



**CUY-90-14.90**

**PID 77332/85531**

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**APPENDIX EX-87**

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**BH-FY2007/VAR**  
**(Reference Document)**

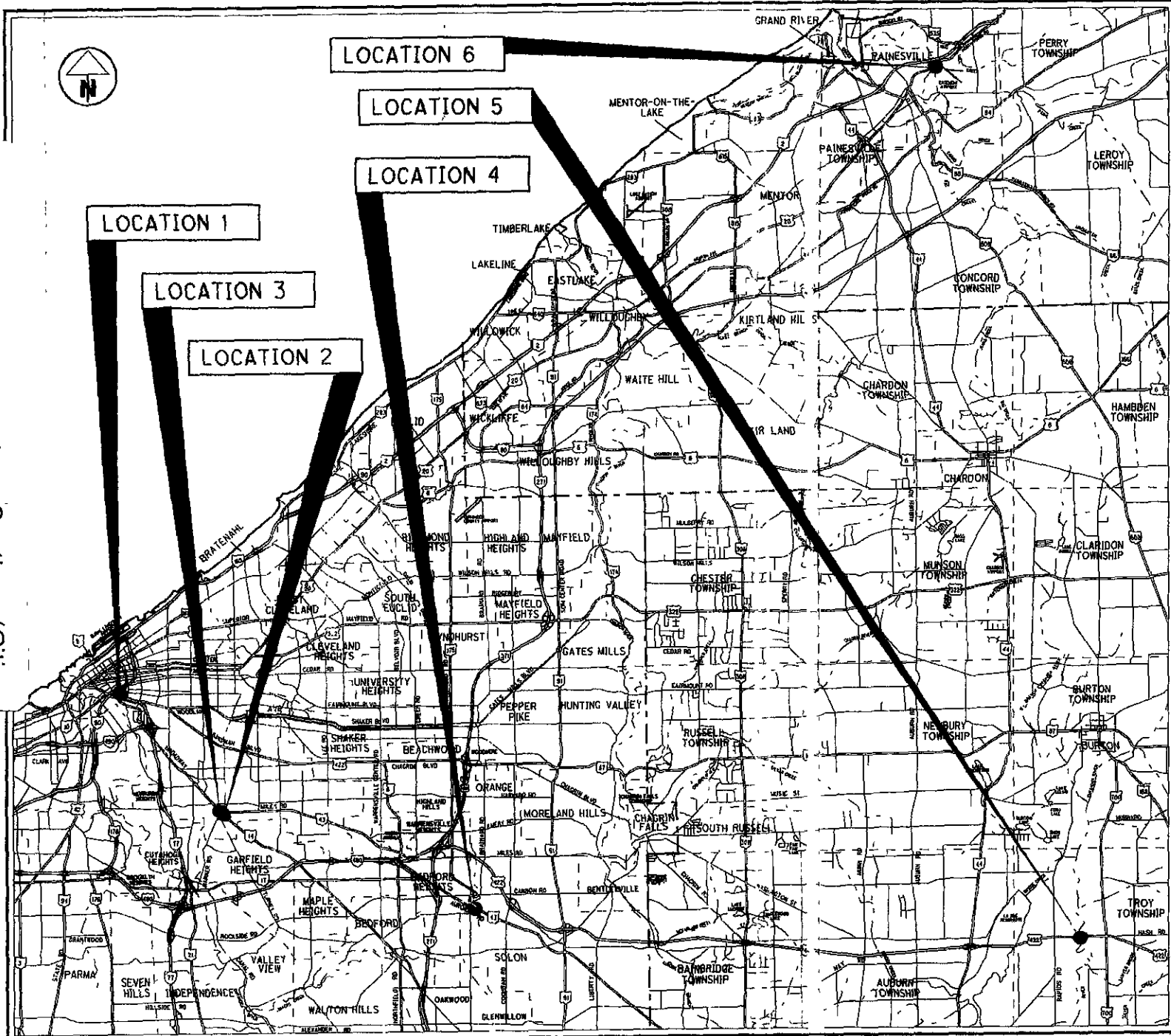
State of Ohio  
Department of Transportation  
Jolene M. Molitoris, Director

**Innerbelt Bridge**  
**Construction Contract Group 1 (CCG1)**

# OHIO DEPARTMENT OF TRANSPORTATION

PLAN NO. \_\_\_\_\_

D12 - BH-FY2007/Various Sections (City)  
 070132 PID - 80799  
 Dist 12 3/7/2007



LOCATION	BRIDGE NUMBER	STRUCTURAL FILE NUMBER	CITY	VILLAGE
1	CUY-090R-1640	1807773	CLEVELAND	
2	CUY-014D-0015	1801953	CLEVELAND	
3	CUY-014R-0538	1801651	CLEVELAND	
4	CUY-043R-0607	1803395	SOLON	
5	GEA-422R-1226	2801779		TROY TWP.
6	LAK-020R-1723	4302206		PAINESVILLE TWP.

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**PROJECT DESCRIPTION**

This project will perform wearing surface improvements, expansion joint work, and minor concrete repair on various bridges throughout District 12.

**2005 SPECIFICATIONS**

The standard specifications of the State of Ohio, Department of Transportation, including changes and supplemental specifications listed in the proposal, shall govern this improvement.

I hereby approve these plans and declare that the making of this improvement will not require the closing of traffic of the highway and that provisions for maintenance and safety will be as set forth on plans and estimates.

**MAINTENANCE PROJECT:**  
 PROJECT EARTH DISTURBED AREA = N/A  
 ESTIMATED CONTRACTOR EARTH DISTURBED AREA = N/A  
 NOTICE OF INTENT EARTH DISTURBED AREA = N/A

STANDARD DRAWINGS				SUPPLEMENTAL SPECIFICATIONS	
A-1-69	07-19-02	MT-95.31	07-16-04	800	01-19-07
EXJ-4-87	07-19-02	MT-95.32	07-16-04	832	04-25-06
GR-1.1	07-16-04	MT-97.10	04-19-02	843	04-18-03
GR-2.1	01-16-04	MT-98.13	04-20-01	848	04-15-05
GR-4.1	04-18-03	MT-98.14	04-20-01	<b>SPECIAL PROVISIONS</b>	<b>(WATERWAY) 12-7-06</b>
BP-3.1	07-16-04	MT-102.20	04-19-02		
MT-35.10	04-20-01	MT-105.10	04-19-02		
MT-95.30	07-16-04	MT-105.11	10-18-02	TC-65.10	01-21-05

**UNDERGROUND UTILITIES**  
 TWO WORKING DAYS  
**BEFORE YOU DIG**  
 CALL 1-800-362-2764 (TOLL FREE)  
 OHIO UTILITIES PROTECTION SERVICE  
 NON-MEMBERS  
 MUST BE CALLED DIRECTLY



Approved *Jeffrey D. Leake*  
 Date **7-05-07** Deputy Director  
 Transportation

Approved *Gordon Proctor*  
 Date **1-5-07** Director, Department of  
 Transportation

FEDERAL PROJECT NO. **1007 STATE**  
 PID NO. **80799**  
 CONSTRUCTION PROJECT NO. \_\_\_\_\_  
 RAILROAD INVOLVEMENT **NONE**  
**D12-BH-FY2007**

**Scope**

This project will perform wearing surface replacements, expansion joint work, and minor concrete repair at 6 bridge locations throughout District 12.

**Reference is Made to Standard Drawings:**

Listed on the Title Sheet.

**And to Proposal Notes:**

512 – Patching Concrete Bridge Decks

525 – Steel Price Adjustment

**And to Supplemental Specifications:**

Listed on the Title Sheet.

**Material Requirements**

**Structural Steel**

All proposed structural steel shall be ASTM A709 Grade 36 or Grade 50 (minimum yield = 36ksi).

**Fasteners**

All bolts, washers, and nuts shall be ASTM A-325 and galvanized as per Section 711.02 of the C.M.S.

**Existing Structure Verification**

Details and dimensions shown on these plans pertaining to the existing structure have been obtained from plans of the existing structure and from field observations and measurements. Consequently, they are indicative of the existing structure and the proposed work but shall be considered tentative and approximate. The Contractor is referred to C.M.S. Sections 102.05, 105.02, and 513.04.

Base contract bid prices upon a recognition of the uncertainties described above and upon a prebid examination of the existing structure; however, the Department will pay for all project work based upon actual details and dimensions that have been verified in the field.

**Design Specifications**

These structures conform to the "Standard Specifications for Highway Bridges" adopted by the American Association of State Highway and Transportation Officials, 2002, and the O.D.O T. Bridge Design Manual.

**Limits of Operations**

See M.O.T. restrictions.

At Location 4 (CUY-043R-0607), no construction equipment may be placed below the high water mark of Tinkers Creek.

**Cooperation Between Contractors**

Cooperate and coordinate operations with the contractors on other projects that may be in force during the life of the contract. No waiver of any provisions of 105.08 of the Construction and Materials Specifications is intended

**Right of Way**

All work will be performed within the existing right of way.

**Contingency Quantities**

Do not order materials or perform work for plan items set up to be used "as directed by the Engineer" unless authorized by the Engineer

**Utilities**

The nature of the work required by this project will not affect any known utilities.

**Item 202 – Wearing Course Removed, As Per Plan**

Use this item of work to remove the existing asphalt or concrete wearing surface on the bridge deck and approach slabs as detailed in the plans.

Payment for all of the above will be at the unit bid price per square yard for Item 202 – Wearing Course Removed, As Per Plan and includes all labor, equipment, materials, and incidentals necessary to complete the above work.

**Item 407 – Tack Coat**

The rate of application is subject to adjustment as directed by the Engineer. Plan quantities were calculated using an average application rate of 0.10 gal./sq yd. for estimation purposes only.

**Item 516 – Elastomeric Strip Seal Without Steel Extrusions, As Per Plan, A**

Obtain approval from the Engineer for replacement products and manufacturers prior to ordering material. Field verify the type of strip seal by removing a full-width portion of the seal and consulting with an approved manufacturer. Where known, the manufacturer and model of the existing strip seal extrusions are indicated in the plans. Replace the expansion joint strip seal with an identical strip seal according to the manufacturer specifications and recommendations. Prior to installing the new strip seal, clean the existing steel retainers to the satisfaction of the Engineer and in accordance with manufacturer recommendations, free of all material, debris, and residue that may interfere with the installation of the new seal.

Expansion joint gap tables are provided for informational purposes only. The values listed are based on the available record data and field observation. Field measure the actual gap at the actual temperature prior to the manufacture of joint components. If the measured values practically compare to the given values, use the strip seal size as given in the plans. Otherwise, adjust these sizes as recommended by the manufacturer and approved by the Engineer. No separate payment will be made for measurement or adjustment.

Submit to the Project Engineer as-built drawings that specify the seal gland manufacturer, model number, and size that were installed under this item.

All labor, equipment, and material necessary to complete the above work is included in the unit bid price for Item 516 – Elastomeric Strip Seal Without Steel Extrusions, A.

**Item 516 – Elastomeric Strip Seal Without Steel Extrusions, As Per Plan, B**

Perform work as described under "Item 516 – Elastomeric Strip Seal Without Steel Extrusions, As Per Plan, A " Additionally, in order to gain access to the strip seal on the sidewalks, remove the cover plates. The removal length is from the curb to a point located 1" from the parapet (sidewalk side) and the width is the entire plate width. Replace the cover plate and field paint in conformance with Section 514 of the C.M S

All equipment, material, and labor required to perform the work specified in this note is paid for under Item 516 – Elastomeric Strip Seal Without Steel Extrusions, As Per Plan, B.

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GENERAL NOTES

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**Item 516 – Elastomeric Compression Seal**

Replace the expansion joint compression seals at those locations indicated in the plans.

Expansion joint gap tables are provided for informational purposes only. The values listed are based on the available record data and field observation. Field measure the actual gap at the actual temperature prior to the manufacture of joint components. If the measured values practically compare to the given values, use the compression seal size as given in the plans. Otherwise, adjust these sizes as recommended by the manufacturer and approved by the Engineer. No separate payment will be made for measurement or adjustment.

All equipment, material, and labor required to perform the work specified in this note and in the corresponding plan sheets will be paid for under Item 516 – Elastomeric Compression Seal.

**Item 516 – Vertical Extension of Structural Expansion Joint, As Per Plan**

Use this item to raise the existing expansion joints as detailed in the plans. It includes plates, retainers, and seal. The strip seal must be supplied by the same manufacturer that supplied the retainers. Refer to the plan and Standard Drawing EXJ-4-87 for additional details. This item includes any removal of existing plates, retainers, and seals.

Expansion joint gap tables are provided for informational purposes only. The values listed are based on the available record data and field observation. Field measure the actual gap at the actual temperature prior to the manufacture of joint components. If the measured values practically compare to the given values, use the retainers and strip seal size as given in the plans. Otherwise, adjust these sizes as recommended by the manufacturer and approved by the Engineer. No separate payment will be made for measurement, adjustment, welding, and steel components, including plates and retainers.

Submit to the Project Engineer as-built drawings that specify the seal gland manufacturer, model number, and size, and retainer dimensions that were installed under this item of work.

Payment for the above work is included in the unit bid price per linear foot for Item 516 – Vertical Extension of Structural Expansion Joint, As Per Plan and includes all labor, equipment, materials, and incidentals necessary to complete the above work.

**Item 519 - Patching Concrete Structures, As Per Plan, A**

Use C.M.S. 499.05 M.S. concrete for all concrete repairs associated with sidewalk repairs, as indicated in the plans and directed by the Engineer.

Prior to the surface cleaning specified in 519.04 and within 24 hours of placing patching material, blast clean all surfaces to be patched including the exposed reinforcing steel. Acceptable methods include high-pressure water blasting with or without abrasives in the water, abrasive blasting with containment, or vacuum abrasive blasting.

**Item 519 – Patching Concrete Structures, As Per Plan, B**

Use C.M.S. 499.05 M.S. concrete for all concrete repairs associated with beam seats, abutments, and vertical faces of backwalls.

Prior to the surface cleaning specified in 519.04 and within 24 hours of placing patching material, blast clean all surfaces to be patched including the exposed reinforcing steel. Acceptable methods include high-pressure water blasting with or without abrasives in the water, abrasive blasting with containment, or vacuum abrasive blasting.

**Item 646 – Edge Line, As Per Plan**

**Item 646 – Lane Line, As Per Plan**

**Item 646 – Center Line, As Per Plan**

Prior to any work which will require new pavement markings, field survey the locations of the existing pavement markings within the project limits. Use this survey to place the final pavement markings in the locations of the original pavement markings.

Install final pavement markings within one week of the completion of the structure's wearing surface replacement operation. For structures with multiple phases of construction, install the final pavement markings within one week of the completion of the final phase of the structure's wearing surface replacement operations.

All costs associated with this survey are included in the unit bid price for the appropriate items (e.g. cost associated with the survey of lane lines is included in the unit bid price for Item 646 – Lane Line, As Per Plan).

