **This verification is valid for two years from the date of this letter, unless this Nationwide Permit is modified, reissued or revoked.** It is incumbent on you to remain informed of changes in these nationwide permits. We will issue a public notice announcing any changes when they occur.

In the event that you have not completed the project within the construction window, reverification of your proposed work through the normal application review process will be required. A separate Department of the Army permit is not required providing the work is done in accordance with the enclosed drawings and the nationwide permit conditions (copy enclosed).

This letter does not obviate the requirement to obtain any State or local permits, which may be necessary for your proposed work.

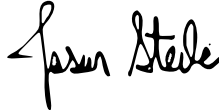
In Florida, projects qualifying for this NWP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under s. 373.069, F.S., or a local government with delegated authority under s. 373.441, F.S. and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated WQC or CZCC. You should check State permitting requirements with the Florida Department of Environmental Protection (FDEP) at (850) 488-3704 or the appropriate Water Management District (WMD).

A nationwide permit verification does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building permits to determine if your site is located in a flood-prone or floodway area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If the local office cannot provide you the necessary information, you may provide this office a letter with a small-scale map showing the location of the site, requesting a flood-hazard evaluation of the site. The request should be addressed to the U.S. Army Corps of Engineers, Flood Control and Floodplain Management Branch, Attn: CESAM-PD-FS, P.O. Box 2288, Mobile, Alabama 36628-0001.

Thank you for your cooperation with our regulatory program. If you have any questions, please contact Jason Steele at (850)

576-0790.

Sincerely,



for Marie G. Burns
Chief, North Permits Branch

Enclosures:

Nationwide Permit Number 03
Nationwide Permit Number 33
Nationwide General Conditions
Mitigation Requirements/Special Conditions
Self-Certification Statement
Request for Permit Transfer
Permit Drawings
Regional Mitigation Plan (drafted by NFWFMD)

Copy Furnished:

H.W. Lochner, Inc. (Attn: David Petti)
13577 Feather Sound Drive, Suite 600
Clearwater, Florida 33762

NFWFMD (Attn: Duncan Cairns)
81 Water Management Drive
Havana, Florida 32333

CESAJ-RD-E (Attn: Alice Kirkland)
P.O. Box 4970
Jacksonville, Florida 32232-0019

Single and Complete Project
 Stormwater Management
 Stormwater Management Facilities
 Stream Bed
 Stream Channelization
 Tidal Wetland
 Vegetated Buffer
 Vegetated Shallows
 Waterbody

B. Nationwide Permits

1. *Aids to Navigation.* The placement of aids to navigation and Regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard (USCG) (See 33 CFR, chapter I, subchapter C part 66). (Section 10)

2. *Structures in Artificial Canals.* Structures constructed in artificial canals within principally residential developments where the connection of the canal to navigable water of the US has been previously authorized (see 33 CFR 322.5(g)). (Section 10)

3. *Maintenance.* Activities related to:

(i) 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, or current construction codes or safety standards which are necessary to make repair, rehabilitation, or replacement are permitted, provided the adverse environmental effects resulting from such repair, rehabilitation, or replacement are minimal. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction. This NWP 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.

(ii) Discharges of dredged or fill material, including excavation, into all waters of the US to remove accumulated sediments and debris in the vicinity of, and within, existing structures (e.g.,

bridges, culverted road crossings, water intake structures, etc.) and the placement of new or additional riprap to protect the structure, provided the permittee notifies the District Engineer in accordance with General Condition 13. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. The placement of riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. All excavated materials must be deposited and retained in an upland area unless otherwise specifically approved by the District Engineer under separate authorization. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the District Engineer.

(iii) Discharges of dredged or fill material, including excavation, into all waters of the US for activities associated with the restoration of upland areas damaged by a storm, flood, or other discrete event, including the construction, placement, or installation of upland protection structures and minor dredging to remove obstructions in a water of the US. (Uplands lost as a result of a storm, flood, or other discrete event can be replaced without a Section 404 permit provided the uplands are restored to their original pre-event location. This NWP is for the activities in waters of the US associated with the replacement of the uplands.) The permittee must notify the District Engineer, in accordance with General Condition 13, within 12-months of the date of the damage and the work must commence, or be under contract to commence, within two years of the date of the damage. The permittee should provide evidence, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration. The restoration of the damaged areas cannot exceed the contours, or ordinary high water mark, that existed before the damage. The District Engineer retains the right to determine the extent of the pre-existing conditions and the extent of any restoration work authorized by this permit. Minor dredging to remove obstructions from the adjacent waterbody is limited to 50 cubic yards below the plane of the ordinary high water mark, and is limited to the amount necessary to restore the pre-existing bottom contours of the waterbody. The dredging may not be

done primarily to obtain fill for any restoration activities. The discharge of dredged or fill material and all related work needed to restore the upland must be part of a single and complete project. This permit cannot be used in conjunction with NWP 18 or NWP 19 to restore damaged upland areas. This permit cannot be used to reclaim historic lands lost, over an extended period, to normal erosion processes.

This permit does not authorize maintenance dredging for the primary purpose of navigation and beach restoration. This permit does not authorize new stream channelization or stream relocation projects. Any work authorized by this permit must not cause more than minimal degradation of water quality, more than minimal changes to the flow characteristics of the stream, or increase flooding (See General Conditions 9 and 21). (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 Section 404(f) exemption for maintenance.

4. *Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities.* Fish and wildlife harvesting devices and activities such as pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, clam and oyster digging; and small fish attraction devices such as open water fish concentrators (sea kites, etc.). This NWP authorizes shellfish seeding provided this activity does not occur in wetlands or sites that support submerged aquatic vegetation (including sites where submerged aquatic vegetation is documented to exist, but may not be present in a given year.). This NWP does not authorize artificial reefs or impoundments and semi-impoundments of waters of the US for the culture or holding of motile species such as lobster or the use of covered oyster trays or clam racks. (Sections 10 and 404)

5. *Scientific Measurement Devices.* Devices, whose purpose is to measure and record scientific data such as staff gages, tide gages, water recording devices, water quality testing and improvement devices and similar structures. Small weirs and flumes constructed primarily to record water quantity and velocity are also authorized provided the discharge is limited to 25 cubic yards and further for discharges of 10 to 25 cubic yards provided the permittee notifies the District Engineer in accordance with the "Notification" General Condition. (Sections 10 and 404)

maintenance or for maintenance of the entire flood control facility by submitting a five year (or less) maintenance plan.

Maintenance Baseline: The maintenance baseline is a description of the physical characteristics (e.g., depth, width, length, location, configuration, or design flood capacity, etc.) of a flood control project within which maintenance activities are normally authorized by NWP 31, subject to any case-specific conditions required by the District Engineer. The District Engineer will approve the maintenance baseline based on the approved or constructed capacity of the flood control facility, whichever is smaller, including any areas where there are no constructed channels, but which are part of the facility. If no evidence of the constructed capacity exist, the approved constructed capacity will be used. The prospective permittee will provide documentation of the physical characteristics of the flood control facility (which will normally consist of as-built or approved drawings) and documentation of the design capacities of the flood control facility. The documentation will also include BMPs to ensure that the impacts to the aquatic environment are minimal, especially in maintenance areas where there are no constructed channels. (The Corps may request maintenance records in areas where there has not been recent maintenance.) Revocation or modification of the final determination of the maintenance baseline can only be done in accordance with 33 CFR 330.5. Except in emergencies as described below, this NWP can not be used until the District Engineer approves the maintenance baseline and determines the need for mitigation and any regional or activity-specific conditions. Once determined, the maintenance baseline will remain valid for any subsequent reissuance of this NWP. This permit does not authorize maintenance of a flood control facility that has been abandoned. A flood control facility will be considered abandoned if it has operated at a significantly reduced capacity without needed maintenance being accomplished in a timely manner.

Mitigation: The District Engineer will determine any required mitigation one-time only for impacts associated with maintenance work at the same time that the maintenance baseline is approved. Such one-time mitigation will be required when necessary to ensure that adverse environmental impacts are no more than minimal, both individually and cumulatively. Such mitigation will only be required once for any specific reach of a flood control project.

However, if one-time mitigation is required for impacts associated with maintenance activities, the District Engineer will not delay needed maintenance, provided the District Engineer and the permittee establish a schedule for identification, approval, development, construction and completion of any such required mitigation. Once the one-time mitigation described above has been completed, or a determination made that mitigation is not required, no further mitigation will be required for maintenance activities within the maintenance baseline. In determining appropriate mitigation, the District Engineer will give special consideration to natural water courses that have been included in the maintenance baseline and require compensatory mitigation and/or BMPs as appropriate.

Emergency Situations: In emergency situations, this NWP may be used to authorize maintenance activities in flood control facilities for which no maintenance baseline has been approved. Emergency situations are those which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if action is not taken before a maintenance baseline can be approved. In such situations, the determination of mitigation requirements, if any, may be deferred until the emergency has been resolved. Once the emergency has ended, a maintenance baseline must be established expeditiously, and mitigation, including mitigation for maintenance conducted during the emergency, must be required as appropriate. (Sections 10 and 404)

32. Completed Enforcement Actions. Any structure, work or discharge of dredged or fill material, remaining in place, or undertaken for mitigation, restoration, or environmental benefit in compliance with either:

- (i) The terms of a final written Corps non-judicial settlement agreement resolving a violation of section 404 of the CWA and/or section 10 of the Rivers and Harbors Act of 1899; or the terms of an EPA 309(a) order on consent resolving a violation of section 404 of the CWA, provided that:
 - a. The unauthorized activity affected no more than 5 acres of non-tidal wetlands or 1 acre of tidal wetlands;
 - b. The settlement agreement provides for environmental benefits, to an equal or greater degree, than the environmental detriments caused by the unauthorized activity that is authorized by this NWP; and
 - c. The District Engineer issues a verification letter authorizing the

activity subject to the terms and conditions of this NWP and the settlement agreement, including a specified completion date; or

(ii) The terms of a final Federal court decision, consent decree, or settlement agreement resulting from an enforcement action brought by the U.S. under section 404 of the CWA and/or section 10 of the Rivers and Harbors Act of 1899; or

(iii) The terms of a final court decision, consent decree, settlement agreement, or non-judicial settlement agreement resulting from a natural resource damage claim brought by a trustee or trustees for natural resources (as defined by the National Contingency Plan at 40 CFR subpart C) under section 311 of the Clean Water Act (CWA), section 107 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund), section 312 of the National Marine Sanctuaries Act (NMSA), section 1002 of the Oil Pollution Act of 1990 (OPA), or the Park System Resource Protection Act at 16 U.S.C. '19jj, to the extent that a Corps permit is required.

For either (i), (ii) or (iii) above, compliance is a condition of the NWP itself. Any authorization under this NWP is automatically revoked if the permittee does not comply with the terms of this NWP or the terms of the court decision, consent decree, or judicial/non-judicial settlement agreement or fails to complete the work by the specified completion date. This NWP does not apply to any activities occurring after the date of the decision, decree, or agreement that are not for the purpose of mitigation, restoration, or environmental benefit. Before reaching any settlement agreement, the Corps will ensure compliance with the provisions of 33 CFR part 326 and 33 CFR 330.6 (d)(2) and (e). (Sections 10 and 404)

33. Temporary Construction, Access and Dewatering. Temporary structures, work and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites; provided that the associated primary activity is authorized by the Corps of Engineers or the USCG, or for other construction activities not subject to the Corps or USCG regulations. Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding. Fill must be of materials, and placed in a manner, that will not be eroded by expected high flows. The use of dredged material may be allowed if it is determined by the District Engineer that it will not cause more than minimal adverse effects on aquatic resources.

