

Documentation of Coverage for 2017 Nationwide Permits #3, #13, #14, #15, #18, #27, and #33*

- For Use During Environmental Commitments Meetings -

Nationwide Permit User's Guide Reference			U.S. Army Corps Language	Modified Language Used in WSDOT's Commitment Tracking System	Responsible Party	Existing WSDOT Requirement
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RGC-10	10	TBD	For projects in forage fish spawning habitat, in-water work must occur within designated forage fish work windows, or when forage fish are not spawning. If working outside of a designated work window, or if forage fish work windows are closed year round, work may occur if the work window restriction is released for a period of time after a forage fish spawning survey has been conducted by a biologist approved by the Washington State Department of Fish and Wildlife (WDFW). Forage fish species with designated in-water work windows include Pacific sand lance (<i>Ammodytes hexapterus</i>), Pacific herring (<i>Clupea pallasii</i>), and surf smelt (<i>Hypomesus pretiosus</i>).	WSDOT will schedule the in water work to occur during the designated forage fish windows, or when forage fish are not spawning. If the work must occur outside of the designated work window, an approved WSDOT biologist will conduct a forage fish spawning survey in accordance with WDFW requirements. Forage fish species with designated in-water work windows include Pacific sand lance (<i>Ammodytes hexapterus</i>), Pacific herring (<i>Clupea pallasii</i>), and surf smelt (<i>Hypomesus pretiosus</i>).	WSDOT Design	N/A
RGC-10	10 (duplicate)	TBD	For projects in forage fish spawning habitat, in-water work must occur within designated forage fish work windows, or when forage fish are not spawning. If working outside of a designated work window, or if forage fish work windows are closed year round, work may occur if the work window restriction is released for a period of time after a forage fish spawning survey has been conducted by a biologist approved by the Washington State Department of Fish and Wildlife (WDFW). Forage fish species with designated in-water work windows include Pacific sand lance (<i>Ammodytes hexapterus</i>), Pacific herring (<i>Clupea pallasii</i>), and surf smelt (<i>Hypomesus pretiosus</i>).	The Contractor will conduct in water work in accordance with the contract provisions to protect Pacific sand lance (<i>Ammodytes hexapterus</i>), Pacific herring (<i>Clupea pallasii</i>), and surf smelt (<i>Hypomesus pretiosus</i>).	Contractor	1-04 Scope of the Work
RGC-11	11	TBD	The permittee must provide a copy of the nationwide permit authorization letter, conditions, and permit drawings to all contractors and any other parties performing the authorized work prior to the commencement of any work in waters of the U.S. The permittee must ensure all appropriate contractors and any other parties performing the authorized work at the project site have read and understand relevant NWP conditions as well as plans, approvals, and documents referenced in the NWP letter. A copy of these documents must be maintained onsite throughout the duration of construction.	WSDOT shall provide the Contractor with a copy of the most recent nationwide permit verification letter, conditions, and permit drawings before they are allowed to work in waters of the U.S.	WSDOT Construction	N/A
RGC-11	11	TBD	The permittee must provide a copy of the nationwide permit authorization letter, conditions, and permit drawings to all contractors and any other parties performing the authorized work prior to the commencement of any work in waters of the U.S. The permittee must ensure all appropriate contractors and any other parties performing the authorized work at the project site have read and understand relevant NWP conditions as well as plans, approvals, and documents referenced in the NWP letter. A copy of these documents must be maintained onsite throughout the duration of construction.	The Contractor shall retain a copy of the most recent U.S. Army Corps nationwide permit verification letter, conditions, and permit drawings on the worksite for the life of the Contract. The Contractor shall provide copies of the Army Corps nationwide permit verification letter, conditions, and permit drawings to all sub-contractors involved with the authorized work prior to their commencement of any work in waters of the U.S.	Contractor	1-07.5(5).OPT1(A).GR1
RGC-12	12	TBD	Permittees must clearly mark all construction area boundaries before beginning work. Boundary markers and/or construction fencing must be maintained and clearly visible for the duration of construction. Permittees should avoid and minimize removal of native vegetation (including submerged aquatic vegetation) to the maximum extent possible.	WSDOT shall ensure the clearing limits are staked before allowing the Contractor to perform work.	WSDOT Construction	Construction Manual SS 2-01.3(1), Clearing Construction Manual SS 2-01.3(2), Grubbing
RGC-12	12	TBD	Permittees must clearly mark all construction area boundaries before beginning work. Boundary markers and/or construction fencing must be maintained and clearly visible for the duration of construction. Permittees should avoid and minimize removal of native vegetation (including submerged aquatic vegetation) to the maximum extent possible.	The Contractor shall save and protect existing vegetation though the life of the Contract where shown in the plans or designated by the Engineer. The Engineer will designate the vegetation to be saved and protected by a site preservation line, high visibility fencing, or individual flagging. When shown in the Plans, the first order of work shall be the installation of high visibility fencing in accordance with WSDOT Standard Specification 1-08.4.	Contractor	1-07.16(2), Vegetation Protection & Restoration 1-07.16(2)A, Wetland & Sensitive Area Protection 1-08.4, Prosecution of Work 8-01.3(1), General

