

## Ann Hillier

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**From:** Clinton, Brandon C CIV USARMY CENWS (US) <Brandon.C.Clinton@usace.army.mil>  
**Sent:** Tuesday, December 19, 2017 7:22 AM  
**To:** Ann Hillier  
**Cc:** Heard, Kathryn E CIV (US)  
**Subject:** RE: permitting question from the City of Bainbridge Island

Good morning Ann,

Thanks for your email. Corps authorization is generally required for, among other things, work occurring below Mean High Water in navigable 'waters of the U.S.' under Section 10 of the Rivers and Harbors Act, and the discharge of dredged or fill material below Mean Higher High Water (tidal) or Ordinary High Water (non-tidal) in all 'waters of the U.S.' under Section 404 of the Clean Water Act.

Generally for culvert work, if the stream associated with the culvert flows intermittently or perennially and the work involves a discharge of material below OHW, the work requires Corps authorization. Depending on the scope and purpose of the proposal, many culvert replacement or repair projects can be authorized under the Nationwide Permit program using a Nationwide Permit 14 (Linear Transportation Projects) or 3 (Maintenance).

Depending on the species present, you may be required to prepare a Biological Evaluation that assesses impacts to Endangered Species Act-listed fish, amphibian, bird, or mammal species in the project area, a cultural resource report, and/or a mitigation plan for permanent or temporary stream or wetland impacts. We require a Pre-Construction Notification to begin the permit review process (like an application), and generally receive PCNs in the form of the JARPA. Katie Heard (cc'd) is the Corps project manager for Kitsap County and can coordinate with you further if you have additional questions before you submit your application.

Thanks,  
Brandon

-----Original Message-----

From: Ann Hillier [mailto:ahillier@bainbridgewa.gov]  
Sent: Monday, December 18, 2017 8:22 AM  
To: Clinton, Brandon C CIV USARMY CENWS (US) <Brandon.C.Clinton@usace.army.mil>  
Subject: [EXTERNAL] permitting question from the City of Bainbridge Island

Good Morning,

I received your contact information from a colleague of mine, Christy Carr. I am a relatively new Planner at the City of Bainbridge, and am trying to get a sense of when permits from USACE are required. Specially, I have a project that involves the proposed repair of a culvert in City right-of-way, that connects a wetland system in the Fort Ward area of the island. Can you help me determine what kind of permit the applicant might need to apply for from USACE?

Thank you,

Annie Hillier

City Planner

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