

# U.S. ARMY CORPS OF ENGINEERS SECTION 404 PERMIT CONDITIONS

REVISIONS	
DESCRIPTION	DATE

## 404 PERMIT INFORMATION

**NATIONWIDE PERMIT NO.** \_\_\_\_\_

TO BE PROVIDED AT A LATER DATE

SECTION 404 OF THE CLEAN WATER ACT REQUIRES PRIOR AUTHORIZATION FROM SECRETARY OF THE ARMY (CORPS) FOR THE DISCHARGE OF DREDGED OR FILL MATERIAL INTO WATERS OF THE UNITED STATES.

NO PRE-CONSTRUCTION NOTIFICATION REQUIRED: PROJECT DOES NOT REQUIRE NOTIFICATION TO THE US ARMY CORPS OF ENGINEERS (USACE) IN ORDER TO COMMENCE.

PRE-CONSTRUCTION NOTIFICATION REQUIRED: RESIDENT ENGINEER MUST NOTIFY THE USACE WITHIN 30 DAYS OF THE START OF CONSTRUCTION AND 30 DAYS PRIOR TO COMPLETION OF CONSTRUCTION, FORMS LOCATED IN THE CONTRACT.

INDIVIDUAL PERMIT: WILL BE MONITORED CLOSELY BY THE USACE.

GENERAL PERMIT: PROJECT WITHIN A DESIGNATED CRITICAL RESOURCE WATER AND WILL REQUIRE PRE-CONSTRUCTION NOTIFICATION SEE ABOVE FOR EXPLANATION OF PRE-CONSTRUCTION NOTIFICATION.

NO PERMIT REQUIRED

**SWT TRACKING NO.** \_\_\_\_\_

## SPECIAL CONDITIONS

NAVIGABLE WATER OF THE U.S.

ON-SITE MITIGATION

ENDANGERED SPECIES PRESENT

HISTORIC PROPERTIES PRESENT

DESIGNATED CRITICAL RESOURCE WATERS

## PERMIT GENERAL CONDITIONS

**THE CONTRACTOR SHALL BE RESPONSIBLE BUT NOT LIMITED TO THE FOLLOWING HIGHLIGHTS OF THE 404 PERMIT (SEE CONTRACT FOR COMPLETE LIST):**

**TEMPORARY FILLS:**

APPROPRIATE MEASURES MUST BE TAKEN TO MAINTAIN NORMAL DOWNSTREAM FLOWS AND MINIMIZE FLOODING TO THE MAXIMUM EXTENT PRACTICABLE. WHEN TEMPORARY STRUCTURES (WORK ROADS, WORKPADS, ETC.) WORK, AND DISCHARGES, 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 RE VEGETATED, AS APPROPRIATE.

**NAVIGATION:**

NO ACTIVITY MAY CAUSE MORE THAN A MINIMAL ADVERSE EFFECT ON NAVIGATION WITHIN A NAVIGABLE WATER OF THE U.S. IF THIS PROJECT IS LOCATED WITHIN A NAVIGABLE WATER OF THE U.S., IT WILL BE IDENTIFIED IN THE SPECIAL CONDITIONS.

**AQUATIC LIFE MOVEMENTS & ADVERSE EFFECTS FROM IMPOUNDMENTS:**

NO ACTIVITY MAY LARGELY DISRUPT THE NECESSARY LIFE CYCLE MOVEMENTS OF THOSE SPECIES INDIGENOUS TO THE BODY OF WATER, INCLUDING THOSE SPECIES THAT NORMALLY MIGRATE THROUGH THE AREA. CULVERTS WILL BE DESIGNED TO PROVIDE SUFFICIENT PASSAGE FOR AQUATIC LIFE AND INSTALLED TO MAINTAIN LOW FLOW. RATE OF FLOW CANNOT BE MADE HIGHER THAN WHAT WAS PRIOR TO THE START OF CONSTRUCTION. EROSION CONTROL MEASURES SHOULD BE UTILIZED AROUND THE PERIMETER OF NEW STRUCTURES TO AVOID SILT BUILD UP. CAUTION SHOULD BE TAKEN TO MINIMIZE HARM IF CONSTRUCTION ACTIVITIES TAKE PLACE WITHIN A STREAM OR RIVER CHANNEL AND CREATE A CONFINED BODY OF WATER, CAUSE ADVERSE EFFECTS TO THE AQUATIC SYSTEM IN ANY WAY, AND/OR RESTRICTING ITS FLOW.

**MANAGEMENT OF WATER FLOWS:**

CONSTRUCTION ACTIVITIES MAY NOT IMPEDE THE PASSAGE OF NORMAL OR HIGH FLOWS. TO THE GREATEST EXTENT POSSIBLE, THE PRE- CONSTRUCTION COURSE, CONDITIONS, CAPACITY AND LOCATION OF OPEN WATERS MUST BE MAINTAINED. THIS INCLUDES STREAM CHANNELIZATION AND STORM WATER MANAGEMENT.

**SUITABLE MATERIAL:**

NO ACTIVITY MAY USE UNSUITABLE MATERIAL (E.G., TRASH, DEBRIS, CAR BODIES, ASPHALT, ETC.). MATERIALS USED FOR CONSTRUCTION OR DISCHARGED MUST BE FREE FROM TOXIC POLLUTANTS IN TOXIC AMOUNTS (SEE SECTION 307 OF CLEAN WATER ACT).

