

# HIGHWAY DEPARTMENT BID LETTING INSTRUCTIONS

## REQUIREMENTS

- ALL BIDDERS MUST FILL OUT THE AUTHORIZATION FORM TO BE AUTHORIZED TO BID
- The AUTHORIZATION FORM must be emailed to [ebarrett@piattcounty.org](mailto:ebarrett@piattcounty.org)
- A current copy of your IDOT CERTIFICATE OF ELIGIBILITY is also required unless you are a material supplier

Failure to submit the completed Authorization to Bid Form prior to **3:00 PM FRIDAY MAY 30, 2025** will result in the bid not being accepted.

Contractors and Material Suppliers may verify we have received their AUTHORIZATION FORM by checking the Plan Holders List

If an email address is provided, a Notice of Addenda will be sent when updates become available.



# Authorization to Bid Form

## Piatt County Highway Department

1115 N State Street, Suite 150, Monticello, Illinois, 61856

Phone: (217) 762-9481

Department Hours 7:00AM-12:00PM & 1:00PM-3:00PM

Monday thru Friday (Excluding Holidays)

Addenda will be published to our Bid Letting page in the same manner as the plans and specifications. It is the sole responsibility of the plan holder to periodically check the website for plan addenda.

ANYONE PLANNING TO PLACE A BID MUST FILL OUT THIS FORM TO BE AUTHORIZED TO BID.

- This form must be completed and either faxed to (217) 762-2470 or emailed to [ebarrett@piattcounty.org](mailto:ebarrett@piattcounty.org).
- Failure to submit this completed form will result in the bid not being accepted.
- Suppliers may verify we have received their Authorization to Bid from by checking the Plan Holder List.
- If an email address is provided a Notice of Addenda will be sent when updates are available.
- The Plan Holder List will be updated on Fridays prior to the letting.

| Authorization to Bid Form |  |
|---------------------------|--|
| Company Name:             |  |
| Address:                  |  |
| City:                     |  |
| State:                    |  |
| Zip Code:                 |  |
| Phone:                    |  |
| Fax:                      |  |
| Email:                    |  |
| Bid Letting Date:         |  |
|                           |  |

Projects Intending to Bid:

| Section Number: | Description: |
|-----------------|--------------|
|                 |              |
|                 |              |
|                 |              |
|                 |              |
|                 |              |
|                 |              |

Completed by:

Date:



COVER SHEET

Proposal Submitted By:

Contractor's Name

Contractor's Address

City

State

Zip Code

STATE OF ILLINOIS

Local Public Agency

County

Section Number

Route(s) (Street/Road Name)

Type of Funds

☐ Proposal Only ☒ Proposal and Plans ☐ Proposal only, plans are separate

Submitted/Approved

For Local Public Agency:

For a County and Road District Project

Submitted/Approved

Highway Commissioner Signature & Date

 March 19, 2025

Submitted/Approved

County Engineer/Superintendent of Highways Signature & Date

 March 19, 2025

For a Municipal Project

Submitted/Approved/Passed

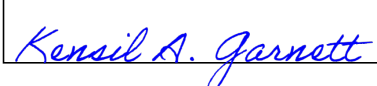
Signature & Date

Official Title

Department of Transportation

Released for bid based on limited review

Regional Engineer Signature & Date

 032025

Note: All proposal documents, including Proposal Guaranty Checks or Proposal Bid Bonds, should be stapled together to prevent loss when bids are processed.

|                     |        |                |                             |
|---------------------|--------|----------------|-----------------------------|
| Local Public Agency | County | Section Number | Route(s) (Street/Road Name) |
| Blue Ridge Township | Piatt  | 24-02125-00-DR | TR 25 & TR 96               |

### NOTICE TO BIDDERS

Sealed proposals for the project described below will be received at the office of the County Engineer,  
1115 N. State Street, Suite 150, Monticello, IL 61856 until 11:00 AM on 06/02/2025.  
 Name of Office  
 Address Time Date

Sealed proposals will be opened and read publicly at the office of the County Engineer,  
1115 N. State Street, Suite 150, Monticello, IL 61856 at 11:00 AM on 06/02/2025.  
 Name of Office  
 Address Time Date

### DESCRIPTION OF WORK

|   |                  |
|---|------------------|
| Location                                    | Project Length   |
| Blue Ridge Township, Piatt County, Illinois | 515' (0.098 mi.) |

#### Proposed Improvement

This project consists of removing two existing bridges and one existing culvert and constructing three new precast concrete box culverts, one with precast apron end section and two with tapered end sections, minimal approach roadway improvements, roadside ditch improvements, and other related work.

1. Plans and proposal forms will be available in the office of

The County Engineer,  
 1115 N. State Street, Suite 150, Monticello, IL 61856

2. ☒ Prequalification

If checked, the 2 apparent as read low bidders must file within 24 hours after the letting an "Affidavit of Availability" (Form BC 57) in triplicate, showing all uncompleted contracts awarded to them and all low bids pending award for Federal, State, County, Municipal and private work. One original shall be filed with the Awarding Authority and two originals with the IDOT District Office.

3. The Awarding Authority reserves the right to waive technicalities and to reject any or all proposals as provided in BLRS Special Provision for Bidding Requirements and Conditions for Contract Proposals.

4. The following BLR Forms shall be returned by the bidder to the Awarding Authority:

- Local Public Agency Formal Contract Proposal (BLR 12200)
- Schedule of Prices (BLR 12201)
- Proposal Bid Bond (BLR 12230) (if applicable)
- Apprenticeship or Training Program Certification (BLR 12325) (do not use for project with Federal funds.)
- Affidavit of Illinois Business Office (BLR 12326) (do not use for project with Federal funds)

5. The quantities appearing in the bid schedule are approximate and are prepared for the comparison of bids. Payment to the Contractor will be made only for the actual quantities of work performed and accepted or materials furnished according to the contract. The scheduled quantities of work to be done and materials to be furnished may be increased, decreased or omitted as hereinafter provided.

6. Submission of a bid shall be conclusive assurance and warranty the bidder has examined the plans and understands all requirements for the performance of work. The bidder will be responsible for all errors in the proposal resulting from failure or neglect to conduct an in depth examination. The Awarding Authority will, in no case, be responsible for any costs, expenses, losses or changes in anticipated profits resulting from such failure or neglect of the bidder.

7. The bidder shall take no advantage of any error or omission in the proposal and advertised contract.

8. If a special envelope is supplied by the Awarding Authority, each proposal should be submitted in that envelope furnished by the Awarding Agency and the blank spaces on the envelope shall be filled in correctly to clearly indicate its contents. When an envelope other than the special one furnished by the Awarding Authority is used, it shall be marked to clearly indicate its contents. When sent by mail, the sealed proposal shall be addressed to the Awarding Authority at the address and in care of the official in whose office the bids are to be received. All proposals shall be filed prior to the time and at the place specified in the Notice to Bidders. Proposals received after the time specified will be returned to the bidder unopened.

9. Permission will be given to a bidder to withdraw a proposal if the bidder makes the request in writing or in person before the time for opening proposals.

|                     |        |                |                             |
|---------------------|--------|----------------|-----------------------------|
| Local Public Agency | County | Section Number | Route(s) (Street/Road Name) |
| Blue Ridge Township | Piatt  | 24-02125-00-DR | TR 25 & TR 96               |

### PROPOSAL

1. Proposal of \_\_\_\_\_  

Contractor's Name

Contractor's Address
2. The plans for the proposed work are those prepared by Hutchison Engineering, Inc.  
and approved by the Department of Transportation on \_\_\_\_\_.
3. The specifications referred to herein are those prepared by the Department of Transportation and designated as "Standard Specifications for Road and Bridge Construction" and the "Supplemental Specifications and Recurring Special Provisions" thereto, adopted and in effect on the date of invitation for bids.
4. The undersigned agrees to accept, as part of the contract, the applicable Special Provisions indicated on the "Check Sheet for Recurring Special Provisions" contained in this proposal.
5. The undersigned agrees to complete the work within 45 working days or by \_\_\_\_\_ unless additional time is granted in accordance with the specifications.
6. The successful bidder at the time of execution of the contract Will be required to deposit a contract bond for the full amount of the award. When a contract bond is not required, the proposal guaranty check will be held in lieu thereof. If this proposal is accepted and the undersigned fails to execute a contract and contract bond as required, it is hereby agreed that the Bid Bond of check shall be forfeited to the Awarding Authority.
7. Each pay item should have a unit price and a total price. If no total price is shown or if there is a discrepancy between the products of the unit price multiplied by the quantity, the unit price shall govern. If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price. A bid may be declared unacceptable if neither a unit price nor a total price is shown.
8. The undersigned submits herewith the schedule of prices on BLR 12201 covering the work to be performed under this contract.
9. The undersigned further agrees that if awarded the contract for the sections contained in the combinations on BLR 12201, the work shall be in accordance with the requirements of each individual proposal for the multiple bid specified in the Schedule for Multiple Bids below.
10. A proposal guaranty in the proper amount, as specified in BLRS Special Provision for Bidding Requirements and Conditions for Contract Proposals, will be required. Bid Bonds Will be allowed as a proposal guaranty. Accompanying this proposal is either a bid bond, if allowed, on Department form BLR 12230 or a proposal guaranty check, complying with the specifications, made payable to: \_\_\_\_\_ Treasurer of Piatt County, Illinois.  
The amount of the check is \_\_\_\_\_ (\_\_\_\_\_).

#### Attach Cashier's Check or Certified Check Here

In the event that one proposal guaranty check is intended to cover two or more bid proposals, the amount must be equal to the sum of the proposal guaranties which would be required for each individual bid proposal. If the proposal guaranty check is placed in another bid proposal, state below where it may be found.

The proposal guaranty check will be found in the bid proposal for: Section Number \_\_\_\_\_.

| Local Public Agency | County | Section Number | Route(s) (Street/Road Name) |
|---------------------|--------|----------------|-----------------------------|
| Blue Ridge Township | Piatt  | 24-02125-00-DR | TR 25 & TR 96               |

## CONTRACTOR CERTIFICATIONS

The certifications hereinafter made by the bidder are each a material representation of fact upon which reliance is placed should the Department enter into the contract with the bidder.

1. **Debt Delinquency.** The bidder or contractor or subcontractor, respectively, certifies that it is not delinquent in the payment of any tax administered by the Department of Revenue unless the individual or other entity is contesting, in accordance with the procedure established by the appropriate Revenue Act, its liability for the tax or the amount of the tax. Making a false statement voids the contract and allows the Department to recover all amounts paid to the individual or entity under the contract in a civil action.
2. **Bid-Rigging or Bid Rotating.** The bidder or contractor or subcontractor, respectively, certifies that it is not barred from contracting with the Department by reason of a violation of either 720 ILCS 5/33E-3 or 720 ILCS 5/33E-4.

A violation of section 33E-3 would be represented by a conviction of the crime of bid-rigging which, in addition to Class 3 felony sentencing, provides that any person convicted of this offense, or any similar offense of any state or the United States which contains the same elements as this offense shall be barred for 5 years from the date of conviction from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent on behalf of the corporation.

A violation of Section 33E-4 would be represented by a conviction of the crime of bid-rotating which, in addition to Class 2 felony sentencing, provides that any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be permanently barred from contracting with any unit of State or Local government. No corporation shall be barred from contracting with any unit of State or Local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent on behalf of the corporation.

3. **Bribery.** The bidder or contractor or subcontractor, respectively, certifies that, it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois or any unit of local government, nor has the firm made an admission of guilt of such conduct which is a matter of record, nor has an official, agent, or employee of the firm committed bribery or attempted bribery on behalf of the firm and pursuant to the direction or authorization of a responsible official of the firm.
4. **Interim Suspension or Suspension.** The bidder or contractor or subcontractor, respectively, certifies that it is not currently under a suspension as defined in Subpart I of Title 44 Subtitle A Chapter III Part 6 of the Illinois Administrative code. Furthermore, if suspended prior to completion of this work, the contract or contracts executed for the completion of this work may be canceled.

|                     |        |                |                             |
|---------------------|--------|----------------|-----------------------------|
| Local Public Agency | County | Section Number | Route(s) (Street/Road Name) |
| Blue Ridge Township | Piatt  | 24-02125-00-DR | TR 25 & TR 96               |

### SIGNATURES

(If an individual)

Bidder Signature & Date

Business Address

City

State

Zip Code

(If a partnership)

Firm Name

Signature & Date

Title

Business Address

City

State

Zip Code

Insert the Names and Addresses of all Partners

(If a corporation)

Corporate Name

Signature & Date

Title

Business Address

City

State

Zip Code

Insert Names of Officers

President

Attest:

Secretary

Secretary

Treasurer





Contractor's Name

Contractor's Address

City

State

Zip Code

Local Public Agency

County

Section Number

Route(s) (Street/Road Name)

**Schedule for Multiple Bids**

| Combination Letter | Section Included in Combinations | Total |
|--------------------|----------------------------------|-------|
|                    |                                  |       |
|                    |                                  |       |
|                    |                                  |       |
|                    |                                  |       |
|                    |                                  |       |

**Schedule for Single Bid**

(For complete information covering these items, see plans and specifications.)

| Item Number | Items                          | Unit  | Quantity | Unit Price | Total |
|-------------|--------------------------------|-------|----------|------------|-------|
| 20200100    | Earth Excavation               | CU YD | 640      |            |       |
| 20400800    | Furnished Excavation           | CU YD | 15       |            |       |
| 20700220    | Porous Granular Embankment     | CU YD | 545      |            |       |
| 28000305    | Temporary Ditch Checks         | FOOT  | 108      |            |       |
| 28000400    | Perimeter Erosion Barrier      | FOOT  | 445      |            |       |
| 28000500    | Inlet and Pipe Protection      | EACH  | 3        |            |       |
| 28100807    | Stone Dumped Riprap,           | TON   | 160      |            |       |
|             | Class A4                       |       |          |            |       |
| 40200800    | Aggregate Surface Course,      | TON   | 798      |            |       |
|             | Type B                         |       |          |            |       |
| 48101200    | Aggregate Shoulder, Type B     | TON   | 80       |            |       |
| 50100100    | Removal of Existing Structures | EACH  | 2        |            |       |
| 50105220    | Pipe Culvert Removal           | FOOT  | 290      |            |       |
| 50200450    | Removal and Disposal of        | CU YD | 80       |            |       |
|             | Unsuitable Material for        |       |          |            |       |
|             | Structures                     |       |          |            |       |
| 54001001    | Box Culvert End Sections,      | EACH  | 2        |            |       |
|             | Culvert No. 1                  |       |          |            |       |
| 54001002    | Box Culvert End Sections,      | EACH  | 2        |            |       |
|             | Culvert No. 2                  |       |          |            |       |

| Local Public Agency     |                                 | County |          | Section Number |       | Route(s) (Street/Road Name) |
|-------------------------|---------------------------------|--------|----------|----------------|-------|-----------------------------|
| Blue Ridge Township     |                                 | Piatt  |          | 24-02125-00-DR |       | All Culvert Locations       |
| Item Number             | Items                           | Unit   | Quantity | Unit Price     | Total |                             |
| 54001003                | Box Culvert End Sections,       | EACH   | 2        |                |       |                             |
|                         | Culvert No. 3                   |        |          |                |       |                             |
| 54011006                | Precast Concrete Box Culverts   | FOOT   | 108      |                |       |                             |
|                         | 10' x 6'                        |        |          |                |       |                             |
| 54011206                | Precast Concrete Box Culverts   | FOOT   | 30       |                |       |                             |
|                         | 12' x 6'                        |        |          |                |       |                             |
| 542D0217                | Pipe Culverts, Class D,         | FOOT   | 52       |                |       |                             |
|                         | Type 1 12"                      |        |          |                |       |                             |
| 542D0223                | Pipe Culverts, Class D,         | FOOT   | 56       |                |       |                             |
|                         | Type 1 18"                      |        |          |                |       |                             |
| 542D0229                | Pipe Culverts, Class D,         | FOOT   | 54       |                |       |                             |
|                         | Type 1 24"                      |        |          |                |       |                             |
| 59100100                | Geocomposite Wall Drain         | SQ YD  | 220      |                |       |                             |
| X2501000                | Seeding, Class 2 (Special)      | ACRE   | 0.4      |                |       |                             |
| X5810103                | Membrane Waterproofing          | SQ YD  | 220      |                |       |                             |
|                         | System for Buried Structures    |        |          |                |       |                             |
| X7010216                | Traffic Control and Protection, | L SUM  | 1        |                |       |                             |
|                         | (Special)                       |        |          |                |       |                             |
| XX009301                | Field Tile Adjustment           | FOOT   | 300      |                |       |                             |
|                         |                                 |        |          |                |       |                             |
| Bidder's Total Proposal |                                 |        |          |                |       |                             |

1. Each pay item should have a unit price and a total price.
2. If no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity, the unit price shall govern.
3. If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.
4. A bid may be declared unacceptable if neither a unit price or total price is shown.



|  |                 |                                  |
|--|-----------------|----------------------------------|
| Local Public Agency<br>Blue Ridge Township | County<br>Piatt | Section Number<br>24-02125-00-DR |
|--|-----------------|----------------------------------|

WE, \_\_\_\_\_ as PRINCIPAL, and  
\_\_\_\_\_ as SURETY, are held jointly,

severally and firmly bound unto the above Local Public Agency (hereafter referred to as "LPA") in the penal sum of 5% of the total bid price, or for the amount specified in the proposal documents in effect on the date of invitation for bids, whichever is the lesser sum. We bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly pay to the LPA this sum under the conditions of this instrument.

WHEREAS THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the said PRINCIPAL is submitting a written proposal to the LPA acting through its awarding authority for the construction of the work designated as the above section.

THEREFORE if the proposal is accepted and a contract awarded to the PRINCIPAL by the LPA for the above designated section and the PRINCIPAL shall within fifteen (15) days after award enter into a formal contract, furnish surety guaranteeing the faithful performance of the work, and furnish evidence of the required insurance coverage, all as provided in the "Standard Specifications for Road and Bridge Construction" and applicable Supplemental Specifications, then this obligation shall become void; otherwise it shall remain in full force and effect.

IN THE EVENT the LPA determines the PRINCIPAL has failed to enter into a formal contract in compliance with any requirements set forth in the preceding paragraph, then the LPA acting through its awarding authority shall immediately be entitled to recover the full penal sum set out above, together with all court costs, all attorney fees, and any other expense of recovery.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective officers this \_\_\_\_\_ of \_\_\_\_\_  
Day Month and Year

**Principal**

Company Name

Signature & Date

By:

Title

Company Name

Signature & Date

By:

Title

(If Principal is a joint venture of two or more contractors, the company names, and authorized signatures of each contractor must be affixed.)

**Surety**

Name of Surety

Signature of Attorney-in-Fact Signature & Date

By:

STATE OF IL

COUNTY OF

I \_\_\_\_\_, a Notary Public in and for said county do hereby certify that

(Insert names of individuals signing on behalf of PRINCIPAL & SURETY)

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL and SURETY, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instruments as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month and Year

(SEAL, if required by the LPA)

Notary Public Signature & Date

Date commission expires \_\_\_\_\_

Local Public Agency

County

Section Number

Blue Ridge Township

Piatt

24-02125-00-DR

ELECTRONIC BID BOND

☐ **Electronic bid bond is allowed (box must be checked by LPA if electronic bid bond is allowed)**

The Principal may submit an electronic bid bond, in lieu of completing the above section of the Proposal Bid Bond Form. By providing an electronic bid bond ID code and signing below, the Principal is ensuring the identified electronic bid bond has been executed and the Principal and Surety are firmly bound unto the LPA under the conditions of the bid bond as shown above. (If PRINCIPAL is a joint venture of two or more contractors, an electronic bid bond ID code, company/Bidder name title and date must be affixed for each contractor in the venture.)

Electronic Bid Bond ID Code

|  |  |  |  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|--|--|--|

Company/Bidder Name

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|  |
|--|

Signature & Date

|  |
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|  |
|--|

Title

|  |
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|  |
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| Local Public Agency | County | Street Name/Road Name | Section Number |
|---------------------|--------|-----------------------|----------------|
| Blue Ridge Township | Piatt  | TR 25 & TR 96         | 24-02125-00-DR |

**All contractors are required to complete the following certification**

- ☒ For this contract proposal or for all bidding groups in this deliver and install proposal.
- ☐ For the following deliver and install bidding groups in this material proposal.

|  |
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Illinois Department of Transportation policy, adopted in accordance with the provisions of the Illinois Highway Code, requires this contract to be awarded to the lowest responsive and responsible bidder. The award decision is subject to approval by the Department. In addition to all other responsibility factors, this contract or deliver and install proposal requires all bidders and all bidder's subcontractors to disclose participation in apprenticeship or training programs that are (1) approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training, and (2) applicable to the work of the above indicated proposals or groups. Therefore, all bidders are required to complete the following certification:

1. Except as provided in paragraph 4 below, the undersigned bidder certifies that it is a participant, either as an individual or as part of a group program, in an approved apprenticeship or training program applicable to each type of work or craft that the bidder will perform with its own employees.
2. The undersigned bidder further certifies, for work to be performed by subcontract, that each of its subcontractors either (A) is, at the time of such bid, participating in an approved, applicable apprenticeship or training program; or (B) will, prior to commencement of performance of work pursuant to this contract, establish participation in an approved apprenticeship or training program applicable to the work of the subcontract.
3. The undersigned bidder, by inclusion in the list in the space below, certifies the official name of each program sponsor holding the Certificate of Registration for all of the types of work or crafts in which the bidder is a participant and that will be performed with the bidder's employees. Types of work or craft that will be subcontracted shall be included and listed as subcontract work. The list shall also indicate any type of work or craft job category for which there is no applicable apprenticeship or training program available.

|  |
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4. Except for any work identified above, if any bidder or subcontractor shall perform all or part of the work of the contract or deliver and install proposal solely by individual owners, partners or members and not by employees to whom the payment of prevailing rates of wages would be required, check the following box, and identify the owner/operator workforces and positions of ownership. ☐

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The requirements of this certification and disclosure are a material part of the contract, and the contractor shall require this certification provision to be included in all approved subcontracts. The bidder is responsible for making a complete report and shall make certain that each type of work or craft job category that will be utilized on the project is accounted for and listed. The Department at any time before or afterward may require the production of a copy of each applicable Certificate of Registration issued by the United States Department of Labor evidencing such participation by the contractor and any or all of its subcontractors. In order to fulfill the participation requirement, it shall not be necessary that any applicable program sponsor be currently taking or that it will take applications for apprenticeship, training or employment during the performance of the work of this contract or deliver and install proposal.

|  |                  |  |          |  |  |  |  |
|--|------------------|--|----------|--|--|--|--|
| Bidder                                       | Signature & Date |  |          |  |  |  |  |
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| Title  |                  |  |          |  |  |  |  |
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| Address                                      | City             | State  | Zip Code |  |  |  |  |
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|  |                  |  |          |  |  |  |  |
|  |                  |  |          |  |  |  |  |
|  |                  |  |          |  |  |  |  |



**Affidavit of Illinois Business Office**

| Local Public Agency | County | Street Name/Road Name | Section Number |
|---------------------|--------|-----------------------|----------------|
| Blue Ridge Township | Piatt  | TR 25 & TR 96         | 24-02125-00-DR |

I, \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_,  
Name of Affiant City of Affiant State of Affiant  
being first duly sworn upon oath, state as follows:

1. That I am the \_\_\_\_\_ of \_\_\_\_\_.  
Officer or Position Bidder
2. That I have personal knowledge of the facts herein stated.
3. That, if selected under the proposal described above, \_\_\_\_\_, will maintain a business office in the  
Bidder  
State of Illinois, which will be located in \_\_\_\_\_ County, Illinois.  
County
4. That this business office will serve as the primary place of employment for any persons employed in the construction contemplated by this proposal.
5. That this Affidavit is given as a requirement of state law as provided in Section 30-22(8) of the Illinois Procurement Code.

Signature & Date

|  |
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|  |
|--|

Print Name of Affiant

|  |
|--|
|  |
|--|

**Notary Public**

State of IL

County \_\_\_\_\_

Signed (or subscribed or attested) before me on \_\_\_\_\_ by  
(date)

\_\_\_\_\_, authorized agent(s) of  
(name/s of person/s)

\_\_\_\_\_  
Bidder

Notary Public Signature & Date

|  |
|--|
|  |
|--|

(SEAL)

My commission expires \_\_\_\_\_

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## **Special Provisions**

The following Special Provisions supplement the “Standard Specifications for Road and Bridge Construction”, adopted January 1, 2022, the latest edition of the “Illinois Manual on Uniform Traffic Control Devices for Streets and Highways”, and the “Manual of Test Procedures for Materials” in effect on the date of invitation for bids, and the “Supplemental Specifications and Recurring Special Provisions”, indicated on the Check Sheet included herein, which apply to and govern the construction of Piatt County and Blue Ridge Township Section 24-02125-00-DR, and in case of conflict with any part, or parts of said Specifications, the said Special Provision shall take precedence and shall govern.

### **Location of Work:**

Location #1: This culvert is located in Piatt County, Illinois approximately 2.5 miles southwest of Mansfield, Illinois on Township Road 25 (E 2750 North Road) over Goose Creek in Section 17, Township 20 North, Range 6 East of the 3<sup>rd</sup> PM.

Location #2: This culvert is located in Piatt County, Illinois approximately 2.0 miles southwest of Mansfield, Illinois on Township Road 25 (E 2750 North Road) over Tributary To Goose Creek in Section 16, Township 20 North, Range 6 East of the 3<sup>rd</sup> PM.

Location #3: This culvert is located in Piatt County, Illinois approximately 2.0 miles southwest of Mansfield, Illinois on Township Road 96 (N 1100 East Road) over Tributary To Goose Creek on the section line of Section 16/17, Township 20 North, Range 6 East of the 3<sup>rd</sup> PM.

### **Description of Work:**

Location #1: This work consists of removal of the existing single span concrete bridge and construction of a single 12’x6’ precast concrete box culvert with precast concrete apron end sections. Also included are removal and disposal of unsuitable material for structures, erosion control measures, seeding, improvement of Township Road 25 with an aggregate surface, roadside ditch improvements, and other related work. Contractor shall be responsible for contacting BP Pipelines when working in BP right of Way. BP’s representative can be reached at christopher.huskey@bp.com or 217-671-8617.

Location #2: This work consists of removal of the existing corrugated metal pipe culvert and construction of a single 10’x6’ precast concrete box culvert with precast concrete tapered end sections. Also included are removal and disposal of unsuitable material for structures, erosion control measures, seeding, improvement of Township Road 25 with an aggregate surface, roadside ditch improvements, and other related work.

Location #3: This work consists of removal of the existing single span concrete bridge and construction of a single 10’x6’ precast concrete box culvert with precast concrete

tapered end sections. Also included are removal and disposal of unsuitable material for structures, erosion control measures, seeding, improvement of Township Road 96 with an aggregate surface, roadside ditch improvements, and other related work.

**Standards in the Plans:** The Standards with the revision number listed in the list of required Standards, included in the Plans, shall hold precedence over the Standard number listed in the Special Provisions or elsewhere in the plans of this contract.

**J.U.L.I.E. System:** The toll free number for the Joint Utility Location Information for Excavators is 800-892-0123 or 811.

**Prevailing Wage Rates:** This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed.

For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor (IDOL) website at:

<https://www2.illinois.gov/idol/Pages/default.aspx>.

The Illinois Department of Labor revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates.

**Traffic Control and Protection, (Special):** Traffic control shall be in accordance with the applicable sections of the Standard Specifications for Road and Bridge Construction, the applicable guidelines contained in the Manual on Uniform Traffic Control Devices for Streets and Highways, these Special Provisions, and any details and Highway Standards contained herein and in the plans.

Special attention is called to Article 107.09 and Section 701 of the Standard Specifications for Road and Bridge Construction and the following Highway Standards.

Standard 701901  
BLR Std. 21

All advance warning signs shall be new or in like new condition at the start of the project. The contractor shall be responsible for the condition and placement of traffic control devices at all times during construction activities and throughout shutdown periods.

Sign posts shall be 4x4 inch wood posts according to Article 1007.05. The use of metal posts will not be permitted.

Type III Barricades and advance warning signs shall be erected at each end of the section under construction to safeguard the public, while warning signs shall be erected notifying traffic of construction of the project. The Contractor shall furnish all barricades and signs required. Each Type III Barricade at the road closure shall be equipped with two Type A warning lights and shall be held in place by a minimum of eight sandbags.

The Contractor will be required to close Township Road 25 and Township Road 96 to all traffic during the construction of this project. Barricades and warning signs shall be erected at each end of the section under construction to safeguard the public, while R11-3a signs shall be erected, notifying traffic that the road is closed. Access to all adjacent properties shall be maintained during construction of this project. Traffic control and protection shall be in accordance with the standards included in the plans and shall be paid for at the contract lump sum price for TRAFFIC CONTROL AND PROTECTION, (SPECIAL), which price shall be payment in full for all materials, labor, and equipment required for this item as specified and to the satisfaction of the Engineer.

**Responsibility of the Contractor:** It shall be the Contractor's responsibility to abide by any and all conditions contained within the U.S. Army Corps of Engineers – Nationwide Permit No. 14 for Linear Transportation Projects. The Contractor shall abide by the terms and conditions contained within the enclosed Fact Sheet No. 9 for Illinois, the Illinois Regional Conditions, and the Environmental Protection Agency Section 401 Water Quality Certification.

The Contractor, otherwise, shall obtain his/her own Individual Permit from the Corps prior to beginning any work on or adjacent to the waterway.

The Contractor shall be responsible for denying public use/access of any temporary crossing he/she may construct.

**Shop Drawings:** Shop Drawings shall be submitted for checking and approval to Hutchison Engineering, Inc., 1801 West Lafayette, P.O. Box 820, Jacksonville, IL 62651, or by email at: [info@hutchisoneng.com](mailto:info@hutchisoneng.com).

**Removal of Existing Structures:**

Location #1: This work shall consist of the Contractor removing and disposing of the existing structure. The existing structure consists of a single span concrete slab bridge on closed concrete abutments with concrete wingwalls. The structure is ~10'-0" in length and is not skewed.

Location #3: This work shall consist of the Contractor removing and disposing of the existing structure. The existing structure consists of a single span concrete thru girder/slab bridge on closed concrete abutments with concrete wingwalls. The structure is ~10'-0" in length and is skewed at 30° right ahead.

Removal of the structures shall be done in accordance with the applicable portions of Section 501 of the Standard Specifications for Road and Bridge Construction. There will be no salvage of the structures being removed.

This item will be paid for at the contract unit price per each for REMOVAL OF EXISTING STRUCTURES, which price shall be payment in full for all materials, labor, and equipment necessary to complete this item as specified and to the satisfaction of the Engineer.

**Seeding, Class 2 (Special):** This work shall be done in accordance with Sections 250 and 251 of the Standard Specifications for Road and Bridge Construction and the following provisions:

Add the following to Article 250.03.

- (i) Tiller Rake.....1101.08(i)

Add the following to Article 1101.08(i).

- (i) Tiller Rake: The tiller rake attachment shall consist of a spring shank cultivator to which rear crossbars are attached. This attachment shall be designed to break up clods and lumps, deposit them in hollows and depressions, and then permit the rear fine tooth crossbars to gradually distribute the finer soil into a smooth distribution of material. The tiller rake attachment shall have a cutting swath of no less than 7 feet, and the cultivator attached shall not have less than 12 tines equipped with 10 cultivating shovels. An adjustable hand and pitch control wheel shall be provided for the tiller rake depth adjustment.

This unit shall be designed for mounting on the three-point hydraulically operated tractor drawbar.

Revise the third paragraph of Article 250.04 to read as follows:

“The fertilizer nutrients shall be applied at a rate of 270 pounds of actual nutrients per acre at 1:1:1 ratio as follows.”

|                                 |                        |
|---------------------------------|------------------------|
| Nitrogen Fertilizer Nutrients   | 90 lb/acre (100 kg/ha) |
| Phosphorus Fertilizer Nutrients | 90 lb/acre (100 kg/ha) |
| Potassium Fertilizer Nutrients  | 90 lb/acre (100 kg/ha) |

Revise the first sentence of the first paragraph of Article 1081.08 to read as follows:

“The fertilizer furnished shall be a ready mix material having a ratio of 1-1-1.”

Revise the sixth sentence of the first paragraph of Article 250.06 to read as follows:

“When seed or fertilizer is applied with a hydraulic seeder, the rate of application shall be not less than 500 gallons of slurry per acre.”

Seeded areas shall be mulched in accordance with Article 251.03. The Contractor shall use Procedure 1 of Method 2. Mulch shall be applied at a rate of 2 tons per acre.

Revise Articles 250.10 and 251.07 so that the following applies:

**Basis of Payment:** This work shall be paid for at the contract unit price per acre for SEEDING, CLASS 2 (SPECIAL). The items of Mulch and Fertilizer Nutrients will not be paid for separately, but shall be included in the cost of the contract unit price per acre for SEEDING, CLASS 2 (SPECIAL).

**Porous Granular Embankment:** This item shall consist of the placement of Porous Granular Embankment in accordance with the applicable portions of Sections 207 and 1004 of the Standard Specifications for Road and Bridge Construction and the project plans. The material used for the embankment shall conform to the coarse aggregate gradations of Section 1004 of the Standard Specifications.

Placement of this embankment will be paid for at the contract unit price per cubic yard for POROUS GRANULAR EMBANKMENT, which price shall be payment in full for furnishing all material, labor, and equipment required for this item as specified and to the satisfaction of the Engineer.

**Stone Dumped Riprap, Class A4:** This work shall consist of furnishing, transporting, and placing a protective course of stone laid as riprap at locations as shown on the plans and as directed by the Engineer. The riprap shall be a minimum of 16" thick.

The materials used for riprap shall be stone conforming to Quality Designation A of Article 1005.01(b) of the Standard Specifications.

The material used for riprap shall conform to Gradation Number RR4 of Article 1005.01(c) of the Standard Specifications.

Foundation preparation and placement shall be done in accordance with Articles 281.03 and 281.04 of the Standard Specifications, except bedding and filter fabric will not be required.

Riprap shall be measured for payment in tons in accordance with Article 281.06.

This work will be paid for at the contract unit price per ton measured as specified herein for STONE DUMPED RIPRAP, CLASS A4, which price shall include all materials, excavation, labor, and equipment necessary to complete the work as specified and to the satisfaction of the Engineer.

**Field Tile Adjustment:** Existing field tile/tile outlets located near the existing structure/roadway may require adjustment/relocation to allow for construction of the proposed roadway/bridge. The final decision as to whether a tile requires adjustment, where new outlets will be placed and the limits of the tile to be relocated shall be determined in the field by the Engineer. All adjusted field tile outlets shall be adjusted so that the outlets flow in the same direction as the channel, or at a minimum, the tile outlets shall be perpendicular to the channel. Suitable existing materials may be used for the relocation at the discretion of the Engineer. All new pipe, connections, and other materials required for the relocation and all methods used in the relocation process shall be in accordance with Standard Specifications for Road and Bridge Construction and shall be completed to the satisfaction of the Engineer.

Relocation/adjustment of the tile will be paid for at the contract unit price per foot for FIELD TILE ADJUSTMENT, which price shall be payment in full for furnishing all material, labor, and equipment required for this item as specified and to the satisfaction of the Engineer.

**Pipe Culverts, Class D, Type 1:** This item shall consist of the placement of Class D Type 1 Culverts in accordance with the applicable portions of Section 542 of the Standard Specifications for Road and Bridge Construction and the project plans. The use of plastic pipe options will not be allowed. The pipe culverts shall be concrete or metal.

This work shall be paid for at the contract unit price per foot for PIPE CULVERTS, CLASS D, TYPE 1 of the size indicated on the plans, which price shall be payment in full for furnishing all materials, labor and equipment for this item as specified and to the satisfaction of the Engineer.

**Status of Utilities to be Adjusted:**

| Name and Address  | Type               | Location           | Estimated Date Relocation Completed |
|---|--------------------|--------------------|-------------------------------------|
| <u>Location #1:</u>   |                    |                    |                                     |
| Ameren<br>6 Richard Mark Way<br>Collinsville, IL 62234                      | Electric           | Throughout Project | Prior To / During Construction      |
| Frontier Communications<br>109 East Market Street<br>Bloomington, IL 61701  | Telephone          | Throughout Project | TBD                                 |
| Chicap Pipeline<br>30 South Wacker Drive, Suite 900<br>Chicago, IL, 60606   | Petroleum Pipeline | Throughout Project | N/A                                 |
| <u>Location #2 &amp; Location #3:</u>                                       |                    |                    |                                     |
| Frontier Communications<br>109 East Market Street<br>Bloomington, IL, 61701 | Telephone          | Throughout Project | TBD                                 |
| Ameren<br>6 Richard Mark Way<br>Collinsville, IL 62234                      | Electric           | Throughout Project | Prior To / During Construction      |

Plans sent to utilities:

**Location #1:**

Ameren: October 31<sup>st</sup>, 2024

Response: 11/1/2024 – Electric lines on the north side of TR 25.

Leslie Crownover – lcrownover@ameren.com

Frontier Communications: October 31<sup>st</sup>, 2024

Response: 11/19/2024 – Cables within project limits, may be abandoned  
if no longer in use.

Jessica Becker – jessica.l.ward@ftr.com

Chicap Pipeline: October 31<sup>st</sup>, 2024

Response: 11/1/2024 – Petroleum pipeline crosses under road west of the  
existing structure

Alicia Haley – alicia.haley@bp.com

Location #2 & Location #3:

Frontier Communications: October 31<sup>st</sup>, 2024

Response: 11/19/2024 – Cables within project limits, may be abandoned  
if no longer in use.

Jessica Becker – jessica.l.ward@ftr.com

Ameren: October 31<sup>st</sup>, 2024

Response: 11/1/2024 – Electric lines on the north side of TR 25.

Leslie Crownover – lcrownover@ameren.com

The above represents the best information of the department and is only included for the convenience of the bidder. The applicable provisions of Article 105.07 and 107.20 of the Standard Specifications for Road and Bridge Construction shall apply.

If any utility adjustment or removal has not been completed when required by the Contractor's operations, the Contractor should notify the Engineer in writing. A request for an extension of time will be considered to the extent the Contractor's operations were affected.



INDEX  
FOR  
SUPPLEMENTAL SPECIFICATIONS  
AND RECURRING SPECIAL PROVISIONS

Adopted January 1, 2025

This index contains a listing of SUPPLEMENTAL SPECIFICATIONS, frequently used RECURRING SPECIAL PROVISIONS, and LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS.

ERRATA    Standard Specifications for Road and Bridge Construction  
              (Adopted 1-1-22) (Revised 1-1-25)

SUPPLEMENTAL SPECIFICATIONS

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| 204    Borrow and Furnished Excavation .....           | 2               |
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| 211    Topsoil and Compost .....                       | 4               |
| 406    Hot-Mix Asphalt Binder and Surface Course ..... | 5               |
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| 420    Portland Cement Concrete Pavement .....         | 8               |
| 502    Excavation for Structures .....                 | 9               |
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| 586    Granular Backfill for Structures .....          | 47              |
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## Check Sheet for Recurring Special Provisions

Local Public Agency

County

Section Number

Blue Ridge Township

Piatt

24-02125-00-DR

☐ Check this box for lettings prior to 01/01/2025

The Following Recurring Special Provisions Indicated By An "X" Are Applicable To This Contract And Are Included By Reference:

### Recurring Special Provisions

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|---------------|---|----------|
| 1             | <input type="checkbox"/> Additional State Requirements for Federal-Aid Construction Contracts | 79       |
| 2             | <input type="checkbox"/> Subletting of Contracts (Federal-Aid Contracts)                      | 82       |
| 3             | <input type="checkbox"/> EEO  | 83       |
| 4             | <input type="checkbox"/> Specific EEO Responsibilities Non Federal-Aid Contracts              | 93       |
| 5             | <input type="checkbox"/> Required Provisions - State Contracts                                | 98       |
| 6             | <input type="checkbox"/> Asbestos Bearing Pad Removal   | 104      |
| 7             | <input type="checkbox"/> Asbestos Waterproofing Membrane and Asbestos HMA Surface Removal     | 105      |
| 8             | <input checked="" type="checkbox"/> Temporary Stream Crossings and In-Stream Work Pads        | 106      |
| 9             | <input type="checkbox"/> Construction Layout Stakes   | 107      |
| 10            | <input type="checkbox"/> Use of Geotextile Fabric for Railroad Crossing                       | 110      |
| 11            | <input type="checkbox"/> Subsealing of Concrete Pavements                                     | 112      |
| 12            | <input type="checkbox"/> Hot-Mix Asphalt Surface Correction                                   | 116      |
| 13            | <input type="checkbox"/> Pavement and Shoulder Resurfacing                                    | 118      |
| 14            | <input type="checkbox"/> Patching with Hot-Mix Asphalt Overlay Removal                        | 119      |
| 15            | <input type="checkbox"/> Polymer Concrete   | 121      |
| 16            | <input type="checkbox"/> Reserved   | 123      |
| 17            | <input type="checkbox"/> Bicycle Racks  | 124      |
| 18            | <input type="checkbox"/> Temporary Portable Bridge Traffic Signals                            | 126      |
| 19            | <input type="checkbox"/> Nighttime Inspection of Roadway Lighting                             | 128      |
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| 21            | <input type="checkbox"/> Calcium Chloride Accelerator for Portland Cement Concrete            | 130      |
| 22            | <input type="checkbox"/> Quality Control of Concrete Mixtures at the Plant                    | 131      |
| 23            | <input type="checkbox"/> Quality Control/Quality Assurance of Concrete Mixtures               | 139      |
| 24            | <input type="checkbox"/> Reserved   | 155      |
| 25            | <input type="checkbox"/> Reserved   | 156      |
| 26            | <input type="checkbox"/> Temporary Raised Pavement Markers                                    | 157      |
| 27            | <input type="checkbox"/> Restoring Bridge Approach Pavements Using High-Density Foam          | 158      |
| 28            | <input type="checkbox"/> Portland Cement Concrete Inlay or Overlay                            | 161      |
| 29            | <input type="checkbox"/> Portland Cement Concrete Partial Depth Hot-Mix Asphalt Patching      | 165      |
| 30            | <input type="checkbox"/> Longitudinal Joint and Crack Patching                                | 168      |
| 31            | <input checked="" type="checkbox"/> Concrete Mix Design - Department Provided                 | 170      |
| 32            | <input type="checkbox"/> Station Numbers in Pavements or Overlays                             | 171      |

Blue Ridge Township

Piatt

24-02125-00-DR

The Following Local Roads And Streets Recurring Special Provisions Indicated By An "X" Are Applicable To This Contract And Are Included By Reference:

Local Roads And Streets Recurring Special Provisions

| <u>Check Sheet #</u> |  | <u>Page No.</u> |
|----------------------|--|-----------------|
| LRS 1                | <b>Reserved</b>  | 173             |
| LRS 2                | <input checked="" type="checkbox"/> Furnished Excavation                                       | 174             |
| LRS 3                | <input checked="" type="checkbox"/> Work Zone Traffic Control Surveillance                     | 175             |
| LRS 4                | <input type="checkbox"/> Flaggers in Work Zones  | 176             |
| LRS 5                | <input checked="" type="checkbox"/> Contract Claims  | 177             |
| LRS 6                | <input checked="" type="checkbox"/> Bidding Requirements and Conditions for Contract Proposals | 178             |
| LRS 7                | <input type="checkbox"/> Bidding Requirements and Conditions for Material Proposals            | 184             |
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| LRS 9                | <input type="checkbox"/> Bituminous Surface Treatments   | 191             |
| LRS 10               | <b>Reserved</b>  | 195             |
| LRS 11               | <input checked="" type="checkbox"/> Employment Practices                                       | 196             |
| LRS 12               | <input checked="" type="checkbox"/> Wages of Employees on Public Works                         | 198             |
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| LRS 14               | <input type="checkbox"/> Paving Brick and Concrete Paver Pavements and Sidewalks               | 201             |
| LRS 15               | <input checked="" type="checkbox"/> Partial Payments   | 204             |
| LRS 16               | <input type="checkbox"/> Protests on Local Lettings  | 205             |
| LRS 17               | <input checked="" type="checkbox"/> Substance Abuse Prevention Program                         | 206             |
| LRS 18               | <input type="checkbox"/> Multigrade Cold Mix Asphalt   | 207             |
| LRS 19               | <input type="checkbox"/> Reflective Crack Control Treatment                                    | 208             |

State of Illinois  
Department of Transportation  
Bureau of Local Roads and Streets

SPECIAL PROVISION  
FOR  
INSURANCE

Effective: February 1, 2007  
Revised: August 1, 2007

All references to Sections or Articles in this specification shall be construed to mean specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation.

The Contractor shall name the following entities as additional insured under the Contractor's general liability insurance policy in accordance with Article 107.27:

Piatt County Highway Department

Blue Ridge Township

The entities listed above and their officers, employees, and agents shall be indemnified and held harmless in accordance with Article 107.26.

State of Illinois  
Department of Transportation  
Bureau of Local Roads and Streets  
SPECIAL PROVISION  
FOR  
CONSTRUCTION AND MAINTENANCE SIGNS

Effective: January 1, 2004  
Revised: June 1, 2007

All references to Sections or Articles in this specification shall be construed to mean a specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation.

701.14. Signs. Add the following paragraph to Article 701.14:

All warning signs shall have minimum dimensions of 1200 mm x 1200 mm (48" x 48") and have a black legend on a fluorescent orange reflectorized background, meeting, as a minimum, Type AP reflectivity requirements of Table 1091-2 in Article 1091.02.

**BDE SPECIAL PROVISIONS**  
For the April 25 and June 13, 2025 Lettings

The following special provisions indicated by a “check mark” are applicable to this contract and will be included by the Project Coordination and Implementation Section of the Bureau of Design & Environment (BDE).

| File Name | #     |    | Special Provision Title   | Effective      | Revised       |
|-----------|-------|----|---|----------------|---------------|
|           | 80099 | 1  | <input type="checkbox"/> Accessible Pedestrian Signals (APS)  | April 1, 2003  | Jan. 1, 2022  |
|           | 80274 | 2  | <input type="checkbox"/> Aggregate Subgrade Improvement   | April 1, 2012  | April 1, 2022 |
|           | 80192 | 3  | <input type="checkbox"/> Automated Flagger Assistance Devices   | Jan. 1, 2008   | April 1, 2023 |
|           | 80173 | 4  | <input type="checkbox"/> Bituminous Materials Cost Adjustments  | Nov. 2, 2006   | Aug. 1, 2017  |
|           | 80426 | 5  | <input type="checkbox"/> Bituminous Surface Treatment with Fog Seal                                   | Jan. 1, 2020   | Jan. 1, 2022  |
| *         | 80241 | 6  | <input type="checkbox"/> Bridge Demolition Debris   | July 1, 2009   |               |
| *         | 50531 | 7  | <input type="checkbox"/> Building Removal   | Sept. 1, 1990  | Aug. 1, 2022  |
| *         | 50261 | 8  | <input type="checkbox"/> Building Removal with Asbestos Abatement                                     | Sept. 1, 1990  | Aug. 1, 2022  |
|           | 80460 | 9  | <input checked="" type="checkbox"/> Cement, Finely Divided Minerals, Admixtures, Concrete, and Mortar | Jan. 1, 2025   |               |
|           | 80384 | 10 | <input checked="" type="checkbox"/> Compensable Delay Costs   | June 2, 2017   | April 1, 2019 |
| *         | 80198 | 11 | <input type="checkbox"/> Completion Date (via calendar days)  | April 1, 2008  |               |
| *         | 80199 | 12 | <input type="checkbox"/> Completion Date (via calendar days) Plus Working Days                        | April 1, 2008  |               |
|           | 80461 | 13 | <input type="checkbox"/> Concrete Barrier   | Jan. 1, 2025   |               |
|           | 80453 | 14 | <input type="checkbox"/> Concrete Sealer  | Nov. 1, 2023   |               |
|           | 80261 | 15 | <input type="checkbox"/> Construction Air Quality – Diesel Retrofit                                   | June 1, 2010   | Jan. 1, 2025  |
| *         | 80029 | 16 | <input type="checkbox"/> Disadvantaged Business Enterprise Participation                              | Sept. 1, 2000  | Jan. 2, 2025  |
|           | 80229 | 17 | <input type="checkbox"/> Fuel Cost Adjustment   | April 1, 2009  | Aug. 1, 2017  |
|           | 80452 | 18 | <input type="checkbox"/> Full Lane Sealant Waterproofing System                                       | Nov. 1, 2023   |               |
|           | 80447 | 19 | <input type="checkbox"/> Grading and Shaping Ditches  | Jan. 1, 2023   |               |
|           | 80433 | 20 | <input type="checkbox"/> Green Preformed Thermoplastic Pavement Markings                              | Jan. 1, 2021   | Jan. 1, 2022  |
|           | 80456 | 21 | <input type="checkbox"/> Hot-Mix Asphalt  | Jan. 1, 2024   | Jan. 1, 2025  |
|           | 80446 | 22 | <input type="checkbox"/> Hot-Mix Asphalt - Longitudinal Joint Sealant                                 | Nov. 1, 2022   | Aug. 1, 2023  |
|           | 80438 | 23 | <input type="checkbox"/> Illinois Works Apprenticeship Initiative – State Funded Contracts            | June 2, 2021   | April 2, 2024 |
|           | 80450 | 24 | <input type="checkbox"/> Mechanically Stabilized Earth Retaining Walls                                | Aug. 1, 2023   |               |
|           | 80464 | 25 | <input type="checkbox"/> Pavement Marking Inspection  | April. 1, 2025 |               |
|           | 80441 | 26 | <input type="checkbox"/> Performance Graded Asphalt Binder  | Jan. 1, 2023   |               |
|           | 80459 | 27 | <input type="checkbox"/> Preformed Plastic Pavement Marking   | June 2, 2024   |               |
| *         | 34261 | 28 | <input type="checkbox"/> Railroad Protective Liability Insurance                                      | Dec. 1, 1986   | Jan. 1, 2022  |
|           | 80455 | 29 | <input checked="" type="checkbox"/> Removal and Disposal of Regulated Substances                      | Jan. 1, 2024   | April 1, 2024 |
|           | 80445 | 30 | <input checked="" type="checkbox"/> Seeding   | Nov. 1, 2022   |               |
|           | 80457 | 31 | <input type="checkbox"/> Short Term and Temporary Pavement Markings                                   | April 1, 2024  | April 2, 2024 |
|           | 80462 | 32 | <input type="checkbox"/> Sign Panels and Appurtenances  | Jan. 1, 2025   | April 1, 2025 |
|           | 80448 | 33 | <input type="checkbox"/> Source of Supply and Quality Requirements                                    | Jan. 2, 2023   |               |
|           | 80340 | 34 | <input type="checkbox"/> Speed Display Trailer  | April 2, 2014  | Jan. 1, 2022  |
|           | 80127 | 35 | <input type="checkbox"/> Steel Cost Adjustment  | April 2, 2004  | Jan. 1, 2022  |
|           | 80397 | 36 | <input type="checkbox"/> Subcontractor and DBE Payment Reporting                                      | April 2, 2018  |               |
|           | 80391 | 37 | <input type="checkbox"/> Subcontractor Mobilization Payments  | Nov. 2, 2017   | April 1, 2019 |
|           | 80463 | 38 | <input type="checkbox"/> Submission of Bidders List Information                                       | Jan. 2, 2025   |               |
|           | 80437 | 39 | <input type="checkbox"/> Submission of Payroll Records  | April 1, 2021  | Nov. 2, 2023  |
|           | 80435 | 40 | <input type="checkbox"/> Surface Testing of Pavements – IRI   | Jan. 1, 2021   | Jan. 1, 2023  |
|           | 80465 | 41 | <input type="checkbox"/> Surveying Services   | April 1, 2025  |               |
|           | 80466 | 42 | <input type="checkbox"/> Temporary Rumble Strips  | April 1, 2025  |               |
| *         | 20338 | 43 | <input type="checkbox"/> Training Special Provisions  | Oct. 15, 1975  | Sept. 2, 2021 |
|           | 80429 | 44 | <input type="checkbox"/> Ultra-Thin Bonded Wearing Course   | April 1, 2020  | Jan. 1, 2022  |
|           | 80439 | 45 | <input checked="" type="checkbox"/> Vehicle and Equipment Warning Lights                              | Nov. 1, 2021   | Nov. 1, 2022  |
|           | 80458 | 46 | <input type="checkbox"/> Waterproofing Membrane System  | Aug. 1, 2024   |               |
|           | 80302 | 47 | <input type="checkbox"/> Weekly DBE Trucking Reports  | June 2, 2012   | Jan. 2, 2025  |
|           | 80454 | 48 | <input type="checkbox"/> Wood Sign Support  | Nov. 1, 2023   |               |
|           | 80427 | 49 | <input type="checkbox"/> Work Zone Traffic Control Devices  | Mar. 2, 2020   | Jan. 1, 2025  |
| *         | 80071 | 50 | <input checked="" type="checkbox"/> Working Days  | Jan. 1, 2002   |               |

Highlighted items indicate a new or revised special provision for the letting.

An \* indicates the special provision requires additional information from the designer, which needs to be submitted separately. The Project Coordination and Implementation Section will then include the information in the applicable special provision.

The following special provisions are in the 2025 Supplemental Specifications and Recurring Special Provisions.

| <u>File Name</u> | <u>Special Provision Title</u>                    | <u>New Location(s)</u>   | <u>Effective</u> | <u>Revised</u> |
|------------------|---|--|------------------|----------------|
| 80434            | Corrugated Plastic Pipe (Culvert and Storm Sewer) | Articles 542.03, 550.03, 1040.03, 1040.04(b), 1040.04(d) & 1040.08 | Jan. 1, 2021     |                |
| 80443            | High Tension Cable Median Barrier Removal         | Section 632  | April 1, 2022    |                |
| 80045            | Material Transfer Device                          | Articles 406.03, 406.06(f), 406.13(b), 406.14 & 1102.02            | Nov 15, 1999     | Jan. 1, 2022   |
| 80410            | Traffic Spotters                                  | Article 701.13   | Jan. 1, 2019     |                |

## CEMENT, FINELY DIVIDED MINERALS, ADMIXTURES; CONCRETE, AND MORTAR (BDE)

Effective: January 1, 2025

Revise the first paragraph of Article 285.05 of the Standard Specifications to read:

**“285.05 Fabric Formed Concrete Revetment Mat.** The grout shall consist of a mixture of cement, fine aggregate, and water so proportioned and mixed as to provide a pumpable slurry. Fly ash or ground granulated blast furnace (GGBF) slag, and concrete admixtures may be used at the option of the Contractor. The grout shall have an air content of not less than 6.0 percent nor more than 9.0 percent of the volume of the grout. The mix shall obtain a compressive strength of 2500 psi (17,000 kPa) at 28 days according to Article 1020.09.”

Revise Article 302.02 of the Standard Specifications to read:

**“302.02 Materials.** Materials shall be according to the following.

| Item  | Article/Section |
|---|-----------------|
| (a) Cement .....                              | 1001            |
| (b) Water .....                               | 1002            |
| (c) Hydrated Lime .....                       | 1012.01         |
| (d) By-Product, Hydrated Lime .....           | 1012.02         |
| (e) By-Product, Non-Hydrated Lime .....       | 1012.03         |
| (f) Lime Slurry .....                         | 1012.04         |
| (g) Fly Ash .....                             | 1010            |
| (h) Soil for Soil Modification (Note 1) ..... | 1009.01         |
| (i) Bituminous Materials (Note 2) .....       | 1032            |

Note 1. This soil requirement only applies when modifying with lime (slurry or dry).

Note 2. The bituminous materials used for curing shall be emulsified asphalt RS-2, CRS-2, HFE 90, or HFE 150; rapid curing liquid asphalt RC-70; or medium curing liquid asphalt MC-70 or MC-250.”

Revise Article 312.07(c) of the Standard Specifications to read:

“(c) Cement .....1001”

Add Article 312.07(i) of the Standard Specifications to read:

“(i) Ground Granulated Blast Furnace (GGBF) Slag .....1010”

Revise the first paragraph of Article 312.09 of the Standard Specifications to read:

**“312.09 Proportioning and Mix Design.** At least 60 days prior to start of placing CAM II, the Contractor shall submit samples of materials to be used in the work for proportioning and testing.



The mixture shall contain a minimum of 200 lb (120 kg) of cement per cubic yard (cubic meter). Cement may be replaced with fly ash or ground granulated blast furnace (GGBF) slag according to Article 1020.05(c)(1) or 1020.05(c)(2), respectively, however the minimum cement content in the mixture shall be 170 lbs/cu yd (101 kg/cu m). Blends of coarse and fine aggregates will be permitted, provided the volume of fine aggregate does not exceed the volume of coarse aggregate. The Engineer will determine the proportions of materials for the mixture according to the "Portland Cement Concrete Level III Technician Course" manual. However, the Contractor may substitute their own mix design. Article 1020.05(a) shall apply, and a Level III PCC Technician shall develop the mix design."

Revise Article 352.02 of the Standard Specifications to read:

**"352.02 Materials.** Materials shall be according to the following.

| Item                                       | Article/Section |
|--|-----------------|
| (a) Cement (Note 1) .....                  | 1001            |
| (b) Soil for Soil-Cement Base Course ..... | 1009.03         |
| (c) Water .....                            | 1002            |
| (d) Bituminous Materials (Note 2) .....    | 1032            |

Note 1. Bulk cement may be used for the traveling mixing plant method if the equipment for handling, weighing, and spreading the cement is approved by the Engineer.

Note 2. The bituminous materials used for curing shall be emulsified asphalt RS-2, CRS-2, HFE 90, or HFE 150; rapid curing liquid asphalt RC-70; or medium curing liquid asphalt MC-70 or MC-250."

Revise Article 404.02 of the Standard Specifications to read:

**"404.02 Materials.** Materials shall be according to the following.

| Item  | Article/Section |
|---|-----------------|
| (a) Cement .....                                | 1001            |
| (b) Water .....                                 | 1002            |
| (c) Fine Aggregate .....                        | 1003.08         |
| (d) Bituminous Material (Tack Coat) .....       | 1032.06         |
| (e) Emulsified Asphalts (Note 1) (Note 2) ..... | 1032.06         |
| (f) Fiber Modified Joint Sealer .....           | 1050.05         |
| (g) Additives (Note 3)                          |                 |

Note 1. When used for slurry seal, the emulsified asphalt shall be CQS-1h according to Article 1032.06(b).

Note 2. When used for micro-surfacing, the emulsified asphalt shall be CQS-1hP according to Article 1032.06(e).

Note 3. Additives may be added to the emulsion mix or any of the component materials to provide the control of the quick-traffic properties. They shall be included as part of the mix design and be compatible with the other components of the mix.

Revise the last sentence of the fourth paragraph of Article 404.08 of the Standard Specifications to read:

“When approved by the Engineer, the sealant may be dusted with fine sand, cement, or mineral filler to prevent tracking.”

Revise Note 2 of Article 516.02 of the Standard Specifications to read:

“Note 2. The sand-cement grout mix shall be according to Section 1020 and shall be a 1:1 blend of sand and cement comprised of a Type I, IL, or II cement at 185 lb/cu yd (110 kg/cu m). The maximum water cement ratio shall be sufficient to provide a flowable mixture with a typical slump of 10 in. (250 mm).”

Revise Note 2 of Article 543.02 of the Standard Specifications to read:

“Note 2. The grout mixture shall be 6.50 hundredweight/cu yd (385 kg/cu m) of cement plus fine aggregate and water. Fly ash or ground granulated blast furnace (GGBF) slag may replace a maximum of 5.25 hundredweight/cu yd (310 kg/cu m) of the cement. The water/cement ratio, according to Article 1020.06, shall not exceed 0.60. An air-entraining admixture shall be used to produce an air content, according to Article 1020.08, of not less than 6.0 percent nor more than 9.0 percent of the volume of the grout. The Contractor shall have the option to use a water-reducing or high range water-reducing admixture.”

Revise Article 583.01 of the Standard Specifications to read:

“**583.01 Description.** This work shall consist of placing cement mortar along precast, prestressed concrete bridge deck beams as required for fairing out any unevenness between adjacent deck beams prior to placing of waterproofing membrane and surfacing.”

Revise Article 583.02(a) of the Standard Specifications to read:

“(a) Cement .....1001”

Revise the first paragraph of Article 583.03 of the Standard Specifications to read:

“**583.03 General.** This work shall only be performed when the air temperature is 45 °F (7 °C) and rising. The mixture for cement mortar shall consist of three parts sand to one part cement by volume. The amount of water shall be no more than that necessary to produce a workable, plastic mortar.”

Revise Note 2/ in Article 1003.01(b) of the Standard Specifications to read:

“2/ Applies only to sand. Sand exceeding the colorimetric test standard of 11 (Illinois Modified AASHTO T 21) will be checked for mortar making properties according to Illinois Modified ASTM C 87 and shall develop a compressive strength at the age of 14 days when using Type I, IL, or II cement of not less than 95 percent of the comparable standard.

Revise the second sentence of Article 1003.02(e)(1) of the Standard Specifications to read:

“The test will be performed with Type I, IL, or II portland cement having a total equivalent alkali content ( $\text{Na}_2\text{O} + 0.658\text{K}_2\text{O}$ ) of 0.90 percent or greater.”

Revise the first sentence of the second paragraph of Article 1003.02(e)(3) of the Standard Specifications to read:

“The ASTM C 1293 test shall be performed with Type I, IL, or II portland cement having a total equivalent alkali content ( $\text{Na}_2\text{O} + 0.658\text{K}_2\text{O}$ ) of 0.80 percent or greater.”

Revise the second sentence of Article 1004.02(g)(1) of the Standard Specifications to read:

“The test will be performed with Type I, IL, or II portland cement having a total equivalent alkali content ( $\text{Na}_2\text{O} + 0.658\text{K}_2\text{O}$ ) of 0.90 percent or greater.”

Revise Article 1017.01 of the Standard Specifications to read:

**“1017.01 Requirements.** The mortar shall be high-strength according to ASTM C 387 and shall have a minimum 80.0 percent relative dynamic modulus of elasticity when tested by the Department according to Illinois Modified AASHTO T 161 or AASHTO T 161 when tested by an independent lab. The high-strength mortar shall have a water-soluble chloride ion content of less than 0.40 lb/cu yd (0.24 kg/cu m). The test shall be performed according to ASTM C 1218, and the high-strength mortar shall have an age of 28 to 42 days at the time of test. The ASTM C 1218 test shall be performed by an independent lab a minimum of once every five years, and the test results shall be provided to the Department. Mixing of the high-strength mortar shall be according to the manufacturer’s specifications. The Department will maintain a qualified product list.”

Revise the fourth sentence of Article 1018.01 of the Standard Specifications to read:

“The ASTM C 1218 test shall be performed by an independent lab a minimum of once every five years, and the test results shall be provided to the Department.”

Revise Article 1019.02 of the Standard Specifications to read:

**“1019.02 Materials.** Materials shall be according to the following.

| Item             | Article/Section |
|------------------|-----------------|
| (a) Cement ..... | 1001            |
| (b) Water .....  | 1002            |

- (c) Fine Aggregate for Controlled Low-Strength Material (CLSM) ..... 1003.06
- (d) Fly Ash ..... 1010
- (e) Ground Granulated Blast Furnace (GGBF) Slag..... 1010
- (f) Admixtures (Note 1)

Note 1. The air-entraining admixture may be in powder or liquid form. Prior to approval, a CLSM air-entraining admixture will be evaluated by the Department. The admixture shall be able to meet the air content requirements of Mix 2. The Department will maintain a qualified product list.”

Revise Article 1019.05 of the Standard Specifications to read:

“**1019.05 Department Mix Design.** The Department mix design shall be Mix 1, 2, or 3 and shall be proportioned to yield approximately one cubic yard (cubic meter).

| Mix 1                                    |                       |
|--|-----------------------|
| Cement                                   | 50 lb (30 kg)         |
| Fly Ash – Class C or F, and/or GGBF Slag | 125 lb (74 kg)        |
| Fine Aggregate – Saturated Surface Dry   | 2900 lb (1720 kg)     |
| Water                                    | 50-65 gal (248-322 L) |
| Air Content                              | No air is entrained   |

| Mix 2                                  |                       |
|--|-----------------------|
| Cement                                 | 125 lb (74 kg)        |
| Fine Aggregate – Saturated Surface Dry | 2500 lb (1483 kg)     |
| Water                                  | 35-50 gal (173-248 L) |
| Air Content                            | 15-25 %               |

| Mix 3                                    |                       |
|--|-----------------------|
| Cement                                   | 40 lb (24 kg)         |
| Fly Ash – Class C or F, and/or GGBF Slag | 125 lb (74 kg)        |
| Fine Aggregate – Saturated Surface Dry   | 2500 lb (1483 kg)     |
| Water                                    | 35-50 gal (179-248 L) |
| Air Content                              | 15-25 %”              |

Revise Article 1020.04, Table 1, Note (8) of the Standard Specifications to read:

“(8) In addition to the Type III portland cement, 100 lb/cu yd of ground granulated blast-furnace slag and 50 lb/cu yd of microsilica (silica fume) shall be used. For an air temperature greater than 85 °F, the Type III portland cement may be replaced with Type I, IL, or II portland cement.”

Revise Article 1020.04, Table 1 (Metric), Note (8) of the Standard Specifications to read:

“(8) In addition to the Type III portland cement, 60 kg/cu m of ground granulated blast-furnace slag and 30 kg/cu m of microsilica (silica fume) shall be used. For an air temperature greater than 30 °C, the Type III portland cement may be replaced with Type I, IL, or II portland cement.”

Revise the second paragraph of Article 1020.05(a) of the Standard Specifications to read:

“For a mix design using a portland-pozzolan cement, portland blast-furnace slag cement, portland-limestone cement, or replacing portland cement with finely divided minerals per Articles 1020.05(c) and 1020.05(d), the Contractor may submit a mix design with a minimum portland cement content less than 400 lbs/cu yd (237 kg/cu m), but not less than 375 lbs/cu yd (222 kg/cu m), if the mix design is shown to have a minimum relative dynamic modulus of elasticity of 80 percent determined according to AASHTO T 161. Testing shall be performed by an independent laboratory accredited by AASHTO re:source for Portland Cement Concrete.”

Revise the first sentence of the first paragraph of Article 1020.05(b) of the Standard Specifications to read:

“Corrosion inhibitors and concrete admixtures shall be according to the qualified product lists.”

Delete the fourth and fifth sentences of the second paragraph of Article 1020.05(b) of the Standard Specifications.

Revise the third sentence of the second paragraph of Article 1020.05(b)(5) of the Standard Specifications to read:

“The qualified product lists of concrete admixtures shall not apply.”

Revise second paragraph of Article 1020.05(b)(10) of the Standard Specifications to read:

“When calcium nitrite is used, it shall be added at the rate of 4 gal/cu yd (20 L/cu m) and shall be added to the mix immediately after all compatible admixtures have been introduced to the batch. Other corrosion inhibitors shall be added per the manufacturer's specifications.”

Delete the third paragraph of Article 1020.05(b)(10) of the Standard Specifications.

Revise Article 1020.15(b)(1)c. of the Standard Specifications to read:

“c. The minimum portland cement content in the mixture shall be 375 lbs/cu yd (222 kg/cu m). When the total of organic processing additions, inorganic processing additions, and limestone addition exceed 5.0 percent in the cement, the minimum portland cement content in the mixture shall be 400 lbs/cu yd (237 kg/cu m). For a drilled shaft, foundation, footing, or substructure, the

minimum portland cement may be reduced to as low as 330 lbs/cu yd (196 kg/cu m) if the concrete has adequate freeze/thaw durability. The Contractor shall provide freeze/thaw test results according to AASHTO T 161, and the relative dynamic modulus of elasticity of the mix design shall be a minimum of 80 percent. Testing shall be performed by an independent laboratory accredited by AASHTO as a resource for Portland Cement Concrete. Freeze/thaw testing will not be required for concrete that will not be exposed to freezing and thawing conditions as determined by the Engineer.”

Revise Article 1021.01 of the Standard Specifications to read:

**“1021.01 General.** Admixtures shall be furnished in liquid or powder form ready for use. The admixtures shall be delivered in the manufacturer's original containers, bulk tank trucks or such containers or tanks as are acceptable to the Engineer. Delivery shall be accompanied by a ticket which clearly identifies the manufacturer, the date of manufacture, and trade name of the material. Containers shall be readily identifiable as to manufacturer, the date of manufacture, and trade name of the material they contain.

Concrete admixtures shall be on one of the Department's qualified product lists. Unless otherwise noted, admixtures shall have successfully completed and remain current with the AASHTO Product Eval and Audit Concrete Admixture (CADD) testing program. For admixture submittals to the Department; the product brand name, manufacturer name, admixture type or types, an electronic link to the product's technical data sheet, and the NTPEP testing number which contains an electronic link to all test data shall be provided. In addition, a letter shall be submitted certifying that no changes have been made in the formulation of the material since the most current round of tests conducted by AASHTO Product Eval and Audit. After 28 days of testing by AASHTO Product Eval and Audit, air-entraining admixtures may be provisionally approved and used on Departmental projects. For all other admixtures, unless otherwise noted, the time period after which provisionally approved status may be earned is 6 months.

The manufacturer shall include the following in the submittal to the AASHTO Product Eval and Audit CADD testing program: the manufacturing range for specific gravity, the midpoint and manufacturing range for residue by oven drying, and manufacturing range of pH. The submittal shall also include an infrared spectrophotometer trace no more than five years old.

For air-entraining admixtures according to Article 1021.02, the specific gravity allowable manufacturing range established by the manufacturer shall be according to AASHTO M 194. For residue by oven drying and pH, the allowable manufacturing range and test methods shall be according to AASHTO M 194.

For admixtures according to Articles 1021.03, 1021.04, 1021.05, 1021.06, 1021.07, and 1021.08, the pH allowable manufacturing range established by the manufacturer shall be according to ASTM E 70. For specific gravity and residue by oven drying, the allowable manufacturing range and test methods shall be according to AASHTO M 194.

All admixtures, except chloride-based accelerators, shall contain a maximum of 0.3 percent chloride by weight (mass) as determined by an appropriate test method. To verify the test result, the Department will use Illinois Modified AASHTO T 260, Procedure A, Method 1.

Prior to final approval of an admixture, the Engineer reserves the right to request a sample for testing. The test and reference concrete mixtures tested by the Engineer will contain a cement content of 5.65 cwt/cu yd (335 kg/cu m). For freeze-thaw testing, the Department will perform the test according to Illinois Modified AASHTO T 161. The flexural strength test will be performed according to AASHTO T 177. If the Engineer decides to test the admixture, the manufacturer shall submit AASHTO T 197 water content and set time test results on the standard cement used by the Department. The manufacturer may select their lab or an independent lab to perform this testing. The laboratory is not required to be accredited by AASHTO.

Random field samples may be taken by the Department to verify an admixture meets specification. A split sample will be provided to the manufacturer if requested. Admixtures that do not meet specification requirements or an allowable manufacturing range established by the manufacturer shall be replaced with new material.”

Revise Article 1021.03 of the Standard Specifications to read:

**“1021.03 Retarding and Water-Reducing Admixtures.** The admixture shall be according to the following.

- (a) Retarding admixtures shall be according to AASHTO M 194, Type B (retarding) or Type D (water-reducing and retarding).
- (b) Water-reducing admixtures shall be according to AASHTO M 194, Type A.
- (c) High range water-reducing admixtures shall be according to AASHTO M 194, Type F (high range water-reducing) or Type G (high range water-reducing and retarding).”

Revise Article 1021.05 of the Standard Specifications to read:

**“1021.05 Self-Consolidating Admixtures.** Self-consolidating admixture systems shall consist of either a high range water-reducing admixture only or a high range water-reducing admixture combined with a separate viscosity modifying admixture. The one or two component admixture system shall be capable of producing a concrete that can flow around reinforcement and consolidate under its own weight without additional effort and without segregation.

High range water-reducing admixtures shall be according to AASHTO M 194, Type F.

Viscosity modifying admixtures shall be according to AASHTO M 194, Type S (specific performance).”

Revise Article 1021.06 of the Standard Specifications to read:

**“1021.06 Rheology-Controlling Admixture.** Rheology-controlling admixtures shall be capable of producing a concrete mixture with a lower yield stress that will consolidate easier for slipform applications used by the Contractor. Rheology-controlling admixtures shall be according to AASHTO M 194, Type S (specific performance).”

Revise Article 1021.07 of the Standard Specifications to read:

**“1021.07 Corrosion Inhibitor.** The corrosion inhibitor shall be according to one of the following.

- (a) Calcium Nitrite. Corrosion inhibitors shall contain a minimum 30 percent calcium nitrite by weight (mass) of solution and shall comply with either the requirements of AASHTO M 194, Type C (accelerating) or the requirements of ASTM C 1582. The corrosion inhibiting performance requirements of ASTM C 1582 shall not apply.
- (b) Other Materials. The corrosion inhibitor shall be according to ASTM C 1582.

For submittals requiring testing according to ASTM M 194, Type C (accelerating), the admixture shall meet the requirements of the AASHTO Product Eval and Audit CADD testing program according to Article 1021.01.

For submittals requiring testing according to ASTM C 1582, a report prepared by an independent laboratory accredited by AASHTO re:source for portland cement concrete shall be provided. The report shall show the results of physical tests conducted no more than five years prior to the time of submittal, according to applicable specifications. However, ASTM G 109 test information specified in ASTM C 1582 is not required to be from an independent accredited lab. All other information in ASTM C 1582 shall be from an independent accredited lab. Test data and other information required to be submitted to AASHTO Product Eval and Audit according to Article 1021.01, shall instead be submitted directly to the Department.”

Add Article 1021.08 of the Standard Specifications as follows:

**“1021.08 Other Specific Performance Admixtures.** Other specific performance admixtures shall, at a minimum, be according to AASHTO M 194, Type S (specific performance). The Department also reserves the right to require other testing, as determined by the Engineer, to show evidence of specific performance characteristics.

Initial testing according to AASHTO M 194 may be conducted under the AASHTO Product Eval and Audit CADD testing program according to Article 1021.01, or by an independent laboratory accredited by AASHTO re:source for Portland Cement Concrete. In either case, test data and other information required to be submitted to AASHTO Product Eval and Audit according to Article 1021.01, shall also be submitted directly to the Department. The independent accredited lab report shall show the results of physical tests conducted no more than five years prior to the time of submittal, according to applicable specifications.”

Revise Article 1024.01 of the Standard Specifications to read:



**“1024.01 Requirements for Grout.** The grout shall be proportioned by dry volume, thoroughly mixed, and shall have a minimum temperature of 50 °F (10 °C). Water shall not exceed the minimum needed for placement and finishing.

Materials for the grout shall be according to the following.

| Item   | Article/Section |
|--|-----------------|
| (a) Cement .....                                     | 1001            |
| (b) Water .....                                      | 1002            |
| (c) Fine Aggregate .....                             | 1003.02         |
| (d) Fly Ash .....                                    | 1010            |
| (e) Ground Granulated Blast Furnace (GGBF) Slag..... | 1010            |
| (f) Concrete Admixtures .....                        | 1021”           |

Revise Note 1 of Article 1024.02 of the Standard Specifications to read:

“Note 1. Nonshrink grout shall be according to Illinois Modified ASTM C 1107.

The nonshrink grout shall have a water-soluble chloride ion content of less than 0.40 lb/cu yd (0.24 kg/cu m). The test shall be performed according to ASTM C 1218, and the grout shall have an age of 28 to 42 days at the time of test. The ASTM C 1218 test shall be performed by an independent lab a minimum of once every five years, and the test results shall be provided to the Department. Mixing of the nonshrink grout shall be according to the manufacturer’s specifications. The Department will maintain a qualified product list.”

Revise Article 1029.02 of the Standard Specifications to read:

**“1029.02 Materials.** Materials shall be according to the following.

| Item  | Article/Section |
|---|-----------------|
| (a) Cement.....                                       | 1001            |
| (b) Fly Ash .....                                     | 1010            |
| (c) Ground Granulated Blast Furnace (GGBF) Slag ..... | 1010            |
| (d) Water.....  | 1002            |
| (e) Fine Aggregate.....                               | 1003            |
| (f) Concrete Admixtures .....                         | 1021            |
| (g) Foaming Agent (Note 1)                            |                 |

Note 1. The manufacturer shall submit infrared spectrophotometer trace and test results indicating the foaming agent meets the requirements of ASTM C 869 in order to be on the Department’s qualified product list. Submitted data/results shall not be more than five years old.”

Revise the second paragraph of Article 1103.03(a)(4) the Standard Specifications to read:

“The dispenser system shall provide a visual indication that the liquid admixture is actually entering the batch, such as via a transparent or translucent section of tubing or by independent check with an integrated secondary metering device. If approved by the Engineer, an alternate indicator may be used for admixtures dosed at rates of 25 oz/cwt (1630 mL/100 kg) or greater, such as accelerating admixtures, corrosion inhibitors, and viscosity modifying admixtures.”

Revise the first two sections of Check Sheet #11 of the Supplemental Specifications and Recurring Special Provisions to read:

“Description. This work shall consist of filling voids beneath rigid and composite pavements with cement grout.

Materials. Materials shall be according to the following Articles of Division 1000 - Materials of the Standard Specifications:

| Item  | Article/Section |
|---|-----------------|
| (a) Cement .....                                      | 1001            |
| (b) Water .....                                       | 1002            |
| (c) Fly Ash .....                                     | 1010            |
| (d) Ground Granulated Blast Furnace (GGBF) Slag.....  | 1010            |
| (e) Admixtures .....                                  | 1021            |
| (f) Packaged Rapid Hardening Mortar or Concrete ..... | 1018”           |

Revise the third paragraph of Materials Note 2 of Check Sheet #28 of the Supplemental Specifications and Recurring Special Provisions to read:

“The Department will maintain a qualified product list of synthetic fibers, which will include the minimum required dosage rate. For the minimum required fiber dosage rate based on the Illinois Modified ASTM C 1609 test, a report prepared by an independent laboratory accredited by AASHTO re:source for Portland Cement Concrete shall be provided. The report shall show results of tests conducted no more than five years prior to the time of submittal.”

## **COMPENSABLE DELAY COSTS (BDE)**

Effective: June 2, 2017

Revised: April 1, 2019

Revise Article 107.40(b) of the Standard Specifications to read:

“(b) Compensation. Compensation will not be allowed for delays, inconveniences, or damages sustained by the Contractor from conflicts with facilities not meeting the above definition; or if a conflict with a utility in an unanticipated location does not cause a shutdown of the work or a documentable reduction in the rate of progress exceeding the limits set herein. The provisions of Article 104.03 notwithstanding, compensation for delays caused by a utility in an unanticipated location will be paid according to the provisions of this Article governing minor and major delays or reduced rate of production which are defined as follows.

- (1) Minor Delay. A minor delay occurs when the work in conflict with the utility in an unanticipated location is completely stopped for more than two hours, but not to exceed two weeks.
- (2) Major Delay. A major delay occurs when the work in conflict with the utility in an unanticipated location is completely stopped for more than two weeks.
- (3) Reduced Rate of Production Delay. A reduced rate of production delay occurs when the rate of production on the work in conflict with the utility in an unanticipated location decreases by more than 25 percent and lasts longer than seven calendar days.”

Revise Article 107.40(c) of the Standard Specifications to read:

“(c) Payment. Payment for Minor, Major, and Reduced Rate of Production Delays will be made as follows.

- (1) Minor Delay. Labor idled which cannot be used on other work will be paid for according to Article 109.04(b)(1) and (2) for the time between start of the delay and the minimum remaining hours in the work shift required by the prevailing practice in the area.

Equipment idled which cannot be used on other work, and which is authorized to standby on the project site by the Engineer, will be paid for according to Article 109.04(b)(4).

- (2) Major Delay. Labor will be the same as for a minor delay.

Equipment will be the same as for a minor delay, except Contractor-owned equipment will be limited to two weeks plus the cost of move-out to either the

Contractor's yard or another job and the cost to re-mobilize, whichever is less. Rental equipment may be paid for longer than two weeks provided the Contractor presents adequate support to the Department (including lease agreement) to show retaining equipment on the job is the most economical course to follow and in the public interest.

- (3) Reduced Rate of Production Delay. The Contractor will be compensated for the reduced productivity for labor and equipment time in excess of the 25 percent threshold for that portion of the delay in excess of seven calendar days. Determination of compensation will be in accordance with Article 104.02, except labor and material additives will not be permitted.

Payment for escalated material costs, escalated labor costs, extended project overhead, and extended traffic control will be determined according to Article 109.13."

Revise Article 108.04(b) of the Standard Specifications to read:

"(b) No working day will be charged under the following conditions.

- (1) When adverse weather prevents work on the controlling item.
- (2) When job conditions due to recent weather prevent work on the controlling item.
- (3) When conduct or lack of conduct by the Department or its consultants, representatives, officers, agents, or employees; delay by the Department in making the site available; or delay in furnishing any items required to be furnished to the Contractor by the Department prevents work on the controlling item.
- (4) When delays caused by utility or railroad adjustments prevent work on the controlling item.
- (5) When strikes, lock-outs, extraordinary delays in transportation, or inability to procure critical materials prevent work on the controlling item, as long as these delays are not due to any fault of the Contractor.
- (6) When any condition over which the Contractor has no control prevents work on the controlling item."

Revise Article 109.09(f) of the Standard Specifications to read:

- "(f) Basis of Payment. After resolution of a claim in favor of the Contractor, any adjustment in time required for the work will be made according to Section 108. Any adjustment in the costs to be paid will be made for direct labor, direct materials, direct equipment, direct jobsite overhead, direct offsite overhead, and other direct costs allowed by the resolution. Adjustments in costs will not be made for interest charges, loss of anticipated profit, undocumented loss of efficiency, home office overhead and unabsorbed overhead

other than as allowed by Article 109.13, lost opportunity, preparation of claim expenses and other consequential indirect costs regardless of method of calculation.

The above Basis of Payment is an essential element of the contract and the claim cost recovery of the Contractor shall be so limited.”

Add the following to Section 109 of the Standard Specifications.