Temporary fill must be entirely removed to upland areas, or dredged material returned to its original location, following completion of the construction activity, and the affected areas must be restored to the pre-project conditions. Cofferdams cannot be used to dewater wetlands or other aquatic areas to change their use. Structures left in place after cofferdams are removed require a Section 10 permit if located in navigable waters of the U.S. (See 33 CFR part 322). The permittee must notify the District Engineer in accordance with the "Notification" General Condition. The notification must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources. The District Engineer will add Special Conditions, where necessary, to ensure environmental adverse effects is minimal. Such conditions may include: limiting the temporary work to the minimum necessary; requiring seasonal restrictions; modifying the restoration plan; and requiring alternative construction methods (e.g. construction mats in wetlands where practicable.). (Sections 10 and 404)

34. Cranberry Production Activities. Discharges of dredged or fill material for dikes, berms, pumps, water control structures or leveling of cranberry beds associated with expansion, enhancement, or modification activities at existing cranberry production operations provided that the activity meets all of the following criteria:

a. The cumulative total acreage of disturbance per cranberry production operation, including but not limited to, filling, flooding, ditching, or clearing, does not exceed 10 acres of waters of the U.S., including wetlands;

b. The permittee notifies the District Engineer in accordance with the "Notification" General Condition. The notification must include a delineation of affected special aquatic sites, including wetlands; and,

c. The activity does not result in a net loss of wetland acreage. This NWP does not authorize any discharge of dredged or fill material related to other cranberry production activities such as warehouses, processing facilities, or parking areas. For the purposes of this NWP, the cumulative total of 10 acres will be measured over the period that this NWP is valid. (Section 404)

35. Maintenance Dredging of Existing Basins. Excavation and removal of accumulated sediment for maintenance of existing marina basins, access channels to marinas or boat slips, and boat slips to previously authorized depths or controlling depths for ingress/egress, whichever is less, provided the

dredged material is disposed of at an upland site and proper siltation controls are used. (Section 10)

36. Boat Ramps. Activities required for the construction of boat ramps provided:

a. The discharge into waters of the U.S. does not exceed 50 cubic yards of concrete, rock, crushed stone or gravel into forms, or placement of pre-cast concrete planks or slabs. (Unsuitable material that causes unacceptable chemical pollution or is structurally unstable is not authorized);

b. The boat ramp does not exceed 20 feet in width;

c. The base material is crushed stone, gravel or other suitable material;

d. The excavation is limited to the area necessary for site preparation and all excavated material is removed to the upland; and,

e. No material is placed in special aquatic sites, including wetlands.

Another NWP, Regional General Permit, or Individual Permit may authorize dredging to provide access to the boat ramp after obtaining a Section 10 if located in navigable waters of the U.S. (Sections 10 and 404)

37. Emergency Watershed Protection and Rehabilitation. Work done by or funded by:

a. The NRCS which is a situation requiring immediate action under its emergency Watershed Protection Program (7 CFR part 624); or

b. The USFS under its Burned-Area Emergency Rehabilitation Handbook (FSH 509.13); or

c. The DOI for wildland fire management burned area emergency stabilization and rehabilitation (DOI Manual part 620, Ch. 3).

For all of the above provisions, the District Engineer must be notified in accordance with the General Condition 13. (Also, see 33 CFR 330.1(e)). (Sections 10 and 404)

38. Cleanup of Hazardous and Toxic Waste. Specific activities required to effect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority provided the permittee notifies the District Engineer in accordance with the "Notification" General Condition. For discharges in special aquatic sites, including wetlands, the notification must also include a delineation of affected special aquatic sites, including wetlands. Court ordered remedial action plans or related settlements are also authorized by this NWP. This NWP does not authorize the establishment of new disposal sites or the expansion of existing sites used for the disposal of

hazardous or toxic waste. Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA as approved or required by EPA, are not required to obtain permits under section 404 of the CWA or section 10 of the Rivers and Harbors Act. (Sections 10 and 404)

39. Residential, Commercial, and Institutional Developments. Discharges of dredged or fill material into non-tidal waters of the U.S., excluding non-tidal wetlands adjacent to tidal waters, for the construction or expansion of residential, commercial, and institutional building foundations and building pads and attendant features that are necessary for the use and maintenance of the structures. Attendant features may include, but are not limited to, roads, parking lots, garages, yards, utility lines, stormwater management facilities, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development). The construction of new ski areas or oil and gas wells is not authorized by this NWP.

Residential developments include multiple and single unit developments. Examples of commercial developments include retail stores, industrial facilities, restaurants, business parks, and shopping centers. Examples of institutional developments include schools, fire stations, government office buildings, judicial buildings, public works buildings, libraries, hospitals, and places of worship. The activities listed above are authorized, provided the activities meet all of the following criteria:

a. The discharge does not cause the loss of greater than 1/2-acre of non-tidal waters of the U.S., excluding non-tidal wetlands adjacent to tidal waters;

b. The discharge does not cause the loss of greater than 300 linear-feet of a stream bed, unless for intermittent stream beds this criterion is waived in writing pursuant to a determination by the District Engineer, as specified below, that the project complies with all terms and conditions of this NWP and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

c. The permittee must notify the District Engineer in accordance with General Condition 13, if any of the following criteria are met:

(1) The discharge causes the loss of greater than 1/10-acre of non-tidal waters of the US, excluding non-tidal wetlands adjacent to tidal waters; or

US at the project site to the maximum extent practicable, and the notification must include a written statement detailing compliance with this condition (i.e., why the discharge must occur in waters of the US and why additional minimization cannot be achieved);

c. In addition to General Conditions 17 and 20, activities authorized by this permit must not substantially alter the sediment characteristics of areas of concentrated shellfish beds or fish spawning areas. Normally, the mandated water quality management plan should address these impacts;

d. The permittee must implement necessary measures to prevent increases in stream gradient and water velocities and to prevent adverse effects (e.g., head cutting, bank erosion) to upstream and downstream channel conditions;

e. Activities authorized by this permit must not result in adverse effects on the course, capacity, or condition of navigable waters of the US;

f. The permittee must use measures to minimize downstream turbidity;

g. Wetland impacts must be compensated through mitigation approved by the Corps;

h. Beneficiation and mineral processing for hard rock/mineral mining activities may not occur within 200 feet of the ordinary high water mark of any open waterbody. Although the Corps does not regulate discharges from these activities, a CWA section 402 permit may be required;

i. All activities authorized must comply with General Conditions 9 and 21. Further, the District Engineer may require modifications to the required water quality management plan to ensure that the authorized work results in minimal adverse effects to water quality;

j. Except for aggregate mining activities in lower perennial streams, no aggregate mining can occur within stream beds where the average annual flow is greater than 1 cubic foot per second or in waters of the US within 100 feet of the ordinary high water mark of headwater stream segments where the average annual flow of the stream is greater than 1 cubic foot per second (aggregate mining can occur in areas immediately adjacent to the ordinary high water mark of a stream where the average annual flow is 1 cubic foot per second or less);

k. Single and complete project: The discharge must be for a single and complete project, including support activities. Discharges of dredged or fill material into waters of the US for multiple mining activities on several designated parcels of a single and

complete mining operation can be authorized by this NWP provided the ½-acre limit is not exceeded; and

l. *Notification:* The permittee must notify the District Engineer in accordance with General Condition 13. The notification must include: (1) A description of waters of the US adversely affected by the project; (2) A written statement to the District Engineer detailing compliance with paragraph (b), above (i.e., why the discharge must occur in waters of the US and why additional minimization cannot be achieved); (3) A description of measures taken to ensure that the proposed work complies with paragraphs (c) through (f), above; and (4) A reclamation plan (for aggregate mining in isolated waters and non-tidal wetlands adjacent to headwaters and hard rock/mineral mining only).

This NWP does not authorize hard rock/mineral mining, including placer mining, in streams. No hard rock/mineral mining can occur in waters of the US within 100 feet of the ordinary high water mark of headwater streams. The term's "headwaters" and "isolated waters" are defined at 33 CFR 330.2(d) and (e), respectively. For the purposes of this NWP, the term "lower perennial stream" is defined as follows: "A stream in which the gradient is low and water velocity is slow, there is no tidal influence, some water flows throughout the year, and the substrate consists mainly of sand and mud." (Sections 10 and 404)

C. *Nationwide Permit General Conditions*

The following General Conditions must be followed in order for any authorization by an NWP to be valid:

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

2. *Proper Maintenance.* Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.

3. *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.

4. *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. Culverts placed in streams must be installed to maintain low flow conditions.

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

6. *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)). Additionally, any case specific conditions added by the Corps or by the state or tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination.

7. *Wild and Scenic Rivers.* No 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. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

8. *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.

9. *Water Quality.* (a) In certain states and tribal lands an individual 401 Water Quality Certification must be obtained or waived (See 33 CFR 330.4(c)).

(b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the state or tribal 401 certification (either generically or individually) does not require or approve water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of water quality management includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (refer to General Condition 21 for stormwater

management requirements). Another important component of water quality management is the establishment and maintenance of vegetated buffers next to open waters, including streams (refer to General Condition 19 for vegetated buffer requirements for the NWP).

This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.

10. *Coastal Zone Management.* In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see Section 330.4(d)).

11. *Endangered Species.* (a) No activity is authorized under any NWP which is likely to 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 destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS the District Engineer may add species-specific regional endangered species conditions to the NWPs.

(b) Authorization of an activity by a 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 USFWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their world wide web pages at <http://www.fws.gov/r9endspp/>

<http://www.fws.gov/r9endspp/> and http://www.nfms.gov/prot_res/esahome.html respectively.

12. *Historic Properties.* No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the notification must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

13. *Notification.*

(a) *Timing;* where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction notification (PCN) as early as possible. The District Engineer must determine if the notification is complete within 30 days of the date of receipt and can 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 notification 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:

(1) Until 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) If notified in writing by the District or Division Engineer that an Individual Permit is required; or

(3) Unless 45 days have passed from the District Engineer's receipt of the complete notification and the prospective permittee has not received

written notice from the District or Division Engineer. 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 Notification:* The notification must be in writing and include the following information:

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

(2) Location of the proposed project;

(3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; 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. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision.);

(4) For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f));

(5) For NWP 7 (Outfall Structures and Maintenance), the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed;

(6) For NWP 14 (Linear Transportation Crossings), the PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable;

(7) For NWP 21 (Surface Coal Mining Activities), the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;

(8) For NWP 27 (Stream and Wetland Restoration), the PCN must include documentation of the prior condition of the site that will be reverted by the permittee;

(9) For NWP 29 (Single-Family Housing), the PCN must also include:

- (i) Any past use of this NWP by the Individual Permittee and/or the permittee's spouse;
 - (ii) A statement that the single-family housing activity is for a personal residence of the permittee;
 - (iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring $\frac{1}{4}$ -acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than $\frac{1}{4}$ -acre in size, formal wet and delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));
 - (iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and/or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;
- (10) For NWP 31 (Maintenance of Existing Flood Control Projects), the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:
- (i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased;
 - (ii) A delineation of any affected special aquatic sites, including wetlands; and,
 - (iii) Location of the dredged material disposal site;
- (11) For NWP 33 (Temporary Construction, Access, and Dewatering), the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources;
- (12) For NWPs 39, 43 and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the US were achieved on the project site;
- (13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal to offset losses of

waters of the US or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44 (Mining Activities), the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock/mineral mining activities);

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be

affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work; and

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

(c) *Form of Notification:* The standard Individual Permit application form (Form ENG 4345) may be used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(18) of General Condition 13. A letter containing the requisite information may also be used.

