

ENVIRONMENTAL PROTECTION DIVISION
PUBLIC NOTICE
WATERSHED PROTECTION BRANCH

January 30, 2026
Notice Issue Date

Statewide
City / County

March 13, 2026
Notice Close Date

SAS-2025-00634
Control Number

Sec. 401 Water Quality Certification

Regional General Permit 101 – US Army Corps of Engineers Sec. 404 Permit Application

This notice has been reposted and distributed through email. The public comment deadline has been extended to March 13, 2026.

This notice is issued to inform the public that a request has been received for water quality certification (WQC) in accordance with Section 401 of the Clean Water Act. The public is invited to comment during this 30-day period on the proposed activity. Information pertaining to the project is attached to this notice. Since the request is specific to 401 WQC, only comments pertaining to water quality are considered under the certification review process. Comments may be submitted via e-mail to: EPD.WQC@dnr.ga.gov. Comments may also be provided in writing to: Program Manager, Wetlands Unit, 2 Martin Luther King, Jr. Dr. SE, Suite 1052 East, Atlanta, GA 30334. Include the words “Water Quality Certification Comment” and the Control Number above in the e-mail subject line or on the top of the first page of written comments to ensure that your comments will be forwarded to the appropriate staff. For additional information, contact Dewey Richardson at dewey.richardson@dnr.ga.gov.

Type of Permit Application: 401 Water Quality Certification

Applicable Law: Federal Clean Water Act, 33 U.S.C. § 1341

Applicable Rules: 40 CFR part 121

Description and Location of Proposed Activity:

The U.S. Army Corps of Engineers, Savannah District, is seeking a Section 401 Water Quality Certification for the issuance of Regional General Permit (RGP) 101, authorizing discharges of dredged or fill material into waters of the U.S, including wetlands, and/or work or structures in navigable waters of the U.S. for necessary repair and protection measures associated with an emergency in the State of Georgia. An “emergency” is defined as “a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.” 33 C.F.R. § 325.2(e)(4). This may include emergencies due to a natural disaster (e.g. flood, hurricane, earthquake, etc.) or a catastrophic (sudden and complete) failure of a facility due to an external cause (e.g. wrecks, explosions, ruptures, spills of hazardous or other materials, etc.). The applicability of this RGP will be determined under the sole discretion of the Savannah District Office. The Corps anticipates utilization of RGP 101 to address future requests for minor emergency response and protection activities within the authorized geographic area. This RGP improves efficiencies for the review and verification of minor activities, thus improving service to the regulated public.

Name and Address of Permit Applicant: Colonel Ron Sturgeon, Commander
U.S. Army Corps of Engineers
Savannah District
100 W. Oglethorpe Avenue
Savannah, Georgia 31401-3604



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, SAVANNAH DISTRICT
100 WEST OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401

January 29, 2026

Regulatory Division

Mr. Dewey Richardson
Wetlands Unit
Georgia Dept. of Natural Resources
Environmental Protection Division
Watershed Protection Branch
2 Martin Luther King, Jr. Drive SE
Suite 1456, East Tower
Atlanta, Georgia 30334

Reference: Regional General Permit 101
401 Water Quality Certification
(Request for Certification)

Dear Mr. Richardson:

The U.S. Army Corps of Engineers (Corps) is preparing to issue Regional General Permit 101 (RGP 101) for discharges of dredged or fill material into waters of the U.S., including wetlands, for necessary repair and protection measures associated with an emergency. The attached information pertaining to the proposed RGP 101 was advertised on Public Notice (PN) on December 9, 2025, with the public comment period closing on January 9, 2026.

Under Section 401 of the Clean Water Act (CWA), an activity which may result in a discharge into waters of the U.S. that is authorized by a Federal permit must receive a CWA Section 401 Water Quality Certification (WQC), or waiver, from the appropriate certifying authority. This process allows the certifying authority an opportunity to ensure that any discharge will comply with applicable water quality requirements.

In accordance with 40 CFR 121.5, this letter and its attachments serve as the request for certification. As required in 40 CFR 121.5(a)(2) the PN included readily available water quality-related materials that informed the development of RGP 101.

Information required in a certification request to the certifying authority, as defined at 40 CFR 121.5(d), is included in the PN, except for 40 CFR 121.5(b)(7), documentation that a pre-filing meeting request was submitted. Early coordination, beginning in August of 2025, was conducted with your office to assist with development of the proposed RGP 101 as it pertains to Section 401 of the CWA. The attached email, dated December 12, 2025, confirms that the Section 401 WQC pre-filing meeting requirement for the undertaking was waived.

The date of this letter serves as the date on which the Reasonable Period of Time (RPOt) begins. The RPOt for certifying authorities to act on the proposed RGP 101 is six months, in accordance with 40 CFR 121.6. This provides a consistent RPOt for all certifying authorities. The RPOt will end on July 29, 2026. Certifying authorities can act on the certification request for the proposed RGP 101 in less time if they choose to do so.

The proposed categories of activities to be authorized by RGP 101 for which certification is requested are described in the text of the PN. The activities to be authorized may result in discharges into waters of the U.S., and therefore, Section 401 WQC is required for those activities. In the opinion of the Corps, the environmental consequences of the actions to be authorized would be individually and cumulatively minimal. However, the final decision of whether certification is needed for any of these undertakings rests with the certifying authority.

Thank you for your attention regarding this matter. The Corps looks forward to working with Georgia Department of Natural Resources, Environmental Protection Division throughout the water quality certification process for the proposed RGP 101. If you have any questions regarding this request, please feel free to contact me by telephone at (912) 652-5349 or by email at: keary.b.moore@usace.army.mil.

Sincerely,

Keary Brian Moore Digitally signed by Keary Brian Moore
Date: 2026.01.29 14:17:44 -05'00'

K. Brian Moore
Team Lead, Management Branch

Enclosures

1. RGP 101 Water Quality Certification pre-filing meeting waiver
2. Savannah District Public Notice for Proposed Issuance of Regional General Permit 101 For Emergency Activities



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Proposed Issuance of
Regional General Permit 101
SAS-2025-00634

Published: December 9, 2025
Expires: January 9, 2026

**Savannah District
Proposed Issuance of Regional General Permit (RGP) 101
For Emergency Activities**

TO WHOM IT MAY CONCERN: To simplify and expedite processing of Department of the Army permits for minor, substantially similar activities during an emergency, the Savannah District, U.S. Army Corps of Engineers (Corps), proposes to issue RGP 101 for discharges of dredged or fill material into waters of the U.S, including wetlands, and/or work or structures in navigable waters of the U.S. for necessary repair and protection measures associated with an emergency. These include natural and environmental disasters which are further described below.

Title 33, Code of Federal Regulations (CFR), Paragraph 325, authorizes issuance of general (regional) permits for activities, which are substantially similar in nature and cause minimal individual and cumulative environmental impacts.

Minor activities that may be authorized under RGP 101 include the following, pursuant to Section 10 of the Rivers and Harbors Act (33 U.S.C. § 403)/Section 404 of the Clean Water Act (33 U.S.C. § 1344):

Category 1 - Temporary Emergency Repairs and Activities

- Repair, Construction, or Re-Construction of Linear Transportation Features
- Protection, Repair, and/or Replacement of Utility Structures
- Debris, Sediment, or Vegetation Removal, or Dredging
- Temporary Levee Construction
- Temporary Placement of Suitable Material for Bank Stabilization or Revetment Repair
- Construction of Temporary Drainage Ditches
- Temporary Structures or Fills for Reinforcement, Flood Control Barriers, Staging, Access, Dewatering, and/or Retention of Water

Category 2- Permanent Emergency Work and Activities

- Channel Restoration and Repair
- Maintenance Dredging
- New Bank Stabilization or Revetment Repair
- Levee and Dam Repair, including Breach Closures
- Repair, Replacement, or Rehabilitation of Previously Authorized Structures or Fills
- Restoration and Cleanup of Mud/Rockslides

Activities would occur within waters of the U.S., including navigable waters of the United States within the regulatory jurisdiction of the Savannah District, in the State of Georgia.

BACKGROUND:

An “emergency”, as defined in 33 CFR 325.2(e)(4), is “a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.”

This may include emergencies due to a natural disaster (e.g., flood, hurricane, etc.) or a catastrophic (sudden and complete) failure of a facility due to an external cause (e.g., wrecks, explosions, ruptures, spills of hazardous or other materials, etc.).

The Corps anticipates utilization of RGP 101 to address future requests for minor emergency response and protection activities within the authorized geographic area. This RGP improves efficiencies for the review and verification of minor activities, thus improving service to the regulated public. This RGP will be coordinated with federal and state resource agencies to address federal laws such as the National Historic Preservation Act (NHPA) and Section 7 of the Endangered Species Act (ESA).

The term “General Permit” means a Department of the Army authorization that is issued on a nationwide or regional (District) basis for a category of activities when those activities are substantially similar in nature and cause only minimal individual and cumulative impacts. General permits reduce the burden of the regulatory program on the public and ensure timely issuance of permits while effectively administering the laws and regulations which establish and govern the program. General permits are reviewed every five years. After five years, general permits may be reissued, suspended, or revoked.

An assessment of the cumulative impacts of work authorized under a general permit is performed prior to authorization. In most instances, projects which comply with the conditions of a general permit can receive project specific authorization. Projects that do not comply with the conditions of a general permit may still receive authorization via

an individual permit, but the application must be individually evaluated and coordinated with third parties, including the federal and state resource agencies. Review of an application for an individual permit takes additional time to complete as conflict resolution may be required.

AVOIDANCE AND MINIMIZATION:

Regional General Permit 101 would authorize activities that are considered minor. The proposed terms and conditions of RGP 101 require activities proposed for authorization to be minimal in nature and avoid aquatic resources to the maximum extent practicable.

COMPENSATORY MITIGATION:

Mitigation in all forms (avoiding, minimizing, or compensating for resource losses) may be required to the extent necessary to ensure that the individual and cumulative adverse environmental impacts are no more than minimal.

CULTURAL RESOURCES:

The Corps is not making an effect determination to historic properties for this permit instrument. Instead, each activity proposed for authorization under the RGP 101 will be evaluated for compliance with Section 106 of the NHPA and the guidelines of 33 C.F.R. Part 325, Appendix C.

For each activity proposed for authorization under RGP 101, the Corps will conduct an individual evaluation of the activity's potential effects to historic properties and Tribal resources, in accordance with Section 106 of the NHPA and Tribal Trust responsibilities.

No activity shall be authorized under this RGP which is likely to adversely affect historic properties listed on, or eligible for listing on the National Register of Historic Places.

If the proposed activity requires consultation under the NHPA, the proposed activity cannot be authorized under this RGP until consultation with the State Historic Preservation Office and other appropriate consulting parties is initiated and concludes with a determination that the activity has little likelihood to affect a cultural or historic property.

ENDANGERED SPECIES:

For each activity proposed for authorization under RGP 101, the Corps will conduct the necessary review and coordination required pursuant to Section 7 of the ESA. However, the process will be abbreviated. The Corps will request initiation of consultation with the National Marine Fisheries Service - Protected Resources Division and/or the U.S. Fish and Wildlife Service via email.

For each activity proposed for authorization under RGP 101, the Corps will confirm whether the activity meets the requirements of the Magnuson-Stevens Fishery Conservation and Management Act of 1996. Activities determined to have a potential

substantial adverse impact on Essential Fish Habitat or federally managed fisheries in the Atlantic Ocean may not be verified under this RGP until appropriate consultation with the National Marine Fisheries Service is complete.

WATER QUALITY CERTIFICATION:

This notification requests that the Georgia Department of Natural Resources, Environmental Protection Division, certify RGP 101 at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act. This certification is required for a federal permit to conduct an activity in, on, or adjacent to the waters of the State of Georgia. A draft of RGP 101 is enclosed with this Public Notice and there are currently no additional supporting documents. Any person who desires to comment, object, or request a public hearing relative to the State Water Quality Certification must do so within 30 days of the date of this notice and state the reasons or basis of objections or request for a hearing. Comments, objections, or requests for a public hearing should be sent to the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 7 Martin Luther King Jr. Drive, Suite 450, Atlanta, Georgia 30334.

COASTAL ZONE MANAGEMENT CONSISTENCY:

Prior to the Corps making a final decision on the issuance of RGP 101, the permit must be certified by the Georgia Department of Natural Resources, Coastal Resources Division, to be consistent with applicable provisions of the State of Georgia Coastal Management Program (15 C.F.R. § 930). This notification requests that the Georgia Department of Natural Resources, Coastal Resources Division, provide a statement of Coastal Zone Management consistency for RGP 101 at the end of 30 days. Anyone wishing to comment on the Georgia Coastal Management Program certification for RGP 101 should submit comments in writing within 30 days of the date of this notice to the Federal Consistency Coordinator, Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600.

SECTION 408:

For activities within the setback of a federal channel or that may affect a federal project, the Corps will perform all necessary coordination as required under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) prior to authorization.

EVALUATION:

The decision whether to authorize a project under RGP 101 will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity(ies) on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, aquatic resources, cultural or historical properties, fish and wildlife values, flood hazards, floodplain values, land use,

navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

COMMENTS:

The Corps is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties to consider and evaluate the potential impacts associated with the proposed issuance of RGP 101. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or abandon this proposal. To make this determination, comments are used to assess impacts to endangered species, cultural or historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed action.

The Savannah District will receive written comments on the issuance of RGP 101, as outlined above, until January 9, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Brian Moore at keary.b.moore@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Brian Moore, 100 W Oglethorpe Avenue, Savannah, Georgia 31401. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the proposed issuance of RGP 101. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

ENCLOSURE:

Draft Regional General Permit 101



**U.S. ARMY CORPS OF ENGINEERS
STATEWIDE NATURAL DISASTER RESPONSE AND
EMERGENCY-RELATED ACTIVITIES IN THE SAVANNAH
DISTRICT**

Effective Date: **DATE**

Expiration Date: **DATE**

PERMITTEE: General Public (including federal, state, or local agencies)

PERMIT NO.: RGP 101

ISSUING OFFICE: U.S. Army Corps of Engineers, Savannah District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate U.S. Army Corps of Engineers Savannah District office having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer. The term "wetlands," as used in this permit, refers to jurisdictional wetlands, a category of waters of the United States.

You are authorized to perform work in accordance with the terms and conditions specified below.

I. LOCATION: This permit is applicable in the State of Georgia.

II. AUTHORITY AND SCOPE OF WORK: This Regional General Permit (RGP) is issued upon the recommendation of the Chief of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and Section 404 of the Clean Water Act (CWA) (33 U.S.C. § 1344). This RGP contains provisions intended to protect the environment, endangered species, and historic properties, and to ensure activities authorized by this RGP will cause no more than minimal individual and cumulative environmental impacts. The included General Conditions must be met for work to be accomplished under this RGP, and the terms and conditions contained within this permit apply to this RGP only. Work that does not comply with these provisions is not authorized by this RGP and may require Department of the Army (DA) authorization by other available permit types.

This RGP authorizes discharges of dredged or fill material into waters of the United States (WOTUS), including wetlands, and/or work or structures in Navigable WOTUS for necessary repair and protection measures associated with an emergency.

EMERGENCY: An "emergency" is defined as "a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures." 33 C.F.R. § 325.2(e)(4).

This may include emergencies due to a natural disaster (e.g. flood, hurricane, earthquake, etc.) or a catastrophic (sudden and complete) failure of a facility due to an external cause (e.g. wrecks, explosions, ruptures, spills of hazardous or other materials, etc.). The applicability of this RGP will be determined under the sole discretion of this office.

III. AUTHORIZED ACTIVITIES:

CATEGORY 1 ACTIVITIES - Temporary Emergency Repairs and Activities: Temporary work, temporary structures, and/or the temporary discharge of dredged or fill material associated with emergency conditions and restricted to those activities necessary to prevent the loss of life, significant property loss, and significant economic hardship during the emergency. These activities will occur to restore, repair, and/or stabilize features that have been damaged, destroyed, or are in imminent danger of failing. The activity shall be the minimum necessary to alleviate the immediate emergency, unless this office determines that additional work would result in no more than minimal effects to WOTUS and is necessary to reduce the potential for future failure or loss of the structure or site.

Work and discharges authorized under Category 1 are considered temporary. After the immediate emergency has been addressed and/or the emergency has ended, you must either restore the site to its pre-construction conditions by removing all structures and/or material placed, or you must receive authorization to permanently maintain the work, or portions of work authorized under this category. Authorization to permanently maintain the work, or portions of work initially authorized under Category 1 may be requested under an applicable Category 2 activity, through other general permits, or a standard permit. Permit verification applications to maintain work initially authorized under this category will be processed in accordance with all applicable regulations, including but not limited to the regulations implementing Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the CWA (33 C.F.R. Part 325), Section 401 of the CWA (40 C.F.R. § 121.2), Coastal Zone Management Act (15 C.F.R. Part 930), Section 7 of the Endangered Species Act (ESA) (50 C.F.R. Part 402), Section 106 of the National Historic Preservation Act (NHPA) (33 C.F.R. Part 325, Appendix C.14 and/or 36 C.F.R. § 800.12(b)(2)), and the Magnuson Stevens Act (50 C.F.R. Part 600).

All temporary discharges authorized under Category 1 shall be removed and restored to pre-construction conditions within 60 days of completing the work.

Activities in Category 1 may include, but are not limited to:

1.a. Repair, Construction, or Re-Construction of Linear Transportation Features: These activities will occur because temporary access is needed to perform other actions listed below or to restore vehicle passage or access to homes, businesses, etc., until the emergency has passed or until a more permanent solution can be designed. Activities include, but are not limited to, temporary culverts or fills associated with bridge replacements or repairs; temporary restoration of road prism at the original site or in a new temporary location; temporary placement of rock or other structures to protect transportation features; and construction of temporary roads and temporary fill required to facilitate the completion of emergency activities.

1.b. Protection, Repair, and/or Replacement of Utility Structures: This activity will occur to protect or re-establish utilities such as electricity, water, sewer, natural gas, or other transmission lines. Temporary utilities may be needed until more permanent solutions can be constructed. These activities can involve excavation and trenching, backfilling, armoring with rock or other

suitable material, placement of utility poles and aerial transmission lines. This activity can also include dredging and/or the temporary deposition of material for emergency pipeline anomaly repairs and temporary access routes.

1.c. Debris, Sediment, or Vegetation Removal or Dredging: This activity includes the removal of accumulated debris, sediment, or vegetation from the immediate area around features or structures where it is threatening the stability of the feature or structure. It also includes the excavation and removal of accumulated sediment, debris or vegetation from existing channels, ditches, inlets, pipes, trash racks, and other structures to restore flow or remove blockages during flooding. The accumulated debris, sediment, or vegetation must have been deposited as a result of the event creating the emergency. Removal activities are limited to restoring flow conveyance and/or channel geometry to pre-event dimensions. Dredging to establish depths or width greater than that which existed prior to the blockage is not authorized under this category. Additionally, the removal of other debris such as, but not limited to, derelict vessels, residential structures and associated debris, or vehicles displaced by flooding, hurricanes, or similar natural disasters is authorized by this RGP. Note: Some derelict vessels may be historic in nature and require coordination with the State Historic Preservation Officer (SHPO) prior to removal or demolition.

1.d. Temporary Levee Construction: This activity will occur to protect homes, businesses, and public infrastructure during and following an emergency event. Temporary levees must be removed, and the land restored as close to pre-emergency conditions once the emergency has passed. Levees will be constructed of suitable materials and sloped and/or armored with rock or other stabilizing material to prevent erosion and failure until the material is removed and the site restored, to include revegetation of the area. The need for these activities must be the result of conditions arising during an emergency event.

1.e. Temporary Placement of Suitable Material for Bank Stabilization or Revetment Repair: This activity will occur to stop erosion and to protect private property and public infrastructure during and following an emergency event. Large rock or other suitable clean fill material may be temporarily placed in the amount needed to stop erosion and to protect property or public infrastructure in or along rivers, streams, and tidal waters until permanent repairs can occur. The need for these activities must be the result of conditions arising during an emergency event.

1.f. Construction of Temporary Drainage Ditches: This activity allows for the temporary discharge of dredged or fill material associated with the construction of temporary drainage ditches needed to aid in the removal of flood waters from private property or public infrastructure during and following an emergency event. The need for these activities must be the result of conditions arising during an emergency event.

1.g. Temporary Structures or Fills for Reinforcement, Flood Control Barriers, Staging, Access, Dewatering, and/or Retention of Water: This activity allows for the installation and use of devices such as sandbags, water gates, water barrier socks, water inflated devices, concrete blocks/barriers, water bladders, timber mats, piling, sheet pile, and/or the discharge of dredged or fill material for the purpose of: temporarily reinforcing structures and preventing flooding impacts; use as cofferdams to temporarily dewater a work site; construction of temporary sedimentation basins; construction of temporary access roads; etc. The need for these activities must be the result of conditions arising during an emergency event.

- (1) The temporary devices and fills must be removed once the emergency has passed. All temporary fill material removed must be deposited in a contained upland location such that it cannot reenter WOTUS, including wetlands.
- (2) All temporary material placed in the waterway to raise water levels or retain water in a defined area will be removed when stream flows return to a non-emergency level and prior to anticipated high flows that could wash low-flow consolidation measures away or cause flow to go around them.

CATEGORY 2 ACTIVITIES - Permanent Emergency Work and Activities. Any work authorized by this RGP must be the minimum necessary to remediate damages caused by an emergency. Minor upgrades to existing structures or fills may be authorized if resulting from necessary changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards on a case-by-case basis. This RGP may not be used to upgrade an existing structure to current standards when that activity would result in more than minimal adverse effects to aquatic resources.

All Category 2 activities require the submittal of a Pre-Construction Notification (PCN). See Section V.B for PCN instructions.

Activities in Category 2 may include, but are not limited to:

2.a. Channel Restoration and Repair: The restoration of stream bed and banks and canals damaged during an emergency event. Channel restoration activities may include re-establishment of the stream and/or canal banks, restoration of stream meanders, and the restoration of riparian areas or floodplain benches. All channel restoration activities must restore the area to pre-event conditions and must meet the following three criteria unless waived by the District Engineer (DE):

- (1) The restored area must not extend waterward of the ordinary highwater mark, mean high water, high tide line, or previous contours that existed prior to the damage (i.e., the restoration must not narrow the width of the waterbody as it existed prior to the damage).
- (2) The slope of the restored area below the ordinary highwater mark must not exceed the slope that existed prior to the damage (i.e., banks may be laid back to reduce the slope but cannot be steeper than what existed prior to the damage).
- (3) The bottom elevation of the restored area must not deviate from the bottom elevation that existed prior to the damage (i.e., the restored area must not result in an increase or decrease in the depth of the waterbody that existed prior to the damage).

2.b. Maintenance Dredging: The emergency removal of sand, gravel or other similar materials deposited during natural disasters or unexpected high flows, where such blockages close or constrict previously existing inlets, waterways, or drainageways or restrict access to a structure. Dredging will be performed by either mechanical or hydraulic methods, provided the activity meets all of the following criteria:

- (1) The total amount of dredged material would not exceed 5,000 cubic yards, unless expressly waived, in writing, by the DE.
- (2) The total surface area to be dredged would not exceed 0.5-acre (21,780 square feet) unless expressly waived, in writing, by the DE.
- (3) Removal does not include enlarging or extending the dimensions of, or changing the bottom elevations of, the affected waterway as it existed prior to the formation of the blockage.

- (4) No dredging of wetlands or vegetated shallows/submerged aquatic vegetation is authorized.
- (5) The discharge or redeposit of dredged material is authorized under this RGP provided you demonstrate to the satisfaction of this office that:
 - i. The discharge of dredged material associated with the method of dredging is unavoidable.
 - ii. Woody debris, rock, gravel, sand, or sediment remaining in place would be of environmental benefit to the system.
 - iii. The discharge of dredged material associated with the method of dredging would be minimized to the maximum extent practicable.

2.c. New Bank Stabilization or Revetment Repair: This activity will occur to stop erosion and to protect private property and public infrastructure along river or stream banks and shorelines of other water bodies. Bank stabilization activities necessary for erosion control or prevention, such as vegetative stabilization, bioengineering, sills, rip rap, revetment, or combinations of bank stabilization techniques may be acceptable, provided the activity meets all the following criteria:

- (1) No material is placed in excess of the minimum needed for erosion protection.
- (2) The activity is no more than 2,000-feet in length* along the bank, unless the DE waives this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects.
- (3) The activity will not exceed an average of one cubic yard per running foot, as measured along the length of the treated bank, below the plane of the ordinary highwater mark, unless the DE waives this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects.
- (4) The activity does not involve discharges of dredged or fill material into special aquatic sites (i.e., wetlands or riffle and pool complexes), unless the DE waives this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects.
- (5) No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored native trees and treetops may be used in low energy areas).
- (6) Bio-engineering materials, such as vegetation, are encouraged whenever possible for bank stabilization activities. Native plants appropriate for current site conditions must be used for bioengineering or vegetative bank stabilization.
- (7) The activity is not a stream channelization activity.

* For streambank stabilization activities, linear footage calculations include the sum length of the stabilization activity along each bank, not the length of the stream segment. Example: If both stream banks along a stream segment are filled for bank stabilization (and the stream bed will not be completely filled), calculate the length of fill along each stream bank and add them together.

2.d. Levee and Dam Repair, including Breach Closures: This activity involves repairs to stop scour to prevent erosion and potential failure of an existing levee or dam and allow the closing of breaches. Impacts to the levee prism, including the discharge or placement of rock or other material in WOTUS must be approved by this office.

2.e. Repair, Replacement, or Rehabilitation of Previously Authorized Structures or Fills: Minor deviations in the structure or fill area, including upgrades to previously authorized structures or fills may be authorized due to changes in materials, construction techniques, requirements of other

regulatory agencies, or current construction codes or safety standards. The need for these activities must be the result of conditions arising during an emergency event.

2.f. Restoration and Cleanup of Mud/Rockslides: Restoration of sites damaged by mud/rockslides caused by a discrete catastrophic event. Sites must be constructed to pre-disturbance elevations and revegetated as appropriate.

IV. LIMITS: For each single and complete project authorized under Category 1 activities, as defined in Section III, temporary impacts to WOTUS shall not exceed 2 acres of wetland and/or 2,000 linear feet of intermittent and/or perennial stream*. All discharges authorized under Category 1 shall be removed and the area restored to pre-construction conditions within 60 days of receiving notification to proceed from this office, unless this office waives this criterion.

For each single and complete project authorized under Category 2 activities, as defined in Section III, the adverse effects to WOTUS shall not exceed 1 acre of wetland and/or 1,000 linear feet of intermittent and/or perennial stream*.

* For streambank stabilization activities, linear footage calculations include the sum length of the stabilization activity along each bank, not the length of the stream segment. Example: If both stream banks along a stream segment are filled for bank stabilization (and the stream bed will not be completely filled), calculate the length of fill along each stream bank and add them together.

V. NOTIFICATION AND APPROVAL PROCEDURES

A. Initial Notification: All parties proposing work under RGP 101 must contact the appropriate Savannah District Regulatory office (See Appendix B for Field Office/Branch contact information and Areas of Responsibility) to determine if the project meets the definition of an emergency.

The following information is the minimum required for Initial Notification for all Category 1 activities.

1. **Contacts:** The name, address, telephone number, and email address (if available) of the applicant, landowner (if different), and any designated agent, including contractors.

2. **Location:** The location of the proposed activity.

a. For specific project sites, provide the site address and Latitude and Longitude (decimal degrees).

b. For linear projects, provide Latitude and Longitude (decimal degrees) for start and end points of the project. This information should also include identification of the location of each affected WOTUS.

3. **Nature of Emergency:** A description of the nature of the imminent threat to life or property and the purpose and need for the proposed activity. If possible, photos of existing conditions within the affected area should also be provided.

4. **Description of Work Needed:** A description of the work proposed to rectify the emergency. This should include a complete description of each single and complete project and include all information listed in a-h, below.

- a. The description of work must include an explanation of the nature and circumstance of the emergency and why the proposed actions are necessary to address the immediate impacts of the emergency.
- b. The project description must include all proposed new work, and any work completed and/or commenced without prior written authorization from this office.
- c. Dredging: Provide the area (square feet or acreage) to be dredged, estimated cubic yards of material to be dredged and the type of sediment to be dredged (i.e., sand, silt, clay, etc.). Provide the location of the disposal area and retention method for containing the dredged material.
- d. Filling of Wetlands: Provide the area (square feet or acreage) of wetlands to be filled, type of wetlands (e.g. freshwater/tidal; forested/non-forested; riverine, slope, flat, depression; other), and estimated cubic yards of material that will be placed in wetlands. This includes both temporary and permanent impacts. Provide the type and source of fill material and describe any temporary on-site material storage methods to be used.
- e. Filling in Streams: Provide the dimensions of streams to be filled (linear footage, surface area, and depth), the type of stream (perennial or intermittent), and estimated cubic yards of material to be placed in the stream(s). This includes both temporary and permanent impacts.
- f. Filling in Open Waters: Provide the area (square feet or acreage) of open water to be filled, type of open water (e.g. marine, freshwater/tidal; riverine, retention/detention, reservoirs; other), and estimated cubic yards of material that will be placed in the open waters. Provide the type and source of fill material and describe any temporary on-site material storage methods to be used. This includes both temporary and permanent impacts.
- g. Site Plan: Provide a legible site plan showing the proposed work area and impacts. Pre-event drawings, if available, are to be provided. At minimum, sketches should be provided to show that the activity complies with the terms of the RGP. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g. a conceptual plan), but do not need to be detailed engineering plans.
- h. Vicinity Map: Provide a vicinity map identifying the location of the work area: street address, city, county, state, include Latitude and Longitude (decimal degrees), river mile (if applicable), etc.

5. Statements from the Applicant Acknowledging the Following:

- a. All work will be performed in a manner that will avoid and minimize impact to WOTUS, including wetlands, to the maximum extent practicable.
- b. Identification of the activity's known potential to cause effects to any historic properties (i.e., any prehistoric or historic district, site, building, structure, or object) listed in, or determined to be eligible for listing on, the National Register of Historic Places (NRHP). Should historic or cultural resources be discovered during the work, all work will immediately cease, and this office and the SHPO will be immediately notified.

c. Identification of the activity's known potential to cause effects to any listed threatened or endangered species, or critical habitat for these species. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS), or at <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/>. Should listed threatened or endangered species, or critical habitat for these species be discovered during the work, all work will immediately cease, and this office will be immediately notified. The Corps will initiate any necessary coordination or consultation with the USFWS and/or NMFS.

d. The work will be completed in an expeditious manner.

B. Pre-Construction Notification (PCN): All parties proposing to utilize RGP 101 for a Category 2 activity must submit a PCN.

1. Timing: For Category 2 activities, you must notify this office by submitting a PCN as early as possible. This office must determine if the PCN is complete within 15 business days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 15 day period to request the additional information necessary to make the PCN complete.

2. Contents of a PCN:

a. All 5 items required for the Initial Notification procedures (Section V.A: Contact, Location, Nature of Emergency, Description of Work Needed, and Statements from the Applicant).

b. The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams on the project site. Wetland delineations must be prepared in accordance with current methodology required by this office. You may ask this office to delineate the special aquatic sites and other waters on the project site, but there may be a delay if this office does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters.

c. If the proposed activity will result in adverse impacts to greater than 0.1 acre of wetlands or 0.01 acre of stream bed and a PCN is required, you must submit a statement describing how mitigation requirements will be satisfied or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, you may submit a conceptual or detailed mitigation plan.

d. For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or habitat proposed for such designation) may be affected by the activity, the PCN must identify those species and/or habitats. Federal permittees must provide documentation demonstrating compliance with the ESA.

e. For non-federal permittees, if the RGP 101 activity may have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the NRHP, the PCN must state which historic property might have the potential to be affected by the proposed activity and include a vicinity map indicating the location of the historic property. Federal permittees must provide documentation demonstrating compliance with Section 106 of the NHPA.

f. For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river”.

C. Agency Coordination: Upon receipt of a PCN, this office will immediately provide (i.e., by electronic mail, overnight mail or other expeditious manner) a copy to the offices of all pertinent state and federal agencies, and applicable Tribal offices including, the USFWS, NMFS, Environmental Protection Agency (EPA), State/Tribal Historic Preservation Officer(s) (SHPO/THPO), Advisory Council on Historic Preservation (ACHP), Federally Recognized Tribes, Georgia Department of Natural Resources, Coastal Resources Division (GA CRD) and/or Georgia Department of Natural Resources, Environmental Protection Division (GA EPD). Where necessary, comments must be received from appropriate Corps offices outside of Regulatory Division (i.e., Section 408, navigation, etc.). This office will request agencies provide a response within 3 business days by e-mail or telephone, if they have substantive, site-specific comments regarding the proposed project.

This office will fully consider all comments received concerning the proposed activity’s compliance with the conditions of State and Federal agencies, and applicable Tribal Offices and the need to adopt mitigative measures to the maximum extent practicable or impose terms and conditions to ensure the projects adverse environmental effects are no more than minimal. This office will indicate the results of that consideration in the administrative record associated with the PCN and will provide an informal response to the commenting agency by electronic mail, or other means.

D. Notification to Proceed: Authorization under this RGP may be granted upon initial contact with this office provided the requester can present sufficient information on the location, nature, and extent of the work to establish that a safety or environmental hazard exists. This office will respond in writing (e.g. email, letter) that the proposed action meets the definition of an emergency and provide a notice to proceed under RGP 101. In extreme circumstances as determined at the sole discretion of this office, immediate verbal authorization may be granted to perform the work with a same-day follow-up email documenting the verbal authorization. Otherwise, a written response from this office would be required to establish that the project qualifies for authorization under the provisions of this RGP.

All proposals requiring a PCN must receive written verification from this office that the proposed work complies with the terms and conditions of this RGP prior to commencing any activity authorized by the RGP.

E. Post Project Reporting: All activities authorized under this RGP are required to complete and submit the attached “Statement of Compliance” form (Appendix D) to this office within 60 working days following completion of the work. The notice shall include a location and summary of all activities that were performed in WOTUS. Supplemental information must be included to provide proof of compliance with the terms and conditions of this RGP. Proof of compliance for Category 1 projects must include written statements and photographs detailing the authorized work. The written statement and photographs shall document pre-work conditions, site conditions after the fill has been placed, and site conditions after the temporary fill has been removed. Proof of compliance for Category 2 projects must include scaled as-built drawings depicting the locations and quantities of permanent impacts, along with written statements and photographs detailing the authorized work. The written statements and photographs shall document pre-work conditions and site conditions after the fill has been placed.

VI. CONDITIONS

Activities do not qualify for this RGP unless they satisfy all of the permit General Conditions.

