



PRE-CONSTRUCTION NOTIFICATION

RIDOT AND ARMY CORPS OF ENGINEERS RI PROGRAMMATIC GENERAL PERMIT APPLICATION REVIEW CHECKLIST

When a project is within jurisdiction of RIDEM or CRMC and project activities fall under a **pre-construction notification (PCN)**, the Rhode Island Department of Transportation shall submit the following checklist with any additional required materials (**follow Section VII of the [RIGP](#) for a complete list of materials and plan requirements**) to the RIDOT Natural Resources Unit (NRU) with “Army Corps RIPGP Application: [Project Title and PTSID]” in the subject line.

The RIDOT NRU will submit the application package to the Army Corps for review. Submit application materials to the NRU only after a RIDEM or CRMC application has been submitted and a file number has been assigned. For those materials that do not apply, do not select.

Draft Cover Letter to Army Corps

Army Corps RIPGP Type - Please state which general permit(s) the project anticipates approval under.

Estimated work start and end date

Project Summary and Purpose

Summary of Impacts in Army Corps Jurisdiction – provide a brief summary of project activities that propose fill or discharge into wetlands or waterways under Army Corps jurisdiction and/or dredging.

Impact Summary Table (see below)

Type	Permanent Impact	Temporary Impact
Federal (biological) Wetland	Sq ft/acres/cubic yards: material type (example - clean fill, parent material, etc):	Sq ft/acres/cubic yards: material type (example- swamp mats, etc):
Waterway below OHW/HTL	Sq ft/acres/cubic yards: material type (example- rip rap, stream bed material, etc):	Sq ft/acres/cubic yards: material type (example- Sand bag cofferdams, straw bales, etc.):
TOTAL Project Impact:	Sq ft/acres/cubic yards:	Sq ft/acres/cubic yards:



RI Department of Environmental Management (RIDEM) Office of Water Resources (OWR)
Application Materials

RIDEM App File Number:

Coastal Resources Management Council (CRMC) Freshwater Wetlands in the Vicinity of the
Coast Application Materials and/or Coastal Resources Management Council (CRMC) Assent
Application Materials

CRMC App File Number:

RIDOT Approved Road-Stream Crossing Design Manual Submittal Package

https://www.dot.ri.gov/business/documents/Road_Stream_Crossing_Design_Manual_8_2021.pdf

Section 408 - statement confirming that the project proponent has submitted a written
request for Sec. 408 permission from USACE (Section VII, Part A)

Resource Agency Coordination

USFWS Endangered Species Act (ESA) Section 7 Consultation – This includes an effect
determination made through the USFWS IPaC for the Northern long-eared bat, as well as
effect determinations for additional listed species in the project action area if applicable.

National Marine Fisheries Service (NMFS) Essential Fish Habitat (EFH)

Individual Consultation

NMFS EFH FHWA Programmatic Verification Form

NMFS ESA Section 7 FHWA Programmatic Verification Form

NMFS ESA Section 7 Individual Consultation

Wild & Scenic Rivers Coordination

Section 106 (THPO and the SHPO notification of the proposed work per the
procedures in GC 11) Contact the RIDOT Cultural Resources Office (CRU) for
documentation.

FEMA and HEC Analyses

U.S. Coast Guard Coordination

SECTION VII

REQUIRED INFORMATION GUIDE FOR PRECONSTRUCTION NOTIFICATION

A. INFORMATION REQUIRED FOR ALL PROJECTS

- The USACE application form (ENG Form 4345) is required. The form can be obtained electronically at <https://www.nae.usace.army.mil/Missions/Regulatory/>. RIDEM and CRMC applications can be substituted for the USACE application form provided they include all the information required below. Submit a copy of the Rhode Island application directly to USACE.
- Drawings or plans that are legible, reproducible, drawn to scale, and no larger than 11x17". Existing and proposed conditions, and plan views and cross sections for all work. Numeric and graphic/bar scales must agree, and plan details must be measurable using a standard engineer's scale on printed plans. Reduced plans are not acceptable. Show the north arrow and wetland and waterway area impacts. Provide a locus map and, if necessary, a plan overview of the entire property with a key index to the individual impact sheets.
- Applicants shall identify all aquatic resources on the project site. They are all presumed to be waters of the U.S. unless an Approved Jurisdictional Determination (AJD) has been obtained from USACE that determines otherwise. Wetlands shall be delineated in accordance with the Corps of Engineers Wetlands Delineation Manual and the most recent Northcentral/Northeast Regional Supplement.
- All anticipated direct, indirect, and secondary impacts, both permanent and temporary, to waters of the U.S. (in wetlands, and waterward of OHW in inland waters and the HTL in coastal waters) in square feet, acres, or linear feet (for stream and bank impacts), and cubic yards or other appropriate units of measure. The USACE New England District's Compensatory Mitigation Standard Operating Procedures document is a resource for assessing secondary impacts (<https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation>).
- Information on historic properties (Sec IV). Information on Federal threatened or endangered species present at the site including a copy of the USFWS IPAC Official Species List, the NOAA Section 7 Species List (Sec IV) and the email address of the person who generated the list.
- Photographs of wetland and/or waterway to be impacted. Photos at low tide are preferred for work in coastal waters.
- Provide any prior permit information that you may have for the project area, e.g., existing USACE permit/file numbers, the names under which the permits were obtained if the permit/file numbers are unknown, construction dates and proof of existence prior to December 1968 (aerials, photos, town hall records, affidavits, state, or local permits, etc.) to verify "grandfathering"
- For any activity that will alter or temporarily or permanently occupy or use a USACE Federally authorized Civil Works project, the PCN must include a statement confirming that the project proponent has submitted a written request for Sec. 408 permission from USACE.

