

December 5, 2025

ADDENDUM NO. 2

**RE: Item #1, December 10, 2025 Letting - P-PT 0011(145)83, PCN 05V6, Minnehaha County -
Structure (186' Steel Girder & 340' Steel Girder), Approach Grading & Asphalt Concrete
Surfacing**

TO WHOM IT MAY CONCERN:

The following addenda to the plans shall be inserted and made a part of your proposal for the referenced project.

SPECIAL PROVISIONS:

Please remove the NOTICE TO CONTRACTORS and replace with the NOTICE TO CONTRACTORS, dated 12/4/25.

Please remove the Index of Special Provisions and replace with the attached Index of Special Provisions revised 12/3/25.

Please remove the "Special Provision for Contract Time", dated 11/4/25 and replace with the "Special Provision for Contract Time", dated 12/5/25.

Please remove the "Special Provision Regarding Right of Entry/Work Limits", dated 11/14/25.

Please remove the "Special Provision Regarding Restricted Work at Drainage Crossings or Wetlands", dated 11/10/25 and replace with the "Special Provision Regarding Section 404 of the Clean Water Act", dated 12/2/25 and Fact Sheet #23.

SDEBS BID PROPOSAL:

The electronic bid proposal for this contract has been revised to include the changes associated with this addendum. Bidders must log in to the SDEBS to retrieve and incorporate these changes into their bid.

Quantities for Bid Items were changed:

Bid Item 110E1010 "Remove Asphalt Concrete Pavement" changed from 5,202.0 to 31,810.0 SqYd

PLANS: Please destroy sheets A1, B2, F2 & F3 and replace with the enclosed sheets, dated 11/24/25 and 12/4/25.

Sheets A1 & B2:

Bid Item 110E1010 "Remove Asphalt Concrete Pavement" changed from 5,202.0 to 31,810.0 SqYd

Sheet F2:

SUMMARY OF CLASS G ASPHALT CONCRETE COMPACTION table was revised.

GRIND 8" OR 12" RUMBLE STRIPS OR STRIPES IN ASPHALT CONCRETE note was revised.

Sheet F3: GRIND CENTERLINE RUMBLE STRIPE IN ASPHALT CONCRETE and GRIND SINUSOIDAL CENTERLINE RUMBLE STRIPE IN ASPHALT CONCRETE notes were revised.
CENTERLINE RUMBLE STRIPES-ASPHALT FOR FLUSH SEAL notes were removed.

Sincerely,

Sam Weisgram
Engineering Supervisor

SW/gp

CC: Travis Dressen, Mitchell Region Engineer
Harry Johnston, Sioux Falls Area Engineer

NOTICE TO CONTRACTORS

Bid proposals for this project will be prepared, transmitted, and received electronically by the South Dakota Department of Transportation (SDDOT) via the South Dakota Electronic Bid System until 10 A.M. Central time, on December 10, 2025, at which time the SDDOT will open bids. All bids will be checked for qualifications with results posted on the SDDOT website. The South Dakota Transportation Commission will consider all bids at a scheduled Commission meeting.

The work for which proposals are hereby requested is to be completed within the following requirement(s):

FIELD WORK COMPLETION: **JULY 16, 2027**

The project category is Category II

The project type is Structural

The geographic zone is Zone 6

THE DBE GOAL FOR THIS PROJECT IS: **N/A**

WORK TYPE FOR THIS PROJECT IS: **WORK TYPE 1 OR WORK TYPE 7**

Bidding package for the work may be obtained at:

<http://apps.sd.gov/hc65bidletting/ebslettings1.aspx#no-back-button>

Standard Specifications for Roads and Bridges, 10-1-25 Version, Required Provisions, and Special Provisions as included in the Proposal. The Standard Specifications for Roads and Bridges may be obtained at <https://dot.sd.gov/doing-business/contractors/standard-specifications/> .

The electronic bid proposal must be submitted by a valid bidder as designated by their company's <https://apps.sd.gov/HC65C2C/EBS/BidAdminAuthorizationForm.pdf>. A bidding administrator will have privileges in the SDEBS to prepare bids, submit bids, and authorize additional company employees to prepare and submit bids. Additionally, a bidding administrator will be responsible for maintaining the list of authorized bidders for the company and will have the ability to add employees, remove employees, and set-up bidder identifications and passwords within the SDEBS. Bidding Administrator authorization will remain in full force and effect until written notice of termination of this authorization is sent by an Officer of the company and received by the Department.

A bidder identification and password, coupled with a company identification previously assigned by the Department, will serve as authentication that an individual is a valid bidder for the company.

Contact information to schedule a preconstruction meeting prior to commencing with the work on this project.