A. General Conditions

1. This RGP shall expire on **DATE**. Authorized activities which have commenced or are under contract to commence prior to this date shall remain authorized provided work within WOTUS is completed within 60 days following expiration of this RGP.
2. Any work authorized by this RGP must be the minimum necessary to alleviate the immediate emergency. All activities identified and authorized herein shall be consistent with the terms and conditions of this RGP; any variance not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this RGP and may result in the modification, suspension, or revocation of the authorization.
3. You must maintain the activity authorized by this RGP in good condition and in conformance with the terms and conditions of this RGP. You are not relieved of this requirement if you abandon the permitted activity. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must notify this office and restoration of the area may be required.
4. Any projects authorized under this RGP must be initiated within twenty-one (21) days of receiving authorization to proceed. If the project start time can be delayed for more than three weeks, the imminent threat of impending loss may have diminished in magnitude, as well as immediacy, and generally would not meet the definition of an "emergency." However, there may be limited circumstances where, after notice to and input from the USFWS, NMFS, EPA, GA CRD, and/or GA EPD, logistical considerations necessitate an extension of the start work date beyond 21 days. If these circumstances exist, you will communicate the reasons for delay with this office within 21 days of the authorization to proceed to request an extension. If the reasons for delay are validated, this office will provide a written response authorizing delay of the start work date and establishing an acceptable timeframe. Further, this RGP cannot be used to authorize long-planned-for projects, nor shall it be used for projects that are likely to have been known to you but for which an application was not submitted in a timely manner. That is, this office and USFWS, NMFS, EPA, GA CRD, and/or GA EPD are not obligated to authorize work for a self-described emergency unless the situation qualifies as an emergency as defined above and determined by this office.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your RGP verification.
6. You shall require your contractors and/or agents to comply with the terms and conditions of this RGP and any project-specific special conditions. A copy of this RGP and any written authorization from this office, including all conditions, drawings/plans and attachments shall be available at the project site during the construction and maintenance of any project authorized by this RGP.
7. All work authorized as a Category 2 activity shall be completed within 180 days from receipt of notification to proceed from this office. If it is anticipated that work will not be completed within 180 days, you shall request an extension at least thirty (30) days prior to the expiration date. The request shall include justification for the extension.

8. Within 60 days of completion of the work authorized by this RGP, you shall complete the attached "Statement of Compliance" notification form (Appendix D) and submit it to this office. The submittal shall include proof of compliance with appropriate general conditions (i.e., no erosion/sloughing into adjacent waters and wetlands, proper installation of hydrologic passage and natural drainage patterns, use of native plants in reseeding).
9. You shall ensure that construction activities do not deviate from the approved work authorized for a specific project. Any modification to the approved plans must be approved by this office prior to any active construction in WOTUS.
10. To the maximum extent practicable, the preconstruction course, condition, capacity, and location of waters must be maintained for each activity, including stream channelization, stormwater management activities, and temporary and permanent road crossings. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows.
11. Except as authorized by this RGP, no excavation, fill, or mechanized land-clearing activities shall take place within waters or wetlands at any time during construction or maintenance of the project. This RGP does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. This prohibition applies to all borrow and fill activities connected with the project.
12. Even in an emergency, reasonable efforts will be made to receive comments from interested federal, state, and local agencies and the affected public. Commenting agencies may include, but are not limited to, the USFWS, NMFS, EPA, SHPO/THPO, ACHP, GA CRD and/or GA EPD. Where necessary, comments must be received from appropriate Corps business lines (i.e., Section 408, navigation, etc.).
13. If an emergency occurs in an area where endangered species exist or that is designated as critical habitat for an endangered species, emergency measures defined by this RGP may be authorized in accordance with emergency consultation procedures in 50 C.F.R. § 402.05. Upon completion of the emergency measures, formal consultation will be initiated by this office with the USFWS/NMFS as required under the emergency consultation procedures.
14. The activity must not jeopardize the continued existence of any threatened or endangered species, as identified under the ESA, nor adversely modify the critical habitat of such species. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the USFWS and NMFS, or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/>.
15. Federal agencies seeking to use this RGP should follow their own procedures for complying with the requirements of Section 7 of the ESA. Federal agencies must provide this office with the appropriate documentation to demonstrate compliance with those requirements. This office will review the documentation and determine whether it is sufficient to address ESA compliance for the RGP activity, or whether additional ESA consultation is necessary.
16. The Migratory Bird Treaty Act prohibits the willful killing or harassment of migratory birds. Activities in WOTUS that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
17. The Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation and Management Act require federal agencies to consult with NMFS on proposed actions that may adversely

affect EFH. NMFS' EFH consultation regulations at 50 C.F.R. § 600.920(a)(1) state: "Consultation is required for emergency Federal actions that may adversely affect EFH, such as hazardous material clean-up, response to natural disasters, or actions to protect public safety. Federal agencies should contact NMFS early in emergency response planning but may consult after-the-fact if consultation on an expedited basis is not practicable before taking the action."

18. If you or your contractor discovers or observes any live, damaged, injured or dead individual(s) of an endangered or threatened species during construction, you shall immediately stop work and notify this office to initiate required coordination with the USFWS and/or NMFS.

19. As a result of formal or informal consultation with the USFWS or NMFS, this office may add species-specific endangered species special conditions to any RGP authorization granted for a project.

20. If an emergency occurs in an area that would have the potential to affect historic properties, this office will coordinate with the SHPO/THPO and/or ACHP under the provisions of 33 C.F.R. Part 325, Appendix C.14 and/or 36 C.F.R. § 800.12(b)(2).

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

22. If human remains, historic resources, or archaeological resources are encountered during construction, all ground disturbing activities shall cease in the immediate area, and you shall immediately contact this office. Upon notification, this office shall notify the appropriate THPOs and SHPO. Based on the circumstances of the discovery, equity to all parties, and consideration of the public interest, this office may modify, suspend or revoke the RGP verification in accordance with 33 C.F.R. § 325.7. After such notification, project activities shall not resume without written authorization from the SHPO/THPOs and this office.

23. You should be aware that Section 110(k) of the NHPA (36 C.F.R. Part 78) prevents this office from granting a RGP verification or other assistance to anyone who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the RGP verification would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless this office, after consultation with the ACHP, determines that circumstances justify granting such assistance despite the adverse effects. You must submit a statement to this office regarding the activity's potential to cause effects to any historic properties (i.e., any prehistoric or historic district, site, building, structure, or object) listed in, or determined to be eligible for listing on, the NRHP, including previously unidentified properties. The statement must state which historic properties may be affected by the proposed work and include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location or potential for the presence of historic resources can be sought from the SHPO and the NRHP. Where you have identified historic properties which the proposed activity may have the potential to cause effects and so notified this office, you shall not begin the activity until notified by this office that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed. If circumstances justify granting the assistance, this office is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the SHPO, THPO, or appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have legitimate interest in the impacts to the permitted activity on historic properties. If you, during construction or work authorized herein, encounter a previously unidentified historic properties, he/she

must immediately stop work and notify this office of what has been found. Coordination with the SHPO and all appropriate consulting parties will commence, and you will subsequently be advised when he/she may recommence work.

24. If a conditioned Section 401 of the CWA Water Quality Certification has been issued for the activity authorized by this RGP, you must comply with the conditions specified in the certification as special conditions to the RGP verification.

25. No activity may use unsuitable material (e.g. trash, debris, car bodies, asphalt, etc.) as fill material. All fill material placed in WOTUS shall be derived from an upland source and be clean and free of any pollutants except in trace quantities. Metal products, organic materials (including debris from land clearing activities), or unsightly debris will not be used.

26. All exposed fills (including side slopes) and disturbed areas shall be stabilized immediately after construction to prevent erosion. Re-vegetation of the disturbed areas shall begin as soon as site conditions allow. Species to be used for seeding and planting shall follow this order of preference:

- a. Species native to the site.
- b. Species native to the area.
- c. Species native to the state.

Active sloughing, increased water turbidity and sediment in drainage ditches, streams, sloughs, and/or adjacent wetlands will be considered evidence of insufficient stabilization.

27. Temporary storage of excavated and/or excess material on-site must be managed to prevent sediment from being carried into adjacent wetlands and waters, and to prevent leachate from causing degradation of water quality. Unusable or excess material must be disposed of in approved upland disposal areas.

28. You are advised that development activities in or near a floodway may be subject to the National Flood Insurance Program (NFIP) that prohibits any development, including fill, within a floodway that results in any increase in base flood elevations. An RGP authorization does not authorize any activity prohibited by the NFIP.

29. 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. You are encouraged to perform work within WOTUS during periods of low-flow or no-flow, or during low tides.

30. You shall remove all sediment and erosion control measures placed in waters and/or wetlands, and shall restore natural grades on those areas, prior to project completion.

31. Unless authorization to fill specific wetlands or mudflats has been issued by this office, heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

32. This office has requested a statement of Coastal Zone Management consistency from the Georgia Department of Natural Resources, Coastal Resources Division, for RGP 101. As required, a statement of consistency with the Coastal Zone Management Program must be obtained, or a presumption of concurrence must occur (15 C.F.R. Part 930) prior to initiating any authorized work in tidal waters.

33. In reviewing an Initial Notification or PCN for a proposed activity, this office will determine whether the activity would likely result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public's interest. This office will consider any mitigation you have included in the proposal in determining whether the net adverse environmental effects for the proposed work are minimal. If you elect to submit a mitigation plan as part of the proposed project, this office will expeditiously review the proposed plan. However, this office may approve the mitigation proposal after the work is approved and project work has commenced. If the DE determines the adverse effects of the proposed work are more than minimal, this office will notify you either:

- a. That the project does not qualify for authorization under this RGP and instruct you on procedures to seek authorization under an individual permit or different general permit, or
- b. That the project may be authorized under this RGP, subject to you submitting a mitigation proposal that would reduce the adverse effects to the minimal level.