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GENERAL NOTES

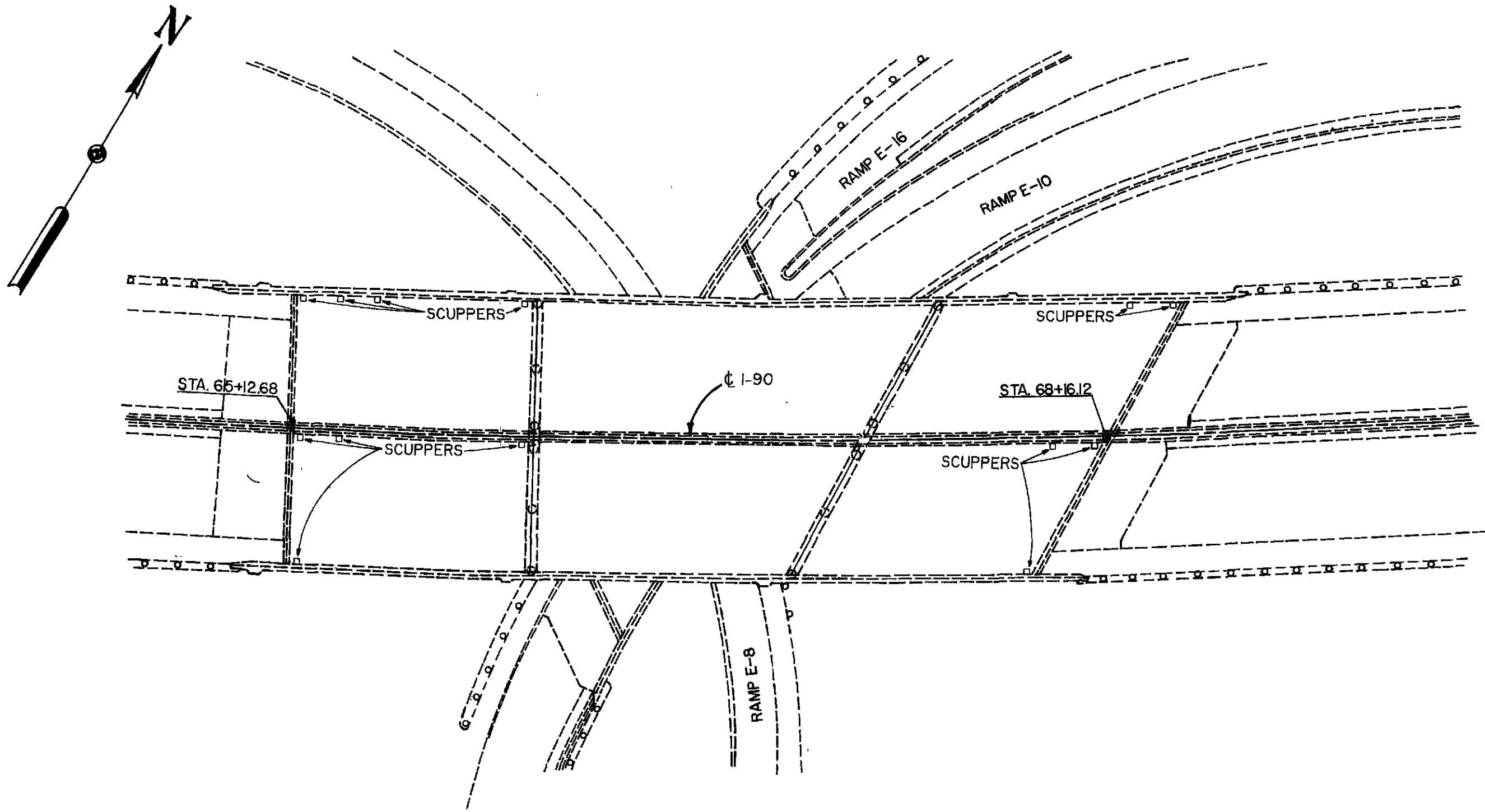
D12-BH-FY2007

LOCATION	BRIDGE NO. SFN DESCRIPTION	STRUCTURE TYPE	STRUCTURE LIMITS	ROADWAY WIDTH	EXISTING WEARING SURFACE	PROPOSED WORK
1	CUY-090R-1640 1807773 IR-90 OVER IR-77 SB MAINLINE	3 SPAN CONTINUOUS STEEL BEAM	309'	102'	CONCRETE	- PATCH BRIDGE DECK - SEAL BRIDGE DECK
2	CUY-014D-0015 1801953 SR-14 (EAST 93RD ST ) OVER NSC R.R.	2 SPANS CONTINUOUS STEEL BEAM	152'	52'	CONCRETE	- OVERLAY BRIDGE DECK AND APPROACH SLAB - INSTALL EXPANSION JOINT SEAL
3	CUY-014R-0538 1801651 SR-14 (WARNER RD.) OVER NSC R R	1 SPAN SIMPLE STEEL BEAM	89'	40'	CONCRETE	- OVERLAY BRIDGE DECK AND APPROACH SLAB - INSTALL EXPANSION JOINT SEAL - REPLACE GUARDRAIL - PATCH ABUTMENT, SIDEWALK, BACKWALL, AND BEAM SEAT
4	CUY-043R-0607 1803395 SR-43 (AURORA RD.) OVER TINKERS CREEK	1 SPAN SIMPLE CONCRETE BEAM	29'	40'	ASPHALT	- OVERLAY BRIDGE DECK AND APPROACH SLAB - INSTALL EXPANSION JOINT SEAL - PATCH ABUTMENT AND BEAM SEAT
5	GEA-422R-1226 2801779 US-422 OVER CUYAHOGA RIVER	3 SPAN CONTINUOUS STEEL BEAM	166'	44'	CONCRETE	- OVERLAY BRIDGE DECK AND APPROACH SLAB - INSTALL EXPANSION JOINT SEAL
6	LAK-020R-1723 4302206 US-20 (NORTH RIDGE RD.) OVER GRAND RIVER	3 SPAN CONTINUOUS STEEL BEAM	399'	28'	CONCRETE	- OVERLAY BRIDGE DECK AND APPROACH - INSTALL EXPANSION JOINT SEAL

BRIDGE LOCATION						ITEM	ITEM EXT.	GRAND TOTAL	UNIT	DESCRIPTION	SEE SHEET NO.		
1	2	3	4	5	6								
CUY-090R-1640 SFN 1807773	CUY-014D-0015 SFN 1801953	CUY-014R-0538 SFN 1801651	CUY-043R-0607 SFN 1803395	GEA-422R-1226 SFN 2801779	LAK-020R-1723 SFN 4302206								
						GENERAL				* This item is to be used as directed by the Engineer. All or a portion of this quantity is subject to non-performance by the Engineer.			
										<b>ROADWAY</b>			
	1294	647	308	834	1391		202	23501	4474	SY	Wearing Course Removed, As Per Plan	2	
		60					202	30700	60	FT	Concrete Barrier Removed		
		62.5					202	38000	62.5	FT	Guardrail Removed		
		1					202	42000	1	Each	Anchor Assembly Removed, Type A		
						10	202	54000	10	Each	Raised Pavement Marker Removed		
		62.5					606	13000	62.5	FT	Guardrail, Type 5		
		1					606	25000	1	Each	Anchor Assembly, Type A		
										<b>EROSION CONTROL</b>			
						1000	832	30000	1000	Each	Erosion Control		
										<b>PAVEMENT</b>			
	36			60			407	10000	96	GAL	Tack Coat		
	3			12			448	46904	15	CY	Asphalt Concrete Surface Course, Type 1, PG 70-22M		
										<b>TRAFFIC CONTROL</b>			
							6	621	10000	6	Each	RPM, Low Profile, Yellow/Yellow	
							4	621	10010	4	Each	RPM, Low Profile, White	
							0.50	646	10001	0.50	Mile	Edge Line, As Per Plan	3
							0.05	646	10101	0.05	Mile	Lane Line, As Per Plan	3
							0.25	646	10201	0.25	Mile	Center Line, As Per Plan	3
										<b>MAINTENANCE OF TRAFFIC</b>			
							0.10	614	20000	0.10	Mile	Work Zone Lane Line, Class I *	
							0.50	614	21000	0.50	Mile	Work Zone Center Line, Class I *	
							1.00	614	22000	1.00	Mile	Work Zone Edge Line, Class I *	
										<b>STRUCTURES</b>			
3300							512	10100	3300	SY	Sealing of Concrete Surfaces (Epoxy-Urethane) *		
				33			516	01301	33	FT	Elastomeric Strip Seal Without Steel Extrusions, As Per Plan, A	2	
				13			516	01301	13	FT	Elastomeric Strip Seal Without Steel Extrusions, As Per Plan, B	2	
					40		516	10900	40	FT	Elastomeric Compression Seal	3	
	151			92			516	11801	243	FT	Vertical Extension of Structural Expansion Joint, As Per Plan	3	
		30					519	11101	30	SF	Patching Concrete Structures, As Per Plan, A	3	
		600	300				519	11101	900	SF	Patching Concrete Structures, As Per Plan, B	3	
100							SPECIAL	519E12300	100	SY	Patching Concrete Bridge Decks, Type B		
		240	195		170		848	10201	605	SY	Superplasticized Dense Concrete Overlay Using Hydrodemolition (1" Thick)		
		408			1220		848	10201	1628	SY	Superplasticized Dense Concrete Overlay Using Hydrodemolition (2" Thick)		
1294							848	10201	1294	SY	Superplasticized Dense Concrete Overlay Using Hydrodemolition (2 1/2" Thick)		
			115	920			848	10201	1035	SY	Superplasticized Dense Concrete Overlay Using Hydrodemolition (3 1/2" Thick)		
1294	647	308	834	1391			848	20000	4474	SY	Surface Preparation Using Hydrodemolition		
65	32	15	42	70			848	30201	224	CY	Superplasticized Dense Concrete Overlay (Variable Thickness), Material Only, As Per Plan		
100	85	30	75	120			848	50000	410	SY	Handchipping *		
	LUMP	LUMP	LUMP	LUMP	LUMP		848	50100	Lump	LS	Test Slab		
	1	1	1	1	1		848	50201	5	CY	Full Depth Repair, As Per Plan *		
							Lump	614	11000	Lump	LS	Maintaining Traffic	
							150	614	11100	150	Hour	Law Enforcement Officer With Patrol Car	
							Lump	624	10000	Lump	LS	Mobilization	

GENERAL SUMMARY

D12-BH-FY2007



**General Plan**

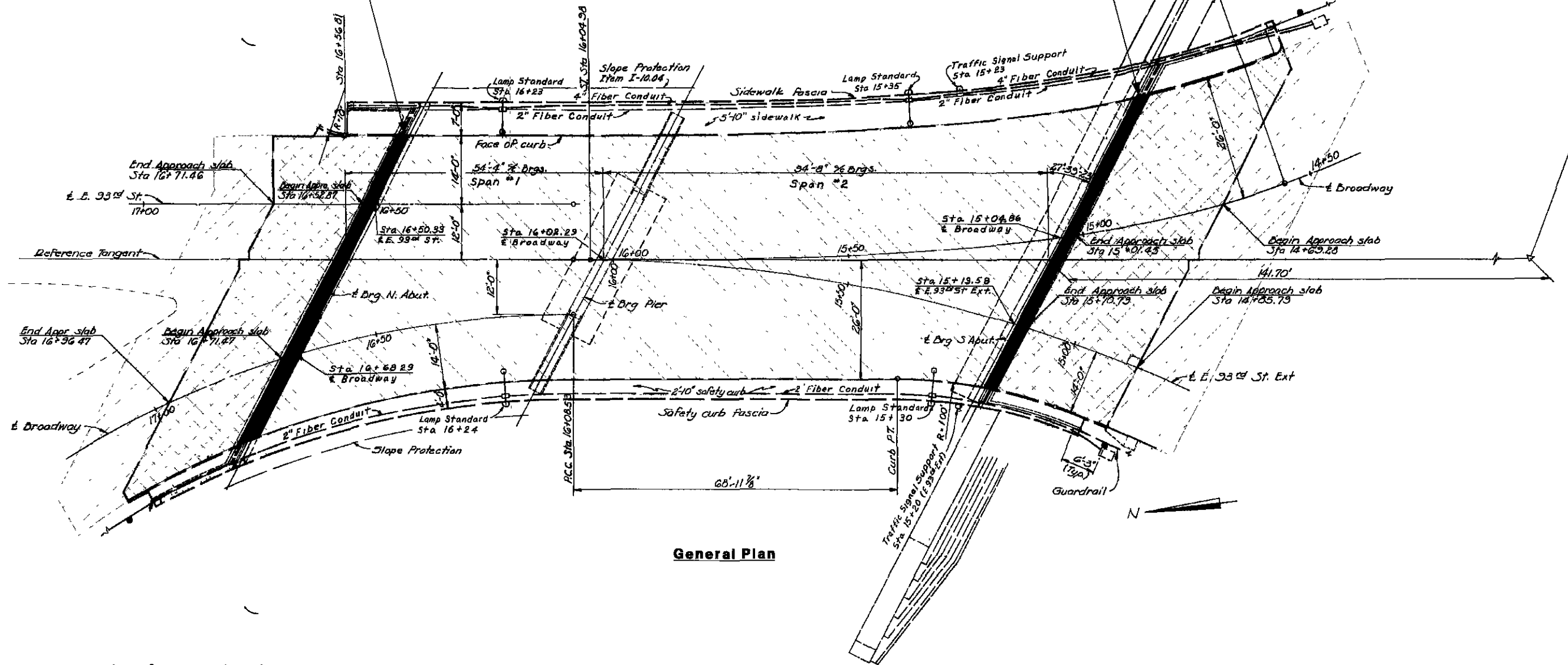
**Proposed Work:**

- Patch Bridge Deck
- Seal Bridge Deck

<b>D12-BH-FY 2007</b> PID No. 80799	1 / 1	
	6 20	
<b>GENERAL PLAN</b> Location: CUY-090R-1640 IR-90 over IR-77 SB Mainline		
STA. STA.	DESIGNED JDL CHECKED	DRAWN JDL REVISED
DATE	REVIEWED	DESIGN AGENCY ODOT D12 PRODUCTION
STRUCTURE FILE NUMBER 1807773		

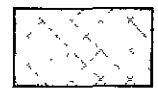
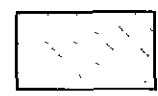

Item 516 - Vertical Extension of Structural Expansion Joint, As Per Plan (4" Seal)

Item 516 - Vertical Extension of Structural Expansion Joint, As Per Plan (4" Seal)



**General Plan**

**Proposed Surface Treatment:**

-  - Remove and replace existing asphalt and concrete wearing surfaces with SDC overlay by milling and hydrodemolition.
-  - Remove and replace existing concrete wearing surfaces with SDC overlay by milling and hydrodemolition.
-  - Item 448 on existing wearing course. +

+ Beyond approach slab, transition asphalt to existing roadway elevation as detailed on Sheet 8 and according to Standard Drawing BP-3.1.

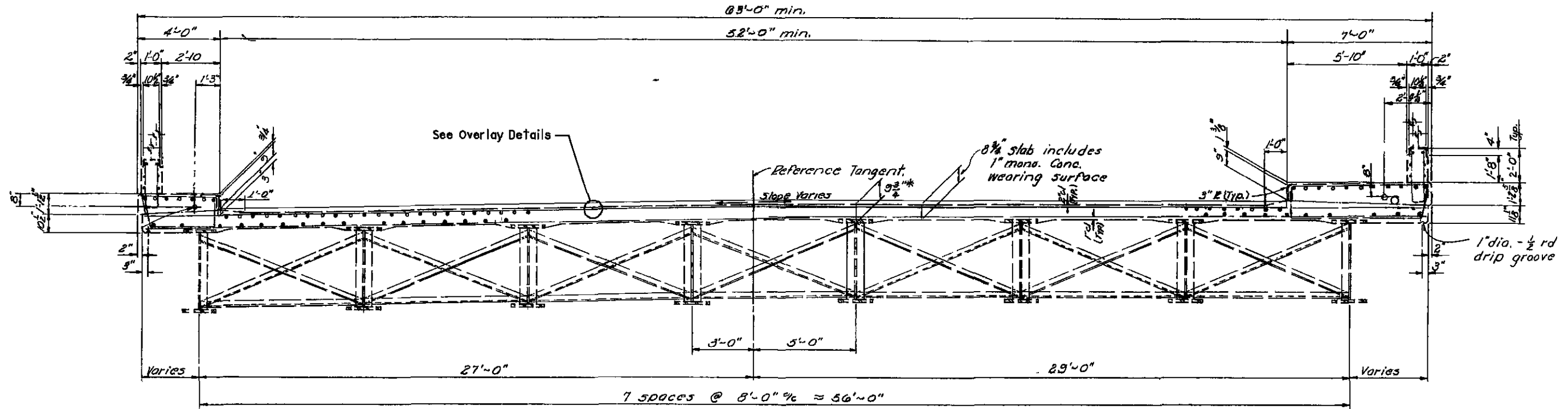
**Proposed Work:**

- Overlay Bridge Deck and Approach Slab
- Install Expansion Joint Seal

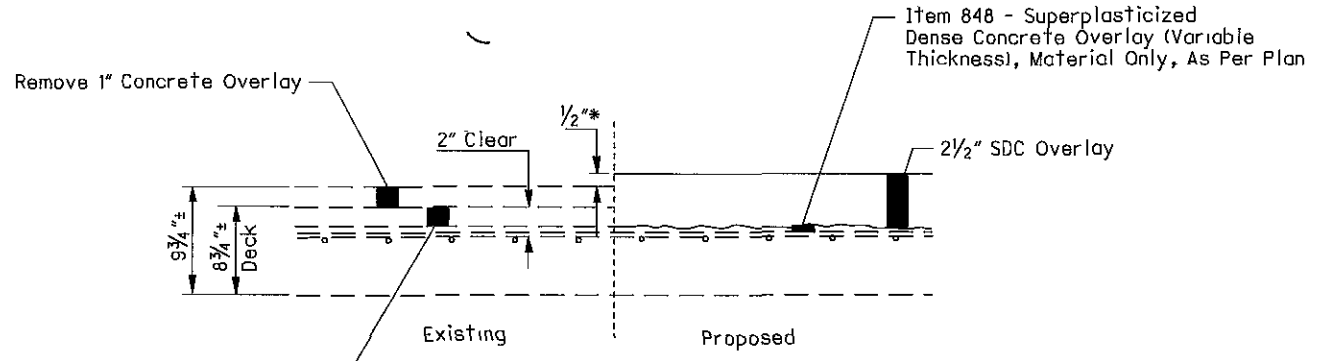
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<b>D12-BH-FY2007</b>	<b>PID No. 80789</b>	<b>GENERAL PLAN</b>	Location 2: CUY-014D-0015 SR-14 (East 93rd St.) over NSC R.R.
1 / 3	7 / 20	STA. STA.	DESIGNED: JDL CHECKED: JDL
DRAWN: JDL	REVIEWED: JDL	DATE: 1801953	DESIGN AGENCY: ODOT D12 PRODUCTION

