

**U.S. Army Corps of Engineers - Charleston District
Checklist for 2017 Nationwide Permit Review
Nationwide Permit 13**

**Bank Stabilization
(10/404)**

SAC#: _____

Applicant Name: _____

Waterway/Location: _____

Project Name: _____

The purpose of this Nationwide Permit (NWP) checklist is to assist with determining if a proposed activity qualifies for use of this NWP. The checklist will also assist with determining when a Pre-Construction Notification (PCN) is be required, if a PCN is incomplete, and other actions that may be required during a PCN review.

Complete Sections I and II.

I. Regional Conditions:

1. Will the proposed activity alter or temporarily occupy or use a USACE federally authorized Civil Works project (a "USACE" project") regulated by 33 U.S.C. 408?

Yes* (PCN required) No

2. If the proposed activity requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use USACE federally authorized "USACE" project, has the Charleston District issued the section 408 permission to alter, occupy, or use the USACE project?

N/A Yes No (Activity cannot be authorized by a NWP until 408 permission is issued)

3. Is the proposed activity located in or 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* (PCN required
Corps PM will
coordinate with
CESAC-OP-N)** No

4. If the proposed activity is located in or adjacent to an authorized Federal Navigation project, as listed in Regional Condition #18, does the PCN include project drawings that have the following information: a) location of the edges of the Federal channel; b) setback distances from the edge of the channel; c) the distance from watermost edge of the proposed structure or fill to the nearest edge of the channel and the Mean High and Mean Low water lines; and d) coordinates of both ends of the watermost edge of the proposed structure or fill (NAD 83 State Plane Coordinates in decimal degrees).

N/A Yes No (Incomplete PCN)

5. Is the proposed activity located in waters that are designated critical habitat under section 7 of the Endangered Species Act or waters that are proposed critical habitat? (Refer to the following National Oceanic and Atmospheric Administration (NOAA) Fisheries website for the most up-to-date information regarding Critical Habitat designations under the jurisdiction of the National Marine Fisheries Service (NMFS): http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/)

**Yes* (PCN required
–Corps PM to
determine if
coordination with
NMFS PRD is
necessary)** No

6. Is the proposed project located within a designated floodway within the FEMA Special Flood Hazard Area (SFHA)?

Yes (The permittee must comply with with Regional Condition #14.) No

7. Is the proposed project located within a designated FEMA Special Flood Hazard Area (SFHA)?

Yes (The permittee must comply with with Regional Condition #15.) No

8. Will the discharge of dredged or fill material into waters of the United States, associated with the proposed activity occur within or directly affecting Designated Critical Resource Waters, including wetlands adjacent to such waters? (Note: The ACE Basin National Estuarine Research Reserve and the North Inlet Winyah Bay National Estuarine Research Reserve are Designated Critical Resource Waters.)

N/A Yes* (PCN required) No

9. Does the proposed activity comply with the Regional Conditions #1-#9?

Yes No (Activity does not qualify for use of a NWP)

10. Does the activity comply with all of the NWP General Conditions?

Yes No (Activity does not qualify for use of a NWP)

11. If the proposed activity involves temporary structures, fills and/or work, including temporary mats, will the temporary structures, fill and/or work, including temporary mats, be in place for a period of more than 90 days per temporary impact area and/or phase of the overall project?

N/A Yes* (A PCN is required and time extension is required from the District Engineer) No

12. If the proposed activity involves temporary structures, fills and/or work, including temporary mats, will the temporary structures, fill and/or work, including temporary mats, be in place for a period of more than 180 days per temporary impact area and/or phase of the overall project?

N/A Yes (Activity does not qualify for use of a NWP) No

13. If the proposed activity requires a PCN AND involves temporary structures, fills, and/or work, including the use of temporary mats, does the PCN include a written description and/or drawings of the proposed temporary activities that will be used during project construction?