**PROPER MAINTENANCE**

ANY AUTHORIZED STRUCTURE OR FILL SHALL BE PROPERLY MAINTAINED, INCLUDING MAINTENANCE TO ENSURE PUBLIC SAFETY AND COMPLIANCE WITH APPLICABLE NATION WIDE PERMIT GENERAL CONDITIONS, AS WELL AS ANY ACTIVITY- SPECIFIC CONDITIONS ADDED BY THE DISTRICT ENGINEER TO AN NATIONWIDE PERMIT AUTHORIZATION

**HAZARDOUS MATERIALS:**

HAZARDOUS MATERIALS, CHEMICALS, FUELS, LUBRICATING OILS AND OTHER SUCH SUBSTANCES SHOULD BE STORED AWAY FROM ANY STREAM OR RIVER CHANNEL (SEE SECTION 307 OF CLEAN WATER ACT)

**EQUIPMENT:**

HEAVY EQUIPMENT WORKING IN WETLANDS OR MUDFLATS MUST BE PLACED ON MATS, OR OTHER MEASURES MUST BE TAKEN TO MINIMIZE SOIL DISTURBANCE; FOR EXAMPLE IF WETLANDS ARE PRESENT WITHIN THE CONSTRUCTION, THE FOOTPRINT WILL BE SHOWN ON THE PLANS. MEASURES SHOULD BE TAKEN TO PREVENT DISCHARGE INTO ANY WATERS OF THE STATE (e.g. CONCRETE WASHOUT).

**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 SOILS AND OTHER FILLS, AS WELL AS ANY WORK WITHIN STREAM OR RIVER CHANNELS OR BANKS, MUST BE PERMANENTLY STABILIZED AS SOON AS POSSIBLE.

**404 COMPLIANCE:**

IN ORDER TO REMAIN COMPLIANT WITH THE 404 PERMIT, THE PROJECT MUST COMPLY WITH ALL FEDERAL ENVIRONMENTAL PROTECTION LAWS ASSOCIATED AND, THE ENVIRONMENTAL COMMITMENTS AS SHOWN ON THE PLANS. THIS INCLUDES BUT IS NOT LIMITED TO COMPLIANCE WITH ALL ENVIRONMENTAL NOTES IN THE PLANS, INCLUDING CULTURAL RESOURCES, HAZARDOUS WASTE, BIOLOGICAL FOR PROTECTED SPECIES, AND DEQ STORM WATER REGULATIONS AS THEY PERTAIN TO THE SWMP SHEET WITHIN THE PLANS. ALL OF THE 404 PERMIT GENERAL AND SPECIFIC CONDITIONS MUST BE ADHERED TO. A COPY OF THESE CONDITIONS CAN BE FOUND IN THE CONTRACT WITH THE 404 PERMIT.

SHEET NUMBERS: \_\_\_\_\_

## PERMIT GENERAL CONDITIONS

**FUELING:**

ALL FUELING AND SERVICING OF VEHICLES AND EQUIPMENT SHALL BE DONE ABOVE THE ORDINARY HIGH WATER MARK (OHWM).

**MATERIAL STORAGE:**

STORE MATERIAL AND FUEL OUTSIDE OF THE ORDINARY HIGH WATER MARK OR ANY AREA LIKELY TO FLOOD.

**DEBRIS STORAGE:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ANY MATERIALS, DEBRIS, OR REFUSE WHICH HAS FALLEN INTO ANY STREAM OR RIVER CHANNELS RESULTING FROM THE EXECUTION OF THE PROJECT AS SOON AS POSSIBLE

**SEE NATIONWIDE PERMIT 14 IN THE CONTRACT**

## 401 CERTIFICATION CONDITIONS

**THE CONTRACTOR SHALL BE RESPONSIBLE BUT NOT LIMITED TO THE FOLLOWING HIGHLIGHTS OF THE 401 CERTIFICATION (SEE CONTRACT FOR COMPLETE LIST):**

ALL SPILLS OF FUEL OR POLLUTANTS IN EXCESS OF FIVE GALLONS SHALL BE REPORTED TO ODEQ WITHIN 24 HRS AND REPORTED TO POLLUTION PREVENTION HOTLINE (1-800-522-0206)

ALL FUELING AND SERVICING OF VEHICLES AND EQUIPMENT SHALL BE DONE OUTSIDE THE ORDINARY HIGH WATER MARK

THE PERMITTEE SHALL PROVIDE ACCESS TO THE PROPERTY TO ODEQ FOR INSPECTIONS.

ANY STOCKPILE SHALL BE ABOVE ORDINARY HIGH WATER MARK AND REMOVED FROM LIKELY FLOOD ZONE

BEST MANAGEMENT PRACTICES SHOULD BE USED TO CONTROL SOIL EROSION AND MAINTAIN COMPLIANCE WITH WATER QUALITY STANDARDS.

FOR ANY PROJECT THAT INVOLVES BANK STABILIZATION, THE PERMITTEE SHALL CONSIDER INSTALLING BIOENGINEERING PRACTICES IN PLACE OF STRUCTURAL PRACTICES (RIPRAP) TO MINIMIZE IMPACTS TO AQUATIC RESOURCES

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8/6/2017

DESIGN			OKLAHOMA DEPARTMENT OF TRANSPORTATION ROADWAY DESIGN DIVISION
DRAWN	MKW		<b>SECTION 404 PERMIT COMPLIANCE</b>
CHECKED			
APPROVED			
SQUAD	JACOBS		
COUNTY - TEXAS COUNTY    HIGHWAY - US-54    STATE JOB NO. - 20839(08)    SHEET NO. AT04			