



DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
Los Angeles District, Phoenix Office
3636 N. Central Ave., Suite 900
Phoenix, AZ 85012

October 22, 2013

REPLY TO

ATTENTION OF:

Office of the Chief
Regulatory Division

Roderick Lane, P.E.
Tucson District Engineer
1221 S. 2nd Avenue (T100)
Tucson, AZ 85713-1602

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT VERIFICATION

Dear Mr. Lane:

I am responding to your June 18 2013 request (SPL-2011-00935-KAT) for a Department of Army permit. Your proposed project, SR 77 Aravaipa Creek Bridge Replacement (Tracs 077 PN 123 H7969 01C) is located (32.838645°N -110.709885 °W, NAD 83; Sections 9, T7S, R16E) along SR 77, approximately 10 miles north of the Town of Mammoth, Pinal County, Arizona. This project would result in a discharge of 0.1116 acre of permanent fill material into Aravaipa Creek, waters of the United States. Therefore, pursuant to section 404 of the Clean Water Act (33 U.S.C. 1344; 33 C.F.R. parts 323 and 330), your proposed project requires a Department of the Army permit.

I have determined that construction of your proposed project would comply with Nationwide Permit (NWP) No. 14, "Linear Transportation Projects", if constructed as described in your application. Specifically, and as shown on the attached figures, you are authorized to conduct the following regulated activities:

Aravaipa Creek

1. Remove existing 28-foot wide by 397-foot long 7-span bridge with pier walls.
2. Remove existing railbank and replace with gabions.
3. Construct a 52-foot wide by 397-foot long 9-span reinforced concrete closed-frame bridge.
4. Construct a 52-foot wide by 393-foot long by 6-inch thick concrete and steel slab floor with 6-foot cut off walls upstream and downstream.
5. Construct a 24-foot wide temporary access road with multiple low flow pipes which would be a minimum of 36-inch in diameter.

6. Divert low flow temporarily as needed to construct bridge.
7. Dewater construction site as needed.
8. Plant 15 cottonwood poles and seed disturbed upland/riparian areas.
9. Permanent impacts will be 0.1116 acre and temporary impacts will be 0.5163 acre.

For this NWP verification letter to be valid, you must comply with all of the terms and conditions in Enclosure 1. Furthermore, you must comply with the non-discretionary Special Condition listed below:

1. **The permittee shall provide notification, either written or verbal, to the Corps of Engineers at least one week prior to the start of work, as to the anticipated beginning and ending dates of construction.** The permittee shall maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit
2. **A copy of the permit shall be on the job site at all times during construction.** The permittee shall provide a copy of this permit to all construction representatives. The permittee shall require that all construction representatives read this authorization in its entirety and acknowledge they understand its contents and their responsibility to ensure compliance with all general and special conditions contained herein.
3. **The construction limits for all work within waters of the U.S. shall be fenced, staked, or flagged prior to construction.** The contractor(s) shall be thoroughly familiar with each of the project boundaries, and all perimeter markings shall be maintained intact for the life of the project. The contractor shall monitor each of the construction zones during the entire length of the contract to ensure fencing, staking, or flagging remains in place and that no vegetation is disturbed outside of the construction limits.
4. The permittee shall comply with all requirements and conditions in the letter of state water quality certification that the Arizona Department of Environmental Quality signed on October 22, 2013. This certification demonstrates that the permittee has complied with Section 401(a) of the Clean Water Act. A copy of this letter is enclosed.
5. The permittee shall ensure that all project areas disturbed by construction-related activities are stabilized and restored to their pre-project conditions/contours, to the maximum extent possible, upon project completion. Watercourse morphology shall be re-established to match pre-construction configurations. Areas disturbed above the ordinary high water mark will be reseeded with a locally native plant species.
6. Unless specifically authorized all temporary construction access, staging activities, and stockpiling shall be located outside of the waters of the U.S. The location of these activities shall be sited to minimize the removal of mature trees, to utilize previously disturbed areas to the extent practicable, and to minimize the total area of disturbance.
7. The permittee shall not discharge dredged or fill material while constructing this project or any other phase of this project, other than the permitted activities identified above.
8. The permittee shall allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished within the terms and conditions of the permit.

This verification is valid through March 18, 2017. If on March 18, 2017 you have commenced or are under contract to commence the permitted activity you will have an additional twelve (12) months to complete the activity under the present NWP terms and conditions. However, if I discover noncompliance or unauthorized activities associated with the permitted activity we can exercise discretionary authority and thereby modify, suspend, or revoke this specific verification at an earlier date in accordance with procedures in 33 C.F.R. § 330.4(e) and 33 C.F.R. § 330.5(c) or (d). At the national level the Chief of Engineers at any time prior to the expiration of a NWP may chose to modify, suspend, or revoke the nationwide use of a NWP after following procedures set forth in 33 C.F.R. § 330.5.

A nationwide permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, state, or local authorizations required by law.

Thank you for participating in our regulatory program. If you have any questions, please contact Kathleen Tucker at 602.230.6956 or via e-mail at Kathleen.A.Tucker@usace.army.mil. Please complete the customer survey form at <http://per2.nwp.usace.army.mil/survey.html> which would help me to evaluate and improve the regulatory experience for others.

Sincerely,



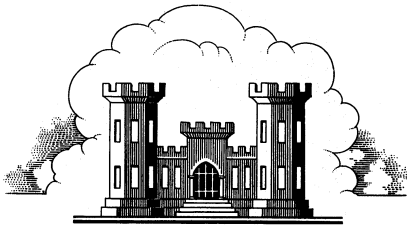
Sallie Diebolt
Chief, Arizona Section
Regulatory Division

Enclosures

1. Enclosure 1
2. Certificate of Compliance
3. Project Plans

Copies Furnished
(Without enclosures)

Melissa Reuter, DEC Tucson District
Julia Manfredi, ADOT OES
Amanda Gagnon, AZTEC Engineering



LOS ANGELES DISTRICT
U.S. ARMY CORPS OF ENGINEERS

CERTIFICATION OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT

Permit Number: ***SPL-2011-00935-KAT, SR 77 Aravaipa Creek Bridge Replacement***

Name of Permittee: ***Arizona Department of Transportation, Roderick Lane***

Date of Issuance: ***October 22, 2013***

Upon completion of the activity authorized by this permit and the mitigation required by this permit, sign this certificate, and return it to the following address using any **ONE** of the following:

- 1) Email a digital scan of the signed certificate to Kathleen.A.Tucker@usace.army.mil
- OR**
- 2) Mail the signed certificate to

U.S. Army Corps of Engineers
Regulatory Division
ATTN: CESPL-RG-SPL-2011-00935-KAT
U.S. Army Corps of Engineers
Los Angeles District, Phoenix Office
3636 N. Central Ave., Suite 900
Phoenix, AZ 85012

I hereby certify that the authorized work and any required compensatory mitigation has been completed in accordance with the NWP authorization, including all general, regional, or activity-specific conditions. Furthermore, if credits from a mitigation bank or in-lieu fee program were used to satisfy compensatory mitigation requirements I have attached the documentation required by 33 CFR 332.3(l)(3) to confirm that the appropriate number and resource type of credits have been secured.

Signature of Permittee

Date