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RGC-13	13.a	TBD	Temporary impacts to waters of the U.S. must not exceed six months unless the prospective permittee requests and receives a waiver by the district engineer. Temporary impacts to waters of the U.S. must be identified in the PCN.	The Contractor shall remove all temporary fills within six months of the first temporary fill being placed unless otherwise approved by the Project Engineer. The Contractor shall notify the Project Engineer with a written request if more than six months is necessary to complete the work. The request must be provided to the Project Engineer within *** 30 days *** of the six months expiring.	Contractor	1-07.5(5).OPT1(B).FR1
RGC-13	13.a (duplicate)	TBD	Temporary impacts to waters of the U.S. must not exceed six months unless the prospective permittee requests and receives a waiver by the district engineer. Temporary impacts to waters of the U.S. must be identified in the PCN.	WSDOT Region Permit Coordinators must request a waiver from the district engineer to extend the placement of temporary fills longer than six months.	WSDOT Environmental	NA
RGC-13	13.c	TBD	Native soils removed from waters of the U.S. for project construction should be stockpiled and used for site restoration. Restoration of temporarily disturbed areas must include returning the area to pre-project ground surface contours. If native soil is not available from the project site for restoration, suitable clean soil of the same textural class may be used. Other soils may be used only if identified in the PCN.	WSDOT Designers should attempt to salvage native soils removed from waters of the U.S. for use during site restoration. Restoration of temporarily disturbed areas must include returning the area to pre-project ground surface contours. If native soil is not available from the project site for restoration, WSDOT Designers will use suitable clean soil of the same textural class may be used.	WSDOT Design	Special Provision for the first and second sentences in this commitment. 1-07.5(5).OPT1(E).GR1 (use for the middle sentence of this commitment.)
RGC-13	13.d	TBD	The permittee must revegetate disturbed areas with native plant species sufficient in number, spacing, and diversity to restore affected functions. A maintenance and monitoring plan commensurate with the impacts, may be required. Revegetation must begin as soon as site conditions allow within the same growing season as the disturbance unless the schedule is approved by the Corps of Engineers. Native plants removed from waters of the U.S. for project construction should be stockpiled and used for revegetation when feasible. Temporary Erosion and Sediment Control measures must be removed as soon as the area has established vegetation sufficient to control erosion and sediment.	WSDOT projects shall incorporate replanting in the design where temporary vegetation removal occurred to areas subject to the U.S. Army Corps of Engineers jurisdiction. Replanting must include appropriate native species and shall occur by the end of the first planting season following the conclusion of the permitted disturbance, except as waived by the U.S. Army Corps district engineer.	WSDOT Design	N/A
RGC-13	13.d (duplicate)	TBD	The permittee must revegetate disturbed areas with native plant species sufficient in number, spacing, and diversity to restore affected functions. A maintenance and monitoring plan commensurate with the impacts, may be required. Revegetation must begin as soon as site conditions allow within the same growing season as the disturbance unless the schedule is approved by the Corps of Engineers. Native plants removed from waters of the U.S. for project construction should be stockpiled and used for revegetation when feasible. Temporary Erosion and Sediment Control measures must be removed as soon as the area has established vegetation sufficient to control erosion and sediment.	The Contractor must revegetate disturbed areas with native plant species sufficient in number, spacing, and diversity to restore affected functions. Revegetation must begin as soon as site conditions allow within the same growing season as the disturbance unless approved by the Engineer. Temporary Erosion and Sediment Control measures must be removed as soon as the area has established vegetation sufficient to control erosion and sediment.	Contractor	Planting Plan 8-01
NWP-3	3.b	TBD	The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure.	WSDOT shall design the project to ensure the removal of sediment does not extend beyond 200 feet in any direction of the structure.	WSDOT Design	N/A
NWP-3	3.b (duplicate)	TBD	The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure.	The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure.	WSDOT Design	N/A

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NWP-3	3.b	TBD	All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.	All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.	WSDOT Design	N/A
NWP-3	3.c	TBD	<p>Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites.</p> <p>Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows.</p> <p>After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.</p>	<p>The Contractor shall maintain downstream flows and minimize flooding when installing temporary structures or fill to conduct the work.</p> <p>The Contractor shall ensure the temporary fill material is placed in a manner that it will not be eroded by expected high flows.</p> <p>The Contractor must remove temporary fills in their entirety and the affected areas returned to pre-construction elevations. The Contractor must revegetate areas affected by temporary fills such as native riparian vegetation or submerged aquatic vegetation.</p>	Contractor	<p>1-07.5(5).OPT1(C).GR1</p> <p>1-07.5(5).OPT1(E).GR1</p>
NWP-13	13.b	TBD	Bank stabilization activities necessary for erosion prevention are allowed, provided the activity: (1) does not place excess material in order to prevent erosion; (2) is no more than 500 feet in length along the bank, unless the district engineer waives this criterion by making a written determination concluding that the discharge will result in minimal adverse effects; (3) will not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark or the high tide line, unless the district engineer waives this criterion by making a written determination concluding that the discharge will result in minimal adverse effects; (4) does not involve discharges of dredged or fill material into special aquatic sites, unless the district engineer waives this criterion by making a written determination concluding that the discharge will result in minimal adverse effects; (5) no material is of a type, or is placed in any location, or in any manner, that will impair surface water flow into or out of any waters of the United States; and (6) no material is placed in a manner that will be eroded by normal or expected high flows (properly anchored trees and treetops may be used in low energy areas).	WSDOT Permit Coordinators must request a waiver from the district engineer to extend the bank stabilization work beyond 500 linear feet.	WSDOT Design	N/A
NWP-13	2nd Paragraph	TBD	<p>Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites.</p> <p>Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows.</p> <p>Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.</p>	<p>The Contractor shall maintain downstream flows and minimize flooding when installing temporary structures or fill to conduct the work.</p> <p>The Contractor shall ensure the temporary fill material is placed in a manner that it will not be eroded by expected high flows.</p> <p>The Contractor must remove temporary fills in their entirety and the affected areas returned to pre-construction elevations. The Contractor must revegetate areas affected by temporary fills such as native riparian vegetation or submerged aquatic vegetation.</p>	Contractor	<p>1-07.5(5).OPT1(C).GR1</p> <p>1-07.5(5).OPT1(E).GR1</p>