Information that may also be required:

- Purpose and need for the proposed activity.
- Alternatives analysis.
- Schedule of construction activity.
- Location and dimensions of adjacent structures.
- Applicants may be required to describe and identify potential adverse effects of the project on Essential Fish Habitat (refer to the NOAA Fisheries' EFH Mapper).
- Identification of potential discharges of pollutants to waters, including potential impacts to impaired waters, in the project area.
- Whether work will occur behind a temporary cofferdam or whether silt curtains will be deployed during project construction.
- Number and type (drill barge, work boat, tugboat, etc.) of temporary work vessels to be used.
- Number of permanent recreational vessels associated with a coastal structure.
- Number, size (diameter) and type (timber, steel, cement, combination, other) of pilings associated with a project in tidal waters and installation method (vibratory hammer, impact hammer, combination) for such pilings.
- Description of how the project will maintain aquatic organism passage during and after construction.
- An Invasive Species Control Plan. Sample control plans available at <https://www.nae.usace.army.mil/Missions/Regulatory/>
- Wetlands functions and values assessment (Highway Methodology Workbook Supplement)

Information required for dredge activities shall also include:

- Sampling plan requests – submit completed Dredged Material Evaluation checklist found at *Dredged Material Evaluation Checklist, Sampling and Analysis Plan Requirements from Applicant (army.mil)*
- Whether the work is new, improvement or maintenance dredging and the method of handling/transporting the dredged material.
- Grain-size of material to be dredged (e.g., silty sand). Provide any existing sediment grain size and bulk sediment chemistry data from the proposed project, previous dredging at the site, or from nearby projects.
- Information on any recent spills of oil and/or other hazardous materials and/or nearby outfalls. Document the information source, e.g., EPA database, the harbormaster or fire chief.
- Total footprint of the dredged area when characterizing impact to resources.
- Provide an alternatives analysis to open-water disposal.

B. PLANS FOR ALL PROJECTS SHALL INCLUDE:

- Drawings or plans that are legible, reproducible, drawn to scale, and no larger than 11”x17”. Numeric and graphic/bar scales must agree, and plan details must be measurable using a standard engineer’s scale on printed plans. Reduced plans are not acceptable. Show the north arrow and wetland and waterway area impacts. Provide a locus map and, if necessary, a plan overview of the entire property with a key index to the individual impact sheets.
- Datum in plan and elevation views.
 - The horizontal datum shall be in the NAD 83 Rhode Island State Plane Coordinate System in U.S. survey feet.
 - The vertical data in coastal projects shall be referenced to either MLLW or the North American Vertical Datum of 1988 (NAVD 88). Both the distance and depth units shall be U.S. survey feet. See <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/VerticalDatumLetter.pdf>
- Existing and proposed conditions, and plan views and cross sections for all work.
- Limits and area (SF) of temporary and permanent fill to be placed in any wetlands or waterway, including construction access and work areas, cofferdams, bedding, and backfill. Show delineation of all wetlands including salt marsh; other special aquatic sites (vegetated shallows, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges); other waters, such as lakes, ponds, vernal pools, and perennial, intermittent, and ephemeral streams; on the project site. Use Federal delineation methods and include USACE wetland delineation data sheets for all wetlands. Vegetated shallow survey guidance is located at <https://www.nae.usace.army.mil/Missions/Regulatory/Jurisdiction-and-Wetlands/>.
- Name and addresses of adjoining property owners on the plan view.
- For typical pipeline cross-sections, the details of the bedding and backfill to be used in wetlands and waters. Show proposed trench dams and detail for inland projects.
- Adjacent Federal navigation project (FNP) (anchorage or channel) and/or state/local navigation projects, distance to them, the authorized depths of the FNP, and state plane coordinates of the seaward end(s) of structures near an FNP.
- Presence or absence of shellfish beds near the site and how such was determined, e.g., personal visual observation, divers, online maps, conversations with local officials, etc. Note: a shellfish survey may be required.

