

COVER	SHEET				
Proposal Submitted By:					
Contractor's Name					
Contractor's Address	City			State	Zip Code
STATE OF ILLINOIS					
Local Public Agency		County	S	ection Nu	umber
Cerro Gordo Township		Piatt	2	3-0313	9-00-DR
Route(s) (Street/Road Name)			Type of Fund	ls	
TR 20 & TR 153			Rebuild Illi	nois Fu	nding
Submitted/Approved For Local Public Agency: For a County and Read District Project		Farra			
For a County and Road District Project		For a N	iunicipal Pro	ject	
Submitted/Approved		Submitte	d/Approved/P	assed	
Highway Commissioner Signature & Date	Signatu	ire & Date			
Dan Jahn April 12, 2024	Official	Title			
Submitted/Approved					
County Engineer/Superintendent of Highways Signature & Date					
April 12, 2024		Departme Released for b	ent of Transp	ortation mited rev	riew
	Region	al Engineer Signa	ture & Date		
	Ken	sil A. Gar	nett	04	1524

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

Loc	al Public Agency	County	Section Number	Route(s) (Stree	et/Road Name)
Ce	rro Gordo Township	Piatt	23-03139-00-DR	TR 20 & TR	153
		NOTICE TO) BIDDERS		
Sea	led proposals for the project describe	d below will be received at th	ne office of the County En	gineer,	
111	5 N State Street Suite 150 N	Aonticello II 61856		Name of Offic	
		Address	unui	TI.00 AIVI Time	_ on <u>June 3, 2024</u> . Date
Sea	led proposals will be opened and rea	d publicly at the office of the	e County Engineer,		
111	5 N. State Street Suite 150 N	Ionticello II 61856	Nar	ne of Office	
		Address	at	<u>11:00 AM</u> Time	_ on <u>June 3, 2024</u> . _{Date}
		DESCRIPTIO	N OF WORK		
Loc	ation][Project Length
Ce	rro Gordo Township, Piatt Cou	nty, Illinois			210' (0.040 mi.)
Pro	posed Improvement				
Thi	s project consists of removing	three existing culverts a minimal approach road	and constructing three ne	ew precast co side ditch imr	oncrete box culverts
oth	er related work.	minimal approach toau	way improvements, road		brovements, and
1. P	lans and proposal forms will be avail	able in the office of			
The	e County Engineer,				
111	15 N. State Street, Suite 150, N	Monticello, IL 61856			
2.	× Prequalification				
	If checked, the 2 apparent as read lo triplicate, showing all uncompleted c and private work. One original shall I	ow bidders must file within 24 ontracts awarded to them an be filed with the Awarding Au	hours after the letting an "Aff d all low bids pending award t thority and two originals with	idavit of Availabi for Federal, Stat the IDOT Distric	lity" (Form BC 57) in e, County, Municipal t Office.
3.	The Awarding Authority reserves the Provision for Bidding Requirements	right to waive technicalities and Conditions for Contract F	and to reject any or all propos ^p roposals.	als as provided	in BLRS Special
4.	The following BLR Forms shall be re a. Local Public Agency Formal Co	turned by the bidder to the A ntract Proposal (BLR 12200)	warding Authority:		
	 b. Schedule of Prices (BLR 12201) c. Proposal Bid Bond (BLR 12230))) (if applicable)			
	d. Apprenticeship or Training Prog	ram Certification (BLR 1232	5) (do not use for project with	Federal funds.)	
F	e. Affidavit of Illinois Business Offic	ce (BLR 12326) (do not use f	or project with Federal funds)	icon of hido. Do	ment to the Centraster
э.	will be made only for the actual quar scheduled quantities of work to be de provided.	ntities of work performed and one and materials to be furni	accepted or materials furnish shed may be increased, decre	ed according to eased or omitted	the contract. The as hereinafter
6.	Submission of a bid shall be conclus for the performance of work. The bid in depth examination. The Awarding anticipated profits resulting from suc	ive assurance and warranty t der will be responsible for all Authority will, in no case, be h failure or neglect of the bid	the bidder has examined the p errors in the proposal resultir responsible for any costs, ex der.	olans and under ng from failure of penses, losses o	stands all requirements r neglect to conduct an or changes in
7.	The bidder shall take no advantage of	of any error or omission in the	e proposal and advertised cor	ntract.	
8.	If a special envelope is supplied by t Awarding Agency and the blank spa	he Awarding Authority, each ces on the envelope shall be	proposal should be submitted filled in correctly to clearly ind	l in that envelope dicate its content	e furnished by the s. When an envelope

- Awarding Agency and the blank spaces on the envelope shall be filled in correctly to clearly indicate its contents. When an envelope other than the special one furnished by the Awarding Authority is used, it shall be marked to clearly indicate its contents. When sent by mail, the sealed proposal shall be addressed to the Awarding Authority at the address and in care of the official in whose office the bids are to be received. All proposals shall be filled prior to the time and at the place specified in the Notice to Bidders. Proposals received after the time specified will be returned to the bidder unopened.
- 9. Permission will be given to a bidder to withdraw a proposal if the bidder makes the request in writing or in person before the time for opening proposals.

Ce				Roule(s) (Street/Road Name)
	rro Gordo Township	Piatt	23-03139-00-DR	TR 20 & TR 153
			PROPOSAL	
	Proposal of			
			Contractor's Name	
		C	Contractor's Address	
	The plans for the proposed work	are those prepared by	Hutchison Engineering, Inc.	
	and approved by the Department	t of Transportation on		
-	The specifications referred to he Specifications for Road and Brid adopted and in effect on the date	rein are those prepared ge Construction" and the e of invitation for bids.	by the Department of Transportat e " Supplemental Specifications a	ion and designated as "Standard nd Recurring Special Provisions" thereto,
	The undersigned agrees to acce Recurring Special Provisions" co	pt, as part of the contrac ontained in this proposal	ct, the applicable Special Provision	ns indicated on the "Check Sheet for
-	The undersigned agrees to comp is granted in accordance with the	plete the work within $\frac{45}{2}$	b working days or by _	unless additional time
j.	The successful bidder at the time	e of execution of the cor	ntract will be required to o	deposit a contract bond for the full amount c
	the award. When a contract bond and the undersigned fails to exer forfeited to the Awarding Authori	d is not required, the pro cute a contract and cont ty.	pposal guaranty check will be held ract bond as required, it is hereby	I in lieu thereof. If this proposal is accepted agreed that the Bid Bond of check shall be
•	Each pay item should have a un the unit price multiplied by the qu quantity in order to establish a u	it price and a total price. uantity, the unit price sha nit price. A bid may be d	If no total price is shown or if the all govern. If a unit price is omitte leclared unacceptable if neither a	ere is a discrepancy between the products of d, the total price will be divided by the unit price nor a total price is shown.
-	The undersigned submits herew	ith the schedule of price	s on BLR 12201 covering the wor	k to be performed under this contract.
•	The undersigned further agrees shall be in accordance with the r below.	that if awarded the contr equirements of each inc	ract for the sections contained in t lividual proposal for the multiple b	he combinations on BLR 12201, the work id specified in the Schedule for Multiple Bids
0.	A proposal guaranty in the prop	er amount, as specified	in BLRS Special Provision for Bid	ding Requirements and Conditions for
	Contract Proposals, will be required bird bond, if allowed, on Depart	ired. Bid Bonds Will tment form BLR 12230 c	be allowed as a proposal gu or a proposal guaranty check, com	aranty. Accompanying this proposal is eithe plying with the specifications, made payable
	The emount of the check is		Treasurer of Platt County, III	nois .
	The amount of the check is			().

Attach Cashier's Check or Certified Check Here

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

The proposal guaranty check will be found in the bid proposal for: Section Number ____

Local Public Agency	County	Section Number	Route(s) (Street/Road Name)
Cerro Gordo Township	Piatt	23-03139-00-DR	TR 20 & TR 153

CONTRACTOR CERTIFICATIONS

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

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

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

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

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

Local Public Agency	County	Section Number	Route(s) (Street/Road Name)
Cerro Gordo Township	Piatt	23-03139-00-DR	TR 20 & TR 153
	SI	GNATURES	
(If an individual)		Bidder Signature & Date	
		Business Address	
		City	State Zip Code
(If a partnership)		Firm Name	
		Signature & Date	
		Titlo	
		Business Address	
		City	State Zip Code
Insert the Names and Addresses of all	Partners		
(If a corporation)		Corporate Name	
		Signature & Date	
		Title	
		Business Address	
		City	State Zin Code
Inser	Names of Officers	President	
		Secretary	
Attest:			
		Treasurer	
Secretary			





Contractor's Name

Contractor's Address	City		State	zip Code
Local Public Agency		County	Section N	lumber
Cerro Gordo Township		Piatt	23-0313	39-00-DR
Route(s) (Street/Road Name)				
All Culvert Locations				

Schedule for Multiple Bids

Combination Letter	Section Included in Combinations	Total

Schedule for Single Bid

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

Item Number	Items	Unit	Quantity	Unit Price	Total
20200100	Earth Excavation	CU YD	590		
20700220	Porous Granular Embankment	CU YD	145		
28000305	Temporary Ditch Checks	FOOT	192		
28000400	Perimeter Erosion Barrier	FOOT	200		
28100807	Stone Dumped Riprap,	TON	70		
	Class A4				
40200800	Aggregate Surface Course,	TON	257		
	Туре В				
50100100	Removal of Existing Structures	EACH	1		
50104400	Concrete Headwall Removal	EACH	1		
50105220	Pipe Culvert Removal	FOOT	78		
50200450	Removal and Disposal of	CU YD	40		
	Unsuitable Material for				
	Structures				
54001001	Box Culvert End Sections,	EACH	2		
	Culvert No. 1				
54001002	Box Culvert End Sections,	EACH	2		
	Culvert No. 2				
54001003	Box Culvert End Sections,	EACH	2		
	Culvert No. 3				

ocal Public Agen	cyCounty_		Section	Number	Route(s) (Street/Road Name)
Cerro Gordo To	ownship Piatt		23-03139-00-DR		All Culvert Locations
Item Number	Items	Unit	Quantity	Unit Price	Total
54010502	Precast Concrete Box Culverts	FOOT	24		
	5' x 2'				
54010602	Precast Concrete Box Culverts	FOOT	24		
	6' x 2'				
54010805	Precast Concrete Box Culverts	FOOT	54		
	8' x 5'				
59100100	Geocomposite Wall Drain	SQ YD	110		
X2501000	Seeding, Class 2 (Special)	ACRE	0.3		
X5810103	Membrane Waterproofing	SQ YD	110		
	System for Buried Structures				
X7010216	Traffic Control and Protection,	L SUM	2		
	(Special)				
XX009301	Field Tile Adjustment	FOOT	300		
				dder's Total Proposal	

1. Each pay item should have a unit price and a total price.

2. If no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity, the unit price shall govern.

3. If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.

4. A bid may be declared unacceptable if neither a unit price or total price is shown.



Local Public Agency **Proposal Bid Bond**

Local Public Agency	County	Section Number
Cerro Gordo Township	Piatt	23-03139-00-DR
WE,		as PRINCIPAL, and

as SURETY, are held jointly,

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

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

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

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

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

Day	Month and Year		
	Pri	incipal	
Company Name			Company Name
Signature & Date			Signature & Date
Bv.		Bv.	
		<i>Dj</i> .	
litle			
(If Principal is a joint venture of two or more of	ontractors, the compar	ny name	s, and authorized signatures of each contractor must be
amxed.)	S	urety	
Name of Surety			Signature of Attorney-in-Fact Signature & Date
		Bv:	
		,	
STATE OF IL			
COUNTY OF			
I		a Notarv	Public in and for said county do hereby certify that
·	,		
(Insert na	mes of individuals signing	g on beha	If of PRINCIPAL & SURETY)
who are each personally known to me to be th	ne same persons whose	se names	s are subscribed to the foregoing instrument on behalf of
PRINCIPAL and SURETY, appeared before r	ne this day in person a	and ackn	owledged respectively, that they signed and delivered said
nstruments as their free and voluntary act for $$	the uses and purpose	s therein	set forth.
Given under my hand and notarial seal this	day	of	
	Day		Month and Year
			Notary Public Signature & Date
(SEAL, if required by the	e LPA)		

Date commission expires

Local Public Agency	County	Section Number
Cerro Gordo Township	Piatt	23-03139-00-DR

ELECTRONIC BID BOND =

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

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

Electronic Bid	Bond ID	Code
----------------	---------	------

Company/Bidder Name

Signature & Date

Title



Local Public Agency	County	Street Name/Road Name	Section Number
Cerro Gordo Township	Piatt	TR 20 & TR 153	23-03139-00-DR

All contractors are required to complete the following certification

x For this contract proposal or for all bidding groups in this deliver and install proposal.

For the following deliver and install bidding groups in this material proposal.

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

1. Except as provided in paragraph 4 below, the undersigned bidder certifies that it is a participant, either as an individual or as part of a group program, in an approved apprenticeship or training program applicable to each type of work or craft that the bidder will perform with its own employees.