34. This office will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

- a. The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to WOTUS to the maximum extent practicable at the project site (i.e., on-site).
- b. Mitigation in all its forms (avoiding, minimizing, or compensating for resource adverse impacts) may be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.
- c. Compensatory mitigation may be required for adverse effects to wetlands that exceed 0.1 acre (4,356 square feet) or adverse effects to stream bed that exceed 0.01 acre (435.6 square feet), unless this office determines in writing that either some other form of mitigation would be more environmentally appropriate, or the adverse environmental effects of the proposed activity are no more than minimal.

35. If necessary, temporary stream crossings may be used to access the opposite sides of stream channels. All stream crossings must be constructed of non-erodible materials.

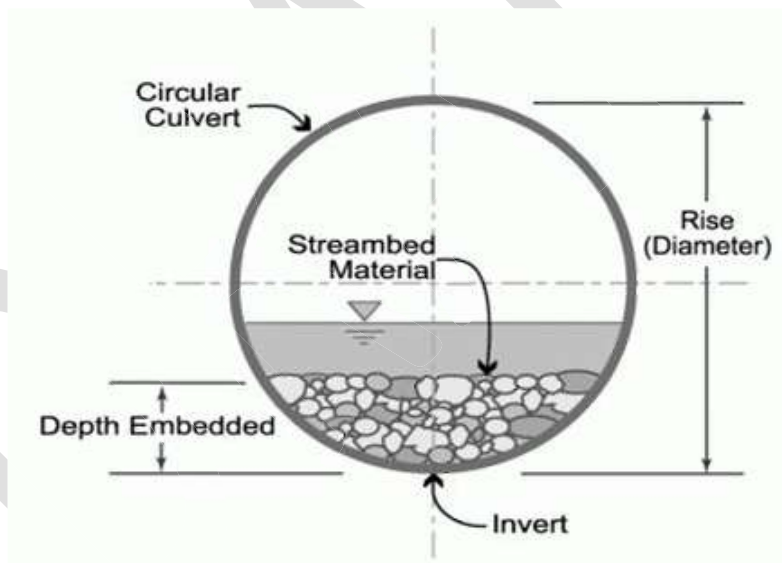
36. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.

37. The following shall apply to all new or replacement permanent culvert installations within perennial streams:

- a. Bottomless or Arch-Span Culverts: If there are any impacts to aquatic resources, the overall width of a bottomless or arch-span culvert shall be approximately equal to, but not narrower than, the typical bankfull width of the stream channel. Additional pipes or culverts may be used to receive flows exceeding bankfull, but the inlet(s) shall be baffled to or sit at the stream's bankfull elevation.
- b. Box Culverts: The overall width of a single or multi-barrel box culvert shall be approximately equal to, but not narrower than, the typical bankfull width of the stream channel. Additional pipes

or culverts may be used to receive flows exceeding bankfull, but the inlet(s) shall be baffled to or sit at the stream's bankfull elevation.

- c. Circular Pipes/Culverts: The overall width of a circular pipe/culvert shall be approximately equal to, but not narrower than, the typical bankfull width of the stream channel. Multiple circular pipes/culverts may not be used to accommodate flows at bankfull except in scenarios where a culvert replacement would result in additional impacts to waters. Additional circular pipes/culverts may be used to receive flows exceeding bankfull but shall sit at the stream's bankfull elevation.
- d. Culverts shall be of adequate size to accommodate flows exceeding bankfull in a manner that does not cause flooding of associated uplands or disruption of hydrologic characteristics that support aquatic sites on either side of the culvert. This may be accomplished by installation of equalizer culverts in the floodplain.
- e. Unless specifically described in any required PCN, use of undersized culverts to detain stormwater or for pollutant treatment is not authorized.
- f. Culvert Embedding: The upstream and downstream invert of culverts (except bottomless or arch-span culverts) shall be buried/embedded to a depth of 20% of the culvert height to allow natural substrate to colonize the structure's bottom. Additional culverts used to receive flows exceeding bankfull are not required to be embedded.

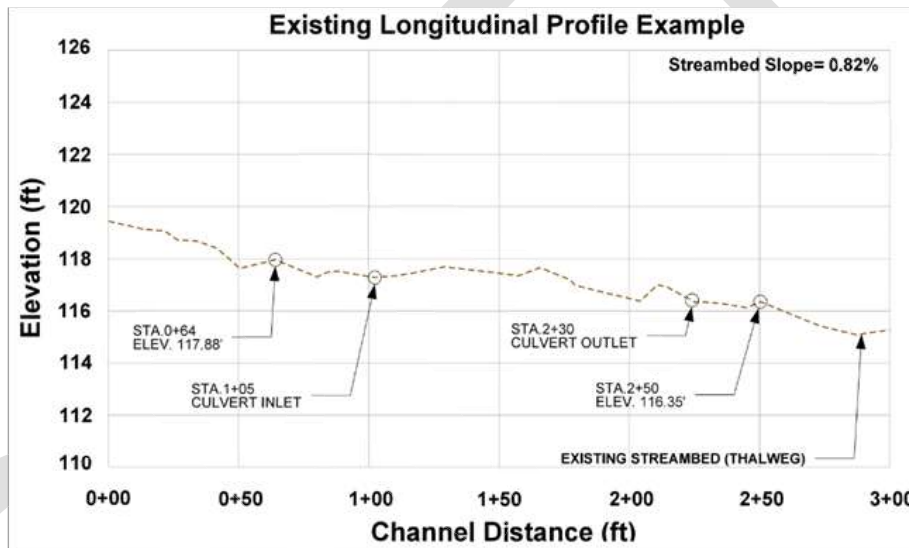


- g. Culvert Slope: The culvert slope shall be set within 25% of the streambed slope (e.g. if streambed slope is 2%, the designed slope of the culvert shall be between 1.5% and 2.5%). In situations where culvert slope exceeds 4%, interior baffles on the bottom of the culvert or other measures shall be used to allow for sediment colonization and/or velocity attenuation.
- h. See Appendix C for additional culvert design information.

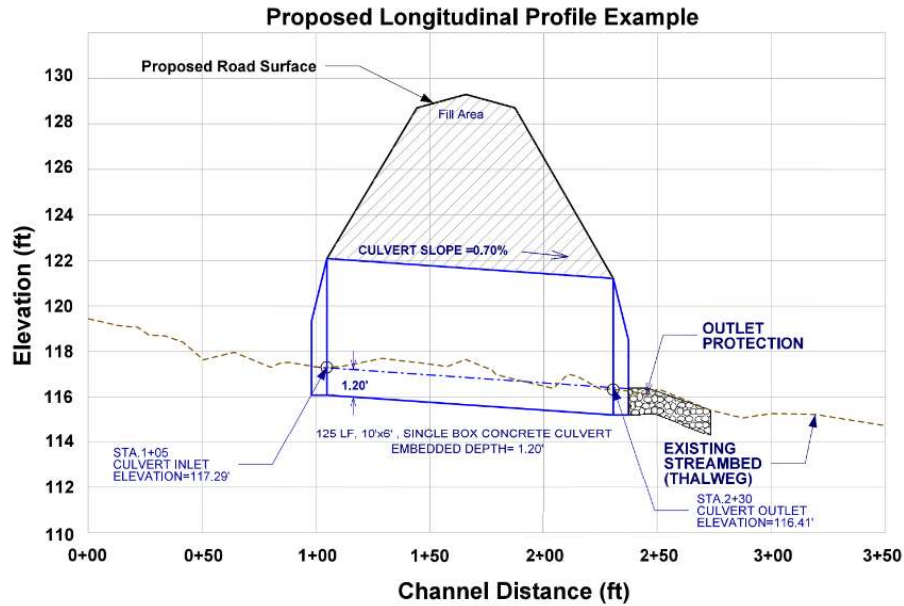
i. All PCNs shall provide the following information:

(i) Plan view diagram of the existing and proposed conditions. The diagram shall depict the existing stream channel and direction of flow; proposed culvert information, including alignment, type and size, channel excavation (i.e., constructed channel between the existing stream channel and proposed culvert), and outlet protection; the proposed roadway; areas of cut and fill; and locations of cross-sections. The diagram shall include a scale and a north arrow.

