



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
3636 N CENTRAL AVENUE, SUITE 900
PHOENIX, ARIZONA 85012-1939

June 10, 2014

Jesse Gutierrez
ADOT Globe District
P.O. Box 2717 (G300)
Globe, AZ 85502-2717

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT VERIFICATION

Dear Mr. Gutierrez:

I am responding to your request (SPL-2008-00911-KAT) for a Department of the Army permit for your proposed project, US 60; Oak Flat to Miami, East Superior (Tracs No 060 PN 229 H5818 01C). The proposed project is located (33.325473°N, -111.032492°W) located east of the city of Superior, Pinal County, Arizona.

Because this project would result in a discharge of dredged and/or fill material into waters of the United States a Department of the Army permit is required pursuant to Section 404 of the Clean Water Act (33 USC 1344; 33 CFR parts 323 and 330).

I have determined that construction of your proposed project, if constructed as described in your application, would comply with Nationwide Permit (NWP) 14, "Linear Transportation Project". Specifically, and as shown in the enclosed figure(s), you are authorized to:

Wash 5, MP 231.41 (STA 244+97)

1. Extend existing 6-foot by 7-foot Concrete Box Culvert (CBC) 40 feet downstream.
2. Remove existing headwall and wingwalls and reconstruct at end of extension.
3. Impact 0.004 acre permanently and 0.010 acre temporarily for construction access.

Wash 7, MP 232.11 (STA 322+17)

1. Extend existing 48-inch Corrugated Metal Pipe (CMP) 41 feet downstream.
2. Place 13 feet of riprap at outlet.
3. Impact 0.025 acre permanently.

Bloody Tanks Wash (13), MP 241.47 (STA 314+17)

1. Extend existing 15-foot by 15-foot Concrete Box Culvert (CBC) 19 feet downstream.
2. Remove existing headwall and wingwalls and reconstruct at end of extension.
3. Impact 0.011 acre permanently and 0.007 acre temporarily for construction access.

Bloody Tanks Wash (13), MP 241.74 (STA 332.91)

1. Extend existing 15-foot by 15-foot Concrete Box Culvert (CBC) 22 feet downstream.

2. Remove existing headwall and wingwalls and reconstruct at end of extension.
3. Impact 0.011 acre permanently and 0.007 acre temporarily for construction access.

Wash 16, MP 241.83 (STA 337+58)

1. Extend existing 5-foot by 4-foot Concrete Box Culvert (CBC) 39 feet downstream.
2. Remove existing headwall and wingwalls and reconstruct at end of extension.
3. Impact 0.007 acre permanently and 0.003 acre temporarily for construction access.

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 Conditions 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. 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.
3. **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.
4. **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.
5. 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.
6. **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.** All project areas disturbed above the ordinary high water mark shall be reseeded with locally native plant species. Watercourse morphology shall be re-established to match pre-construction configurations.

7. **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.
8. **The permittee shall comply with all the requirements and conditions of the Programmatic Agreement** among the Federal Highway Administration, the Arizona State Historic Preservation Office, the Arizona Department of Transportation, US Bureau of Land Management and the USDA Forest Service (Tonto National Forest) regarding the treatment of historic properties for the US 60; Oak Flat to Miami, East of Superior Project, Pinal and Gila Counties. This requirement is meant to assure compliance with the permittee's responsibilities under Section 106 of the National Historic Preservation Act. A copy of the agreement is enclosed.
9. **The permittee shall comply with all of the required elements stated in the enclosed June 9, 2014 biological opinion (BO) issued by the USFWS. USFWS assigned log number AESO/SE 02EAAZ00-2012-F-0334 to this BO.**

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 I may request the use of discretionary authority in accordance with procedures in 33 CFR § 330.4(e) and 33 CFR § 330.5(c) or (d) to modify, suspend, or revoke this specific verification at an earlier date. Additionally, at the national level the Chief of Engineers, any time prior to March 18, 2017, may choose to modify, suspend, or revoke the nationwide use of a NWP after following procedures set forth in 33 CFR § 330.5. It is incumbent upon you to comply with all of the terms and conditions of this NWP verification and to remain informed of any change to the NWPs.

A NWP does not grant any property rights or exclusive privileges. Additionally, it does not authorize any injury to the property, rights of others, nor does it 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 the regulatory program. If you have any questions, contact Kathleen Tucker at 602-230-6956 or via e-mail at Kathleen.A.Tucker@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

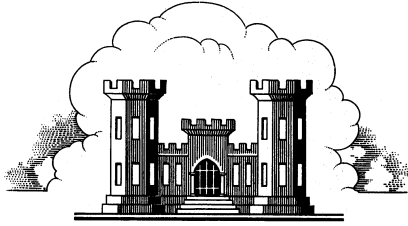
Sincerely,

Sallie Diebolt
Chief, Arizona Branch
Regulatory Division

Enclosures

Electronic Copies:

Laura Nordon, ADOT Globe DEC
Julia Manfredi, ADOT OES
Marinela Konomi, ADOT EPG
Jeremy Casteel, LSD



**LOS ANGELES DISTRICT
U.S. ARMY CORPS OF ENGINEERS**

**CERTIFICATE OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT**

Permit Number: *SPL-2014-00126-KAT*

Name of Permittee: *Jesse Gutierrez, P.E., ADOT Globe District*

Date of Issuance: *June 10, 2014*

Upon completion of the activity authorized by this permit and the mitigation required by this permit, sign this certificate, and return it by **ONE** of the following methods;

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
ATTN: Regulatory Division SPL-2014-00126-KAT
3636 N Central Avenue, Suite 900
Phoenix, AZ 85012-1939

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