2. The undersigned bidder further certifies, for work to be performed by subcontract, that each of its subcontractors either (A) is, at the time of such bid, participating in an approved, applicable apprenticeship or training program; or (B) will, prior to commencement of performance of work pursuant to this contract, establish participation in an approved apprenticeship or training program applicable to the work of the subcontract.

3. The undersigned bidder, by inclusion in the list in the space below, certifies the official name of each program sponsor holding the Certificate of Registration for all of the types of work or crafts in which the bidder is a participant and that will be performed with the bidder's employees. Types of work or craft that will be subcontracted shall be included and listed as subcontract work. The list shall also indicate any type of work or craft job category for which there is no applicable apprenticeship or training program available.

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

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

Bidder		Signature & Date		
Title				
Address	City		State	Zip Code



Affidavit of Illinois Business Office

Cerro Gordo Township	Piatt	-		
			IR 20 & IR 153	23-03139-00-DR
	of			
Name of Affiant	0		City of Affiant	,,,,,,,
being first duly sworn upon oath, state as follows	:		ony of Alliant	otate of Amant
1. That I am the	0.	f		
Officer or Position			Bidder	
2. That I have personal knowledge of the facts he	erein stated.			
3. That, if selected under the proposal described	above,			_, will maintain a business office in the
			Bidder	
State of Illinois, which will be located in	County	County,	IIIINOIS.	
4. That this business office will some as the prime		anlovmont fo	r any parsons omployed	in the construction contemplated by
this proposal.	ary place of en	npioyment io	any persons employed	
5 That this Affidavit is given as a requirement of	state law as pr	rovided in Se	ction 30-22(8) of the Illin	ois Procurement Code
			Signature & Date	
			Print Name of Affiant	
Notary Bublic				
State of IL				
County				
Signed (or subscribed or attested) before me on		by		
	(date))		
				, authorized agent(s) of
(nar	ne/s of person/s))		
Bidder				
			Notary Public	Signature & Date
(SEAL)			My commission	n expires

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Highway Standards

80-95

Special Provisions

The following Special Provisions supplement the "Standard Specifications for Road and Bridge Construction", adopted January 1, 2022, the latest edition of the "Illinois Manual on Uniform Traffic Control Devices for Streets and Highways", and the "Manual of Test Procedures for Materials" in effect on the date of invitation for bids, and the "Supplemental Specifications and Recurring Special Provisions", adopted January 1, 2024 which apply to and govern the construction of Piatt County and Cerro Gordo Township Section 23-03139-00-DR, and in case of conflict with any part, or parts of said Specifications, the said Special Provision shall take precedence and shall govern.

Location of Work:

Location #1: This culvert is located in Piatt County, Illinois approximately 2.5 miles northeast of Cerro Gordo, Illinois on Township Road 20 (N300E Road) over Drainage Ditch on the section line of Section 25/30, Township 17 North, Range 4/5 East of the 3rd PM.

<u>Location #2</u>: This culvert is located in Piatt County, Illinois approximately 2 miles north of Cerro Gordo, Illinois on Township Road 153 (850N Road) over Unnamed Stream in Section 23, Township 17 North, Range 4 East of the 3rd PM.

<u>Location #3</u>: This culvert is located in Piatt County, Illinois approximately 2 miles north of Cerro Gordo, Illinois on Township Road 153 (850N Road) over Drainage Ditch in Section 23, Township 17 North, Range 4 East of the 3rd PM.

Description of Work:

Location #1: This work consists of removal of the existing pipe culvert and construction of a single 6'x2' precast concrete box culvert with precast concrete apron end sections. Also included are removal and disposal of unsuitable material for structures, erosion control measures, seeding, improvement of Township Road 20 with an aggregate surface, roadside ditch improvements, and other related work.

Location #2: This work consists of removal of the existing concrete box culvert and construction of a double 8'x5' precast concrete box culvert with precast concrete apron end sections. Also included are removal and disposal of unsuitable material for structures, erosion control measures, seeding, improvement of Township Road 153 with an aggregate surface, roadside ditch improvements, and other related work.

<u>Location #3</u>: This work consists of removal of the existing pipe culvert and construction of a single 5'x2' precast concrete box culvert with precast concrete apron end sections. Also included are removal and disposal of unsuitable material for structures, erosion

control measures, seeding, improvement of Township Road 153 with an aggregate surface, roadside ditch improvements, and other related work.

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

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

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

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

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

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

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

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

Standards 701901 BLR Std. 21

All advance warning signs shall be new or in like new condition at the start of the project. The contractor shall be responsible for the condition and placement of traffic

control devices at all times during construction activities and throughout shutdown periods.

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

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

The Contractor will be required to close Township Road 20 and Township Road 153 to all traffic during the construction of this project. Barricades and warning signs shall be erected at each end of the section under construction to safeguard the public, while R11-3a signs shall be erected, notifying traffic that the road is closed. Access to all adjacent properties shall be maintained during construction of this project. Traffic control and protection shall be in accordance with the standards included in the plans and shall be paid for at the contract lump sum price for TRAFFIC CONTROL AND PROTECTION, (SPECIAL), which price shall be payment in full for all materials, labor, and equipment required for this item as specified and to the satisfaction of the Engineer.

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

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

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

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

Removal of Existing Structures:

<u>Location #2</u>: This work shall consist of the Contractor removing and disposing of the existing structure. The existing structure consists of a single 8'x5' cast-in-place reinforced concrete box culvert. The structure is ~18'-0" in length and is not skewed.

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

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

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

Add the following to Article 250.03.

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

Add the following to Article 1101.08(i).

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

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

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

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

Nitrogen Fertilizer Nutrients	90 lb/acre (100 kg/ha)	
Phosphorus Fertilizer Nutrients	90 lb/acre (100 kg/ha)	
Potassium Fertilizer Nutrients	90 lb/acre (100 kg/ha)	1

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

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

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

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

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

Revise Articles 250.10 and 251.07 so that the following applies:

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

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

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

Field Tile Adjustment: Existing field tile/tile outlets located near the existing structure/roadway may require adjustment/relocation to allow for construction of the proposed roadway/bridge. The final decision as to whether a tile requires adjustment, where new outlets will be placed and the limits of the tile to be relocated shall be determined in the field by the Engineer. Suitable existing materials may be used for the relocation at the discretion of the Engineer. All new pipe, connections, and other materials required for the relocation and all methods used in the relocation process shall

be in accordance with Standard Specifications for Road and Bridge Construction and shall be completed to the satisfaction of the Engineer.

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

Name and Address	Туре	Location	Estimated Date Relocation Completed			
Location #1: Ameren 6 Richard Mark Way Collinsville II 62234	Electric	Throughout Project	Prior To / During Construction			
Frontier Communications 109 East Market Street Bloomington, IL 61701	Telephone	None	N/A			
Location #2 & Location #3: Village of Cerro Gordo 229 E South Street Cerro Gordo, IL 61818	Water	None	N/A			
Plans sent to utilities:						
Location #1: Ameren: August 25 th , 2023 Response: 8/29/2023 – Electric lines on west side of TR 20. Leslie Crownover – Icrownover@ameren.com						
Frontier Communications: August 25 th , 2023 Response: 8/25/2023 – No utilities present. Kalin Hinshaw – kalin.hinshaw@ftr.com						
<u>Location #2 & Location #3</u> : Village of Cerro Gordo: September 18 th , 2023 Response: 9/19/2023 – No utilities present. Mark Blickensderfer – dpw@fathill.com						

Status of Utilities to be Adjusted:

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

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

INDEX

FOR SUPPLEMENTAL SPECIFICATIONS AND RECURRING SPECIAL PROVISIONS

Adopted January 1, 2024

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

ERRATA Standard Specifications for Road and Bridge Construction (Adopted 1-1-22) (Revised 1-1-24)

SUPPLEMENTAL SPECIFICATIONS

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407	Hot-Mix Asphalt Pavement (Full-Depth)	. 5
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Check Sheet for Recurring Special Provisions

Local Public Agency	County	Section Number
Cerro Gordo Township	Piatt	23-03139-00-DR

Check this box for lettings prior to 01/01/2024.

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Local Public Agency	County	Section Number
Cerro Gordo Township	Piatt	23-03139-00-DR

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

Local Roads And Streets Recurring Special Provisions

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

SPECIAL PROVISION FOR INSURANCE

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

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

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

Piatt County Highway Department

Cerro Gordo Township

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

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

SPECIAL PROVISION FOR CONSTRUCTION AND MAINTENANCE SIGNS

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

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

701.14. <u>Signs</u>. Add the following paragraph to Article 701.14:

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

BDE SPECIAL PROVISIONS For the April 26 and June 14, 2024 ettings

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

Fil	e Name	#		Special Provision Title	Effective	Revised
	80099	1		Accessible Pedestrian Signals (APS)	April 1, 2003	Jan. 1, 2022
	80274	2		Aggregate Subgrade Improvement	April 1, 2012	April 1, 2022
	80192	3		Automated Flagger Assistance Devices	Jan. 1, 2008	pril 1, 2023
	80173	4		Bituminous Materials Cost Adjustments	Nov. 2, 2006	A g. 1, 2017
	80426	5		Bituminous Surface Treatment with Fog Seal	Jan. 1, 2020	Jan. 1, 2022
*	80241	6		Bridge Demolition Debris	July 1, 2009	
*	5053I	7		Building Removal	Sept. 1, 1990	A g. 1, 2022
*	502 I	8		Building Removal with Asbestos Abatement	Sept. 1, 1990	Aug. 1, 2022
	80449	9	~	Cement, Type IL	Aug. 1, 2023	U
	80384	10	~	Compensable Delay Costs	June 2, 2017	April 1, 2019
*	80198	11		Completion Date (via calendar days)	pril 1, 2008	
*	80199	12		Completion Date (via calendar days) Plus Working Days	April 1, 2008	
	80453	13		Concrete Sealer	Nov. 1, 2023	
	80261	14		Construction Air Quality – Diesel Retrofit	June 1, 2010	Nov. 1, 2014
	80434	15		Corrugated Plastic Pipe (Culvert and Storm Sewer)	Jan. 1, 2021	
*	80029	16		Disadvantaged Business Enterprise Participation	Sept. 1, 2000	Mar. 2, 2019
	80229	17		Fuel Cost Adjustment	April 1, 2009	Aug. 1, 2017
	80452	18		Full Lane Sealant Waterproofing System	Nov. 1, 2023	U
	80447	19		Grading and Shaping Ditches	Jan. 1, 2023	
	80433	20		Green Preformed Thermoplastic Pavement Markings	Jan. 1, 2021	Jan. 1, 2022
	80443	21		High Tension Cable Median Barrier Removal	April 1, 2022	
	80456	22		Hot-Mix Asphalt	Jan. 1, 2024	
	80446	23		Hot-Mix Asphalt - Longitudinal Joint Sealant	Nov. 1, 2022	Aug. 1, 2023
	80438	24		Illinois Works Apprenticeship Initiative – State Funded Contracts	June 2, 2021	April 2, 2024
	80045	25		Material Transfer Device	June 15, 1999	Jan. 1, 2022
	80450	26		Mechanically Stabilized Earth Retaining Walls	Aug. 1, 2023	
	80441	27		Performance Graded Asphalt Binder	Jan. 1, 2023	
	80451	28	~	Portland Cement Concrete	Aug. 1, 2023	
*	342 I	29		Railroad Protective Liability Insurance	Dec. 1, 1986	Jan. 1, 2022
	80455	30	~	Removal and Disposal of Regulated Substances	Jan. 1, 2024	April 1, 2024
	80445	31	~	Seeding	Nov. 1, 2022	
	80457	32		Short Term and Temporary Pavement Markings	April 1, 2024	
	80448	33		Source of Supply and Quality Requirements	Jan. 2, 2023	
	80340	34		Speed Display Trailer	April 2, 2014	Jan. 1, 2022
	80127	35		Steel Cost Adjustment	April 2, 2004	Jan. 1, 2022
	80397	36		Subcontractor and DBE Payment Reporting	April 2, 2018	
	80391	37		Subcontractor Mobilization Payments	Nov. 2, 2017	April 1, 2019
	80437	38		Submission of Payroll Records	April 1, 2021	Nov. 2, 2023
	80435	39		Surface Testing of Pavements – IRI	Jan. 1, 2021	Jan. 1, 2023
	80410	40		Traffic Spotters	Jan. 1, 2019	
*	20338	41		Training Special Provisions	Oct. 15, 1975	Sept. 2, 2021
	80429	42		Ultra-Thin Bonded Wearing Course	April 1, 2020	Jan. 1, 2022
	80439	43	~	Vehicle and Equipment Warning Lights	Nov. 1, 2021	Nov. 1, 2022
	80302	44		Weekly DBE Trucking Reports	June 2, 2012	Nov. 1, 2021
	80454	45		Wood Sign Support	Nov. 1, 2023	
	80427	46		Work Zone Traffic Control Devices	Mar. 2, 2020	
*	80071	47	~	Working Days	Jan. 1, 2002	

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

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

The following special provisions are in the 2024 Supplemental Specifications and Recurring Special Provisions.