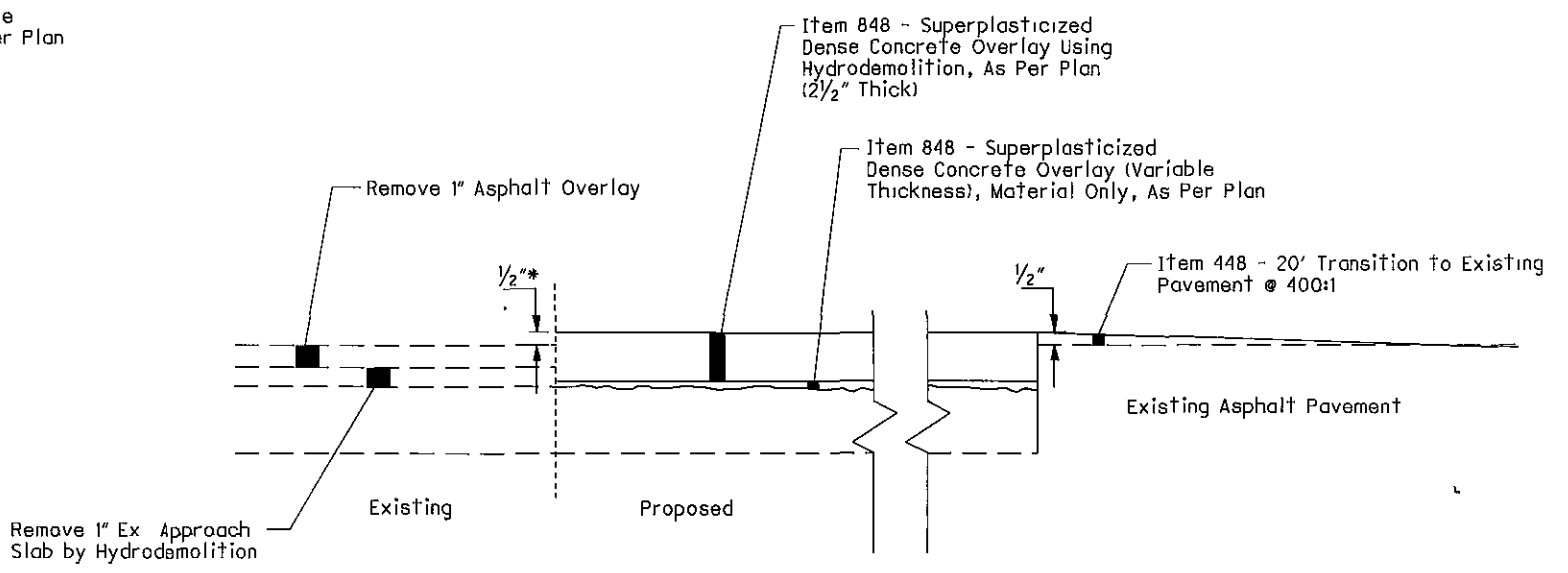




Transverse Section



Deck Overlay Detail



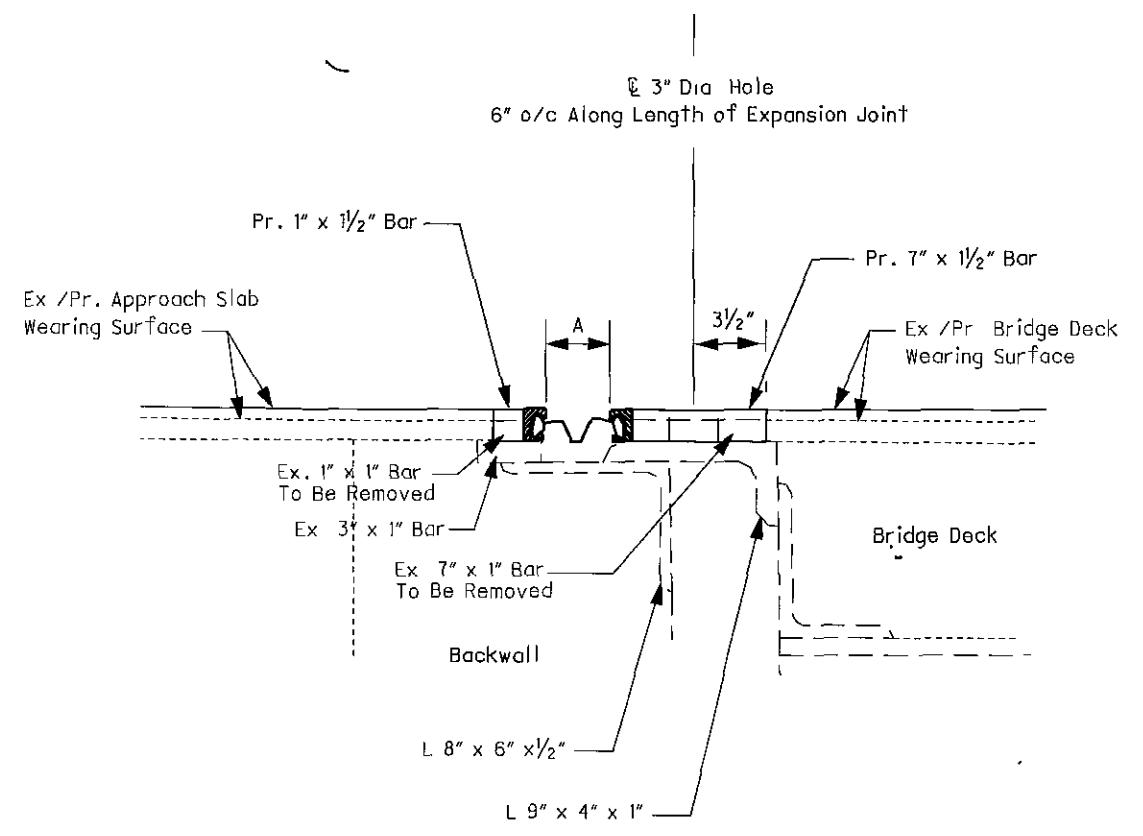
APPROACH SLAB OVERLAY DETAIL

\* Raise vertical profile by 1/2"  
(See page 9 for expansion joint details)

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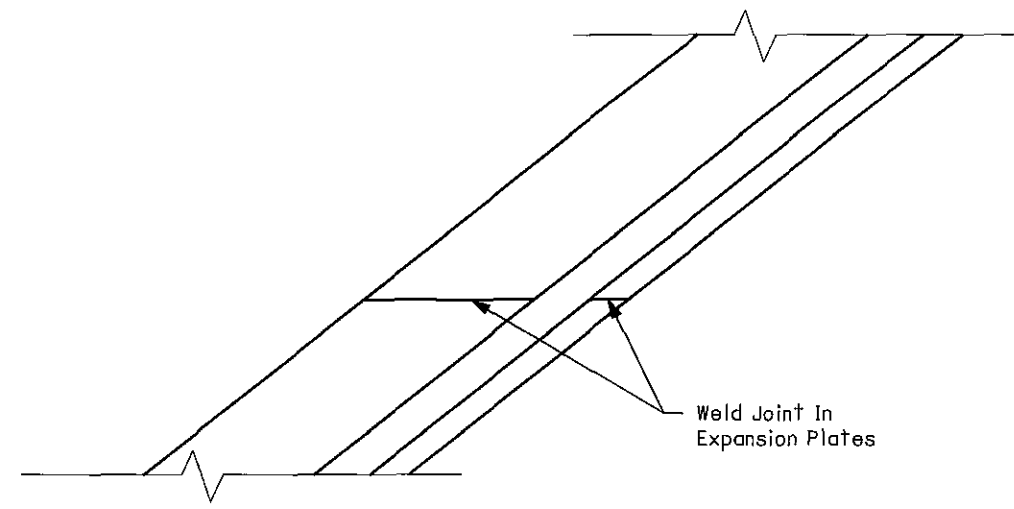
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DATE	REVIEWED	DATE	STRUCTURE FILE NUMBER
	JDL		1801953
DESIGNED	CHECKED	DRAWN	REVISED
JDL		JDL	
OVERLAY DETAILS			
Location 2: CUY-014D-0015			
SR-14 (East 93rd St.) over NSC R.R.			
STA. STA.			
D12-BH-FY2007			
PID No. 80789			
2 / 3		8 / 20	

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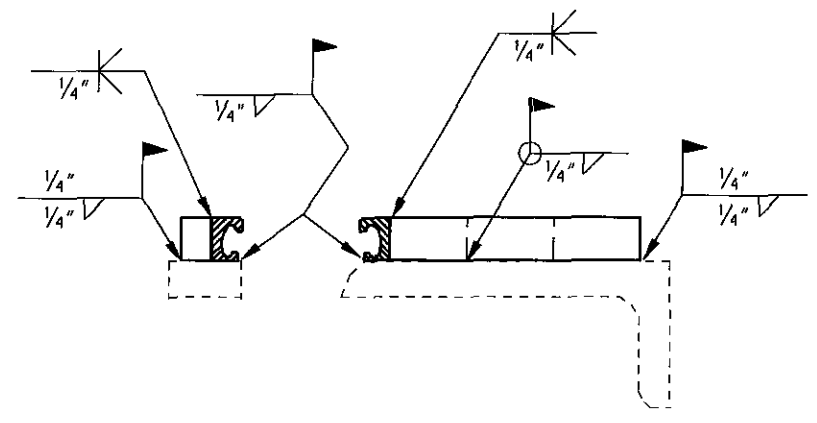


**Expansion Joint Strip Seal Detail**

Dimension "A"	
	50° F
Rear Abutment	2 1/4"
Forward Abutment	2 1/4"



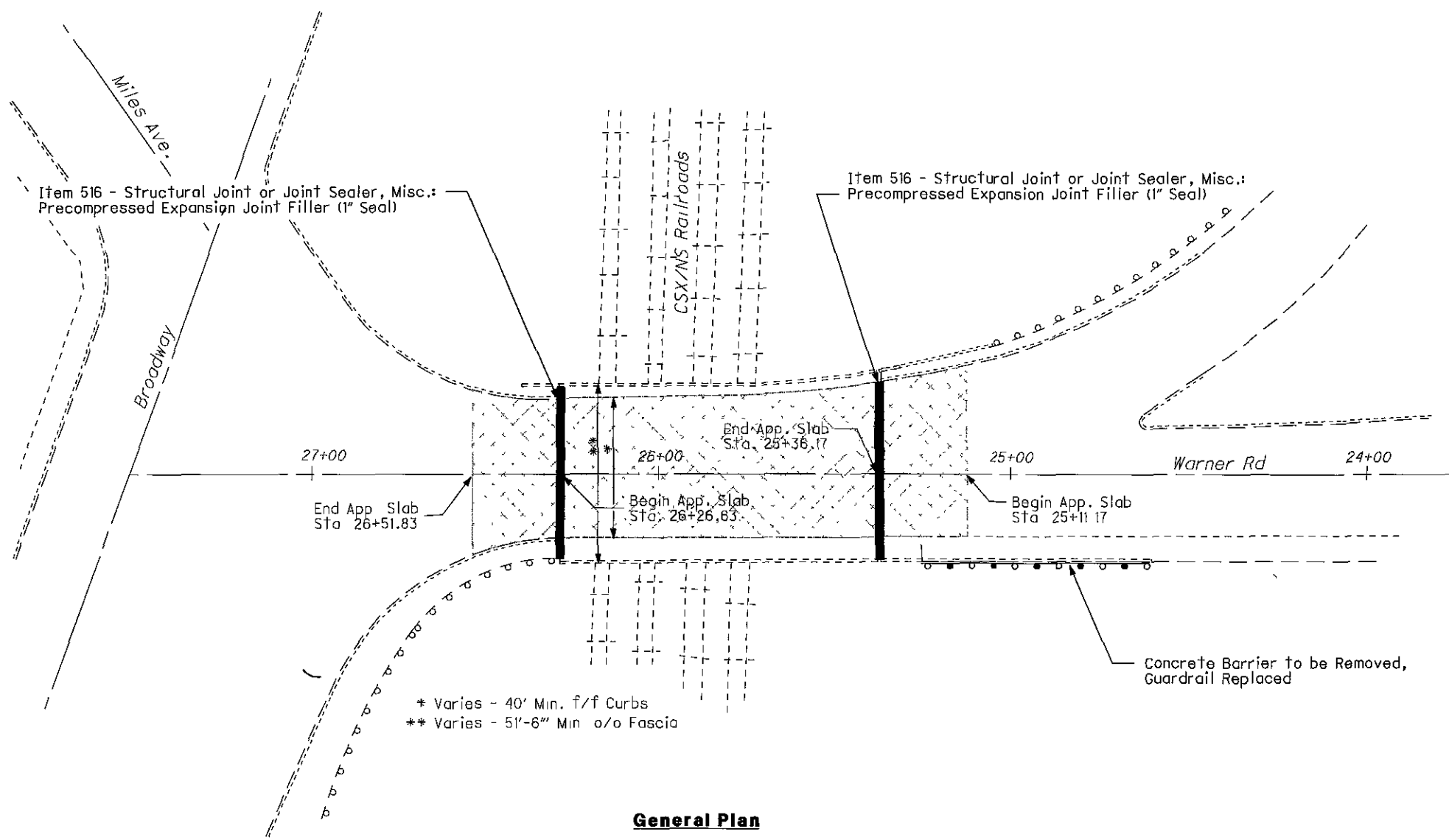
**Splice Detail**



**Welding Detail**

<b>D12-BH-FY2007</b> PID No. 80799	<b>EXPANSION JOINT DETAILS</b> Location 2: CUY-014D-0015 SR-14 (East 93rd St.) over NSC R.R.		STA. STA.	DESIGNED JDL CHECKED	DRAWN JDL REVISED	REVIEWED STRUCTURE FILE NUMBER 1801953	DATE	DESIGN AGENCY ODOT D12 PRODUCTION
	3 / 3	9 / 20						

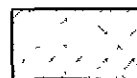
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**General Plan**

- \* Varies - 40' Min. f/f Curbs
- \*\* Varies - 5'-6" Min o/o Fascia

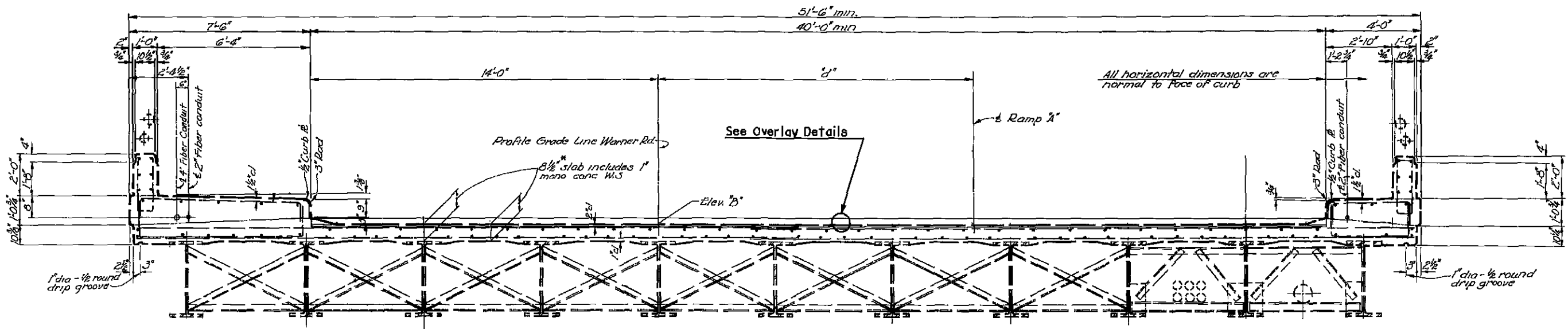
**Proposed Surface Treatment:**



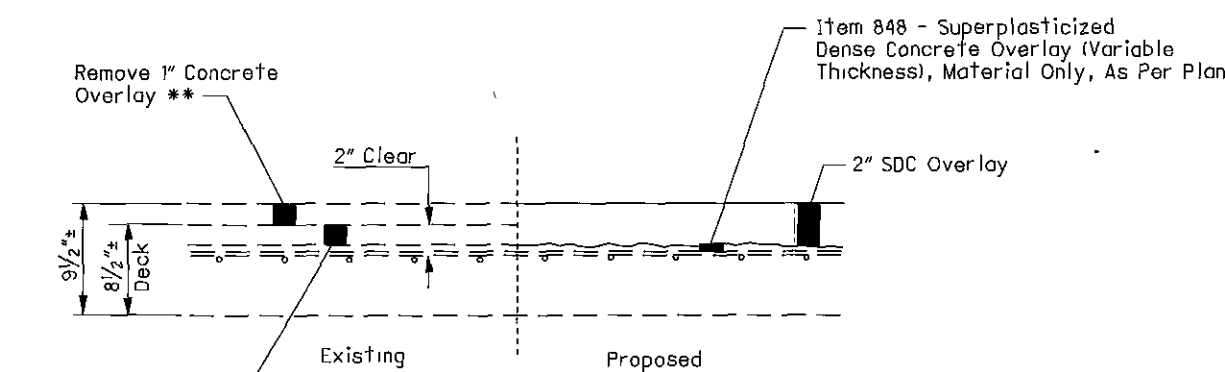
- Remove and replace existing asphalt and concrete wearing surfaces with SDC overlay by milling and hydrodemolition.

