

Required Preconstruction Notification Contents

SAC #:

NWP:

Date Application Complete:

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 written notice from the DE within **45 days** of the date of receipt of a complete PCN, ***the verification is issued by default.*** However, if the permittee was required to notify the Corps pursuant to GC #17 (the activity may have an effect on listed species or critical habitat) or GC #18 (the activity may have the potential to cause effect to historic properties), then the activity cannot proceed until written notification from the Corps. Also, for NWPs 21, 49, or 50, work cannot proceed until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, work cannot begin until the district engineer issues the waiver.

All PCNs must be in writing, clearly indicate the document is a PCN, and include the following information:

- Name, address and telephone numbers of prospective permittee.
- Location of proposed project. This should include the following:
 - Latitude and Longitude (use center of project site)
 - County and nearest municipality
 - Street address, if available and directions to the site
- Brief description of the proposed action to include:
 - Project purpose
 - Direct and indirect adverse environmental effects the project would cause.
 - List any other Corps of Engineers (Corps) permits or verifications used or intended to be used to authorize any part of the proposed project or any related activity. Sketches of the proposed activities should be provided when necessary to show that the activity complies with the terms of the NWP.
- Description of the aquatic resources that will be adversely impacted by the activity
- Location of each proposed impact
- For activities involving discharges of dredged or fill material into waters of the United States, the application must include a statement describing how impacts to waters of the United States are to be avoided and minimized.
- The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts.
- For non-Federal applicants, if listed species or critical habitat might be affected or is in the vicinity of the project, the PCN must include the names(s) of those listed species that might be affected or utilize critical habitat. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act.
- For non-Federal applicants, if any activity may affect a historic property, the PCN must state the name of the historic property. Federal applicants are required to provide documentation demonstrating compliance with Section 106.

- A delineation of affected special aquatic sites and other waters of the United States is **required** if the project requires notification under General Condition 27. **NOTE:** *The 45-day default time clock does not start until the wetland delineation has been completed and submitted to the Corps.*
- For **NWP 3**, where maintenance dredging is proposed, the pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- For **NWP 3**, paragraph a activities. The permittee must notify the DE in accordance with GC 27, if the discharge of dredged or fill material causes the loss of greater than 1/10 acre of waters of the U.S or there is a discharge in a special aquatic site, including wetlands and riffle pool complexes.
- For **NWP 12**, where the proposed utility line is constructed or installed in navigable waters of the United States (i.e. section 10 waters), copies of the pre-construction notification and NWP verification will be sent by the Corps to the National Oceanic and atmospheric Administration (NOAA), National Ocean service (NOS), for charting the utility line to protect navigation.
- For **NWP 12**, construction techniques to prevent draining, such as anti-seep collars, will be required for utility lines buried in wetlands, when necessary. If no construction techniques to prevent draining are proposed, the applicant must provide appropriate documentation that such techniques are not required to prevent wetland drainage.
- For **NWP 12**, all notifications must include:
- Specifications of how pre-construction contours will be re-established and verified after construction;
 - A justification for the required width of all maintained utility crossings impacting waters of the U.S.;
 - A justification for the loss of waters of the U.S. impacted by utility line sub-stations.
 - The acreage of impacts to waters of the U.S indefinitely converted from a forested wetland to a herbaceous wetland and a compensatory mitigation proposal.
- For **NWP's 14, 29, 39 and 46**, all notifications must include appropriately sized and located culverts for crossings of waters of the U.S. that meet the requirements of General Conditions 2, 9 and 10.
- For **NWP 27**, notifications for aquatic habitat *restoration*, establishment, and enhancement activities will require coordination with appropriate Federal, State, and local agencies. The coordination activity will be conducted by the Corps of Engineers. Agencies will generally be granted 15 days to review and provide comments unless the District Engineer determines that an extension of the coordination period is reasonable and prudent.
- For **NWP 31**:
- Prospective permittee must notify the District Engineer with a PCN prior to conducting any maintenance activity. The PCN may be for activity-specific maintenance or for maintenance of the entire flood control facility by submitting a five-year (or less) maintenance plan.
 - The PCN must include sufficient baseline information to identify the approved channel depths and configuration of existing facilities.
 - The PCN must specify the location of the dredged material disposal site.
- For **NWP 33**, the preconstruction notification must include a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
- For **NWP 38**, notifications require the following information:
- Documentation that the specific activities are required to effect the containment, stabilization, or removal of hazardous or toxic waste materials as performed, ordered, or sponsored by a government agency with established legal or regulatory authority;
 - A narrative description indicating the size and location of the areas to be restored, the work involved and a description of the anticipated results from the restoration;

A plan for the monitoring, operation, or maintenance of the restored area.

For NWP 41, notification must be submitted for projects that require mechanized land clearing in waters of the U.S., including wetlands, in order to access or perform reshaping activities.

For NWP 44, if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

For NWP 45, the permittee must submit a pre-construction notification within 12 months of the date of damage to uplands. The PCN should include documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.