File Name	Special Provision Title	<u>New Location(s)</u>	Effective	Revised
80436	Blended Finely Divided Minerals	Articles 1010.01 & 1010.06	April 1, 2021	
80440	Waterproofing Membrane System	Article 1061.05	Nov. 1, 2021	

CEMENT, TYPE IL (BDE)

Effective: August 1, 2023

Add the following to Article 302.02 of the Standard Specifications:

Revise Note 2 of Article 352.02 of the Standard Specifications to read:

"Note 2. Either Type I or Type IA portland cement or Type IL portland-limestone cement shall be used."

Revise Note 1 of Article 404.02 of the Standard Specifications to read:

"Note 1. The cement shall be Type I portland cement or Type IL portland-limestone cement."

Revise Article 1019.02(a) of the Standard Specifications to read:

"(a) Cement, Type I or IL1001"

80449

COMPENSABLE DELAY COSTS (BDE)

Effective: June 2, 2017 Revised: April 1, 2019

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

- "(b) Compensation. Compensation will not be allowed for delays, inconveniences, or damages sustained by the Contractor from conflicts with facilities not meeting the above definition; or if a conflict with a utility in an unanticipated location does not cause a shutdown of the work or a documentable reduction in the rate of progress exceeding the limits set herein. The provisions of Article 104.03 notwithstanding, compensation for delays caused by a utility in an unanticipated location will be paid according to the provisions of this Article governing minor and major delays or reduced rate of production which are defined as follows.
 - (1) Minor Delay. A minor delay occurs when the work in conflict with the utility in an unanticipated location is completely stopped for more than two hours, but not to exceed two weeks.
 - (2) Major Delay. A major delay occurs when the work in conflict with the utility in an unanticipated location is completely stopped for more than two weeks.
 - (3) Reduced Rate of Production Delay. A reduced rate of production delay occurs when the rate of production on the work in conflict with the utility in an unanticipated location decreases by more than 25 percent and lasts longer than seven calendar days."

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

- "(c) Payment. Payment for Minor, Major, and Reduced Rate of Production Delays will be made as follows.
 - (1) Minor Delay. Labor idled which cannot be used on other work will be paid for according to Article 109.04(b)(1) and (2) for the time between start of the delay and the minimum remaining hours in the work shift required by the prevailing practice in the area.

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

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

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

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

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

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

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

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

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

"(f) Basis of Payment. After resolution of a claim in favor of the Contractor, any adjustment in time required for the work will be made according to Section 108. Any adjustment in the costs to be paid will be made for direct labor, direct materials, direct equipment, direct jobsite overhead, direct offsite overhead, and other direct costs allowed by the resolution. Adjustments in costs will not be made for interest charges, loss of anticipated profit, undocumented loss of efficiency, home office overhead and unabsorbed overhead other than as allowed by Article 109.13, lost opportunity, preparation of claim expenses and other consequential indirect costs regardless of method of calculation.

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

Add the following to Section 109 of the Standard Specifications.

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

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

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

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

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

	One Clerk
Over \$50,000,000	One Project Manager, Two Project Superintendents, One Engineer, and
	One Clerk

- (2) Home Office and Unabsorbed Overhead. Payment for home office and unabsorbed overhead will be calculated as 8 percent of the total delay cost.
- (c) Extended Traffic Control. Traffic control required for an extended period of time due to the delay will be paid for according to Article 109.04.

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

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

80384

PORTLAND CEMENT CONCRETE (BDE)

Effective: August 1, 2023

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

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

80451

REMOVAL AND DISPOSAL OF REGULATED SUBSTANCES (BDE)

Effective: January 1, 2024 Revised: April 1, 2024

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

80455

SEEDING (BDE)

Effective: November 1, 2022

Revise Article 250.07 of the Standard Specifications to read:

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

When an area is to be seeded with two or more seeding classes, those mixtures shall be applied separately on the designated area within a seven day period. Seeding shall occur prior to placement of mulch cover. A Class 7 mixture can be applied at any time prior to applying any seeding class or added to them and applied at the same time.
TABLE 1 - SEEDING MIXTURES				
Class	- Туре	Seeds	lb/acre (kg/hectare)	
1	Lawn Mixture 1/	Kentucky Bluegrass Perennial Ryegrass <i>Festuca rubra</i> ssp. r <i>ubra</i> (Creeping Bed Fescue)	100 (110) 60 (70) 40 (50)	
1A	Salt Tolerant Lawn Mixture 1/	Kentucky Bluegrass Perennial Ryegrass <i>Festuca rubra</i> ssp. <i>rubra</i> (Creeping Red Fescue) <i>Festuca brevipilla</i> (Hard Fescue) <i>Puccipellia distans</i> (Fults Saltgrass or Salty Alkaligrass)	60 (70) 20 (20) 20 (20) 20 (20) 60 (70)	
1B	Low Maintenance Lawn Mixture 1/	Turf-Type Fine Fescue 3/ Perennial Ryegrass Red Top <i>Festuca rubra</i> ssp. <i>rubra</i> (Creeping Red Fescue)	150 (170) 20 (20) 10 (10) 20 (20)	
2	Roadside Mixture 1/	<i>Lolium arundinaceum</i> (Tall Fescue) Perennial Ryegrass <i>Festuca rubra</i> ssp. r <i>ubra</i> (Creeping Red Fescue) Red Top	100 (110) 50 (55) 40 (50) 10 (10)	
2A	Salt Tolerant Roadside Mixture 1/	Lolium arundinaceum (Tall Fescue) Perennial Ryegrass Festuca rubra ssp. rubra (Creeping Red Fescue) Festuca brevipila (Hard Fescue) Puccinellia distans (Fults Saltgrass or Salty Alkaligrass)	60 (70) 20 (20) 30 (20) 30 (20) 60 (70)	
3	Northern Illinois Slope Mixture 1/	Elymus canadensis (Canada Wild Rye) 5/ Perennial Ryegrass Alsike Clover 4/ Desmanthus illinoensis (Illinois Bundleflower) 4/ 5/ Schizachyrium scoparium	5 (5) 20 (20) 5 (5) 2 (2) 12 (12)	
		(Little Bluestem) 5/ Bouteloua curtipendula (Side-Oats Grama) 5/ Puccinellia distans (Fults Saltgrass or Salty Alkaligrass) Oats, Spring Slender Wheat Grass 5/ Buffalo Grass 5/ 7/	10 (10) 30 (35) 50 (55) 15 (15) 5 (5)	
3A	Southern Illinois Slope Mixture 1/	Perennial Ryegrass <i>Elymus canadensis</i> (Canada Wild Rye) 5/ <i>Panicum virgatum</i> (Switchgrass) 5/ <i>Schizachyrium scoparium</i> (Little Blue Stem) 5/	20 (20) 20 (20) 10 (10) 12 (12)	
		(Side-Oats Grama) 5/ Dalea candida (White Prairie Clover) 4/ 5/	10 (10) 5 (5)	
		Rudbeckia hirta (Black-Eyed Susan) 5/ Oats, Spring	5 (5) 50 (55)	

Class	– Туре	Seeds	lb/acre (kg/hectare)		
4	Native Grass 2/ 6/	Andropogon gerardi (Big Blue Stem) 5/	4 (4)		
		Schizachyrium scoparium (Little Blue Stem) 5/	5 (5)		
		Bouteloua curtipendula (Side-Oats Grama) 5/	5 (5)		
		Elymus canadensis (Canada Wild Rye) 5/	1 (1)		
		Panicum virgatum (Switch Grass) 5/	1 (1)		
		Sorghastrum nutans (Indian Grass) 5/	2 (2)		
		Annual Ryegrass	25 (25)		
		Oats, Spring Perennial Ryegrass	25 (25) 15 (15)		
4A	Low Profile	Schizachyrium scoparium	5 (5)		
	Native Grass 2/6/	(Little Blue Stem) 5/ Bouteloua curtipendula	5 (5)		
		(Side-Oats Grama) 5/ <i>Elymus canadensis</i>	1 (1)		
		(Canada Wild Rye) 5/ Sporobolus heterolepis	0.5 (0.5)		
		(Prairie Dropseed) 5/	25 (25)		
		Oats, Spring	25 (25) 25 (25)		
4R	Wetland Grass and		25 (25)		
10	Sedge Mixture 2/ 6/	Oats, Spring	25 (25)		
		Wetland Grasses (species below) 5/	6 (6)		
	Species:		<u>% By Weight</u>		
	Calamagrostis cana	densis (Blue Joint Grass)	12		
	Carex lacustris (Lake	e-Bank Sedge)	6		
	Carex slipala (AWI-F	ruiled Sedge)	6 6		
Carex stricta (Tussock Sedge)			0		
	Eleocharis acicularis	3			
	Eleocharis obtusa (E	3			
	<i>Glyceria striata</i> (Fow	14			
	Juncus effusus (Con	6			
	Juncus tenuis (Slend	6			
	Juncus torreyi (Torre	6			
	Leersia oryzoides (F	10			
	Scirpus acutus (Har	3			
	Scirpus atrovirens (L	3			
	BUIDUSCHOEHUS TIUVI	3			
	Spartina pectinata (Spartina pectinata (Cord Grass)			

Class ·	– Туре	Seed	s	lb/acre (kg/hectare
5	Forb with	Annual	s Mixture (Below)	1 (1)
	Annuals Mixture 2	2/ 5/ 6/ Forb M	ixture (Below)	10 (10)
	Annuals Mixture	- Mixture not exceed	ling 25 % by weight of	
		any one species, of t	he following:	
	Coreopsis lan	ceolata (Sand Coreop	osis)	
	Leucanthemu	<i>m maximum</i> (Shasta	Daisy)	
	Gaillardia pulo	chella (Blanket Flower)	
	Ratibida colur	mnifera (Prairie Conef	lower)	
	Rudbeckia hir	ta (Black-Eyed Susan)	
	Forb Mixture - N	Aixture not exceeding	5 % by weight PLS of	
	an	y one species, of the	following:	
	Amorpha can	escens (Lead Plant) 4	/	
	Anemone cvli	ndrica (Thimble Weed	,)	
	Asclenias tub	erosa (Butterfly Weed)	
	Aster azureus	(Sky Blue Aster)	/	
	Symphyotrich	um leave (Smooth As	ter)	
	Aster novae-a	naliae (New England	Aster)	
	Baptisia leuca	ntha (White Wild India	go) 4/	
	Coreopsis pal	mata (Prairie Coreops	sis)	
	Echinacea pa	Ilida (Pale Purple Con	eflower)	
	Ervngium vuc	<i>cifolium</i> (Rattlesnake	Master)	
	Helianthus mo	ollis (Downy Sunflowe	r)	
	Heliopsis helia	anthoides (Ox-Eye)	/	
	Liatris aspera	(Rough Blazing Star)		
	Liatris pycnos	tachya (Prairie Blazin	g Star)	
	Monarda fistu	losa (Prairie Bergamo	t)	
	Parthenium in	<i>tegrifolium</i> (Wild Quin	ine)	
	Dalea candida	a (White Prairie Clove	r) 4/	
	Dalea purpure	ea (Purple Prairie Clov	ver) 4/	
	Physostegia v	virginiana (False Drago	onhead)	
	Potentilla argu	uta (Prairie Cinquefoil))	
	Ratibida pinna	ata (Yellow Coneflowe	er)	
	Rudbeckia su	btomentosa (Fragrant	Coneflower)	
	Silphium lacin	iatum (Compass Plan	t)	
	Silphium terel	<i>binthinaceum</i> (Prairie	Dock)	
	Oligoneuron r	<i>igidum</i> (Rigid Goldenr	rod)	
	Tradescantia	ohiensis (Spiderwort)		
	Veronicastrun	n virginicum (Culver's	Root)	