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NWP-13	3rd Paragraph	TBD	Native plants appropriate for current site conditions, including salinity, must be used for bioengineering or vegetative bank stabilization	WSDOT shall use native plant species appropriate for site conditions for bioengineering or vegetative bank stabilization purposes.	WSDOT Design	Roadside Manual - Section 210.02(9)
NWP-13	3rd Paragraph (duplicate)	TBD	Native plants appropriate for current site conditions, including salinity, must be used for bioengineering or vegetative bank stabilization	The Contractor shall use native plant species appropriate for site conditions for bioengineering or vegetative bank stabilization purposes.	Contractor	8-02, Roadside Restoration 8-02.3(8).OPT1.FR8, Planting
NWP-14	2nd Paragraph	TBD	<p>Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites.</p> <p>Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows.</p> <p>Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.</p>	<p>The Contractor shall maintain downstream flows and minimize flooding when installing temporary structures or fill to conduct the work.</p> <p>The Contractor shall ensure the temporary fill material is placed in a manner that it will not be eroded by expected high flows.</p> <p>The Contractor must remove temporary fills in their entirety and the affected areas returned to pre-construction elevations. The Contractor must revegetate areas affected by temporary fills such as native riparian vegetation or submerged aquatic vegetation.</p>	Contractor	<p>1-07.5(5).OPT1(C).GR1</p> <p>1-07.5(5).OPT1(E).GR1</p>
NWP-15	N/A	TBD	There are no additional commitments other than the National General Conditions, Seattle District Regional Conditions, and the State 401 Certification Conditions.	Use the applicable National General Conditions, Seattle District Regional Conditions, and the State 401 Certification Conditions identified in this table.	Refer to the RGC, NGC, and 401-ECO conditions in this table.	Refer to the RGC, NGC, and 401-ECO conditions in this table.
NWP-18	18.a	TBD	Minor discharges of dredged or fill material into all waters of the United States are allowed, provided: (1) the quantity of discharged material and the volume of area excavated do not exceed 25 cubic yards below the plane of the ordinary high water mark or the high tide line; (2) the discharge will not cause the loss of more than 1/10-acre of waters of the United States; and (3) the discharge is not placed for the purpose of a stream diversion.	Minor discharges of dredged or fill material into all waters of the United States are allowed, provided: (1) the quantity of discharged material and the volume of area excavated do not exceed 25 cubic yards below the plane of the ordinary high water mark or the high tide line; (2) the discharge will not cause the loss of more than 1/10-acre of waters of the United States; and (3) the discharge is not placed for the purpose of a stream diversion.	WSDOT Design	N/A
NWP-23	N/A	TBD	There are no additional commitments other than the National General Conditions, Seattle District Regional Conditions, and the State 401 Certification Conditions.	Use the applicable National General Conditions, Seattle District Regional Conditions, and the State 401 Certification Conditions identified in this table.	Refer to the RGC, NGC, and 401-ECO conditions in this table.	Refer to the RGC, NGC, and 401-ECO conditions in this table.
NWP-27	2nd Paragraph	TBD	Only native plant species should be planted at the site.	WSDOT shall only use native plant species as part of the restoration and enhancement activities.	WSDOT Design	Roadside Manual 210.02(9), Prevention of Invasive Species