(d) *District Engineer's Decision:* 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. The prospective permittee may submit a proposed mitigation plan with the PCN to expedite the process. The District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. The District Engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. 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 plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to

be minimal, the District Engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the District Engineer will notify the applicant either: (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an Individual Permit; (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or (3) that the project 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 effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

(e) *Agency Coordination*: 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 project's adverse environmental effects to a minimal level.

For activities requiring notification to the District Engineer that result in the loss of greater than 1/2-acre of waters of the US, the District Engineer will provide immediately (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy to the appropriate Federal or state offices (USFWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision

on the notification. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer will indicate in the administrative record associated with each notification that the resource agencies' concerns were considered. As required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to NMFS within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of notifications to expedite agency notification.

(f) *Wetland Delineations*: Wetland delineations must be prepared in accordance with the current method required by the Corps (For NWP 29 see paragraph (b)(9)(iii) for parcels less than 1/4-acre in size). The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

14. *Compliance Certification*: Every permittee who has received NWP verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include:

- (a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions;
- (b) A statement that any required mitigation was completed in accordance with the permit conditions; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

15. *Use of Multiple Nationwide Permits*: The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit (e.g. 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 US for the total project cannot exceed 1/2-acre).

16. *Water Supply Intakes*: No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in

the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

17. *Shellfish Beds*: No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

18. *Suitable Material*: No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.) and material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the CWA).

19. *Mitigation*: The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US 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) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation (i.e., replacement or substitution of aquatic resources for those impacted) will not be used to increase the acreage losses allowed by the acreage limits of some of the NWPs. For example, 1/4-acre of wetlands cannot be created to change a 1/4-acre loss of wetlands to a 1/2-acre loss associated with NWP 39 verification. However, 1/2-acre of created wetlands can be used to reduce the impacts of a 1/2-acre loss of wetlands to the minimum impact level in order to meet the

minimal impact requirement associated with NWP's.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., easements, deed restrictions) of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineers may require slightly wider vegetated buffers to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation (e.g., stream buffers or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for

accomplishing and/or complying with the mitigation plan.

20. *Spawning Areas.* Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., excavate, fill, or smother downstream by substantial turbidity) of an important spawning area are not authorized.

21. *Management of Water Flows.* To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions (e.g., location, capacity, and flow rates). Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow.

This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

22. *Adverse Effects From Impoundments.* If the activity creates an impoundment of water, adverse effects to the aquatic system due to the acceleration of the passage of water, and/or the restricting its flow shall be minimized to the maximum extent practicable. This includes structures and work in navigable waters of the US, or discharges of dredged or fill material.

23. *Waterfowl Breeding Areas.* Activities, including structures and work in navigable waters of the US or

discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

24. *Removal of Temporary Fills.* Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

25. *Designated Critical Resource Waters.* Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers, critical habitat for Federally listed threatened and endangered species, coral reefs, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. Discharges of dredged or fill materials into waters of the US may be authorized by the above NWP's in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the USFWS or the NMFS has concurred in a determination of compliance with this condition.

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

26. *Fills Within 100-Year Floodplains.* For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) *Discharges in Floodplain; Below Headwaters.* Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below

headwaters (i.e. five cfs), resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, 43, and 44.

(b) *Discharges in Floodway; Above Headwaters.* Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

27. Construction Period. For activities that have not been verified by the Corps and the project was commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12-months after such date (including any modification that affects the project).

For activities that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps.

For projects that have been verified by the Corps, an extension of a Corps approved completion date maybe requested. This request must be submitted at least one month before the previously approved completion date:

D. Further Information

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

2. NWP's do not obviate the need to obtain other Federal, state, or local permits, approvals, or authorizations required by law.

3. NWP's do not grant any property rights or exclusive privileges.

4. NWP's do not authorize any injury to the property or rights of others.

5. NWP's do not authorize interference with any existing or proposed Federal project.

E. Definitions

Best Management Practices (BMPs): BMPs are policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural. A BMP policy may affect the limits on a development.

Compensatory Mitigation: For purposes of Section 10/404, compensatory mitigation is the restoration, creation, enhancement, or in exceptional circumstances, preservation of wetlands and/or other aquatic

resources for the purpose of compensating for unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Creation: The establishment of a wetland or other aquatic resource where one did not formerly exist.

Enhancement: Activities conducted in existing wetlands or other aquatic resources that increase one or more aquatic functions.

Ephemeral Stream: An ephemeral stream has flowing water only during and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round.

Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Farm Tract: A unit of contiguous land under one ownership that is operated as a farm or part of a farm.

Flood Fringe: That portion of the 100-year floodplain outside of the floodway (often referred to as "floodway fringe").

Floodway: The area regulated by Federal, state, or local requirements to provide for the discharge of the base flood so the cumulative increase in water surface elevation is no more than a designated amount (not to exceed one foot as set by the National Flood Insurance Program) within the 100-year floodplain.

Independent Utility: A test to determine what constitutes a single and complete project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Intermittent Stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Loss of Waters of the US: Waters of the US that include the filled area and other waters that are permanently adversely affected by flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent above-grade, at-grade, or below-grade fills that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or

change the use of a waterbody. The acreage of loss of waters of the US is the threshold measurement of the impact to existing waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and values. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the US temporarily filled, flooded, excavated, or drained, but restored to preconstruction contours and elevations after construction, are not included in the measurement of loss of waters of the US. Impacts to ephemeral waters are only not included in the acreage or linear foot measurements of loss of waters of the US or loss of stream bed, for the purpose of determining compliance with the threshold limits of the NWP's.

Non-tidal Wetland: A non-tidal wetland is a wetland (i.e., a water of the US) that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open Water: An area that, during a year with normal patterns of precipitation, has standing or flowing water for sufficient duration to establish an ordinary high water mark. Aquatic vegetation within the area of standing or flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. The term "open water" includes rivers, streams, lakes, and ponds. For the purposes of the NWP's, this term does not include ephemeral waters.

Perennial Stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Permanent Above-grade Fill: A discharge of dredged or fill material into waters of the US, including wetlands, that results in a substantial increase in ground elevation and permanently converts part or all of the waterbody to dry land. Structural fills authorized by NWP's 3, 25, 36, etc. are not included.

Preservation: The protection of ecologically important wetlands or other aquatic resources in perpetuity through the implementation of appropriate legal and physical mechanisms. Preservation may include protection of upland areas adjacent to wetlands as necessary to

ensure protection and/or enhancement of the overall aquatic ecosystem.

Restoration: Re-establishment of wetland and/or other aquatic resource characteristics and function(s) at a site where they have ceased to exist, or exist in a substantially degraded state.

Riffle and Pool Complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Single and Complete Project: The term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers (see definition of independent utility). For linear projects, the "single and complete project" (i.e., a single and complete crossing) will apply to each crossing of a separate water of the US (i.e., a single waterbody) at that location. An exception is for linear projects crossing a single waterbody several times at separate and distant locations: each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies.

Stormwater Management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse

effects of changes in land use on the aquatic environment.

Stormwater Management Facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and BMPs, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream Bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream Channelization: The manipulation of a stream channel to increase the rate of water flow through the stream channel. Manipulation may include deepening, widening, straightening, armoring, or other activities that change the stream cross-section or other aspects of stream channel geometry to increase the rate of water flow through the stream channel. A channelized stream remains a water of the US, despite the modifications to increase the rate of water flow.

Tidal Wetland: A tidal wetland is a wetland (i.e., water of the US) that is inundated by tidal waters. The definitions of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line (i.e., spring high tide line) and are

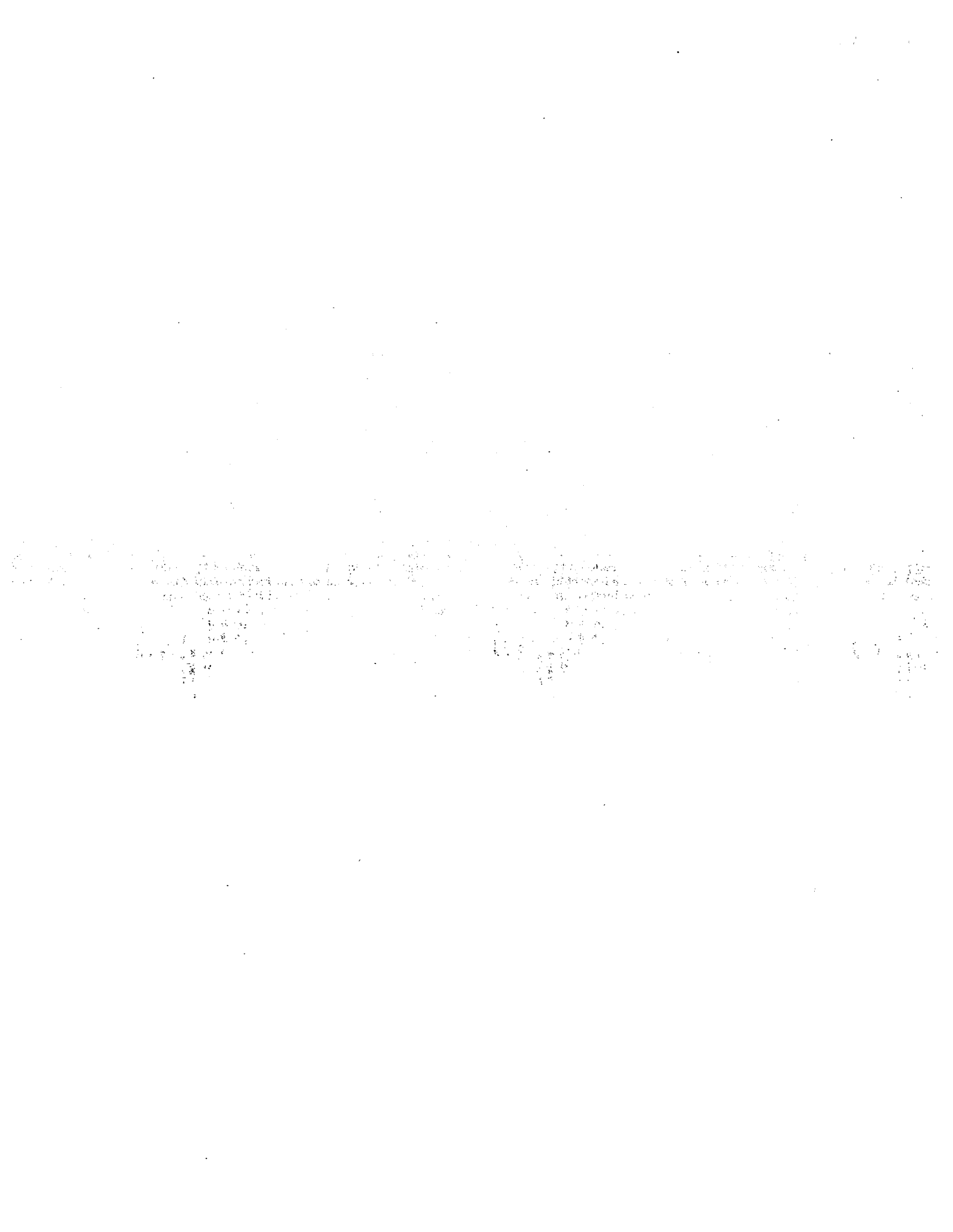
inundated by tidal waters two times per lunar month, during spring high tides.

