

**U.S. Army Corps of Engineers - Charleston District
Checklist for 2012 Nationwide Permit Review
Nationwide Permit 12**

**Utility Line Activities
(10/404)**

SAC #: _____

Applicant Name: _____

Waterway/Location: _____

Project Name: _____

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

Yes No

2. Does the activity involve the construction, maintenance, repair, and removal of utility lines and/or associated facilities in waters of the U.S., AND will the activity result in no greater than ½ acre of waters of the U.S. for each single and complete project?

Yes No

3. Does the activity meet the definition of a utility line, which includes any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and radio and television communication, or pipes that convey drainage from another area. (The term "utility line" does not include activities that drain a water of the U.S., such as drainage tile or French drains).

Yes No

3. Does the activity involve the construction, maintenance, or repair of utility lines, including outfall and intake structures, and the associated excavation, backfill, or bedding for the utility lines, in all waters of the U.S., provided there is no change in pre-construction contours?

Yes No N/A

4. If trench excavation occurs with the activity, will the excavated material be temporarily sidecast into waters of the U.S. for less than 3 months AND be done in a manner that it will not be dispersed by currents or other forces?

Yes No N/A

5. If a trench is necessary for the activity, will the trench be constructed or backfilled in such a manner as to drain waters of the U.S. (e.g. backfilling with extensive gravel layers, creating a French drain effect)?

Yes No N/A

6. Will any exposed slopes and stream banks that are cleared of vegetation be stabilized using bioengineering techniques and/or the planting of deep-rooted native species immediately upon completion of the utility line crossing of each waterbody?

Yes No N/A

7. Will the construction, maintenance, or expansion of any substation facility associated with a power line or utility line in non-tidal waters of the U.S., in combination with all other activities included in one single and complete project, result in the loss of greater than ½-acre of waters of the U.S.?

Yes No N/A

8. Will the discharges for the construction, maintenance, or expansion of substation facilities occur in non-tidal wetlands adjacent to tidal waters of the U.S.?

Yes No N/A

9. Will the foundations for overhead utility line towers, poles, and anchors in all waters of the U.S. be of the minimum size necessary AND be separate for each tower leg (rather than a larger single pad) when feasible?

Yes No N/A

10. Will the construction, maintenance, or expansion of access roads associated with a power line or utility line in non-tidal waters of the U.S., in combination with all other activities included in one single and complete project, result in the loss of greater than ½-acre of waters of the U.S.?

Yes No N/A

11. Will the discharges for the construction, maintenance, or expansion of access roads occur in non-tidal wetlands adjacent to tidal waters of the U.S.?

Yes No N/A

12. Will the access roads be of the minimum width necessary, be constructed so that the length of the road minimizes any adverse effects on waters of the U.S., be as near as possible to pre-construction contours and elevations, AND/OR be properly bridged or culverted to maintain surface flow if above pre-construction contours?
- Yes No N/A
13. Does the activity involve the construction, maintenance, or repair of utility lines under, in, and/or over Section 10 waters? *(Note: A copy of the PCN and verification will be sent by the Corps to NOAA for charting of the utility line to protect navigation and/or the Department of Defense Siting and Clearinghouse for evaluation of potential effects on military activities.)*
- Yes* No
14. Does the activity involve the construction of temporary structures, fills, and/or work?
- Yes * No
15. For any temporary structures, fills, and work associated with the utility line, will the appropriate measures be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable?
- Yes* No N/A
16. For any temporary structures, fills, and work associated with the utility line, will the temporary fills be removed in their entirety, the affected areas returned to pre-construction elevations, AND the affected areas revegetated as appropriate?
- Yes* No N/A
17. For activities that involve temporary structures, fills, and work, does the PCN include specifications of how pre-construction contours will be re-established and verified after construction?
- Yes* No N/A
18. Does the activity involve mechanized land clearing in a forested wetland for the utility line right-of-way?
- Yes* No
19. Will the utility line in waters of the U.S., excluding overhead lines, exceed 500 feet?
- Yes* No N/A

20. Will the activity line be placed within a jurisdictional area (i.e. water of the U.S.) where it runs parallel to or along a stream bed that is within that jurisdictional area?

Yes* No N/A

21. Will the discharges result in a loss of greater than 1/10-acre of waters of the U.S.?

Yes* No

22. For activities involving a permanent access road, will the road be constructed above grade in waters of the U.S. AND will it be more than 500 feet in length?

Yes* No N/A

23. For activities involving a permanent access road, will the access road constructed in waters of the U.S. be of impervious materials?

Yes* No N/A

24. Are all of the applicable NWP General and Regional Conditions satisfied, including endangered species, and cultural resources, and if any Federally listed species and/or designated critical habitat occurs in the action area, have you made an effect determination and properly documented it in the administrative record?

Yes No

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

Yes* No

26. Will the activity impact more than 25 linear feet of streambed?

Yes* No

27. Will the NWP 12 be used in conjunction with NWP 14, 29, 39, 43, 51 and/or 52 for an activity that is considered a *single and complete project*?

Yes No

28. Will the activity cause the loss of greater than 300 linear feet of streambed?

Yes No

29. Will the excavated material be returned to the trench AND will any remaining material be relocated and retained in an upland disposal site?

Yes No

30. Will the substrate containing roots, rhizomes, seeds, etc, be kept viable and replaced at the surface of the excavated area AND will the impacted wetlands be replanted with native wetland species or allowed to naturally re-vegetate from the replaced substrate, as long as the resulting vegetation is native?

Yes No N/A

31. Does the activity involve maintained utility crossings?

Yes* No

32. For activities that require a PCN that involve maintained utility crossings, does the notification include a justification for the required width of the maintained crossing that impacts waters of the U.S?

Yes* No N/A

33. Does the activity involve the construction of a sub-station in waters of the U.S.?

Yes* No

34. For activities that include construction of a substation in waters of the U.S., does the notification include a statement of avoidance and minimization for the loss of waters of the U.S. impacted by the substation?

Yes* No N/A

35. Does the activity involve the permanent conversion of forested wetlands to herbaceous wetlands?

Yes* No

36. For activities that involve the permanent conversion of forested wetlands to herbaceous wetlands, does the required PCN include the acreage of conversion impacts of waters of the U.S. AND a compensatory mitigation proposal OR a statement of why compensatory mitigation should not be required?

Yes* No N/A

37. For activities that include intake structures, does the intake structure include a screen to prevent entrainment of juvenile and larval organisms AND is the inflow velocity of the associated intake structures limited to ≤ 0.5 ft/sec?

Yes No N/A

38. For utility lines buried in waters of the U.S. that require a PCN, does the notification include a description of construction techniques that will prevent draining, such as anti-seep collars, OR does the notification include appropriate documentation that such techniques are not required to prevent drainage of waters of the U.S.?

Yes No N/A

TO QUALIFY FOR THE NWP, UNLESS OTHERWISE NOTED, EVERY NUMBERED ITEM MUST HAVE A CHECKED BOX.

* - REQUIRES A PRE-CONSTRUCTION NOTIFICATION (PCN) TO THE DISTRICT ENGINEER. **SEE THE SEPARATE PCN CHECKLIST TO ENSURE THE PROSPECTIVE PERMITTEE SUBMITS THE REQUISITE INFORMATION.**

Remember, determination of completeness must be made within 30 days of the date of receipt. If all required information is not provided, the prospective permittee will be notified that the preconstruction notification (PCN) is still incomplete and the review will not commence until all requested information has been received. If the applicant has not received any written notice from the DE within **45 days** of the date of receipt of the PCN, **the verification is issued by default.**

Reviewed by: _____

Date: _____