

**U.S. Army Corps of Engineers - Charleston District  
Checklist for 2007 Nationwide Permit Review  
Nationwide Permit 44**

**Mining Activities  
(404)**

SAC#: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Waterway/Location: \_\_\_\_\_

Project Name: \_\_\_\_\_

1. Is the discharge of dredge or fill material into non-tidal waters of the United States for mining activities, except for coal mining activities?

Yes\*                       No

2. Will the activity result in the discharge of dredge or fill material into non-tidal wetlands adjacent to tidal waters?

Yes                       No

3. Has the permittee submitted a complete PCN for the proposed activities?

Yes                       No

4. Does the mined area within waters of the U.S., plus the average loss of waters of the U.S. resulting from support activities, exceed ½ acre?

Yes                       No

5. Is the activity a single and complete project?

Yes                       No

6. Does the discharge cause the loss of greater than 300 linear feet of streambed?

Yes                       No

7. Is the activity proposed in designated critical resource waters and/or their adjacent wetlands?

Yes                       No

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

\* - REQUIRES A PRE-CONSTRUCTION NOTIFICATION (PCN) TO THE DISTRICT ENGINEER.

**SEE THE SEPARATE PCN CHECKLIST TO ENSURE THE PROSPECTIVE PERMITTEE SUBMITS THE REQUISITE INFORMATION.**

**NOTE: THE PCN MUST INCLUDE A DELINEATION OF SPECIAL AQUATIC SITES AND OTHER WATERS OF THE UNITED STATES. WETLAND DELINEATIONS MUST BE PREPARED IN ACCORDANCE WITH THE CURRENT METHOD REQUIRED BY THE CORPS.**

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.***

**IN ADDITION, IF RECLAMATION IS REQUIRED BY OTHER STATUTES, THE PCN MUST INCLUDE A COPY OF THE RECLAMATION PLAN.**

Reviewed by:  
Date: