

U.S. Army Corps of Engineers - Charleston District
Checklist for 2007 Nationwide Permit Review
Nationwide Permit 16

Return Water from Upland Contained Disposal Areas
(404)

SAC #: _____

Applicant Name: _____

Waterway/Location: _____

Project Name: _____

1. Is the proposed activity for return water from upland contained dredged material disposal areas? **Note:** *The return water from a contained disposal area is administratively defined as a discharge of dredged material by 33 CFR 323.2(d), even though the disposal itself occurs on the upland and does not require a Section 404 permit. NWP 16 satisfies the technical requirement for a Section 404 permit for the return water where the quality of the return water is controlled by the state through the Section 401 certification procedures.*

Yes ___ No

2. If the dredging is located in a navigable water of the U.S., has a separate Section 10 permit been issued for the dredging activity?

Yes ___ No NA

3. Is the dredging being performed in such a manner that the fallback into waters of the U.S. needs a separate Section 404 permit (i.e., does it have more than a *de minimus* effect)?

___ Yes No

4. Is the proposed activity located in a designated critical resource water or its adjacent wetlands?

___ Yes No

5. Are all of the applicable NWP General and Regional Conditions satisfied, including mitigation (GC #20), 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

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

Reviewed by: _____
Date: _____