Class	– Туре	Seeds	lb/acre (kg/hectare)
5A	Large Flower Native Forb Mixture 2/ 5/ 6/	Forb Mixture (see below)	5 (5)
	<u>Species:</u> Aster novae-angliae (Ne Echinacea pallida (Pale Helianthus mollis (Down Heliopsis helianthoides Liatris pycnostachya (P Ratibida pinnata (Yellow Rudbeckia hirta (Black- Silphium laciniatum (Co Silphium terebinthinace Oligoneuron rigidum (R	ew England Aster) Purple Coneflower) ny Sunflower) (Ox-Eye) rairie Blazing Star) w Coneflower) Eyed Susan) ompass Plant) pum (Prairie Dock) igid Goldenrod)	<u>% By Weight</u> 5 10 10 10 10 5 10 10 20 10
5B	Wetland Forb 2/ 5/ 6/	Forb Mixture (see below)	2 (2)
	<u>Species:</u> Acorus calamus (Sweet Angelica atropurpurea (Asclepias incarnata (Sw Aster puniceus (Purple Bidens cernua (Beggart Eutrochium maculatum Eupatorium perfoliatum Helenium autumnale (A Iris virginica shrevei (Bl Lobelia cardinalis (Caro Lobelia siphilitica (Grea Lythrum alatum (Winge Physostegia virginiana Persicaria pensylvanica Persicaria lapathifolia (C Pychanthemum virginia Rudbeckia laciniata (Cu Oligoneuron riddellii (Ri Sparganium eurycarpu	t Flag) (Angelica) vamp Milkweed) Stemmed Aster) ticks) (Spotted Joe Pye Weed) (Boneset) utumn Sneeze Weed) ue Flag Iris) linal Flower) t Blue Lobelia) d Loosestrife) (False Dragonhead) a (Pennsylvania Smartweed) Curlytop Knotweed) unum (Mountain Mint) ut-leaf Coneflower) ddell Goldenrod) m (Giant Burreed)	<u>% By Weight</u> 3 6 2 10 7 7 2 2 5 5 5 2 5 5 10 10 5 5 2 5 5 2 5 5 5 5 5 5 5 5 5 5 5 5 5
6	Conservation Mixture 2/ 6/	Schizachyrium scoparium (Little Blue Stem) 5/ Elymus canadensis (Canada Wild Rye) 5/ Buffalo Grass 5/ 7/ Vernal Alfalfa 4/ Oats, Spring	5 (5) 2 (2) 5 (5) 15 (15) 48 (55)
6A	Salt Tolerant Conservation Mixture 2/ 6/	Schizachyrium scoparium (Little Blue Stem) 5/ Elymus canadensis (Canada Wild Rye) 5/ Buffalo Grass 5/ 7/ Vernal Alfalfa 4/ Oats, Spring Puccinellia distans (Fults Saltgrass or Salty Alkaligrass)	5 (5) 2 (2) 5 (5) 15 (15) 48 (55) 20 (20)
7	Temporary Turf Cover Mixture	Perennial Ryegrass Oats, Spring	50 (55) 64 (70)

Notes:

- 1/ Seeding shall be performed when the ambient temperature has been between 45 °F (7 °C) and 80 °F (27 °C) for a minimum of seven (7) consecutive days and is forecasted to be the same for the next five (5) days according to the National Weather Service.
- 2/ Seeding shall be performed in late fall through spring beginning when the ambient temperature has been below 45 °F (7 °C) for a minimum of seven (7) consecutive days and ending when the ambient temperature exceeds 80 °F (27 °C) according to the National Weather Service.
- 3/ Specific variety as shown in the plans or approved by the Engineer.
- 4/ Inoculation required.
- 5/ Pure Live Seed (PLS) shall be used.
- 6/ Fertilizer shall not be used.
- 7/ Seed shall be primed with KNO₃ to break dormancy and dyed to indicate such.

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

VEHICLE AND EQUIPMENT WARNING LIGHTS (BDE)

Effective: November 1, 2021 Revised: November 1, 2022

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

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

WORKING DAYS (BDE)

Effective: January 1, 2002

The Contractor shall complete the work within 45 working days.

GUIDE BRIDGE SPECIAL PROVISION INDEX/CHECK SHEET Effective as of the: August 4, 2023 Letting

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

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

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

MEMBRANE WATERPROOFING SYSTEM FOR BURIED STRUCTURES

Effective: October 4, 2016 Revised: March 1, 2019

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

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

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

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

Physical Properties	
Thickness ASTM D 1777 or D 3767	60 mils (1.500 mm) min.
Width	36 inches (914 mm) min.
Tensile Strength, Film ASTM D 882	5000 lb./in² (34.5 MPa) min.
Pliability [180° bend over 1" inch (25 mm) mandrel @ -20 °F (-29 °C)] ASTM D 146 (Modified) or D1970	No Effect
Puncture Resistance-Membrane ASTM E 154	40 lb. (178 N) min.
Permeability (Perms) ASTM E 96, Method B	0.1 max.
Water Absorption (% by Weight) ASTM D 570	0.2 max.
Peel Strength ASTM D 903	9 lb./in (1576 N/m) min.

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

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

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

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

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

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

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

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

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

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

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

Piatt County Cerro Gordo Township Section 23-03139-00-DR Township Road 153 over Unnamed Stream

CLEAN WATER ACT SECTION 404 CERTIFICATION

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

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

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

Mutth Agod Date: 2/13/24





2022 Nationwide Permit Summary

U.S Army Corps Of Engineers

Issued: February 25, 2022

No. 14. Linear Transportation Projects (NWP Final Notice, 86 FR, 73574)

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

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites.

Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be affected areas returned to preaffected by temporary fills must be revegetated, as appropriate.

non-linear features commonly associated with transportation projects, such as vehicle maintenance stations, or aircraft hangars.

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

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

Note 2: Some discharges of dredged or fill material for the construction of farm roads or forest roads, or temporary roads for moving mining

Expires: March 14, 2026

equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

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

C. Nationwide Permit General Conditions

(NWP Final Notice, 86 FR 2867-2874)

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act

Section 401 water quality certification 2. Aquatic Life Movements. No and/or Coastal Zone Management Act activity may substantially disrupt the consistency for an NWP. Every person necessary life cycle movements of who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP movement of those aquatic species. If authorization.

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

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized destruction (e.g., through excavation, facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the 4. Migratory Bird Breeding Areas. United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the maximum extent practicable. the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim 6. Suitable Material. No activity may shall be made against the United States on account of any such removal debris, car bodies, asphalt, etc.). or alteration.

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 a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

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

Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to

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

use unsuitable material (e.g., trash, Material used for construction or discharged must be free from toxic

pollutants in toxic amounts (see section 307 of the Clean Water Act).

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

8. Adverse Effects From

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

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

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

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

12. Soil Erosion and Sediment

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.

and Fills. Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be management responsibility for that removed in their entirety and the affected areas returned to preconstruction elevations. The affected areas must be revegetated, as appropriate.

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

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

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the

appropriate Federal agency with **Controls.** Appropriate soil erosion and direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-13. Removal of Temporary Structures construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

> (c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

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

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical

habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered (e.g., an ESA Section 10 Permit, a or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The means to harass, harm, pursue, hunt, district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal which actually kills or injures wildlife. applicant of the Corps' determination within 45 days of receipt of a complete habitat modification or degradation pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7

consultation or conference has been completed. If the non-Federal applicant has not heard back from the the ESA section 10(a)(1)(B) permit to Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization **Biological Opinion with "incidental** take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to activity or whether additional ESA take a listed species, where "take" shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act Such an act may include significant where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the nonfederal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general

condition. The district engineer will coordinate with the agency that issued determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/ esa/respectively.

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

available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity. properties or the potential for the

20. Historic Properties. (a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If preconstruction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then submitted in the PCN and these additional consultation under section federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP

activity or include a vicinity map indicating the location of the historic presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information identification efforts, the district 106 may be necessary. The respective engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA:

No historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete preconstruction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to

notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

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

22. Designated Critical Resource

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

national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he (d) Compensatory mitigation at a determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer when determining appropriate and ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

minimizing, rectifying, reducing, or compensating for resource losses) will

be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require preconstruction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activityspecific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require preconstruction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activityspecific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction (b) Mitigation in all its forms (avoiding, notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to

ensure that the activity results in only watershed basis. In cases where minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer not available at the time the PCN is may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area cumulative adverse environmental along a single bank or shoreline may

be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a

riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects (e) Compensatory mitigation plans for provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

> (1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism is mitigation bank credits or in-lieu fee easement, the district engineer will program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

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

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

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

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

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

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters

of the United States that will convert a until water quality certification is herbaceous wetland in a permanently authority issues a water quality maintained utility line right-of-way, the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment

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

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

(b) If the NWP activity requires preconstruction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP any case specific conditions added by

obtained or waived. If the certifying certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

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

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case

Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with the Corps or by the state, Indian Tribe, permit verification, the permittee may general, regional, or activity-specific or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management submitting a letter to the appropriate Act consistency determination.

28. Use of Multiple Nationwide

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

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

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

29. Transfer of Nationwide Permit Verifications. If the permittee sells the

property associated with a nationwide

transfer the nationwide permit verification to the new owner by Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must

contain the following statement and

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

(Transferee)

signature:

30. Compliance Certification. Each permittee who receives an NWP provide a signed certification documenting completion of the authorized activity and implementation of any required 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 permission and/or review is not document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any

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(I)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

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

31. Activities Affecting Structures or Works Built by the United States. If an verification letter from the Corps must NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers compensatory mitigation. The success (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a)

Timing. Where required by the terms of the NWP, the prospective permittee to cause effects to historic properties, must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. notification from the Corps that there The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to 330.4(f)) and/or section 106 of the request the additional information necessary to make the PCN complete. 33 CFR 330.4(g)) has been completed. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested will notify the prospective permittee that the PCN is still incomplete and the activity until an individual permit has PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

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

(2) 45 calendar days have passed from numbers of the prospective 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 the permittee cannot begin the activity until receiving written 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 If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 any proposed mitigation measures PCN, the permittee cannot begin the been obtained. Subsequently, the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in information:

(1) Name, address and telephone permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) (i) A description of the proposed activity; the activity's purpose; direct

and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general National Historic Preservation Act (see permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require preconstruction notification. The description of the proposed activity and information, then the district engineer calendar days of receipt of a complete should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than permittee's right to proceed under the minimal and to determine the need for compensatory mitigation or other mitigation measures.

> (ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when (7) For non-federal permittees, if any necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker designation) might be affected or is in decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed habitat (or critical habitat proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or Scenic River System, or in a river detailed mitigation plan.

listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such the vicinity of the activity, or if the activity is located in designated critical for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an

official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The nationwide permit preconstruction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) All NWP activities that require preconstruction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites;

and (iii) NWP 54 activities in excess of considered. For NWP 37, the 500 linear feet, or that extend into the emergency watershed protection and waterbody more than 30 feet from the rehabilitation activity may proceed mean low water line in tidal waters or immediately in cases where there is the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water (4) In cases of where the prospective quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that she determines, after considering the resource agencies' concerns were

an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether evaluation of the single and complete the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

D. District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or mitigation, that the proposed activity

will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an crossings of waters of the United States that require PCNs to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings of waters of the United States authorized by an NWP. If an applicant requests a waiver of an applicable limit, as provided for in NWPs 13, 36, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by an NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects

(temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special submit a compensatory mitigation conditions to the NWP authorization concerns.

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

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

> **4.** If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) That the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that

the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan ensure timely completion of the required compensatory mitigation.

E. Further Information

1. District engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference ecological reference may be based on with any existing or proposed Federal a conceptual model for the aquatic project (see general condition 31).

F. Definitions

Best management practices (BMPs):

Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as characteristics of an aquatic resource structural or non-structural.

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

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

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

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

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

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

Enhancement: The manipulation of the physical, chemical, or biological to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), aquatic resource function(s). in aquatic resource area.

Establishment (creation): The 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, 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 but may also lead to a decline in other cultural importance to an Indian tribe or Native Hawaiian organization and that Enhancement does not result in a gain meet the National Register criteria (36 CFR part 60).

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

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

Loss of waters of the United States:

Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. The loss of stream bed includes the acres of stream bed that are permanently

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

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

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous document that includes information to tidal waters are located landward of about the proposed work and its the high tide line (i.e., spring high tide anticipated environmental effects. line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or

standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of flowing or standing or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include

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 mechanisms. Preservation does not natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

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

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

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-

construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical physical characteristics such as a clear, 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. For 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 portion of the total linear project streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a course substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

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

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

Single and complete linear project: A

linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and Stormwater management facilities: complete project" is defined as that

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) concentration of nutrients, sediments, at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear

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

Stormwater management:

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

Stormwater management facilities 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 hazardous substances and other pollutants) of stormwater runoff.

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

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

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

Tidal wetland: A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due

to masking by other waters, wind, or other effects. Tidal wetlands are located 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: For purposes of the NWPs, a waterbody is a "water of the United States." If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)).



US Army Corps of Engineers ® Illinois Regional Conditions 2021 Nationwide Permits

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 · (217) 782-3397 JB PRITZKER, GOVERNOR JOHN J. KIM, DIRECTOR

Corrected Copy

October 8, 2021

Corrected Copy Date: DEC 2 1 2021

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

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

Dear Ms. Chavez:

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

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

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

2125 S. First Street, Champaign, IL 61820 (217) 278-5800 2009 Mall Street Collinsville, IL 62234 (618) 346-5120 9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000 595 S. State Street, Elgin, IL 60123 (847) 608-3131 2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200 412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022 4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

NWP 3 – Maintenance

IEPA Log No. C-0210-20, Section 401 Water Quality Certification with General and Special Conditions and Denial of 401 Certification Regarding Federal Register [Docket Number: COE-2020-0002] Proposal to Reissue and Modify Nationwide Permits, September 15, 2020.

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

NWP 6 - Survey Activities. Refer to Special Conditions for NWP 6 in Attachment.

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

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

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

IEPA Log No. C-0210-20, Section 401 Water Quality Certification with General and Special Conditions and Denial of 401 Certification Regarding Federal Register [Docket Number: COE-2020-0002] Proposal to Reissue and Modify Nationwide Permits, September 15, 2020.