**“109.13 Payment for Contract Delay.** Compensation for escalated material costs, escalated labor costs, extended project overhead, and extended traffic control will be allowed when such costs result from a delay meeting the criteria in the following table.

| Contract Type   | Cause of Delay                               | Length of Delay   |
|-----------------|--|---|
| Working Days    | Article 108.04(b)(3) or Article 108.04(b)(4) | No working days have been charged for two consecutive weeks.  |
| Completion Date | Article 108.08(b)(1) or Article 108.08(b)(7) | The Contractor has been granted a minimum two week extension of contract time, according to Article 108.08. |

Payment for each of the various costs will be according to the following.

- (a) Escalated Material and/or Labor Costs. When the delay causes work, which would have otherwise been completed, to be done after material and/or labor costs have increased, such increases will be paid. Payment for escalated material costs will be limited to the increased costs substantiated by documentation furnished by the Contractor. Payment for escalated labor costs will be limited to those items in Article 109.04(b)(1) and (2), except the 35 percent and 10 percent additives will not be permitted.
- (b) Extended Project Overhead. For the duration of the delay, payment for extended project overhead will be paid as follows.
  - (1) Direct Jobsite and Offsite Overhead. Payment for documented direct jobsite overhead and documented direct offsite overhead, including onsite supervisory and administrative personnel, will be allowed according to the following table.

| Original Contract Amount               | Supervisory and Administrative Personnel                                   |
|--|--|
| Up to \$5,000,000                      | One Project Superintendent   |
| Over \$ 5,000,000 - up to \$25,000,000 | One Project Manager, One Project Superintendent or Engineer, and One Clerk |
| Over \$25,000,000 - up to \$50,000,000 | One Project Manager, One Project Superintendent, One Engineer, and         |

|                   |  |
|-------------------|--|
|                   | One Clerk  |
| Over \$50,000,000 | One Project Manager,<br>Two Project Superintendents,<br>One Engineer, and<br>One Clerk |

(2) Home Office and Unabsorbed Overhead. Payment for home office and unabsorbed overhead will be calculated as 8 percent of the total delay cost.

(c) Extended Traffic Control. Traffic control required for an extended period of time due to the delay will be paid for according to Article 109.04.

When an extended traffic control adjustment is paid under this provision, an adjusted unit price as provided for in Article 701.20(a) for increase or decrease in the value of work by more than ten percent will not be paid.

Upon payment for a contract delay under this provision, the Contractor shall assign subrogation rights to the Department for the Department's efforts of recovery from any other party for monies paid by the Department as a result of any claim under this provision. The Contractor shall fully cooperate with the Department in its efforts to recover from another party any money paid to the Contractor for delay damages under this provision."

## REMOVAL AND DISPOSAL OF REGULATED SUBSTANCES (BDE)

Effective: January 1, 2024

Revised: April 1, 2024

Revise the first paragraph of Article 669.04 of the Standard Specifications to read:

**“669.04 Regulated Substances Monitoring.** Regulated substances monitoring includes environmental observation and field screening during regulated substances management activities. The excavated soil and groundwater within the work areas shall be managed as either uncontaminated soil, hazardous waste, special waste, or non-special waste.

As part of the regulated substances monitoring, the monitoring personnel shall perform and document the applicable duties listed on form BDE 2732 “Regulated Substances Monitoring Daily Record (RSMDR).”

Revise the first two sentences of the nineteenth paragraph of Article 669.05 of the Standard Specifications to read:

“The Contractor shall coordinate waste disposal approvals with the disposal facility and provide the specific analytical testing requirements of that facility. The Contractor shall make all arrangements for collection, transportation, and analysis of landfill acceptance testing.”

Revise the last paragraph of Article 669.05 of the Standard Specifications to read:

“The Contractor shall select a permitted landfill facility or CCDD/USFO facility meeting the requirements of 35 Ill. Admin. Code Parts 810-814 or Part 1100, respectively. The Department will review and approve or reject the facility proposed by the Contractor based upon information provided in BDE 2730. The Contractor shall verify whether the selected facility is compliant with those applicable standards as mandated by their permit and whether the facility is presently, has previously been, or has never been, on the United States Environmental Protection Agency (U.S. EPA) National Priorities List or the Resource Conservation and Recovery Act (RCRA) List of Violating Facilities. The use of a Contractor selected facility shall in no manner delay the construction schedule or alter the Contractor's responsibilities as set forth.”

Revise the first paragraph of Article 669.07 of the Standard Specifications to read:

**“669.07 Temporary Staging.** Soil classified according to Articles 669.05(a)(2), (b)(1), or (c) may be temporarily staged at the Contractor's option. All other soil classified according to Articles 669.05(a)(1), (a)(3), (a)(4), (a)(5), (a)(6), or (b)(2) shall be managed and disposed of without temporary staging to the greatest extent practicable. If circumstances beyond the Contractor's control require temporary staging of these latter materials, the Contractor shall request approval from the Engineer in writing.

Topsoil for re-use as final cover which has been field screened and found not to exhibit PID readings over daily background readings as documented on the BDE 2732, visual staining or

odors, and is classified according to Articles 669.05(a)(2), (a)(3), (a)(4), (b)(1), or (c) may be temporarily staged at the Contractor's option."

Add the following paragraph after the sixth paragraph of Article 669.11 of the Standard Specifications.

"The sampling and testing of effluent water derived from dewatering discharges for priority pollutants volatile organic compounds (VOCs), priority pollutants semi-volatile organic compounds (SVOCs), or priority pollutants metals, will be paid for at the contract unit price per each for VOCS GROUNDWATER ANALYSIS using EPA Method 8260B, SVOCS GROUNDWATER ANALYSIS using EPA Method 8270C, or RCRA METALS GROUNDWATER ANALYSIS using EPA Methods 6010B and 7471A. This price shall include transporting the sample from the job site to the laboratory."

Revise the first sentence of the eight paragraph of Article 669.11 of the Standard Specifications to read:

"Payment for temporary staging of soil classified according to Articles 669.05(a)(1), (a)(3), (a)(4), (a)(5), (a)(6), or (b)(2) to be managed and disposed of, if required and approved by the Engineer, will be paid according to Article 109.04."



## **SEEDING (BDE)**

Effective: November 1, 2022

Revise Article 250.07 of the Standard Specifications to read:

**“250.07 Seeding Mixtures.** The classes of seeding mixtures and combinations of mixtures will be designated in the plans.

When an area is to be seeded with two or more seeding classes, those mixtures shall be applied separately on the designated area within a seven day period. Seeding shall occur prior to placement of mulch cover. A Class 7 mixture can be applied at any time prior to applying any seeding class or added to them and applied at the same time.

| TABLE 1 - SEEDING MIXTURES               |   |  |
|--|---|--|
| Class - Type                             | Seeds   | lb/acre (kg/hectare)   |
| 1 Lawn Mixture 1/                        | Kentucky Bluegrass<br>Perennial Ryegrass<br><i>Festuca rubra</i> ssp. <i>rubra</i> (Creeping Red Fescue)  | 100 (110)<br>60 (70)<br>40 (50)  |
| 1A Salt Tolerant<br>Lawn Mixture 1/      | Kentucky Bluegrass<br>Perennial Ryegrass<br><i>Festuca rubra</i> ssp. <i>rubra</i> (Creeping Red Fescue)<br><i>Festuca brevipilla</i> (Hard Fescue)<br><i>Puccinellia distans</i> (Fults Saltgrass or Salty Alkaligrass)  | 60 (70)<br>20 (20)<br>20 (20)<br>20 (20)<br>60 (70)  |
| 1B Low Maintenance<br>Lawn Mixture 1/    | Turf-Type Fine Fescue 3/<br>Perennial Ryegrass<br>Red Top<br><i>Festuca rubra</i> ssp. <i>rubra</i> (Creeping Red Fescue)   | 150 (170)<br>20 (20)<br>10 (10)<br>20 (20)   |
| 2 Roadside Mixture 1/                    | <i>Lolium arundinaceum</i> (Tall Fescue)<br>Perennial Ryegrass<br><i>Festuca rubra</i> ssp. <i>rubra</i> (Creeping Red Fescue)<br>Red Top   | 100 (110)<br>50 (55)<br>40 (50)<br>10 (10)   |
| 2A Salt Tolerant<br>Roadside Mixture 1/  | <i>Lolium arundinaceum</i> (Tall Fescue)<br>Perennial Ryegrass<br><i>Festuca rubra</i> ssp. <i>rubra</i> (Creeping Red Fescue)<br><i>Festuca brevipila</i> (Hard Fescue)<br><i>Puccinellia distans</i> (Fults Saltgrass or Salty Alkaligrass)   | 60 (70)<br>20 (20)<br>30 (20)<br>30 (20)<br>60 (70)  |
| 3 Northern Illinois<br>Slope Mixture 1/  | <i>Elymus canadensis</i><br>(Canada Wild Rye) 5/<br>Perennial Ryegrass<br>Alsike Clover 4/<br><i>Desmanthus illinoensis</i><br>(Illinois Bundleflower) 4/ 5/<br><i>Schizachyrium scoparium</i><br>(Little Bluestem) 5/<br><i>Bouteloua curtipendula</i><br>(Side-Oats Grama) 5/<br><i>Puccinellia distans</i> (Fults Saltgrass or Salty Alkaligrass)<br>Oats, Spring<br>Slender Wheat Grass 5/<br>Buffalo Grass 5/ 7/ | 5 (5)<br><br>20 (20)<br>5 (5)<br>2 (2)<br><br>12 (12)<br><br>10 (10)<br><br>30 (35)<br>50 (55)<br>15 (15)<br>5 (5) |
| 3A Southern Illinois<br>Slope Mixture 1/ | Perennial Ryegrass<br><i>Elymus canadensis</i><br>(Canada Wild Rye) 5/<br><i>Panicum virgatum</i> (Switchgrass) 5/<br><i>Schizachyrium scoparium</i><br>(Little Blue Stem) 5/<br><i>Bouteloua curtipendula</i><br>(Side-Oats Grama) 5/<br><i>Dalea candida</i><br>(White Prairie Clover) 4/ 5/<br><i>Rudbeckia hirta</i> (Black-Eyed Susan) 5/<br>Oats, Spring  | 20 (20)<br>20 (20)<br><br>10 (10)<br>12 (12)<br><br>10 (10)<br><br>5 (5)<br><br>5 (5)<br>50 (55)                   |

| Class – Type |  | Seeds  | lb/acre (kg/hectare) |
|--------------|--|--|----------------------|
| 4            | Native Grass 2/ 6/                       | <i>Andropogon gerardi</i>                                | 4 (4)                |
|              |  | (Big Blue Stem) 5/                                       |                      |
|              |  | <i>Schizachyrium scoparium</i>                           | 5 (5)                |
|              |  | (Little Blue Stem) 5/                                    |                      |
|              |  | <i>Bouteloua curtipendula</i>                            | 5 (5)                |
|              |  | (Side-Oats Grama) 5/                                     |                      |
|              |  | <i>Elymus canadensis</i>                                 | 1 (1)                |
|              |  | (Canada Wild Rye) 5/                                     |                      |
|              |  | <i>Panicum virgatum</i> (Switch Grass) 5/                | 1 (1)                |
|              |  | <i>Sorghastrum nutans</i> (Indian Grass) 5/              | 2 (2)                |
| 4A           | Low Profile<br>Native Grass 2/ 6/        | Annual Ryegrass  | 25 (25)              |
|              |  | Oats, Spring   | 25 (25)              |
|              |  | Perennial Ryegrass                                       | 15 (15)              |
|              |  | <i>Schizachyrium scoparium</i>                           | 5 (5)                |
|              |  | (Little Blue Stem) 5/                                    |                      |
|              |  | <i>Bouteloua curtipendula</i>                            | 5 (5)                |
|              |  | (Side-Oats Grama) 5/                                     |                      |
|              |  | <i>Elymus canadensis</i>                                 | 1 (1)                |
|              |  | (Canada Wild Rye) 5/                                     |                      |
|              |  | <i>Sporobolus heterolepis</i>                            | 0.5 (0.5)            |
| 4B           | Wetland Grass and<br>Sedge Mixture 2/ 6/ | Annual Ryegrass  | 25 (25)              |
|              |  | Oats, Spring   | 25 (25)              |
|              |  | Wetland Grasses (species below) 5/                       | 6 (6)                |
|              |  | <u>Species:</u>  | <u>% By Weight</u>   |
|              |  | <i>Calamagrostis canadensis</i> (Blue Joint Grass)       | 12                   |
|              |  | <i>Carex lacustris</i> (Lake-Bank Sedge)                 | 6                    |
|              |  | <i>Carex slipata</i> (Awl-Fruited Sedge)                 | 6                    |
|              |  | <i>Carex stricta</i> (Tussock Sedge)                     | 6                    |
|              |  | <i>Carex vulpinoidea</i> (Fox Sedge)                     | 6                    |
|              |  | <i>Eleocharis acicularis</i> (Needle Spike Rush)         | 3                    |
|              |  | <i>Eleocharis obtusa</i> (Blunt Spike Rush)              | 3                    |
|              |  | <i>Glyceria striata</i> (Fowl Manna Grass)               | 14                   |
|              |  | <i>Juncus effusus</i> (Common Rush)                      | 6                    |
|              |  | <i>Juncus tenuis</i> (Slender Rush)                      | 6                    |
|              |  | <i>Juncus torreyi</i> (Torrey's Rush)                    | 6                    |
|              |  | <i>Leersia oryzoides</i> (Rice Cut Grass)                | 10                   |
|              |  | <i>Scirpus acutus</i> (Hard-Stemmed Bulrush)             | 3                    |
|              |  | <i>Scirpus atrovirens</i> (Dark Green Rush)              | 3                    |
|              |  | <i>Bolboschoenus fluviatilis</i> (River Bulrush)         | 3                    |
|              |  | <i>Schoenoplectus tabernaemontani</i> (Softstem Bulrush) | 3                    |
|              |  | <i>Spartina pectinata</i> (Cord Grass)                   | 4                    |

| Class – Type   | Seeds   | lb/acre (kg/hectare)     |
|--|---|--------------------------|
| 5  | <p>Forb with Annuals Mixture 2/ 5/ 6/</p> <p>Annuals Mixture (Below)<br/>Forb Mixture (Below)</p> | <p>1 (1)<br/>10 (10)</p> |
| <p>Annuals Mixture - Mixture not exceeding 25 % by weight of any one species, of the following:</p> <p><i>Coreopsis lanceolata</i> (Sand Coreopsis)<br/> <i>Leucanthemum maximum</i> (Shasta Daisy)<br/> <i>Gaillardia pulchella</i> (Blanket Flower)<br/> <i>Ratibida columnifera</i> (Prairie Coneflower)<br/> <i>Rudbeckia hirta</i> (Black-Eyed Susan)</p> <p>Forb Mixture - Mixture not exceeding 5 % by weight PLS of any one species, of the following:</p> <p><i>Amorpha canescens</i> (Lead Plant) 4/<br/> <i>Anemone cylindrica</i> (Thimble Weed)<br/> <i>Asclepias tuberosa</i> (Butterfly Weed)<br/> <i>Aster azureus</i> (Sky Blue Aster)<br/> <i>Symphyotrichum leave</i> (Smooth Aster)<br/> <i>Aster novae-angliae</i> (New England Aster)<br/> <i>Baptisia leucantha</i> (White Wild Indigo) 4/<br/> <i>Coreopsis palmata</i> (Prairie Coreopsis)<br/> <i>Echinacea pallida</i> (Pale Purple Coneflower)<br/> <i>Eryngium yuccifolium</i> (Rattlesnake Master)<br/> <i>Helianthus mollis</i> (Downy Sunflower)<br/> <i>Heliopsis helianthoides</i> (Ox-Eye)<br/> <i>Liatris aspera</i> (Rough Blazing Star)<br/> <i>Liatris pycnostachya</i> (Prairie Blazing Star)<br/> <i>Monarda fistulosa</i> (Prairie Bergamot)<br/> <i>Parthenium integrifolium</i> (Wild Quinine)<br/> <i>Dalea candida</i> (White Prairie Clover) 4/<br/> <i>Dalea purpurea</i> (Purple Prairie Clover) 4/<br/> <i>Physostegia virginiana</i> (False Dragonhead)<br/> <i>Potentilla arguta</i> (Prairie Cinquefoil)<br/> <i>Ratibida pinnata</i> (Yellow Coneflower)<br/> <i>Rudbeckia subtomentosa</i> (Fragrant Coneflower)<br/> <i>Silphium laciniatum</i> (Compass Plant)<br/> <i>Silphium terebinthinaceum</i> (Prairie Dock)<br/> <i>Oligoneuron rigidum</i> (Rigid Goldenrod)<br/> <i>Tradescantia ohiensis</i> (Spiderwort)<br/> <i>Veronicastrum virginicum</i> (Culver's Root)</p> |   |                          |

| Class – Type |   | Seeds  | lb/acre (kg/hectare)   |
|--------------|---|--|--|
| 5A           | Large Flower Native<br>Forb Mixture 2/ 5/ 6/            | Forb Mixture (see below)   | 5 (5)  |
|              | <u>Species:</u>   | <u>% By Weight</u>   |  |
|              | <i>Aster novae-angliae</i> (New England Aster)          | 5  |  |
|              | <i>Echinacea pallida</i> (Pale Purple Coneflower)       | 10   |  |
|              | <i>Helianthus mollis</i> (Downy Sunflower)              | 10   |  |
|              | <i>Heliopsis helianthoides</i> (Ox-Eye)                 | 10   |  |
|              | <i>Liatris pycnostachya</i> (Prairie Blazing Star)      | 10   |  |
|              | <i>Ratibida pinnata</i> (Yellow Coneflower)             | 5  |  |
|              | <i>Rudbeckia hirta</i> (Black-Eyed Susan)               | 10   |  |
|              | <i>Silphium laciniatum</i> (Compass Plant)              | 10   |  |
|              | <i>Silphium terebinthinaceum</i> (Prairie Dock)         | 20   |  |
|              | <i>Oligoneuron rigidum</i> (Rigid Goldenrod)            | 10   |  |
| 5B           | Wetland Forb 2/ 5/ 6/                                   | Forb Mixture (see below)   | 2 (2)  |
|              | <u>Species:</u>   | <u>% By Weight</u>   |  |
|              | <i>Acorus calamus</i> (Sweet Flag)                      | 3  |  |
|              | <i>Angelica atropurpurea</i> (Angelica)                 | 6  |  |
|              | <i>Asclepias incarnata</i> (Swamp Milkweed)             | 2  |  |
|              | <i>Aster puniceus</i> (Purple Stemmed Aster)            | 10   |  |
|              | <i>Bidens cernua</i> (Beggarticks)                      | 7  |  |
|              | <i>Eutrochium maculatum</i> (Spotted Joe Pye Weed)      | 7  |  |
|              | <i>Eupatorium perfoliatum</i> (Boneset)                 | 7  |  |
|              | <i>Helenium autumnale</i> (Autumn Sneezeweed)           | 2  |  |
|              | <i>Iris virginica shrevei</i> (Blue Flag Iris)          | 2  |  |
|              | <i>Lobelia cardinalis</i> (Cardinal Flower)             | 5  |  |
|              | <i>Lobelia siphilitica</i> (Great Blue Lobelia)         | 5  |  |
|              | <i>Lythrum alatum</i> (Winged Loosestrife)              | 2  |  |
|              | <i>Physostegia virginiana</i> (False Dragonhead)        | 5  |  |
|              | <i>Persicaria pensylvanica</i> (Pennsylvania Smartweed) | 10   |  |
|              | <i>Persicaria lapathifolia</i> (Curlytop Knotweed)      | 10   |  |
|              | <i>Pycnanthemum virginianum</i> (Mountain Mint)         | 5  |  |
|              | <i>Rudbeckia laciniata</i> (Cut-leaf Coneflower)        | 5  |  |
|              | <i>Oligoneuron riddellii</i> (Riddell Goldenrod)        | 2  |  |
|              | <i>Sparganium eurycarpum</i> (Giant Burreed)            | 5  |  |
| 6            | Conservation<br>Mixture 2/ 6/                           | <i>Schizachyrium scoparium</i><br>(Little Blue Stem) 5/<br><i>Elymus canadensis</i><br>(Canada Wild Rye) 5/<br>Buffalo Grass 5/ 7/<br>Vernal Alfalfa 4/<br>Oats, Spring  | 5 (5)<br><br>2 (2)<br><br>5 (5)<br>15 (15)<br>48 (55)            |
| 6A           | Salt Tolerant<br>Conservation<br>Mixture 2/ 6/          | <i>Schizachyrium scoparium</i><br>(Little Blue Stem) 5/<br><i>Elymus canadensis</i><br>(Canada Wild Rye) 5/<br>Buffalo Grass 5/ 7/<br>Vernal Alfalfa 4/<br>Oats, Spring<br><i>Puccinellia distans</i> (Fults Saltgrass or Salty Alkaligrass) | 5 (5)<br><br>2 (2)<br><br>5 (5)<br>15 (15)<br>48 (55)<br>20 (20) |
| 7            | Temporary Turf<br>Cover Mixture                         | Perennial Ryegrass<br>Oats, Spring   | 50 (55)<br>64 (70)   |

Notes:

- 1/ Seeding shall be performed when the ambient temperature has been between 45 °F (7 °C) and 80 °F (27 °C) for a minimum of seven (7) consecutive days and is forecasted to be the same for the next five (5) days according to the National Weather Service.
- 2/ Seeding shall be performed in late fall through spring beginning when the ambient temperature has been below 45 °F (7 °C) for a minimum of seven (7) consecutive days and ending when the ambient temperature exceeds 80 °F (27 °C) according to the National Weather Service.
- 3/ Specific variety as shown in the plans or approved by the Engineer.
- 4/ Inoculation required.
- 5/ Pure Live Seed (PLS) shall be used.
- 6/ Fertilizer shall not be used.
- 7/ Seed shall be primed with  $\text{KNO}_3$  to break dormancy and dyed to indicate such.

Seeding will be inspected after a period of establishment. The period of establishment shall be six (6) months minimum, but not to exceed nine (9) months. After the period of establishment, areas not exhibiting 75 percent uniform growth shall be interseeded or reseeded, as determined by the Engineer, at no additional cost to the Department.”

## **VEHICLE AND EQUIPMENT WARNING LIGHTS (BDE)**

Effective: November 1, 2021

Revised: November 1, 2022

Add the following paragraph after the first paragraph of Article 701.08 of the Standard Specifications:

“The Contractor shall equip all vehicles and equipment with high-intensity oscillating, rotating, or flashing, amber or amber-and-white, warning lights which are visible from all directions. In accordance with 625 ILCS 5/12-215, the lights may only be in operation while the vehicle or equipment is engaged in construction operations.”

80439

**WORKING DAYS (BDE)**

Effective: January 1, 2002

The Contractor shall complete the work within 45 working days.

80071



# GUIDE BRIDGE SPECIAL PROVISION INDEX/CHECK SHEET

Effective as of the: November 8, 2024 Letting

| √ | File Name | Title  | Effective      | Revised        |
|---|-----------|--|----------------|----------------|
|   | GBSP4     | Polymer Modified Portland Cement Mortar                                  | June 7, 1994   | April 1, 2016  |
|   | GBSP13    | High-Load Multi-Rotational Bearings                                      | Oct 13, 1988   | June 28, 2024  |
|   | GBSP14    | Jack and Remove Existing Bearings  | Apr 20, 1994   | April 13, 2018 |
|   | GBSP16    | Jacking Existing Superstructure  | Jan 11, 1993   | April 13, 2018 |
|   | GBSP18    | Modular Expansion Joint  | May 19, 1994   | Oct 27, 2023   |
|   | GBSP21    | Cleaning and Painting Contact Surface Areas of Existing Steel Structures | Jun 30, 2003   | Oct 23, 2020   |
|   | GBSP25    | Cleaning and Painting Existing Steel Structures                          | Oct 2, 2001    | April 15, 2022 |
|   | GBSP26    | Containment and Disposal of Lead Paint Cleaning Residues                 | Oct 2, 2001    | Apr 22, 2016   |
|   | GBSP28    | Deck Slab Repair   | May 15, 1995   | Feb 2, 2024    |
|   | GBSP29    | Bridge Deck Microsilica Concrete Overlay                                 | May 15, 1995   | April 30, 2021 |
|   | GBSP30    | Bridge Deck Latex Concrete Overlay                                       | May 15, 1995   | April 30, 2021 |
|   | GBSP31    | Bridge Deck High-Reactivity Metakaolin (HRM) Conc Overlay                | Jan 21, 2000   | April 30, 2021 |
|   | GBSP33    | Pedestrian Truss Superstructure  | Jan 13, 1998   | Oct 27, 2023   |
|   | GBSP34    | Concrete Wearing Surface   | Jun 23, 1994   | Oct 4, 2016    |
|   | GBSP45    | Bridge Deck Thin Polymer Overlay   | May 7, 1997    | June 28, 2024  |
|   | GBSP53    | Structural Repair of Concrete  | Mar 15, 2006   | Aug 9, 2019    |
|   | GBSP55    | Erection of Curved Steel Structures                                      | Jun 1, 2007    |                |
|   | GBSP59    | Diamond Grinding and Surface Testing Bridge Sections                     | Dec 6, 2004    | April 15, 2022 |
|   | GBSP60    | Containment and Disposal of Non-Lead Paint Cleaning Residues             | Nov 25, 2004   | April 22, 2016 |
|   | GBSP61    | Slipform Parapet   | Jun 1, 2007    | April 15, 2022 |
|   | GBSP67    | Structural Assessment Reports for Contractor's Means and Methods         | Mar 6, 2009    | Oct 5, 2015    |
|   | GBSP71    | Aggregate Column Ground Improvement                                      | Jan 15, 2009   | Oct 15, 2011   |
|   | GBSP72    | Bridge Deck Fly Ash or GGBF Slag Concrete Overlay                        | Jan 18, 2011   | April 30, 2021 |
|   | GBSP78    | Bridge Deck Construction   | Oct 22, 2013   | Dec 21, 2016   |
|   | GBSP79    | Bridge Deck Grooving (Longitudinal)                                      | Dec 29, 2014   | Mar 29, 2017   |
| ✓ | GBSP81    | Membrane Waterproofing for Buried Structures                             | Oct 4, 2016    | March 1, 2019  |
|   | GBSP82    | Metallizing of Structural Steel  | Oct 4, 2016    | Oct 20, 2017   |
|   | GBSP83    | Hot Dip Galvanizing For Structural Steel                                 | Oct 4, 2016    | June 28, 2024  |
|   | GBSP85    | Micropiles   | Apr 19, 1996   | Oct 23, 2020   |
|   | GBSP86    | Drilled Shafts   | Oct 5, 2015    | Oct 27, 2023   |
|   | GBSP87    | Lightweight Cellular Concrete Fill                                       | Nov 11, 2001   | Apr 1, 2016    |
|   | GBSP88    | Corrugated Structural Plate Structures                                   | Apr 22, 2016   | April 13, 2018 |
|   | GBSP89    | Preformed Pavement Joint Seal  | Oct 4, 2016    | March 24, 2023 |
|   | GBSP90    | Three Sided Precast Concrete Structure (Special)                         | Dec 21, 2016   | March 22, 2024 |
|   | GBSP91    | Crosshole Sonic Logging Testing of Drilled Shafts                        | Apr 20, 2016   | March 24, 2023 |
|   | GBSP92    | Thermal Integrity Profile Testing of Drilled Shafts                      | Apr 20, 2016   | March 24, 2023 |
|   | GBSP93    | Preformed Bridge Joint Seal  | Dec 21, 2016   | June 28, 2024  |
|   | GBSP94    | Warranty for Cleaning and Painting Steel Structures                      | Mar 3, 2000    | Nov 24, 2004   |
|   | GBSP96    | Erection of Bridge Girders Over or Adjacent to Railroads                 | Aug 9, 2019    |                |
|   | GBSP97    | Folded/Formed PVC Pipeliner  | April 15, 2022 |                |
|   | GBSP98    | Cured-in-Place Pipe Liner  | April 15, 2022 |                |
|   | GBSP99    | Spray-Applied Pipe Liner   | April 15, 2022 |                |
|   | GBSP100   | Bar Splicers, Headed Reinforcement                                       | Sept 2, 2022   | Oct. 27, 2023  |
|   | GBSP101   | Noise Abatement Wall, Ground Mounted                                     | Dec 9, 2022    | June 28, 2024  |
|   | GBSP102   | Noise Abatement Wall, Structure Mounted                                  | Dec 9, 2022    | June 28, 2024  |
|   | GBSP103   | Noise Abatement Wall Anchor Rod Assembly                                 | Dec 9, 2022    |                |

LIST ADDITIONAL SPECIAL PROVISIONS BELOW

|  |
|--|
|  |
|  |
|  |

The following Guide Bridge Special Provisions have been incorporated into other specifications:

| File Name | Title  | Location             |
|-----------|--|----------------------|
| GBSP12    | Drainage System                                    | SSRBC 523            |
| GBSP15    | Three Sided Precast Concrete Structure             | Superseded by GBSP90 |
| GBSP51    | Pipe Underdrain for Structures                     | SSRBC 601            |
| GBSP56    | Setting Piles in Rock                              | SSRBC 512            |
| GBSP75    | Bond Breaker for Prestressed Concrete Bulb-T Beams | SSRBC 504            |

## MEMBRANE WATERPROOFING SYSTEM FOR BURIED STRUCTURES

Effective: October 4, 2016

Revised: March 1, 2019

**Description.** This work shall consist of furnishing and placing a membrane waterproofing system on the top slab and sidewalls, or portions thereof, for buried structures as detailed on the contract plans.

All membrane waterproofing systems shall be supplied by qualified producers. The Department will maintain a list of qualified producers.

**Materials.** The materials used in the waterproofing system shall consist of the following.

- (a) Cold-applied, self-adhering rubberized asphalt/polyethylene membrane sheet with the following properties:

| <b>Physical Properties</b>   |  |
|--|--|
| Thickness ASTM D 1777 or D 3767  | 60 mils (1.500 mm) min.                  |
| Width  | 36 inches (914 mm) min.                  |
| Tensile Strength, Film ASTM D 882  | 5000 lb./in <sup>2</sup> (34.5 MPa) min. |
| Pliability [180° bend over 1" inch (25 mm) mandrel @ -20 °F (-29 °C)] ASTM D 146 (Modified) or D1970 | No Effect                                |
| Puncture Resistance-Membrane ASTM E 154  | 40 lb. (178 N) min.                      |
| Permeability (Perms) ASTM E 96, Method B   | 0.1 max.                                 |
| Water Absorption (% by Weight) ASTM D 570  | 0.2 max.                                 |
| Peel Strength ASTM D 903   | 9 lb./in (1576 N/m) min.                 |

- (b) Ancillary Materials: Adhesives, Conditioners, Primers, Mastic, Two-Part Liquid Membranes, and Sealing Tapes as required by the manufacturer of the membrane and film for use with the respective membrane waterproofing system.

**Construction.** The areas requiring waterproofing shall be prepared and the waterproofing shall be installed in accordance with the manufacturer's instructions. The Contractor shall not install any part of a membrane waterproofing system in wet conditions, or if the ambient or concrete surface temperature is below 40° (4° C), unless allowed by the Engineer.

Surfaces to be waterproofed shall be smooth and free from projections which might damage the membrane sheet. Projections or depressions on the surface that may cause damage to the membrane shall be removed or filled as directed by the Engineer. The surface shall be power washed and cleaned of dust, dirt, grease, and loose particles, and shall be dry before the waterproofing is applied.

The Contractor shall uniformly apply primer to the entire area to be waterproofed, at the rate stated in the manufacturer's instructions, by brush, or roller. The Contractor shall brush out primer that tends to puddle in low spots to allow complete drying. The primer shall be cured according to the manufacturer's instructions. Primed areas shall not stand uncovered overnight. If membrane sheets are not placed over primer within the time recommended by the manufacturer, the Contractor shall recoat the surfaces at no additional cost to the Department.

The installation of the membrane sheet to primed surfaces shall be such that all joints are shingled to shed water by commencing from the lowest elevation of the buried structure's top slab and progress towards the highest elevation. The membrane sheets shall be overlapped as required by the manufacturer. The Contractor shall seal with mastic any laps that were not thoroughly sealed. The membrane shall be smooth and free of wrinkles and there shall be no depressions in horizontal surfaces of the finished waterproofing. After placement, exposed edges of membrane sheets shall be sealed with a troweled bead of a manufacturer's recommended mastic, or two-part liquid membrane, or with sealing tape.

Sealing bands at joints between precast segments shall be installed prior to the waterproofing system being applied. Where the waterproofing system and sealing band overlap, the installation shall be planned such that water will not be trapped or directed underneath the membrane or sealing band.

Care shall be taken to protect and to prevent damage to the waterproofing system prior to and during backfilling operations. The waterproofing system shall be removed as required for the installation of slab mounted guardrails and other appurtenances. After the installation is complete, the system shall be repaired and sealed against water intrusion according to the manufacturer's instructions and to the satisfaction of the Engineer.

Replace the last paragraph of Article 540.06 Precast Concrete Box Culverts and replace with:

Handling holes shall be filled with a polyethylene plug. The plug shall not project beyond the inside surface after installation nor project above the outside surface to the extent that may cause damage to the membrane. When metal lifting inserts are used, their sockets shall be filled with mastic or mortar compatible with the membrane.

Method of Measurement. The waterproofing system will be measured in place, in square yards (square meters) of the concrete surface to be waterproofed.

Basis of Payment. This work will be paid for at the contract unit price, per square yard (square meter) for MEMBRANE WATERPROOFING SYSTEM FOR BURIED STRUCTURES.

Piatt County  
Blue Ridge Township  
Section 24-02125-00-DR  
Township Road 25  
over Goose Creek

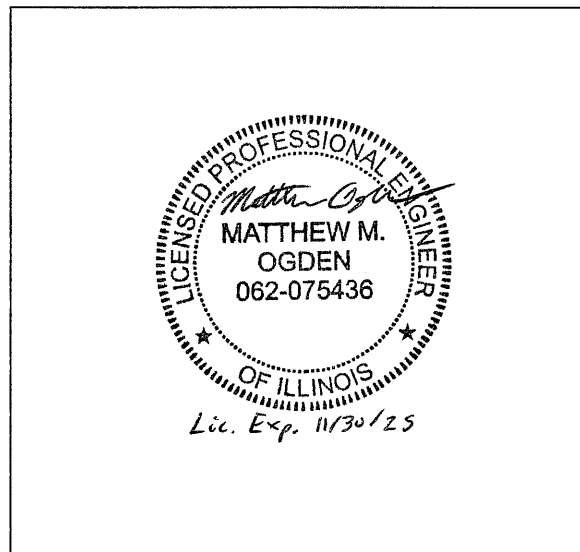
CLEAN WATER ACT  
SECTION 404 CERTIFICATION

I hereby certify the construction activities for this project meet the terms and conditions contained within the U.S. Army Corps of Engineers – Nationwide Permit No. 14 for Linear Transportation Projects. The Contractor shall abide by the terms and conditions contained within the enclosed Fact Sheet No. 9 for Illinois, the Illinois Regional Conditions, and the Environmental Protection Agency Section 401 Water Quality Certification.

The Contractor shall be responsible to obtain any necessary required permits from the U.S. Army Corps of Engineers prior to beginning any work on or adjacent to the waterway.

The Contractor shall be responsible for denying public use and access to any temporary crossings constructed as part of the project.

Matthew Ogden Date: 1/15/25



Piatt County  
Blue Ridge Township  
Section 24-02125-00-DR  
Township Road 25  
over Tributary to Goose Creek

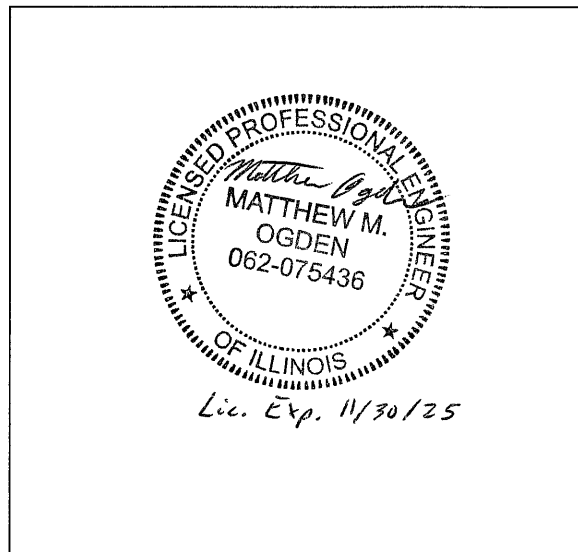
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The Contractor shall be responsible for denying public use and access to any temporary crossings constructed as part of the project.

Matthew Ogden Date: 1/15/25



Piatt County  
Blue Ridge Township  
Section 24-02125-00-DR  
Township Road 96  
over Tributary to Goose Creek

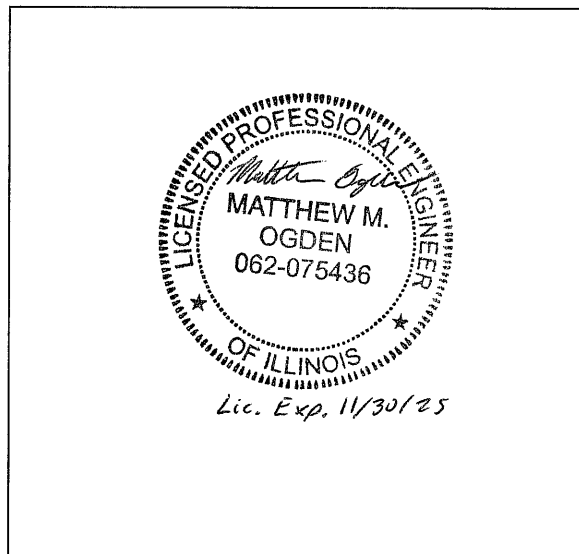
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Matthew Ogden Date: 1/15/25





US Army Corps  
of Engineers  
Rock Island District

# FACT SHEET NO. 9(IL)

## NATIONWIDE PERMITS IN ILLINOIS

EFFECTIVE DATE: February 25, 2022

On January 13, 2021, the U.S. Army Corps of Engineers (Corps) published a final rule in the Federal Register (86 FR 2744) for the Nationwide Permits Program under the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and the Marine Protection, Research and Sanctuaries Act. This final rule announced the reissuance of 12 existing nationwide permits (NWP) and four new NWPs, as well as the reissuance of NWP general conditions and definitions with some modifications. These 16 Nationwide Permits became effective on **March 15, 2021**, and will expire on **March 14, 2026**:

- NWP 12 - Oil or Natural Gas Pipeline Activities
- NWP 21 - Surface Coal Mining Activities
- NWP 29 - Residential Developments
- NWP 39 - Commercial and Institutional Developments
- NWP 40 - Agricultural Activities
- NWP 42 - Recreational Facilities
- NWP 43 - Stormwater Management Facilities
- NWP 44 - Mining Activities
- NWP 48 - Commercial Shellfish Mariculture Activities
- NWP 50 - Underground Coal Mining Activities
- NWP 51 - Land-Based Renewable Energy Generation Facilities
- NWP 52 - Water-Based Renewable Energy Generation Pilot Projects
- NWP 55 - Seaweed Mariculture Activities
- NWP 56 - Finfish Mariculture Activities
- NWP 57 - Electric Utility Line and Telecommunications Activities
- NWP 58 - Utility Line Activities for Water and Other Substances

On December 27, 2021, the U.S. Army Corps of Engineers (Corps) published a final rule in the Federal Register (86 FR 245) for the Nationwide Permits Program under the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and the Marine Protection, Research and Sanctuaries Act. In this final rule, the Corps is reissuing the remaining 40 existing NWPs and issuing the remaining one new NWP. The NWP general conditions and definitions published in the January 13, 2021, issue of the Federal Register apply to the 41 NWPs reissued or issued in the December 27, 2021 final rule.

The 41 NWPs in this final rule (listed below) go into effect on **February 25, 2022**. The 41 NWPs in this final rule expire on **March 14, 2026**.

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures on the Outer Continental Shelf
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
13. Bank Stabilization
14. Linear Transportation Projects
15. U.S. Coast Guard Approved Bridges
16. Return Water from Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil or Hazardous Substances
22. Removal of Vessels
23. Approved Categorical Exclusions
24. Indian Tribe or State Administered Section 404 Programs
25. Structural Discharges
27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities
28. Modifications of Existing Marinas
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access, and Dewatering
34. Cranberry Production Activities



35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
41. Reshaping Existing Drainage Ditches
45. Repair of Uplands Damaged by Discrete Events
46. Discharges in Ditches
49. Coal Remining Activities
53. Removal of Low-Head Dams
54. Living Shorelines
59. Water Reclamation and Reuse Facilities

The Nationwide Permit Program is an integral part of the Corps' Regulatory Program. The Nationwide Permits are a form of general permits issued by the Chief of Engineers and are intended to apply throughout the entire United States and its territories. A listing of the 16 nationwide permits and general conditions is included herein. We encourage prospective permit applicants to consider the advantages of nationwide permit authorization during the preliminary design of their projects. Assistance and further information regarding all aspects of the Corps of Engineers Regulatory Program may be obtained by contacting the appropriate Corps of Engineers District at the address and/or telephone number listed on page 2 of this Fact Sheet.

**Regional Conditions:** To ensure that projects authorized by a Nationwide Permit will result in minimal adverse effects to the aquatic environment, the following **Regional Conditions** were developed for projects proposed within the state of Illinois:

- 1) For NWP 12, 57, and 58: pre-construction notification is required in accordance with General Condition 32 for the following activities; (a) activities that involve mechanized land clearing in a forested wetland for the utility line right-of-way; (b) utility lines placed within, and parallel to or along a jurisdictional stream bed.
- 2) For Nationwide Permit 14, all proposed projects that result in the loss of greater than 300 linear feet of streambed located within Waters of the U.S., requires a Pre-Construction Notice in accordance with General Condition No. 32.
- 3) Any bank stabilization activity involving a method that protrudes from the bank contours, such as jetties, stream barbs, and/or weirs, will require a pre-construction notification in accordance with General Condition 32.

**State Water Quality Certification:** Permits, issued by the Corps of Engineers, under the authority of Section 404 of the Clean Water Act may not be issued until the state (where the discharge will occur) certifies, under Section 401 of the Clean Water Act, that the discharge will comply with the water quality standards of the State. On October 8, 2021, the Illinois Environmental Protection Agency (IEPA) issued their final Section 401 Water Quality Certification decision for the 2021 Nationwide Permits. Of the original 16 NWPs authorized on March 15, 2021, Water Quality Certification was issued with Special Conditions for NWP 12, 29, 39, 40, 42, 43, 51, 52, 57 and 58. Of the additional 40 NWPS authorized on February 25, 2022, Water Quality Certification was issued with Special Conditions for 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 27, 29, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41, 42, 43, 45, 51, 52, 53, 54, 57, and 58.

The full text of the IEPA Water Quality Certification is available on the Rock Island District Regulatory website at:  
<https://www.mvr.usace.army.mil/Portals/48/docs/regulatory/Permits/NW-IL/IL%20401%20WQC.pdf?ver=u4N4MpokxjrcVeQ4hGzhzw%3d%3d>  
 Nationwide Permits 21, 34, 44, 46, 48, 49, 50, 59 have been denied Section 401 Water Quality Certification and will require Individual certification from IEPA. New Permits 55 and 56 were not denied nor granted and therefore water quality certification in Illinois will be waived (though the Illinois Corps' Districts cannot foresee their utilization).

The following NWPs require notification to the District Engineer 45-days prior to commencing work in Waters of the U.S.:

- 7, 8, 17, 21, 29, 31, 34, 37, 38, 39, 40, 42, 44, 45, 46, 49, 50, 52, 53, 55, 56, 59

The following NWPs, under certain circumstances, require notification to the District Engineer 45-days prior to commencing work in Waters of the U.S.:

- 3, 12, 13, 14, 18, 22, 23, 27, 33, 36, 43, 48, 51, 54, 57, 58

The following NWPs do not require notification to the District Engineer:

- 1, 2, 4, 5, 6, 9, 10, 11, 15, 16, 19, 20, 24, 25, 28, 30, 32, 35, 41

Specific instructions for these notifications are contained in Nationwide Permit General Condition 32.

## COMMENTS

The Nationwide permits provide a simplified, expeditious means of project authorization under the various authorities of the Corps of Engineers. We encourage prospective permit applicants to consider the advantages of nationwide permit authorization during the preliminary design of their projects. Assistance and further information regarding all aspects of the Corps of Engineers Regulatory Program may be obtained by contacting the appropriate Corps of Engineers District in Illinois: The Rock Island District, St. Louis Regulatory District, Chicago Regulatory District, Louisville Regulatory District, and Memphis Regulatory District.

US Army Engineer District, Rock Island  
Clock Tower Building - Regulatory Division  
Post Office Box 2004  
Rock Island, Illinois 61204-2004

US Army Corps of Engineers, St. Louis District  
ATTN: Regulatory Branch  
1222 Spruce St.  
St. Louis, MO 63103-2833

U.S. Army Corps of Engineers, Chicago District  
ATTN: Regulatory Branch  
111 North Canal, Suite 600  
Chicago, IL 60606-7206

U.S. Army Corps of Engineers,  
Louisville District  
ATTN: Regulatory Division  
P.O. BOX 59  
Louisville, KY 40201-0059

U.S. Army Corps of Engineers, Memphis District  
ATTN: Regulatory Branch  
167 North Main, B-202  
Memphis, TN 38103-1894

## Nationwide Permits and Conditions

The following is a list of the nationwide permits, authorized by the Chief of Engineers, and published in the Federal Register (86 FR 2744). Permittees wishing to conduct activities under the nationwide permits must comply with the Nationwide Permit General Conditions found in Section C and contained within this Fact Sheet. The parenthetical references (Section 10, Section 404) following each nationwide permit indicate specific authorities under which that permit is issued.

### B. Nationwide Permits

1. Aids to Navigation. The placement of aids to navigation and regulatory markers that are approved by and installed in accordance with the requirements of the U.S. Coast Guard (see 33 CFR, chapter I, subchapter C, part 66). (Authority: Section 10 of the Rivers and Harbors Act of 1899 (Section 10))

2. Structures in Artificial Canals. Structures constructed in artificial canals within principally residential developments where the connection of the canal to a navigable water of the United States has been previously authorized (see 33 CFR 322.5(g)). (Authority: Section 10)

### 3. Maintenance.

- (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP also authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.
- (b) This NWP also authorizes the removal of accumulated sediments and debris outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built but cannot extend farther than 200 feet in any direction from the structure. This 200-foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically

approved by the district engineer under separate authorization.

- (c) This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.
- (d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

**Notification:** For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Authorities: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (Sections 10 and 404))

**Note:** This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance.

**4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities.** Fish and wildlife harvesting devices and activities such as pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, and clam and oyster digging, fish aggregating devices, and small fish attraction devices such as open water fish concentrators (sea kites, etc.). This NWP does not authorize artificial reefs or impoundments and semi-impoundments of waters of the United States for the culture or holding of motile species such as lobster, or the use of covered oyster trays or clam racks. (Authorities: Sections 10 and 404)

**5. Scientific Measurement Devices.** Devices, whose purpose is to measure and record scientific data, such as staff gages, tide and current gages, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, and similar structures. Small weirs and flumes constructed primarily to record water quantity and velocity are also authorized provided the discharge of dredged or fill material is limited to 25 cubic yards. Upon completion of the use of the device to measure and record scientific data, the measuring device and any other structures or fills associated with that device (e.g., foundations, anchors, buoys, lines, etc.) must be removed to the maximum extent practicable and the site restored to pre-construction elevations. (Authorities: Sections 10 and 404)

**6. Survey Activities.** Survey activities, such as core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory type bore holes, exploratory trenching, soil surveys, sampling, sample plots or transects for wetland delineations, and historic resources surveys. For the purposes of this NWP, the term "exploratory trenching" means mechanical land clearing of the upper soil profile to expose bedrock or substrate, for the purpose of mapping or sampling the exposed material. The area in which the exploratory trench is dug must be restored to its pre-construction elevation upon completion of the work and must not drain a water of the United States. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. This NWP authorizes the construction of temporary pads, provided the discharge of dredged or fill material does not exceed 1/10-acre in waters of the U.S. Discharges of dredged or fill material and structures associated with the recovery of historic resources are not authorized by this NWP. Drilling and the discharge of excavated material from test wells for oil and gas exploration are not authorized by this NWP; the plugging of such wells is authorized. Fill placed for roads and other similar activities is not authorized by this NWP. The NWP does not authorize any permanent structures. The discharge of drilling mud and cuttings may require a permit under Section 402 of the Clean Water Act. (Authorities: Sections 10 and 404)

**7. Outfall Structures and Associated Intake Structures.** Activities related to the construction or modification of outfall structures and associated intake structures, where the effluent from the outfall is authorized, conditionally authorized, or specifically exempted by, or otherwise in compliance with regulations issued under the National Pollutant Discharge Elimination System Program (Section 402 of the Clean Water Act). The construction of intake structures is not authorized by this NWP unless they are directly associated with an authorized outfall structure.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

**8. Oil and Gas Structures on the Outer Continental Shelf.** Structures for the exploration, production, and transportation of oil, gas, and minerals on the outer continental shelf within areas leased for such purposes by the Department of the Interior, Bureau of Ocean Energy Management. Such structures shall not be placed within the limits of any designated shipping

safety fairway or traffic separation scheme, except temporary anchors that comply with the fairway regulations in 33 CFR 322.5(l). The district engineer will review such proposals to ensure compliance with the provisions of the fairway regulations in 33 CFR 322.5(l). Any Corps review under this NWP will be limited to the effects on navigation and national security in accordance with 33 CFR 322.5(f), as well as 33 CFR 322.5(l) and 33 CFR part 334. Such structures will not be placed in established danger zones or restricted areas as designated in 33 CFR part 334, nor will such structures be permitted in EPA or Corps-designated dredged material disposal areas.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authority: Section 10)

**9. Structures in Fleeting and Anchorage Areas.** Structures, buoys, floats, and other devices placed within anchorage or fleeting areas to facilitate moorage of vessels where such areas have been established for that purpose. (Authority: Section 10)

**10. Mooring Buoys.** Non-commercial, single boat, mooring buoys. (Authority: Section 10)

**11. Temporary Recreational Structures.** Temporary buoys, markers, small floating docks, and similar structures placed for recreational use during specific events such as water-skiing competitions and boat races or seasonal use, provided that such structures are removed within 30 days after use has been discontinued. At Corps of Engineers reservoirs, the reservoir managers must approve each buoy or marker individually. (Authority: Section 10)

**12. Oil or Natural Gas Pipeline Activities.** Activities required for the construction, maintenance, repair, and removal of oil and natural gas pipelines and associated facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2-acre of waters of the United States for each single and complete project.

*Oil or natural gas pipelines:* This NWP authorizes discharges of dredged or fill material into waters of the United States and structures or work in navigable waters for crossings of those waters associated with the construction, maintenance, or repair of oil and natural gas pipelines. There must be no change in pre-construction contours of waters of the United States. An "oil or natural gas pipeline" is defined as any pipe or pipeline for the transportation of any form of oil or natural gas, including products derived from oil or natural gas, such as gasoline, jet fuel, diesel fuel, heating oil, petrochemical feedstocks, waxes, lubricating oils, and asphalt.

Material resulting from trench excavation may be temporarily sidecast into waters of the United States for no more than three months, provided the material is not placed in such a manner that it is dispersed by currents or other forces. The district engineer may extend the period of temporary side casting for no more than a total of 180 days, where appropriate. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. The trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a french drain effect). Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing of each waterbody.

*Oil or natural gas pipeline substations:* This NWP authorizes the construction, maintenance, or expansion of substation facilities (e.g., oil or natural gas or gaseous fuel custody transfer stations, boosting stations, compression stations, metering stations, pressure regulating stations) associated with an oil or natural gas pipeline in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not result in the loss of greater than 1/2-acre of waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters of the United States to construct, maintain, or expand substation facilities.

*Foundations for above-ground oil or natural gas pipelines:* This NWP authorizes the construction or maintenance of foundations for above-ground oil or natural gas pipelines in all waters of the United States, provided the foundations are the minimum size necessary.

*Access roads:* This NWP authorizes the construction of access roads for the construction and maintenance of oil or natural gas pipelines, in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters for access roads. Access roads must be the minimum width necessary (see Note 2, below). Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as near as possible to pre-construction contours and elevations (e.g., at grade corduroy roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.

This NWP may authorize oil or natural gas pipelines in or affecting navigable waters of the United States even if there is no associated discharge of dredged or fill material (see 33 CFR part 322). Oil or natural gas pipelines routed in, over, or under section 10 waters without a discharge of dredged or fill material may require a section 10 permit.

This NWP authorizes, to the extent that Department of the Army authorization is required, temporary structures, fills, and work necessary for the remediation of inadvertent returns of drilling fluids to waters of the United States through sub- soil fissures or fractures that might occur during horizontal directional drilling activities conducted for the purpose of installing or replacing oil or natural gas pipelines. These remediation activities must be done as soon as practicable, to restore the affected waterbody. District engineers may add special conditions to this NWP to require a remediation plan for addressing inadvertent returns of drilling fluids to waters of the United States during horizontal directional drilling activities conducted for the purpose of installing or replacing oil or natural gas pipelines.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the oil or natural gas pipeline activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) a section 10 permit is required; (2) the discharge will result in the loss of greater than 1/10-acre of waters of the United States; or (3) the proposed oil or natural gas pipeline activity is associated with an overall project that is greater than 250 miles in length and the project purpose is to install new pipeline (vs. conduct repair or maintenance activities) along the majority of the distance of the overall project length. If the proposed oil or gas pipeline is greater than 250 miles in length, the pre-construction notification must include the locations and proposed impacts (in acres or other appropriate unit of measure) for all crossings of waters of the United States that require DA authorization, including those crossings authorized by an NWP would not otherwise require pre-construction notification. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note 1:** Where the oil or natural gas pipeline is constructed, installed, or maintained in navigable waters of the United States (i.e., section 10 waters) within the coastal United States, the Great Lakes, and United States territories, a copy of the NWP verification will be sent by the Corps to the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), for charting the oil or natural gas pipeline to protect navigation.

**Note 2:** For oil or natural gas pipeline activities crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Oil or natural gas pipeline activities must comply with 33 CFR 330.6(d).

**Note 3:** Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of this NWP. Access roads used solely for construction of the oil or natural gas pipeline must be removed upon completion of the work, in accordance with the requirements for temporary fills.

**Note 4:** Pipes or pipelines used to transport gaseous, liquid, liquescent, or slurry substances over navigable waters of the United States are considered to be bridges and may require a permit from the U.S. Coast Guard pursuant to the General Bridge Act of 1946. However, any discharges of dredged or fill material into waters of the United States associated with such oil or natural gas pipelines will require a section 404 permit (see NWP 15).

**Note 5:** This NWP authorizes oil or natural gas pipeline maintenance and repair activities that do not qualify for the Clean Water Act section 404(f) exemption for maintenance of currently serviceable fills or fill structures.

**Note 6:** For NWP 12 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b) (4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

**13. Bank Stabilization.** 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, provided the activity meets all of the following criteria:

- (a) No material is placed in excess of the minimum needed for erosion protection.
- (b) The activity is no more than 500 feet in length along the bank, unless the district engineer waives this criterion by making a written determination concluding that the

discharge of dredged or fill material will result in no more than minimal adverse environmental effects (an exception is for bulkheads - the district engineer cannot issue a waiver for a bulkhead that is greater than 1,000 feet in length along the bank);

- (c) The activity will not exceed 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, unless the district engineer waives this criterion by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse environmental effects;
- (d) The activity does not involve discharges of dredged or fill material into special aquatic sites, unless the district engineer waives this criterion by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse environmental effects;
- (e) No material is of a type, or is placed in any location, or in any manner, that will impair surface water flow into or out of any waters of the United States;
- (f) No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored native trees and treetops may be used in low energy areas);
- (g) Native plants appropriate for current site conditions, including salinity, must be used for bioengineering or vegetative bank stabilization;
- (h) The activity is not a stream channelization activity; and
- (i) The activity must be properly maintained, which may require repairing it after severe storms or erosion events. This NWP authorizes those maintenance and repair activities if they require authorization.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the bank stabilization activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the bank stabilization activity: (1) involves discharges of dredged or fill material into special aquatic sites; or (2) is in excess of 500 feet in length; or (3) will involve the discharge of dredged or fill material of greater 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. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note:** In coastal waters and the Great Lakes, living shorelines may be an appropriate option for bank stabilization, and may be authorized by NWP 54.

**14. Linear Transportation Projects.** Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

**Notification:** The permittee must submit a pre-construction notification to the district engineer

prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge of dredged or fill material in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note 1:** For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

**Note 2:** Some discharges of dredged or fill material for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

**Note 3:** For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

**15. U.S. Coast Guard Approved Bridges.** Discharges of dredged or fill material incidental to the construction of a bridge across navigable waters of the United States, including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills, provided the construction of the bridge structure has been authorized by the U.S. Coast Guard under Section 9 of the Rivers and Harbors Act of 1899 or other applicable laws. Causeways and approach fills are not included in this NWP and will require a separate Clean Water Act Section 404 permit. (Authority: Section 404 of the Clean Water Act (Section 404))

**16. Return Water from Upland Contained Disposal Areas.** Return water from an upland contained dredged material disposal area. 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 in an area that has no waters of the United States and does not require a section 404 permit. This NWP 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 Clean Water Act Section 401 certification procedures. The dredging activity may require a section 404 permit (33 CFR 323.2(d)) and will require a section 10 permit if located in navigable waters of the United States. (Authority: Section 404)

**17. Hydropower Projects.** Discharges of dredged or fill material associated with hydropower projects having: (a) Less than 10,000 kW of total generating capacity at existing reservoirs, where the project, including the fill, is licensed by the Federal Energy Regulatory Commission (FERC) under the Federal Power Act of 1920, as amended; or (b) a licensing exemption granted by the FERC pursuant to Section 408 of the Energy Security Act of 1980 (16 U.S.C. 2705 and 2708) and Section 30 of the Federal Power Act, as amended.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authority: Section 404)

**18. Minor Discharges.** Minor discharges of dredged or fill material into all waters of the United States, provided the activity meets all of the following criteria:

- (a) The quantity of discharged dredged or fill material and the volume of area excavated do not exceed 25 cubic yards below the plane of the ordinary high water mark or the high tide line;
- (b) The discharge of dredged or fill material will not cause the loss of more than 1/10-acre of waters of the United States; and
- (c) The discharge of dredged or fill material is not placed for the purpose of a stream diversion.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the discharge of dredged or fill material or the volume of area excavated exceeds 10 cubic yards below the plane of the ordinary high water mark or the high tide line, or (2) the discharge of dredged or fill material is in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404)

**19. Minor Dredging.** Dredging of no more than 25 cubic yards below the plane of the ordinary high water mark or the mean high water mark from navigable waters of the United States (i.e., section 10 waters). This NWP does not authorize the dredging or degradation through siltation of coral reefs, sites that support submerged aquatic vegetation (including sites where submerged aquatic vegetation is documented to exist but may not be present in a given year), anadromous fish spawning areas, or wetlands, or the connection of canals or other artificial waterways to navigable waters of the United States (see 33 CFR 322.5(g)). All dredged material must be deposited and retained in an area

that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. (Authorities: Sections 10 and 404)

**20. Response Operations for Oil or Hazardous Substances.** Activities conducted in response to a discharge or release of oil or hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300) including containment, cleanup, and mitigation efforts, provided that the activities are done under either: (1) the Spill Control and Countermeasure Plan required by 40 CFR 112.3; (2) the direction or oversight of the federal on-scene coordinator designated by 40 CFR part 300; or (3) any approved existing state, regional or local contingency plan provided that the Regional Response Team (if one exists in the area) concurs with the proposed response efforts. This NWP also authorizes activities required for the cleanup of oil releases in waters of the United States from electrical equipment that are governed by EPA's polychlorinated biphenyl spill response regulations at 40 CFR part 761. This NWP also authorizes the use of temporary structures and fills in waters of the U.S. for spill response training exercises. (Authorities: Sections 10 and 404)

**21. Surface Coal Mining Activities.** Discharges of dredged or fill material into waters of the United States associated with surface coal mining and reclamation operations, provided the following criteria are met:

- (a) The activities are already authorized, or are currently being processed by states with approved programs under Title V of the Surface Mining Control and Reclamation Act of 1977 or by the Department of the Interior, Office of Surface Mining Reclamation and Enforcement;
- (b) The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into tidal waters or non-tidal wetlands adjacent to tidal waters; and
- (c) The discharge is not associated with the construction of valley fills. A "valley fill" is a fill structure that is typically constructed within valleys associated with steep, mountainous terrain, associated with surface coal mining activities.

**Notification:** The permittee must submit a pre-construction notification to the district engineer. (See general condition 32.) (Authorities: Sections 10 and 404)

**22. Removal of Vessels.** Temporary structures or minor discharges of dredged or fill material required for the removal of wrecked, abandoned, or disabled vessels, or the removal of man-made obstructions to navigation. This NWP does not authorize maintenance dredging, shoal removal, or riverbank snagging.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the vessel is listed or eligible for listing in the National Register of Historic Places; or (2) the activity is conducted in a special aquatic site, including coral reefs and wetlands. (See general condition 32.) If the vessel is listed or eligible for listing in the National Register of Historic Places, the permittee cannot commence the activity until informed by the district engineer that compliance with the "Historic Properties" general condition is completed. (Authorities: Sections 10 and 404)

**Note 1:** Intentional Ocean disposal of vessels at sea requires a permit from the U.S. EPA under the Marine Protection, Research and Sanctuaries Act, which specifies that ocean disposal should only be pursued when land-based alternatives are not available. If a Department of the Army permit is required for vessel disposal in waters of the United States, separate authorization will be required.

**Note 2:** Compliance with general condition 18, Endangered Species, and general condition 20, Historic Properties, is required for all NWPs. The concern with historic properties is emphasized in the notification requirements for this NWP because of the possibility that shipwrecks may be historic properties

**23. Approved Categorical Exclusions.** Activities undertaken, assisted, authorized, regulated, funded, or financed, in whole or in part, by another Federal agency or department where:

- (a) That agency or department has determined, pursuant to the Council on Environmental Quality's implementing regulations for the National Environmental Policy Act (40 CFR part 1500 et seq.), that the activity is categorically excluded from the requirement to prepare an environmental impact statement or environmental assessment analysis, because it is included within a category of actions which neither individually nor cumulatively have a significant effect on the human environment; and
- (b) The Office of the Chief of Engineers (Attn: CECW-CO) has concurred with that agency's or department's determination that the activity is categorically excluded and approved the activity for authorization under NWP 23.

The Office of the Chief of Engineers may require additional conditions, including pre-construction notification, for authorization of an agency's categorical exclusions under this



NWP.

**Notification:** Certain categorical exclusions approved for authorization under this NWP require the permittee to submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The activities that require pre-construction notification are listed in the appropriate Regulatory Guidance Letter(s). (Authorities: Sections 10 and 404)

**Note:** The agency or department may submit an application for an activity believed to be categorically excluded to the Office of the Chief of Engineers (Attn: CECW-CO). Prior to approval for authorization under this NWP of any agency's activity, the Office of the Chief of Engineers will solicit public comment. As of the date of issuance of this NWP, agencies with approved categorical exclusions are: the Bureau of Reclamation, Federal Highway Administration, and U.S. Coast Guard. Activities approved for authorization under this NWP as of the date of this notice are found in Corps Regulatory Guidance Letter 05-07. Any future approved categorical exclusions will be announced in Regulatory Guidance Letters and posted on this same web site.

**24. Indian Tribe or State Administered Section 404 Programs.** Any activity permitted by a state or Indian Tribe administering its own section 404 permit program pursuant to 33 U.S.C. 1344(g)-(l) is permitted pursuant to Section 10 of the Rivers and Harbors Act of 1899. (Authority: Section 10)

**Note 1:** As of the date of the promulgation of this NWP, only Florida, New Jersey and Michigan administer their own Clean Water Act Section 404 permit programs.

**Note 2:** Those activities that do not involve an Indian Tribe or State Clean Water Act Section 404 permit are not included in this NWP, but certain structures will be exempted by Section 154 of Pub. L. 94-587, 90 Stat. 2917 (33 U.S.C. 591) (see 33 CFR 322.4(b)).

**25. Structural Discharges.** Discharges of dredged or fill material such as concrete, sand, rock, etc., into tightly sealed forms or cells where the material will be used as a structural member for standard pile supported structures, such as bridges, transmission line footings, and walkways, or for general navigation, such as mooring cells, including the excavation of bottom material from within the form prior to the discharge of concrete, sand, rock, etc. This NWP does not authorize filled structural members that would support buildings, building pads, homes, house pads, parking areas, storage areas and other such structures. The structure itself may require a separate section 10 permit if located in navigable waters of the United States. (Authority: Section 404)

**26. [Reserved]**

**27. Aquatic Habitat Restoration, Enhancement, and Establishment Activities.** Activities in waters of the United States associated with the restoration, enhancement, and establishment of tidal and non-tidal wetlands and riparian areas, the restoration and enhancement of non-tidal streams and other non-tidal open waters, and the rehabilitation or enhancement of tidal streams, tidal wetlands, and tidal open waters, provided those activities result in net increases in aquatic resource functions and services.

To be authorized by this NWP, the aquatic habitat restoration, enhancement, or establishment activity must be planned, designed, and implemented so that it results in aquatic habitat that resembles an ecological reference. An ecological reference may be based on the characteristics of one or more intact aquatic habitats or riparian areas of the same type that exist in the region. An ecological reference may be based on a conceptual model developed from regional ecological knowledge of the target aquatic habitat type or riparian area.

To the extent that a Corps permit is required, activities authorized by this NWP include, but are not limited to the removal of accumulated sediments; releases of sediment from reservoirs to maintain sediment transport continuity to restore downstream habitats; the installation, removal, and maintenance of small water control structures, dikes, and berms, as well as discharges of dredged or fill material to restore appropriate stream channel configurations after small water control structures, dikes, and berms are removed; the installation of current deflectors; the enhancement, rehabilitation, or re-establishment of riffle and pool stream structure; the placement of in-stream habitat structures; modifications of the stream bed and/or banks to enhance, rehabilitate, or re-establish stream meanders; the removal of stream barriers, such as undersized culverts, fords, and grade control structures; the backfilling of artificial channels; the removal of existing drainage structures, such as drain tiles, and the filling, blocking, or reshaping of drainage ditches to restore wetland hydrology; the installation of structures or fills necessary to restore or enhance wetland or stream hydrology; the construction of small nesting islands; the construction of open water areas; the construction of oyster habitat over unvegetated bottom in tidal waters; coral restoration or relocation activities; shellfish seeding; activities needed to reestablish vegetation, including plowing or disking for seed bed preparation and the planting of appropriate wetland species; re-establishment of submerged aquatic vegetation in areas where those plant communities previously existed; re-establishment of tidal wetlands in tidal waters where those wetlands previously existed; mechanized land clearing to remove non-native invasive, exotic, or nuisance vegetation; and other related activities. Only native plant species should be planted at the site.

This NWP authorizes the relocation of non-tidal waters, including non-tidal wetlands and streams,

on the project site provided there are net increases in aquatic resource functions and services.

Except for the relocation of non-tidal waters on the project site, this NWP does not authorize the conversion of a stream or natural wetlands to another aquatic habitat type (e.g., the conversion of a stream to wetland or vice versa) or uplands. Changes in wetland plant communities that occur when wetland hydrology is more fully restored during wetland rehabilitation activities are not considered a conversion to another aquatic habitat type. This NWP does not authorize stream channelization. This NWP does not authorize the relocation of tidal waters or the conversion of tidal waters, including tidal wetlands, to other aquatic uses, such as the conversion of tidal wetlands into open water impoundments.

Compensatory mitigation is not required for activities authorized by this NWP since these activities must result in net increases in aquatic resource functions and services.

**Reversion.** For enhancement, restoration, and establishment activities conducted: (1) In accordance with the terms and conditions of a binding stream or wetland enhancement or restoration agreement, or a wetland establishment agreement, between the landowner and the U.S. Fish and Wildlife Service (FWS), the Natural Resources Conservation Service (NRCS), the Farm Service Agency (FSA), the National Marine Fisheries Service (NMFS), the National Ocean Service (NOS), U.S. Forest Service (USFS), or their designated state cooperating agencies; (2) as voluntary wetland restoration, enhancement, and establishment actions documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or (3) on reclaimed surface coal mine lands, in accordance with a Surface Mining Control and Reclamation Act permit issued by the Office of Surface Mining Reclamation and Enforcement (OSMRE) or the applicable state agency, this NWP also authorizes any future discharge of dredged or fill material associated with the reversion of the area to its documented prior condition and use (i.e., prior to the restoration, enhancement, or establishment activities). The reversion must occur within five years after expiration of a limited term wetland restoration or establishment agreement or permit and is authorized in these circumstances even if the discharge of dredged or fill material occurs after this NWP expires. The five-year reversion limit does not apply to agreements without time limits reached between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS, or an appropriate state cooperating agency. This NWP also authorizes discharges of dredged or fill material in waters of the United States for the reversion of wetlands that were restored, enhanced, or established on prior-converted cropland or on uplands, in accordance with a binding agreement between the landowner and NRCS, FSA, FWS, or their designated state cooperating agencies (even though the restoration, enhancement, or establishment activity did not require a section 404 permit). The prior condition will be documented in the original agreement or permit, and the determination of return to prior conditions will be made by the Federal agency or appropriate state agency executing the agreement or permit. Before conducting any reversion activity, the permittee or the appropriate Federal or state agency must notify the district engineer and include the documentation of the prior condition. Once an area has reverted to its prior physical condition, it will be subject to whatever the Corps Regulatory requirements are applicable to that type of land at the time. The requirement that the activity results in a net increase in aquatic resource functions and services does not apply to reversion activities meeting the above conditions. Except for the activities described above, this NWP does not authorize any future discharge of dredged or fill material associated with the reversion of the area to its prior condition. In such cases a separate permit would be required for any reversion.

**Reporting.** For those activities that do not require pre-construction notification, the permittee must submit to the district engineer a copy of: (1) the binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement, or a project description, including project plans and location map; (2) the NRCS or USDA Technical Service Provider documentation for the voluntary stream enhancement or restoration action or wetland restoration, enhancement, or establishment action; or (3) the SMCRA permit issued by OSMRE or the applicable state agency. The report must also include information on baseline ecological conditions on the project site, such as a delineation of wetlands, streams, and/or other aquatic habitats. These documents must be submitted to the district engineer at least 30 days prior to commencing activities in waters of the United States authorized by this NWP.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing any activity (see general condition 32), except for the following activities:

- (1) Activities conducted on non-Federal public lands and private lands, in accordance with the terms and conditions of a binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS or their designated state cooperating agencies;
- (2) Activities conducted in accordance with the terms and conditions of a binding coral restoration or relocation agreement between the project proponent and the NMFS or any of its designated state cooperating agencies;
- (3) Voluntary stream or wetland restoration or enhancement action, or wetland establishment action, documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or
- (4) The reclamation of surface coal mine lands, in accordance with an SMCRA permit issued by the OSMRE or the applicable state agency.

However, the permittee must submit a copy of the appropriate documentation to the district engineer to fulfill the reporting requirement. (Authorities: Sections 10 and 404)

**Note:** This NWP can be used to authorize compensatory mitigation projects, including mitigation banks and in-lieu fee projects. However, this NWP does not authorize the reversion of an area used for a compensatory mitigation project to its prior condition, since compensatory mitigation is generally intended to be permanent.

**28. Modifications of Existing Marinas.** Reconfiguration of existing docking facilities within an authorized marina area. No dredging, additional slips, dock spaces, or expansion of any kind within waters of the United States is authorized by this NWP. (Authority: Section 10)

**29. Residential Developments.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

**Subdivisions:** For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

**30. Moist Soil Management for Wildlife.** Discharges of dredged or fill material into non-tidal waters of the United States and maintenance activities that are associated with moist soil management for wildlife for the purpose of continuing ongoing, site-specific, wildlife management activities where soil manipulation is used to manage habitat and feeding areas for wildlife. Such activities include, but are not limited to, plowing or discing to impede succession, preparing seed beds, or establishing fire breaks. Sufficient riparian areas must be maintained adjacent to all open water bodies, including streams, to preclude water quality degradation due to erosion and sedimentation. This NWP does not authorize the construction of new dikes, roads, water control structures, or similar features associated with the management areas. The activity must not result in a net loss of aquatic resource functions and services. This NWP does not authorize the conversion of wetlands to uplands, impoundments, or other open water bodies. (Authority: Section 404)

**Note:** The repair, maintenance, or replacement of existing water control structures or the repair or maintenance of dikes may be authorized by NWP 3. Some such activities may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

**31. Maintenance of Existing Flood Control Facilities.** Discharges of dredged or fill material resulting from activities associated with the maintenance of existing flood control facilities, including debris basins, retention/detention basins, levees, and channels that: (i) were previously authorized by the Corps by individual permit, general permit, or 33 CFR 330.3, or did not require a permit at the time they were constructed, or (ii) were constructed by the Corps and transferred to a non-Federal sponsor for operation and maintenance. Activities authorized by this NWP are limited to those resulting from maintenance activities that are conducted within the "maintenance baseline," as described in the definition below. Discharges of dredged or fill materials associated with maintenance activities in flood control facilities in any watercourse that have previously been determined to be within the maintenance baseline are authorized under this NWP. To the extent that a Corps permit is required, this NWP authorizes the removal of vegetation from levees associated with the flood control project. This NWP does not authorize the removal of sediment and associated vegetation from natural water courses except when these activities have been included in the maintenance baseline. All dredged and excavated material must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. Proper sediment controls must be used.

**Maintenance Baseline:** The maintenance baseline is a description of the physical characteristics (e.g., depth, width, length, location, configuration, or design flood capacity, etc.) of a flood control project within which maintenance activities are normally authorized by NWP 31, subject to any case-specific conditions required by the district engineer. The district engineer will approve the maintenance baseline based on the approved or constructed capacity of the flood control facility, whichever is smaller, including any areas where there are no constructed channels but which are part of the facility. The prospective permittee will provide documentation of the physical characteristics of the flood control facility (which will normally consist of as-built or approved drawings) and documentation of the approved and constructed design capacities of the flood control facility. If no evidence of the constructed capacity exists, the approved capacity will be used. The documentation will also include best management practices to ensure that the adverse

environmental impacts caused by the maintenance activities are no more than minimal, especially in maintenance areas where there are no constructed channels. (The Corps may request maintenance records in areas where there has not been recent maintenance.) Revocation or modification of the final determination of the maintenance baseline can only be done in accordance with 33 CFR 330.5. Except in emergencies as described below, this NWP cannot be used until the district engineer approves the maintenance baseline and determines the need for mitigation and any regional or activity-specific conditions. Once determined, the maintenance baseline will remain valid for any subsequent reissuance of this NWP. This NWP does not authorize maintenance of a flood control facility that has been abandoned. A flood control facility will be considered abandoned if it has operated at a significantly reduced capacity without needed maintenance being accomplished in a timely manner. A flood control facility will not be considered abandoned if the prospective permittee is in the process of obtaining other authorizations or approvals required for maintenance activities and is experiencing delays in obtaining those authorizations or approvals.

**Mitigation:** The district engineer will determine any required mitigation one-time only for impacts associated with maintenance work at the same time that the maintenance baseline is approved. Such one-time mitigation will be required when necessary to ensure that adverse environmental effects are no more than minimal, both individually and cumulatively. Such mitigation will only be required once for any specific reach of a flood control project. However, if one-time mitigation is required for impacts associated with maintenance activities, the district engineer will not delay needed maintenance, provided the district engineer and the permittee establish a schedule for identification, approval, development, construction and completion of any such required mitigation. Once the one-time mitigation described above has been completed, or a determination made that mitigation is not required, no further mitigation will be required for maintenance activities within the maintenance baseline (see Note, below). In determining appropriate mitigation, the district engineer will give special consideration to natural water courses that have been included in the maintenance baseline and require mitigation and/or best management practices as appropriate.

**Emergency Situations:** In emergency situations, this NWP may be used to authorize maintenance activities in flood control facilities for which no maintenance baseline has been approved. Emergency situations are those which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if action is not taken before a maintenance baseline can be approved. In such situations, the determination of mitigation requirements, if any, may be deferred until the emergency has been resolved. Once the emergency has ended, a maintenance baseline must be established expeditiously, and mitigation, including mitigation for maintenance conducted during the emergency, must be required as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer before any maintenance work is conducted (see general condition 32). The pre-construction notification 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 pre-construction notification must include a description of the maintenance baseline and the disposal site for dredged or excavated material. (Authorities: Sections 10 and 404)

**Note:** If the maintenance baseline was approved by the district engineer under a prior version of NWP 31, and the district engineer imposed the one-time compensatory mitigation requirement on maintenance for a specific reach of a flood control project authorized by that prior version of NWP 31, during the period this version of NWP 31 is in effect, the district engineer will not require additional compensatory mitigation for maintenance activities authorized by this NWP in that specific reach of the flood control project.

**32. Completed Enforcement Actions.** Any structure, work, or discharge of dredged or fill material remaining in place or undertaken for mitigation, restoration, or environmental benefit in compliance with either:

(i) The terms of a final written Corps non-judicial settlement agreement resolving a violation of Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899; or the terms of an EPA 309(a) order on consent resolving a violation of Section 404 of the Clean Water Act, provided that:

- (a) The activities authorized by this NWP cannot adversely affect more than 5 acres of non-tidal waters or 1 acre of tidal waters;
- (b) The settlement agreement provides for environmental benefits, to an equal or greater degree, than the environmental detriments caused by the unauthorized activity that is authorized by this NWP; and
- (c) The district engineer issues a verification letter authorizing the activity subject to the terms and conditions of this NWP and the settlement agreement, including a specified completion date; or

(ii) The terms of a final Federal court decision, consent decree, or settlement agreement resulting from an enforcement action brought by the United States under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899; or

(iii) The terms of a final court decision, consent decree, settlement agreement, or non-judicial

settlement agreement resulting from a natural resource damage claim brought by a trustee or trustees for natural resources (as defined by the National Contingency Plan at 40 CFR subpart G) under Section 311 of the Clean Water Act, Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, Section 312 of the National Marine Sanctuaries Act, Section 1002 of the Oil Pollution Act of 1990, or the Park System Resource Protection Act at 16 U.S.C. 19jj, to the extent that a Corps permit is required.

Compliance is a condition of the NWP itself; non-compliance of the terms and conditions of an NWP 32 authorization may result in an additional enforcement action (e.g., a Class I civil administrative penalty). Any authorization under this NWP is automatically revoked if the permittee does not comply with the terms of this NWP or the terms of the court decision, consent decree, or judicial/non-judicial settlement agreement. This NWP does not apply to any activities occurring after the date of the decision, decree, or agreement that are not for the purpose of mitigation, restoration, or environmental benefit. Before reaching any settlement agreement, the Corps will ensure compliance with the provisions of 33 CFR part 326 and 33 CFR 330.6(d) (2) and (e). (Authorities: Sections 10 and 404)

**33. Temporary Construction, Access, and Dewatering.** Temporary structures, work, and discharges of dredged or fill material, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps of Engineers or the U.S. Coast Guard. This NWP also authorizes temporary structures, work, and discharges of dredged or fill material, including cofferdams, necessary for construction activities not otherwise subject to the Corps or U.S. Coast Guard permit requirements. Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding. Fill must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. The use of dredged material may be allowed if the district engineer determines that it will not cause more than minimal adverse environmental effects. Following completion of construction, temporary fill must be entirely removed to an area that has no waters of the United States, dredged material must be returned to its original location, and the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate. This permit does not authorize the use of cofferdams to dewater wetlands or other aquatic areas to change their use. Structures left in place after construction is completed require a separate section 10 permit if located in navigable waters of the United States. (See 33 CFR part 322.)

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the activity is conducted in navigable waters of the United States (i.e., section 10 waters) (see general condition 32). The pre-construction notification must include a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions. (Authorities: Sections 10 and 404)

**34. Cranberry Production Activities.** Discharges of dredged or fill material for dikes, berms, pumps, water control structures or leveling of cranberry beds associated with expansion, enhancement, or modification activities at existing cranberry production operations. The cumulative total acreage of disturbance per cranberry production operation, including but not limited to, filling, flooding, ditching, or clearing, must not exceed 10 acres of waters of the United States, including wetlands. The activity must not result in a net loss of wetland acreage. This NWP does not authorize any discharge of dredged or fill material related to other cranberry production activities such as warehouses, processing facilities, or parking areas. For the purposes of this NWP, the cumulative total of 10 acres will be measured over the period that this NWP is valid.

**Notification:** The permittee must submit a pre-construction notification to the district engineer once during the period that this NWP is valid, and the NWP will then authorize discharges of dredge or fill material at an existing operation for the permit term, provided the 10-acre limit is not exceeded. (See general condition 32.) (Authority: Section 404)

**35. Maintenance Dredging of Existing Basins.** The removal of accumulated sediment for maintenance of existing marina basins, access channels to marinas or boat slips, and boat slips to previously authorized depths or controlling depths for ingress/egress, whichever is less. All dredged material must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. Proper sediment controls must be used for the disposal site. (Authority: Section 10)

**36. Boat Ramps.** Activities required for the construction, repair, or replacement of boat ramps, provided the activity meets all of the following criteria:

- (a) The discharge of dredged or fill material into waters of the United States does not exceed 50 cubic yards of concrete, rock, crushed stone or gravel into forms, or in the form of pre-cast concrete planks or slabs, unless the district engineer waives the 50 cubic yard limit by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse environmental effects;
- (b) The boat ramp does not exceed 20 feet in width, unless the district engineer waives this criterion by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse environmental effects;
- (c) The base material is crushed stone, gravel or other suitable material;

- (d) The excavation is limited to the area necessary for site preparation and all excavated material is removed to an area that has no waters of the United States; and,
- (e) No material is placed in special aquatic sites, including wetlands.

The use of unsuitable material that is structurally unstable is not authorized. If dredging in navigable waters of the United States is necessary to provide access to the boat ramp, the dredging must be authorized by another NWP, a regional general permit, or an individual permit.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The discharge of dredged or fill material into waters of the United States exceeds 50 cubic yards, or (2) the boat ramp exceeds 20 feet in width. (See general condition 32.) (Authorities: Sections 10 and 404)

**37. Emergency Watershed Protection and Rehabilitation.** Work done by or funded by:

- (a) The Natural Resources Conservation Service for a situation requiring immediate action under its emergency Watershed Protection Program (7 CFR part 624);
- (b) The U.S. Forest Service under its Burned-Area Emergency Rehabilitation Handbook (FSH 2509.13);
- (c) The Department of the Interior for wildland fire management burned area emergency stabilization and rehabilitation (DOI Manual part 620, Ch. 3);
- (d) The Office of Surface Mining, or states with approved programs, for abandoned mine land reclamation activities under Title IV of the Surface Mining Control and Reclamation Act (30 CFR subchapter R), where the activity does not involve coal extraction; or
- (e) The Farm Service Agency under its Emergency Conservation Program (7 CFR part 701).

In general, the permittee should wait until the district engineer issues an NWP verification or 45 calendar days have passed before proceeding with the watershed protection and rehabilitation activity. However, in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur, the emergency watershed protection and rehabilitation activity may proceed immediately and the district engineer will consider the information in the pre-construction notification and any comments received as a result of agency coordination to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

**Notification:** Except in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). (Authorities: Sections 10 and 404)

**38. Cleanup of Hazardous and Toxic Waste.** Specific activities required to effect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Court ordered remedial action plans or related settlements are also authorized by this NWP. This NWP does not authorize the establishment of new disposal sites or the expansion of existing sites used for the disposal of hazardous or toxic waste.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note:** Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA as approved or required by EPA, are not required to obtain permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

**39. Commercial and Institutional Developments.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of commercial and institutional building foundations and building pads and attendant features that are necessary for the use and maintenance of the structures. Attendant features may include, but are not limited to, roads, parking lots, garages, yards, utility lines, storm water management facilities, wastewater treatment facilities, and recreation facilities such as playgrounds and playing fields. Examples of commercial developments include retail stores, industrial facilities, restaurants, business parks, and shopping centers. Examples of institutional developments include schools, fire stations, government office buildings, judicial buildings, public works buildings, libraries, hospitals, and places of worship. The construction of new golf courses and new ski areas is not authorized by this NWP.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note:** For any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission line, a copy of the PCN and NWP verification will be provided by the Corps to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

**40. Agricultural Activities.** Discharges of dredged or fill material into non-tidal waters of the United States for agricultural activities, including the construction of building pads for farm buildings. Authorized activities include the installation, placement, or construction of drainage tiles, ditches, or levees; mechanized land clearing; land leveling; the relocation of existing serviceable drainage ditches constructed in waters of the United States; and similar activities.

This NWP also authorizes the construction of farm ponds in non-tidal waters of the United States, excluding perennial streams, provided the farm pond is used solely for agricultural purposes. This NWP does not authorize the construction of aquaculture ponds.

This NWP also authorizes discharges of dredged or fill material into non-tidal jurisdictional waters of the United States to relocate existing serviceable drainage ditches constructed in non-tidal streams.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authority: Section 404)

**Note:** Some discharges of dredged or fill material into waters of the United States for agricultural activities may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4). This NWP authorizes the construction of farm ponds that do not qualify for the Clean Water Act section 404(f) (1) (C) exemption because of the recapture provision at section 404(f) (2).

**41. Reshaping Existing Drainage and Irrigation Ditches.** Discharges of dredged or fill material into non-tidal waters of the United States, excluding non-tidal wetlands adjacent to tidal waters, to modify the cross-sectional configuration of currently serviceable drainage and irrigation ditches constructed in waters of the United States, for the purpose of improving water quality by regrading the drainage or irrigation ditch with gentler slopes, which can reduce erosion, increase growth of vegetation, and increase uptake of nutrients and other substances by vegetation. The reshaping of the drainage ditch cannot increase drainage capacity beyond the original as-built capacity nor can it expand the area drained by the drainage ditch as originally constructed (i.e., the capacity of the drainage ditch must be the same as originally constructed and it cannot drain additional wetlands or other waters of the United States). Compensatory mitigation is not required because the work is designed to improve water quality.

This NWP does not authorize the relocation of drainage or irrigation ditches constructed in waters of the United States; the location of the centerline of the reshaped drainage or irrigation ditch must be approximately the same as the location of the centerline of the original drainage or irrigation ditch. This NWP does not authorize stream channelization or stream relocation projects. (Authority: Section 404)

**42. Recreational Facilities.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of recreational facilities. Examples of recreational facilities that may be authorized by this NWP include playing fields (e.g., football fields, baseball fields), basketball courts, tennis courts, hiking trails, bike paths, golf courses, ski areas, horse paths, nature centers, and campgrounds (excluding recreational vehicle parks). This NWP also authorizes the construction or expansion of small support facilities, such as maintenance and storage buildings and stables that are directly related to the recreational activity, but it does not authorize the construction of hotels, restaurants, racetracks, stadiums, arenas, or similar facilities.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authority: Section 404)

**43. Stormwater Management Facilities.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction of stormwater management facilities, including stormwater detention basins and retention basins and other stormwater management facilities; the construction of water control structures, outfall structures and emergency spillways; the construction of low impact development integrated management features such as bioretention facilities (e.g., rain gardens), vegetated filter strips, grassed swales, and infiltration

trenches; and the construction of pollutant reduction green infrastructure features designed to reduce inputs of sediments, nutrients, and other pollutants into waters, such as features needed to meet reduction targets established under Total Maximum Daily Loads set under the Clean Water Act.

This NWP authorizes, to the extent that a section 404 permit is required, discharges of dredged or fill material into non-tidal waters of the United States for the maintenance of stormwater management facilities, low impact development integrated management features, and pollutant reduction green infrastructure features. The maintenance of stormwater management facilities, low impact development integrated management features, and pollutant reduction green infrastructure features that are not waters of the United States does not require a section 404 permit.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters. This NWP does not authorize discharges of dredged or fill material for the construction of new stormwater management facilities in perennial streams.

**Notification:** For discharges of dredged or fill material into non-tidal waters of the United States for the construction of new stormwater management facilities or pollutant reduction green infrastructure features, or the expansion of existing stormwater management facilities or pollutant reduction green infrastructure features, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) Maintenance activities do not require pre-construction notification if they are limited to restoring the original design capacities of the stormwater management facility or pollutant reduction green infrastructure feature. (Authority: Section 404)

44. **Mining Activities.** Discharges of dredged or fill material into non-tidal waters of the United States for mining activities, except for coal mining activities, provided the activity meets all of the following criteria:

- (a) For mining activities involving discharges of dredged or fill material into non-tidal jurisdictional wetlands, the discharge must not cause the loss of greater than 1/2-acre of non-tidal jurisdictional wetlands;
- (b) For mining activities involving discharges of dredged or fill material in non-tidal jurisdictional open waters (e.g., rivers, streams, lakes, and ponds) or work in non-tidal navigable waters of the United States (i.e., section 10 waters), the mined area, including permanent and temporary impacts due to discharges of dredged or fill material into jurisdictional waters, must not exceed 1/2-acre; and
- (c) The acreage loss under paragraph (a) plus the acreage impact under paragraph (b) does not exceed 1/2-acre.

This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) If reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre-construction notification. (Authorities: Sections 10 and 404)

45. **Repair of Uplands Damaged by Discrete Events.** This NWP authorizes discharges of dredged or fill material, including dredging or excavation, into all waters of the United States for activities associated with the restoration of upland areas damaged by storms, floods, or other discrete events. This NWP authorizes bank stabilization to protect the restored uplands. The restoration of the damaged areas, including any bank stabilization, must not exceed the contours, or ordinary high water mark, that existed before the damage occurred. The district engineer retains the right to determine the extent of the pre-existing conditions and the extent of any restoration work authorized by this NWP. The work must commence, or be under contract to commence, within two years of the date of damage, unless this condition is waived in writing by the district engineer. This NWP cannot be used to reclaim lands lost to normal erosion processes over an extended period.

This NWP does not authorize beach restoration or nourishment.

Minor dredging is limited to the amount necessary to restore the damaged upland area and should not significantly alter the pre-existing bottom contours of the waterbody.

**Notification:** The permittee must submit a pre-construction notification to the district engineer (see general condition 32) within 12 months of the date of the damage; for major storms, floods, or other discrete events, the district engineer may waive the 12-month limit for submitting a pre-construction notification if the permittee can demonstrate funding, contract, or other similar delays. The pre-construction notification must include documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration. (Authorities: Sections 10 and 404)

**Note:** The uplands themselves that are lost as a result of a storm, flood, or other discrete



event can be replaced without a Clean Water Act Section 404 permit, if the uplands are restored to the ordinary high water mark (in non-tidal waters) or high tide line (in tidal waters). (See also 33 CFR 328.5.) This NWP authorizes discharges of dredged or fill material into waters of the United States associated with the restoration of uplands.

**46. Discharges in Ditches.** Discharges of dredged or fill material into non-tidal ditches that are (1) constructed in uplands, (2) receive water from an area determined to be a water of the United States prior to the construction of the ditch, (3) divert water to an area determined to be a water of the United States prior to the construction of the ditch, and (4) determined to be waters of the United States. The discharge of dredged or fill material must not cause the loss of greater than one acre of waters of the United States.

This NWP does not authorize discharges of dredged or fill material into ditches constructed in streams or other waters of the United States, or in streams that have been relocated in uplands. This NWP does not authorize discharges of dredged or fill material that increase the capacity of the ditch and drain those areas determined to be waters of the United States prior to construction of the ditch.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authority: Section 404)

**47. [Reserved]**

**48. Commercial Shellfish Mariculture Activities.** Structures or work in navigable waters of the United States and discharges of dredged or fill material into waters of the United States necessary for new and continuing commercial shellfish mariculture operations (i.e., the cultivation of bivalve mollusks such as oysters, mussels, clams, and scallops) in authorized project areas. For the purposes of this NWP, the project area is the area in which the operator is authorized to conduct commercial shellfish mariculture activities, as identified through a lease or permit issued by an appropriate state or local government agency, a treaty, or any easement, lease, deed, contract, or other legally binding agreement that establishes an enforceable property interest for the operator.

This NWP authorizes the installation of buoys, floats, racks, trays, nets, lines, tubes, containers, and other structures into navigable waters of the United States. This NWP also authorizes discharges of dredged or fill material into waters of the United States necessary for shellfish seeding, rearing, cultivating, transplanting, and harvesting activities. Rafts and other floating structures must be securely anchored and clearly marked.

This NWP does not authorize:

- (a) The cultivation of a nonindigenous species unless that species has been previously cultivated in the waterbody;
- (b) The cultivation of an aquatic nuisance species as defined in the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990; or
- (c) Attendant features such as docks, piers, boat ramps, stockpiles, or staging areas, or the deposition of shell material back into waters of the United States as waste.

**Notification:** The permittee must submit a pre-construction notification to the district engineer if the activity directly affects more than 1/2-acre of submerged aquatic vegetation. If the operator will be conducting commercial shellfish mariculture activities in multiple contiguous project areas, he or she can either submit one PCN for those contiguous project areas or submit a separate PCN for each project area. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note 1:** The permittee should notify the applicable U.S. Coast Guard office regarding the project.

**Note 2:** To prevent introduction of aquatic nuisance species, no material that has been taken from a different waterbody may be reused in the current project area, unless it has been treated in accordance with the applicable regional aquatic nuisance species management plan.

**Note 3:** The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 defines "aquatic nuisance species" as "a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters, or commercial, agricultural, aquacultural, or recreational activities dependent on such waters."

An individual water quality certification from the Iowa Department of Natural Resources will be required for this nationwide permit.

**49. Coal Remining Activities.** Discharges of dredged or fill material into non-tidal waters of the United States associated with the remining and reclamation of lands that were previously mined for coal. The activities must already be authorized, or they must currently be in process by the Department of the Interior Office of Surface Mining Reclamation and Enforcement, or by states with approved programs under Title IV or Title V of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Areas previously mined include reclaimed mine sites, abandoned mine land areas, or lands under bond forfeiture contracts.

As part of the project, the permittee may conduct new coal mining activities in conjunction with the remining activities when he or she clearly demonstrates to the district engineer that the overall mining plan will result in a net increase in aquatic resource functions. The Corps will consider the SMCRA agency's decision regarding the amount of currently undisturbed adjacent lands needed to facilitate the remining and reclamation of the previously mined area. The total area disturbed by new mining must not exceed 40 percent of the total acreage covered by both the remined area and the additional area necessary to carry out the reclamation of the previously mined area.

**Notification:** The permittee must submit a pre-construction notification and a document describing how the overall mining plan will result in a net increase in aquatic resource functions to the district engineer and receive written authorization prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

**50. Underground Coal Mining Activities.** Discharges of dredged or fill material into non-tidal waters of the United States associated with underground coal mining and reclamation operations provided the activities are authorized, or are currently being processed by the Department of the Interior, Office of Surface Mining Reclamation and Enforcement, or by states with approved programs under Title V of the Surface Mining Control and Reclamation Act of 1977.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters. This NWP does not authorize coal preparation and processing activities outside of the mine site.

**Notification:** The permittee must submit a pre-construction notification to the district engineer. (See general condition 32.) If reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification. (Authorities: Sections 10 and 404)

**51. Land-Based Renewable Energy Generation Facilities.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction, expansion, or modification of land-based renewable energy production facilities, including attendant features. Such facilities include infrastructure to collect solar (concentrating solar power and photovoltaic), wind, biomass, or geothermal energy. Attendant features may include, but are not limited to roads, parking lots, and stormwater management facilities within the land-based renewable energy generation facility.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the discharge results in the loss of greater than 1/10-acre of waters of the United States. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note 1:** Electric utility lines constructed to transfer the energy from the land-based renewable energy generation facility to a distribution system, regional grid, or other facility are generally considered to be linear projects and each separate and distant crossing of a waterbody is eligible for treatment as a separate single and complete linear project. Those electric utility lines may be authorized by NWP 57 or another Department of the Army authorization.

**Note 2:** If the only activities associated with the construction, expansion, or modification of a land-based renewable energy generation facility that require Department of the Army authorization are discharges of dredged or fill material into waters of the United States to construct, maintain, repair, and/or remove electric utility lines and/or road crossings, then NWP 57 and/or NWP 14 shall be used if those activities meet the terms and conditions of NWPs 57 and 14, including any applicable regional conditions and any case-specific conditions imposed by the district engineer.

**Note 3:** For any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission line, a copy of the PCN and NWP verification will be provided by the Corps to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

An individual water quality certification from the Iowa Department of Natural Resources will be required for this nationwide permit.

**52. Water-Based Renewable Energy Generation Pilot Projects.** Structures and work in navigable waters of the United States and discharges of dredged or fill material into waters of the United States for the construction, expansion, modification, or removal of water-based wind, water-based solar, wave energy, or hydrokinetic renewable energy generation pilot projects and their attendant features. Attendant features may include, but are not limited to, land-based collection and distribution facilities, control facilities, roads, parking lots, and stormwater management facilities.

For the purposes of this NWP, the term "pilot project" means an experimental project where the water-based renewable energy generation units will be monitored to collect information on their performance and environmental effects at the project site.

The placement of a transmission line on the bed of a navigable water of the United States from the renewable energy generation unit(s) to a land-based collection and distribution facility is considered a structure under Section 10 of the Rivers and Harbors Act of 1899 (see 33 CFR 322.2(b)), and the placement of the transmission line on the bed of a navigable water of the United States is not a loss of waters of the United States for the purposes of applying the 1/2-acre limit.

For each single and complete project, no more than 10 generation units (e.g., wind turbines, wave energy devices, or hydrokinetic devices) are authorized. For floating solar panels in navigable waters of the United States, each single and complete project cannot exceed 1/2-acre in water surface area covered by the floating solar panels.

This NWP does not authorize activities in coral reefs. Structures in an anchorage area established by the U.S. Coast Guard must comply with the requirements in 33 CFR 322.5(l)(2). Structures may not be placed in established danger zones or restricted areas designated in 33 CFR part 334, Federal navigation channels, shipping safety fairways or traffic separation schemes established by the U.S. Coast Guard (see 33 CFR 322.5(l)(1)), or EPA or Corps designated open water dredged material disposal areas.

Upon completion of the pilot project, the generation units, transmission lines, and other structures or fills associated with the pilot project must be removed to the maximum extent practicable unless they are authorized by a separate Department of the Army authorization, such as another NWP, an individual permit, or a regional general permit. Completion of the pilot project will be identified as the date of expiration of the Federal Energy Regulatory Commission (FERC) license, or the expiration date of the NWP authorization if no FERC license is required.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note 1:** Electric utility lines constructed to transfer the energy from the land-based collection facility to a distribution system, regional grid, or other facility are generally considered to be linear projects and each separate and distant crossing of a waterbody is eligible for treatment as a separate single and complete linear project. Those electric utility lines may be authorized by NWP 57 or another Department of the Army authorization.

**Note 2:** An activity that is located on an existing locally or federally maintained U.S. Army Corps of Engineers project requires separate review and/or approval from the Corps under 33 U.S.C. 408.

**Note 3:** If the pilot project generation units, including any transmission lines, are placed in navigable waters of the United States (i.e., section 10 waters) within the coastal United States, the Great Lakes, and United States territories, copies of the NWP verification will be sent by the Corps to the National Oceanic and Atmospheric Administration, National Ocean Service, for charting the generation units and associated transmission line(s) to protect navigation.

**Note 4:** Hydrokinetic renewable energy generation projects that require authorization by the Federal Energy Regulatory Commission under the Federal Power Act of 1920 do not require separate authorization from the Corps under section 10 of the Rivers and Harbors Act of 1899.

**Note 5:** For any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission line, a copy of the PCN and NWP verification will be provided by the Corps to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

An individual water quality certification from the Iowa Department of Natural Resources will be required for this nationwide permit.

**53. Removal of Low-Head Dams.** Structures and work in navigable waters of the United States and discharges of dredged or fill material into waters of the United States associated with the removal of low-head dams.

For the purposes of this NWP, the term "low-head dam" is generally defined as a dam or weir built across a stream to pass flows from upstream over all, or nearly all, of the width of the dam crest and does not have a separate spillway or spillway gates, but it may have an uncontrolled spillway. The dam crest is the top of the dam from left abutment to right abutment. A low-head dam may have been built for a range of purposes (e.g., check dam, mill dam, irrigation, water supply, recreation, hydroelectric, or cooling pond), but in all cases, it provides little or no storage function.

The removed low-head dam structure must be deposited and retained in an area that has no waters of

the United States unless otherwise specifically approved by the district engineer under separate authorization.

Because the removal of the low-head dam will result in a net increase in ecological functions and services provided by the stream, as a general rule compensatory mitigation is not required for activities authorized by this NWP. However, the district engineer may determine for a particular low-head dam removal activity that compensatory mitigation is necessary to ensure that the authorized activity results in no more than minimal adverse environmental effects.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note:** This NWP does not authorize discharges of dredged or fill material into waters of the United States or structures or work in navigable waters to restore the stream in the vicinity of the low-head dam, including the former impoundment area. Nationwide permit 27 or other Department of the Army permits may authorize such activities. This NWP does not authorize discharges of dredged or fill material into waters of the United States or structures or work in navigable waters to stabilize stream banks. Bank stabilization activities may be authorized by NWP 13 or other Department of the Army permits.

**54. Living Shorelines.** Structures and work in navigable waters of the United States and discharges of dredged or fill material into waters of the United States for the construction and maintenance of living shorelines to stabilize banks and shores in coastal waters, which includes the Great Lakes, along shores with small fetch and gentle slopes that are subject to low- to mid-energy waves. A living shoreline has a footprint that is made up mostly of native material. It incorporates vegetation or other living, natural "soft" elements alone or in combination with some type of harder shoreline structure (e.g., oyster or mussel reefs or rock sills) for added protection and stability. Living shorelines should maintain the natural continuity of the land-water interface, and retain or enhance shoreline ecological processes. Living shorelines must have a substantial biological component, either tidal or lacustrine fringe wetlands or oyster or mussel reef structures. The following conditions must be met:

- (a) The structures and fill area, including sand fills, sills, breakwaters, or reefs, cannot extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes, unless the district engineer waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects;
- (b) The activity is no more than 500 feet in length along the bank, unless the district engineer waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects;
- (c) Coir logs, coir mats, stone, native oyster shell, native wood debris, and other structural materials must be adequately anchored, of sufficient weight, or installed in a manner that prevents relocation in most wave action or water flow conditions, except for extremely severe storms;
- (d) For living shorelines consisting of tidal or lacustrine fringe wetlands, native plants appropriate for current site conditions, including salinity and elevation, must be used if the site is planted by the permittee;
- (e) Discharges of dredged or fill material into waters of the United States, and oyster or mussel reef structures in navigable waters, must be the minimum necessary for the establishment and maintenance of the living shoreline;
- (f) If sills, breakwaters, or other structures must be constructed to protect fringe wetlands for the living shoreline, those structures must be the minimum size necessary to protect those fringe wetlands;
- (g) The activity must be designed, constructed, and maintained so that it has no more than minimal adverse effects on water movement between the waterbody and the shore and the movement of aquatic organisms between the waterbody and the shore; and
- (h) The living shoreline must be properly maintained, which may require periodic repair of sills, breakwaters, or reefs, or replacing sand fills after severe storms or erosion events. Vegetation may be replanted to maintain the living shoreline. This NWP authorizes those maintenance and repair activities, including any minor deviations necessary to address changing environmental conditions.

This NWP does not authorize beach nourishment or land reclamation activities.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the construction of the living shoreline. (See general condition 32.) The pre-construction notification must include a delineation of special aquatic sites (see paragraph (b) (4) of general condition 32). Pre-construction notification is not required for maintenance and repair activities for living shorelines unless required by applicable NWP general conditions or regional

conditions. (Authorities: Sections 10 and 404)

**Note:** In waters outside of coastal waters, nature-based bank stabilization techniques, such as bioengineering and vegetative stabilization, may be authorized by NWP 13.

**55. Seaweed Mariculture Activities.** Structures in marine and estuarine waters, including structures anchored to the seabed in waters overlying the outer continental shelf, for seaweed mariculture activities. This NWP also authorizes structures for bivalve shellfish mariculture if shellfish production is a component of an integrated multi-trophic mariculture system (e.g., the production of seaweed and bivalve shellfish on the same structure or a nearby mariculture structure that is part of the single and complete project).

This NWP authorizes the installation of buoys, long-lines, floats, anchors, rafts, racks, and other similar structures into navigable waters of the United States. Rafts, racks and other floating structures must be securely anchored and clearly marked. To the maximum extent practicable, the permittee must remove these structures from navigable waters of the United States if they will no longer be used for seaweed mariculture activities or multi-trophic mariculture activities.

Structures in an anchorage area established by the U.S. Coast Guard must comply with the requirements in 33 CFR 322.5(1)(2). Structures may not be placed in established danger zones or restricted areas designated in 33 CFR part 334, Federal navigation channels, shipping safety fairways or traffic separation schemes established by the U.S. Coast Guard (see 33 CFR 322.5(1)(1)), or EPA or Corps designated open water dredged material disposal areas.

This NWP does not authorize:

- (a) The cultivation of an aquatic nuisance species as defined in the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 or the cultivation of a nonindigenous species unless that species has been previously cultivated in the waterbody; or
- (b) Attendant features such as docks, piers, boat ramps, stockpiles, or staging areas.

**Notification:** The permittee must submit a pre-construction notification to the district engineer. (See general condition 32.)

In addition to the information required by paragraph (b) of general condition 32, the preconstruction notification must also include the following information: (1) a map showing the locations and dimensions of the structure(s); (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; and (3) general water depths in the project area(s) (a detailed survey is not required). No more than one pre-construction notification per structure or group of structures should be submitted for the seaweed mariculture operation during the effective period of this NWP. The pre-construction notification should describe all species and culture activities the operator expects to undertake during the effective period of this NWP. (Authority: Section 10)

**Note 1:** The permittee should notify the applicable U.S. Coast Guard office regarding the project.

**Note 2:** To prevent introduction of aquatic nuisance species, no material that has been taken from a different waterbody may be reused in the current project area, unless it has been treated in accordance with the applicable regional aquatic nuisance species management plan.

**Note 3:** The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 defines "aquatic nuisance species" as "a nonindigenous species that threatens the diversity or abundance of nativespecies or the ecological stability of infested waters, or commercial, agricultural, aquacultural, or recreational activities dependent on such waters."

**56. Finfish Mariculture Activities.** Structures in marine and estuarine waters, including structures anchored to the seabed in waters overlying the outer continental shelf, for finfish mariculture activities. This NWP also authorizes structures for bivalve shellfish mariculture and/or seaweed mariculture if the structures for bivalve shellfish and/or seaweed production are a component of an integrated multi-trophic mariculture structure (e.g., the production of bivalve shellfish or seaweed on the structure used for finfish mariculture, or a nearby mariculture structure that is part of the single and complete project).

This NWP authorizes the installation of cages, net pens, anchors, floats, buoys, and other similar structures into navigable waters of the United States. Net pens, cages, and other floating structures must be securely anchored and clearly marked. To the maximum extent practicable, the permittee must remove these structures from navigable waters of the United States if they will no longer be used for finfish mariculture activities or multi-trophic mariculture activities.

This NWP does not authorize the construction of land-based fish hatcheries or other attendant features.

Structures in an anchorage area established by the U.S. Coast Guard must comply with the requirements in 33 CFR 322.5(1)(2). Structures may not be placed in established danger zones or

restricted areas designated in 33 CFR part 334, Federal navigation channels, shipping safety fairways or traffic separation schemes established by the U.S. Coast Guard (see 33 CFR 322.5(l)(1)), or EPA or Corps designated open water dredged material disposal areas.

This NWP does not authorize:

- (a) The cultivation of an aquatic nuisance species as defined in the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 or the cultivation of a nonindigenous species unless that species has been previously cultivated in the waterbody; or
- (b) Attendant features such as docks, piers, boat ramps, stockpiles, or staging areas.

**Notification:** The permittee must submit a pre-construction notification to the district engineer. (See general condition 32.)

In addition to the information required by paragraph (b) of general condition 32, the pre-construction notification must also include the following information: (1) a map showing the locations and dimensions of the structure(s); (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; and (3) general water depths in the project area(s) (a detailed survey is not required). No more than one pre-construction notification per structure or group of structures should be submitted for the finfish mariculture operation during the effective period of this NWP. The pre-construction notification should describe all species and culture activities the operator expects to undertake during the effective period of this NWP. (Authority: Section 10)

**Note 1:** The permittee should notify the applicable U.S. Coast Guard office regarding the finfish mariculture activity.

**Note 2:** To prevent introduction of aquatic nuisance species, no material that has been taken from a different waterbody may be reused in the current project area, unless it has been treated in accordance with the applicable regional aquatic nuisance species management plan.

**Note 3:** The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 defines "aquatic nuisance species" as "a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters, or commercial, agricultural, aquacultural, or recreational activities dependent on such waters."

**57. Electric Utility Line and Telecommunications Activities.** Activities required for the construction, maintenance, repair, and removal of electric utility lines, telecommunication lines, and associated facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2-acre of waters of the United States for each single and complete project.

*Electric utility lines and telecommunication lines:* This NWP authorizes discharges of dredged or fill material into waters of the United States and structures or work in navigable waters for crossings of those waters associated with the construction, maintenance, or repair of electric utility lines and telecommunication lines. There must be no change in pre-construction contours of waters of the United States. An "electric utility line and telecommunication line" is defined as any cable, line, fiber optic line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and internet, radio, and television communication.

Material resulting from trench excavation may be temporarily sidecast into waters of the United States for no more than three months, provided the material is not placed in such a manner that it is dispersed by currents or other forces. The district engineer may extend the period of temporary side casting for no more than a total of 180 days, where appropriate. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. The trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a french drain effect). Any exposed slopes and stream banks must be stabilized immediately upon completion of the electric utility line or telecommunication line crossing of each waterbody.

*Electric utility line and telecommunications substations:* This NWP authorizes the construction, maintenance, or expansion of substation facilities associated with an electric utility line or telecommunication line in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not result in the loss of greater than 1/2-acre of waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters of the United States to construct, maintain, or expand substation facilities.

*Foundations for overhead electric utility line or telecommunication line towers, poles, and anchors:* This NWP authorizes the construction or maintenance of foundations for overhead electric utility line or telecommunication line towers, poles, and anchors in all waters of the United States, provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible.

*Access roads:* This NWP authorizes the construction of access roads for the construction and maintenance of electric utility lines or telecommunication lines, including overhead lines and

substations, in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters for access roads. Access roads must be the minimum width necessary (see Note 2, below). Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as near as possible to pre-construction contours and elevations (e.g., at grade corduroy roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.

This NWP may authorize electric utility lines or telecommunication lines in or affecting navigable waters of the United States even if there is no associated discharge of dredged or fill material (see 33 CFR part 322). Electric utility lines or telecommunication lines constructed over section 10 waters and electric utility lines or telecommunication lines that are routed in or under section 10 waters without a discharge of dredged or fill material require a section 10 permit.

This NWP authorizes, to the extent that Department of the Army authorization is required, temporary structures, fills, and work necessary for the remediation of inadvertent returns of drilling fluids to waters of the United States through sub-soil fissures or fractures that might occur during horizontal directional drilling activities conducted for the purpose of installing or replacing electric utility lines or telecommunication lines. These remediation activities must be done as soon as practicable, to restore the affected waterbody. District engineers may add special conditions to this NWP to require a remediation plan for addressing inadvertent returns of drilling fluids to waters of the United States during horizontal directional drilling activities conducted for the purpose of installing or replacing electric utility lines or telecommunication lines.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the electric utility line activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) a section 10 permit is required; or (2) the discharge will result in the loss of greater than 1/10-acre of waters of the United States. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note 1:** Where the electric utility line is constructed, installed, or maintained in navigable waters of the United States (i.e., section 10 waters) within the coastal United States, the Great Lakes, and United States territories, a copy of the NWP verification will be sent by the Corps to the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), for charting the electric utility line to protect navigation.

**Note 2:** For electric utility line or telecommunications activities crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Electric utility line and telecommunications activities must comply with 33 CFR 330.6(d).

**Note 3:** Electric utility lines or telecommunication lines consisting of aerial electric power transmission lines crossing navigable waters of the United States (which are defined at 33 CFR part 329) must comply with the applicable minimum clearances specified in 33 CFR 322.5(i).

**Note 4:** Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of this NWP. Access roads used solely for construction of the electric utility line or telecommunication line must be removed upon completion of the work, in accordance with the requirements for temporary fills.

**Note 5:** This NWP authorizes electric utility line and telecommunication line maintenance and repair activities that do not qualify for the Clean Water Act section 404(f) exemption for maintenance of currently serviceable fills or fill structures.

**Note 6:** For overhead electric utility lines and telecommunication lines authorized by this NWP, a copy of the PCN and NWP verification will be provided by the Corps to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

**Note 7:** For activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer

will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

**58. Utility Line Activities for Water and Other Substances.** Activities required for the construction, maintenance, repair, and removal of utility lines for water and other substances, excluding oil, natural gas, products derived from oil or natural gas, and electricity. Oil or natural gas pipeline activities or electric utility line and telecommunications activities may be authorized by NWPs 12 or 57, respectively. This NWP also authorizes associated utility line facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2-acre of waters of the United States for each single and complete project.

*Utility lines:* This NWP authorizes discharges of dredged or fill material into waters of the United States and structures or work in navigable waters for crossings of those waters associated with the construction, maintenance, or repair of utility lines for water and other substances, including outfall and intake structures. There must be no change in pre-construction contours of waters of the United States. A "utility line" is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose that is not oil, natural gas, or petrochemicals. Examples of activities authorized by this NWP include utility lines that convey water, sewage, stormwater, wastewater, brine, irrigation water, and industrial products that are not petrochemicals. The term "utility line" does not include activities that drain a water of the United States, such as drainage tile or french drains, but it does apply to pipes conveying drainage from another area.

Material resulting from trench excavation may be temporarily sidecast into waters of the United States for no more than three months, provided the material is not placed in such a manner that it is dispersed by currents or other forces. The district engineer may extend the period of temporary side casting for no more than a total of 180 days, where appropriate. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. The trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a french drain effect). Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing of each waterbody.

*Utility line substations:* This NWP authorizes the construction, maintenance, or expansion of substation facilities associated with a utility line in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not result in the loss of greater than 1/2-acre of waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters of the United States to construct, maintain, or expand substation facilities.

*Foundations for above-ground utility lines:* This NWP authorizes the construction or maintenance of foundations for above-ground utility lines in all waters of the United States, provided the foundations are the minimum size necessary.

*Access roads:* This NWP authorizes the construction of access roads for the construction and maintenance of utility lines, including utility line substations, in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters for access roads. Access roads must be the minimum width necessary (see Note 2, below). Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as near as possible to pre-construction contours and elevations (e.g., at grade corduroy roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.

This NWP may authorize utility lines in or affecting navigable waters of the United States even if there is no associated discharge of dredged or fill material (see 33 CFR part 322). Overhead utility lines constructed over section 10 waters and utility lines that are routed in or under section 10 waters without a discharge of dredged or fill material require a section 10 permit.

This NWP authorizes, to the extent that Department of the Army authorization is required, temporary structures, fills, and work necessary for the remediation of inadvertent returns of drilling fluids to waters of the United States through sub-soil fissures or fractures that might occur during horizontal directional drilling activities conducted for the purpose of installing or replacing utility lines. These remediation activities must be done as soon as practicable, to restore the affected waterbody. District engineers may add special conditions to this NWP to require a remediation plan for addressing inadvertent returns of drilling fluids to waters of the United States during horizontal directional drilling activities conducted for the purpose of installing or replacing utility lines.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the utility line activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are



necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) a section 10 permit is required; or (2) the discharge will result in the loss of greater than 1/10-acre of waters of the United States. (See general condition 32.) (Authorities: Sections 10 and 404)

**Note 1:** Where the utility line is constructed, installed, or maintained in navigable waters of the United States (i.e., section 10 waters) within the coastal United States, the Great Lakes, and United States territories, a copy of the 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.

**Note 2:** For utility line activities crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Utility line activities must comply with 33 CFR 330.6(d)

**Note 3:** Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of this NWP. Access roads used solely for construction of the utility line must be removed upon completion of the work, in accordance with the requirements for temporary fills.

**Note 4:** Pipes or pipelines used to transport gaseous, liquid, liquescent, or slurry substances over navigable waters of the United States are considered to be bridges, not utility lines, and may require a permit from the U.S. Coast Guard pursuant to the General Bridge Act of 1946. However, any discharges of dredged or fill material into waters of the United States associated with such pipelines will require a section 404 permit (see NWP 15).

**Note 5:** This NWP authorizes utility line maintenance and repair activities that do not qualify for the Clean Water Act section 404(f) exemption for maintenance of currently serviceable fills or fill structures.

**Note 6:** For activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

**59. Water reclamation and reuse facilities.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction, expansion, and maintenance of water reclamation and reuse facilities, including vegetated areas enhanced to improve water infiltration and constructed wetlands to improve water quality.

The discharge of dredged or fill material must not cause the loss of greater than 1/2-acre of waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

This NWP also authorizes temporary fills, including the use of temporary mats, necessary to construct the water reuse project and attendant features. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

### **C. Nationwide Permit General Conditions**

**Note:** To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management

Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

**1. Navigation.**

- (a) No activity may cause more than a minimal adverse effect on navigation.
- (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.
- (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

**2. Aquatic Life Movements.** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

**3. Spawning Areas.** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

**4. Migratory Bird Breeding Areas.** Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

**5. Shellfish Beds.** No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

**6. Suitable Material.** No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

**7. Water Supply Intakes.** No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

**8. Adverse Effects From Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

**9. Management of Water Flows.** To the maximum extent practicable, the pre- construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

**10. Fills Within 100-Year Floodplains.** The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

**11. Equipment.** Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

**12. Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

**13. Removal of Temporary Structures and Fills.** Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed

in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

**14. Proper Maintenance.** Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

**15. Single and Complete Project.** The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

**16. Wild and Scenic Rivers.**

- (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.
- (b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.
- (c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at:  
<http://www.rivers.gov/>.

**17. Tribal Rights.** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

**18. Endangered Species.**

- (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."
- (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.
- (c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities

where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

- (d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.
- (e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.
- (f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.
- (g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

**19. Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

**20. Historic Properties.**

- (a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.
- (b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.
- (c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance

regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

- (d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.
- (e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

**21. Discovery of Previously Unknown Remains and Artifacts.** Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

**22. Designated Critical Resource Waters.** Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

- (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.
- (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be

no more than minimal.

**23. Mitigation.** The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

- (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).
- (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.
- (c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.
- (d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).
- (e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.
- (f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.
  - (1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.
  - (2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)
  - (3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.
  - (4) If permittee-responsible mitigation is the proposed option, the prospective

permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

**24. Safety of Impoundment Structures.** To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

**25. Water Quality.**

(a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

**26. Coastal Zone Management.** In coastal states where an NWP has not previously received a state

coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

**27. Regional and Case-By-Case Conditions.** The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

**28. Use of Multiple Nationwide Permits.** The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

- (a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.
- (b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

**29. Transfer of Nationwide Permit Verifications.** If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

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(Transferee)

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(Date)

**30. Compliance Certification.** Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.



**31. Activities Affecting Structures or Works Built by the United States.** If an NWP activity also requires review by, or permission from, the Corps pursuant to 33U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

**32. Pre-Construction Notification.**

(a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; Or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed activity;
- (3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;
- (4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This

information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

- (5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;
  - (6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.
  - (7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;
  - (8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;
  - (9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and
  - (10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.
- (c) Form of Pre-Construction Notification: The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.
- (d) Agency Coordination:
- (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and then proceed for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.
  - (2) Agency coordination is required for:
    - (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States;
    - (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and

(iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high-water mark in the Great Lakes.

- (3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or waterquality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.
- (4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.
- (5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

#### **D. District Engineer's Decision**

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the single and complete crossings of waters of the United States that require PCNs to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings of waters of the United States authorized by an NWP. If an applicant requests a waiver of an applicable limit, as provided for in NWPs 13, 36, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by an NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters. The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed.

If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure that the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

#### **E. Further Information**

1. District engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

#### **F. Definitions**

**Best management practices (BMPs):** Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

**Compensatory mitigation:** The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

**Currently serviceable:** Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

**Direct effects:** Effects that are caused by the activity and occur at the same time and place.

**Discharge:** The term "discharge" means any discharge of dredged or fill material into waters of the United States.

**Ecological reference:** A model used to plan and design an aquatic habitat and riparian area restoration, enhancement, or establishment activity under NWP 27. An ecological reference may be based on the structure, functions, and dynamics of an aquatic habitat type or a riparian area type that currently exists in the region where the proposed NWP 27 activity is located. Alternatively, an ecological reference may be based on a conceptual model for the aquatic habitat type or

riparian area type to be restored, enhanced, or established as a result of the proposed NWP 27 activity. An ecological reference takes into account the range of variation of the aquatic habitat type or riparian area type in the region.

**Enhancement:** The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

**Establishment (creation):** The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

**High Tide Line:** The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

**Historic Property:** Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

**Independent utility:** A test to determine what constitutes a single and complete non-linear project in the Corps Regulatory Program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

**Indirect effects:** Effects that are caused by the activity and are later in time or farther removed in distance but are still reasonably foreseeable.

**Loss of waters of the United States:** Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. The loss of stream bed includes the acres of stream bed that are permanently adversely affected by filling or excavation because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters or wetlands for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

**Navigable waters:** Waters subject to section 10 of the Rivers and Harbors Act of 1899. These waters are defined at 33 CFR part 329.

**Non-tidal wetland:** A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

**Open water:** For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high-water mark can be determined. Aquatic vegetation within the area of flowing or standing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include rivers, streams, lakes, and ponds.

**Ordinary High Water Mark:** The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

**Perennial stream:** A perennial stream has surface water flowing continuously year-round during a

typical year.

**Practicable:** Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

**Pre-construction notification (PCN):** A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

**Preservation:** The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

**Re-establishment:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

**Rehabilitation:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

**Restoration:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

**Riffle and pool complex:** Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

**Riparian areas:** Riparian areas are lands next to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

**Shellfish seeding:** The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

**Single and complete linear project:** A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and complete project" is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

**Single and complete non-linear project:** For non-linear projects, the term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of "independent utility"). Single and complete non-linear projects may not be "piecemealed" to avoid the limits in an NWP authorization.

**Stormwater management:** Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

**Stormwater management facilities:** Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

**Stream bed:** The substrate of the stream channel between the ordinary high-water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high-water marks, are not considered part of the stream bed.

**Stream channelization:** The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized jurisdictional stream remains a water of the United States.

**Structure:** An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

**Tidal wetland:** A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channel ward of the high.

**Tribal lands:** Any lands title to which is either: 1) held in trust by the United States for the benefit of any Indian tribe or individual; or 2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.

**Tribal rights:** Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.

**Vegetated shallows:** Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

**Waterbody:** For purposes of the NWP, a waterbody is a "water of the United States." If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)).



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217/782-0610

**DEC 21 2021**

U.S. Army Corps of Engineers, Rock Island  
ATTN: Ms. Samantha Chavez, Regulatory Branch  
Post Office Box 2004  
Clock Tower Building  
Rock Island, IL 61204-2004

Re: Correction of Nationwide Permits CWA §401 Certification/Denial  
Illinois EPA Log No. C-0210-20

Dear Ms. Chavez:

On October 8, 2021 the Agency granted §401 water quality certification for Nationwide Permits (NWP) 3, 4, 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 27, 30, 31, 32, 33, 36, 37, 38, 41, 45, 53, and 54 with special conditions and/or general conditions. Please find attached a corrected copy of the October 8, 2021 §401 water quality certification to correct the typographical errors in the first paragraph. Mention of granting §401 water quality certification for NWP 34, 49, and 59 were removed and references to certification conditions for NWP 21, 44, 48, 50, 55, and 56 were removed.

Should you have any questions or comments regarding the content of this nationwide certification, please contact Francisco Herrera at 217-782-3362.

Sincerely,

Darin E. LeCrone, P.E.  
Manager, Permit Section  
Division of Water Pollution Control

DEL:FJH:C-0210-20.docx

Attachment: Corrected Copy of Illinois EPA 401 Water Quality Certifications of Nationwide Permits

cc: Records Unit  
CoE, Chicago District  
CoE, Louisville District (Indianapolis Office)  
CoE, Louisville District (Newburgh Regulatory Office)  
CoE, Memphis District  
CoE, St. Louis District  
IDNR, Bartlett  
IDNR, OWR, Chicago  
IDNR, OWR, Springfield  
USEPA, Region 5  
USFWS, Rock Island, Chicago and Marion





# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

## Corrected Copy

**October 8, 2021**

**Corrected Copy Date: DEC 21 2021**

U.S. Army Corps of Engineers, Rock Island  
ATTN: Ms. Samantha Chavez, Regulatory Branch  
Post Office Box 2004  
Clock Tower Building  
Rock Island, IL 61204-2004

Re: Federal Register [Docket Number: COE-2020-0002] Proposal to Reissue and Modify  
Nationwide Permits, September 15, 2020  
CWA §401 Certification/Denial and applicable conditions  
Illinois EPA Log no. C-0210-20

Dear Ms. Chavez:

On September 15, 2020 the Corps of Engineers issued the notice of proposed rulemaking concerning their determination to reissue and modify the current Nationwide Permits (NWP) that are set to expire on March 18, 2022. By letter dated August 19, 2021 your office extended the reasonable period of time to revise the §401 water quality certification to October 13, 2021 for thirty-two (32) NWPs. The Agency has made modifications to the certification conditions issued on December 11, 2020. By this final determination document the Illinois EPA grants §401 water quality certification for NWPs 3, 4, 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 27, 30, 31, 32, 33, 36, 37, 38, 41, 45, 53, and 54 with the special and/or general conditions specified below. This document also provides the certification conditions for NWPs 12, 29, 39, 40, 42, 43, 51, 52, 57, and 58 and notice of the Agency determination to deny eight (8) of the proposed nationwide permits which are provided below with reasons in accordance with 40 CFR 121.7(e)(2).

**CWA §401 certification is hereby granted, subject to General Conditions 1 through 12 below, for the following nationwide permits:**

NWP 3 – Maintenance  
NWP 4 – Fish and Wildlife Harvesting, Enhancement, and Attraction Device and Activities  
NWP 5 – Scientific Measurement Devices  
NWP 7 – Outfall Structures and Associated Intake Structures  
NWP 18 – Minor Discharges  
NWP 19 – Minor Dredging  
NWP 20 – Response Operations for Oil or Hazardous Substances  
NWP 22 – Removal of Vessels  
NWP 25 – Structural Discharges  
NWP 30 – Moist Soil Management for Wildlife  
NWP 31 – Maintenance of Existing Flood Control Facilities  
NWP 33 – Temporary Construction, Access and Dewatering  
NWP 36 – Boat Ramps  
NWP 41 – Reshaping Existing Drainage Ditches  
NWP 45 – Repair of Uplands Damaged by Discrete Events

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2009 Mall Street Collinsville, IL 62234 (618) 346-5120  
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

**CWA §401 certification is hereby granted, subject to General Conditions 1 through 12 below and the Special Conditions which are contained in the referenced attachment for the following identified nationwide permits:**

- NWP 6 – Survey Activities. Refer to Special Conditions for NWP 6 in Attachment.
- NWP 12 – Oil or Natural Gas Pipeline Activities. Refer to Special Conditions for NWP 12 in Attachment.
- NWP 13 – Bank Stabilization. Refer to Special Conditions for NWP 13 in Attachment.
- NWP 14 – Linear Transportation Projects. Refer to Special Conditions for NWP 14 in Attachment.
- NWP 15 – U.S. Coast Guard Approved Bridges. Refer to Special Conditions for NWP 15 in Attachment.
- NWP 16 – Return Water from Upland Contained Disposal Areas. Refer to Special Conditions for NWP 16 in Attachment.
- NWP 17 – Hydropower Projects. Refer to Special Conditions for NWP 17 in Attachment.
- NWP 23 – Approved Categorical Exclusions. Refer to Special Conditions for NWP 23 in Attachment.
- NWP 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities. Refer to Special Conditions for NWP 27 in Attachment.
- NWP 29 – Residential Developments. Refer to Special Conditions for NWP 29 in Attachment.
- NWP 32 – Completed Enforcement Actions. Refer to Special Conditions for NWP 32 in Attachment.
- NWP 37 – Emergency Watershed Protection and Rehabilitation. Refer to Special Conditions for NWP 37 in Attachment.
- NWP 38 – Cleanup of Hazardous and Toxic Waste. Refer to Special Conditions for NWP 38 in Attachment.
- NWP 39 – Commercial and Institutional Developments. Refer to Special Conditions for NWP 39 in Attachment.
- NWP 40 – Agricultural Activities. Refer to Special Conditions for NWP 40 in Attachment.
- NWP 42 – Recreational Facilities. Refer to Special Conditions for NWP 42 in Attachment.
- NWP 43 – Stormwater Management Facilities. Refer to Special Conditions for NWP 43 in Attachment.
- NWP 51 – Land-Based Renewable Energy Generation Facilities. Refer to Special Conditions for NWP 51 in Attachment.
- NWP 52 – Water-Based Renewable Energy Generation Pilot Projects. Refer to Special Conditions for NWP 52 in Attachment.
- NWP 53 – Removal of Low-Head Dams. Refer to Special Conditions for NWP 53 in Attachment.
- NWP 54 – Living Shorelines. Refer to Special Conditions for NWP 54 in Attachment.
- NWP 57 – Electric Utility Line and Telecommunications Activities. Refer to Special Conditions for NWP 12 in Attachment.
- NWP 58 – Utility Line Activities for Water and Other Substances. Refer to Special Conditions for NWP 12 in Attachment.

**CWA §401 certification is hereby denied with reasons provided in accordance with 401 CFR 121.7 for the following NWPs:**

- NWP 21 – Surface Coal Mining Activities. The Illinois EPA has determined that a case-specific review is warranted for all surface mining activities including carbon extraction because pursuant to 35 Ill. Admin. Code Section 401.102, mining activities are identified as having, when certain refuse materials are used, the capability to cause or threaten to cause a nuisance or render waters harmful or detrimental to public health and to all legitimate uses including but not limited to livestock and wildlife uses. The likelihood that contaminants related to coal extraction, particularly acid producing minerals in mine refuse, would be found within overburden and soil stockpiles and therefore present within fill materials warrant a facility specific antidegradation assessment pursuant to 35 Ill. Admin. Code Section 302.105. Additionally, Illinois' Section 401 implementation rules at 35 Ill. Admin. Code Part 395 regarding material testing exemptions specifically exclude material with known sources of pollution. Therefore, Section 401 certification is denied for this nationwide permit (NWP21).

NWP 34 – Cranberry Production Activities: The Illinois EPA has determined that the area of impact that is allowed by an authorization under this nationwide permit exceeds 1/2 acre. 1/2 acre is determined to be representative of the maximum threshold for minimal degradation of existing uses of aquatic resources. Consequently, any activity authorized under this nationwide permit must be subject to a case-specific antidegradation assessment pursuant to 35 Ill. Admin. Code Section 302.105. Therefore, the Illinois EPA denies 401 certification for NWP 34.

NWP 44 – Mining Activities: The Illinois EPA has determined that a case-specific review is warranted for all surface mining activities because pursuant to 35 Ill. Admin. Code Section 401.102, mining activities are identified as having, when certain refuse materials are used, the capability to cause or threaten to cause a nuisance or render waters harmful or detrimental to public health and to all legitimate uses including but not limited to livestock and wildlife uses. Furthermore, all mining activities are regulated by the Illinois EPA under federal and state statute because of their potential to cause or threaten to cause water pollution. Therefore, for the above reasons, the Illinois EPA denies 401 certification for NWP 44.

NWP 46 – Discharges into Ditches: The Illinois EPA has determined that a case-specific review is warranted for all discharge activities into ditches because of the nationwide permit exceeds the 1/2 acreage determined to be the maximum threshold for minimal degradation of existing uses of aquatic resources. Consequently, any activity authorized under this nationwide permit must be subject to a case-specific antidegradation assessment pursuant to 35 Ill. Admin. Code Section 302.105. Therefore, the Illinois EPA denies 401 certification for NWP 46.

NWP 48 – Commercial Shellfish Mariculture Activities: As proposed, the Illinois EPA believes this nationwide permit is inapplicable to waters of the U.S. that are found within the State of Illinois. Therefore, the Illinois EPA denies 401 certification for NWP 48.

NWP 49 – Coal Remining Activities: By reference to the certification denial explanation for NWP 21, the Illinois EPA denies 401 certification for NWP 49.

NWP 50 – Underground Coal Mining: By reference to the certification denial explanation for NWP 21, the Illinois EPA denies 401 certification for NWP 50.

NWP 59 – Water Reclamation and Reuse Facilities: As proposed in the Federal Register, this proposed nationwide permit would appear to allow utilization of existing natural waterbodies as treatment devices. According to 35 Ill. Admin. Code 301.440 such utilization is not permissible. Therefore, the Illinois EPA denies 401 certification for NWP 59.

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#### 401 Certification General Conditions

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General Conditions 1 through 12 shall be applicable to all NWPs that are granted 401 certification.

#### **General Condition 1: Waterbodies that Require Individual Certification**

Pursuant to 35 Ill. Adm. Code Section 302.105(d)(6), an individual 401 water quality certification will be required for activities permitted under these Nationwide Permits for discharges to waters designated by the State of Illinois as waters of particular biological significance or Outstanding Resource Waters under 35 Ill. Adm. Code 302.105(b). Biologically Significant Streams (BSS) are cataloged in Illinois DNR's publication

“Integrating Multiple Taxa in a Biological Stream Rating System” and may be identified at: <https://www2.illinois.gov/dnr/conservation/BiologicalStreamratings/Pages/default.aspx>.

**General Condition 2: Water Quality Impairments**

Pursuant to 35 Ill. Adm. Code Sections 302.105(a), 302.105(c)(2)(B), and 395.401(a), an individual 401 water quality certification will be required for activities permitted under these Nationwide Permits that may cause a discharge that, whether temporarily or permanently, may cause or contribute to additional loading of any pollutant, or deterioration of any water quality parameter, such as pH or dissolved oxygen, where such pollutant or parameter is also designated by the State of Illinois as a cause of water quality impairment of the particular segment of the receiving water body according to the Illinois Environmental Protection Agency's Section 303(d) list. The most recent Illinois Integrated Water Quality Report and Section 303(d) List can be found at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx>.

**General Condition 3: Threatened and Endangered Species**

Pursuant to 35 Ill. Admin. Code Section 302.105(f)(1)(F), prior to proceeding with any work in furtherance of activities permitted under these Nationwide Permits, potential impacts to State threatened or endangered species and Natural Areas shall be determined in accordance with applicable consultation procedures established under 17 Ill. Admin Code Part 1075. The Department of Natural Resources (IDNR) Ecological Compliance Assessment Tool (EcoCAT) is available to complete consultation at <http://dnr.illinois.gov/EcoPublic/>. If IDNR determines that adverse impacts to protected natural resources are likely, the applicant shall address those identified concerns with IDNR through the consultation process. Please contact IDNR, Impact Assessment Section at 217-785-5500 if you have any questions regarding consultation.

**General Condition 4: TMDLs**

Pursuant to 35 Ill. Admin. Code Sections 302.105(a), 302.105(c)(2)(B), and 395.401(a), activities permitted under these Nationwide Permits that may cause a discharge that, whether temporarily or permanently, may cause or contribute to additional loading of any pollutant, or deterioration of any water quality parameter, such as pH or dissolved oxygen, where such pollutant or parameter is addressed by a USEPA approved Total Maximum Daily Load (TMDL) report for the receiving water body shall develop and implement additional measures and or procedures which ensure consistency with the load allocations, assumptions and requirements of the TMDL report. TMDL program information and water listings are available at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/reports.aspx>.

**General Condition 5: Prohibitions**

Pursuant to 35 Ill. Admin. Code Section 395.401(a), the applicant shall not cause:

- violation of applicable provisions of the Illinois Environmental Protection Act;
- water pollution defined and prohibited by the Illinois Environmental Protection Act;
- violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
- interference with water use practices near public recreation areas or water supply intakes.

**General Condition 6: Erosion and Sedimentation Control Measures**

Pursuant to the Illinois Environmental Protection Act Section 39(a)[415 ILCS 5/39(a)] and 35 Ill. Admin. Code Sections 302.203 and 395.402(b)(2), the applicant shall implement all necessary sedimentation and erosion control measures consistent with the current edition of

the "Illinois Urban Manual" found at <https://illinoisurbanmanual.org/>. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins, silt fencing and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. All areas affected by construction shall be seeded and stabilized as soon after construction as possible.

**General Condition 7: NPDES Stormwater Construction Permit**

Pursuant to the Illinois Environmental Protection Act Section 39(a)[415 ILCS 5/39(a)] and 35 Ill. Admin. Code Section 395.402(b)(2), the applicant shall be responsible for obtaining an NPDES Storm Water Permit required by the federal Clean Water Act prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be applied for at <https://www2.illinois.gov/epa/topics/forms/water-permits/storm-water/Pages/construction.aspx>.

**General Condition 8: Spill Response Plan**

Pursuant to 35 Ill. Admin. Code Sections 395.401, 302.203, and 302.208, the applicant shall ensure that a spill avoidance and response plan has been developed and implemented for management of accidental releases of petroleum, oil, and lubricant products to the aquatic environment during construction and for emergency notification of applicable downstream water supply operators. Absorbent pads, containment booms and skimmers shall be available to facilitate the cleanup of petroleum spills. If floating hydrocarbon (oil and gas) products are observed, the applicant or his designated individual will be responsible for directing that work be halted so that appropriate corrective measures are taken in accordance with the plan prior to resuming work.

**General Condition 9: Hydraulic Machinery**

Pursuant to 35 Ill. Admin. Code Sections 302.203, 302.304, and 302.515, all hydraulic machinery utilized for the permitted activity and used in or immediately adjacent to waters of the State shall utilize biodegradable or bio-based hydraulic fluids to minimize pollution in the case of broken or leaking hydraulic equipment.

**General Condition 10: Temporary Structures and Work**

Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.204, and 395.401(b), temporary work pads, cofferdams, access roads and other temporary fills are approved provided that such activities are constructed with clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities. Temporary fills within streams, creeks or rivers shall utilize adequate bypass measures (i.e. dam and pump, flumes, culverts, etc.) to minimize sedimentation and erosion and to maintain normal stream flow during construction.

**General Condition 11: Construction Site Dewatering**

Pursuant to Illinois Environmental Protection Act Section 39(a)[415 ILCS 5/39(a)] and 35 Ill. Admin. Code Section 395.402(b)(2), dewatering of a construction site is authorized provided the dewatering activity is limited to the immediate work area within a cofferdam or otherwise isolated from waters of the State, and the work site is free from sources of contamination including those of natural origin. Dewatering activities shall incorporate Best Management Practices in accordance with the current edition of the "Illinois Urban Manual"

<https://illinoisurbanmanual.org/>. Practice Standard for Dewatering (no. 813) or as otherwise appropriate to ensure that return flows from the dewatering activity are free of unnatural turbidity and floating debris and meet applicable water quality standards. Dewatering or discharge of flush water from construction of drilled piers or boreholes is not authorized and must be conducted in accordance with an NPDES permit issued by the Illinois EPA.

**General Condition 12: Discharged Material Quality**

Pursuant to 35 Ill. Admin. Code Sections 302.203, 302.208, and 395.401(b), any spoil material excavated, dredged or otherwise produced must not be returned to the water body but must be deposited in a self-contained area in compliance with all state statutes. Except as specifically allowed by special condition, any backfilling must be done with clean material that is predominantly sand or larger size material, with no more than 20% passing a #230 U. S. sieve and placed in a manner to prevent violation of applicable water quality standards.

401 Certification Special Conditions

Special Conditions including the conditional exclusions of 401 certification coverage that are listed within the Attachment: "Special Conditions for Illinois EPA 401 Water Quality Certifications of Certain Nationwide Permits" shall be applicable as stated therein.

Should you have any questions or comments regarding the content of this nationwide certification, please contact Darren Gove at 217-782-3362.

Sincerely,



Darin E. LeCrone, P.E.  
Manager, Permit Section  
Division of Water Pollution Control

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Attachment: Special Conditions for Illinois EPA 401 Water Quality Certifications of Certain Nationwide Permits Regarding Federal Register [Docket Number: COE-2020-0002] Proposal to Reissue and Modify Nationwide Permits dated September 15, 2020

cc: Records Unit  
CoE, Chicago District  
CoE, Louisville District (Indianapolis Office)  
CoE, Louisville District (Newburgh Regulatory Office)  
CoE, Memphis District  
CoE, St. Louis District  
IDNR, Bartlett  
IDNR, OWR, Chicago  
IDNR, OWR, Springfield  
USEPA, Region 5  
USFWS, Rock Island, Barrington and Marion

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 6  
Survey Activities**

1. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(iii), 302.203, and 395.401(a), the applicant for the applicable nationwide permit shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.
2. Pursuant to 35 Ill. Admin. Code Section 395.401(a), material resulting from trench excavation within surface waters of the State may be temporarily sidecast adjacent to the trench excavation provided that:
  - a. Sidecast material is not placed within a creek, stream, river or other flowing water body such that material dispersion could occur;
  - b. Sidecast material is not placed within ponds or other water bodies other than wetlands; and
  - c. Sidecast material is not placed within a wetland for a period longer than twenty (20) calendar days. Such sidecast material shall either be removed from the site or used as backfill (refer to Condition 4).
3. Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.205, and 395.401(a), backfill used within trenches passing through surface water of the State, except wetland areas, shall be clean coarse aggregate, gravel or other material which will not cause siltation. Excavated material may be used only if:
  - a. Particle size analysis is conducted and demonstrates the material to be at least 80% sand or larger size material, using a #230 U.S. sieve; or
  - b. Excavation and backfilling are done under dry conditions.
4. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii) and 395.401(a), backfill used within trenches passing through wetland areas shall consist of clean material which will not cause siltation. Excavated material shall be used to the extent practicable, with the upper six (6) to twelve (12) inches backfilled with the topsoil obtained during trench excavation.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMITS 12, 57, and 58.  
Utility Line Activities, Electric, Water, and Others.**

1. Pursuant to 35 Ill. Adm. Code Sections 302.105(c)(2)(B), 302.208, and 395.401, a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for:
  - a. activities in the following waters:
    - i. Lake Calumet
    - ii. Fox River (including the Fox Chain of Lakes)
    - iii. Lake Michigan
    - iv. Chicago Sanitary and Ship Canal
    - v. Calumet-Sag Channel
    - vi. Little Calumet River
    - vii. Grand Calumet River
    - viii. Calumet River
    - ix. Pettibone Creek (in Lake County)

- x. South Branch of the Chicago River (including the South Fork)
  - xi. North Branch of the Chicago River (including the East and West Forks and the Skokie Lagoons)
  - xii. Chicago River (Main Stem)
  - xiii. Des Plaines River
  - xiv. Kankakee River
- b. activities in the following waters if material is sidecast into waters of the State or wetlands:
- i. Saline River (in Hardin County)
  - ii. Richland Creek (in St. Clair and Monroe Counties)
  - iii. Rock River (in Winnebago County)
  - iv. Illinois River upstream of mile 229.6 (Illinois Route 178 bridge)
  - v. Illinois River between mile 140.0 and 182.0
  - vi. DuPage River (including the East and West Branches)
  - vii. Salt Creek (Des Plaines River Watershed)
  - viii. Waukegan River (including the South Branch)
- c. activities in waters designated as Public and Food Processing Water Supplies with surface intake facilities within 2000 feet of the proposed discharge unless the discharge is reasonably considered downstream of the intake. The Illinois EPA's Division of Public Water Supply at 217/782-1020 may be contacted for information on these water supplies

2. Section 401 water quality certification is hereby issued for all other waters, with the following conditions:

- a. Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 302.105(c)(2)(B)(iii), the applicant for the applicable nationwide permit(s) shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.
- b. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, dredged material resulting from trench excavation within surface waters of the State may be temporarily sidecast adjacent to the trench excavation provided that:
- i. Sidecast material is not placed within a creek, stream, river or other flowing water body such that material dispersion could occur;
  - ii. Side cast material is not placed within ponds or other water bodies other than wetlands; and
  - iii. Sidecast material is not placed within a wetland for a period longer than twenty (20) calendar days. Such sidecast material shall either be removed from the site (refer to Condition 2.e) or used as backfill (refer to Condition 2.d).
- c. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, backfill used within trenches passing through surface water of the State, except wetland areas, shall be clean course aggregate, gravel or other material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material may be used only if:
- i. Particle size analysis is conducted and demonstrates the material to be at least 80% sand or larger size material, using a #230 U.S. sieve; or
  - ii. Excavation and backfilling are done under dry conditions.



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- d. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, backfill used within trenches passing through wetland areas shall consist of clean material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material shall be used to the extent practicable, with the upper six (6) to twelve (12) inches backfilled with the topsoil obtained during trench excavation.
- e. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, all material excavated which is not being used as backfill as stipulated in Condition 2.d and 2.c shall be stored or disposed in self-contained areas with no discharge to waters of the State. Material shall be disposed of appropriately under the regulations at 35 Il. Adm. Code Subtitle G.
- f. Pursuant to 35 Ill. Admin. Code Sections 395.401(b), 302.203, and 302.208, the use of directional drilling to install utility pipelines below surface waters of the State is hereby certified provided that:
- i. All pits and other construction necessary for the directional drilling process are located outside of surface waters of the State;
  - ii. All drilling fluids shall be adequately contained such that they cannot cause a discharge to surface waters of the State. Such fluids shall be treated as stipulated in Condition 2.F; and
  - iii. Erosion and sediment control is provided in accordance with Conditions 2.B, 2.G, and 2.H.
- g. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(iii), 302.203, and 395.401(b), permanent access roads shall be constructed of clean coarse aggregate or non-erodible nonearthen fill material that will not cause siltation. Material excavated or dredged from the surface water or wetland shall not be used to construct the access road in waters of the state. The applicant for Nationwide Permit 12 that constructs access roads shall maintain flow in creeks, streams and rivers by installing culverts, bridges or other such techniques.
- h. Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 302.203, adjacent banks and slopes disturbed by construction shall be stabilized immediately following construction. The applicant shall undertake necessary measures and procedures to eliminate stormwater channelization via the utility route during and after construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins, check dams, straw bales and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions.
- i. Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 302.203, asphalt, bituminous material and concrete with protruding material such as reinforcing bar or mesh shall not be 1) used for backfill, 2) placed on shorelines/stream banks, or 3) placed in waters of the State.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 13**

**Bank Stabilization**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a) and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for bank stabilization activities that will exceed 1000 linear feet.
2. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), asphalt, bituminous material and concrete with protruding material such as reinforcing bars or mesh shall not be:
  - a. used for backfill;
  - b. placed on shorelines/streambanks; or
  - c. placed in waters of the State.
3. Pursuant to 35 Ill. Admin. Code Sections 302.203, 302.208, and 395.401(b), the applicant shall consider installing bioengineering practices in lieu of structural practices of bank stabilization to minimize impacts to the lake, pond, river or stream and enhance aquatic habitat. The applicant shall document the selection process for the bank stabilization technique(s) and the basis for the selection of the bank stabilization practices. Bioengineering techniques may include, but are not limited to:
  - a. adequately sized riprap or A-Jack structures keyed into the toe of the slope with native plantings on the banks above;
  - b. vegetated geogrids;
  - c. coconut fiber (coir) logs;
  - d. live, woody vegetative cuttings, fascines or stumps;
  - e. brush layering; and
  - f. soil lifts.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 14**

**Linear Transportation Projects**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for linear transportation activities that cause loss of greater than 500 linear feet of stream channel, as measured along the stream corridor.
2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for linear transportation activities covered by this nationwide permit that include the temporary or permanent placement of steel or other painted structures within the waterbody as result of demolition work of previous structures.
3. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for new or expanded roadways that affect waterways which are designated by the State of Illinois as having water quality impairments caused by chloride. The most recent Illinois Integrated Water Quality Report and Section 303(d) List can be found at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx>

4. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 15  
U.S. Coast Guard Approved Bridges**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA shall be required for linear transportation activities covered by this nationwide permit that include the temporary or permanent placement of demolished structural or decking materials within the waterbody as result of demolition work of previous structures.
2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA shall be required for new bridges (not replacing another) that affect waterways which are designated by the State of Illinois as having water quality impairments caused by chloride. The most recent Illinois Integrated Water Quality Report and Section 303(d) List can be found at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx>.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 16  
Return Water from Upland Contained Disposal Areas**

1. Pursuant to 35 Ill. Adm. Code Sections 302.105(c)(2)(B), 302.208, and 395.401, a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for:
  - a. return water discharge resulting from dredging activities in the following waters:
    - i. Lake Calumet
    - ii. Fox River (including the Fox Chain of Lakes)
    - iii. Lake Michigan
    - iv. Chicago Sanitary and Ship Canal
    - v. Calumet-Sag Channel
    - vi. Little Calumet River
    - vii. Grand Calumet River
    - viii. Calumet River
    - ix. Pettibone Creek (in Lake County)
    - x. South Branch of the Chicago River (including the South Fork)
    - xi. North Branch of the Chicago River (including the East and West Forks and the Skokie Lagoons)
    - xii. Chicago River (Main Stem)
    - xiii. Des Plaines River
    - xiv. Kankakee River
    - xv. Saline River (in Hardin County)
    - xvi. Richland Creek (in St. Clair and Monroe Counties)

- xvii. Rock River (in Winnebago County)
  - xviii. Illinois River upstream of mile 229.6 (Illinois Route 178 bridge)
  - xix. Illinois River between mile 140.0 and 182.0
  - xx. DuPage River (including the East and West Branches)
  - xxi. Salt Creek (Des Plaines River Watershed)
  - xxii. Waukegan River (including the South Branch)
  - xxiii. any waters designated as
- b. return water discharge, resulting from dredging activities, in waters designated as Public and Food Processing Water Supplies with surface intake facilities within 2000 feet of the proposed discharge unless the discharge is reasonably considered downstream of the intake. The Illinois EPA's Division of Public Water Supply at 217/782-1020 may be contacted for information on these water supplies.
- c. disposal areas or return water discharges that are located within a designated Environmental Justice (EJ) area of concern. An EJ mapping tool is available at <https://illinois-epa.maps.arcgis.com/apps/webappviewer/index.html?id=f154845da68a4a3f837cd3b880b0233c>.
- d. dredging activities that would result in upland placement of more than 125,000 cubic yards of material or would produce effluent discharge on a recurring basis for a period lasting more than 5 years, including periods covered under a previous Department of the Army authorization.
- e. hydraulic dredging activities if the total quantity of dredged material per dredge event would exceed 500 cubic yards and the receiving water:
- i. is listed on the Agency's 303(d) List, or
  - ii. has a USEPA approved Total Maximum Daily Load (TMDL) is in effect, or
  - iii. is designated pursuant to Section 302.206(d) Stream Segments for Enhanced Dissolved Oxygen Protection.

Information on 303(d) List and TMDLs can be found at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/default.aspx> and Information on Stream Segments for Enhanced Dissolved Oxygen Protection may be found at <https://pcb.illinois.gov/documents/dsweb/Get/Document-33354/>. You may also utilize Resource Management Mapping Service to graphically identify impaired waters at [https:// www.rmms.illinois.edu/](https://www.rmms.illinois.edu/).

2. Section 401 water quality certification is otherwise hereby issued pursuant to the Illinois Environmental Protection Act Section 12(a) [415 ILCS 5/12(a)] and 35 Ill. Admin. Code Section 395.402(b)(2), except that applicants shall apply for and obtain a water pollution control permit for construction and operation of the upland contained disposal area as provided by 35 Ill. Admin. Code Subtitle C Part 309 Subpart B, prior to dredging activities.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 17  
Hydropower Projects**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(b), an individual Section 401 water quality certification will be required for any project that is not previously approved by a Section 401 water quality certification issued by the Illinois EPA for a Federal Energy Regulatory Commission license or permit.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 23  
Approved Categorical Exclusions**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that will cause the loss of aquatic resources which exceed the lesser of ½ acres or 300 linear feet of stream channel as measured along the stream corridor.
2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for linear transportation activities covered by this nationwide permit which includes the temporary or permanent placement of painted steel or other painted structures within the waterbody as a result of related demolition work.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 27  
Aquatic Habitat Restoration, Establishment, and Enhancement Activities**

1. Pursuant to the Illinois Environmental Protection Act Section 12(a)[415 ILCS 5/12(a)] and 35 Ill. Admin. Code Sections 395.401(a) and 395.401(b)(2), all activities conducted under this nationwide permit shall be in accordance with the provisions of 35 Ill. Adm. Code 405.108. Work in reclaimed surface coal mine areas are required to obtain prior authorization from the Illinois EPA for any activities that result in the use of acid-producing mine refuse.
2. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B), 302.208, and 395.401(a), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for the relocation of waters of the State.
3. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B), 302.203, and 395.401(a), any backfilled materials used within artificial channels shall be clean coarse aggregate, gravel or other material which will not cause siltation and placed in a manner to prevent violation of applicable water quality standards.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 29  
Residential Developments**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
2. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
3. Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 32  
Completed Enforcement Actions**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that involve carbon recovery (coal mining or coal remining) or materials that may be considered "acid-producing material".
2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that include proposed (yet to be undertaken) loss of aquatic resources which exceed the lessor of ½ acres or 300 linear feet of stream channel as measured along the stream corridor.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 37  
Emergency Watershed Protection and Rehabilitation**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that will cause the loss of aquatic resources which exceed the lessor of ½ acres or 300 linear feet of stream channel as measured along the stream corridor.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 38  
Cleanup of Hazardous and Toxic Waste**

1. Pursuant to 35 Ill. Admin. Code Section 395.401(b), a case-specific (individual) Section 401 water quality certification will be required for activities covered by this nationwide permit that do not require or will not receive authorization or approval from the Illinois EPA, Bureau of Land (BOL).
2. Pursuant to 35 Ill. Admin. Code Section 395.401(b), the applicant shall notify the Illinois EPA, Bureau of Water, Permit Section, of the specific activity. This notification shall include information concerning the orders and approvals that have been or will be obtained from the BOL, for all cleanup activities under BOL jurisdiction or for which authorization or approval is sought from BOL for no further remedial action.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 39  
Commercial and Institutional Developments**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
2. Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, water treatment plants, wastewater treatment plants and related facilities prior to construction.
3. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
4. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, and 395.401(b), for construction of oil and gas wells, the impacted waters of the State shall be restored to pre-construction conditions within six months after construction is started. For purposes of this condition, restoration includes stabilization and seeding or planting of vegetation on the disturbed areas that were vegetated prior to construction.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 40  
Agricultural Activities**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.

2. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 42  
Recreational Facilities**

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
2. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
3. Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 43  
Stormwater Management Facilities**

1. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), the Agency hereby issues Section 401 water quality certification of Nationwide Permit 43 exclusively for the construction and maintenance of pollutant reduction green infrastructure features designed to reduce inputs of sediments, nutrients, and other pollutants into waters to meet reduction targets established under Total Daily Maximum Loads set under the Clean Water Act. All other activities authorized under this Nationwide Permit are denied Section 401 water quality certification. For purposes of this water quality certification green infrastructure means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels and cisterns and protection and enhancement of riparian buffers and floodplains. Material excavated, dredged or produced from the maintenance of green infrastructure features shall not be discharged to waters of the State.
2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.



- 3 Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
- 4 Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 51  
Land-Based Renewable Energy Generation Facilities**

- 1 Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
- 2 Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 52  
Water-Based Renewable Energy Generation Pilot Projects**

- 1 Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
- 2 Pursuant to 35 Ill. Admin. Code Section 395.401(b), an individual Section 401 water quality certification will be required for any hydrokinetic project that is not previously approved by a Section 401 water quality certification issued by the Illinois EPA for a Federal Energy Regulatory Commission license or permit.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 53  
Removal of Low-Head Dams**

- 1 Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.205 and 395.401(b), the applicant shall implement the following Best Management Practices and Material Testing:
  - a Sediments and river bottom material are excavated and removed to upland areas to minimize sediment transport downstream, minimize downcutting and protect water quality; or
  - b measures shall be implemented to minimize sediment transport downstream; or

- c. the sediments and river bottom materials that will be transported downstream are determined to have less than 20 percent passing a #230 U.S. Sieve based on representative sampling and analysis of the sediments and river bottom materials; or
  - d. a combination of the above practices to protect water quality; and
  - e. sediments and river bottom materials shall not be pollutional if released to downstream waters.
2. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, and 395.401(b), Best Management Practices shall be implemented to minimize sediment transport downstream, minimize downcutting of sediment and river bottom materials and protect water quality.
3. Pursuant to 35 Ill. Admin. Code Section 395.401(a), the applicant shall notify downstream surface water supplies of the proposed dam removal. The applicant shall implement practices to prevent interference with Public and Food Processing Water Supply intakes. The Illinois EPA's Division of Public Water Supply may be contacted at 217/782-1020 for information on the Public and Food Processing Water Supplies.
4. Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.401(b) and 395.402(b)(2), any spoil material excavated, dredged or otherwise produced during dam removal activities must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency.

**ILLINOIS EPA WATER QUALITY CERTIFICATION  
SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 54  
Living Shorelines**

1. Pursuant to 35 Ill. Admin. Code Section 395.401(a), an individual Section 401 water quality certification shall be required for any project that exceeds 1000 feet as measured along the bank or when the District Engineer waives the limitation of 30 feet as measured from the mean high water line.

## Piatt County Prevailing Wage Rates posted on 12/16/2024

|                        |     |      |   |       |         | Overtime |     |     |     |       |         |      |      |           |                  |                  |
|------------------------|-----|------|---|-------|---------|----------|-----|-----|-----|-------|---------|------|------|-----------|------------------|------------------|
| Trade Title            | Rg  | Type | C | Base  | Foreman | M-F      | Sa  | Su  | Hol | H/W   | Pension | Vac  | Trng | Other Ins | Add OT 1.5x owed | Add OT 2.0x owed |
| ASBESTOS ABT-GEN       | All | BLD  |   | 36.82 | 38.07   | 1.5      | 1.5 | 2.0 | 2.0 | 8.25  | 19.09   | 0.00 | 0.91 | 0.00      | 0.00             | 0.00             |
| ASBESTOS ABT-MEC       | All | BLD  |   | 37.10 | 38.10   | 1.5      | 1.5 | 2.0 | 2.0 | 10.45 | 7.00    | 0.00 | 0.50 | 0.00      | 0.00             | 0.00             |
| BOILERMAKER            | All | BLD  |   | 42.50 | 46.00   | 1.5      | 1.5 | 2.0 | 2.0 | 7.07  | 27.21   | 0.00 | 1.06 |           | 0.00             | 0.00             |
| BRICK MASON            | All | BLD  |   | 38.06 | 40.34   | 1.5      | 1.5 | 2.0 | 2.0 | 10.15 | 16.85   | 0.00 | 1.02 |           | 0.00             | 0.00             |
| CARPENTER              | All | BLD  |   | 36.08 | 38.83   | 1.5      | 1.5 | 2.0 | 2.0 | 9.70  | 23.00   | 0.00 | 0.80 | 0.00      | 16.35            | 32.70            |
| CARPENTER              | All | HWY  |   | 38.54 | 40.29   | 1.5      | 1.5 | 2.0 | 2.0 | 9.70  | 22.50   | 0.00 | 0.77 | 0.00      | 0.00             | 0.00             |
| CEMENT MASON           | All | BLD  |   | 39.30 | 41.80   | 1.5      | 1.5 | 2.0 | 2.0 | 10.24 | 12.00   | 0.00 | 0.50 |           | 0.00             | 0.00             |
| CEMENT MASON           | All | HWY  |   | 39.30 | 41.30   | 1.5      | 1.5 | 2.0 | 2.0 | 11.00 | 13.64   | 0.00 | 0.50 | 0.00      | 0.00             | 0.00             |
| CERAMIC TILE FINISHER  | All | BLD  |   | 35.23 |         | 1.5      | 1.5 | 2.0 | 2.0 | 10.15 | 12.70   | 0.00 | 0.59 |           | 0.00             | 0.00             |
| ELECTRIC PWR EQMT OP   | All | ALL  |   | 55.13 | 65.42   | 1.5      | 1.5 | 2.0 | 2.0 | 8.90  | 15.43   | 0.00 | 0.55 | 0.00      | 0.00             | 0.00             |
| ELECTRIC PWR GRNDMAN   | All | ALL  |   | 37.46 | 65.42   | 1.5      | 1.5 | 2.0 | 2.0 | 8.37  | 10.49   | 0.00 | 0.37 | 0.00      | 0.00             | 0.00             |
| ELECTRIC PWR LINEMAN   | All | ALL  |   | 61.36 | 65.42   | 1.5      | 1.5 | 2.0 | 2.0 | 9.09  | 17.18   | 0.00 | 0.61 | 0.00      | 0.00             | 0.00             |
| ELECTRIC PWR TRK DRV   | All | ALL  |   | 39.31 | 65.42   | 1.5      | 1.5 | 2.0 | 2.0 | 8.43  | 11.01   | 0.00 | 0.39 | 0.00      | 0.00             | 0.00             |
| ELECTRICIAN            | NE  | BLD  |   | 46.82 | 51.50   | 1.5      | 1.5 | 2.0 | 2.0 | 8.60  | 12.48   | 0.00 | 0.70 |           | 1.06             | 2.10             |
| ELECTRICIAN            | SW  | BLD  |   | 45.25 | 49.78   | 1.5      | 1.5 | 2.0 | 2.0 | 8.95  | 12.86   | 0.00 | 0.68 |           | 1.02             | 2.04             |
| ELECTRONIC SYSTEM TECH | All | BLD  |   | 38.91 | 41.91   | 1.5      | 1.5 | 2.0 | 2.0 | 9.10  | 9.49    | 0.00 | 0.40 |           | 0.58             | 1.17             |
| ELEVATOR CONSTRUCTOR   | All | BLD  |   | 55.57 | 62.52   | 2.0      | 2.0 | 2.0 | 2.0 | 16.17 | 20.96   | 4.45 | 0.75 |           | 0.00             | 0.00             |
| FENCE ERECTOR          | All | ALL  |   | 37.71 | 40.21   | 1.5      | 1.5 | 2.0 | 2.0 | 12.29 | 16.25   | 0.00 | 1.11 | 0.00      | 16.25            | 16.25            |
| GLAZIER                | All | BLD  |   | 39.77 | 41.77   | 1.5      | 1.5 | 2.0 | 2.0 | 8.10  | 13.85   | 0.00 | 0.68 |           | 0.00             | 0.00             |
| HEAT/FROST INSULATOR   | All | BLD  |   | 42.63 | 43.63   | 1.5      | 1.5 | 2.0 | 2.0 | 11.79 | 13.80   | 0.00 | 1.15 |           | 0.00             | 0.00             |
| IRON WORKER            | All | BLD  |   | 37.71 | 40.21   | 1.5      | 1.5 | 2.0 | 2.0 | 12.29 | 16.25   | 0.00 | 1.11 | 0.00      | 16.25            | 16.25            |
| IRON WORKER            | All | HWY  |   | 40.40 | 42.40   | 1.5      | 1.5 | 2.0 | 2.0 | 12.29 | 16.25   | 0.00 | 1.11 | 0.00      | 16.25            | 16.25            |
| LABORER                | All | BLD  |   | 33.82 | 35.07   | 1.5      | 1.5 | 2.0 | 2.0 | 8.25  | 19.09   | 0.00 | 0.80 | 0.00      | 0.00             | 0.00             |
| LABORER                | All | HWY  |   | 37.47 | 38.47   | 1.5      | 1.5 | 2.0 | 2.0 | 8.25  | 19.42   | 0.00 | 0.80 | 0.00      | 0.00             | 0.00             |
| LATHER                 | All | BLD  |   | 36.08 | 38.83   | 1.5      | 1.5 | 2.0 | 2.0 | 9.70  | 23.00   | 0.00 | 0.80 | 0.00      | 16.35            | 32.70            |
| MACHINIST              | All | BLD  |   | 58.39 | 62.39   | 1.5      | 1.5 | 2.0 | 2.0 | 9.93  | 8.95    | 1.85 | 1.47 |           | 0.00             | 0.00             |
| MARBLE FINISHER        | All | BLD  |   | 35.23 |         | 1.5      | 1.5 | 2.0 | 2.0 | 10.15 | 12.70   | 0.00 | 0.59 |           | 0.00             | 0.00             |