**Proposed Work:**

- Overlay Bridge Deck and Approach Slab
- Install Expansion Joint Seal
- Patch Abutment, Sidewalk, Beam Seat, and Backwall
- Replace Guardrail

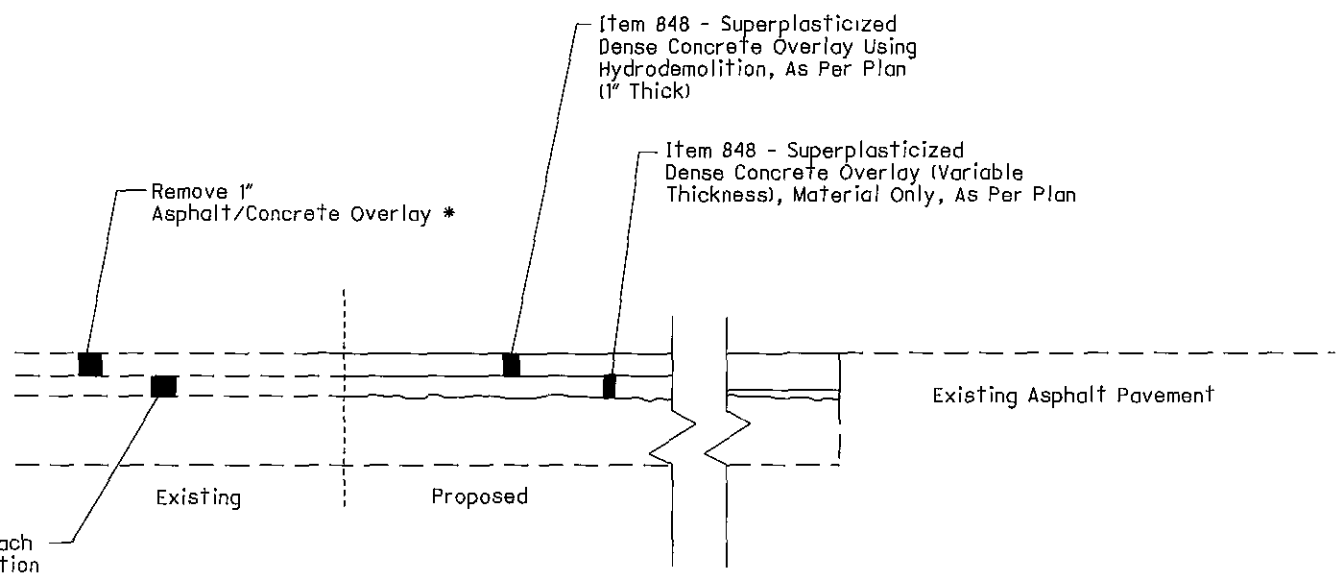


Transverse Section



Deck Overlay Detail

\*\* Deck contains significant asphalt patching which is also to be removed



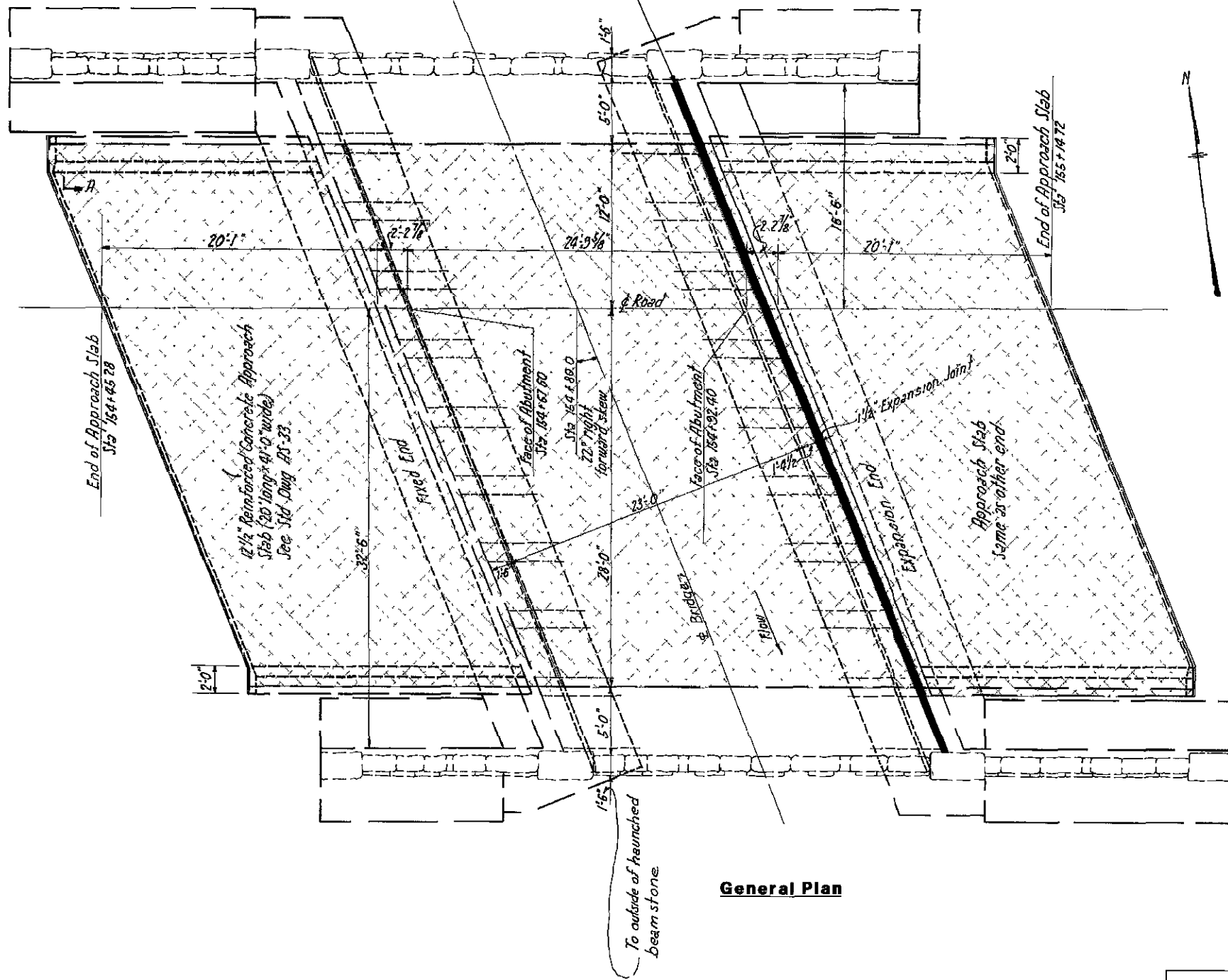
APPROACH SLAB OVERLAY DETAIL

\* Portions of the approach slab have a 1" asphalt wearing course, other portions have a 1" concrete wearing course

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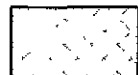
DESIGN AGENCY ODOT DIZ PRODUCTION	DATE	REVIEWED	DATE
	STRUCTURE FILE NUMBER 1801651	JUL	JUL
DESIGNED JUL	CHECKED	DRAWN JUL	REVIS
			REVIS
STA. STA.	OVERLAY DETAILS Location 3: CUY-014D-0538 SR-14 (Warner Rd.) over NSC R.R.		
D12-BH-FY2007 PID No. 80799	2 / 2		
	11 20		

Item 516 - Structural Joint or Joint Sealer, Misc.:  
Precompressed Expansion Joint Filler (1/2" Seal)

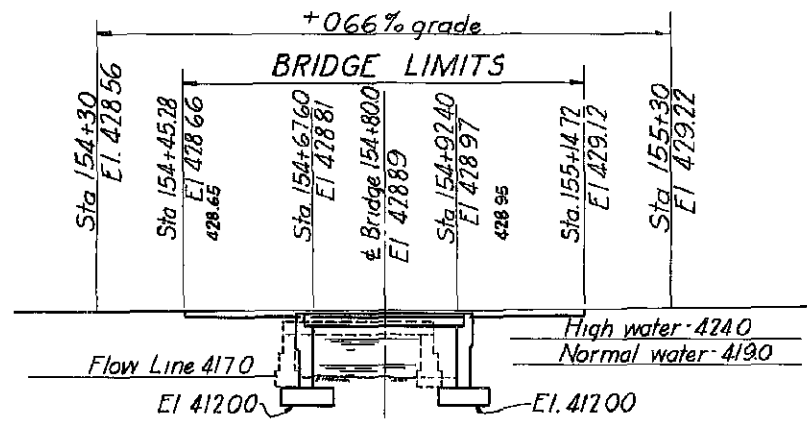


**General Plan**

**Proposed Surface Treatment:**

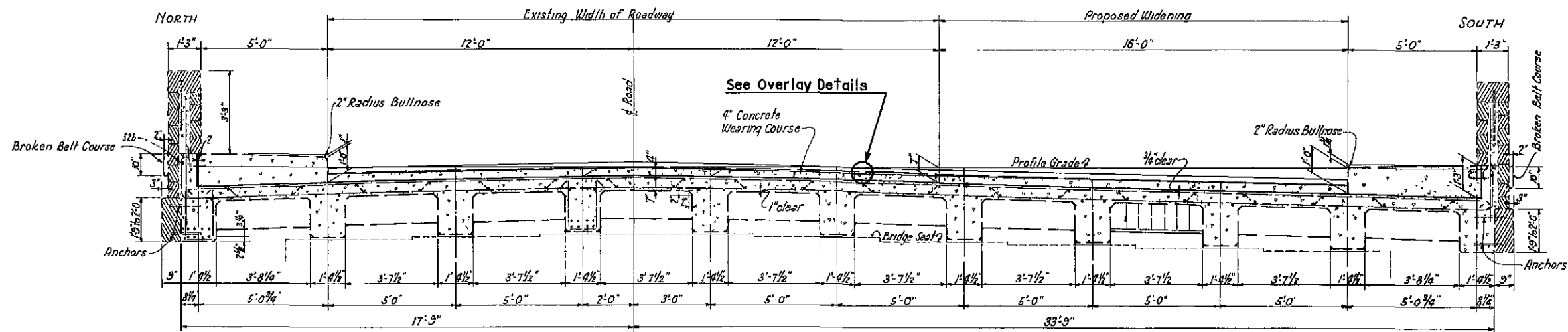


- Remove and replace existing asphalt wearing surface with SDC overlay by milling and hydrodemolition.

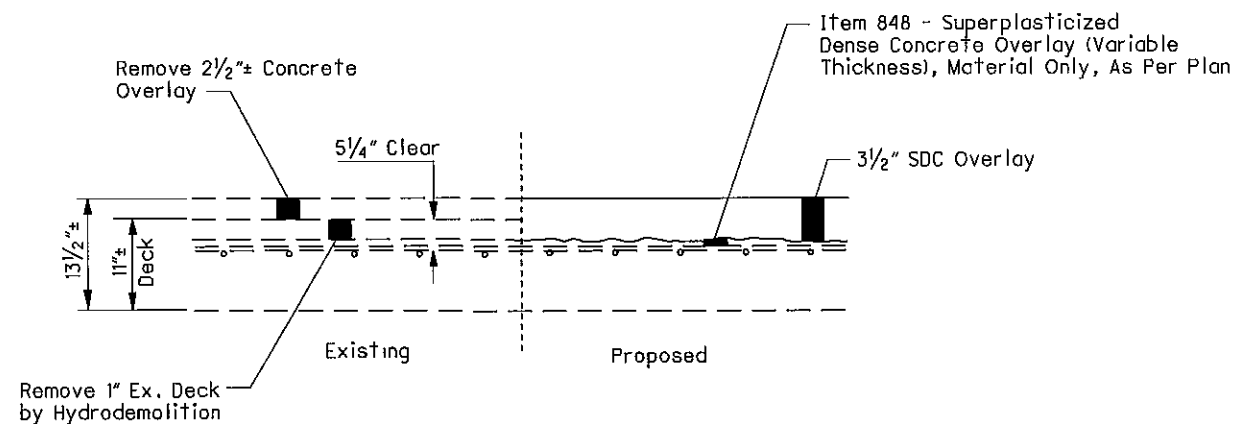


**Elevation**

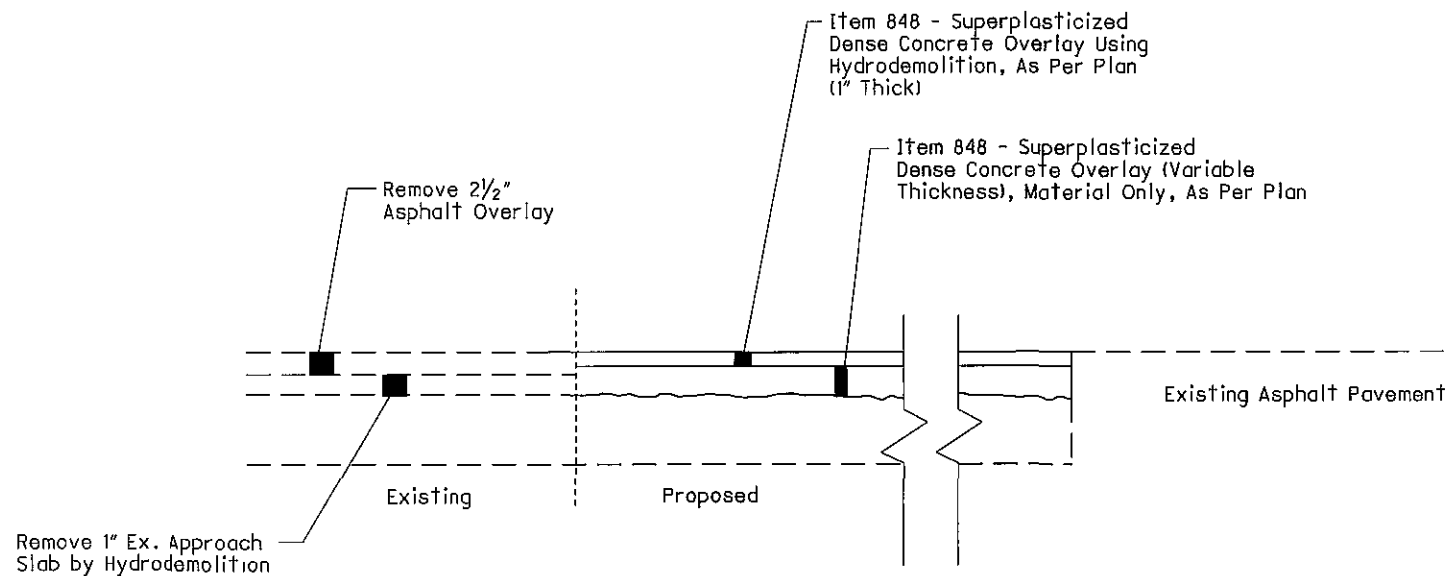
- Proposed Work:**
- Overlay Bridge Deck and Approach Slab
  - Install Expansion Joint Seal
  - Patch Abutment and Beam Seat



Transverse Section



Deck Overlay Detail



Approach Slab Overlay Detail

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STRUCTURE FILE NUMBER  
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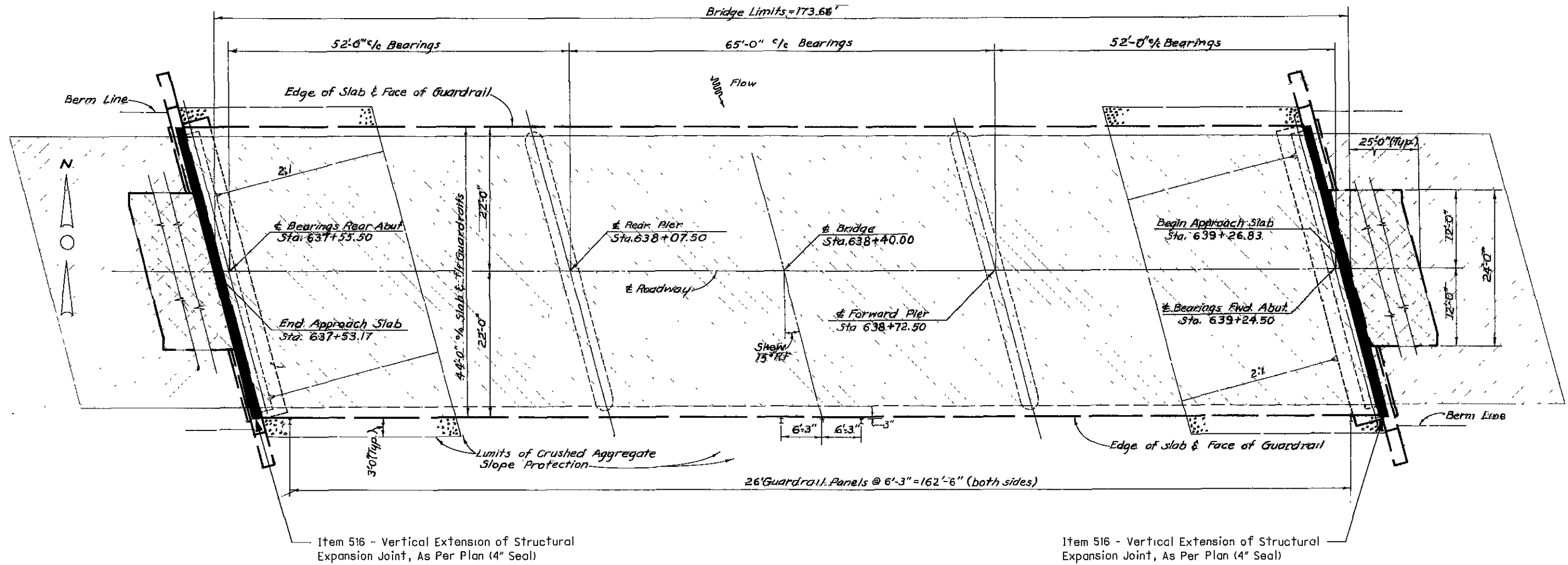
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**OVERLAY DETAILS**  
Location 4: CUY-043R-0607  
SR-43 (Aurora Rd.) over Tinkers Creek