N/A Yes No (Incomplete PCN)

14. If the proposed activity requires a PCN, does the PCN include the following information:

- a. Habitat type along the shoreline;
- b. The presence of stabilization structures in the vicinity of the project;
- c. Cause/s, extent, and approximate rate of erosion (if known);
- d. Site specific information which may include: shoreline orientation, slope, bank height, tidal range, nearshore bathymetry, fetch, substrate stability, etc.;
- e. Rationale for selecting the preferred stabilization technique;
- f. A statement that structural materials toxic to aquatic organisms will not be used and if stone is proposed, a statement that only clean stone, free of exposed rebar, asphalt, plastic, soil, etc., will be used; and
- g. A statement that filter fabric will be used as appropriate when stone or other heavy material is proposed?

Yes No (Incomplete PCN)

II. Nationwide Permit 13

1. Does the proposed activity involve bank stabilization activities necessary for erosion control or prevention, such as vegetative stabilization, bioengineering, sills, rip rap revetment, gabion baskets, stream barbs, and bulkheads, or combinations of bank stabilization techniques?

Yes No (Activity does not qualify for

use of NWP 13)

2. Will the proposed bank stabilization activity involve the placement of material in excess of the minimum needed for erosion protection?

N/A Yes (Activity does not qualify for use of NWP 13) No

3. Does the proposed bank stabilization activity exceed more than 500 linear feet in length?

Yes* (PCN required- Agency coordination required. Refer to GC #32 (d) (2) (iii) and (3)) No

4. If the proposed bank stabilization activity involves more than 500 feet in length of stabilization, has the District Engineer waived this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects?

N/A Yes No (Activity does not qualify for use of NWP 13)

5. Does the bank stabilization activity involve greater than 1,000 feet in length of bulkhead along the bank?

N/A Yes (Activity does not qualify for use of NWP 13) No

6. Does the proposed bank stabilization activity involve the discharge of greater than an average of one cubic yard per running foot as measured along the length of the treated bank, below the ordinary high water mark or the high tide line?

Yes* (PCN required- Agency coordination required. Refer to GC #32 (d) (2) (iii) and (3)) No

7. If the proposed bank stabilization activity involves more than an average of one cubic yard per running foot, as measured along the length of the treated bank, below the plane of the ordinary high water mark or the high tide line, has the District Engineer waived this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects?

N/A Yes No (Activity does not qualify for use of NWP 13)

8. Does the proposed bank stabilization activity involve the discharge into a special aquatic site?

Yes* (PCN required- Agency coordination required. Refer to GC #32 (d) (2) (iii) and (3)) No

9. If the proposed bank stabilization activity involves the discharge of dredged or fill material into special aquatic sites, has the District Engineer waived this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects?

N/A Yes No (Activity does not qualify for use of NWP 13)

10. Will any of the material associated with the proposed bank stabilization activity be of the type of material or be placed in any location, or in any manner, that will impair surface water flow into or out of any waters of the United States?

Yes (Activity does not qualify for use of NWP 13) No

11. Will any of the material associated with the proposed bank stabilization activity be placed in a manner that will be eroded by normal or expected high flows?

Yes (Activity does not qualify for use of NWP 13) No

12. If the proposed bank stabilization activity involves bioengineering or vegetative bank stabilization, will native plants appropriate for the current site conditions, including salinity, be used?

N/A Yes No (Activity does not qualify for use of NWP 13)

13. Is the proposed bank stabilization activity a stream channelization activity?

Yes (Activity does not qualify for use of NWP 13) No

14. Will the proposed stabilization activity be properly maintained, which may require repairing it after severe storms or erosion events?

Yes No (Activity does not qualify for use of NWP 13)

15. Does the proposed stabilization activity involve temporary structures, fills, and work, including the use of temporary mats, necessary to construct the bank stabilization activity?

Yes No

16. If the proposed bank stabilization activity involves temporary structures, fills, and work, including the use of temporary mats, will appropriate measures be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary work, structures, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites?

N/A Yes No (Activity does not qualify for use of NWP 13)

17. If the proposed bank stabilization activity involves temporary fills, will the temporary fill consist of materials, and be placed in a manner, that will not be eroded by expected high flows?

N/A Yes No (Activity does not
qualify for use of
NWP 13)

18. If the proposed bank stabilization activity involves temporary fills, will the temporary fill be removed in their entirety, the affected areas returned to preconstruction elevations, AND the areas affected by temporary fills be revegetated, as appropriate?

N/A Yes No (Activity does not
qualify for use of
NWP 13)

Checklist Completed By: _____

Date: _____