Vegetated Buffer: A vegetated upland or wetland area next to rivers, streams, lakes, or other open waters which separates the open water from developed areas, including agricultural land. Vegetated buffers provide a variety of aquatic habitat functions and values (e.g., aquatic habitat for fish and other aquatic organisms, moderation of water temperature changes, and detritus for aquatic food webs) and help improve or maintain local water quality. A vegetated buffer can be established by maintaining an existing vegetated area or planting native trees, shrubs, and herbaceous plants on land next to open waters. Mowed lawns are not considered vegetated buffers because they provide little or no aquatic habitat functions and values. The establishment and maintenance of vegetated buffers is a method of compensatory mitigation that can be used in conjunction with the restoration, creation, enhancement, or preservation of aquatic habitats to ensure that activities authorized by NWP's result in minimal adverse effects to the aquatic environment. (See General Condition 19.)

Vegetated Shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: A waterbody is any area that in a normal year has water flowing or standing above ground to the extent that evidence of an ordinary high water mark is established. Wetlands contiguous to the waterbody are considered part of the waterbody.

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compensatory mitigation proposal that is required in paragraph (f) of this NWP may be either conceptual or detailed. The wetland or upland vegetated buffer required in paragraph (j) of this NWP will be determined on a case-by-case basis by the District Engineer for addressing water quality concerns. The required wetland or upland vegetated buffer is part of the overall compensatory mitigation requirement for this NWP. If the project site was previously used for agricultural purposes and the farm owner/operator used NWP 40 to authorize activities in waters of the United States to increase production or construct farm buildings, NWP 39 cannot be used by the developer to authorize additional activities in waters of the United States on the project site in excess of the acreage limit for NWP 39 (*i.e.*, the combined acreage loss authorized under NWPs 39 and 40 cannot exceed ½ acre).

Subdivisions: For residential subdivisions, the aggregate total loss of waters of US authorized by NWP 39 can not exceed ½-acre. This includes any loss of waters associated with development of individual subdivision lots. (Sections 10 and 404)

Note: Areas where wetland vegetation is not present should be determined by the presence or absence of an ordinary high water mark or bed and bank. Areas that are waters of the US based on this criterion would require a PCN although water is infrequently present in the stream channel (except for ephemeral waters, which do not require PCNs under paragraph (c)(2), above; however, activities that result in the loss of greater than ½ acre of ephemeral waters would require PCNs under paragraph (c)(1), above).

On page 2088, in the sixth sentence of the first paragraph in the first column, the phrase "an adequate water quality management plan" is replaced with the phrase "adequate water quality management measures" to reflect the modified language in General Condition 9. This sentence is corrected to read "The facility must have adequate water quality management measures in accordance with General Condition 9, such as a stormwater management facility, to ensure that the recreational facility results in no substantial adverse effects to water quality."

On page 2089, first column, the second sentence of paragraph (c) of NWP 44 is corrected to read "Normally, the water quality management measures required by General Condition 9 should address these impacts;". In addition, the second sentence of paragraph (i) of NWP 44 is corrected to read "Further the District Engineer may require water quality management measures to ensure the authorized work results in minimal

adverse effects to water quality;". These corrections are necessary to reflect the modified language in General Condition 9.

On page 2089, third column, the text of General Condition 6 is corrected to read: "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 or tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination." The change to General Condition 6 that was published in the January 15, 2002, Federal Register was not intended and we are correcting this sentence by reinstating the original text as it existed in the March 9, 2000, NWPs.

On page 2090, first column, the word "Section" in the parenthetical at the end of General Condition 10 is replaced with "33 CFR" so that the parenthetical reads "(see 33 CFR 330.4(d))".

On page 2090, at the top of the second column, the second Internet URL is replaced with " * * * http://www.nmfs.noaa.gov/prot_res/overview/es.html * * * " because the Internet address for the National Marine Fisheries Service home page for endangered species has been changed.

On page 2090, third column, in paragraph (b)(4) of General Condition 13, NWP 40 should be added to the list of NWPs that require submission of delineations of special aquatic sites with pre-construction notifications. Therefore, paragraph (b)(4) of General Condition 13 is corrected to read "For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (*e.g.*, submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f));"

On page 2090, third column, in paragraph (b)(6) of General Condition 13, the word "Projects" replaces the word "Crossings", because the title of NWP 14 is "Linear Transportation Projects".

On page 2090, third column, in paragraph (b)(8) of General Condition 13, the word "Activities" is inserted after the word "Restoration" because the title of NWP 27 is "Stream and Wetland Restoration Activities".

On page 2091, first column, in paragraph (b)(10) of General Condition 13, the word "Projects" is replaced with the word "Facilities" because the title of NWP 31 is "Maintenance of Existing Flood Control Facilities".

On page 2094, third column, we are correcting the definition of "Loss of Waters of the US" by deleting the last sentence and inserting the following sentence after the fourth sentence of this definition: "Impacts to ephemeral streams are not included in the linear foot measurement of loss of stream bed for the purpose of determining compliance with the linear foot limits of NWPs 39, 40, 42, and 43."

Due to the number of corrections made to the definition of "Loss of Waters of the US", we are providing the text of this definition in its entirety, with the corrections described above:

Loss of Waters of the US: Waters of the US that include the filled area and other waters that are permanently adversely affected by flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent above-grade, at-grade, or below-grade fills that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the US is the threshold measurement of the impact to existing waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and values. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Impacts to ephemeral streams are not included in the linear foot measurement of loss of stream bed for the purpose of determining compliance with the linear foot limits of NWPs 39, 40, 42, and 43. Waters of the US temporarily filled, flooded, excavated, or drained, but restored to preconstruction contours and elevations after construction, are not included in the measurement of loss of waters of the US.

In the January 15, 2002, Federal Register, it was stated that the definition was being revised (to clarify that ephemeral waters and streams are not included in the acreage or linear thresholds for NWPs) to comport with language in the preamble of the March 9, 2000 Federal Register notice.

However, the language in the preamble of the March 9, 2000 Federal Register notice (65 FR 12881, third column) does not support this revision. Rather, the referenced preamble states, "During our review of the comments received in response to the July 21, 1999, Federal Register notice, we found an error in the proposed definition of the term, "loss of waters of the United States." In the fourth sentence of the draft definition, we stated that the loss of stream bed

includes the linear feet of perennial or intermittent stream bed that is filled or excavated. This statement is inaccurate because ephemeral stream bed that is filled or excavated can also be considered a loss of waters of the United States. However, the 300 linear foot limit for stream beds filled or excavated does not apply to ephemeral streams. We have modified this sentence to define the loss of stream bed as the linear feet of stream bed that is filled or excavated." Thus, the modification of this definition was intended to clarify that activities that involve filling or excavating ephemeral streams are not included in the linear foot limits for filling or excavating stream beds in NWP's 39, 40, 42, and 43. However, it was not intended to exempt ephemeral waters or streams from calculations of impacted acreages to determine PCN or maximum acreage requirements in accordance with NWP's 39, 40, 42, and 43.

In the August 9, 2001, Federal Register notice (66 FR 42099) we proposed to modify the definition of "Loss of Waters of the US" by adding the sentence "* * * The loss of stream bed includes the linear feet of perennial stream or intermittent stream that is filled or excavated. * * *". The proposed change was in response to a commitment to clearly state in the text of the NWP's (which includes the definitions) that the 300 linear foot limit in NWP's 39, 40, 42, and 43 for filling and excavating stream beds would only apply to intermittent and perennial streams, not to ephemeral streams.

In the January 15, 2002, Federal Register notice (67 FR 2074-2075) we erroneously stated that both the acreage and linear limits of the NWP's do not apply to ephemeral waters. This was never intended to be adopted as policy for the NWP's or the Corps regulatory program. As previously stated, in the first column of page 2075 of the January 15, 2002, Federal Register notice, we refer to page 12881 of the March 9, 2000, Federal Register notice, which only discusses the 300 linear foot limit, not the acreage limits of the NWP's. Our intent is to continue to apply acreage limits of NWP's to activities that result in the permanent loss of ephemeral waters, but the linear foot limits of the NWP's (i.e., NWP's 39, 40, 42, and 43) for filling or excavating stream beds would not apply to activities that involve filling or excavating ephemeral streams. The last sentence of the definition of "Loss of Waters of the US" as published in the January 15, 2002, Federal Register notice does not comport with remainder of this NWP package.

Therefore, we are correcting this definition as described above.

We believe that correcting the text of NWP 39 and the definition of "Loss of Waters of the US" through the publication of this correction notice is appropriate. Nevertheless, in order to give all interested parties further opportunity to comment on this matter, we intend to publish a Federal Register notice to solicit public comments on those two corrections. If we determine that any other matter relating to the final NWP's requires correction or clarification, but that matter was not adequately dealt with in this correction notice, we will address that additional matter in the forthcoming Federal Register notice, as well. We expect to publish that Federal Register notice within a few weeks.

Dated: February 7, 2002.

Lawrence A. Lang,
Assistant Chief, Operations Division,
Directorate of Civil Works.
[FR Doc. 02-3555 Filed 2-12-02; 8:45 am]
BILLING CODE 3710-92-P

DEPARTMENT OF DEFENSE

Uniformed Services University of the Health Sciences

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Uniformed Services University of the Health Sciences.

TIME AND DATE: 8:00 a.m. to 4:00 p.m.,
February 5, 2002.

PLACE: Uniformed Services University of the Health Sciences, Board of Regents Conference Room (D3001), 4301 Jones Bridge Road, Bethesda, MD 20814-4799.

STATUS: Open—under "Government in the Sunshine Act" (5 U.S.C. 552b(e)(3)).

MATTERS TO BE CONSIDERED:

- 8:30 a.m. Meeting—Board of Regents
- (1) Approval of Minutes—November 14, 2001
 - (2) Faculty Matters
 - (3) Department Reports
 - (4) Financial Report
 - (5) Report—President, USUHS
 - (6) Report—Dean, School of Medicine
 - (7) Report—Dean, Graduate School of Nursing
 - (8) Comments—Chairman, Board of Regents
 - (9) New Business

CONTACT PERSON FOR MORE INFORMATION:
Mr. Bobby D. Anderson, Executive Secretary, Board of Regents, (301) 295-3116.

Dated: February 8, 2002.

Linda Hynum,
OSD Federal Register Liaison Officer,
Department of Defense.
[FR Doc. 02-3683 Filed 2-11-02; 3:32 pm]
BILLING CODE 5001-08-M

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.
SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before March 15, 2002.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Lauren Wittenberg, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10202, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the internet address Lauren_Wittenberg@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

MITIGATION REQUIREMENTS AND
SPECIAL CONDITIONS ISSUED WITH
NATIONWIDE PERMIT VERIFICATION
200205672 (NW-JWS)

If any work is performed under this permit, the following special conditions must be met:

- 1) If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.
- 2) All persons/contractors involved in this permitted activity shall be provided copies of this permit in its entirety. A copy shall remain on site at all times during construction.
- 3) Prior to any fill being placed on the site, toed-in silt fence with staked haybales shall be installed at the limits of the permitted fill areas to assist in containing fill. These erosion controls shall be inspected/maintained daily to prevent sedimentation into wetlands.
- 4) Within 60 days of completion of the work authorization and mitigation, the attached "Nationwide Compliance Certification" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Branch, Attn: Alice Kirkland, Post Office Box 4970, Jacksonville, Florida 32232-0019.
- 5) No heavy equipment or mechanical clearing is permitted in wetlands outside of the temporary fill footprint area.
- 6) All slopes shall be stabilized with sod, degradable mats and/or seed and mulch. Erosion controls in the form of toed-in silt fencing and staked hay bales will be installed and maintained until the vegetative cover is established.
- 7) The permittee shall notify the U.S. Army Corps of Engineers, Tallahassee Regulatory Office, 2051 East Dirac Drive, Suite 123H, Tallahassee, Florida 32310 upon commencement and completion of work authorized by this permit. Such notification must be provided within 14 days of initiation and completion of the authorized work.
- 8) Prior to construction, the limits of the proposed fill areas shall be clearly flagged and staked by the agent and/or contractor. All construction personnel shall be shown the location(s) of all wetland areas outside of the construction

area to prevent encroachment from heavy equipment into these areas.