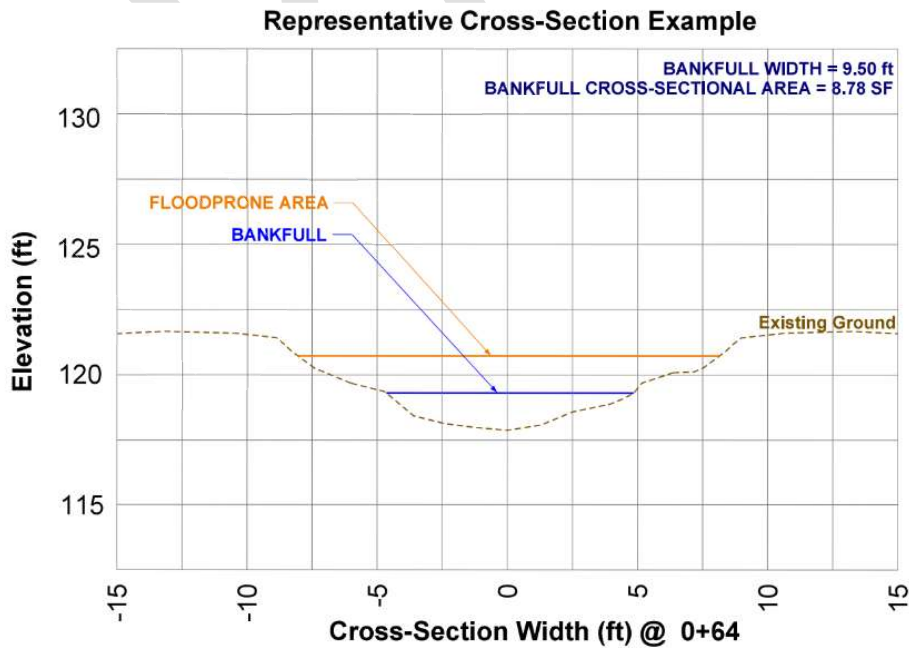
(ii) Longitudinal profile diagram of the existing stream channel beginning approximately 100 feet upstream of the proposed culvert inlet and continuing approximately 100 feet downstream of the proposed culvert outlet. The diagram shall depict the elevations of the existing streambed (along the thalweg), as well as locations of the proposed culvert inlet and outlet. Longitudinal profile measurements shall begin, if possible, at the head of a riffle and end at the head of a riffle. The change in elevation from head of riffle to head of riffle may be used to calculate streambed slope. For sand-bed dominated streams that are void of riffle features, the heads of ripples may be used as a substitute. The diagram shall note the streambed slope.



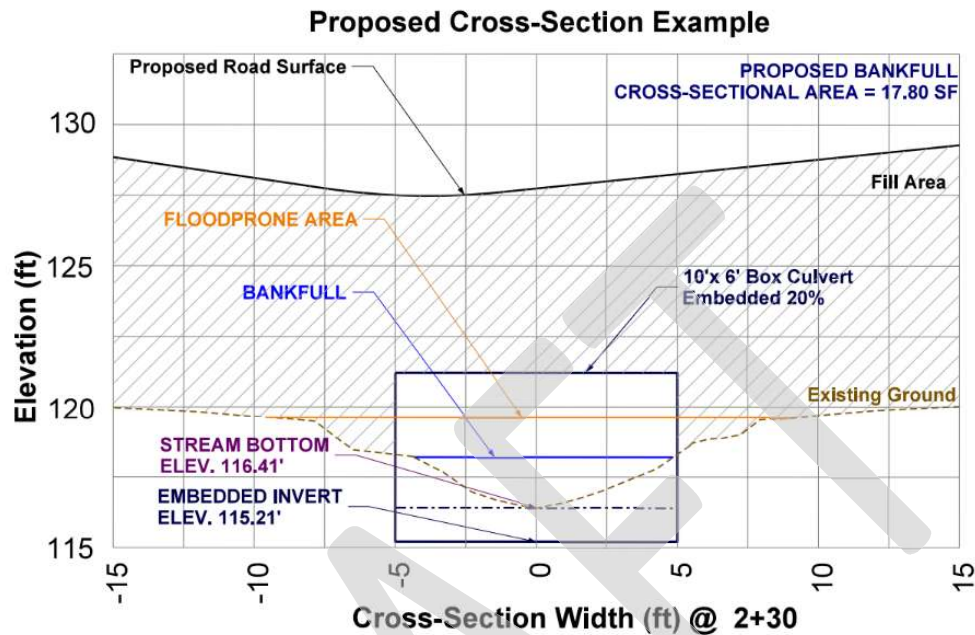
(iii) Longitudinal profile diagram of the proposed culvert, including the proposed culvert slope, type and size, invert elevations, and embedded depth; elevation of the existing streambed (along the thalweg); and locations of channel excavation (i.e., constructed channel between the existing stream channel and proposed culvert), headwalls, outlet protection, and energy dissipaters, as applicable.



(iv) At least one representative cross-section diagram of the existing stream channel. If the stream channel exhibits notable variation in width and/or maximum depth within the project area, multiple cross-sections shall be collected. Cross-section(s) shall be measured, if possible, at a stable riffle or ripple that is representative of the project reach and located within and/or directly adjacent to the project area. For culvert replacements, cross-sections shall be measured away from the influence of the existing culvert (usually 100 feet upstream and/or 100 feet downstream). The cross-section(s) shall depict the elevations of the stream channel bed and banks, bankfull, and floodprone area (i.e., 2x the maximum bankfull depth). The diagram shall note bankfull width and bankfull cross-sectional area. The X and Y axis must be at the same scale.



(v) Cross-sectional diagrams of the proposed culvert inlet and outlet, including location of the culvert in the stream channel; culvert type and size; proposed road surface and areas of cut and fill; and elevations of the culvert invert and stream bottom and stream channel bed and banks, bankfull, and floodprone area (i.e., 2x the maximum bankfull depth). The diagram shall note the proposed bankfull cross-sectional area. The X and Y axis must be at the same scale.



38. Installation of Culvert Extensions in Perennial Streams:

- a. Existing conditions of box and circular pipe culverts and any proposed extension thereof shall be assessed to determine if aquatic life passage is accommodated (e.g. perched culvert inlet or outlet). Justification shall be provided for any culvert that will be extended instead of replaced that does not accommodate aquatic life passage.
- b. Proposed culvert extensions shall be assessed to determine whether baffles or other measures may be used to improve conditions for aquatic life passage. Documentation shall be provided on whether measures to improve aquatic connectivity are practicable. When practicable, these measures shall be implemented.

39. Authorized structures and fills located in or adjacent to Federally authorized waterways must be constructed in accordance with the latest setback criteria established by the DE. This RGP does not authorize the construction of hardened or permanently fixed structures within the Federally Authorized Channel Setback, unless the activity is approved by this office .

40. The activities authorized by this RGP must not interfere with the public's right to free navigation on all navigable WOTUS. No attempt will be made to prevent the full and free use by the public of all navigable waters at, or adjacent to, the authorized work for a reason other than safety.

41. You must install and maintain, at their expense, any safety lights and signals prescribed by the U.S. Coast Guard (USCG), through regulations or otherwise, on authorized facilities. The USCG may be reached at the following address and telephone number: U.S. Coast Guard District Seven, Waterways Management Branch, 909 SE 1st Ave, Suite 406, Miami, FL. 33131, and 305-415-6755 or 305-415-6750.

42. This RGP does not authorize any activity that would conflict with a federal project's congressionally authorized purposes, established limitations or restrictions, or limit an agency's ability to conduct necessary operation and maintenance functions. Per Section 14 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. § 408), no project that has the potential to take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, or obstruct a federally constructed work or project, including, but not limited to, levees, dams, jetties, navigation channels, borrow areas, dredged material disposal sites, flood control projects, etc., shall be permitted unless the project has been reviewed and approved by the appropriate Corps approval authority. You shall not begin the activity authorized by this RGP until notified by this office that the activity may proceed.

43. You shall obtain a Consent to Cross Government Easement from the appropriate Corps District's Land Use Coordinator prior to any crossing of a Corps easement and/or prior to commencing construction of any structures, authorized dredging, or other work within the right-of-way of, or in proximity to, a federally designated disposal area.

VI. FURTHER INFORMATION:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 C.F.R. § 320.2(b)).

(X) Section 404 of the Clean Water Act (33 C.F.R. § 320.2(f)).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 C.F.R. § 320.2(g)).

2. Limits of this Authorization.

- a. This RGP does not obviate the need to obtain other federal, state, or local authorizations required by law.
- b. This RGP does not grant any property rights or exclusive privileges.
- c. This RGP does not authorize any injury to the property or rights of others.
- d. This RGP does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this RGP, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to any persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this RGP.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this RGP.

4. Reliance on Applicant's Data. The determination of this office that verification for use of this permit is not contrary to the public interest was made with reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this RGP at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of the RGP.
- b. The information provided by you in support of a permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces that this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the modification, suspension and revocation procedures (33 C.F.R. § 325.7) or enforcement procedures (33 C.F.R. §§ 326.4 and 326.5). The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of this RGP and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and, if you fail to comply with such directive, this office may, in certain situations, accomplish the corrective measures by contract or otherwise and bill you for the cost.

Attachments:

Appendix A: Definitions

Appendix B: Savannah District Office Locations and Areas of Responsibility

Appendix C: Culvert Design Information

Appendix D: Statement of Compliance

BY THE AUTHORITY OF THE SECRETARY OF ARMY:

For Ronald J. Sturgeon, PMP
Colonel, U.S. Army
Commanding

Date

Appendix A - Definitions

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

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

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

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

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

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

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

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

Navigable waters: Waters subject to Section 10 of the Rivers and Harbors Act of 1899. These waters are defined at 33 C.F.R. § 322.2(a) and Part 329.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef,

permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal waters: Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line.