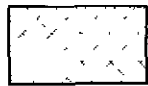
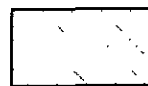

**D12-BH-FY2007**  
PID No. 80788

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**General Plan**

**Proposed Surface Treatment:**

- 
 - Remove and replace existing asphalt and concrete wearing surfaces with SDC overlay by milling and hydrodemolition.
- 
 - Remove and replace existing concrete wearing surfaces with SDC overlay by milling and hydrodemolition.
- 
 - Item 448 on existing wearing course. +

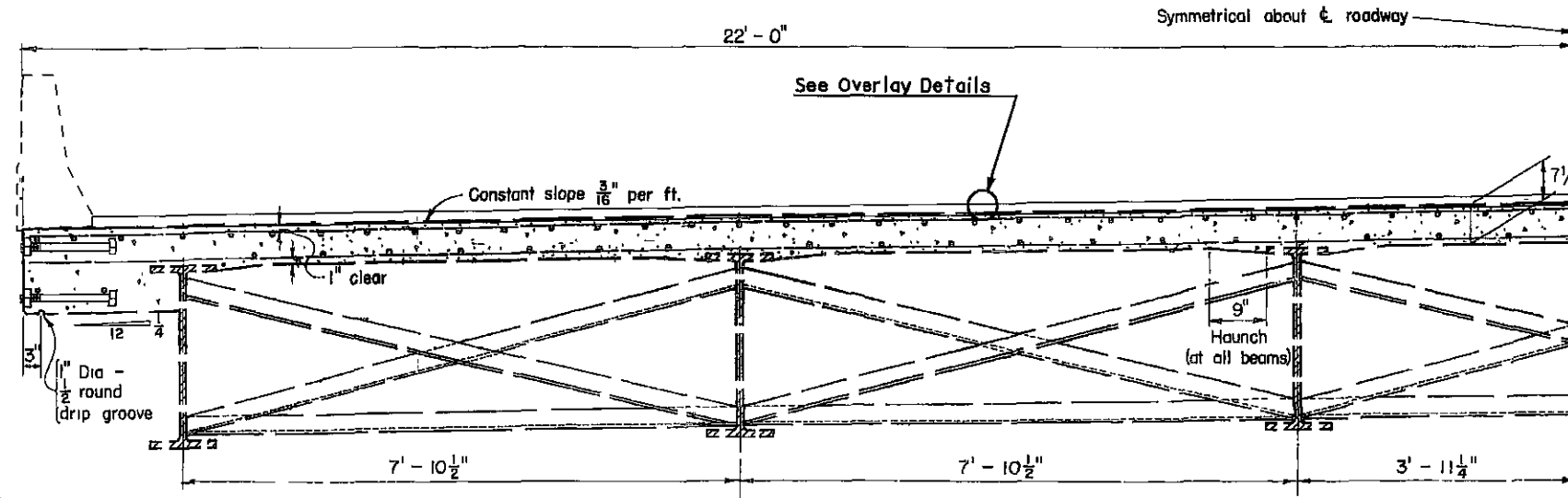
+ Beyond approach slab, transition asphalt to existing roadway elevation as detailed on Sheet 15 and according to Standard Drawing BP-3.1.

**Proposed Work:**

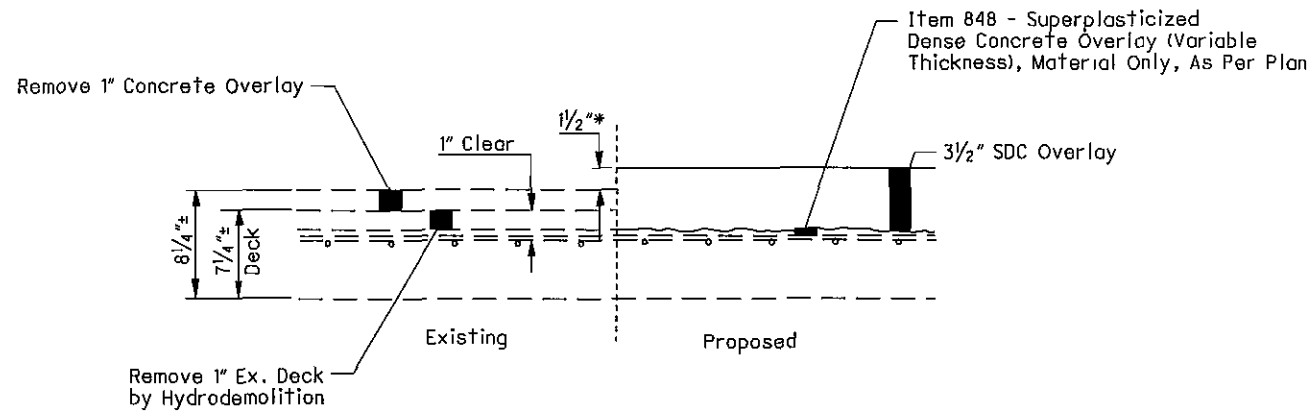
- Overlay Bridge Deck and Approach Slab
- Install Expansion Joint Seal

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DATE	STRUCTURE FILE NUMBER 2801779
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DRAWN JDL	REVISED
DESIGNED JDL	CHECKED
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<b>GENERAL PLAN</b> Location 6: GEA-422R-1226 US-422 over Cuyahoga River	
<b>D12-BH-FY2007</b> PID No. 80789	
1 / 3	
14	20

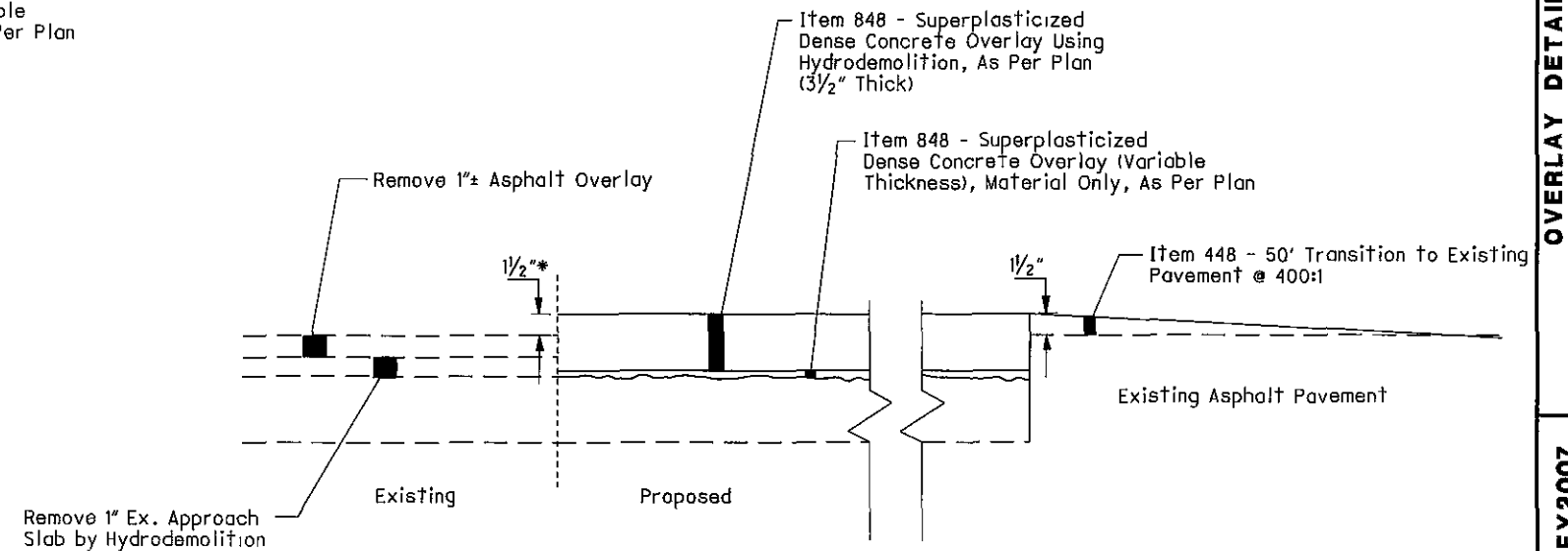
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**Transverse Section**



**Deck Overlay Detail**



**Approach Slab Overlay Detail**

\* Raise vertical profile by 1/2 inch  
(See page 16 for expansion joint details)

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ODOT D12 PRODUCTION

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STRUCTURE FILE NUMBER  
2801779

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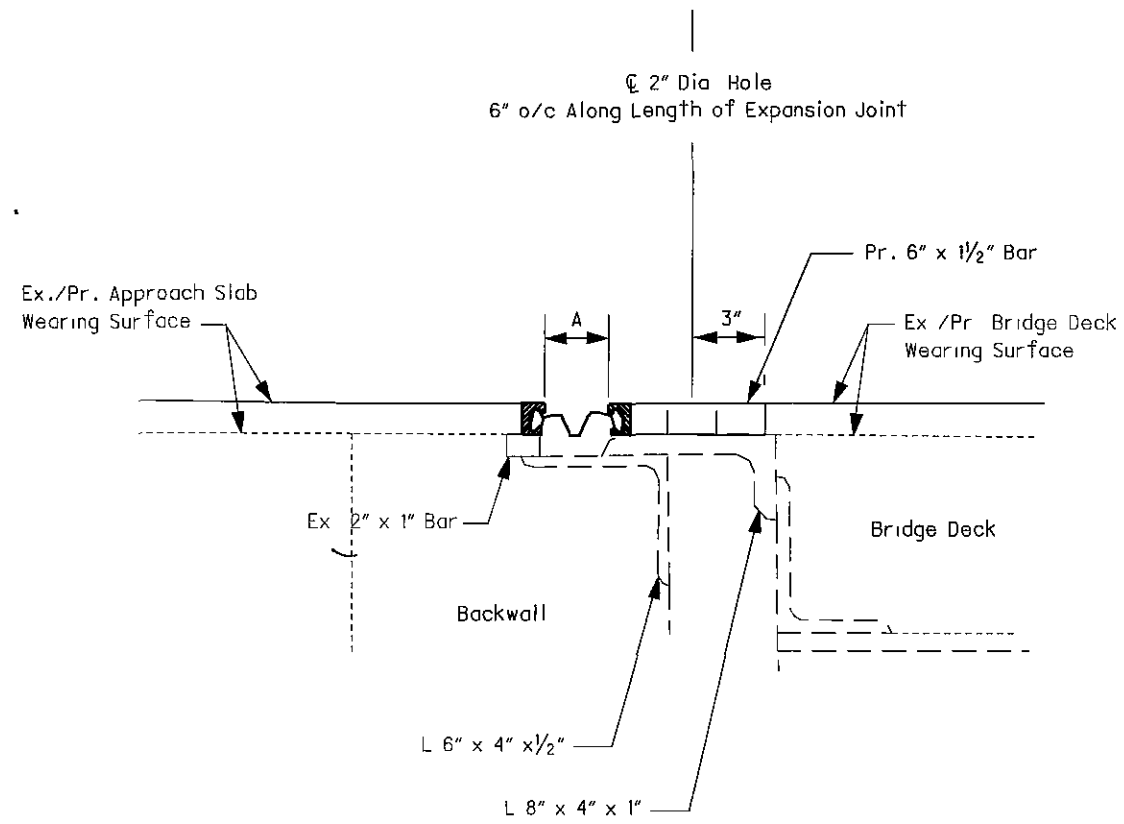
**OVERLAY DETAILS**  
Location 5: GEA-422R-1226  
US-422 over Cuyahoga River

**D12-BH-FY2007**  
PID No. 80799

2 / 3

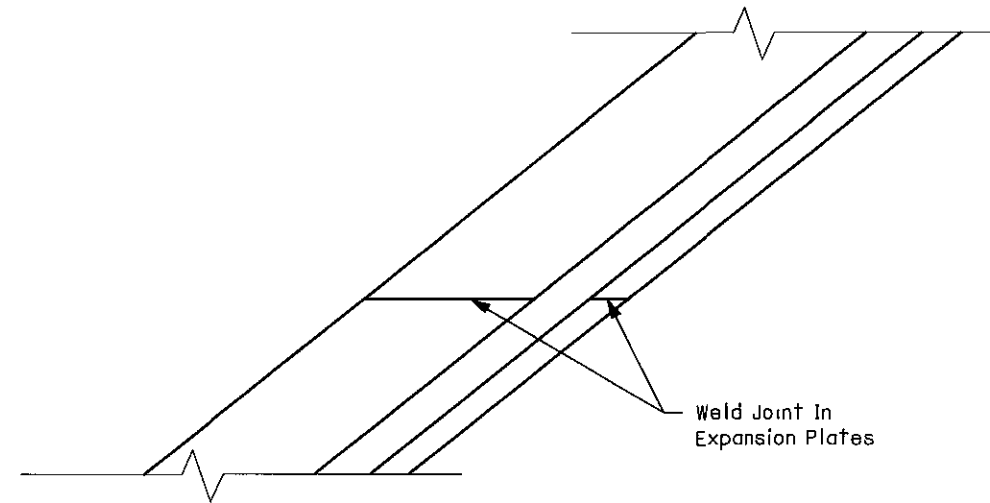
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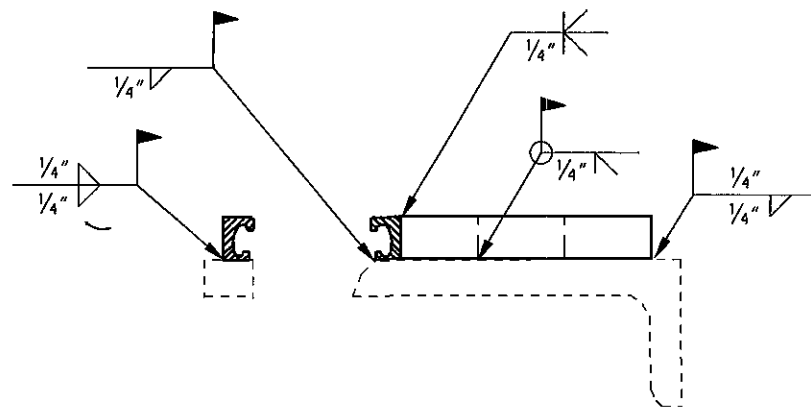


**Expansion Joint Strip Seal Detail**

Dimension "A"	
	60° F
Rear Abutment	1 3/4"
Forward Abutment	1 3/4"



**Splice Detail**



**Welding Detail**

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ODOT D12 PRODUCTION

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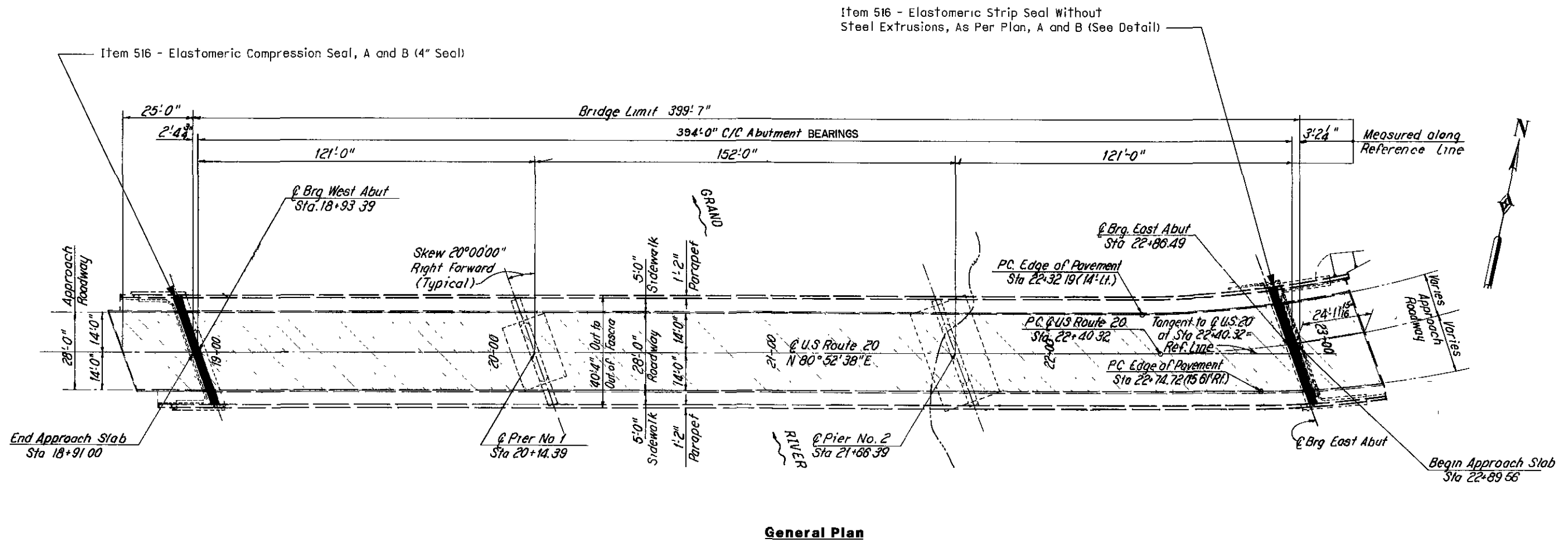
**EXPANSION JOINT DETAILS**  
Location 5: GE4-422R-1226  
US-422 over Cuyahoga River

**D12-BH-FY2007**  
PID No. 80789

3 / 3


16  
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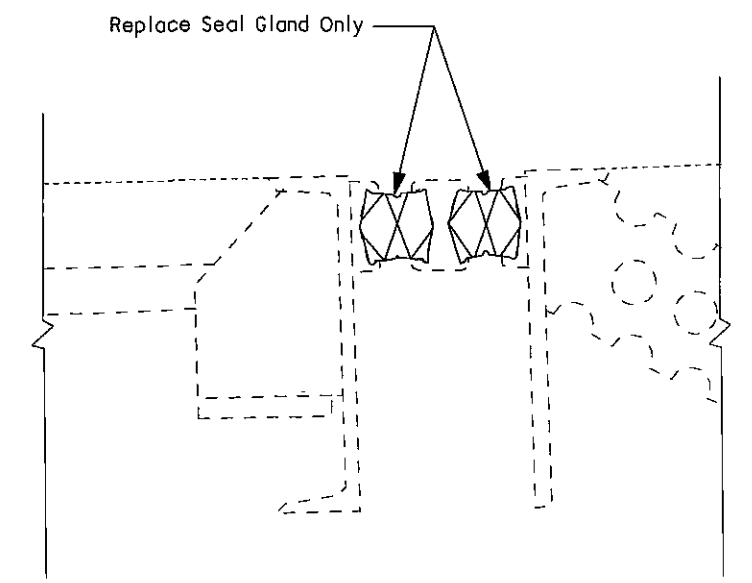
**General Plan**

**Proposed Surface Treatment:**

- 
 - Remove and replace existing concrete wearing surfaces with SDC overlay by milling and hydrodemolition.