9) No building materials, tools or other equipment shall be stockpiled in wetlands or other waters of the United States. All excess materials, tools and equipment shall be removed immediately upon completion of the activity.

10) No wetland vegetation, other than that necessary to access and construct the temporary road, shall be removed.

11) The following sequence and reporting requirements shall be followed for the temporary impact of the 1.77 acres required for the temporary road:

(a) Prior to the placement of fill material for the temporary road, the area shall be photographed and shall be marked to clearly show the pre-fill condition of the area. Photograph locations shall be identified on a permit drawing. The photographs and location drawing shall be submitted to the US Army Corps of Engineers, Enforcement Branch, Attn: Alice Kirkland, Post Office Box 4970, Jacksonville, Florida 32236 prior to placement of fill in this area.

(b) Before placement of fill, filter fabric will be placed within the area, of the temporary road crossing, to provide a reference point that will enable the contractor to more easily return the area to its pre-construction conditions.

(c) Within 3 months of the crutch bent/riprap being placed/complete, the temporary road crossing shall be removed and restored to its pre-construction condition.

(d) Within 72 hours of removing all fill from the temporary road crossing area, photographs of the area shall be taken from the same locations as required in (a). These photographs shall be combined with the photographs required in (a) and the location map required in (a) and shall be submitted to the US Army Corps of Engineers, Enforcement Branch, Attn: Alice Kirkland, Post Office Box 4970, Jacksonville, Florida 32236 within 14 days of the completion of the restoration work.

(e) Six months after restoring the temporary road crossing area, and for one year thereafter, photographs of the area shall be taken from the same locations as required in (a), so as to clearly show the restoration area is naturally revegetating with desired plant species. These photographs and a map showing the

photograph locations shall be submitted to the US Army Corps of Engineers, Enforcement Branch, Attn: Alice Kirkland, Post Office Box 4970, Jacksonville, Florida 32236 within 14 days of their being taken.

(f) The restoration area shall be considered successful when the following is met:

- 1) The vegetative cover shall be at least 85% coverage continuously for a period of one year with jurisdictional wetland vegetation. Nuisance and exotic species shall be limited to less than 5% of the total vegetative cover and hydrology and hydric soils, as defined by the 1987 Corps of Engineers Wetland Delineation Manual (87 Manual) shall be present in the restoration area.

(g) A monitoring report shall be conducted for a minimum of one year for the restored wetlands and shall continue (if necessary) until the restoration success criteria is met, as outlined above. The reports shall be submitted every twelve months to the US Army Corps of Engineers, Enforcement Branch, Attn: Alice Kirkland, Post Office Box 4970, Jacksonville, Florida 32236 indicating the status of the project. The cover page shall indicate the permit number, project name and the permittee name. The first annual progress report shall be submitted twelve months from the date of permit issuance, and reports shall continue to be submitted until all work authorized by the permit, including restoration, has been completed. The report shall include the following information:

- a. Date permitted activity was begun; if work has not begun onsite, please so indicate.
- b. Brief description of extent of work (i.e. dredge, fill, monitoring, restoration, management, maintenance) completed since the previous report or since the permit was issued. Show on copies of the permit drawings those areas where work has been completed.
- c. Brief description and extent of work (i.e. dredge, fill, monitoring, restoration, management, maintenance) anticipated in the next twelve months. Indicate on copies of the permit drawings those areas where it is anticipated that work will be done.
- d. The progress of the permitted restoration program. The reports shall include; photographs taken from the permanent

stations, some of which must be in the vegetation sampling areas, a description of problems encountered and solutions undertaken, and anticipated work for the next twelve months.

e. This report shall include on the first page, just below the title, the certification of the following statement by the individual who supervised preparation of the report: "This report represents a true and accurate description of the activities conducted during the twelve month period covered by this report."

(h) The permittee has a continuing obligation to complete the wetland restoration, to correct any unsuccessful attempts to restore the wetlands, and to complete the monitoring and maintenance beyond the expiration date of this permit. If the restoration area is not found to be successful 120 days prior to the expiration date of this permit, the permittee shall submit a written report including any proposed remedial measures, if necessary, to be taken to ensure future success.

12) All mitigation requirements shall be adhered to and implemented as outlined in the attached 9-page *Regional Mitigation Plan for Tates Hell State Forest*, as provided by the Northwest Florida Water Management District (NFWMD).

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: 200205672 (NW-JWS)

Permittee's Name & Address (Please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks, dredging, etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations): _____

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: 200205672 (NW-JWS)

When the structures or work verified by this nationwide are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property.

To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, the transferee should sign and date below. Following completion, the form should be returned to the U.S. Army Corps of Engineers, Tallahassee Regulatory Office, 2051 East Dirac Drive, Suite 123H, Tallahassee, Florida, 32310.

(TRANSFEREE - SIGNATURE)

(DATE)

(NAME - PRINTED)

(SUBDIVISION)

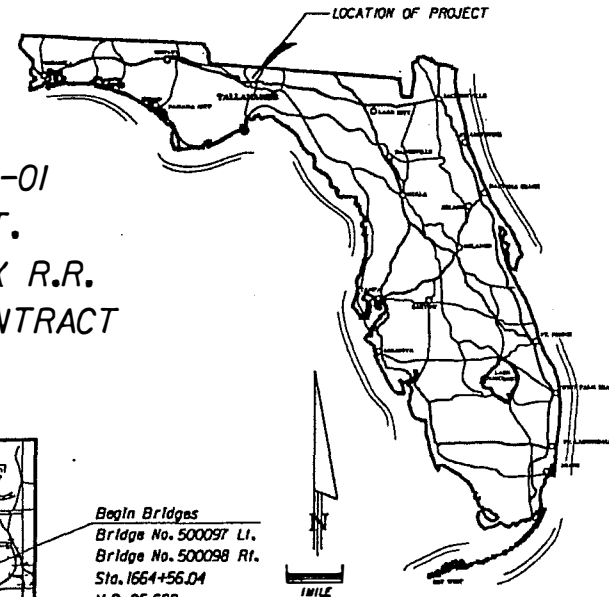
(LOT/BLOCK)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
CONTRACT PLANS

FINANCIAL PROJECT ID. 407304-1-52-01
BRIDGE NOS. 500097 LT., 500098 RT.
S.R. 8 (I-10) OVER LITTLE RIVER & CSX R.R.
GADSDEN COUNTY (50001) - DISTRICT CONTRACT

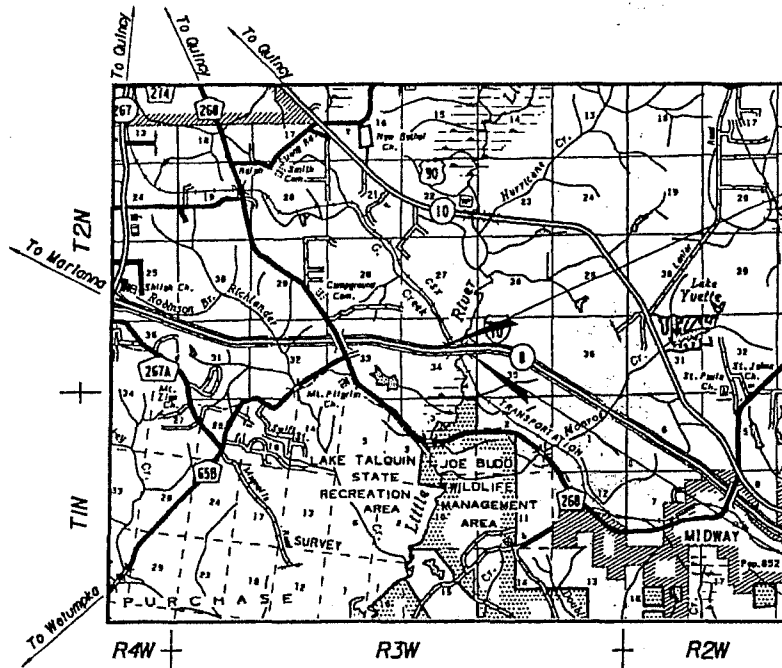


INDEX OF BRIDGE PLANS

SHEET NO.	SHEET DESCRIPTION
B-1	KEY SHEET
B-2	SUMMARY OF PAY ITEMS
B-3	GENERAL NOTES
B-4, B-5	PLAN AND ELEVATION
B-6	PILE LAYOUT
B-7	PILE INSTALLATION TABLE
B-8	CRUTCH BENT DETAILS
B-9	FRAMING PLAN
B-10	STEEL BEAM DETAILS
B-11	COMPOSITE NEOPRENE BEARING PADS
B-12	TOWER BENT ARMORING
B-13	TRAFFIC CONTROL
B-14	WETLAND DELINEATION
B-15	GEOTECHNICAL NOTES
B-16	REPORT OF CORE BORINGS

INDEX OF EXISTING BRIDGE PLANS

SHEET NO.	SHEET DESCRIPTION
EB-1	GENERAL PLAN AND ELEVATION
EB-2	BRIDGE DESIGN DATA SHEET
EB-3	PRESTRESSED CONCRETE PILES
EB-4, EB-5	PILE LAYOUT
EB-6	BORING DATA
EB-7 to EB-11	PILE BENT DETAILS



Begin Bridges
Bridge No. 500097 Lt.
Bridge No. 500098 Rt.
Sta. 1664+56.04
M.P. 25.620

End Bridges
Bridge No. 500097 Lt.
Sta. 1675+23.97
M.P. 25.822
Bridge No. 500098 Rt.
Sta. 1674+87.02 Rt.
M.P. 25.815

SHOP DRAWINGS TO BE SUBMITTED TO:

CHARLES F. CRAYCRAFT
FL. P.E. NO. 32131
H.W. LOCHNER, INC.
SUITE 600, 13577 FEATHER SOUND DR.
CLEARWATER, FL. 33762
TELEPHONE: (727) 572-7111
VENDOR NUMBER VF 362338811001

PLANS PREPARED BY:

H.W. LOCHNER, INC.
SUITE 600, 13577 FEATHER SOUND DR.
CLEARWATER, FL. 33762
TELEPHONE: (727) 572-7111
CONTRACT NUMBER C-7376
VENDOR NUMBER VF 362338811001
FBPR CERTIFICATE OF AUTHORIZATION #894

NOTE: THE SCALE OF THESE PLANS MAY
HAVE CHANGED BY REPRODUCTION.

GOVERNING STANDARDS AND SPECIFICATIONS: FLORIDA DEPARTMENT
OF TRANSPORTATION DESIGN STANDARDS, DATED JANUARY 2002 AND
STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION,
DATED 2000, AS AMENDED BY CONTRACT DOCUMENTS.