Plans for projects involving structures shall also include:

- The MLLW, MHW and HTL elevations in tidal waters, and OHW in non-tidal navigable waters.
- Water depths around the project in all views.
- Dimensions of the existing and proposed structures. Show the location and dimensions of existing bulkheads and/or shoreline stabilization on adjacent properties and, if applicable, how the proposed work will tie into existing structures.
- For piers and other structures, the minimal height of structures frame above the marsh.
- For floats, the methods of securing them (piles, bottom anchors) and for keeping them off substrate (skids, stops) at low water.
- Any existing structures and moorings in waters adjacent to the proposed activity, their dimensions, and the distance to the limits and coordinates of any proposed mooring field, reconfiguration zone or aquaculture activity. Provide the coordinates for all corners based on the Rhode Island State Plane Coordinate System. Specify the maximum number of slips and/or moorings within proposed reconfiguration zones. If no structures exist or are proposed, state this on the project plans.
- The dimensions of the structure or work and extent of encroachment waterward of MHW and from a fixed point on the shoreline or upland.
- Shoreline of adjacent properties and property boundary offset for structures.
- In narrow waterbodies, the distance to opposite shoreline, waterway width, and structures across from proposed work.
- For reconfiguration zones, the coordinates of the corners and specify the maximum number of slips and/or moorings within the zone.
- A description of the type of vessels that would use the facility, and any plans for sewage pump-out facilities, fueling facilities and contingency plans for oil spills.

Plans for projects involving fill shall also include:

- All locations of discharges of dredged or fill material waterward of the HTL or OHW.
- Describe historic fill previously authorized by USACE, if known, and the date of authorization.
- The MLLW, MHW and HTL elevations in tidal waters, and OHW elevation in non-tidal waters.
- Structures, if any, proposed to be erected on the fill.
- Limits of wetlands (label: wetland boundary) and waterways (labels: OHW or HTL) on all views.
- Limits of temporary and permanent fill to be used in any wetland or waterway, including construction access and work areas, cofferdams, bedding, and backfill.
- Provide a description of the wetlands and aquatic habitats at the site and provide a map of their locations within the project area.

- Description (length, width, flow character, and streambed condition) of any streams at the project site.
- Area (SF) of each fill that is waterward of the OHW in non-tidal waters, waterward of the HTL in tidal waters, and in wetlands. State if the fill is permanent or temporary.
- Disposal site of the excess excavated material. If necessary, submit an additional sheet showing the location of the proposed disposal site. Provide quantity of excess excavated material.
- A statement describing how impacts to waters of the U.S. are to be avoided and minimized. For the remaining impacts, include a statement describing how aquatic resource function is being replaced through compensatory mitigation or explain why compensatory mitigation should not be required for the proposed impacts. Mitigation areas clearly identifying each area and showing the boundaries and SF of each area.
- Summary of any proposed mitigation (<https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/> for the USACE 2020 Compensatory Mitigation Standard Operating Procedures).

Plans for activities involving dredging shall also include:

- The area (SF) and volume (CY) of material to be dredged waterward of MHW for each dredge location.
- Dredge boundaries, including side slopes.
- Bathymetry for existing, proposed, and historical (include dates and USACE permits) dredge depths
- Whether the dredging is new, maintenance, improvement, or a combination.
- A description of the area to be dredged, i.e., open water, existing channel, wetlands, uplands, etc.
- Location of the disposal site (include location sheet).
- The methods and areas used to retain or prevent dredged material from running back into the wetland or waterway. Provide the capacity of the storage area and points of runback, including the overflow route, into the aquatic system.
- For beach nourishment, identify the disposal footprint, existing and proposed nourishment profiles and/or grain-size of existing material.
- For open-water disposal, explain why inland or beneficial use sites are not practicable.
- Identification and description of any potential impacts to Essential Fish Habitat and threatened or endangered species.

Note: For projects proposing open water, nearshore disposal, or beach nourishment, contact USACE as early as possible for sampling and testing protocols. Sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing may be required. Sampling and testing of sediments without such contact should not occur and if done, will be at the applicant's risk. The information needed to develop a sampling and analysis plan can be found at: <https://www.nae.usace.army.mil/Missions/Regulatory>.