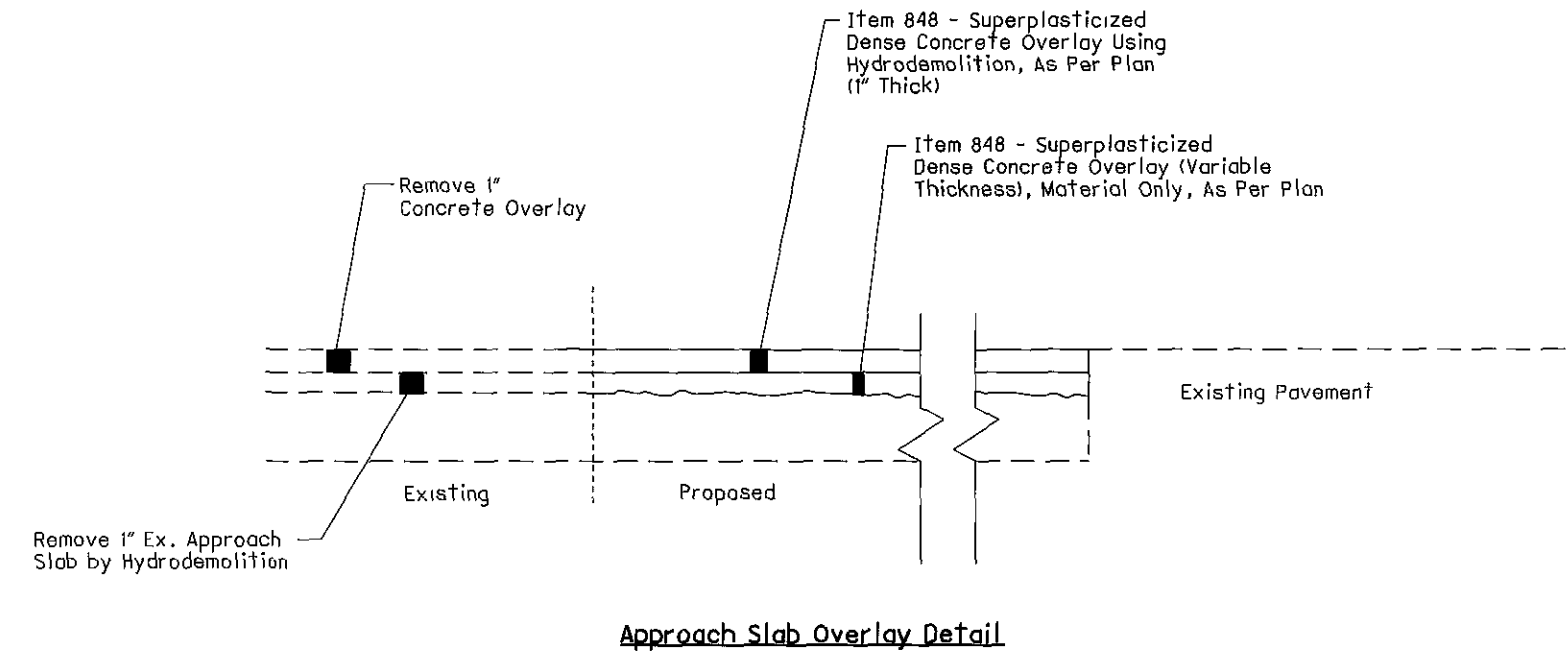
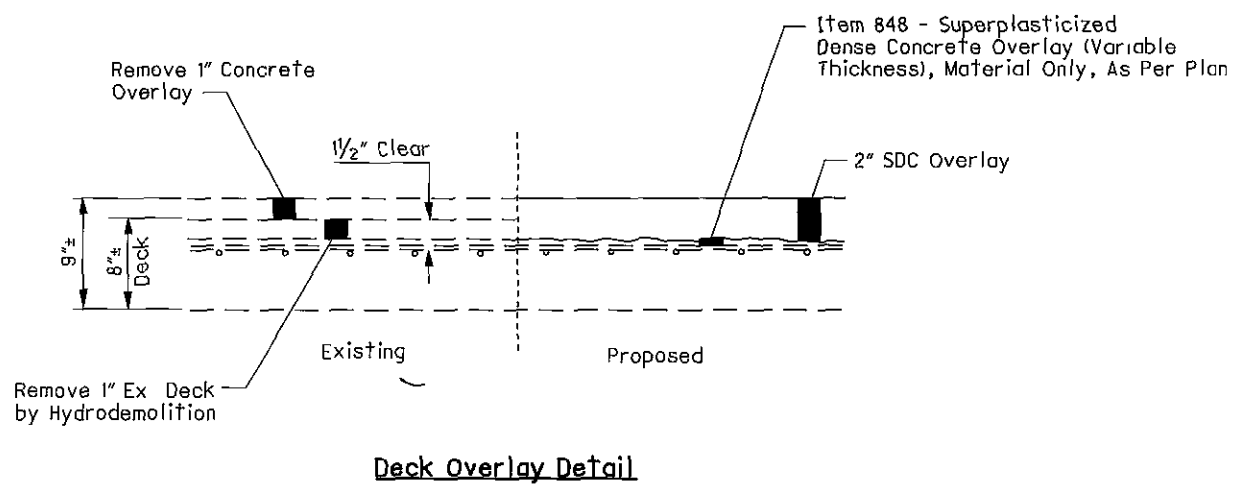
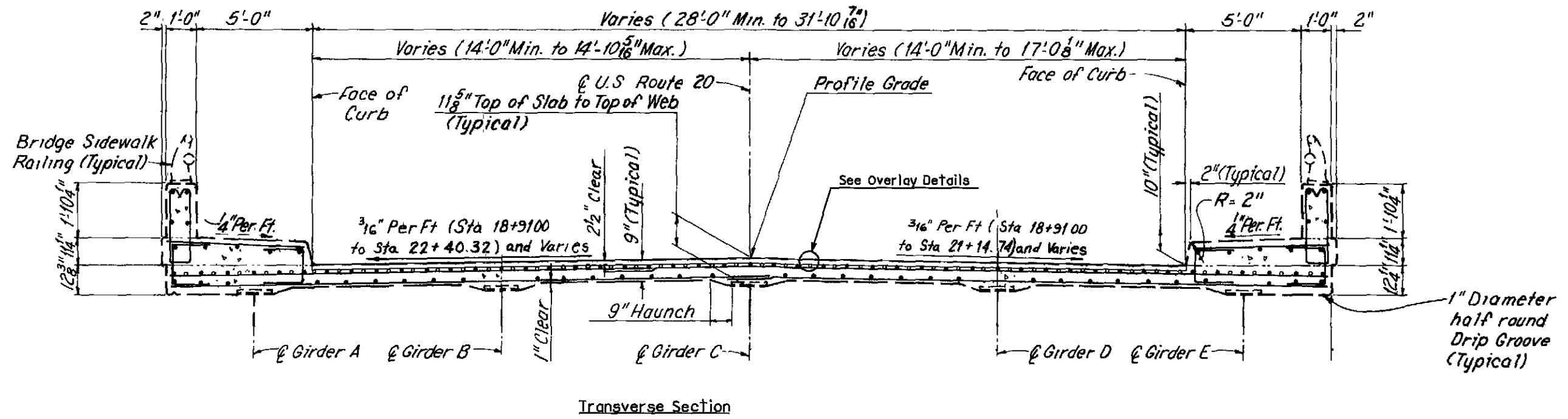
**Proposed Work:**

- Overlay Bridge Deck and Approach Slab
- Install Expansion Joint Seal



**Expansion Joint Detail**  
(Forward Abutment)

<b>D12-BH-FY2007</b> PID No. 80799	<b>GENERAL PLAN AND JOINT DETAIL</b> Location 6: LAK-020R-1723 US-20 (North Ridge Rd.) over Grand River	STA. STA.
1 / 2	DESIGN AGENCY ODOT D12 PRODUCTION	DATE 4/30/2006
17 20	DRAWN JDL	REVISION STRUCTURE FILE NUMBER 4302206
DESIGNED JDL	CHECKED	REVISED



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DESIGN AGENCY ODOT D12 PRODUCTION	DATE	REVIEWED	DATE
	STRUCTURE FILE NUMBER 4302206	DRAWN JDL	REVIEWED JDL
DESIGNED JDL	CHECKED	STA. STA.	
<b>OVERLAY DETAILS</b>			
Location 6: LAK-020R-1723			
US-20 (North Ridge Rd.) over Grand River			
<b>D12-BH-FY2007</b>	<b>PID No. 80799</b>		
2 / 2			
18	20		

## **Item 614 – Maintaining Traffic**

### **General**

Generally, conduct operations as to make the proposed repair with a minimum of hazard, delay, and inconvenience to the motorists using the highway. Furthermore, in addition to the Construction and Material Specifications, the following specific provisions are mandatory.

All work and traffic control devices shall be in accordance with 614 and other applicable portions of the Specifications, as well as the Ohio Manual of Uniform Traffic Control Devices. Payment for all labor, equipment, and materials is included in the lump sum contract price for Item 614 – Maintaining Traffic, unless separately itemized in the plans.

### **Notification**

Since functional traffic control is a major concern on this project, it is essential that the motoring public be adequately forewarned of future lane closures and traffic constrictions. Therefore, submit a schedule to the Ohio Department of Transportation, District 12 Public Information Office (Fax: 216-584-3524; Email: [d12.publicinformation@dot.state.oh.us](mailto:d12.publicinformation@dot.state.oh.us)) indicating the locations and dates of the lane closures at least three (3) days prior to the implementation of any such closures. Also notify the Engineer, local law enforcement agencies, and local municipalities of lane closures at least three (3) days prior to implementation.

### **Restrictions**

Lane closures are only permitted as indicated by the "District 12 Permitted Lane Closure Times" list, which is located on the O.D.O.T. web site:

<http://www.dot.state.oh.us/dist12/workzone/laneclo.htm>

The latest revision, at 14 days prior to the bid date, is in effect for this project.

In addition to the "District 12 Permitted Lane Closure Times" list, the following restrictions apply to all locations:

Any roadway not listed in the "District 12 Permitted Lane Closure Times" shall have no closures on weekdays from 7 A.M. – 9 A.M. and 3 P.M. – 6 P.M.

No lane or shoulder closures shall be in place when no work is being performed.

Keep one 12-foot wide lane open at all times.

Length and duration of lane closures and restrictions shall be at the approval of the Engineer. It is the intent to minimize the impact to the traveling public. Lane closures or restrictions over segments of the project in which no work is anticipated within a reasonable time frame, as determined by the Engineer, are not permitted. The level of utilization of maintenance of traffic devices shall be commensurate with the work in progress.

Do not close lanes during the period beginning at 12:00 noon on the day preceding and continuing until noon on the day following legal holidays and holiday weekends such as Memorial Day, Fourth of July, and Labor Day. Furthermore, no lanes are to be closed during increased traffic volumes caused by special events or when the Engineer deems the weather conditions too hazardous.

### **Maintenance of Traffic Scheme (At All Locations)**

Devise a simple maintenance of traffic scheme stamped by a professional engineer (scheme may be a hand sketch). Present the maintenance of traffic scheme to the District Work Zone Traffic Control Engineer and Project Engineer for acceptance at least two weeks prior to implementation.

The maintenance of traffic scheme must present, in general, the methods for maintaining traffic that the Contractor proposes to use for conducting the required work in a safe and efficient manner. The maintenance of traffic scheme must be in conformance with the Ohio Manual of Uniform Traffic Control Devices (O.M.U.T.C.D.), latest revision, and the referenced Standard Construction Drawings, the attached maintenance of traffic sheets, and the Specifications. Do not commence work until the maintenance of traffic scheme is accepted by the Engineer.

If, during the project, the Engineer determines that the accepted maintenance of traffic plan is not performing as desired, the work shall be suspended until the problem is resolved to the satisfaction of the Engineer and the maintenance of traffic plan revised accordingly. Any costs or delays incurred as a result of the failure of the satisfaction of the Engineer will be the full responsibility of the Contractor.

Payment for all the items required to maintain traffic in accordance with these requirements is included in the lump sum bid price for Item 614 – Maintaining Traffic.

### **Maintenance of Traffic Systems**

#### **A When Required**

Whenever any part of the traveled surface is being worked upon or is otherwise not suitable for safe and convenient use by vehicles, install and maintain traffic control devices sufficient to protect such areas to assure the safe and convenient passage of vehicular traffic. Such traffic control devices and the manner in which they are used shall be consistent with these plans and the Ohio Manual of Uniform Traffic Control Devices for streets and highways (hereafter referred to as the "Manual"). The traffic control device system shall constitute the minimum provisions for traffic control for each particular situation. Whenever the Engineer deems it necessary, especially where grade, curve, or merge conditions exist, he may direct that additional or alternative devices be used.

#### **B. Conditions**

During all parts of this project, locate signing, barricades, flashing arrows, etc. as indicated in the "Manual," as shown on the maintenance of traffic sheets, or as shown in the Standard Drawings.

#### **C. Advance Warning Signs**

Erect all advance warning signs for any condition which restricts traffic before any such restriction is put into effect. Cover or remove from view of traffic all such signs whenever they are not applicable.

#### **D. Flashing Arrow Requirement**

Furnish flashing arrows as shown on the Standard Drawings.

#### **E. Protection of the Public**

Whenever any work is being done over a traveled lane or shoulder, supply sufficient safety equipment, as approved by the Director, to protect the traveling public from any construction debris. If traveled lanes under structures are to be closed for reasons of safety, method and time of closure must be approved prior to implementation. Do not park personal cars within the L/A.

#### **F. Flaggers**

Flaggers shall be in accordance with MT-97.10. The maintenance of traffic plans require the use of two (2) flaggers. Use additional flaggers as directed by the Engineer.

#### **G. Law Enforcement Officer with Patrol Car**

Provide and pay all costs for the services of law enforcement officer with patrol car for the exclusive purpose of controlling traffic as determined by the Engineer. The number of officers and cars required for this purpose shall be determined by the Contractor and approved by the Engineer. The officers shall move their patrol cars as necessary to insure their constant presence at the point(s) of slowdown, stoppage, or back-up. The Contractor is responsible for making arrangements for scheduling and payment of law enforcement officer with patrol car.

Payment for all of the above is included in the man-hour bid price for Item 614 – Law Enforcement Officer With Patrol Car.

#### **H. Failure to Comply**

If there is any failure to comply with provisions for traffic control set out in these plans and notes, or with the provisions of the "Manual," the highway in the vicinity of the work area shall not be considered in a condition for the safe and convenient use by the traveling public. Any failure to keep the highway in the vicinity of the work area in a condition for the safe and convenient use by the traveling public shall be considered a breach of this contract. Work shall be suspended until the Contractor complies with the provision of the aforementioned items.

**Maintenance of Traffic Control Material**

**A. Signs**

Sign dimensions and specifications, including letter sizes, shall be as provided in the "Manual" or in design drawings provided by the Department of Transportation. The signs shall be subject to approval of the Engineer prior to the start of this project.

**B. Sign Supports**

Sign supports shall be as shown on Standard Drawings MT-105.10 and MT-105 11

**C. Flashing Arrows**

The electric flashing arrow shall be as shown on Standard Construction Drawing MT-35 10.

**D. Cones**

Cones shall be located as shown in the "Manual" and the traffic control plans.

**E. Drums**

Drums shall be located as shown on the traffic control plans and are required for night time closures.