REVISIONS:

LENGTH OF PROJECT		
	LINEAR FT.	MILES
ROADWAY	0.000	0.000
BRIDGE NO. 500097	1067.982	0.202
BRIDGE NO. 500098	1080.979	0.206
NET LENGTH OF PROJ.	2048.961	0.397
EXCEPTIONS	0.000	0.000
GROSS LENGTH OF PROJ.	2048.961	0.397

KEY SHEET REVISIONS		
DATE	BY	DESCRIPTION

W. H. Lochner
2/25/03

BRIDGE REHABILITATION PLANS

ENGINEER OF RECORD, _____

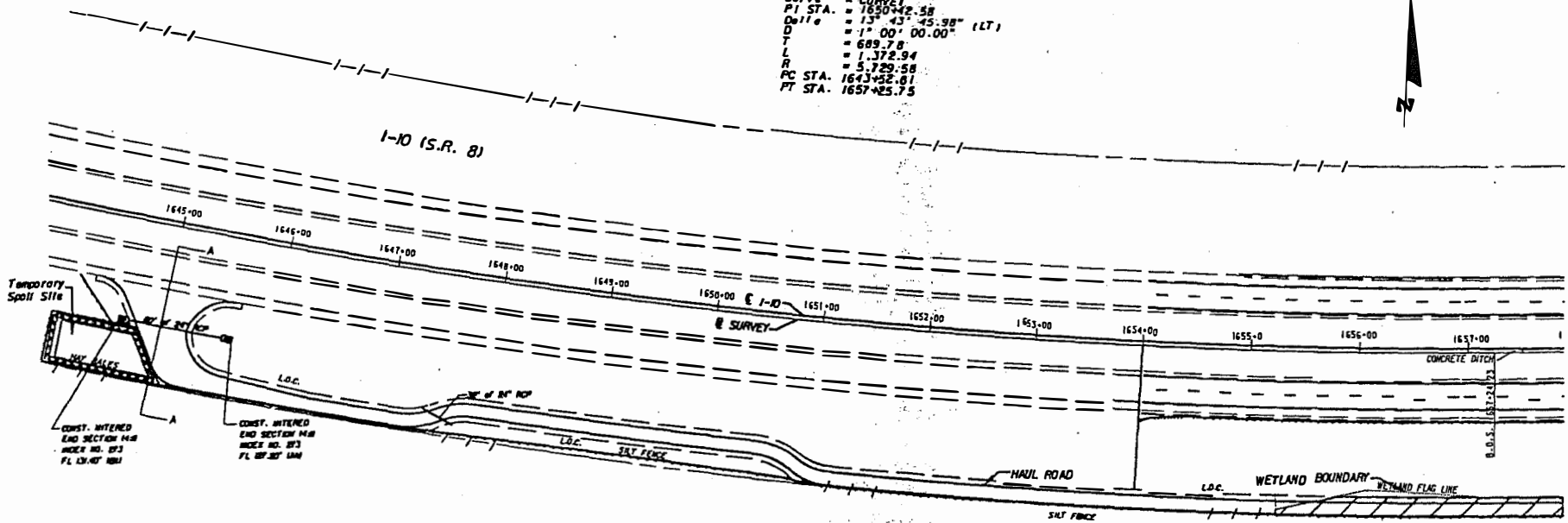
DATE: _____
P.E. NO.: 32131

FDOT PROJECT MANAGER: LISA SLAY

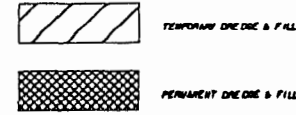
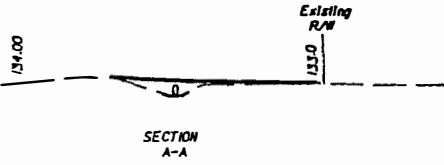
FIGURE	SHEET NO.
03	B-1

03/25/2003 03:39:20 PM 41:50pm - 1/1/03 - Roadway SCD/US/SL - B-107304.dgn

Curve = CURVE 1
 P.I. STA. = 1650+42.58
 Delta = 13° 43' 45.98" (LT)
 D = 1° 00' 00.00" (LT)
 L = 689.78
 R = 1,372.94
 PC STA. = 1643+28.91
 PT STA. = 1657+25.75



Temporary Haul Road = 0.10 ac. of temporary impacts.
 (Haul road will be removed beginning in January 2004
 and replanted beginning spring, 2004.)



NOTE: TEMPORARY SPOIL SITE

MATERIAL EXCAVATED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED AND DISPOSED OF IN ACCORDANCE WITH ALL RULES AND REGULATIONS. THIS MATERIAL CANNOT BE PLACED IN WETLANDS EXCEPT TO FILL HOLES UNDER PROPOSED RIP-RAP. IT SHALL EITHER BE HAULED AWAY AS IT IS EXCAVATED OR PLACED ON AN UPLAND SITE SURROUNDED BY HAY BALES AND SILT FENCE. THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH THIS NOTE.

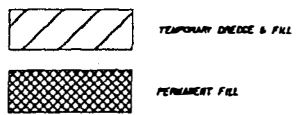
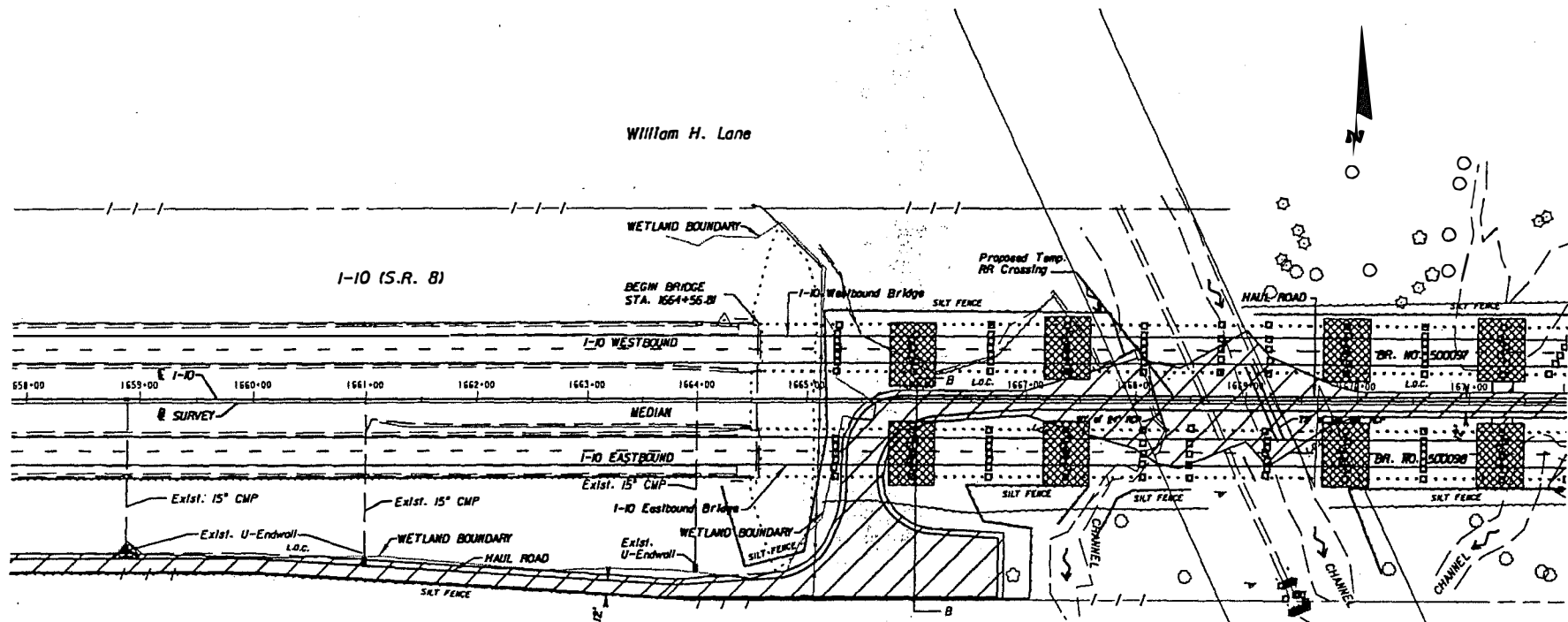
RECEIVED

APR 09 2003

Sandra Lamb

DATE		BY		REVISIONS		DESCRIPTION	
DATE	BY	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

LOCHNER 3946 EAST PARK AVENUE, SUITE 308 TALLAHASSEE, FLORIDA 32301 P&P CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 41816		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		ROAD NO. COUNTY FINANCIAL PROJECT ID S.R. 8 GADSDEN 407304-1-52-01		PERMIT DREDGE & FILL		SHEET NO.
---	--	--	--	---	--	---	--	-----------



Temporary Haul Road = 1.30 ac. of temporary impacts. (Haul Road and staging area will be removed beginning January 2004 and replanted beginning spring 2004.)

Permanent Impacts = 0.44 ac. of permanent impacts. (8 and bents, 42 x 56' of rip rap, and 156 sf of fill at the existing U-endwall.)

Little River Farms Partnership and Coop.

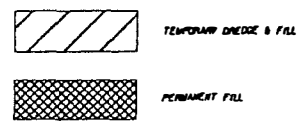
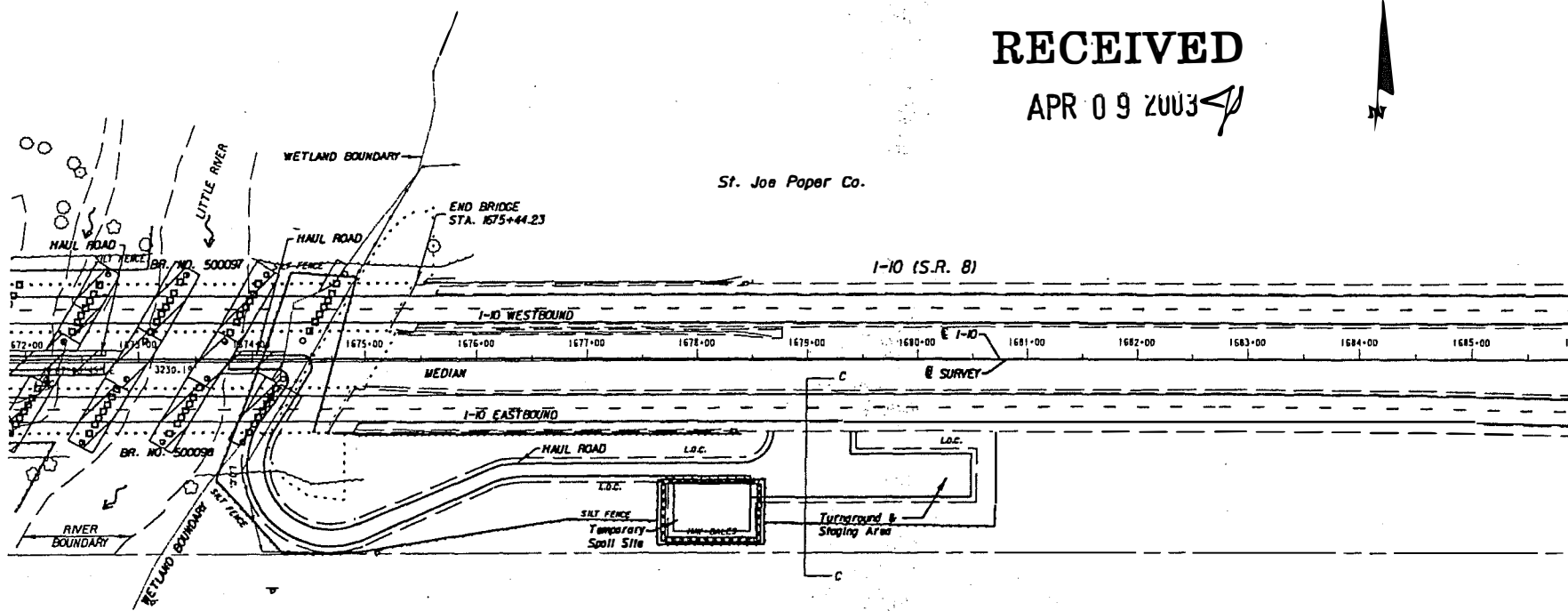
RECEIVED
 APR 09 2003

Sandra Lamb

REVISIONS						LOCHNER 2540 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 PAPER CERTIFICATE OF AUTH. # 814 SANDRA LAMB, P.E. # 41215	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			PERMIT DREDGE & FILL	SHEET NO.
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
						S.R. 8	GADSDEN	407304-1-52-01			

RECEIVED

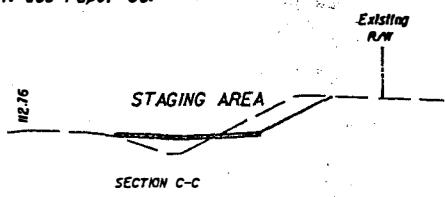
APR 09 2003



Temporary Haul Road = 0.37 ac of temporary impacts.
(Haul road will be removed beginning January 2004 and replanted beginning spring 2004.)