## Piatt County Prevailing Wage Rates posted on 12/16/2024

|                     |     |     |   |       |       |     |     |     |     |       |       |      |      |      |       |       |
|---------------------|-----|-----|---|-------|-------|-----|-----|-----|-----|-------|-------|------|------|------|-------|-------|
| MARBLE MASON        | All | BLD |   | 36.83 |       | 1.5 | 1.5 | 2.0 | 2.0 | 10.15 | 12.70 | 0.00 | 0.59 |      | 0.00  | 0.00  |
| MILLWRIGHT          | All | BLD |   | 37.25 | 40.00 | 1.5 | 1.5 | 2.0 | 2.0 | 9.70  | 22.32 | 0.00 | 0.80 | 0.00 | 16.01 | 32.02 |
| MILLWRIGHT          | All | HWY |   | 41.00 | 42.75 | 1.5 | 1.5 | 2.0 | 2.0 | 9.70  | 23.25 | 0.00 | 0.77 | 0.00 | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | BLD | 1 | 41.24 | 42.94 | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 | 0.00 | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | BLD | 2 | 38.31 | 42.94 | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 | 0.00 | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | BLD | 3 | 34.03 | 42.94 | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 | 0.00 | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | BLD | 4 | 42.94 | 42.94 | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 | 0.00 | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | HWY | 1 | 47.74 |       | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 |      | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | HWY | 2 | 42.23 |       | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 | 0.00 | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | HWY | 3 | 33.76 |       | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 | 0.00 | 0.00  | 0.00  |
| OPERATING ENGINEER  | All | HWY | 4 | 49.39 |       | 1.5 | 1.5 | 2.0 | 2.0 | 12.50 | 16.70 | 0.00 | 3.00 | 0.00 | 0.00  | 0.00  |
| PAINTER             | All | ALL |   | 31.50 | 33.00 | 1.5 | 1.5 | 2.0 | 2.0 | 8.25  | 16.60 | 0.00 | 0.70 |      | 0.00  | 0.00  |
| PAINTER OVER 30 FT. | All | ALL |   | 32.50 | 34.00 | 1.5 | 1.5 | 2.0 | 2.0 | 8.25  | 16.60 | 0.00 | 0.70 |      | 0.00  | 0.00  |
| PAINTER PWR EQMT    | All | ALL |   | 32.25 | 33.75 | 1.5 | 1.5 | 2.0 | 2.0 | 8.25  | 16.60 | 0.00 | 0.70 |      | 0.00  | 0.00  |
| PILEDRIIVER         | All | BLD |   | 38.08 | 40.83 | 1.5 | 1.5 | 2.0 | 2.0 | 9.70  | 23.00 | 0.00 | 0.80 | 0.00 | 16.35 | 32.70 |
| PILEDRIIVER         | All | HWY |   | 39.54 | 41.29 | 1.5 | 1.5 | 2.0 | 2.0 | 9.70  | 22.50 | 0.00 | 0.77 | 0.00 | 0.00  | 0.00  |
| PIPEFITTER          | E   | BLD |   | 52.65 | 55.91 | 1.5 | 1.5 | 2.0 | 2.0 | 9.45  | 11.14 | 0.00 | 2.74 | 0.00 | 0.00  | 0.00  |
| PIPEFITTER          | W   | BLD |   | 41.85 | 45.85 | 1.5 | 1.5 | 2.0 | 2.0 | 9.45  | 13.86 | 0.00 | 1.33 | 0.00 | 0.00  | 0.00  |
| PLASTERER           | All | BLD |   | 38.05 | 40.05 | 1.5 | 1.5 | 2.0 | 2.0 | 10.00 | 14.70 | 0.00 | 0.50 | 0.00 | 0.00  | 0.00  |
| PLUMBER             | E   | BLD |   | 52.65 | 55.91 | 1.5 | 1.5 | 2.0 | 2.0 | 9.45  | 11.14 | 0.00 | 2.74 | 0.00 | 0.00  | 0.00  |
| PLUMBER             | W   | BLD |   | 41.85 | 45.85 | 1.5 | 1.5 | 2.0 | 2.0 | 9.45  | 13.86 | 0.00 | 1.33 | 0.00 | 0.00  | 0.00  |
| ROOFER              | All | BLD |   | 38.00 | 41.00 | 1.5 | 1.5 | 2.0 | 2.0 | 11.33 | 9.73  | 0.00 | 1.05 | 0.00 | 0.00  | 0.00  |
| SHEETMETAL WORKER   | All | BLD |   | 43.73 | 46.23 | 1.5 | 1.5 | 2.0 | 2.0 | 12.01 | 15.97 | 0.00 | 0.55 | 2.15 | 0.00  | 0.00  |
| SPRINKLER FITTER    | All | BLD |   | 47.09 | 50.09 | 1.5 | 1.5 | 2.0 | 2.0 | 11.45 | 14.92 | 0.00 | 0.52 |      | 0.00  | 0.00  |
| STONE MASON         | All | BLD |   | 38.06 | 40.34 | 1.5 | 1.5 | 2.0 | 2.0 | 10.15 | 16.85 | 0.00 | 1.02 |      | 0.00  | 0.00  |
| TERRAZZO FINISHER   | All | BLD |   | 35.23 |       | 1.5 | 1.5 | 2.0 | 2.0 | 10.15 | 12.70 | 0.00 | 0.59 |      | 0.00  | 0.00  |
| TERRAZZO MASON      | All | BLD |   | 36.83 |       | 1.5 | 1.5 | 2.0 | 2.0 | 10.15 | 12.70 | 0.00 | 0.59 |      | 0.00  | 0.00  |
| TILE MASON          | All | BLD |   | 36.83 |       | 1.5 | 1.5 | 2.0 | 2.0 | 10.15 | 12.70 | 0.00 | 0.59 |      | 0.00  | 0.00  |
| TRUCK DRIVER        | NE  | ALL | 1 | 43.24 | 47.60 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00  | 0.00  |
| TRUCK DRIVER        | NE  | ALL | 2 | 43.38 | 47.60 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00  | 0.00  |

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|              |     |     |   |       |       |     |     |     |     |       |       |      |      |      |      |      |
|--------------|-----|-----|---|-------|-------|-----|-----|-----|-----|-------|-------|------|------|------|------|------|
| TRUCK DRIVER | NE  | ALL | 3 | 44.10 | 47.60 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | NE  | ALL | 4 | 44.49 | 47.60 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | NE  | ALL | 5 | 45.59 | 47.60 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | NE  | O&C | 1 | 34.59 | 38.08 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | NE  | O&C | 2 | 35.06 | 38.08 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | NE  | O&C | 3 | 35.28 | 38.08 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | NE  | O&C | 4 | 35.59 | 38.08 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | NE  | O&C | 5 | 36.47 | 38.08 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 7.75  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | ALL | 1 | 43.31 | 47.67 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | ALL | 2 | 43.89 | 47.67 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | ALL | 3 | 44.21 | 47.67 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | ALL | 4 | 44.56 | 47.67 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | ALL | 5 | 45.67 | 47.67 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | O&C | 1 | 34.65 | 38.14 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | O&C | 2 | 35.11 | 38.14 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | O&C | 3 | 35.37 | 38.14 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | O&C | 4 | 35.65 | 38.14 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TRUCK DRIVER | SW  | O&C | 5 | 36.54 | 38.14 | 1.5 | 1.5 | 2.0 | 2.0 | 16.27 | 8.04  | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 |
| TUCK POINTER | All | BLD |   | 38.06 | 40.34 | 1.5 | 1.5 | 2.0 | 2.0 | 10.15 | 16.85 | 0.00 | 1.02 |      | 0.00 | 0.00 |

### **Legend**

**Rg** Region

**Type** Trade Type - All,Highway,Building,Floating,Oil & Chip,Rivers

**C** Class

**Base** Base Wage Rate

**OT M-F** Unless otherwise noted, OT pay is required for any hour greater than 8 worked each day, Mon through Fri. The number listed is the multiple of the base wage.

**OT Sa** Overtime pay required for every hour worked on Saturdays

**OT Su** Overtime pay required for every hour worked on Sundays

**OT Hol** Overtime pay required for every hour worked on Holidays

**H/W** Health/Welfare benefit

**Vac** Vacation

**Trng** Training

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**Other Ins** Employer hourly cost for any other type(s) of insurance provided for benefit of worker.

Explanations PIATT COUNTY

ASBESTOS - SEE LABORERS

CARPENTERS (SOUTHWEST) - Commencing at the southeastern corner where Piatt County line meets the Douglas and Moultrie county lines, proceeding north on Piatt County line to County Road 1475 East, then proceeding north to County Road 500 North, then north to County Road 525 North and then west to County Road 1425 East and then north and west to County Road 1400 East and proceeding north to County Road 1000 North, then proceeding west to County Road 500 East, then north to County Road 1300 North, then west to County Road 300 East, then proceeding north to Old Highway 48 and then west to Old Route 48 to the Piatt County Line. ELECTRICIANS (NORTHEAST) - Townships of Blue Ridge, Sangamon and Monticello (Northeast quadrant).

PLUMBERS & PIPEFITTERS (EAST) - That part of the county East of an extension of Rt. 105 from the Northern to the Southern boundary of the county.

TRUCK DRIVERS (NORTHEAST) - East of a line starting at the intersection of the DeWitt-Piatt Counties line and Route 10 in a southerasterly direction to the southeast corner of Piatt County.

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day in some classifications/counties. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration. If in doubt, please check with IDOL.

Oil and chip resealing (O&C) means the application of road oils and liquid asphalt to coat an existing road surface, followed by application of aggregate chips or gravel to coated surface, and subsequent rolling of material to seal the surface.

### **EXPLANATION OF CLASSES**

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER, MARBLE FINISHER, TERRAZZO FINISHER

Assisting, helping or supporting the tile, marble and terrazzo mechanic by performing their historic and traditional work

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assignments required to complete the proper installation of the work covered by said crafts. The term "Ceramic" is used for naming the classification only and is in no way a limitation of the product handled. Ceramic takes into consideration most hard tiles.

### **ELECTRONIC SYSTEMS TECHNICIAN**

Installation, service and maintenance of low-voltage systems which utilizes the transmission and/or transference of voice, sound, vision, or digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background/foreground music, intercom and telephone interconnect, field programming, inventory control systems, microwave transmission, multi-media, multiplex, radio page, school, intercom and sound burglar alarms and low voltage master clock systems.

Excluded from this classification are energy management systems, life safety systems, supervisory controls and data acquisition systems not intrinsic with the above listed systems, fire alarm systems, nurse call systems and raceways exceeding fifteen feet in length.

**TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION Class 1.** Drivers on 2 axle trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver helpers, warehouse employees, mechanic helpers, greasers and tiremen, pickup trucks when hauling materials, tools, or workers to and from and on-the-job site, and fork lifts up to 6,000 lb. capacity.

**Class 2.** Two or three axle trucks hauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, vactor trucks or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. capacity, winch trucks, four axle combination units, and ticket writers.

**Class 3.** Two, three or four axle trucks hauling 16 ton or more. Drivers on water pulls, articulated dump trucks, mechanics and working forepersons, and dispatchers. Five axle or more combination units.

**Class 4.** Low Boy and Oil Distributors.

**Class 5.** Drivers who require special protective clothing while employed on hazardous waste work.

### **TRUCK DRIVER - OIL AND CHIP RESEALING ONLY.**

This shall encompass laborers, workers and mechanics who drive contractor or subcontractor owned, leased, or hired pickup, dump, service, or oil distributor trucks. The work includes transporting materials and equipment (including but not limited to, oils, aggregate supplies, parts, machinery and tools) to or from the job site; distributing oil or liquid asphalt and aggregate; stock piling material when in connection with the actual oil and chip contract. The Truck Driver (Oil & Chip Resealing) wage classification does not include supplier delivered materials.

### **OPERATING ENGINEERS - BUILDING**

**CLASS 1.** Asphalt Screed Man; Aspco Concrete Spreaders; Asphalt Pavers; Asphalt Plant Engineer; Asphalt Rollers on Bituminous

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Concrete; Athey Loaders; Backfillers, Crane Type; Backhoes; Barber Green Loaders; Bulldozers; Cableways; Cherry Pickers; Clam Shells; C.M.I. & similar type autograde formless paver, autograde placer & finisher; Concrete Breakers; Concrete Pumps; Derricks; Derrick Boats; Draglines; Earth Auger or Boring Machines; Elevating Graders; Engineers on Dredges; Gravel Processing Machines; Head Equipment Greaser; High Lifts or Fork Lifts; Hoists with two or more drums or two or more load lines; Locomotives, All; Mechanics; Motor Graders or Auto Patrols; Operators or Leverman on Dredges; Operators, Power Boat; Operators, Pug Mill (Asphalt Plants); Orange Peels; Overhead Cranes; Paving Mixers; Piledrivers; Pipe Wrapping and Painting Machines; Pushdozers, or Push Cats; Robotic Controlled Equipment in this Classification; Rock Crushers; Ross Carrier or Similar Machines; Rotomill; Scoops, Skimmer, two cu. yd. capacity and under; Scoops, All or Tournapull; Sheep-Foot Roller (Self Propelled); Shovels; Skid Steer; Skimmer Scoops; Temporary Concrete Plant Operators; Test Hole Drilling Machines; Tower Machines; Tower Mixers; Track Type End Loaders; Track Type Fork Lifts or High Lifts; Track Jacks and Tampers; Tractors, Sideboom; Trenching or Ditching Machine; Tunnelluggers; Vermeer Type Saws; Water Blaster Cutting Head; Wheel Type End Loaders; Winch Cat.

CLASS 2. Air Compressors (six to eight)\*; Asphalt Boosters and Heaters; Asphalt Distributors; Asphalt Plant Fireman; Oiler on Two Paving Mixers When Used in Tandem; Boom or Winch Trucks; Bull Floats or Flexplanes; Concrete Finishing Machine; Concrete Saws, Self-Propelled; Concrete Spreading Machines; Conveyors (six to eight)\*; Generators (six to eight)\*; Gravel or Stone Spreader, Power Operated; Hoist (with One Drum and One Load Line); Light Plants (six to eight)\*; Mechanical Heaters (six to eight)\*; Mud Jacks; Post Hole Digger, Mechanical; Pug Mills when used for other than Asphalt operation; Robotic Controlled Equipment in this Classification; Road or Street Sweeper, Self Propelled; Rollers (except bituminous concrete); Seaman Tiller; Straw Machine; Vibratory Compactor; Water Blaster, Power Unit; Welding Machines (six to eight)\*; Well Drill Machines.

CLASS 3. Air Compressors(one to five)\*; Air Compressors, Track or Self-Propelled; Automatic Hoist; Building Elevators; Bulk Cement Batching Plants; Conveyors (one to five)\*; Concrete Mixers (Except Plant, Paver, or Tower); Firemen; Generators (one to five)\*; Greasers; Helper on Single Paving Mixer; Hoist, Automatic; Light Plants (one to five)\*; Mechanic Helpers; Mechanical Heaters (one to five)\*; Oilers; Power Form Graders; Power Sub-Graders; Robotic Controlled Equipment in this Classification; Scissors Hoist; Tractors without power attachments regardless of size or type; Truck Crane Oiler and Driver (1 man); Vibratory Hammer (power source); Water Pumps (one to five)\*; Welding Machines (1/300 Amp. or over)\*; Welding machines (one to five)\*

CLASS 4. Lattice Boom Crawler Cranes; Lattice Boom Truck Cranes; Telescopic Truck-Mounted Cranes; Tower Cranes.

\* Combinations of one to eight of any Air Compressors, Conveyors, Welding Machines, Water Pumps, Light Plants, or Generators shall be in batteries or within 400 feet and shall be paid as per the Classification Schedule contained in this Article.

### OPERATING ENGINEERS - HIGHWAY

CLASS 1. Asphalt Screed Man; Asphco Concrete Spreaders; Asphalt Pavers; Asphalt Plant Engineer; Asphalt Rollers on Bituminous Concrete; Athey Loaders; Backhoes; Barber Green Loaders; Bulldozers; Cableways; Carry Deck Pickers; Cherry Pickers (Rough Terrain); C.M.I. & similar type-autograde formless paver, autograde placer & finisher; Concrete Breakers; Concrete Plant Operators; Concrete Pumps; Derricks; Derrick Boats; Dewatering Systems; Earth Auger or Boring Machines; Elevating Graders; Engineers on Dredges; Gravel Processing Machines; Grout Pump; Head Equipment Greaser; High Lifts or Fork Lifts; Hoists with two or more drums or two or more load lines; Hydro Jet or Hydro Laser; Locomotives, All; Mechanics; Motor Graders or Auto Patrols; Multi-Point Power Lifting Equipment; Operators or Leverman on Dredges; Operators, Power Boat; Operators, Pug Mill (Asphalt Plants); Overhead Cranes; Paving Mixers; Piledrivers; Pipe Wrapping and Painting Machines; Push-dozers, or Push Cats;



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Robotic Controlled Equipment in this Classification; Rock Crushers; Ross Carrier or Similar Machines; Roto-Mill; Scoops, Skimmer, two cu. yd. capacity and under; Sheep-Foot Roller (Self Propelled); Shovels; Skid Steer; Skimmer Scoops; Test Hole Drilling Machines; Tower Machines; Tower Mixers; Track Type End Loaders; Track Type Fork Lifts or High Lifts; Track Jacks and Tampers; Tractors, Side-boom; Trenching or Ditching Machine; Tunnelluggers; Vermeer-Type Saws; Wheel Type End Loaders; Winch Cat; Scoops, All or Tournapull.

CLASS 2. Air Compressors (six to eight)\*; Articulated Dumps; Asphalt Boosters and Heaters; Asphalt Distributors; Asphalt Plant Fireman; Boom or Winch Trucks; Building Elevators; Bull Floats or Flexplanes; Concrete Finishing Machine; Concrete Saws, Self-Propelled; Concrete Spreading Machines; Conveyors (six to eight)\*; Generators (six to eight)\*; Gravel or Stone Spreader, Power Operated; Hoist, Automatic; Hoist with One Drum and One Load Line; Light Plants (six to eight)\*; Mechanical Heaters (six to eight)\*; Mud Jacks; Off Road Water Wagons; Oiler on Two Paving Mixers When Used in Tandem; Post Hole Digger, Mechanical; Robotic Controlled Equipment in This Classification; Road or Street Sweeper, Self-Propelled; Rollers (except bituminous concrete); Scissor Hoist; Sea-man Tiller; Straw Machine; Vibratory Compactor; Water Pumps (six to eight)\*; Well Drill Machines.

CLASS 3. Air Compressors (one to five)\*; Air Compressors, Track or Self-Propelled; Bulk Cement Batching Plants; Conveyors (one to five)\*; Concrete Mixers (Except Plant, Paver, or Tower); Firemen; Generators (one to five)\*; Greasers; Helper on Single Paving Mixer; Light Plants (one to five)\*; Mechanic Helpers; Mechanical Heaters (one to five)\*; Oilers; Power Form Graders; Power Sub-Graders; Pug Mills when used for other than Asphalt operation; Robotic Controlled Equipment in This Classification; Tractors without power attachments, regardless of size or type; Truck Crane Oiler and Driver (1 man); Vibratory Hammer (power source); Water Pumps (one to five)\*; Welding Machines (one 300 Amp. or over)\*; Welding Machines (one to five)\*. CLASS 4. Lattice Boom Crawler Crane; Lattice Boom Truck Crane; Telescopic Truck-Mounted Crane; Tower Crane.

\*Combinations of one to eight of any Air Compressors, Conveyors, Welding Machines, Water Pumps, Light Plants or Generators shall be in batteries or within 400 feet and shall be paid as per the Classification Schedule contained in this Article.

### Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 217-782-1710 for wage rates or clarifications.

### LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

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|                 |                               |            |        |                             |                 |   |          |                                |
|-----------------|-------------------------------|------------|--------|-----------------------------|-----------------|---|----------|--------------------------------|
| ABV             | ABOVE                         | CUBIC YARD | HATCH  | HATCHING                    | PM              | PAVEMENT MARKING                          | STD      | STANDARD                       |
| A/C             | ACCESS CONTROL                | CULV       | HD     | HEAD                        | PED             | PEDESTAL                                  | SBI      | STATE BOND ISSUE               |
| AC              | ACRE                          | C&G        | HDW    | HEADWALL                    | PNT             | POINT                                     | SR       | STATE ROUTE                    |
| ADJ             | ADJUST                        | D          | HDUTY  | HEAVY DUTY                  | PC              | POINT OF CURVATURE                        | STA      | STATION                        |
| AS              | AERIAL SURVEYS                | DC         | ha     | HECTARE                     | PI              | POINT OF INTERSECTION OF HORIZONTAL CURVE | SPBGR    | STEEL PLATE BEAM GUARDRAIL     |
| AGG             | AGGREGATE                     | DET        | HMA    | HOT MIX ASPHALT             | PRC             | POINT OF REVERSE CURVE                    | SS       | STORM SEWER                    |
| AH              | AHEAD                         | DIA        | HWY    | HIGHWAY                     | PT              | POINT OF TANGENCY                         | STY      | STORY                          |
| APT             | APARTMENT                     | DIST       | HORIZ  | HORIZONTAL                  | POT             | POINT ON TANGENT                          | ST       | STREET                         |
| ASPH            | ASPHALT                       | DOM        | HSE    | HOUSE                       | POLYETH         | POLYETHYLENE                              | STR      | STRUCTURE                      |
| AUX             | AUXILIARY                     | DBL        | IL     | ILLINOIS                    | PP              | PORTLAND CEMENT CONCRETE                  | °        | SUPERELEVATION RATE            |
| AGS             | AUXILIARY GAS VALVE (SERVICE) | DSEL       | IMP    | IMPROVEMENT                 | PCC             | PORTLAND CEMENT CONCRETE                  | S.E. RUN | SUPERELEVATION RUNOFF LENGTH   |
| AVE             | AVENUE                        | DSFL       | IN DIA | INCH DIAMETER               | PP              | POWER POLE OR PRINCIPAL POINT             | SURF     | SURFACE                        |
| AX              | AXIS OF ROTATION              | DR         | INLET  | INLET                       | PRM             | PRIME                                     | SNK      | SURVEY MARKER                  |
| BACK            | BACK TO BACK                  | DI         | INST   | INSTALLATION                | PE              | PRIVATE ENTRANCE                          | T        | TANGENT DISTANCE               |
| B-B             | BACKLAP                       | DRV        | IDS    | INTERSECTION DESIGN STUDY   | PGL             | PROFILE                                   | T.R.     | TANGENT RUNOUT DISTANCE        |
| BKPL            | BACKLAP                       | DCT        | INV    | INVERT                      | PROJ            | PROJECT                                   | TEL      | TELEPHONE                      |
| B               | BARN                          | EA         | IP     | IRON PIPE                   | P.C.            | PROPERTY CORNER                           | TP       | TELEPHONE POLE                 |
| BARR            | BARRICADE                     | EB         | IR     | IRON ROD                    | PL              | PROPERTY LINE                             | TEMP     | TEMPORARY                      |
| BL              | BASELINE                      | EOP        | IT     | JOINT                       | PR              | PROPOSED                                  | TBM      | TEMPORARY BENCH MARK           |
| BGN             | BEGIN                         | ECL        | kg     | KILOGRAM                    | R               | RADIUS OF RESIDENTIAL                     | TD       | TILE DRAIN                     |
| BM              | BENCHMARK                     | E-E        | km     | KILOMETER                   | RRS             | RAILROAD SPIKE                            | TBE      | TO BE EXTENDED                 |
| BIND            | BINDER                        | ELEC       | LN     | LANE                        | RPS             | REFERENCE POINT STAKE                     | TBR      | TO BE REMOVED                  |
| BIT             | BITUMINOUS                    | EL         | LT     | LEFT                        | REF             | REFLECTIVE                                | TBS      | TO BE SAVED                    |
| BTM             | BOTTOM                        | ENTR       | LIDAR  | LIGHT DETECTION AND RANGING | RCCP            | REINFORCED CONCRETE CULVERT PIPE          | TWP      | TOWNSHIP                       |
| BRK             | BRICK                         | EXC        | LP     | LIGHT POLE                  | REINF           | REINFORCEMENT                             | TR       | TOWNSHIP ROAD                  |
| BRK             | BRICK                         | EX         | LGT    | LIGHTING                    | REM             | REMOVAL                                   | TSCB     | TRAFFIC SIGNAL                 |
| BBOX            | BUFFALO BOX                   | EXPWAY     | LF     | LINEAL FEET OR LINEAR FEET  | RC              | REMOVE CROWN                              | TSC      | TRAFFIC SIGNAL CONTROL BOX     |
| BLDG            | BUILDING                      | E          | L      | LITER OR CURVE LENGTH       | RC              | REPLACEMENT                               | TRV      | TRANSVERSE                     |
| CATV            | CABLE                         | E          | LC     | LONG CHORD                  | REST            | RESTAURANT                                | TRVL     | TRAVEL                         |
| CIP             | CAST IRON PIPE                | F-F        | LG     | LUMP SUM                    | RESURF          | RESURFACING                               | TRN      | TURN                           |
| C-B             | CATCH BASIN                   | FA         | LNG    | LONGITUDINAL                | RET             | RETAINING                                 | TV       | TYPE                           |
| C-C             | CATCH BASIN                   | FAL        | L      | LUMP SUM                    | RT              | RIGHT-OF-WAY                              | T.A      | TYPE A                         |
| CL              | CENTERLINE OR CLEARANCE       | FAP        | MACH   | MACHINE                     | ROW             | ROAD                                      | TYP      | TYPICAL                        |
| CL-E            | CENTERLINE TO EDGE            | FAS        | MH     | MANHOLE                     | RDMY            | ROADWAY                                   | UNDGND   | UNDERGROUND                    |
| CL-F            | CENTERLINE TO FACE            | FALS       | MH     | MANHOLE                     | RTE             | ROUTE                                     | USGS     | U.S. GEOLOGICAL SURVEY         |
| CTS             | CENTERS                       | FP         | MATL   | MATERIAL                    | SAN             | SANITARY SEWER                            | USEL     | UPSTREAM ELEVATION             |
| CERT            | CERTIFIED                     | OPT        | MED    | MEDIAN                      | SEC             | SECTION                                   | USFL     | UPSTREAM FLOWLINE              |
| CHSLD           | CHESELED                      | FE         | METH   | METHOD                      | SEED            | SEEDING                                   | VBOX     | VALVE BOX                      |
| CP              | CITY STREET                   | FH         | M      | MID-ORDINATE                | SHAP            | SHAPING                                   | VV       | VALVE VAULT                    |
| CS              | CLAY PIPE                     | FL         | mm     | MILLIMETER                  | S               | SHEET                                     | VLT      | VAULT                          |
| CSD             | CLOSED                        | FB         | mm DIA | MILLIMETER DIAMETER         | SH              | SHOULDER                                  | VEH      | VEHICLE                        |
| CLD             | CLOSED                        | FBN        | MIX    | MIXTURE                     | SHLD            | SIDEWALK OR SOUTHWEST                     | VP       | VENT PIPE                      |
| CT              | COAT OR COURT                 | FR         | MBH    | MOBILE HOME                 | SW              | SIGNAL                                    | VERT     | VERTICAL                       |
| COMB            | COMBINATION                   | F&G        | MOD    | MODIFIED                    | SIG             | SIGNAL                                    | VC       | VERTICAL CURVE                 |
| C               | COMMERCIAL BUILDING           | FRWAY      | N & BC | NAIL & BOTTLE CAP           | SOD             | SODDING                                   | VPC      | VERTICAL POINT OF CURVATURE    |
| CONC            | CONCRETE                      | GAL        | N & C  | NAIL & CAP                  | SM              | SOLID MEDIUM                              | VPI      | VERTICAL POINT OF INTERSECTION |
| CONC            | CONSTRUCT                     | G          | N & W  | NORMAL CROWN                | SB              | SOUTHBOUND                                | WM       | WATER METER                    |
| CONTD           | CONTINUED                     | GM         | NC     | NORTHBOUND                  | SE              | SOUTHEAST                                 | WV       | WATER VALVE                    |
| CONIT           | CONTINUOUS                    | GV         | NE     | NORTHWEST                   | SPL             | SPECIAL                                   | WMAIN    | WATER MAIN                     |
| COR             | CORNER                        | GR         | NW     | NORTHWEST                   | SD              | SPECIAL DITCH                             | WB       | WESTBOUND                      |
| CORR            | CORRUGATED                    | GRAN       | O/S    | OFFSET                      | SQ FT           | SQUARE FEET                               | W        | WITH                           |
| CMP             | CORRUGATED METAL PIPE         | GRVL       | O&C    | OIL AND CHIP                | m <sup>2</sup>  | SQUARE MILLIMETER                         | WO       | WITHOUT                        |
| CNTY            | COUNTY                        | GND        | OLID   | OPEN LID                    | mm <sup>2</sup> | SQUARE YARD                               |          |                                |
| CH              | COUNTY HIGHWAY                | GUT        | PAT    | PATTERN                     | STB             | STABILIZED                                |          |                                |
| CSE             | COURSE                        | GUY        | PVD    | PAVED                       |                 |   |          |                                |
| XSECT           | CROSS SECTION                 | GP         | PVMT   | PAVEMENT                    |                 |   |          |                                |
| m <sup>3</sup>  | CUBIC METER                   | WH         |        |                             |                 |   |          |                                |
| mm <sup>3</sup> | CUBIC MILLIMETER              |            |        |                             |                 |   |          |                                |

ILLINOIS

Department of Transportation

APPROVED

January 1, 2021

2021

ENGINEER OF POLICY AND PROCEDURES

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January 1, 2021

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ISSUED 1-1-07

STANDARD SYMBOLS, ABBREVIATIONS, AND PATTERNS

STANDARD 000001-08

DATE

1-1-21

1-1-19

REVISIONS

Updated fonts, abbreviations, and symbols.

Added new symbols.

(Sheet 1 of 9)

[illegible]

| EROSION & SEDIMENT CONTROL ITEMS     |    | NON-HIGHWAY IMPROVEMENT ITEMS       |    | EXISTING LANDSCAPING ITEMS (contd.) |    |
|--------------------------------------|----|-------------------------------------|----|-------------------------------------|----|
| EX                                   | PR | EX                                  | PR | EX                                  | PR |
| Cleaning & Grading Limits            |    | Noise Attn./Levee                   |    | Seeding Class 5                     |    |
| Dike                                 |    | Field Line                          |    | Seeding Class 7                     |    |
| Erosion Control Fence                |    | Fence                               |    | Seedlings Type 1                    |    |
| Perimeter Erosion Barrier            |    | Base of Levee                       |    | Seedlings Type 2                    |    |
| Temporary Fence                      |    | Mailbox                             |    | Sodding                             |    |
| Ditch Check Temporary                |    | Multiple Mailboxes                  |    | Mowstake w/Sign                     |    |
| Ditch Check Permanent                |    | Pay Telephone                       |    | Tree Trunk Protection               |    |
| Inlet & Pipe Protection              |    | Advertising Sign                    |    | Evergreen Tree                      |    |
| Sediment Basin                       |    | *TTS Camera                         |    | Shade Tree                          |    |
| Erosion Control Blanket              |    | Wind Turbine                        |    |                                     |    |
| Fabric Formed Concrete Revetment Mat |    | Cellular Tower                      |    |                                     |    |
| Turf Reinforcement Mat               |    | *Intelligent Transportation Systems |    |                                     |    |
| Mulch Temporary                      |    | LANDSCAPING ITEMS                   |    |                                     |    |
| Mulch Method 1                       |    | Contour Mounding Line               |    |                                     |    |
| Mulch Method 2 Stabilized            |    | Fence                               |    |                                     |    |
| Mulch Method 3 Hydraulic             |    | Fence Post                          |    |                                     |    |
|                                      |    | Shrubs                              |    |                                     |    |
|                                      |    | Mowline                             |    |                                     |    |
|                                      |    | Perennial Plants                    |    |                                     |    |
|                                      |    | Seeding Class 2                     |    |                                     |    |
|                                      |    | Seeding Class 2A                    |    |                                     |    |
|                                      |    | Seeding Class 4                     |    |                                     |    |
|                                      |    | Seeding Class 4 & 5 Combined        |    |                                     |    |
| CONTOUR ITEMS                        |    | LANDSCAPING ITEMS                   |    | LIGHTING                            |    |
| Approx. Index Line                   |    | Contour Mounding Line               |    | Duct                                |    |
| Approx. Intermediate Line            |    | Fence                               |    | Conduit                             |    |
| Index Contour                        |    | Shrubs                              |    | Electrical Aerial Cable             |    |
| Intermediate Contour                 |    | Mowline                             |    | Electrical Buried Cable             |    |
|                                      |    | Perennial Plants                    |    | Controller                          |    |
|                                      |    | Seeding Class 2                     |    | Underpass Luminaire                 |    |
|                                      |    | Seeding Class 2A                    |    | Power Pole                          |    |
|                                      |    | Seeding Class 4                     |    |                                     |    |
|                                      |    | Seeding Class 4 & 5 Combined        |    |                                     |    |

ILLINOIS DEPARTMENT OF TRANSPORTATION

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






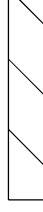
















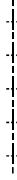
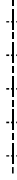


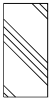
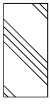
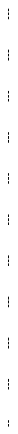



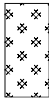
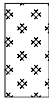
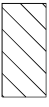
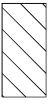



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STANDARD SYMBOLS, ABBREVIATIONS, AND PATTERNS

STANDARD 000001-08

(Sheet 3 of 9)

| <u>LIGHTING (contd.)</u>   |   | <u>PAVEMENT MARKINGS</u>  |                             | <u>STANDARD SYMBOLS, ABBREVIATIONS, AND PATTERNS</u>                                |  |
|--|---|---|-----------------------------|---|--|
| <u>EX</u>  | <u>PR</u>   |   |                             | <u>EX</u>   | <u>PR</u>  |
| Pull Point   |    |                                | Handicap Symbol             |    |   |
| Handhole   |    |                                | RR Crossing                 |    |   |
| Heavy Duty Handhole  |    |                                | Raised Marker Amber 1 Way   |    |   |
| Junction Box   |    |                                | Raised Marker Amber 2 Way   |    |   |
| Light Unit Comb.   |    |                                | Raised Marker Crystal 1 Way |    |   |
| Electrical Ground  |    |                                | Two Way Turn Left           |    |   |
| Traffic Flow Arrow   |    |                                | Shoulder Diag. Pattern      |    |   |
| High Mast Pole (Half Size)   |    |                                | Skip-Dash White             |    |   |
| Light Unit-1   |    |                                | Skip-Dash Yellow            |    |   |
| <u>PAVEMENT (MISC.)</u>  |   |   |                             |   |  |
| Keyed Long. Joint  |    |                                | Stop Line                   |    |    |
| Keyed Long. Joint w/Tie Bars   |    |                                | Solid Line                  |  |  |
| Sawed Long. Joint w/Tie Bars   |   |                               | Double Centerline           |  |  |
| Bituminous Shoulder  |  |                              | Dotted Lines                |  |  |
| Bituminous Taper   |  |                              |                             |   |  |
| Stabilized Driveway  |  |                              |                             |   |  |
| Widening   |  |                              |                             |   |  |
| <div> <div>  Illinois Department of Transportation </div> <div> APPROVED  January 1, 2021<br/> ENGINEER OF POLICY AND PROCEDURES </div> <div> APPROVED  January 1, 2021<br/> ENGINEER OF DESIGN AND ENVIRONMENT </div> </div> |   | <div> <div> STANDARD SYMBOLS,<br/> ABBREVIATIONS,<br/> AND PATTERNS </div> <div> STANDARD 000001-08 </div> </div> |                             |   |  |

| PAVEMENT MARKINGS<br>(contd.)                    |  | EX                 | PR | RAILROAD ITEMS                                | EX             | PR |
|--|--|--------------------|----|---|----------------|----|
| CL 2Ln 2Way<br>RRPW 12.2 m (40') o.c.            |  |                    |    | Abandoned Railroad                            |                |    |
| CL 2Ln 2Way<br>RRPW 80 (24.4 m) o.c.             |  |                    |    | Railroad                                      |                |    |
| CL Multilane Div.<br>RRPW 40' (12.2 m) o.c.      |  |                    |    | Railroad Point                                |                |    |
| CL Multilane Div.<br>RRPW 80' (24.4 m) o.c.      |  |                    |    | Control Box                                   |                |    |
| CL Multilane Div. Dbl.<br>RRPW 80' (24.4 m) o.c. |  |                    |    | Crossing Gate                                 |                |    |
| CL Multilane Undiv.                              |  |                    |    | Flashing Signal                               |                |    |
| Two Way Turn Left Line                           |  |                    |    | Railroad Cant. Mast Arm                       |                |    |
| Urban Combination Left                           |  |                    |    | Crossbuck                                     |                |    |
| Urban Combination Right                          |  |                    |    | Removal Tlc                                   |                |    |
| Urban Left Turn Arrow                            |  |                    |    | Bituminous Removal                            |                |    |
| Urban Right Turn Arrow                           |  |                    |    | Hatch Pattern                                 |                |    |
| Urban Left Turn Only                             |  |                    |    | Tree Removal Single                           |                |    |
| Urban Right Turn Only                            |  |                    |    | RIGHT OF WAY ITEMS                            |                |    |
| Urban Thru Only                                  |  |                    |    | Future ROW Corner Monument                    |                |    |
|  |  |                    |    | ROW Marker                                    |                |    |
|  |  |                    |    | ROW Line                                      |                |    |
|  |  |                    |    | Easement                                      |                |    |
|  |  |                    |    | Temporary Easement                            |                |    |
| Urban LT & RT Turn Arrow                         |  |                    |    | STANDARD SYMBOLS, ABBREVIATIONS, AND PATTERNS |                |    |
| Urban Thru Arrow                                 |  |                    |    |   |                |    |
| STANDARD SYMBOLS, ABBREVIATIONS, AND PATTERNS    |  | STANDARD 000001-08 |    |   | (Sheet 5 of 9) |    |

**PAVEMENT MARKINGS**  
**(contd.)**

Urban U-Turn

Urban Combined U-Turn

Rural Combination Left

Rural Combination Right

Rural Left Turn Arrow

Rural Right Turn Arrow

Rural Left Turn Only

Rural Right Turn Only

Rural Thru Only

Rural Thru Arrow

Rural Lt & Rt Turn Arrow

Bike Lane Symbol

Bike Lane Text

Bike Path Shared

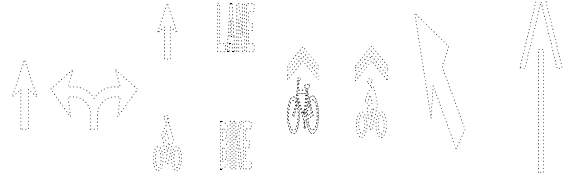
Bike Shared Roadway

Lane Drop Symbol

**EX**



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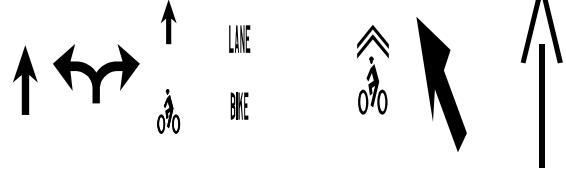


Wrong Way Arrow

**PR**



ONLY ONLY ONLY



**STANDARD SYMBOLS,  
ABBREVIATIONS,  
AND PATTERNS**

(Sheet 6 of 9)

STANDARD 000001-08

Illinois Department of Transportation

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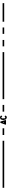























































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






| RIGHT OF WAY ITEMS<br>(contd.)               | ROADWAY PROFILES  | SIGNING ITEMS<br>(contd.)      | EX  | PR  |
|--|---|--------------------------------|---|---|
| Access Control Line                          |    | P.I. Indicator                 |    |    |
| Access Control Line & ROW                    |    | Point Indicator                |    |    |
| Access Control Line & ROW with Fence         |    | Earthworks Balance Point       |    |    |
| Excess ROW Line                              |    | Begin Point                    |    |    |
| ROADWAY PLAN ITEMS                           | SIGNING ITEMS   | SIGNING ITEMS                  | EX  | PR  |
| Cable Barrier                                |    | Vert. Curve Data               |    |    |
| Concrete Barrier                             |    | Ditch Profile Left Side        |    |    |
| Edge of Pavement                             |    | Ditch Profile Right Side       |    |    |
| Blt Shoulders, Medians and C&G Line          |    | Roadway Profile Line           |    |    |
| Aggregate Shoulder                           |    | Storm Sewer Profile Left Side  |    |    |
| Sidewalks, Driveways                         |    | Storm Sewer Profile Right Side |    |    |
| Guardrail                                    |    | SIGNING ITEMS                  | EX  | PR  |
| Guardrail Post                               |    | Cone, Drum or Barricade        |    |    |
| Traffic Sign                                 |    | Barricade Type II              |    |    |
| Corrugated Median                            |   | Barricade Type III             |  |  |
| Impact Attenuator                            |  | Barricade With Edge Line       |  |  |
| North Arrow with District Office (Half Size) |  | Flashing Light Sign            |  |  |
| Match Line                                   |  | Panels I                       |  |  |
| Slope Limit Line                             |  | Panels II                      |  |  |
| Typical Cross-Section Line                   |  | Direction of Traffic           |  |  |
|  |  | Sign Flag (Half Size)          |  |  |
|  |  |                                |   |   |
|  |   |                                |   |   |
|  |   |                                |   |   |
|  |   |                                |   |   |
|  |   |                                |   |   |
|  |   |                                |   |   |
|  |   |                                |   |   |