**F. Floodlighting**

Floodlighting of the work site for operations conducted during night time periods shall be accomplished so that the lights do not cause glare to the drivers on the roadway. To ensure adequacy of the floodlight placement, the Contractor and Engineer shall drive through the work site each night when the lighting is in place and operative prior to commencing any work. If glare is detected, the light placement and shielding shall be adjusted to the satisfaction of the Engineer before work proceeds.

Payment for all labor, equipment, and materials is included in the lump sum contract price for Item 614 - Maintaining Traffic.

**G. Work Vehicles**

All work vehicles licensed to operate on the roadway, including trucks, shall be equipped with a flashing, rotating, or oscillating amber light visible to all directions of traffic for a minimum of 1600 feet in bright sunlight and shall be operated with lighted head and tail lamps. The amber light shall be in operation at all times within the work zone and while traveling to and from the work zone whenever the vehicle speed is below 35 M.P.H. Vehicle hazard lamps do not satisfy this requirement. All other equipment shall be equipped with a flashing, rotating, or oscillating amber light visible in all directions of traffic for a minimum of 1600 feet in bright sunlight. The amber light shall be in operation while the equipment is within the work zone.

**Payment**

Unless separately itemized, payment for providing, erecting, maintaining, and removing temporary maintenance of traffic control devices is included under the lump sum bid price for Item 614 - Maintaining Traffic.

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# SPECIAL PROVISIONS

## WATERWAY PERMITS FOR

CRS: D12-BH FY2007 , PID 80799

U.S. ARMY CORPS OF ENGINEERS

PERMIT NUMBER: NWP #3

OHIO EPA

PERMIT NUMBER: N/A

EFFECTIVE DATE: 12-07-2006

## NATIONWIDE PERMIT #3 - MAINTENANCE

Activities related to:

(i) 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, or current construction codes or safety standards which are necessary to make repair, rehabilitation, or replacement, are permitted, provided the adverse environmental effects resulting from such repair, rehabilitation, or replacement are minimal. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction. This NWP authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or 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.

(ii) Discharges of dredged or fill material, including excavation, into all waters of the United States to remove accumulated sediments and debris in the vicinity of, and within, existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) and the placement of new or additional rip rap to protect the structure, provided the permittee notifies the District Engineer in accordance with General Condition 13. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. The placement of rip rap must be the minimum necessary to protect the structure or to ensure the safety of the structure. All excavated materials must be deposited and retained in an upland area unless otherwise specifically approved by the District Engineer under separate authorization. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the District Engineer.

(iii) Discharges of dredged or fill material, including excavation, into all waters of the United States for activities associated with the restoration of upland areas damaged by a storm, flood, or other discrete event, including the construction, placement, or installation of upland protection structures and minor dredging to remove obstructions in water of the US. (Uplands lost as a result of a storm, flood, or other discrete event can be replaced without a Section 404 permit provided the uplands are restored to their original pre-event location. This NWP is for the activities in waters of the US associated with the replacements of the uplands.) The permittee must notify the District Engineer, in accordance with General Condition 13, within 12 months of the date of the damage and the work must commence, or be under contract to commence, within two years of the date of the damage. The permittee should provide evidence, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration. The restoration of the damaged areas cannot exceed the contours,

or ordinary high water mark, that existed before the damage. 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 permit. Minor dredging to remove obstructions from the adjacent waterbody is limited to 50 cubic yards below the plane of the ordinary high water mark, and is limited to the amount necessary to restore the pre-existing bottom contours of the waterbody. The dredging may not be done primarily to obtain fill for any restoration activities. The discharge of dredged or fill material and all related work needed to restore the upland must be part of a single and complete project. This permit cannot be used in conjunction with NWP 18 or NWP 19 to restore damaged upland areas. This permit cannot be used to reclaim historic lands lost, over an extended period, to normal erosion processes.

This permit does not authorize maintenance dredging for the primary purpose of navigation and beach restoration. This permit does not authorize new stream channelization or stream relocation projects. Any work authorized by this permit must not cause more than minimal degradation of water quality, more than minimal changes to the flow characteristics of the stream, or increase flooding (See General Conditions 9 and 21).

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

#### **Nationwide 3 Specific Regional Conditions**

- i. Notification required prior to the use of vertical sheet piling and closed structures in the special habitat waters of Lake Erie (See General Conditions, Critical Resource waters (1)).
- ii. The Pre-Construction Notification (PCN) for activities involving the removal of accumulated sediments and debris in the vicinity of existing structures, to restore the waterway to the approximate dimensions that existed when the structure was built, must include evidence of such dimensions. If this information is not available, the PCN must include evidence of the existing depths immediately outside the proposed work area.

#### **WATER QUALITY CERTIFICATION**

Pursuant to Section 401 of the Clean Water Act, the Ohio Environmental Protection Agency hereby certifies that activities authorized by these Permits, undertaken in accordance with all of the special and general conditions listed below, will comply with the applicable provisions of the Clean Water Act and applicable Ohio water quality standards. Those NWPs with no special Water Quality Certification (WQC) conditions remain subject to general WQC conditions unless otherwise indicated (Reference 1 below).

#### **Water Quality Certification – Special Conditions:**

**The Ohio State Certification General Limitations and Conditions apply to this nationwide**

**permit.**

#### **Ohio State Water Quality Certification Special Conditions and Limitations:**

1. Total surface water and vegetation impacts on either side of the replacement structure shall be limited to the greater of 25 feet beyond the structure, or 25 feet beyond the toe of the slope of the structure's approach embankment. [Where the use of a crane is necessary to conduct a maintenance activity, total impacts shall not exceed 50 feet on either side of the structure or approach embankment]. In either case, total impacts, including the structure, shall not exceed 200 feet [except for stabilization projects]. Width shall be measured at the structure's narrowest point as it crosses the waterbody, and be measured parallel to stream flow.
2. Culvert replacement:
  - a. This Certification shall only authorize minor deviations from the existing structure's centerline and minor deviations in culvert dimensions, unless these deviations are necessary to follow current safety standards.
3. Bridge Replacement:
  - a. This Certification shall only authorize minor deviations from the existing structure's centerline, unless these deviations are necessary to follow current safety standards.
  - b. Bridge replacements shall not result in additional lanes unless necessary to follow current safety standards.
4. Maintenance or repair of existing fills (stabilization projects):
  - a. Impacts from maintenance or repair of existing fills shall not exceed the dimensions of the fill prior to the damage; and
  - b. This nationwide shall not authorize the replacement of existing structures that are open to the flow of water with structures that are not open to the flow of water.
5. For replacement vertical bulkheads, the following conditions apply:
  - a. For ship channels and harbors adjacent to federal navigation channels within the following harbors: Sandusky Harbor, Huron Harbor, Vermilion Harbor, Lorain Harbor, Conneaut Harbor, Port Clinton Harbor, Rocky River Harbor, Cleveland Harbor, Fairport Harbor, Ashtabula Harbor, and Toledo Harbor, 1,000 feet of existing vertical bulkheads may be replaced if recessed areas for aquatic habitat, or other aquatic habitat improvements, are incorporated within the design and construction of the replacement vertical bulkhead;
  - b. For all other areas, except Lake Erie, Lake Erie Islands, or Sandusky Bay, up to 1,000 feet of existing vertical bulkheads may be replaced. Toe stone shall be placed at the base of these replacement vertical bulkheads except in areas where the shoreline is composed of bedrock and slopes are predominately greater than 75 percent;
  - c. Replacement vertical bulkheads are not to be placed more than one foot waterward of the intersection of the ordinary high water level of the waterbody and the existing shoreline;
  - d. Minor dredging necessary for the installation of the replacement vertical bulkhead is

authorized;

e. Placement of fill between the replacement vertical bulkhead and existing shoreline is authorized; and

f. Toe stone shall be placed at the base of these replacement vertical bulkheads except in areas where the original shoreline is composed of bedrock and slopes are predominately greater than 75 percent or where the placement of toe stone would interfere with shipping activity. When required, toe stone shall be placed at an average rate of one-third the total height of the replacement vertical bulkhead at a 2:1 slope.

6. Removal of accumulated sediment:

a. Removal of accumulated sediment shall occur only once per year, except in cases of emergency situations which threaten life of property.

B. Removal of accumulated sediments shall be limited to low-flow conditions whenever practicable, except in cases of emergency situations which threaten life or property.

## NATIONWIDE PERMIT CONDITIONS

### GENERAL CONDITIONS:

The following general conditions must be followed in order for any authorization by a NWP to be valid:

**1. Navigation.** No activity may cause more than a minimal adverse effect on navigation.

**2. Proper Maintenance.** Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.

**3. 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.

**4. 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 which normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.

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

**6. Regional and Case-By-Case Conditions.** The activity must comply with any regional conditions which 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 or tribe in its section 401 Water Quality Certification and Coastal Zone management Act consistency determination

**7. Wild and Scenic Rivers.** No 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. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

**8. 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.

### 9. Water Quality.

(a) In certain States and tribal lands an individual Section 401 water quality certification must be obtained or waived (see 33 CFR 330.4(c)).

(b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the State or tribal 401 certification (either generically or individually) does not require or approve water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of water quality management includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (refer to General Condition 21 for stormwater management requirements). Another important component of water quality management is the establishment and maintenance of vegetated buffers next to open waters, including streams (refer to General Condition 19 for vegetated buffer requirements for the NWPs). This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.

**10. Coastal Zone Management.** In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see Section 330.4(d)).

### 11. Endangered Species.

(a) No activity is authorized under any NWP which is likely to 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 is likely to destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat 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 may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS, the District Engineer may add species-specific regional endangered species conditions to the NWP.

(b) Authorization of an activity by a 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 USFWS or the National Marine Fisheries Service (NMFS), both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their World Wide Web pages at <http://www.fws.gov/r9endspp/endspp.html> and [http://www.nmfs.noaa.gov/prot\\_res/overview/es.html](http://www.nmfs.noaa.gov/prot_res/overview/es.html), respectively.

**12. Historic properties.** No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the notification must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

### 13. Notification.

(a) **Timing:** where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction notification (PCN) as early as possible. The District Engineer must determine if the PCN is complete within 30 days of the date of receipt and can request the 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:

- (1) Until 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) If notified in writing by the District or Division Engineer that an individual permit is required; or
- (3) Unless 45 days have passed from the District Engineer's receipt of the complete notification and the prospective permittee has not received written notice from the District or Division Engineer. 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 Notification:** The notification must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; 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. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision.);
- (4) For NWP 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f));
- (5) For NWP 7 (Outfall Structures and Maintenance), the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed.
- (6) For NWP 14 (Linear Transportation Crossings), the PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable;
- (7) For NWP 21 (Surface Coal Mining Activities), the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;
- (8) For NWP 27 (Stream and Wetland Restoration Activities), the PCN must include documentation of the prior condition of the site that will be reverted by the permittee.
- (9) For NWP 29 (Single-Family Housing), the PCN must also include:
  - (i) Any past use of this NWP by the individual permittee and/or the permittee's spouse;

- (ii) A statement that the single-family housing activity is for a personal residence of the permittee;
- (iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring 1/4 acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than 1/4 acre in size, formal wetland delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));
- (iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and/or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;

(10) For NWP 31 (Maintenance of Existing Flood Control Facilities), the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:

- (i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided that the approved flood control protection or drainage is not increased;
- (ii) A delineation of any affected special aquatic sites, including wetlands; and,
- (iii) Location of the dredged material disposal site;

(11) For NWP 33 (Temporary Construction, Access, and Dewatering), the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources;

(12) For NWPs 39, 43, and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the US were achieved on the project site;

(13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal to offset losses of waters of the US or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable

drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer, waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44 (Mining Activities), the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock/mineral mining activities);

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work; and

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

**(c) Form of Notification:** The standard Individual Permit application form (Form ENG 4345) may be used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(18) of General Condition 13. A letter containing the requisite information may also be used.

**(d) District Engineer's Decision:** 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. The prospective permittee may submit a proposed mitigation plan with the PCN to expedite the process. The District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation,

the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. The District Engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the District Engineer will expeditiously review the proposed mitigation plan. The District Engineer must review the plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP. If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the District Engineer will notify the applicant either:

- (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an Individual Permit;
- (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or
- (3) that the project is authorized under the NWP with specific modifications or conditions.

Where the District Engineer determines that mitigation is required in order to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

**(e) Agency Coordination:** 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 the need for mitigation to reduce the project's adverse environmental effects to a minimal level. For activities requiring notification to the District Engineer that result in the loss of greater than 1/2 acre of waters of the US, the District Engineer will provide immediately (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy to the appropriate Federal or state offices (USFWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision on the notification. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer

will indicate in the administrative record associated with each notification that the resource agencies' concerns were considered. As required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to NMFS within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of notifications to expedite agency notification.

**(f) Wetland Delineations:** Wetland Delineations must be prepared in accordance with the current method required by the Corps (For NWP 29 see paragraph (b)(9)(iii) for parcels less than 1/4-acre in size). The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

**14. Compliance Certification.** Every permittee who has received NWP verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include:

- (a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions;
- (b) A statement that any required mitigation was completed in accordance with the permit conditions; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

**15. Use of Multiple Nationwide Permits.** The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit (e.g. 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 US for the total project cannot exceed 1/3-acre).

**16. Water Supply Intakes.** No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

**17. Shellfish Beds.** No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

**18. Suitable Material.** No activity, including structures and work in navigable waters of the US discharges of dredged or fill material, may consist of unsuitable material (e.g. trash, debris, car bodies, asphalt, etc.) and material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the CWA).

**19. Mitigation.** The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US 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) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation (i.e., replacement or substitution of aquatic resources for those impacted) will not be used to increase the acreage losses allowed by the acreage limits of some of the NWP's. For example, 1/4-acre of wetlands cannot be created to change a 3/4-acre loss of wetlands to a 1/2-acre loss associated with NWP 39 verification. However, 1/2-acre of created wetlands can be used to reduce the impacts of a 1/2-acre loss of wetlands to the minimum impact level in order to meet the minimal impact requirement associated with NWP's.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed;

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., easements, deed restrictions) of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineer may require slightly wider vegetated buffers to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation (e.g., stream buffers or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps

prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

**20. Spawning Areas.** Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., excavate, fill, or smother downstream by substantial turbidity) of an important spawning area are not authorized.

**21. Management of Water Flows.** To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions (e.g., location, capacity, and flow rates). Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow. This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

**22. Adverse Effects From Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to the acceleration of the passage of water, and/or the restricting its flow shall be minimized to the maximum extent practicable. This includes structures and work in navigable waters of the US, or discharges of dredged or fill material.

**23. Waterfowl Breeding Areas.** Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

**24. Removal of Temporary Fills.** Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

**25. Designated Critical Resource Waters.** Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers,

critical habitat for Federally listed threatened and endangered species, coral reefs, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

Discharges of dredged or fill materials into waters of the US may be authorized by the above NWPs in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the USFWS or the NMFS has concurred in a determination of compliance with this condition.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with General Condition 13, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The District Engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

**26. Fills Within 100-Year Floodplains.** For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) Discharges in Floodplain; Below Headwaters. Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below headwaters (i.e., five cfs), resulting in permanent above-grade fills, are not authorized by NWPs 39, 40, 42, 43, and 44.

(b) Discharges in Floodway; Above Headwaters. Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWPs 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

**27. Construction Period.** For activities that have not been verified by the Corps and the project was commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12-months after such date (including any modification that affects the project). For activities that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps. For projects that have been verified by the Corps, an extension of a Corps approved completion date may be requested. This request must be submitted at least one month before the previously approved completion date.

#### **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.

#### **DEFINITIONS**

**Best Management Practices (BMPs):** BMPs are 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. A BMP policy may affect the limits on a development.

**Compensatory Mitigation:** For purposes of Section 10/404, compensatory mitigation is the restoration, creation, enhancement, or in exceptional circumstances, preservation of wetlands and/or other aquatic resources for the purpose of compensating for unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

**Creation:** The establishment of a wetland or other aquatic resource where one did not formerly exist.

**Enhancement:** Activities conducted in existing wetlands or other aquatic resources that increase one or more aquatic functions.

**Ephemeral Stream:** An ephemeral stream has flowing water only during and for a short duration after precipitation events in a typical year. Ephemeral streambeds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

**Farm Tract:** A unit of contiguous land under one ownership that is operated as a farm or part of a farm.

**Flood Fringe:** That portion of the 100-year floodplain outside of the floodway (often referred to as "floodway fringe").

**Floodway:** The area regulated by Federal, state, or local requirements to provide for the discharge of the base flood so the cumulative increase in water surface elevation is no more than a designated amount (not to exceed one foot as set by the National Flood Insurance Program) within the 100-year floodplain.

**Independent Utility:** A test to determine what constitutes a single and complete 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.

**Intermittent Stream:** An intermittent stream has flowing water during certain times of the year, when groundwater provides water from stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

**Loss of Waters of the US:** Waters of the US that include the filled area and other waters that are permanently adversely affected by flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent above-grade, at-grade, or below-grade fills 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 US is the threshold measurement of the impact to existing waters 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 values. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Impacts to ephemeral streams are not included in the linear foot measurement of loss of stream bed for the purpose of determining compliance with the linear foot limits of NWPs 39, 40, 42, and 43. Water of the US temporarily filled, flooded, excavated, or drained, but restored to preconstruction contours and elevations after construction, are not included in the measurement of loss of waters of the US.