Permanent impacts = 0.01 ac. of permanent impacts.
(Fill at the Crucial Benches, 16 locations-not all in wetlands.)

St. Joe Paper Co.



NOTE: TEMPORARY SPOIL SITE

MATERIAL EXCAVATED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED AND DISPOSED OF IN ACCORDANCE WITH ALL RULES AND REGULATIONS. THIS MATERIAL CANNOT BE PLACED IN WETLANDS EXCEPT TO FILL HOLES UNDER PROPOSED RIP-RAP. IT SHALL EITHER BE HAULED AWAY AS IT IS EXCAVATED OR PLACED ON AN UPLAND SITE SURROUNDED BY HAY BALES AND SILT FENCE. THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH THIS NOTE.

Sandra Lamb

REVISIONS				LOCHNER	STATE OF FLORIDA			PERMIT DREDGE & FILL	SHEET NO.
DATE	BY	DESCRIPTION	DATE		DESCRIPTION	ROAD NO.	COUNTY		
					S.R. 8	GADSDEN	407304-1-52-01		

2940 EAST PARK AVENUE, SUITE 204
TALLAHASSEE, FLORIDA 32310
PDR CERTIFICATE OF AUTH. # 814
SANDRA LAMB, P.E. # 43114

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

REGIONAL MITIGATION PLAN

BACKGROUND INFORMATION					
Water Management District: Northwest Florida Water Management District (NFWFMD)					
Mitigation Project Name: Tates Hell / Womack Creek Wetlands				Project Number (Provided by FDEP):	
Project Manager: Duncan J. Cairns				Phone Number: 850-539-5999	
County: Gadsden					
Location of Mitigation Project (Central Lat/Long): 30° 1.505' N / 84° 35.822' W (Section 2 T6S R4W)					
IMPACT INFORMATION					
FDOT FM#:		ERP #: Not Applicable		COE#	
Drainage Basin: Ochlockonee River Watershed					
Water Body: Little River at I 10				SWIM Water Body?: No	
Acres and Types of impact to be offset:		0.44 Acres		615 (FLUCCS Code)	
MITIGATION ENVIRONMENTAL INFORMATION					
Mitigation Type:	Creation	<input checked="" type="checkbox"/> Restoration	<input checked="" type="checkbox"/> Enhancement	Preservation	Mitigation Area (Acres): 10 acres
SWIM Project?: No		Aquatic Plant Control Project?: No		Exotic Plant Control Project?: No	
Mitigation Bank?: No		If yes, give FDEP/WMD Mitigation Bank Permit #: Not Applicable			COE #: Not Available
Drainage Basin: Ochlockonee River Watershed					
Water Body: Tates Hell Swamp (Womack Creek in Eastern Portion of Swamp)				SWIM Water Body?: No	
Project Description					
A. Overall project goal:					
Restoration/enhancement of wetlands within eastern portions of Tates Hell State Forest, coupled with implementation of long-term ecological management.					
B. Brief description of current condition:					
Some 150,000+ acres of Tates Hell Swamp have been acquired by the NFWFMD and the State of Florida. Much of the swamp was drained and converted to pine plantation during the 1960s. In addition to severe hydrologic disturbance, there is substantial encroachment of titi and other invasive plants. The NFWFMD is currently restoring/enhancing ~70 acres of FLUCCS 626 (Hydric Pine Flatwood) and FLUCCS 615 (Stream and Lake Swamp) in the Womack Creek wetlands of Tates Hell State Forest to mitigate for FDOT wetland impacts in Wakulla County. This project will augment the ongoing restoration effort by planting an additional 10 acres of wiregrass within the ~70 acre site.					

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APR 18 2003

(Signature)

<p>C. Brief description of proposed work:</p> <p>To mitigate for the 0.44-acre impact in Gadsden County (Little River at I 10), an additional 10 acres of wiregrass will be planted within an existing restoration site. The existing mitigation area is directly adjacent to the Ochlockonee River and consists of a total of ~70 acres, ~50 acres that was historically hydric pine savanna (FLUCCS 626) and ~20 acres of stream and lake swamp (FLUCCS 615). Restoration/enhancement planned for this site entails chopping and burning ~50 acres of historic hydric pine savanna that has been impacted by past silviculture, rutting and fire exclusion, followed by planting 10 acres of wiregrass. The ~20 acres of FLUCCS 615 will be enhanced by buffer improvements associated with the FLUCCS 626 restoration. Planting an additional 10 acres of wiregrass will facilitate prescribed burns which greatly enhance the quality of hydric pine flatwoods. Management of surrounding uplands will be conducted by DOF in accordance with their management plan. The area selected for restoration/enhancement will augment ongoing restoration efforts and will be managed for preservation in perpetuity by DOF.</p>
<p>D. Brief explanation of how this work serves to offset the impacts of the specified DOT project(s):</p> <p>Throughout Tates Hell Swamp, which is in the same watershed as the FDOT project, are substantial ecological restoration/enhancement needs due to past ditching, and road construction. The area targeted for mitigation will provide sufficient compensation of forested wetlands. In addition, the site is proximate to impacts, and provides similar water quality functions. The enhanced restoration of ~50 acres of FLUCCS 626 via additional planting of 10 acres of wiregrass will more than offset 0.44 acres of impact to the forested wetlands, including all secondary and cumulative impacts.</p>
<p>E. Brief explanation of why a mitigation bank was/was not chosen, including a discussion of cost:</p> <p>No permitted mitigation banks exist in the Ochlockonee River watershed or are proximate to the impacts.</p>
<p>F. Brief explanation of why a SWIM project was/was not chosen as mitigation, in whole or in part, including a discussion of cost, if the anticipated impacts are located within a SWIM water body:</p> <p>No approved SWIM Plan exists for this waterbody and therefore no appropriate SWIM project has been identified for funding the acquisition, long-term ecological management, and potential restoration of this FDOT mitigation project.</p>

MITIGATION PROJECT IMPLEMENTATION		
Entity responsible for construction: Northwest Florida Water Management District		
Contact Name: Duncan J. Cairns (Duncan.Cairns@nwfwm.d.state.fl.us)	Phone Number: 850-539-5999	
Entity responsible for monitoring and maintenance: Northwest Florida Water Management District		
Proposed timeframe for implementation	Commence Date: 2003	Complete Date: TBD
Total Project Cost (attach itemized cost estimate): \$ 37,201 (based on \$ 84,548 / Impact Acre)		

Attachments	
X	1. Detailed description of existing site and proposed work.
X	2. Location map and design drawings of existing and proposed conditions.
X	3. Recent aerial photograph with date and scale showing impact sites and mitigation area
X	4. Recent aerial photograph showing proposed mitigation area.
X	5. Historic aerial photography showing area prior to road impoundment
X	6. Current site conditions showing berm road and conversion of bottomland forested wetland to marsh
X	7. Detailed schedule for work implementation, including any and all phases
X	8. Long-term maintenance plan.
X	9. Detailed explanation of how this work serves to offset the impacts of the specified DOT project(s).

**ATTACHMENT FOR MITIGATION PLAN FOR
I 10 AT LITTLE RIVER, GADSDEN CO.**

Impact: I 10 at Little River, Gadsden Co. Bridge Repairs—0.44 Acre

Mitigation: Tates Hell / Womack Creek Wetlands

SCOPE

Repair of the I 10 at Little River bridge in Gadsden County is anticipated to impact 0.44 acre of wetland (per US Army Corps estimate). An environmental consultant (H. W. Lochner, Inc.) retained by FDOT describes the impact wetlands as river floodplain. Any measures taken to avoid and minimize wetland impacts are the responsibility of FDOT. The NFWFMD is responsible for designing and implementing mitigation based on estimates of impacts provided by FDOT or its consultants. In order to plan for sufficient mitigation, for purposes of developing this mitigation plan, it is assumed that the wetlands being impacted are of the highest quality and will be completely destroyed.

PROJECT GOAL

The goal of this mitigation plan is to adequately compensate for the loss of wetlands and wetland function associated with the FDOT project. To accomplish this, the NFWFMD intends to plant an additional 10 acres of wiregrass at an existing wetlands mitigation site within the eastern portion of Tates Hell State Forest (see attached Three Wakulla County Bridges mitigation plan). Planting additional wiregrass at this site will greatly enhance the ability to conduct prescribed fires and restore native groundcover.

Tates Hell State Forest is owned by the State of Florida and is managed by the Florida Division of Forestry (DOF). Measures will be taken to ensure perpetual preservation and ecological management of wetlands used for mitigation of this FDOT project. These measures will include sufficient funds for long term management. Ecological preservation and management of the mitigation site will be incorporated into the DOF Tates Hell Management Plan.

MITIGATION SITE

The proposed mitigation site consists of ~70 acres in the Womack Creek drainage of Tates Hell Swamp. Approximately 50 acres are “regrowth” bottomland hardwood forest that have been highly degraded by past silviculture and fire exclusion, and ~20 acres are forested hardwood wetlands. The Womack Creek Wetlands site is within the same watershed as the impact wetlands (i.e., the Ochlockonee Basin).

Florida Division of Forestry staff at Tates Hell State Forest are supportive of this restoration proposal (see attached letter). However, there are no existing State Forest plans or funding available to do so. Using FDOT mitigation dollars to restore the site would not constitute a supplanting of other funding. The NFWFMD has worked well with Tates Hell State Forest in restoring other sections of Tates Hell Swamp.

The NFWFMD will be responsible for ensuring that the restored area will be managed by DOF for ecological integrity in perpetuity.

TATES HELL STATE FOREST

Tates Hell Swamp covers some 200,000 acres (>300 mi²) of low-lying, poorly drained land between the Apalachicola and Ochlockonee rivers in the Florida Panhandle. Although this area historically was dominated by a variety of wetland types including wet savanna, wet flatwoods, cypress strands and hardwood swamps, much of the swamp was converted to slash pine (*Pinus elliotii*) plantation during the 1960s and 1970s. Degradation of Tates Hell from silvicultural operations included the construction of over 800 miles of logging roads and drainage ditches, and the establishment of bedded pine stands. These actions disrupted natural flow patterns and caused a lowering of the water table across large sections of the swamp and ponding of some specific locations due to road construction. With the replacement of much of the natural vegetation with stands of bedded pine, the natural functions and biotic diversity (flora and fauna) of the swamp also were severely impacted.

