

**U.S. Army Corps of Engineers - Charleston District  
Checklist for 2017 Nationwide Permit Review  
Nationwide Permit 33**

**Temporary Construction, Access and Dewatering  
(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. 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)

4. 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/](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

5. 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

6. 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

7. 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

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

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

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

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

10. 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

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 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

12. 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)

13. Does the proposed activity involve temporary construction, access, and dewatering activities in non-tidal waters of the United States?

Yes\* (PCN is required)  No

14. If the proposed activity involves temporary construction, access, and dewatering activities in non-tidal waters of the United States, does the PCN include a restoration plan?

N/A  Yes  No (Incomplete PCN)

## **II. Nationwide Permit 33**

1. Does the proposed activity involve temporary structures, work, and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites?

Yes  No (Activity does not qualify for use of NWP 33)

2. Is the associated primary activity authorized by the Corps of Engineers or the U.S. Coast Guard?

Yes  No

3. Are the temporary structures, work, and discharges, including cofferdams, necessary for construction activities not otherwise subject to the Corps or U.S. Coast Guard permit requirements?

Yes  No

4. Have appropriate measures been taken to maintain near normal downstream flows and to minimize flooding?

N/A  Yes  No (Activity does not qualify for use of NWP 33)

5. If the proposed activity involves fill, does the fill consist of materials, and will it 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 33)

6. If the proposed activity involves dredged material, has the District Engineer determined that it will not cause more than minimal adverse environmental effects

N/A     Yes     No (Activity does not qualify for use of NWP 33)

7. If the proposed activity involves fill, following completion of construction, will the temporary fill be entirely removed to an area that has no waters of the United States AND/OR will the dredged material be returned to its original location? will the affected areas be restored to pre-construction elevations?

N/A     Yes     No (Activity does not qualify for use of NWP 33)

8. If the proposed activity involves fill, following completion of construction, will the affected areas be restored to pre-construction elevations AND be revegetated, as appropriate?

N/A     Yes     No (Activity does not qualify for use of NWP 33)

9. If the proposed activity involves the use of cofferdams, will the cofferdams be used to dewater wetlands or other aquatic areas to change their use?

N/A     Yes (Activity does not qualify for use of NWP 33)     No

10. If the proposed activity involves structures in navigable waters of the United States, will the structures be left in place after construction is completed?

N/A     Yes (Activity requires a separate section 10 permit)     No

11. Will the proposed activity be conducted in navigable waters of the United States (i.e.

section 10 waters)?

N/A       **Yes\* (PCN required)**       No

12. If the proposed activity will be conducted in navigable waters of the United States, does the PCN include a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions?

N/A       Yes       No (Incomplete PCN)

Checklist Complete By: \_\_\_\_\_

Date: \_\_\_\_\_