

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

Inter-Departmental Memorandum

TO: Roadway Design Division Engineer
Mr. Wendel T. Ruff

DATE: April 22, 1996

FROM: Roadway Design Division
Mr. Keith Purvis *CKP*

SUBJECT OR PROJECT NO: Revised Wetland
Permit Requirements
to be Addressed

INFORMATION COPY TO:

COUNTY: in all Field
Inspection Reports

Irving Harris
John Pickering
-Ray Balentine
Greg Lowe
John Reese
Jerry McCorkle
Robert Whitfield
Jim Kidd
Steve Reese
Files

Since the time of our April 17th meeting, a new interpretation of a regulation has been brought to our attention by the Corps of Engineers. In addition to the impacts discussed in our meeting, it is now a requirement that we attain permits for placing fill in streams which are designated as "Waters of the U.S." (designated on quadrangle maps in blue). However, if less than one acre of fill is anticipated at each crossing, the impacts will be covered under Nationwide Permit #26. Since there will be so many crossings included on each project, it is required to only designate locations which include more than one acre of fill on the open water. It is anticipated that this will only occur on long channel changes since the narrow streams will require a very long distance to accumulate one acre in area. However, we must examine each project so that violations will not occur. The attached sheet, given to you at the meeting, has been modified to reflect these revisions (changes highlighted).

If you would like further assistance in the interpretation of this letter, please notify me so that we may discuss these issues.

Attachment

DEFINITION OF A COE IMPACT

A COE (Corps of Engineers) impact is defined as: a) placing fill in a wetland area; b) placing fill (channel changes, box culverts, etc.) below the ordinary high water elevation of a regulated stream; or c) placing more than one acre of fill in "Waters of the U.S.". A regulated stream is defined as a stream which carries 5 cubic feet per second when the stream is at the "ordinary high water elevation" (normal conditions). A map has been generated which estimates whether or not (based on the drainage area and the geographic location) the stream has 5 cfs. If a channel has a drainage area equal to or greater than that shown on the attached map, it is said to be a regulated stream or "below the headwaters". This includes streams which act in relief to larger regulated streams. If a channel has a drainage area less than that shown on the attached map, it is said to be "above the headwaters". Streams which are "Waters of the U.S." are designated by a blue line on the appropriate quadrangle. Activities such as channel changes or the placement of a box culvert in a stream is an impact ONLY if a) the stream is "below the headwaters", or b) more than one acre is filled on the open water of a stream classified as "Waters of the U.S."

FIELD INSPECTION REPORT REQUIREMENTS

All field inspection reports should have one of the following comments:

- No wetlands will be filled on this project; or
- Wetlands will be filled at __ sites (See attached table for location of impacts).

All field inspection reports should have one of the following comments:

- The project contains no sites below the headwaters; or
- All sites on the project which are below the headwaters will be bridged; or
- Fill will be placed below the ordinary high water elevation at __ sites (See attached table for location of impacts).

All field inspection reports should have one of the following comments:

- All stream crossings on the project which are waters of the U.S. will require less than one acre of fill on the open water, which will be covered under Nationwide Permit #26; or
- More than one acre of fill will be placed on the open water at __ sites (See attached table for location of impacts).

A copy of all field inspection reports should be circulated to Keith Purvis so that records on all projects may be kept.

4/22/96