The ecological health of the Ochlockonee and Apalachicola systems is strongly influenced by freshwater flows from Tates Hell. In the early 1990s, the NFWFMD and the State of Florida began acquiring portions of Tates Hell Swamp for wetland habitat preservation and to forestall further water quality declines. Public acquisitions now total some 150,000 acres (i.e., approximately 75% of the swamp), and are managed by the Florida Division of Forestry (DOF). Since 1993, the Northwest Florida Water Management District (NFWFMD), working with DOF, has conducted restoration of portions of Tates Hell Swamp. A long-term vision is eventual restoration of the natural communities of the entire swamp. This mitigation project will complement these ongoing efforts by focusing on an area not previously slated for restoration activities.

NATURAL RESOURCE MANAGEMENT

The NFWFMD will reach agreements with the Florida Division of Forestry (DOF) to ensure long-term management to preserve ecological and water resources. This will include incorporation of preservation strategies within the DOF Tates Hell Management Plan and provision of adequate funds for long-term preservation and ecological management.

The stated mission of the Florida Division of Forestry is to protect and maintain the biological diversity of the many ecosystems found in and around the state forests while integrating public use of the resources.

SUCCESS CRITERIA

Success criteria will consist of the establishment of an additional 10 acres of wiregrass at this site, coupled with implementation of the Three Wakulla Bridges mitigation plan (see attached Three Wakulla County Bridges mitigation plan). Appropriate monitoring (e.g., fixed-point photo documentation, vegetation transects and plots, etc.), management, and reporting will be conducted semi-annually for the first year, then annually for the next four years. Monitoring reports describing the condition of the vegetation will be sent to the ACOE annually.

APPLIED MITIGATION RATIO AND FUNCTIONAL ASSESSMENT

Mitigation ratios and/or functional assessment analyses, if necessary, will be determined through consultation with permitting agencies. At present, the NFWFMD is proposing ~20 to 1 (ratio of mitigation acres to impact acres for similar wetland type).

FUNDING

Funding for mitigation activities would come from FDOT mitigation funds. At a maximum rate of \$84,548 per acre of impacted wetland, 0.44 acre of wetland impact would result in \$ 37,201 in funding. All reasonable attempts will be made to maximize cost savings throughout this project.

Preliminary Cost Estimates	
Planning (5%)	1,860
Mitigation Activities (95%)	35,341
Total	\$ 37,201

WORK SCHEDULE

2003/2004

- Coordination with Florida Division of Forestry (Tates Hell State Forest) to develop appropriate mitigation plan.
- Implement mitigation plan.

NFWWMD PERSONNEL TO IMPLEMENT MITIGATION

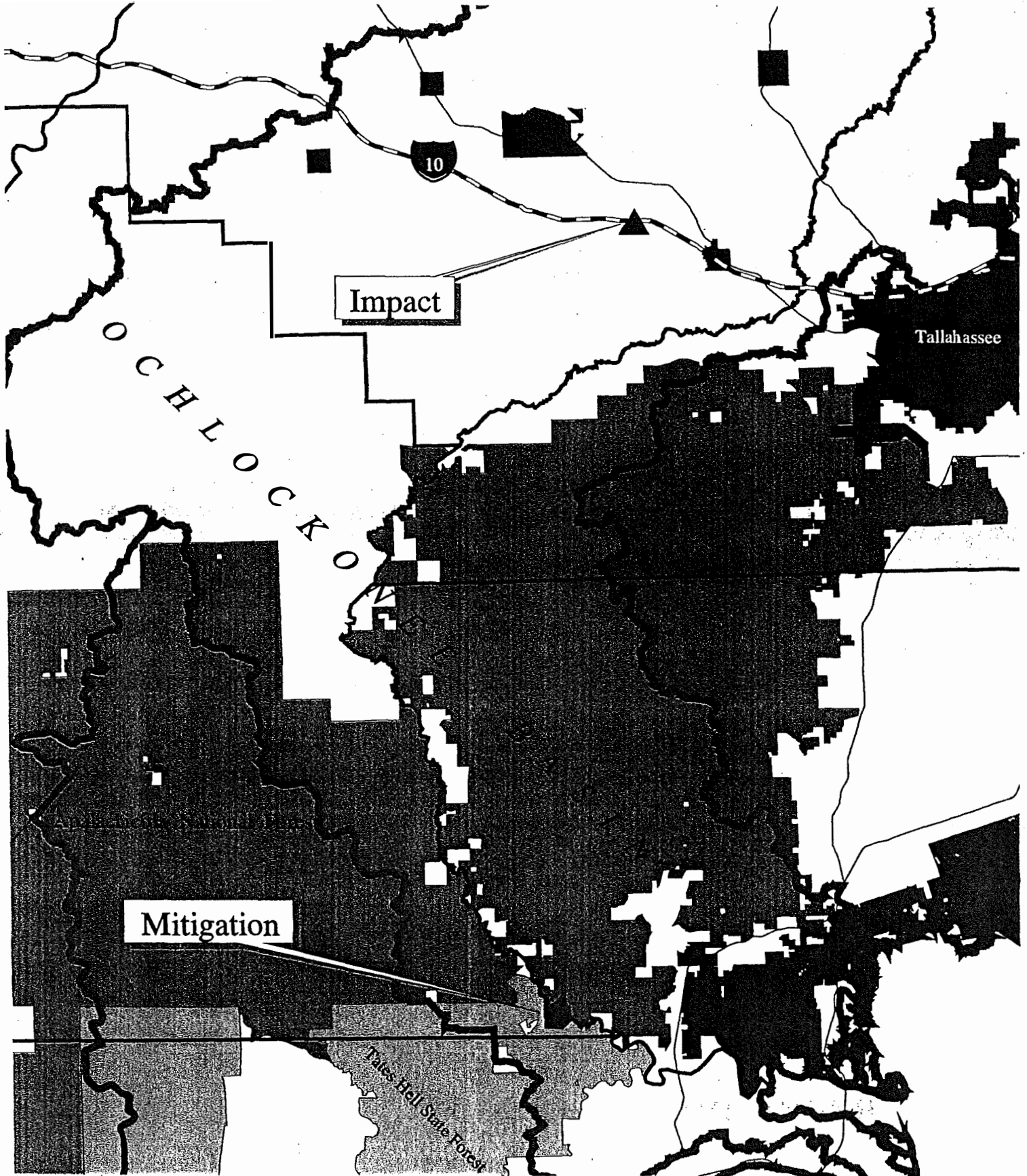
Robert F. Lide – Environmental Scientist
David Clayton – Environmental Scientist
Duncan J. Cairns – Chief, Environmental and Resource Planning Bureau
Dan L. Tonsmeire – Associate Water Resources Planner
Ron Bartel – Director, Resource Management Division

Other NFWWMD personnel may be called upon as needed.

CONTINGENCY PLANS

Ample wetland restoration/enhancement opportunities exist within Tates Hell State Forest. If the NFWWMD is unable to implement mitigation in a section of Tates Hell specifically approved by permitting agencies, measures will be taken, in consultation with the permitting agencies, to implement other appropriate mitigation elsewhere within Tates Hell State Forest. Mitigation efforts will continue until the wetland impacts have been adequately compensated.

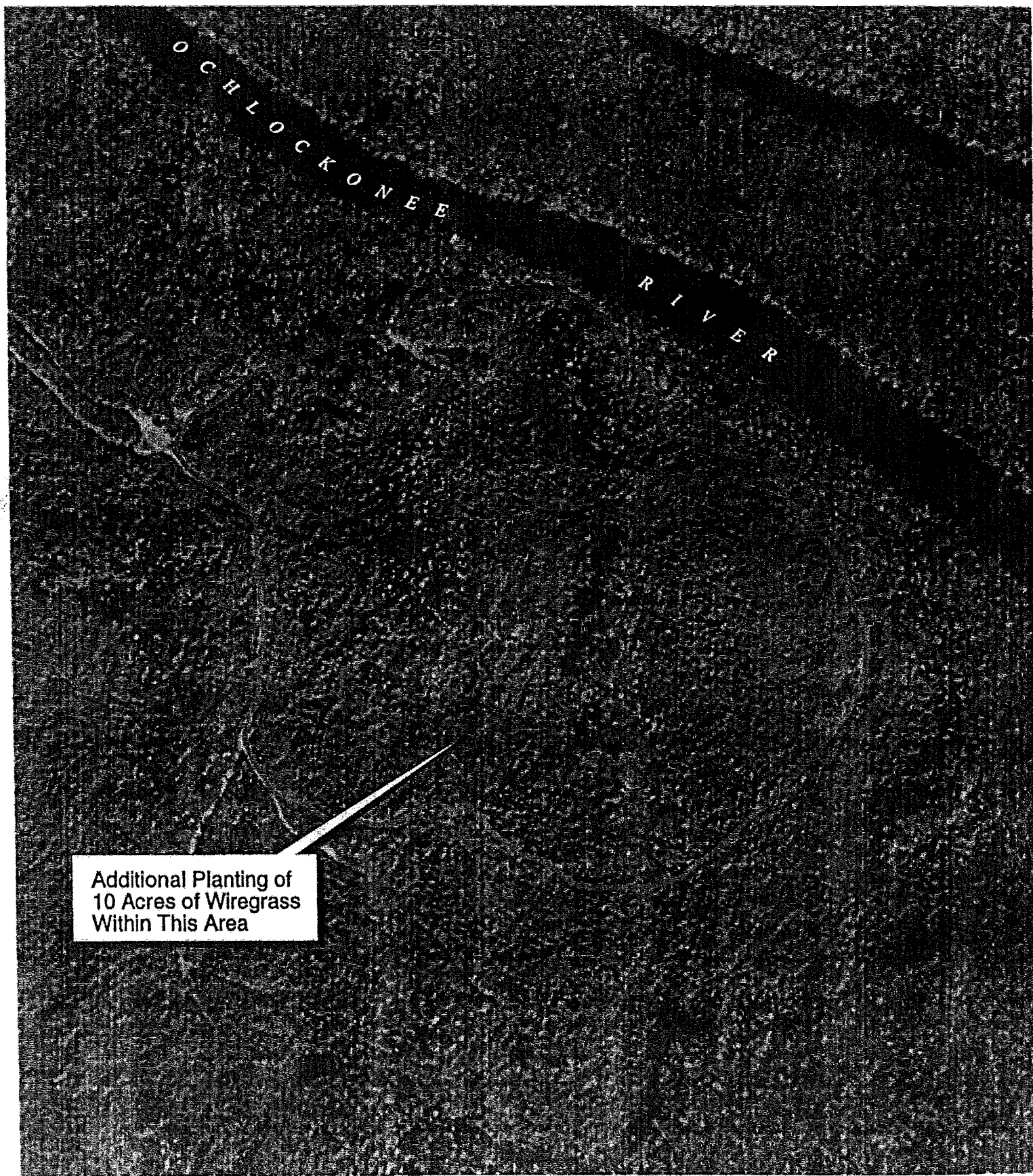
Impact and Mitigation Site



0 5 10 Miles



Tates Hell State Forest: Womack Creek Wetlands Restoration Site
(~70 Acres)



Additional Planting of
10 Acres of Wiregrass
Within This Area

0 1000 2000 Feet