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NWP-27	7th Paragraph	TBD	For those activities that do not require pre-construction notification, the permittee must submit to the district engineer a copy of: (1) The binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement, or a project description, including project plans and location map; (2) the NRCS or USDA Technical Service Provider documentation for the voluntary stream enhancement or restoration action or wetland restoration, enhancement, or establishment action; or (3) the SMCRA permit issued by OSMRE or the applicable state agency. The report must also include information on baseline ecological conditions on the project site, such as a delineation of wetlands, streams, and/or other aquatic habitats. These documents must be submitted to the district engineer at least 30 days prior to commencing activities in waters of the United States authorized by this NWP.	WSDOT must submit to the district engineer a copy of the following for those activities that do not require pre-construction notification: (1) The binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement, or a project description, including project plans and location map; (2) the NRCS or USDA Technical Service Provider documentation for the voluntary stream enhancement or restoration action or wetland restoration, enhancement, or establishment action; or (3) the SMCRA permit issued by OSMRE or the applicable state agency. The report must also include information on baseline ecological conditions on the project site, such as a delineation of wetlands, streams, and/or other aquatic habitats. WSDOT must submit these documents to the district engineer at least 30 days prior to commencing activities in waters of the United States authorized by this NWP.	WSDOT Design/ WSDOT Environmental	N/A
NWP-33	1st Paragraph	TBD	Appropriate measures must be taken to maintain near normal downstream flows and minimize flooding Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Following completion of construction, temporary fill must be entirely removed to an area that has no waters of the United States, dredged material must be returned to its original location, and the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate.	The Contractor shall maintain downstream flows and minimize flooding when installing temporary structures or fill to conduct the work. The Contractor shall ensure the temporary fill material is placed in a manner that it will not be eroded by expected high flows. The Contractor must remove temporary fills in their entirety and the affected areas returned to pre-construction elevations. The Contractor must revegetate areas affected by temporary fills such as native riparian vegetation or submerged aquatic vegetation.	Contractor	1-07.5(5).OPT1(C).GR1 1-07.5(5).OPT1(E).GR1
NGC++	6	TBD	No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).	The Contractor shall not use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).	Contractor	1-07.5(3), State Department of Ecology
NGC	7	TBD	No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.	WSDOT shall not schedule work in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.	WSDOT Design	N/A
NGC	7	TBD	No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.	The Contractor shall not perform work in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.	Contractor	1-07.5(1), General
NGC	11	TBD	Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.	The Contractor shall place all heavy equipment working in wetlands or mudflats on mats, or other measures must be taken to minimize soil disturbance.	Contractor	1-07.5(5).OPT1.(D).GR1
NGC	12	TBD	Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.	The Contractor shall implement and maintain appropriate soil erosion and sediment controls in effective operating condition during construction.	Contractor	8-01.3(1), General

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NGC	12 (duplicate)	TBD	Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.	The Contractor shall permanently stabilize all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, at the earliest practicable date.	Contractor	8-01.3(1), General Temporary Stream Diversion(7-06.SA1.FR7) for work below the Ordinary High Water Line
NGC	13	TBD	Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated as appropriate.	The Contractor must remove temporary fills in their entirety and the affected areas returned to pre-construction elevations.	Contractor	1-07.5(5).OPT1(E).GR1
NGC	13 (duplicate)	TBD	Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated as appropriate.	The Contractor must revegetate the affected areas as appropriate.	Contractor	8-02, Roadside Restoration
NGC	17	TBD	No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.	WSDOT's activities or operations shall not cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.	WSDOT Construction	N/A
NGC	17 (duplicate)	TBD	No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.	The Contractor's activities or operations shall not cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.	Contractor	1-07.1, Laws to be Observed
NGC	21	TBD	If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed.	WSDOT must immediately notify the U.S. Army Corps district engineer if previously unknown historic, cultural or archeological remains and artifacts are discovered while performing work authorized by this permit.	WSDOT Construction	Construction Manual SS 1-07.16(4), Archaeological and Historical Objects
NGC	21 (duplicate)	TBD	If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed.	The Contractor must immediately notify the WSDOT Project Engineer if previously unknown historic, cultural or archeological remains and artifacts are discovered while performing the work. The Contractor must stop all construction activities that may affect the remains and artifacts until the WSDOT Project Engineer provides notice to continue work where the remains or artifacts were discovered.	Contractor	1-07.16(4), Archaeological and Historical Objects
NGC	23.a	TBD	The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).	WSDOT shall design the activity to avoid and minimize temporary and permanent adverse effects to waters of the United States.	WSDOT Design	Highway Runoff Manual Chapter 2, Stormwater Planning and Design Integration; Highway Runoff Manual Chapter 3, Minimum Requirements; Highway Runoff Manual Chapter 4, Hydrologic Analysis; Highway Runoff Manual Chapter 5, Stormwater Best Management Practices
NGC	23.a (duplicate)	TBD	The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).	The Contractor shall construct the activity to avoid and minimize temporary and permanent adverse effects to waters of the United States.	Contractor	1-07.5(1), General 8-01.3(1), General