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- <u>NWP 34 Cranberry Production Activities</u>: The Illinois EPA has determined that the area of impact that is allowed by an authorization under this nationwide permit exceeds 1/2 acre. 1/2 acre is determined to be representative of the maximum threshold for minimal degradation of existing uses of aquatic resources. Consequently, any activity authorized under this nationwide permit must be subject to a case-specific antidegradation assessment pursuant to 35 Ill. Admin. Code Section 302.105. Therefore, the Illinois EPA denies 401 certification for NWP 34.
- <u>NWP 44 Mining Activities</u>: The Illinois EPA has determined that a case-specific review is warranted for all surface mining activities because pursuant to 35 Ill. Admin. Code Section 401.102, mining activities are identified as having, when certain refuse materials are used, the capability to cause or threaten to cause a nuisance or render waters harmful or detrimental to public health and to all legitimate uses including but not limited to livestock and wildlife uses. Furthermore, all mining activities are regulated by the Illinois EPA under federal and state statute because of their potential to cause or threaten to cause water pollution. Therefore, for the above reasons, the Illinois EPA denies 401 certification for NWP 44.
- <u>NWP 46 Discharges into Ditches</u>: The Illinois EPA has determined that a case-specific review is warranted for all discharge activities into ditches because of the nationwide permit exceeds the 1/2 acreage determined to be the maximum threshold for minimal degradation of existing uses of aquatic resources. Consequently, any activity authorized under this nationwide permit must be subject to a case-specific antidegradation assessment pursuant to 35 Ill. Admin. Code Section 302.105. Therefore, the Illinois EPA denies 401 certification for NWP 46.
- <u>NWP 48 Commercial Shellfish Mariculture Activities</u>: As proposed, the Illinois EPA believes this nationwide permit is inapplicable to waters of the U.S. that are found within the State of Illinois. Therefore, the Illinois EPA denies 401 certification for NWP 48.
- <u>NWP 49 Coal Remining Activities</u>: By reference to the certification denial explanation for NWP 21, the Illinois EPA denies 401 certification for NWP 49.
- <u>NWP 50 Underground Coal Mining</u>: By reference to the certification denial explanation for NWP 21, the Illinois EPA denies 401 certification for NWP 50.
- <u>NWP 59 Water Reclamation and Reuse Facilities</u>: As proposed in the Federal Register, this proposed nationwide permit would appear to allow utilization of existing natural waterbodies as treatment devices. According to 35 Ill. Admin. Code 301.440 such utilization is not permissible. Therefore, the Illinois EPA denies 401 certification for NWP 59.

401 Certification General Conditions

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

General Condition 1: Waterbodies that Require Individual Certification

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

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

General Condition 2: Water Quality Impairments

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

General Condition 3: Threatened and Endangered Species

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

General Condition 4: TMDLs

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

General Condition 5: Prohibitions

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

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

General Condition 6: Erosion and Sedimentation Control Measures

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

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

General Condition 7: NPDES Stormwater Construction Permit

Pursuant to the Illinois Environmental Protection Act Section 39(a)[415 ILCS 5/39(a)] and 35 Ill. Admin. Code Section 395.402(b)(2), the applicant shall be responsible for obtaining an NPDES Storm Water Permit required by the federal Clean Water Act prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be applied for at <u>https://www2.illinois.gov/epa/topics/forms/water-permits/storm-water/Pages/construction.aspx</u>.

General Condition 8: Spill Response Plan

Pursuant to 35 Ill. Admin. Code Sections 395.401, 302.203, and 302.208, the applicant shall ensure that a spill avoidance and response plan has been developed and implemented for management of accidental releases of petroleum, oil, and lubricant products to the aquatic environment during construction and for emergency notification of applicable downstream water supply operators. Absorbent pads, containment booms and skimmers shall be available to facilitate the cleanup of petroleum spills. If floating hydrocarbon (oil and gas) products are observed, the applicant or his designated individual will be responsible for directing that work be halted so that appropriate corrective measures are taken in accordance with the plan prior to resuming work.

General Condition 9: Hydraulic Machinery

Pursuant to 35 Ill. Admin. Code Sections 302.203, 302.304, and 302.515, all hydraulic machinery utilized for the permitted activity and used in or immediately adjacent to waters of the State shall utilize biodegradable or bio-based hydraulic fluids to minimize pollution in the case of broken or leaking hydraulic equipment.

General Condition 10: Temporary Structures and Work

Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.204, and 395.401(b), temporary work pads, cofferdams, access roads and other temporary fills are approved provided that such activities are constructed with clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities. Temporary fills within streams, creeks or rivers shall utilize adequate bypass measures (i.e. dam and pump, flumes, culverts, etc.) to minimize sedimentation and erosion and to maintain normal stream flow during construction.

General Condition 11: Construction Site Dewatering

Pursuant to Illinois Environmental Protection Act Section 39(a)[415 ILCS 5/39(a)] and 35 Ill. Admin. Code Section 395.402(b)(2), dewatering of a construction site is authorized provided the dewatering activity is limited to the immediate work area within a cofferdam or otherwise isolated from waters of the State, and the work site is free from sources of contamination including those of natural origin. Dewatering activities shall incorporate Best Management Practices in accordance with the current edition of the "Illinois Urban Manual" IEPA Log No. C-0210-20, Section 401 Water Quality Certification with General and Special Conditions and Denial of 401 Certification Regarding Federal Register [Docket Number: COE–2020–0002] Proposal to Reissue and Modify Nationwide Permits, September 15, 2020.

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https://illinoisurbanmanual.org/. Practice Standard for Dewatering (no. 813) or as otherwise appropriate to ensure that return flows from the dewatering activity <u>are free of unnatural</u> <u>turbidity and floating debris</u> and meet applicable water quality standards. Dewatering or discharge of flush water from construction of drilled piers or boreholes is not authorized and must be conducted in accordance with an NPDES permit issued by the Illinois EPA.

General Condition 12: Discharged Material Quality

Pursuant to 35 Ill. Admin. Code Sections 302.203, 302.208, and 395.401(b), any spoil material excavated, dredged or otherwise produced must not be returned to the water body but must be deposited in a self-contained area in compliance with all state statutes. Except as specifically allowed by special condition, any backfilling must be done with clean material that is predominantly sand or larger size material, with no more than 20% passing a #230 U. S. sieve and placed in a manner to prevent violation of applicable water quality standards.

401 Certification Special Conditions

Special Conditions including the conditional exclusions of 401 certification coverage that are listed within the Attachment: "Special Conditions for Illinois EPA 401 Water Quality Certifications of Certain Nationwide Permits" shall be applicable as stated therein.

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

Sincerely,

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

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Attachment: Special Conditions for Illinois EPA 401 Water Quality Certifications of Certain Nationwide Permits Regarding Federal Register [Docket Number: COE–2020–0002] Proposal to Reissue and Modify Nationwide Permits dated September 15, 2020

cc: Records Unit CoE, Chicago District CoE, Louisville District (Indianapolis Office) CoE, Louisville District (Newburgh Regulatory Office) CoE, Memphis District CoE, St. Louis District IDNR, Bartlett IDNR, OWR, Chicago IDNR, OWR, Springfield USEPA, Region 5 USFWS, Rock Island, Barrington and Marion
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ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 6 Survey Activities

- 1. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(iii), 302.203, and 395.401(a), the applicant for the applicable nationwide permit shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.
- 2. Pursuant to 35 Ill. Admin. Code Section 395.401(a), material resulting from trench excavation within surface waters of the State may be temporarily sidecast adjacent to the trench excavation provided that:
 - a. Sidecast material is not placed within a creek, stream, river or other flowing water body such that material dispersion could occur;
 - b. Sidecast material is not placed within ponds or other water bodies other than wetlands; and
 - c. Sidecast material is not placed within a wetland for a period longer than twenty (20) calendar days. Such sidecast material shall either be removed from the site or used as backfill (refer to Condition 4).
- 3. Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.205, and 395.401(a), backfill used within trenches passing through surface water of the State, except wetland areas, shall be clean coarse aggregate, gravel or other material which will not cause siltation. Excavated material may be used only if:
 - a. Particle size analysis is conducted and demonstrates the material to be at least 80% sand or larger size material, using a #230 U.S. sieve; or
 - b. Excavation and backfilling are done under dry conditions.
- 4. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii) and 395.401(a), backfill used within trenches passing through wetland areas shall consist of clean material which will not cause siltation. Excavated material shall be used to the extent practicable, with the upper six (6) to twelve (12) inches backfilled with the topsoil obtained during trench excavation.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMITS 12, 57, and 58. <u>Utility Line Activities, Electric, Water, and Others.</u>

- 1. Pursuant to 35 Ill. Adm. Code Sections 302.105(c)(2)(B), 302.208, and 395.401, a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for:
 - a. activities in the following waters:
 - i. Lake Calumet
 - ii. Fox River (including the Fox Chain of Lakes)
 - iii. Lake Michigan
 - iv. Chicago Sanitary and Ship Canal
 - v. Calumet-Sag Channel
 - vi. Little Calumet River
 - vii. Grand Calumet River
 - viii. Calumet River
 - ix. Pettibone Creek (in Lake County)

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- x. South Branch of the Chicago River (including the South Fork)
- xi. North Branch of the Chicago River (including the East and West Forks and the Skokie Lagoons)
- xii. Chicago River (Main Stem)
- xiii. Des Plaines River
- xiv. Kankakee River
- b. activities in the following waters if material is sidecast into waters of the State or wetlands:
 - i. Saline River (in Hardin County)
 - ii. Richland Creek (in St. Clair and Monroe Counties)
 - iii. Rock River (in Winnebago County)
 - iv. Illinois River upstream of mile 229.6 (Illinois Route 178 bridge)
 - v. Illinois River between mile 140.0 and 182.0
 - vi. DuPage River (including the East and West Branches)
 - vii. Salt Creek (Des Plaines River Watershed)
 - viii. Waukegan River (including the South Branch)
- c. activities in waters designated as Public and Food Processing Water Supplies with surface intake facilities within 2000 feet of the proposed discharge unless the discharge is reasonably considered downstream of the intake. The Illinois EPA's Division of Public Water Supply at 217/782-1020 may be contacted for information on these water supplies
- 2. Section 401 water quality certification is hereby issued for all other waters, with the following conditions:
 - a. Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 302.105(c)(2)(B)(iii), the applicant for the applicable nationwide permit(s) shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.
 - b. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, dredged material resulting from trench excavation within surface waters of the State may be temporarily sidecast adjacent to the trench excavation provided that:
 - i. Sidecast material is not placed within a creek, stream, river or other flowing water body such that material dispersion could occur;
 - ii. Side cast material is not placed within ponds or other water bodies other than wetlands; and
 - iii. Sidecast material is not placed within a wetland for a period longer than twenty (20) calendar days. Such sidecast material shall either be removed from the site (refer to Condition 2.e) or used as backfill (refer to Condition 2.d).
 - c. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, backfill used within trenches passing through surface water of the State, except wetland areas, shall be clean course aggregate, gravel or other material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material may be used only if:
 - i. Particle size analysis is conducted and demonstrates the material to be at least 80% sand or larger size material, using a #230 U.S. sieve; or
 - ii. Excavation and backfilling are done under dry conditions.

- d. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, backfill used within trenches passing through wetland areas shall consist of clean material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material shall be used to the extent practicable, with the upper six (6) to twelve (12) inches backfilled with the topsoil obtained during trench excavation.
- e. Pursuant to 35 III. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, 302.208, 395.203, and 395.401, all material excavated which is not being used as backfill as stipulated in Condition 2.d and 2.c shall be stored or disposed in self-contained areas with no discharge to waters of the State. Material shall be disposed of appropriately under the regulations at 35 II. Adm. Code Subtitle G.
- f. Pursuant to 35 Ill. Admin. Code Sections 395.401(b), 302.203, and 302.208, the use of directional drilling to install utility pipelines below surface waters of the State is hereby certified provided that:
 - i. All pits and other construction necessary for the directional drilling process are located outside of surface waters of the State;
 - ii. All drilling fluids shall be adequately contained such that they cannot cause a discharge to surface waters of the State. Such fluids shall be treated as stipulated in Condition 2.F; and
 - iii. Erosion and sediment control is provided in accordance with Conditions 2.B, 2.G, and 2.H.
- g. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(iii), 302.203, and 395.401(b), permanent access roads shall be constructed of clean coarse aggregate or non-erodible nonearthen fill material that will not cause siltation. Material excavated or dredged from the surface water or wetland shall not be used to construct the access road in waters of the state. The applicant for Nationwide Permit 12 that constructs access roads shall maintain flow in creeks, streams and rivers by installing culverts, bridges or other such techniques.
- h. Pursuant to 35 III. Admin. Code Sections 395.401(b) and 302.203, adjacent banks and slopes disturbed by construction shall be stabilized immediately following construction. The applicant shall undertake necessary measures and procedures to eliminate stormwater channelization via the utility route during and after construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins, check dams, straw bales and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions.
- i. Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 302.203, asphalt, bituminous material and concrete with protruding material such as reinforcing bar or mesh shall not be 1) used for backfill, 2) placed on shorelines/stream banks, or 3) placed in waters of the State.