**STANDARD SYMBOLS,  
ABBREVIATIONS,  
AND PATTERNS**

(Sheet 7 of 9)

STANDARD 000001-08

| SIGNING ITEMS<br>(contd.)   | EX | PR  |
|---|----|---|
| One Way Arrow Lrg. W1-6-(O)<br>(Half Size)  |    |    |
| Two Way Arrow Large W1-7-(O)<br>(Half Size)   |    |    |
| Detour M4-10L-(O)<br>(Half Size)  |    |    |
| Detour M4-10R-(O)<br>(Half Size)  |    |    |
| One Way Left R6-1L<br>(Half Size)   |    |    |
| One Way Right R6-1R<br>(Half Size)  |    |    |
| Left Turn Lane R3-1100L<br>(Half Size)  |    |    |
| Keep Left R4-7AL<br>(Half Size)   |    |    |
| Keep Left R4-7BL<br>(Half Size)   |    |    |
| Keep Right R4-7AR<br>(Half Size)  |    |    |
| Keep Right R4-7BR<br>(Half Size)  |    |    |
| Stop Here On Red R10-6-AL<br>(Half Size)  |    |    |
| Stop Here On Red R10-6-AR<br>(Half Size)  |    |  |
| No Left Turn R3-2<br>(Half Size)  |    |  |
| No Right Turn R3-1<br>(Half Size)   |    |  |
| Road Closed R11-2<br>(Half Size)  |    |  |
| Road Closed Thru Traffic R11-2<br>(Half Size)   |    |  |
|  Illinois Department of Transportation   |    |   |
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TRAFFIC SHEET  
ITEMS

- Cable Number
- Left Turn Green
- Left Turn Yellow
- Signal Backplate
- Signal Section 8" (200 mm)
- Signal Section 12" (300 mm)
- Walk/Don't Walk Letters
- Walk/Don't Walk Symbols

PR



EX



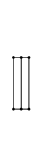
TRAFFIC SIGNAL  
ITEMS

- Galv. Steel Conduit
- Underground Cable
- Detector Loop Line
- Detector Loop Large
- Detector Loop Small
- Detector Loop Quadrupole

EX



PR



STANDARD SYMBOLS,  
ABBREVIATIONS,  
AND PATTERNS

(Sheet 8 of 9)

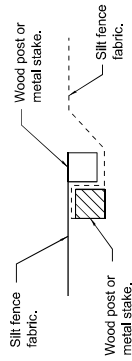
STANDARD 000001-08

| TRAFFIC SIGNAL ITEMS (contd.) |    | UNDERGROUND UTILITY ITEMS         |    | ABANDONED |           | UTILITY ITEMS (contd.)     |    | STANDARD SYMBOLS, ABBREVIATIONS, AND PATTERNS |           |
|-------------------------------|----|-----------------------------------|----|-----------|-----------|----------------------------|----|---|-----------|
| EX                            | PR | EX                                | PR | EX        | PR        | EX                         | PR | EX  | PR        |
| Detector Raceway              |    | Cable TV                          |    |           |           | Traffic Signal             |    |   |           |
| Aluminum Mast Arm             |    | Electric Cable                    |    |           |           | Traffic Signal Control Box |    |   |           |
| Steel Mast Arm                |    | Fiber Optic                       |    |           |           | Water Meter                |    |   |           |
| Veh. Detector Magnetic        |    | Gas Pipe                          |    |           |           | Water Meter Valve Box      |    |   |           |
| Conduit Splice                |    | Oil Pipe                          |    |           |           | Profile Line               |    |   |           |
| Controller                    |    | Sanitary Sewer                    |    |           |           | Aerial Power Line          |    |   |           |
| Gulfbbox Junction             |    | Telephone Cable                   |    |           |           |                            |    |   |           |
| Wood Pole                     |    | Water Pipe                        |    |           |           |                            |    |   |           |
| Temp. Signal Head             |    | <b>UTILITIES ITEMS</b>            |    | <b>EX</b> | <b>PR</b> | <b>VEGETATION ITEMS</b>    |    | <b>EX</b>                                     | <b>PR</b> |
| Handhole                      |    | Controller                        |    |           |           | Deciduous Tree             |    |   |           |
| Double Handhole               |    | Double Handhole                   |    |           |           | Bush or Shrub              |    |   |           |
| Heavy Duty Handhole           |    | Fire Hydrant                      |    |           |           | Evergreen Tree             |    |   |           |
| Junction Box                  |    | GuyWire or Deadman Anchor         |    |           |           | Slump                      |    |   |           |
| Ped. Pushbutton Detector      |    | Handhole                          |    |           |           | Orchard/Nursery Line       |    |   |           |
| Ped. Signal Head              |    | Heavy Duty Handhole               |    |           |           | Vegetation Line            |    |   |           |
| Power Pole Service            |    | Junction Box                      |    |           |           | Woods & Bush Line          |    |   |           |
| Priority Veh. Detector        |    | Light Pole                        |    |           |           | Stream or Drainage Ditch   |    |   |           |
| Signal Head                   |    | Manhole                           |    |           |           | Waters Edge                |    |   |           |
| Signal Head w/Backplate       |    | Monitoring Well (Gasoline)        |    |           |           | Water Surface Indicator    |    |   |           |
| Signal Post                   |    | Pipeline Warning Sign             |    |           |           | Water Point                |    |   |           |
| Closed Circuit TV             |    | Power Pole                        |    |           |           | Disappearing Ditch         |    |   |           |
| Video Detector System         |    | Power Pole with Light             |    |           |           | Marsh                      |    |   |           |
|                               |    | Sanitary Sewer Cleanout           |    |           |           | Marsh/Swamp Boundary       |    |   |           |
|                               |    | Splice Box Above Ground           |    |           |           |                            |    |   |           |
|                               |    | Telephone Splice Box Above Ground |    |           |           |                            |    |   |           |
|                               |    | Telephone Pole                    |    |           |           |                            |    |   |           |

| DECIMAL OF AN INCH AND OF A FOOT |           |           |          |           |          |          |          |          |          |          |          |
|----------------------------------|-----------|-----------|----------|-----------|----------|----------|----------|----------|----------|----------|----------|
| A                                | B         | C         | D        | E         | F        | G        | H        | I        | J        | K        | L        |
| 1/16                             | 1/8       | 3/16      | 1/4      | 5/16      | 3/8      | 7/16     | 1/2      | 5/8      | 3/4      | 7/8      | 1        |
| 0.0052                           | 0.0104    | 0.0156    | 0.0208   | 0.0260    | 0.0312   | 0.0365   | 0.0417   | 0.0469   | 0.0521   | 0.0573   | 0.0625   |
| 1/32                             | 1/16      | 3/32      | 1/8      | 5/32      | 3/16     | 7/32     | 1/4      | 9/32     | 5/16     | 3/8      | 7/16     |
| 0.0031                           | 0.0062    | 0.0094    | 0.0125   | 0.0156    | 0.0188   | 0.0219   | 0.0250   | 0.0281   | 0.0312   | 0.0344   | 0.0375   |
| 1/64                             | 1/32      | 3/64      | 1/16     | 5/64      | 3/32     | 7/64     | 1/8      | 9/64     | 5/32     | 3/16     | 7/32     |
| 0.0016                           | 0.0031    | 0.0047    | 0.0062   | 0.0078    | 0.0094   | 0.0109   | 0.0125   | 0.0141   | 0.0156   | 0.0172   | 0.0188   |
| 1/128                            | 1/64      | 3/128     | 1/32     | 5/128     | 3/64     | 7/128    | 1/16     | 9/128    | 5/64     | 3/32     | 7/64     |
| 0.0008                           | 0.0016    | 0.0023    | 0.0031   | 0.0039    | 0.0047   | 0.0055   | 0.0062   | 0.0070   | 0.0078   | 0.0086   | 0.0094   |
| 1/256                            | 1/128     | 3/256     | 1/64     | 5/256     | 3/128    | 7/256    | 1/32     | 9/256    | 5/128    | 3/64     | 7/128    |
| 0.0004                           | 0.0008    | 0.0012    | 0.0016   | 0.0019    | 0.0023   | 0.0027   | 0.0031   | 0.0035   | 0.0039   | 0.0043   | 0.0047   |
| 1/512                            | 1/256     | 3/512     | 1/128    | 5/512     | 3/256    | 7/512    | 1/64     | 9/512    | 5/256    | 3/128    | 7/256    |
| 0.0002                           | 0.0004    | 0.0006    | 0.0008   | 0.0010    | 0.0012   | 0.0015   | 0.0016   | 0.0019   | 0.0021   | 0.0023   | 0.0025   |
| 1/1024                           | 1/512     | 3/1024    | 1/256    | 5/1024    | 3/512    | 7/1024   | 1/128    | 9/1024   | 5/512    | 3/256    | 7/512    |
| 0.0001                           | 0.0002    | 0.0003    | 0.0004   | 0.0005    | 0.0006   | 0.0007   | 0.0008   | 0.0009   | 0.0010   | 0.0011   | 0.0012   |
| 1/2048                           | 1/1024    | 3/2048    | 1/512    | 5/2048    | 3/1024   | 7/2048   | 1/256    | 9/2048   | 5/1024   | 3/512    | 7/1024   |
| 0.00005                          | 0.0001    | 0.00015   | 0.0002   | 0.00025   | 0.0003   | 0.0004   | 0.0005   | 0.0006   | 0.0007   | 0.0008   | 0.0009   |
| 1/4096                           | 1/2048    | 3/4096    | 1/1024   | 5/4096    | 3/2048   | 7/4096   | 1/512    | 9/4096   | 5/2048   | 3/1024   | 7/2048   |
| 0.00002                          | 0.00005   | 0.00007   | 0.0001   | 0.00012   | 0.00015  | 0.00019  | 0.00023  | 0.00027  | 0.00031  | 0.00035  | 0.00039  |
| 1/8192                           | 1/4096    | 3/8192    | 1/2048   | 5/8192    | 3/4096   | 7/8192   | 1/1024   | 9/8192   | 5/4096   | 3/2048   | 7/4096   |
| 0.00001                          | 0.00002   | 0.00003   | 0.00004  | 0.00005   | 0.00006  | 0.00007  | 0.00009  | 0.00010  | 0.00011  | 0.00012  | 0.00013  |
| 1/16384                          | 1/8192    | 3/16384   | 1/4096   | 5/16384   | 3/8192   | 7/16384  | 1/2048   | 9/16384  | 5/8192   | 3/4096   | 7/8192   |
| 0.000005                         | 0.00001   | 0.000015  | 0.00002  | 0.000025  | 0.00003  | 0.00004  | 0.00005  | 0.00006  | 0.00007  | 0.00008  | 0.00009  |
| 1/32768                          | 1/16384   | 3/32768   | 1/8192   | 5/32768   | 3/16384  | 7/32768  | 1/4096   | 9/32768  | 5/16384  | 3/8192   | 7/16384  |
| 0.000002                         | 0.000005  | 0.000007  | 0.00001  | 0.000012  | 0.000015 | 0.000019 | 0.000023 | 0.000027 | 0.000031 | 0.000035 | 0.000039 |
| 1/65536                          | 1/32768   | 3/65536   | 1/16384  | 5/65536   | 3/32768  | 7/65536  | 1/8192   | 9/65536  | 5/32768  | 3/16384  | 7/32768  |
| 0.000001                         | 0.000002  | 0.000003  | 0.000004 | 0.000005  | 0.000006 | 0.000007 | 0.000009 | 0.000010 | 0.000011 | 0.000012 | 0.000013 |
| 1/131072                         | 1/65536   | 3/131072  | 1/32768  | 5/131072  | 3/65536  | 7/131072 | 1/16384  | 9/131072 | 5/65536  | 3/32768  | 7/65536  |
| 0.0000005                        | 0.000001  | 0.0000015 | 0.000002 | 0.0000025 | 0.000003 | 0.000004 | 0.000005 | 0.000006 | 0.000007 | 0.000008 | 0.000009 |
| 1/262144                         | 1/131072  | 3/262144  | 1/65536  | 5/262144  | 3/131072 | 7/262144 | 1/32768  | 9/262144 | 5/65536  | 3/16384  | 7/131072 |
| 0.0000002                        | 0.0000005 |           |          |           |          |          |          |          |          |          |          |

### B = Inch Equivalents to Foot Fractions

|   |               |                 |
|---|---------------|-----------------|
|  Illinois Department of Transportation<br><br>APPROVED <u>Carol G. Hall</u> January 1, 1997<br>CHIEF ENGINEER<br>ENGINEERING AND CONSTRUCTION<br>APPROVED <u>John J. Hall</u> January 1, 1997<br>CHIEF ENGINEER AND CONSTRUCTION | ISSUED 1-1-97 |                 |
|   | DATE          | REVISIONS       |
|   | 1-1-97        | New Standard.   |
|   |               |                 |
| DECIMAL OF AN INCH<br>AND OF A FOOT   |               | STANDARD 001006 |



### STEP 1

Place end-post (stake) of first silt fence adjacent to end-post (stake) of second silt fence with fabric positioned as shown.

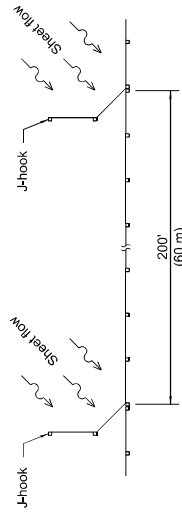


### STEP 2

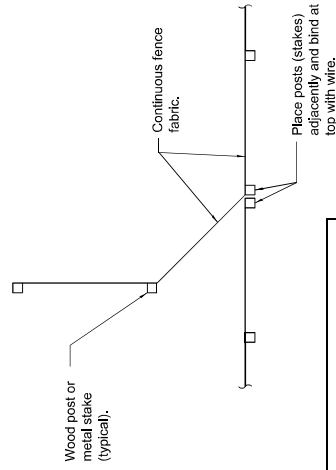
Rotate posts (stakes) together 180° clockwise and drive both posts (stakes) 18 (450) into ground.

## ATTACHING TWO SILT FILTER FENCES

(Not applicable for J-hooks)



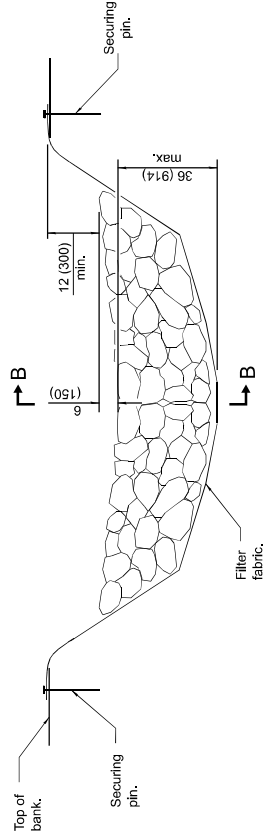
## SILT FILTER J-HOOK PLACEMENT



### J-HOOK

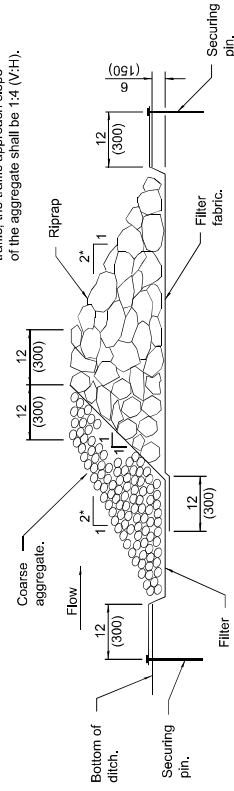
|                                       |                 |
|---------------------------------------|-----------------|
| Illinois Department of Transportation |                 |
| APPROVED                              | January 1, 2013 |
| ENGINEER OF POLICY AND PROCEDURES     |                 |
| APPROVED                              | January 1, 2013 |
| ENGINEER OF DESIGN AND ENVIRONMENT    |                 |

ISSUED 1-1-07



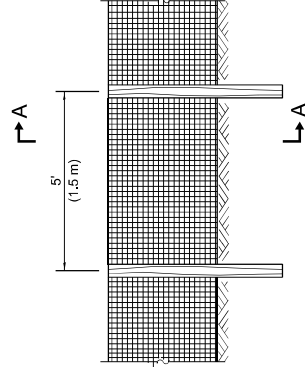
### ELEVATION

\* When the ditch check is within the clear zone and the road is open to traffic, the traffic approach slope of the aggregate shall be 1:4 (V:H).



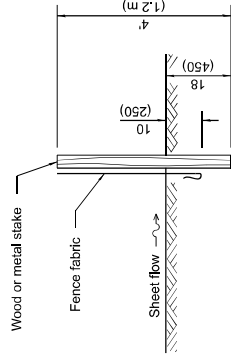
### SECTION B-B

## AGGREGATE DITCH CHECK

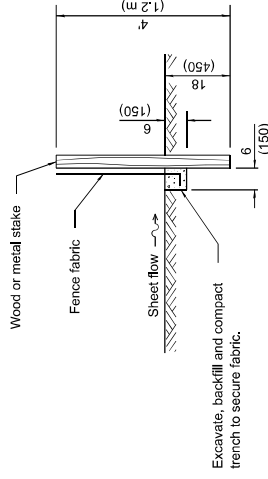


### ELEVATION

## SILT FILTER FENCE AS A PERIMETER EROSION BARRIER



### SLICE METHOD



### TRENCH METHOD

### SECTION A-A

### GENERAL NOTES

The installation details and dimensions shown for perimeter erosion barriers shall also apply for inlet and pipe protection.

All dimensions are in inches (millimeters) unless otherwise shown.

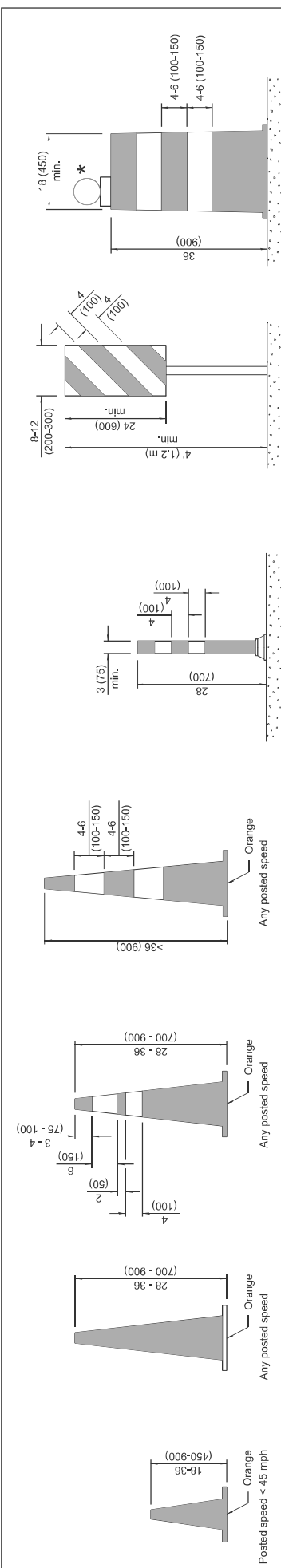
| DATE   | REVISIONS  |
|--------|--|
| 1-1-13 | Corrected notation for flowline (F) on SEDIMENT BASIN ELEVATION        |
| 1-1-12 | Omitted hay/straw perimeter barrier. Added SLICE METHOD to SECTION A-A |

## TEMPORARY EROSION CONTROL SYSTEMS

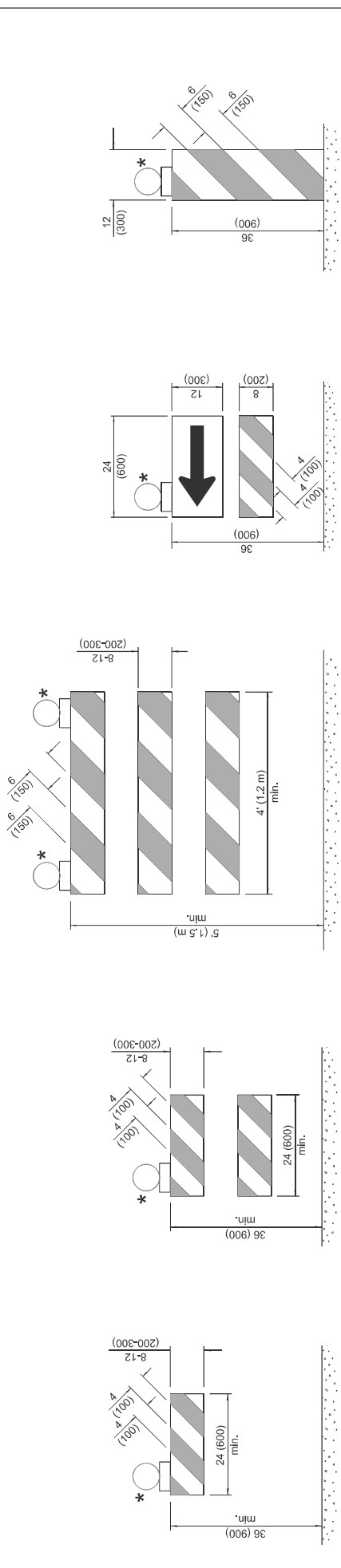
(Sheet 1 of 2)

STANDARD 280001-07

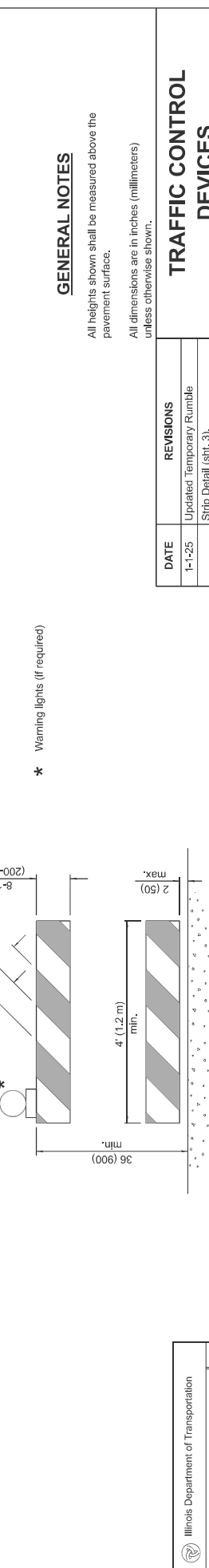




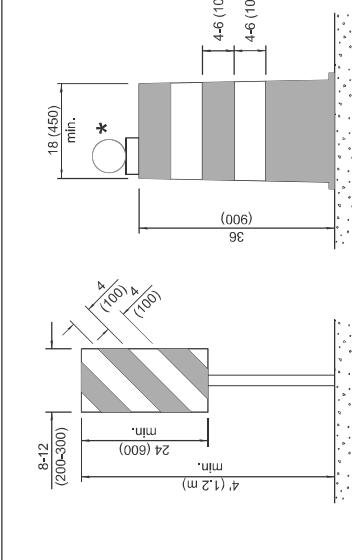
**CONES**



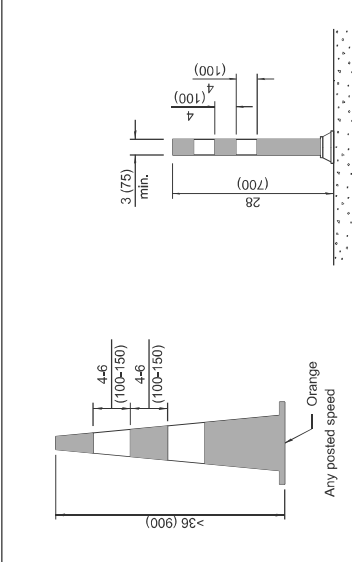
**TYPE I BARRICADE**



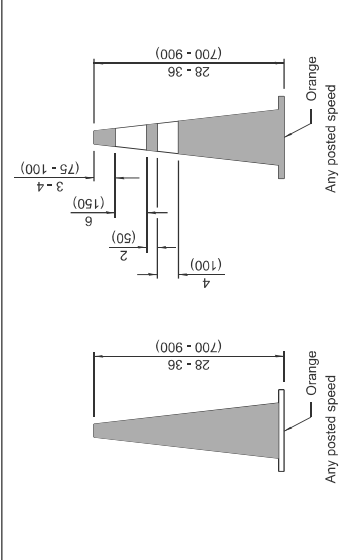
**DETECTABLE PEDESTRIAN CHANNELIZING BARRICADE**



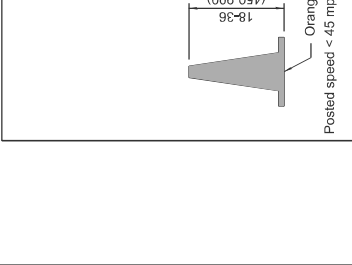
**VERTICAL PANEL POST MOUNTED**



**TUBULAR MARKER**



**DRUM**



**VERTICAL BARRICADE**



**DIRECTION INDICATOR BARRICADE**

**GENERAL NOTES**

All heights shown shall be measured above the pavement surface.  
All dimensions are in inches (millimeters) unless otherwise shown.

| DATE   | REVISIONS  |
|--------|--|
| 1-1-25 | Updated Temporary Rumble Strip Detail (sht. 3).  |
| 1-1-24 | Revised Type III Barricade notes (sht. 3) & moved warning light on post mounted signs to top center. |

| TRAFFIC CONTROL DEVICES |
|-------------------------|
| STANDARD 701901-10      |

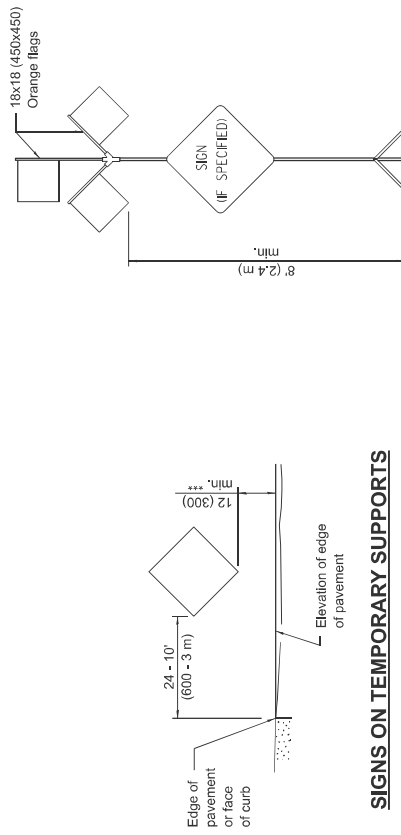
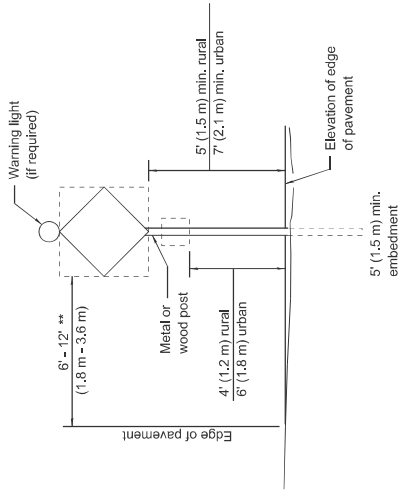
Illinois Department of Transportation

APPROVED January 1, 2025

ENGINEER OF SAFETY PROC. AND ENGINEERING

APPROVED January 1, 2025

ENGINEER OF DESIGN AND ENVIRONMENT



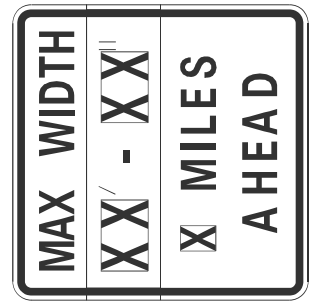
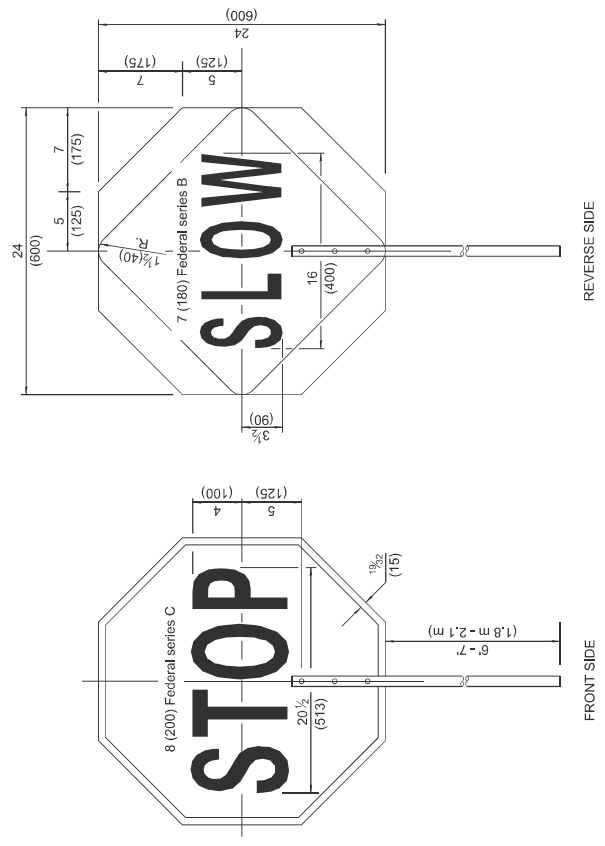
## SIGNS ON TEMPORARY SUPPORTS

\*\*\* When work operations exceed four days, this dimension shall be 5' (1.5 m) min. If located behind other devices, the height shall be sufficient to be seen completely above the devices.

## POST MOUNTED SIGNS

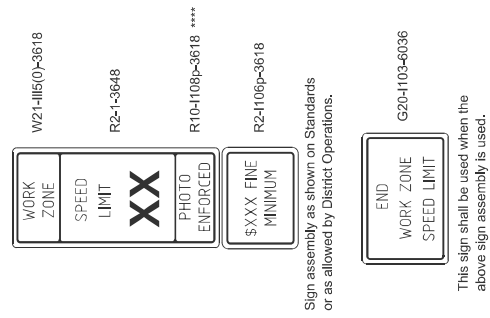
**\*\*** When curb or paved shoulder are present this dimension shall be 24 (600) to the face of curb or 6' (1.8 m) to the outside edge of the paved shoulder.

## HIGH LEVEL WARNING DEVICE



**WIDTH RESTRICTION SIGN**

XX"-XX" width and X miles are variable.



## HIGHWAY CONSTRUCTION

\*\*\*\* R10-108p shall only be used along roadways under the jurisdiction of the State.

REV

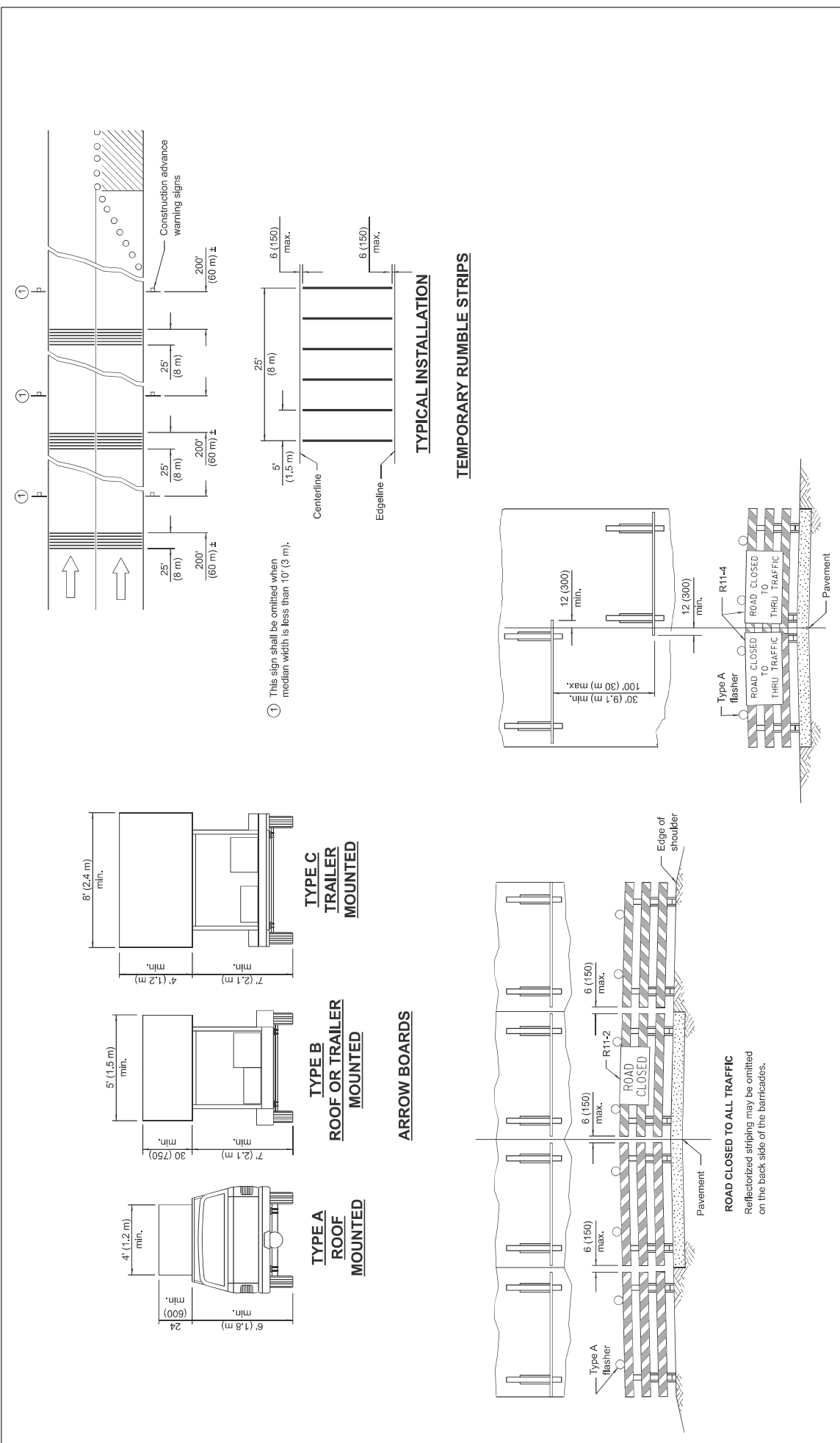
**FLAGGER TRAFFIC CONTROL SIGN**

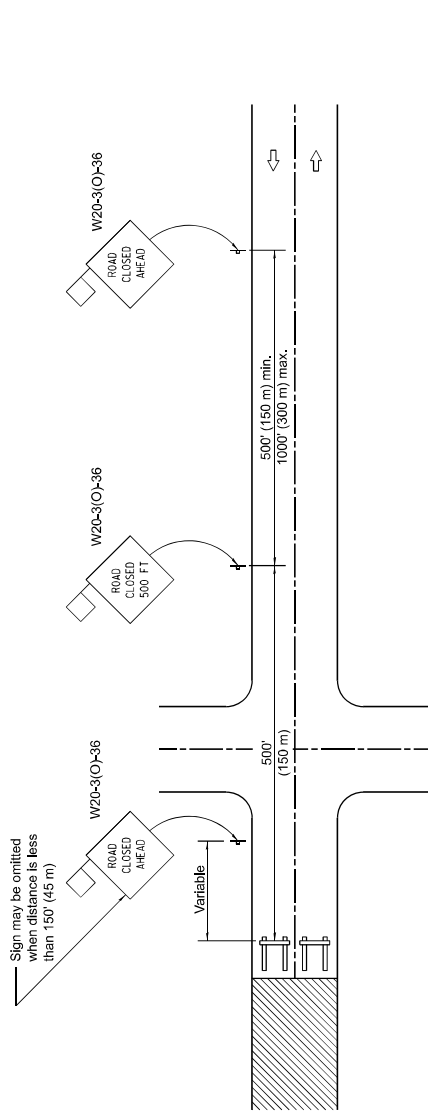
## TRAFFIC CONTROL DEVICES

(Sheet 2 of 3)

STANDARD 701901-10

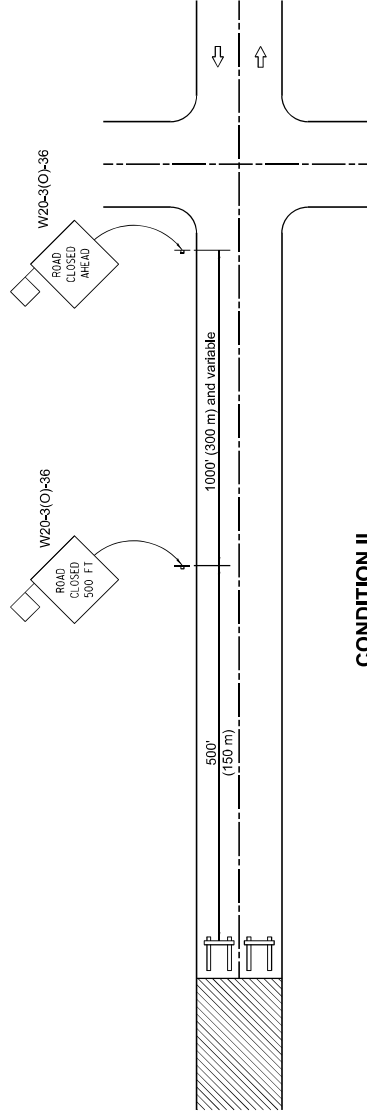






### CONDITION I

When distance from closure to crossroad is less than 1500' (450 m)



### CONDITION II

When distance from closure to crossroad is greater than 1500' (450 m)

### SYMBOLS



Work area



Type III Barricade



Sign with 18 x 18 (450x450) min. orange flag attached

### GENERAL NOTES

Type III Barricades and R11-2-4830 signs shall be positioned as shown in "Road Closed To All Traffic" detail on Highway Standard 701901.

Two Type A Low Intensity Flashing Lights shall be used on each approach in advance of the work area during hours of darkness. One light shall be installed above the barricades and the other above the first advance warning sign.

All warning signs shall have minimum dimensions of 36 x 36 (900 x 900) and have a black legend on an orange reflectorized background.

When fluorescent signs are used, orange flags are not required.

Longitudinal dimensions may be adjusted to fit field conditions.

When the distance between the barricade and the intersection is between 1500' (450 m) and 2000' (600 m), the advance sign shall be placed at the intersection. When the distance between the barricade and the intersection is over 2000' (600 m), an additional sign shall be placed at the intersection. The additional sign shall give the distance to the barricade in miles or fractions of a mile.

All dimensions are in inches (millimeters) unless otherwise shown.

### TYPICAL APPLICATION OF TRAFFIC CONTROL DEVICES FOR CONSTRUCTION ON RURAL LOCAL HIGHWAYS

| DATE   | REVISIONS                             |
|--------|---------------------------------------|
| 1-1-12 | Omitted two notes from GENERAL NOTES. |
| 1-1-09 | Switched units to English (metric).   |

STANDARD B.L.R. 21-9

Illinois Department of Transportation

APPROVED January 1, 2012

ENGINEER OF LOCAL ROADS AND STREETS

APPROVED January 1, 2012

ENGINEER OF DESIGN AND ENVIRONMENT

ISSUED 1-1-07



BP Pipelines (North America), Inc.  
30 South Drive  
Suite 900  
Chicago, IL 60606

## **BP PIPELINES (NORTH AMERICA) INC. / OLYMPIC PIPE LINE COMPANY GENERAL DESIGN & CONSTRUCTION STANDARDS**

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BP Pipelines (North America) Inc. (hereinafter referred to as “BP”) is committed to environmental stewardship and maintaining the safety of its employees, contractors, and the general public. BP operates pipelines that safely transport various liquids and gasses at high pressure (including, for example, those of the Olympic Pipe Line Company). Construction or excavation work that is performed near pipelines has the potential to be hazardous. As a result, the United States Department of Transportation and the Office of Pipeline Safety regulate such activities. BP has prepared the following list of general standards for working on pipeline rights-of-way.

### **General Safety Requirements**

- Any person who intends to conduct work within a pipeline right-of-way (“Requestor”) is required to first call 811, the national “One-Call” number, at least 48 hours (2 working days) \* before any construction and/or excavation activities are initiated within the pipeline right-of-way. Alternatively, depending on the state, a Requestor may make a notification online at <http://call811.com/811-your-state>. BP may have a representative present to ensure that there are no conflicts with the pipeline as a result of the work. There is no cost to use the One-Call Notification service. However, failure to utilize the One-Call service is a violation of regulatory requirements and may subject the offender to potential civil penalties\*\* and damages for personal injury and/or destruction of property.

\* Some states require additional advance notice. For example, Michigan and Tennessee each require 72 hours (3 working days) prior notice.

\*\*For example, refer to Washington State RCW 19.122.030 and Oregon State OAR 952-001-0050

- To have the pipeline physically located and its depth verified, please contact a BP Right of Way Agent at [BPpipelinesROW@bp.com](mailto:BPpipelinesROW@bp.com).
- BP requires its representative to be on site when any work is being performed within 25 feet of the pipeline(s) or when the reach of mechanized equipment is capable of extending within twenty-five feet of the pipeline(s). BP requires forty-eight (48) hours’ (2 working days) prior notice of any work. Notice to BP does not relieve any Requestor of its obligation to contact the appropriate state One-Call system. BP’s representative for this project is Christopher Huskey and can be reached at [christopher.huskey@bp.com](mailto:christopher.huskey@bp.com) or 217-671-8617.
- The Requestor is responsible for taking all necessary safety precautions and will be held