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

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

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

Waterbody: A waterbody is a “water of the United States.” If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 C.F.R. § 328.4(c)(2)).

Appendix B - Savannah District Office Locations and Areas of Responsibility

Savannah District, Regulatory Division

General Inquiries:

U.S. Army Corps of Engineers

ATTN: CESAS-RD

100 West Oglethorpe Avenue

Savannah, Georgia 31401-3604

General Number: 912-652-5243

Fax Number: (912) 652-5995

CESAS-RD@usace.army.mil

Coastal Branch:

U.S. Army Corps of Engineers

ATTN: CESAS-RD-C

100 West Oglethorpe Avenue

Savannah, Georgia 31401-3604

General Number: (912) 652-5243

Fax Number: (912) 652-5995

CESAS-RD-C@usace.army.mil

Piedmont Branch:

U.S. Army Corps of Engineers

ATTN: CESAS-RD-P

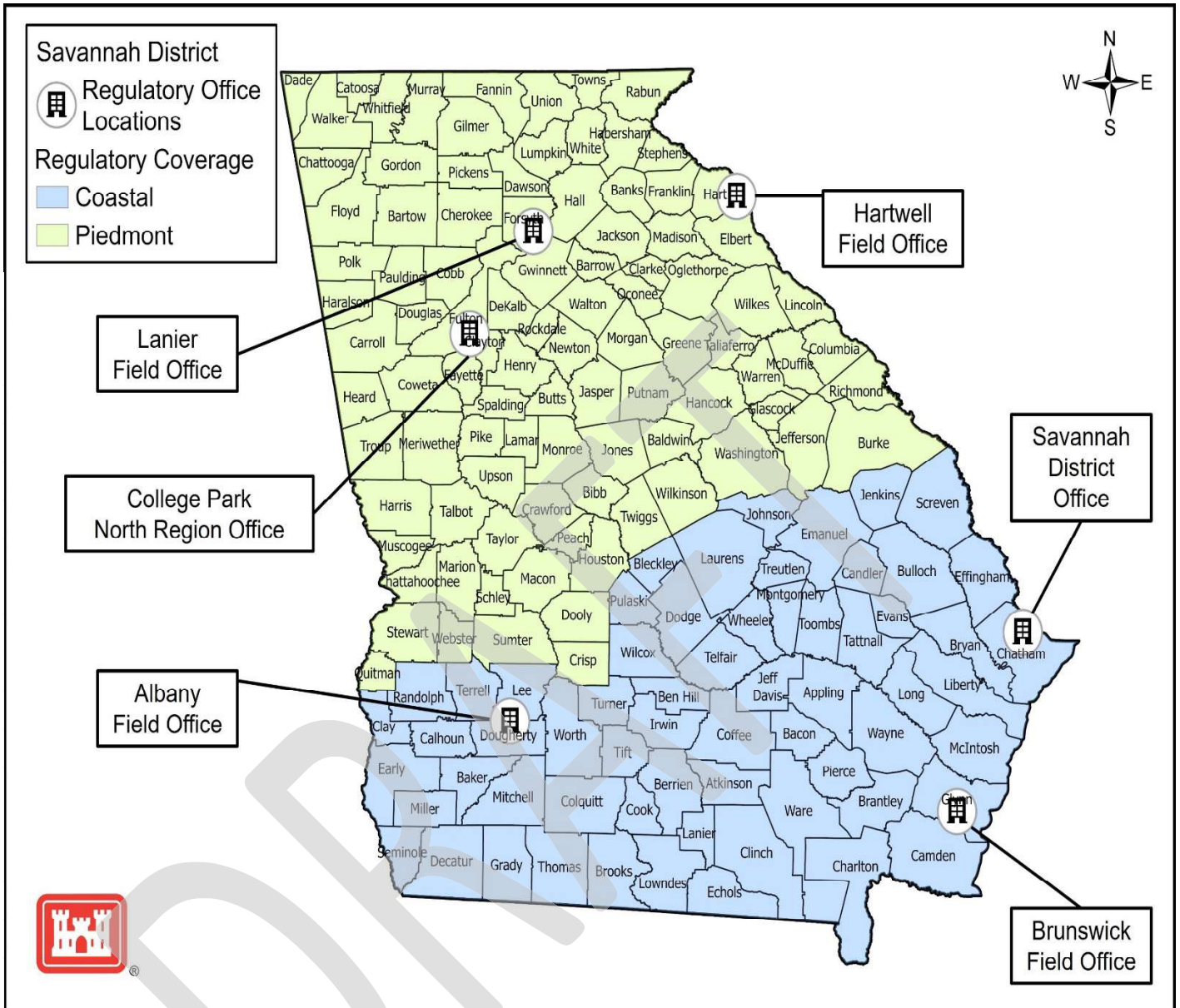
4751 Best Road, Suite 140

College Park, Georgia 30337-5600

General Number: (678) 422-2731

Fax Number: (678) 422-2734

CESAS-RD-P@usace.army.mil



For any initial project related questions, please contact our General inquiries inbox. Permit e-applications should be submitted through the Regulatory Request System (RRS): <https://rrs.usace.army.mil/rrs>.

Culvert Designs that Restrict Movement of Fish and other Aquatics

Perched Culverts: A perched culvert's downstream end hangs above the stream bottom, so that water leaving the culvert forms a waterfall at the culvert lip. Perching can occur when culverts are installed on the stream bottom, rather than imbedded, or from channel scour caused by an undersized culvert.



Poorly-sized or Installed Culverts: Undersized culverts restrict stream flow, particularly during floods. Water exits at a high velocity, causing channel and bank erosion. Overly-wide culverts spread stream flow out so depths are too shallow for many fish and other aquatic organisms to swim or move through.



Multiple Pipe Culverts: Culverts with two or more widely-spaced pipes are prone to clogging, which may inhibit fish movement; increase water velocity in the remaining pipes; cause flooding into roadside ditches, resulting in problems for roadways; and cause water to scour the channel banks, causing bank erosion and increased maintenance costs.



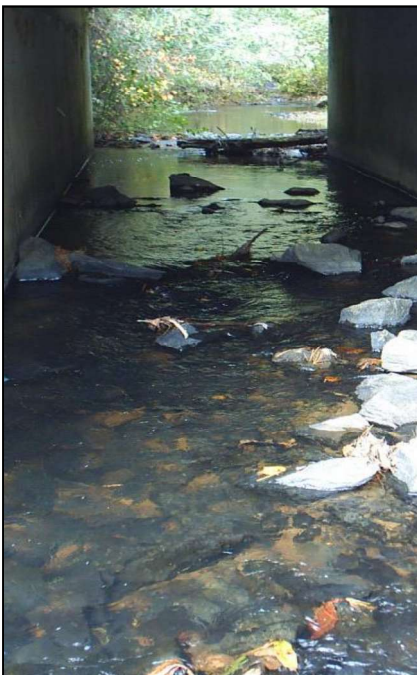
Aquatic-Passage Friendly Culvert Designs

Bottomless culverts may be a good alternative for fish passage where foundation conditions allow their construction and width criteria can be met. Culverts should be designed to meet appropriate hydraulic capacity and structural integrity criteria. Several methods exist for designing culverts for fish passage, including methods that focus on hydraulic design and stream simulation. The recommendations below borrow from, but do not replace, these more rigorous culvert design protocols. Culverts designed to facilitate movement of aquatic species should:

- Have a width equal to or slightly greater than the average streambed width
- Be installed at a relatively flat gradient
- Be embedded below the channel bed at least 20% of the culvert's diameter or rise
- Provide adequate flood capacity with extra culverts at bankfull elevation or in the floodplain.



Bottomless or embedded culverts wide enough to carry baseflows without altering stream depth (i.e., width equal to or slightly greater than the average channel width).



The culvert is installed at a relatively flat gradient to allow substrate to colonize the culvert's interior and maintain natural flow velocity.



Culverts, set at bankfull elevation (top) or with baffles constructed at bankfull height carry flood waters but do not overwiden the channel at baseflows.

Appendix D

STATEMENT OF COMPLIANCE
WITH
DEPARTMENT OF THE ARMY
REGIONAL GENERAL PERMIT 101

PERMIT FILE NUMBER:

PERMITTEE ADDRESS:

LOCATION OF WORK:

PROJECT DESCRIPTION:

ACRES AND/OR LINEAR FEET OF WATERS OF THE UNITED STATES IMPACTED:

DATE WORK IN WATERS OF UNITED STATES STARTED:

DATE WORK IN WATERS OF UNITED STATES COMPLETED:

COMPENSATORY MITIGATION REQUIRED:

I understand that the permitted activity is subject to a U.S. Army Corps of Engineers' Compliance Inspection. If I fail to comply with the permit conditions as specified in Regional General Permit 101, issued on **DATE**, it may be subject to suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit as well as any required mitigation (if applicable) has been completed in accordance with the terms and conditions of the said permit.

Signature of Permittee

Date