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ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 13 <u>Bank Stabilization</u>

- Pursuant to 35 Ill. Admin. Code Sections 395.401(a) and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for bank stabilization activities that will exceed 1000 linear feet.
- 2. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), asphalt, bituminous material and concrete with protruding material such as reinforcing bars or mesh shall not be:
 - a. used for backfill;
 - b. placed on shorelines/streambanks; or
 - c. placed in waters of the State.
- 3. Pursuant to 35 Ill. Admin. Code Sections 302.203, 302.208, and 395.401(b), the applicant shall consider installing bioengineering practices in lieu of structural practices of bank stabilization to minimize impacts to the lake, pond, river or stream and enhance aquatic habitat. The applicant shall document the selection process for the bank stabilization technique(s) and the basis for the selection of the bank stabilization practices. Bioengineering techniques may include, but are not limited to:
 - a. adequately sized riprap or A-Jack structures keyed into the toe of the slope with native plantings on the banks above;
 - b. vegetated geogrids;
 - c. coconut fiber (coir) logs;
 - d. live, woody vegetative cuttings, fascines or stumps;
 - e. brush layering; and
 - f. soil lifts.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 14 Linear Transportation Projects

- 1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a casespecific (individual) 401 water quality certification from the Illinois EPA will be required for linear transportation activities that cause loss of greater than 500 linear feet of stream channel, as measured along the stream corridor.
- Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for linear transportation activities covered by this nationwide permit that include the temporary or permanent placement of steel or other painted structures within the waterbody as result of demolition work of previous structures.
- Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for new or expanded roadways that affect waterways which are designated by the State of Illinois as having water quality impairments caused by chloride. The most recent Illinois Integrated Water Quality Report and Section 303(d) List can be found at https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx

4. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 15 U.S. Coast Guard Approved Bridges

- Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a casespecific (individual) 401 water quality certification from the Illinois EPA shall be required for linear transportation activities covered by this nationwide permit that include the temporary or permanent placement of demolished structural or decking materials within the waterbody as result of demolition work of previous structures.
- Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), a case-specific (individual) 401 water quality certification from the Illinois EPA shall be required for new bridges (not replacing another) that affect waterways which are designated by the State of Illinois as having water quality impairments caused by chloride. The most recent Illinois Integrated Water Quality Report and Section 303(d) List can be found at https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 16 Return Water from Upland Contained Disposal Areas

- 1. Pursuant to 35 Ill. Adm. Code Sections 302.105(c)(2)(B), 302.208, and 395.401, a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for:
 - a. return water discharge resulting from dredging activities in the following waters:
 - i. Lake Calumet
 - ii. Fox River (including the Fox Chain of Lakes)
 - iii. Lake Michigan
 - iv. Chicago Sanitary and Ship Canal
 - v. Calumet-Sag Channel
 - vi. Little Calumet River
 - vii. Grand Calumet River
 - viii. Calumet River
 - ix. Pettibone Creek (in Lake County)
 - x. South Branch of the Chicago River (including the South Fork)
 - xi. North Branch of the Chicago River (including the East and West Forks and the Skokie Lagoons)
 - xii. Chicago River (Main Stem)
 - xiii. Des Plaines River
 - xiv. Kankakee River
 - xv. Saline River (in Hardin County)
 - xvi. Richland Creek (in St. Clair and Monroe Counties)

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- xvii. Rock River (in Winnebago County)
- xviii. Illinois River upstream of mile 229.6 (Illinois Route 178 bridge)
- xix. Illinois River between mile 140.0 and 182.0
- xx. DuPage River (including the East and West Branches)
- xxi. Salt Creek (Des Plaines River Watershed)
- xxii. Waukegan River (including the South Branch)
- xxiii. any waters designated as
- b. return water discharge, resulting from dredging activities, in waters designated as Public and Food Processing Water Supplies with surface intake facilities within 2000 feet of the proposed discharge unless the discharge is reasonably considered downstream of the intake. The Illinois EPA's Division of Public Water Supply at 217/782-1020 may be contacted for information on these water supplies.
- c. disposal areas or return water discharges that are located within a designated Environmental Justice (EJ) area of concern. An EJ mapping tool is available at <u>https://illinois-epa.maps.arcgis.com/apps/webappviewer/index.html?id=f154845da68a4a3f837</u> cd3b880b0233c.
- d. dredging activities that would result in upland placement of more than 125,000 cubic yards of material <u>or</u> would produce effluent discharge on a recurring basis for a period lasting more than 5 years, including periods covered under a previous Department of the Army authorization.
- e. hydraulic dredging activities if the total quantity of dredged material per dredge event would exceed 500 cubic yards and the receiving water:
 - i. is listed on the Agency's 303(d) List, or
 - ii. has a USEPA approved Total Maximum Daily Load (TMDL) is in effect, or
 - iii. is designated pursuant to Section 302.206(d) Stream Segments for Enhanced Dissolved Oxygen Protection.

Information on 303(d) List and TMDLs can be found at <u>https://www2.illinois.gov/</u> epa/topics/water-quality/watershed-management/tmdls/Pages/default.aspx and Information on Stream Segments for Enhanced Dissolved Oxygen Protection may be found at <u>https://pcb.illinois.gov/documents/dsweb/Get/Document-33354/</u>. You may also utilize Resource Management Mapping Service to graphically identify impaired waters at <u>https:// www.rmms.illinois.edu/</u>.

 Section 401 water quality certification is otherwise hereby issued pursuant to the Illinois Environmental Protection Act Section 12(a) [415 ILCS 5/12(a)] and 35 Ill. Admin. Code Section 395.402(b)(2), except that applicants shall apply for and obtain a water pollution control permit for construction and operation of the upland contained disposal area as provided by 35 Ill. Admin. Code Subtitle C Part 309 Subpart B, prior to dredging activities.

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ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 17 <u>Hydropower Projects</u>

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(b), an individual Section 401 water quality certification will be required for any project that is not previously approved by a Section 401 water quality certification issued by the Illinois EPA for a Federal Energy Regulatory Commission license or permit.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 23 <u>Approved Categorical Exclusions</u>

- Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that will cause the loss of aquatic resources which exceed the lessor of ¹/₂ acres or 300 linear feet of stream channel as measured along the stream corridor.
- 2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for linear transportation activities covered by this nationwide permit which includes the temporary or permanent placement of painted steel or other painted structures within the waterbody as a result of related demolition work.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 27 Aquatic Habitat Restoration, Establishment, and Enhancement Activities

- Pursuant to the Illinois Environmental Protection Act Section 12(a)[415 ILCS 5/12(a)] and 35 Ill. Admin. Code Sections 395.401(a) and 395.401(b)(2), all activities conducted under this nationwide permit shall be in accordance with the provisions of 35 Ill. Adm. Code 405.108. Work in reclaimed surface coal mine areas are required to obtain prior authorization from the Illinois EPA for any activities that result in the use of acid-producing mine refuse.
- Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B), 302.208, and 395.401(a), a case-specific (individual) 401 water quality certification from the Illinois EPA will be required for the relocation of waters of the State.
- 3. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B), 302.203, and 395.401(a), any backfilled materials used within artificial channels shall be clean coarse aggregate, gravel or other material which will not cause siltation and placed in a manner to prevent violation of applicable water quality standards.

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ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 29 <u>Residential Developments</u>

- 1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
- 2 Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
- 3. Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 32 Completed Enforcement Actions

- 1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that involve carbon recovery (coal mining or coal remining) or materials that may be considered "acid-producing material".
- 2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that include proposed (yet to be undertaken) loss of aquatic resources which exceed the lessor of ½ acres or 300 linear feet of stream channel as measured along the stream corridor.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 37 Emergency Watershed Protection and Rehabilitation

 Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that will cause the loss of aquatic resources which exceed the lessor of ½ acres or 300 linear feet of stream channel as measured along the stream corridor.

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ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 38 <u>Cleanup of Hazardous and Toxic Waste</u>

- 1. Pursuant to 35 Ill. Admin. Code Section 395.401(b), a case-specific (individual) Section 401 water quality certification will be required for activities covered by this nationwide permit that do not require or will not receive authorization or approval from the Illinois EPA, Bureau of Land (BOL).
- 2. Pursuant to 35 Ill. Admin. Code Section 395.401(b), the applicant shall notify the Illinois EPA, Bureau of Water, Permit Section, of the specific activity. This notification shall include information concerning the orders and approvals that have been or will be obtained from the BOL, for all cleanup activities under BOL jurisdiction or for which authorization or approval is sought from BOL for no further remedial action.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 39 <u>Commercial and Institutional Developments</u>

- 1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a), and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
- 2. Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, water treatment plants, wastewater treatment plants and related facilities prior to construction.
- 3. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
- 4. Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, and 395.401(b), for construction of oil and gas wells, the impacted waters of the State shall be restored to pre-construction conditions within six months after construction is started. For purposes of this condition, restoration includes stabilization and seeding or planting of vegetation on the disturbed areas that were vegetated prior to construction.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 40 <u>Agricultural Activities</u>

1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.

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2. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 42 <u>Recreational Facilities</u>

- 1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
- 2 Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
- 3. Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 43 <u>Stormwater Management Facilities</u>

- 1. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), the Agency hereby issues Section 401 water quality certification of Nationwide Permit 43 exclusively for the construction and maintenance of pollutant reduction green infrastructure features designed to reduce inputs of sediments, nutrients, and other pollutants into waters to meet reduction targets established under Total Daily Maximum Loads set under the Clean Water Act. All other activities authorized under this Nationwide Permit are denied Section 401 water quality certification. For purposes of this water quality certification green infrastructure means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels and cisterns and protection and enhancement of riparian buffers and floodplains. Material excavated, dredged or produced from the maintenance of green infrastructure features shall not be discharged to waters of the State.
- 2. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for development activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.

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- 3 Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.
- 4. Pursuant to 35 Ill. Admin. Code Section 395.402(b)(2), the applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 51 Land-Based Renewable Energy Generation Facilities

- 1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
- 2. Pursuant to 35 Ill. Admin. Code Sections 302.203 and 395.401(b), any relocated stream channel authorized under this nationwide permit shall be constructed under dry conditions and allowed to fully stabilize prior to the diversion of flow to prevent erosion and sedimentation.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 52 Water-Based Renewable Energy Generation Pilot Projects

- 1. Pursuant to 35 Ill. Admin. Code Sections 395.401(a), 302.105(a) and 302.105(c)(2)(B), case-specific (individual) 401 water quality certification from the Illinois EPA will be required for activities covered by this nationwide permit that cause loss of greater than 300 linear feet of stream channel, as measured along the stream corridor.
- Pursuant to 35 Ill. Admin. Code Section 395.401(b), an individual Section 401 water quality certification will be required for any hydrokinetic project that is not previously approved by a Section 401 water quality certification issued by the Illinois EPA for a Federal Energy Regulatory Commission license or permit.

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 53 <u>Removal of Low-Head Dams</u>

- 1. Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.205 and 395.401(b), the applicant shall implement the following Best Management Practices and Material Testing:
 - a. Sediments and river bottom material are excavated and removed to upland areas to minimize sediment transport downstream, minimize downcutting and protect water quality; or
 - b. measures shall be implemented to minimize sediment transport downstream; or

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- c. the sediments and river bottom materials that will be transported downstream are determined to have less than 20 percent passing a #230 U.S. Sieve based on representative sampling and analysis of the sediments and river bottom materials; or
- d. a combination of the above practices to protect water quality; and
- e. sediments and river bottom materials shall not be pollutional if released to downstream waters.
- Pursuant to 35 Ill. Admin. Code Sections 302.105(c)(2)(B)(ii), 302.203, and 395.401(b), Best Management Practices shall be implemented to minimize sediment transport downstream, minimize downcutting of sediment and river bottom materials and protect water quality.
- 3. Pursuant to 35 Ill. Admin. Code Section 395.401(a), the applicant shall notify downstream surface water supplies of the proposed dam removal. The applicant shall implement practices to prevent interference with Public and Food Processing Water Supply intakes. The Illinois EPA's Division of Public Water Supply may be contacted at 217/782-1020 for information on the Public and Food Processing Water Supplies.
- 4. Pursuant to 35 Ill. Admin. Code Sections 302.203, 395.401(b) and 395.402(b)(2), any spoil material excavated, dredged or otherwise produced during dam removal activities must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency.

ILLINOIS EPA WATER QUALITY CERTIFICATION SPECIAL CONDITIONS FOR NATIONWIDE PERMIT 54 Living Shorelines

1. Pursuant to 35 Ill. Admin. Code Section 395.401(a), an individual Section 401 water quality certification shall be required for any project that exceeds 1000 feet as measured along the bank or when the District Engineer waives the limitation of 30 feet as measured from the mean high water line.