**Non-tidal Wetland:** A non-tidal wetland is a wetland (i.e., a water of the US) that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

**Open Water:** An area that, during a year with normal patterns of precipitation, has standing or flowing water for sufficient duration to establish an ordinary high water mark. Aquatic vegetation within the area of standing or flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. The term "open water" includes rivers, streams, lakes, and ponds. For the purposes of the NWPs, this term does not include ephemeral waters.

**Perennial Stream:** A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

**Permanent Above-grade Fill:** A discharge of dredged or fill material into waters of the US, including wetlands, that results in a substantial increase in ground elevation and permanently

converts part or all of the waterbody to dry land. Structural fills authorized by NWPs 3, 25, 36, etc. are not included.

**Preservation:** The protection of ecologically important wetlands or other aquatic resources in perpetuity through the implementation of appropriate legal and physical mechanisms. Preservation may include protection of upland areas adjacent to wetlands as necessary to ensure protection and/or enhancement of the overall aquatic ecosystem.

**Restoration:** Re-establishment of wetland and/or other aquatic resource characteristics and function(s) at a site where they have ceased to exist, or exist in a substantially degraded state.

**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.

**Single and Complete Project:** 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 (see definition of independent utility). For linear projects, the single and complete project (i.e., a single and complete crossing) will apply to each crossing of a separate water of the US (i.e., a single waterbody) at that location. An exception is for linear projects crossing a single waterbody several times at separate and distant locations: each crossing is considered a single and complete project. 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.

**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 BMPs, 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 channel to increase the rate of water flow through the stream channel. Manipulation may include deepening, widening, straightening, armoring, or other activities that change the stream cross-section or other aspects of stream channel geometry to increase the rate of water flow through the stream channel. A channelized stream remains a water of the US, despite the modifications to increase the rate of water flow.

**Tidal Wetland:** A tidal wetland is a wetland (i.e., water of the US) that is inundated by tidal waters. The definition of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. 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 channelward of the high tide line (i.e., spring high tide line) and are inundated by tidal waters two times per lunar month, during spring high tides.

**Vegetated Buffer:** A vegetated upland or wetland area next to rivers, streams, lakes, or other open waters which separates the open water from developed areas, including agricultural land. Vegetated buffers provide a variety of aquatic habitat functions and values (e.g., aquatic habitat for fish and other aquatic organisms, moderation of water temperature changes, and detritus for aquatic food webs) and help improve or maintain local water quality. A vegetated buffer can be established by maintaining an existing vegetated area or planting native trees, shrubs, and herbaceous plants on land next to open-waters. Mowed lawns are not considered vegetated buffers because they provide little or no aquatic habitat functions and values. The establishment and maintenance of vegetated buffers is a method of compensatory mitigation that can be used in conjunction with the restoration, creation, enhancement, or preservation of aquatic habitats to ensure that activities authorized by NWP's result in minimal adverse effects to the aquatic environment. (See General Condition 19.)

**Vegetated Shallows:** Vegetated shallows are special aquatic sties 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:** A waterbody is any area that in a normal year has water flowing or standing above ground to the extent that evidence of an ordinary high water mark is established. Wetlands contiguous to the waterbody are considered part of the waterbody.

## REGIONAL GENERAL CONDITIONS

1. Notifications for all Nationwide permits should include a location map (USGS topographical map) and project drawings on 8.5" x 11" paper.
2. Nationwide Permits shall not authorize any activity which impact bogs and/or fens.

3. No Nationwide permit may be used in Lake Erie for purposes of diverting water from the Great Lakes.

4. In order to determine if a project meets the terms and conditions of the Ohio EPA's 401 water quality certification, two copies of the following information is necessary:

(a) All wetland delineations must include the latest approved version of the Ohio Rapid Assessment Method (ORAM) for wetland evaluation, long form. (This will assist OEPA in determining the category of wetland the applicant proposes to impact.)

(b) Photographs of the wetland.

NOTE: This information is in addition to the required information listed under General Condition 13 (Notification) of the NWP.

5. Notification is required for all work in the following designated Critical Resource Waters:

**Special Habitat water of Lake Erie:** Special habitat waters of Lake Erie including the shoreline, off shore islands, rock outcrops, and adjacent waters within the boundaries defined as 82 22' 30" West Longitude, 83 07' 30" West Longitude, 41 33' 00" North Latitude and 42 00' 00" North Latitude.

**Piping Plover Critical Habitat:** In Ohio, two areas have been designated critical habitat for the piping plover (*Charadrius melodus*) and are defined as lands 0.62 miles inland from normal high water line. Unit OH-1, extends from the mouth of Sawmill Creek to the western property boundary of Sheldon Marsh State Natural Area, Erie County, encompassing approximately 2.0 miles. Unit OH-2, extends from the eastern boundary line of Headland Dunes Nature Preserve to the western boundary of the Nature Preserve and Headland Dunes State Park, Lake County, encompassing approximately 0.5 mile.

**Big and Little Darby Creeks (National Wild and Scenic River System):** Big Darby Creek from Champaign-Union County line downstream to the Conrail railroad trestle and from the confluence with the Little Darby Creek downstream to the Scioto River. Little Darby Creek from the Lafayette-Plain City Road Bridge downstream to within 0.8 mile from the confluence with Big Darby Creek. Total designation is approximately 82 miles.

**Little Beaver Creek (National Wild and Scenic River System):** Little Beaver Creek main stem, from the confluence of West Fork with Middle Fork near Williamsport to mouth; North Fork from confluence of Brush Run and North Fork to confluence of North Fork with main stem at Fredericktown; Middle Fork from vicinity of Co. Rd. 901 (Elkton Road) bridge crossing to confluence of Middle Fork with West Fork near Williamsport; West Form from vicinity of Co. Rd. 914 (Y-Camp Road) bridge crossing east to confluence of West Fork with Middle Fork near Williamsport. Total designation is 33

miles

**Little Miami River:** (Scenic component of the National System from Clifton to Foster) The portion from Foster to the Ohio River was designated a Recreational component of the National System. Total designation is 92 miles.

6. Notification is required for all activities in state Wild and Scenic Rivers (see list below). The following are **State Wild and Scenic Rivers**:

**Little Miami River** - Clermont County line at Loveland to headwaters, including North Fork, Clermont County line at Loveland to confluence with East Fork and from the confluence with East Fork to Ohio River. Miles designated (approximate): 105

**Sandusky River** - US Rt. 30 in Upper Sandusky to Roger Young Memorial Park in Fremont. Miles designated (approximate): 65

**Olentangy River** - Delaware Dam to Old Wilson Road in Worthington. Miles designated (approximate): 22

**Little Beaver Creek** - Wild segments - West Fork from 1/4 mile downstream from Twp. Rd. 914 to confluence with Middle Fork. North Fork from Twp. Rd. 952 to confluence with Little Beaver Creek. Little Beaver Creek from confluence of West and Middle Forks downstream to 3/4 mile north of Grimm's Bridge. Scenic segments - North Fork from Ohio-Pennsylvania line downstream to Jackman Road. Middle Fork from Elkton Rd. (Twp. Rd. 901) downstream to confluence with West Fork. Little Beaver Creek from 3/4 mile north of Grimm's Bridge downstream to the Ohio-Pennsylvania line. Miles designated (approximate): Wild 20, Scenic 16

**Grand River** - Wild segment - from Harpersfield covered bridge downstream to Norfolk and Western Railroad trestle south of Painesville. Scenic segment - from St. Rt. 322 bridge in Ashtabula County downstream to Harpersfield covered bridge. Miles designated (approximate): Scenic 33, Wild 23

**Upper Cuyagoga River** - Troy-Burton Township line in Geauga County to US Rt. 14. Miles designated (approximate): 25

**Maumee River** - Scenic segment - Ohio-Indiana line to St. Rt. 24 bridge west of Defiance. Recreational segment - St. Rt. 24 bridge west of Defiance to US Rt. 25 bridge near Perrysburg. Miles designated (approximate): Scenic 43, Recreational 53

**Stillwater River System** - Recreational segment - Englewood dam to confluence with Great Miami River. Scenic segments - Stillwater River from Riffle Road bridge in Darke Co. to Englewood dam. Greenville Creek from the Ohio-Indiana state line to the confluence with the Stillwater. Miles designated (approximate): Scenic 83, Recreational

10

**Chagrin River** - Aurora Branch from St. Rt. 82 bridge downstream to confluence with Chagrin. Chagrin River from confluence with Aurora Branch downstream to St. Rt. 6 bridge. East Branch from Heath Road bridge downstream to confluence with Chagrin. Miles designated (approximate): 49

**Big and Little Darby Creeks** - Big Darby Creek from the Champaign-Union County line downstream to the U.S. Rt. 40 Bridge, from the northern boundary of Battelle-Darby Creek Metro Park to the confluence with the Little Darby Creek downstream to the Scioto River. Little Darby Creek from the Lafayette-Plain City Road Bridge downstream to the confluence with Big Darby Creek. Miles designated (approximate): 84

**Kokosing River** - Knox/Morrow County line to confluence with Mohican River. North Branch of Kokosing from confluence with East Branch downstream to confluence with main stem. Miles designated (approximate): 48

## OHIO STATE CERTIFICATION GENERAL LIMITATIONS AND CONDITIONS (WATER QUALITY CERTIFICATION)

### 1. Streams

- a) Temporary or permanent impacts to intermittent and perennial streams for any single and complete project are limited to a maximum of two hundred (200) linear feet [except for NWP 3, 12, 21, 27, and 41];
- b) Temporary or permanent impacts to ephemeral streams for any single and complete project are limited to a maximum of three hundred (300) linear feet [except for NWP 3, 12, 21, 27, and 41];
- c) Temporary or permanent impacts to Exceptional Warmwater Habitat (EWH), Cold Water Habitat (CWH), Seasonal Salmonid (SS), or any equivalent designation, or with an antidegradation category of State Resource Water, Superior High Quality Water (except as it applies to Lake Erie), Outstanding National Resource Waters, or Outstanding High Quality Waters are prohibited [except for NWP 3 and maintenance activities covered under NWP 7, 12, and 33];
- d) Temporary or permanent impacts to the designated portions of national or state scenic rivers are prohibited [except for NWP 3 and maintenance activities under NWP 12];
- e) Stream reconstruction activities shall adhere to natural channel design techniques;
- f) Off-site stream or buffer improvements and/or mitigative measures required by the Corps;



i. In order of priority, these measures shall focus on 1) the stream segment being impacted, 2) upstream segments and tributaries, 3) the receiving stream. The measures should, to the extent practicable, consider the causes and sources of impairment of the stream where the measures would be undertaken if the stream is listed as impaired in the most recent final report submitted to the United States environmental protection agency by the director of Ohio EPA to fulfill the requirements of Section 303(d) of the Clean Water Act. The current list of impaired streams, as of the date of this certification, can be found on the Ohio EPA web site at (Tables 1 through 6):

<http://www.epa.state.oh.us/dsw/tmdl/303dnotc.html>

ii. If the applicant cannot find appropriate mitigation on streams listed in section a) above, mitigation shall be in the Ohio EPA 8-digit watershed.

g) On-site stream or buffer improvements and/or mitigative measures required by the Corps:

- i. Vegetative buffers on both stream banks an appropriate length; and
- ii. A minimum width of 25 feet for preservation of existing vegetative buffers; or
- iii. A minimum width of 50 feet for re-vegetating buffers cleared during construction.

h) Compensatory mitigation for linear projects (e.g., highways) in streams may be mitigated for by the following, in descending order of practicability:

- i. Stream impacts associated with a linear project may be mitigated on-site, defined as within one mile of the linear project, in each Ohio EPA 8-digit watershed as shown in OAC 3745-1-54(F)(2); or
- ii. Stream impacts associated with a linear project may be mitigated at a single stream mitigation location or stream mitigation bank (if and when such a bank is established), acceptable to the director, within each Ohio EPA 8-digit watershed in which the impacts occur; or
- iii. If no stream mitigation bank, acceptable to the director, is located within the Ohio EPA 8-digit watershed in which the impact occurs, then mitigation may occur in another Ohio EPA 8-digit watershed impacted by the linear project; at a single stream mitigation location, or a stream mitigation bank acceptable to the director; or
- iv. In no stream mitigation bank exists within any of the watersheds connected with the linear project, then mitigation should occur within the watershed in which the largest impacts (in terms of area) occur.

## 2. Wetlands

- a) Temporary or permanent impacts to Category 3 wetlands are prohibited.
- b) Temporary or permanent impacts to Category 1 and 2 wetlands for any single and

complete project are limited to a maximum total of ½ acre [except for NWP 21 & 27].

c) Wetland mitigation shall adhere to the requirements set forth in Ohio EPA's Wetland Water Quality Standards (OAC 3745-1-50 through 54). [In the event that suitable mitigation cannot be located on-site (within one mile) or within the watershed, mitigation may be located outside of the watershed if there are significant ecological reasons to do so].

## 3. General

a) Impacts shall be measured linearly from upstream to downstream, including the length of stream impoundments, when calculating the total length of stream impacts [except for NWP 12, for which impacts shall be measured bank-to-bank].

b) NWPs cannot be combined to increase any of the aforementioned limitations.

c) Authorization under this Certification does not relieve the permittee from the responsibility of obtaining any other federal, state or local permits, approvals or authorizations required by law including without limitation, National Pollutant Discharge Elimination System (NPDES) permits or Permits to install (PTIs).

d) In order to control pollution of public waters by soil sediment from accelerated stream channel erosion and flood plain erosion caused by accelerated stormwater runoff from development areas, permittees shall comply with Ohio Administrative Code 1501:15-1-05 Stream Channel and Floodplain Erosion, or successor rule, as applicable to the project pursuant to OAC 1501:15-1-02.

e) OAC 1501:15-1-05 states that the peak rates of runoff from an area after development may be no greater than the peak rates of runoff from the same area before development for all twenty-four-hour storms from one to one-hundred-year frequency.

f) Locally required post development stormwater ponds shall incorporate specific design features for water quality such as those listed in Chapter One of the Ohio Department of Natural Resource's *Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection, 2<sup>nd</sup> Ed. Mecklenburg, Dan. Ohio Department of Natural Resources, Division of Soil and Water Conservation, 1996* (or successor document), to the extent allowed by local stormwater requirements. These features include: infiltration trenches, extended detention, wet pools, forebays, aquatic benches and wetlands, optimum flow length, reverse flow pipe, optimum pool depth, shading and buffer plants, and runoff reuse.

g) The Best Management Practices (BMPs) listed below shall be utilized with all NWPs when applicable.

- i. The filling of, and discharge of dredged material into, Category 3 wetlands is prohibited under this permit;

- ii. Only suitable material, free of toxic contaminants in other than trace quantities, shall be used as fill material;
  - iii. The use of asphalt and rubber tires as fill is prohibited under this permit;
  - iv. All hydric topsoil removed from a trench shall be separated and saved for later placement as the topmost backfill layer when the trench is refilled;
  - v. The stockpiling of side-cast dredged material in wetlands in excess of three (3) months is prohibited;
  - vi. The applicant will comply with all requirements for final stabilization of the site contained in applicable NPDES construction stormwater permits for the site;
  - vii. Vegetated buffer strips extending to the top of both stream banks and beyond as stipulated by the Corps or Ohio EPA, using native tree and shrub species with rapid growth characteristics, shall be planted as soon as practicable after impacting stream channel slopes;
  - viii. Impacts to surface water buffer vegetation shall be minimized to the maximum extent practicable;
- ix. Excavating equipment shall not be placed below the Ordinary High Water Mark (OHWM) of any surface water, except when no other alternative is practicable. When no other alternative is practicable to placing excavating equipment below the OHWM, entry to surface waters shall be through a single point of access per stream bank whenever practicable to minimize disturbance to buffer vegetation;
- x. In-stream activities shall not result in the permanent destabilization of the stream banks or stream bed so that aquatic habitat from turbidity, erosion or scouring is minimized;
- xi. In-stream work shall be conducted during low-flow conditions whenever practicable in order to minimize adverse impacts to water quality away from the project site, except in cases of emergency situations which threaten life or property;
- xii. All dredged material placed at an upland site shall be controlled so that sediment runoff to remaining streams and wetlands is minimized to the maximum extent practicable; and
- xiii. Disturbed areas shall be controlled so that sediment runoff to remaining streams and wetlands is minimized to the maximum extent practicable.

#### **INFORMATION ON NATIONWIDE PERMIT VERIFICATION**

Verification of the applicability of this Nationwide permit is valid for two years from the date of affirmation unless the Nationwide permit is modified, suspended or revoked. This verification will remain valid for two years if during this two year period the Nationwide permit is reissued without modification or your activity complies with any subsequent permit modification. Please note that if you commence or are under contract to commence this activity in reliance of your permit prior to the date this Nationwide permit is suspended or revoked, or is modified such that your activity no longer complies with the terms and conditions, you have

twelve months from the date of permit modification, expiration, or revocation to complete the activity under the present terms and conditions of this permit, unless this permit has been subject to the provisions of discretionary authority.

It is your responsibility to remain informed of changes to the Nationwide Permit program. A public notice announcing any changes will be issued when they occur. Finally, note that if your activity is not undertaken within the two year period or the project specifications have changed, you must immediately notify this office to determine the need for further approval or reverification.

Possession of this permit does not obviate you of the need to contact all appropriate state and/or local government officials to insure that the project complies with their requirements.