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NGC	30	TBD	Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:(a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions; (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and (c) The signature of the permittee certifying the completion of the work and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.	WSDOT must sign and return a signed certification document to the U.S. Army Corps whenever they provide a verification letter with a NWP. The certification letter must document completion of the authorized activity and any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The certification document must include:(a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions; (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and (c) The signature of the WSDOT representative certifying the completion of the work and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.	WSDOT Construction/ WSDOT Environmental	N/A
NGC	32	TBD	Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The prospective permittee shall not begin the activity until either: (1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or (2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed.	WSDOT must submit a pre-construction notification (PCN) for some NWP. No work associated with the NWP shall occur until either: (1) WSDOT is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or (2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and WSDOT has not received written notice from the district or division engineer. However, if WSDOT was required to notify the Corps pursuant to General Condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to General Condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed.	WSDOT Design	N/A
401-ECO+++	4	TBD	Certain aquatic resources are unique, difficult-to-replace components of the aquatic environment in Washington State. Activities that would affect these resources must be avoided to the greatest extent possible. Compensating for adverse impacts to high value aquatic resources is typically difficult, prohibitively expensive, and may not be possible in some landscape settings.	WSDOT designers must take measures to avoid affecting difficult-to-replace aquatic resources, including but not limited to, estuarine wetlands, natural heritage wetlands, bogs, old-growth and mature forested wetlands, wetlands in coastal lagoons, interdunal wetlands, vernal pools, and alkali wetlands.	WSDOT Design	Policy Statement P2038.00, Wetlands Protection and Preservation

Documentation of Coverage for 2017 Nationwide Permits #3, #13, #14, #15, #18, #27, and #33*

- For Use During Environmental Commitments Meetings -

Nationwide Permit User's Guide Reference			U.S. Army Corps Language	Modified Language Used in WSDOT's Commitment Tracking System	Responsible Party	Existing WSDOT Requirement
Tier	Number	Page				
401-ECO	7	TBD	All projects that involve land disturbance or impervious surfaces must implement prevention or control measures to avoid discharge of pollutants in stormwater runoff to waters of the state.	WSDOT shall ensure the Contractor prepares a Spill Prevention Control and Countermeasures Plan per 1-07.15(1) to prevent pollutants from entering stormwater from impervious surfaces and disturbed land.	WSDOT Construction	Temporary Erosion and Sediment Control Manual, Chapter 3 Construction Manual Chapter SS 8-01.3(1)A, Submittals
401-ECO	7	TBD	All projects that involve land disturbance or impervious surfaces must implement prevention or control measures to avoid discharge of pollutants in stormwater runoff to waters of the state.	All projects that involve land disturbance or impervious surfaces must implement prevention or control measures to avoid discharge of pollutants in stormwater runoff to waters of the state.	Contractor	1-07.5(1), General
401-ECO	7.a	TBD	For land disturbances during construction, the permittee must obtain and implement permits where required and follow Ecology's current stormwater manual.	WSDOT shall obtain permits from applicable agencies when construction activities disturb land.	WSDOT Environmental	Environmental Manual 500, Environmental Permitting and PS&E
401-ECO	7.a (duplicate)	TBD	For land disturbances during construction, the permittee must obtain and implement permits where required and follow Ecology's current stormwater manual.	WSDOT shall use the Temporary Erosion and Sediment Control Manual to implement permits associated with land disturbance.	WSDOT Construction	Temporary Erosion and Sediment Control Manual
401-ECO	7.b	TBD	Following construction, prevention or treatment of on-going stormwater runoff from impervious surfaces shall be provided.	WSDOT will treat stormwater in accordance with the Highway Runoff Manual and maintain its roadway surfaces.	WSDOT Design WSDOT Maintenance & Operations	WSDOT Highway Runoff Manual WSDOT Maintenance Manual

* Does not include conditions on federal lands or 401 certification-authorized tribal lands

† Seattle District Region General Condition

†† National General Conditions

††† Ecology's State 401 Certification General Conditions

Prepared By: WSDOT Environmental Services Office Permitting Compliance Program; March 22, 2018