							Ove	rtime								
Trade Title	Rg	Туре	с	Base	Foreman	M-F	Sa	Su	Hol	н/w	Pension	Vac	Trng	Other Ins	Add OT 1.5x owed	Add OT 2.0x owed
ASBESTOS ABT-GEN	All	BLD		35.62	36.87	1.5	1.5	2.0	2.0	7.75	19.09	0.00	0.90	0.00	0.00	0.00
ASBESTOS ABT-MEC	All	BLD		34.30	35.30	1.5	1.5	2.0	2.0	10.20	6.80	0.00	0.50	0.00	0.00	0.00
BOILERMAKER	All	BLD		42.50	46.00	1.5	1.5	2.0	2.0	7.07	27.21	0.00	1.06		0.00	0.00
BRICK MASON	All	BLD		36.59	38.79	1.5	1.5	2.0	2.0	9.60	16.67	0.00	0.96		0.00	0.00
CARPENTER	All	BLD		35.15	37.40	1.5	1.5	2.0	2.0	9.45	21.50	0.00	0.79	0.00	15.48	30.95
CARPENTER	All	HWY		37.82	39.57	1.5	1.5	2.0	2.0	9.45	21.50	0.00	0.76	0.00	0.00	0.00
CEMENT MASON	All	BLD		38.00	40.50	1.5	1.5	2.0	2.0	10.00	11.79	0.00	0.50		0.00	0.00
CEMENT MASON	All	HWY		38.00	40.00	1.5	1.5	2.0	2.0	10.50	13.56	0.00	0.50	0.00	0.00	0.00
CERAMIC TILE FINISHER	All	BLD		34.27		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
ELECTRIC PWR EQMT OP	All	ALL		52.63	62.45	1.5	1.5	2.0	2.0	8.58	14.74	0.00	0.79	0.00	0.00	0.00
ELECTRIC PWR GRNDMAN	All	ALL		35.76	62.45	1.5	1.5	2.0	2.0	8.07	10.01	0.00	0.54	0.00	0.00	0.00
ELECTRIC PWR LINEMAN	All	ALL		58.58	62.45	1.5	1.5	2.0	2.0	8.76	16.40	0.00	0.88	0.00	0.00	0.00
ELECTRIC PWR TRK DRV	All	ALL		37.53	62.45	1.5	1.5	2.0	2.0	8.13	10.51	0.00	0.57	0.00	0.00	0.00
ELECTRICIAN	NE	BLD		47.06	51.77	1.5	1.5	2.0	2.0	8.35	12.49	0.00	0.71	0.00	1.06	2.12
ELECTRICIAN	SW	BLD		43.30	47.63	1.5	1.5	2.0	2.0	8.66	12.30	0.00	0.65	0.00	0.98	1.95
ELECTRONIC SYSTEM TECH	All	BLD		37.50	40.50	1.5	1.5	2.0	2.0	9.10	9.25	0.00	0.40		0.57	1.13
ELEVATOR CONSTRUCTOR	All	BLD		55.57	62.52	2.0	2.0	2.0	2.0	16.17	20.96	4.45	0.75		0.00	0.00
FENCE ERECTOR	All	ALL		36.08	38.08	1.5	1.5	2.0	2.0	12.14	15.75	0.00	1.11	0.00	15.75	15.75
GLAZIER	All	BLD		38.60	40.60	1.5	1.5	2.0	2.0	7.85	13.77	0.00	0.68	0.00	0.00	0.00
HEAT/FROST INSULATOR	All	BLD		41.73	42.73	1.5	1.5	2.0	2.0	11.74	13.50	0.00	1.05		0.00	0.00
IRON WORKER	All	BLD		36.08	38.08	1.5	1.5	2.0	2.0	12.14	15.75	0.00	1.11	0.00	15.75	15.75
IRON WORKER	All	HWY		38.54	40.54	1.5	1.5	2.0	2.0	12.14	15.75	0.00	1.11	0.00	15.75	15.75
LABORER	All	BLD		32.62	33.87	1.5	1.5	2.0	2.0	7.75	19.09	0.00	0.80	0.00	0.00	0.00
LABORER	All	HWY		35.87	36.87	1.5	1.5	2.0	2.0	7.75	19.42	0.00	0.80	0.00	0.00	0.00
LATHER	All	BLD		35.15	37.40	1.5	1.5	2.0	2.0	9.45	21.50	0.00	0.79	0.00	15.48	30.95
MACHINIST	All	BLD		55.74	59.74	1.5	1.5	2.0	2.0	9.93	8.95	1.85	1.47		0.00	0.00
MARBLE FINISHER	All	BLD		34.27		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00

MARBLE MASON	All	BLD		35.83		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
MILLWRIGHT	All	BLD		35.58	37.83	1.5	1.5	2.0	2.0	9.45	21.54	0.00	0.79	0.00	15.50	30.99
MILLWRIGHT	All	HWY		40.10	41.85	1.5	1.5	2.0	2.0	9.45	22.34	0.00	0.76	0.00	0.00	0.00
OPERATING ENGINEER	All	BLD	1	40.71	42.32	1.5	1.5	2.0	2.0	12.00	14.25	0.00	2.50		0.00	0.00
OPERATING ENGINEER	All	BLD	2	38.18	42.32	1.5	1.5	2.0	2.0	12.00	14.25	0.00	2.50		0.00	0.00
OPERATING ENGINEER	All	BLD	3	34.30	42.32	1.5	1.5	2.0	2.0	12.00	14.25	0.00	2.50		0.00	0.00
OPERATING ENGINEER	All	BLD	4	42.32	42.32	1.5	1.5	2.0	2.0	12.00	14.25	0.00	2.50		0.00	0.00
OPERATING ENGINEER	All	HWY	1	47.21		1.5	1.5	2.0	2.0	12.00	15.70	0.00	2.50		0.00	0.00
OPERATING ENGINEER	All	HWY	2	41.88		1.5	1.5	2.0	2.0	12.00	15.70	0.00	2.50		0.00	0.00
OPERATING ENGINEER	All	HWY	3	33.67		1.5	1.5	2.0	2.0	12.00	15.70	0.00	2.50		0.00	0.00
OPERATING ENGINEER	All	HWY	4	48.81		1.5	1.5	2.0	2.0	12.00	15.70	0.00	2.50		0.00	0.00
PAINTER	All	ALL		30.75	32.25	1.5	1.5	2.0	2.0	7.75	16.40	0.00	0.70	0.00	0.00	0.00
PAINTER OVER 30 FT.	All	ALL		31.75	33.25	1.5	1.5	2.0	2.0	7.75	16.40	0.00	0.70	0.00	0.00	0.00
PAINTER PWR EQMT	All	ALL		31.50	33.00	1.5	1.5	2.0	2.0	7.75	16.40	0.00	0.70	0.00	0.00	0.00
PILEDRIVER	All	BLD		36.15	38.40	1.5	1.5	2.0	2.0	9.45	21.50	0.00	0.79	0.00	15.48	30.95
PILEDRIVER	All	HWY		38.82	40.57	1.5	1.5	2.0	2.0	9.45	21.50	0.00	0.76	0.00	0.00	0.00
PIPEFITTER	E	BLD		50.35	53.47	1.5	1.5	2.0	2.0	9.25	11.14	0.00	2.66		0.00	0.00
PIPEFITTER	W	BLD		41.10	45.10	1.5	1.5	2.0	2.0	9.25	13.11	0.00	1.30	0.00	0.00	0.00
PLASTERER	All	BLD		37.05	39.05	1.5	1.5	2.0	2.0	10.00	14.14	0.00	0.50	0.00	0.00	0.00
PLUMBER	E	BLD		50.35	53.47	1.5	1.5	2.0	2.0	9.25	11.14	0.00	2.66		0.00	0.00
PLUMBER	W	BLD		41.10	45.10	1.5	1.5	2.0	2.0	9.25	13.11	0.00	1.30	0.00	0.00	0.00
ROOFER	All	BLD		33.07	37.84	1.5	1.5	2.0	2.0	12.35	12.02	0.00	1.01	0.00	0.00	0.00
SHEETMETAL WORKER	All	BLD		42.73	45.23	1.5	1.5	2.0	2.0	10.80	15.97	0.00	0.55	2.09	0.00	0.00
SPRINKLER FITTER	All	BLD		47.09	50.09	1.5	1.5	2.0	2.0	11.45	14.92	0.00	0.52		0.00	0.00
STONE MASON	All	BLD		36.59	38.79	1.5	1.5	2.0	2.0	9.60	16.67	0.00	0.96	0.00	0.00	0.00
TERRAZZO FINISHER	All	BLD		34.27		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
TERRAZZO MASON	All	BLD		35.83		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
TILE MASON	All	BLD		35.83		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
TRUCK DRIVER	NE	ALL	1	42.17	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	ALL	2	42.76	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00

TRUCK DRIVER	NE	ALL	3	43.03	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	ALL	4	43.42	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	ALL	5	44.52	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	O&C	1	33.74	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	O&C	2	34.21	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	O&C	3	34.42	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	O&C	4	34.74	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	NE	O&C	5	35.62	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	ALL	1	42.25	46.61	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	ALL	2	42.83	46.61	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	ALL	3	43.15	46.61	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	ALL	4	43.50	46.61	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	ALL	5	44.61	46.61	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	O&C	1	33.80	37.26	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	O&C	2	34.26	37.26	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	O&C	3	34.52	37.26	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	O&C	4	34.80	37.26	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	SW	O&C	5	35.69	37.26	1.5	1.5	2.0	2.0	15.39	7.73	0.00	0.25	0.00	0.00	0.00
TUCKPOINTER	All	BLD		36.59	38.79	1.5	1.5	2.0	2.0	9.60	16.67	0.00	0.96	0.00	0.00	0.00

<u>Legend</u>

Rg Region

Type Trade Type - All, Highway, Building, Floating, Oil & Chip, Rivers

Class

Base Base Wage Rate

OT M-F Unless otherwise noted, OT pay is required for any hour greater than 8 worked each day, Mon through Fri. The number listed is the multiple of the base wage.

OT Sa Overtime pay required for every hour worked on Saturdays

OT Su Overtime pay required for every hour worked on Sundays

OT Hol Overtime pay required for every hour worked on Holidays

H/W Health/Welfare benefit

Vac Vacation

Trng Training

Other Ins Employer hourly cost for any other type(s) of insurance provided for benefit of worker.

Explanations PIATT COUNTY

ASBESTOS - SEE LABORERS

CARPENTERS (SOUTHWEST) - Commencing at the southeastern corner where Piatt County line meets the Douglas and Moultrie county lines, proceeding north on Piatt County line to County Road 1475 East, then proceeding north to County Road 500 North, then north to County Road 525 North and then west to County Road 1425 East and then north and west to County Road 1400 East and proceeding north to County Road 1000 North, then proceeding west to County Road 500 East, then north to County Road 1300 North, then west to County Road 300 East, then proceeding north to Old Highway 48 and then west to Old Route 48 to the Piatt County Line. ELECTRICIANS (NORTHEAST) - Townships of Blue Ridge, Sangamon and Monticello (Northeast quadrant).

PLUMBERS & PIPEFITTERS (EAST) - That part of the county East of an extension of Rt. 105 from the Northern to the Southern boundary of the county.

TRUCK DRIVERS (NORTHEAST) - East of a line starting at the intersection of the DeWitt-Piatt Counties line and Route 10 in a southerasterly direction to the southeast corner of Piatt County.

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day in some classifications/counties. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration. If in doubt, please check with IDOL.

Oil and chip resealing (O&C) means the application of road oils and liquid asphalt to coat an existing road surface, followed by application of aggregate chips or gravel to coated surface, and subsequent rolling of material to seal the surface.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER, MARBLE FINISHER, TERRAZZO FINISHER

Assisting, helping or supporting the tile, marble and terrazzo mechanic by performing their historic and traditional work

assignments required to complete the proper installation of the work covered by said crafts. The term "Ceramic" is used for naming the classification only and is in no way a limitation of the product handled. Ceramic takes into consideration most hard tiles.

ELECTRONIC SYSTEMS TECHNICIAN

Installation, service and maintenance of low-voltage systems which utilizes the transmission and/or transference of voice, sound, vision, or digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background/foreground music, intercom and telephone interconnect, field programming, inventory control systems, microwave transmission, multi-media, multiplex, radio page, school, intercom and sound burglar alarms and low voltage master clock systems.

Excluded from this classification are energy management systems, life safety systems, supervisory controls and data acquisition systems not intrinsic with the above listed systems, fire alarm systems, nurse call systems and raceways exceeding fifteen feet in length.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION Class 1. Drivers on 2 axle trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver helpers, warehouse employees, mechanic helpers, greasers and tiremen, pickup trucks when hauling materials, tools, or workers to and from and on-the-job site, and fork lifts up to 6,000 lb. capacity.

Class 2. Two or three axle trucks hauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, vactor trucks or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. capacity, winch trucks, four axle combination units, and ticket writers.

Class 3. Two, three or four axle trucks hauling 16 ton or more. Drivers on water pulls, articulated dump trucks, mechanics and working forepersons, and dispatchers. Five axle or more combination units.

Class 4. Low Boy and Oil Distributors.

Class 5. Drivers who require special protective clothing while employed on hazardous waste work.

TRUCK DRIVER - OIL AND CHIP RESEALING ONLY.

This shall encompass laborers, workers and mechanics who drive contractor or subcontractor owned, leased, or hired pickup, dump, service, or oil distributor trucks. The work includes transporting materials and equipment (including but not limited to, oils, aggregate supplies, parts, machinery and tools) to or from the job site; distributing oil or liquid asphalt and aggregate; stock piling material when in connection with the actual oil and chip contract. The Truck Driver (Oil & Chip Resealing) wage classification does not include supplier delivered materials.

OPERATING ENGINEERS - BUILDING

CLASS 1. Asphalt Screed Man; Aspco Concrete Spreaders; Asphalt Pavers; Asphalt Plant Engineer; Asphalt Rollers on Bituminous

Concrete; Athey Loaders; Backfillers, Crane Type; Backhoes; Barber Green Loaders; Bulldozers; Cableways; Cherry Pickers; Clam Shells; C.M.I. & similar type autograde formless paver, autograde placer & finisher; Concrete Breakers; Concrete Pumps; Derricks; Derrick Boats; Draglines; Earth Auger or Boring Machines; Elevating Graders; Engineers on Dredges; Gravel Processing Machines; Head Equipment Greaser; High Lifts or Fork Lifts; Hoists with two or more drums or two or more load lines; Locomotives, All; Mechanics; Motor Graders or Auto Patrols; Operators or Leverman on Dredges; Operators, Power Boat; Operators, Pug Mill (Asphalt Plants); Orange Peels; Overhead Cranes; Paving Mixers; Piledrivers; Pipe Wrapping and Painting Machines; Pushdozers, or Push Cats; Robotic Controlled Equipment in this Classification; Rock Crushers; Ross Carrier or Similar Machines; Rotomill; Scoops, Skimmer, two cu. yd. capacity and under; Scoops, All or Tournapull; Sheep-Foot Roller (Self Propelled); Shovels; Skid Steer; Skimmer Scoops; Temporary Concrete Plant Operators; Test Hole Drilling Machines; Tower Machines; Tower Mixers; Track Type End Loaders; Track Type Fork Lifts or High Lifts; Track Jacks and Tampers; Tractors, Sideboom; Trenching or Ditching Machine; Tunnelluggers; Vermeer Type Saws; Water Blaster Cutting Head; Wheel Type End Loaders; Winch Cat.

CLASS 2. Air Compressors (six to eight)*; Asphalt Boosters and Heaters; Asphalt Distributors; Asphalt Plant Fireman; Oiler on Two Paving Mixers When Used in Tandem; Boom or Winch Trucks; Bull Floats or Flexplanes; Concrete Finishing Machine; Concrete Saws, Self-Propelled; Concrete Spreading Machines; Conveyors (six to eight)*; Generators (six to eight)*; Gravel or Stone Spreader, Power Operated; Hoist (with One Drum and One Load Line); Light Plants (six to eight)*; Mechanical Heaters (six to eight)*; Mud Jacks; Post Hole Digger, Mechanical; Pug Mills when used for other than Asphalt operation; Robotic Controlled Equipment in this Classification; Road or Street Sweeper, Self Propelled; Rollers (except bituminous concrete); Seaman Tiller; Straw Machine; Vibratory Compactor; Water Blaster, Power Unit; Welding Machines (six to eight)*; Well Drill Machines.

CLASS 3. Air Compressors(one to five)*; Air Compressors, Track or Self-Propelled; Automatic Hoist; Building Elevators; Bulk Cement Batching Plants; Conveyors (one to five)*; Concrete Mixers (Except Plant, Paver, or Tower); Firemen; Generators (one to five)*; Greasers; Helper on Single Paving Mixer; Hoist, Automatic; Light Plants (one to five)*; Mechanic Helpers; Mechanical Heaters (one to five)*; Oilers; Power Form Graders; Power Sub-Graders; Robotic Controlled Equipment in this Classification; Scissors Hoist; Tractors without power attachments regardless of size or type; Truck Crane Oiler and Driver (1 man); Vibratory Hammer (power source); Water Pumps (one to five)*; Welding Machines (1/300 Amp. or over)*; Welding machines (one to five)*

CLASS 4. Lattice Boom Crawler Cranes; Lattice Boom Truck Cranes; Telescopic Truck-Mounted Cranes; Tower Cranes.

* Combinations of one to eight of any Air Compressors, Conveyors, Welding Machines, Water Pumps, Light Plants, or Generators shall be in batteries or within 400 feet and shall be paid as per the Classification Schedule contained in this Article.

OPERATING ENGINEERS - HIGHWAY

CLASS 1. Asphalt Screed Man; Asphco Concrete Spreaders; Asphalt Pavers; Asphalt Plant Engineer; Asphalt Rollers on Bituminous Concrete; Athey Loaders; Backhoes; Barber Green Loaders; Bulldozers; Cableways; Carry Deck Pickers; Cherry Pickers (Rough Terrain); C.M.I. & similar type-autograde formless paver, autograde placer & finisher; Concrete Breakers; Concrete Plant Operators; Concrete Pumps; Derricks; Derrick Boats; Dewatering Systems; Earth Auger or Boring Machines; Elevating Graders; Engineers on Dredges; Gravel Processing Machines; Grout Pump; Head Equipment Greaser; High Lifts or Fork Lifts; Hoists with two or more drums or two or more load lines; Hydro Jet or Hydro Laser; Locomotives, All; Mechanics; Motor Graders or Auto Patrols; Multi-Point Power Lifting Equipment; Operators or Leverman on Dredges; Operators, Power Boat; Operators, Pug Mill (Asphalt Plants); Overhead Cranes; Paving Mixers; Piledrivers; Pipe Wrapping and Painting Machines; Push-dozers, or Push Cats;

Robotic Controlled Equipment in this Classification; Rock Crushers; Ross Carrier or Similar Machines; Roto-Mill; Scoops, Skimmer, two cu. yd. capacity and under; Sheep-Foot Roller (Self Pro-pelled); Shovels; Skid Steer; Skimmer Scoops; Test Hole Drilling Machines; Tower Machines; Tower Mixers; Track Type End Loaders; Track Type Fork Lifts or High Lifts; Track Jacks and Tampers; Tractors, Side-boom; Trenching or Ditching Machine; Tunnelluggers; Vermeer-Type Saws; Wheel Type End Loaders; Winch Cat; Scoops, All or Tournapull.

CLASS 2. Air Compressors (six to eight)*; Articulated Dumps; Asphalt Boosters and Heaters; Asphalt Distributors; Asphalt Plant Fireman; Boom or Winch Trucks; Building Elevators; Bull Floats or Flexplanes; Concrete Finishing Machine; Concrete Saws, Self-Propelled; Concrete Spreading Machines; Conveyors (six to eight)*; Generators (six to eight)*; Gravel or Stone Spreader, Power Operated; Hoist, Automatic; Hoist with One Drum and One Load Line; Light Plants (six to eight)*; Mechanical Heaters (six to eight)*; Mud Jacks; Off Road Water Wagons; Oiler on Two Paving Mixers When Used in Tandem; Post Hole Digger, Mechanical; Robotic Controlled Equipment in This Classification; Road or Street Sweeper, Self-Propelled; Rollers (except bituminous concrete); Scissor Hoist; Sea-man Tiller; Straw Machine; Vibratory Compactor; Water Pumps (six to eight)*; Well Drill Machines.

CLASS 3. Air Compressors (one to five)*; Air Compressors, Track or Self-Propelled; Bulk Cement Batching Plants; Conveyors (one to five)*; Concrete Mixers (Except Plant, Paver, or Tower); Firemen; Generators (one to five)*; Greasers; Helper on Single Paving Mixer; Light Plants (one to five)*; Mechanic Helpers; Mechanical Heaters (one to five)*; Oilers; Power Form Graders; Power Sub-Graders; Pug Mills when used for other than Asphalt operation; Robotic Controlled Equipment in This Classification; Tractors without power attachments, regardless of size or type; Truck Crane Oiler and Driver (1 man); Vibratory Hammer (power source); Water Pumps (one to five)*; Welding Machines (one 300 Amp. or over)*; Welding Machines (one to five)*. CLASS 4. Lattice Boom Crawler Crane; Lattice Boom Truck Crane; Telescopic Truck-Mounted Crane; Tower Crane.

*Combinations of one to eight of any Air Compressors, Conveyors, Welding Machines, Water Pumps, Light Plants or Generators shall be in batteries or within 400 feet and shall be paid as per the Classification Schedule contained in this Article.

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 217-782-1710 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

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RIGHT OF WAY ITEMS (contd.)	Ĕ	PR	ROADWAY PROFILES	Ы	R	<u>SIGNING ITEMS</u> (contd.)	EX	R
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Keep Right R4-7BR (Half Size)	Red KEP				Galv. Steel Conduit		
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Stop Here On Red R10-6-AR (Half Size)	READ MARKEN				Detector Loop Line		
	Ç				Detector Loop Large		
No Left Turn R3-2 (Half Size)	Ð				Detector Loop Small		
No Right Turn R3-1 (Half Size)					Detector Loop Quadrapole		
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		27/ ₅₂	5%4 %	5764	²¥₃₂	5%4 1%6	6 Ke4	³ y ₃₂	6364 1
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	A	0.671875 0.6771 0.6823 0.6875	0.6927 0.6979 0.703125 0.7083	0.7135 0.71875 0.7240 0.7292	0.734375 0.7396 0.7448 0.7500	0.7552 0.7604 0.765625 0.7708	0.7760 0.78125 0.7865 0.7917	0.796875 0.8021 0.8073 0.8125	0.8177 0.8229 0.828125 0.8333
		4%4	⁴⁵ %4	2¥32	47K.4 26	⁴ %4	25×32	5 Kd	₽%s
	8	646 646 646 64	6% 6% 6%	6% 6% 6 ¹ \ ₆ 6%	6 ¹ X ₆ 62 6 ¹ X ₆ 7	746 78 736 746	7%6 7%6 7%6	7%6 7% 71% 7%	71X ₆ 77 8 8
A FOOT	٩	0.5052 0.5104 0.515625 0.5208	0.5260 0.53125 0.5365 0.5417	0.546875 0.5521 0.5573 0.5625	0.5677 0.5729 0.578125 0.5833	0.5885 0.59375 0.5990 0.6042	0.609375 0.6146 0.6198 0.6250	0.6302 0.6354 0.640625 0.6458	0.6510 0.65625 0.6615 0.6667
VD OF		۶%د	$^{1}Y_{32}$	3%4 %6	³⁷ 64	1%2	3%4 %	4 K4	² ¥ ₃₂
N INCH A	8	4 % 4 % 4 % 4 %	4% 4% 4% 4%	4% 4% 41% 4¾	413% 47% 5 5	5 % 5 % 5 %	5% 5% 5%	5% 5% 51% 5¾	513% 52 513% 6
DECIMAL OF A	A	0.3385 0.34375 0.3490 0.3542	0.359375 0.3646 0.3698 0.3750	0.3802 0.3854 0.390625 0.3958	0.4010 0.40625 0.4115 0.4167	0.421875 0.4271 0.4323 0.4375	0.4427 0.4479 0.453125 0.4583	0.4635 0.46875 0.4740 0.4792	0.484375 0.4896 0.4948 0.5000
		1 J ₃₂	2Ha H	²⁵ %4	¹³ / ₃₂	² 76a 716	2%4	15%32	33K4
	8	25% 25% 22%	2% 2% 2%	2% 2% 21% 23%	21¥6 2% 215% 3	3% 3% 3% 3%	3% 3% 3%	3% 3% 31% 3%	313/6 31% 31% 4
	A	0.171875 0.1771 0.1823 0.1875	0.1927 0.1979 0.203125 0.2083	0.2135 0.21875 0.2240 0.2292	0.234375 0.2396 0.2448 0.2500	0.2552 0.2604 0.265625 0.2708	0.2760 0.28125 0.2865 0.2917	0.296875 0.3021 0.3073 0.3125	0.3177 0.3229 0.328125 0.33333
		1.1%4 %16	${}^1\Re_4$	732	1%4 1%	176.4	32	1%4 %6	² ¥64
	6	****	****	******	1.3% % 1.5%	17% 12% 12%	$^{1}_{1\%}^{1\%}_{6}$	$^{1}_{1\%}^{1}_{16}$	$\frac{1^{1}}{3}$
	٩	0.0052 0.0104 0.015625 0.0208	0.0260 0.03125 0.0365 0.0417	0.046875 0.0521 0.0573 0.0625	0.0677 0.0729 0.078125 0.0833	0.0885 0.09375 0.0990 0.1042	0.109375 0.1146 0.1198 0.1250	0.1302 0.1354 0.140625 0.1458	0.1510 0.15625 0.1615 0.1667
		Ke4	¥32	%4 Y16	×*	32	K K	%4	¥32



A = Fractions of Inch or FootB = Inch Equivalents to Foot Fractions