Harry Johnston
5316 W 60th St N
Sioux Falls, SD 57107
Phone: 605/367-5680

REV 12/3/25

INDEX OF SPECIAL PROVISIONS

PROJECT NUMBER(S): P-PT 0011(145)83 PCN: 05V6

TYPE OF WORK: STRUCTURE (186' STEEL GIRDER & 340' STEEL GIRDER), APPROACH GRADING & ASPHALT CONCRETE SURFACING

COUNTY: MINNEHAHA

The following clauses have been prepared subsequent to the Standard Specifications for Roads and Bridges and refer only to the above described improvement, for which the following Proposal is made.

The Contractor's attention is directed to the need for securing from the Department of Environment & Natural Resources, Foss Building, Pierre, South Dakota, permission to remove water from public sources (lakes, rivers, streams, etc.). The Contractor should make his request as early as possible after receiving his contract, and insofar as possible at least 30 days prior to the date that the water is to be used.

Sara Garbe is the official in charge of the Sioux Falls Career Center for Minnehaha County.

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:

Special Provision for Contract Time, dated 11/5/25.

Special Provision for On-The-Job Training Program, dated 3/10/16.

Special Provision Regarding Section 404 of the Clean Water Act, dated 12/2/25.

Fact Sheet #23

**Special Provision for Construction Practices in Streams Inhabited by
the Topeka Shiner, dated 8/29/18.**

**Agreement to sell Materials (Leo D. Heggen and Joanne B Heggen, and
Sweetman Const Co.)**

Special Provision for Flexible Pavement Smoothness, dated 5/20/21.

Special Provision for Contractor Staking, dated 5/15/25.

Special Provision for Concrete Penetrating Sealer, dated 7/30/24.

Special Provision for Stainless Reinforcing Steel, dated 11/13/25.

List of Utilities.

Special Provision for Steel Beam Guardrail AASHTO M 180 Designation, dated 10/1/25.

Special Provision for Acknowledgment and Certification Regarding Article 3, Section 12 of the South Dakota Constitution, dated 8/24/23.

Fuel Adjustment Affidavit, DOT form 208 dated 11/25.

Standard Title VI Assurance, dated 3/1/16.

Special Provision For EEO Affirmative Action Requirements on Federal and Federal-Aid Construction Contracts, dated 2/5/24.

Special Provision For Required Contract Provisions Federal-Aid Construction Contracts, Form FHWA 1273 (Rev. October 23, 2023), dated 10/18/23.

Required Contract Provisions Federal-Aid Construction Contracts, Form FHWA 1273 (Rev. 10/23/23).

Special Provision Regarding Minimum Wage on Federal-Aid Projects, dated 10/24/19.

Wage and Hour Division US Department of Labor Washington DC. - US Dept. of Labor Decision Number SD20230032, dated 3/10/23.

Special Provision Regarding Storm Water Discharge, dated 5/8/18.

General Permit for Storm Water Discharges Associated with Construction Activities, dated 4/1/18

<https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/stormwater/StormWaterConstruction.aspx>

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
CONTRACT TIME**

**PROJECT P-PT 0011(145)83, PCN 05V6
MINNEHAHA COUNTY**

DECEMBER 5, 2025

258th St (XR 107) and SD 11 Sta. 90+00 to Sta. 110+00 Requirements

The Contractor will complete all grading, pipe, and asphalt concrete work required on 258th St. (XR 107) by October 16, 2026, and within 70 working days. The Department will begin to count working days when the Contractor begins any work that requires closing 258th St. The Department will continue to count working days until the Contractor returns unimpeded traffic to 258th St. The Department will count working days in accordance with Section 8.7 C.

If the Contractor does not complete the work by October 16, 2026, within the working day completion requirement, or both; the Department will make a disincentive assessment in the amount of \$1000 per working day. A contract item for incentive/disincentive pay is included in the bid schedule for the Department's use in assessing disincentives. The Department will use a negative quantity of days for assessing disincentives. The Department will count working days in accordance with Section 8.7 C.

SD 11 Closure Options

If the Contractor elects to close SD 11 to through traffic prior to June 1, 2026, the Contractor is required to meet the November 20, 2026, interim completion requirement.

If the Contractor elects to close SD 11 to through traffic on or after June 1, 2026, the Contractor is required to meet the June 18, 2027, interim completion requirement.

November 20, 2026 Interim Completion Requirement

The Contractor will meet the following interim completion requirements by November 20, 2026:

Complete the bottom 2 lifts of asphalt concrete, temporary concrete barrier with end protection, open all lanes to unimpeded traffic, and complete all other work except the top lift of asphalt, pavement markings, flush seal, rumble strips, and any final erosion control measures.

The Engineer, in the Engineer's sole discretion, will determine when the work required to meet the interim completion requirement is complete.

The Department seeks to accelerate the construction of this project by offering a lump sum bonus to the Contractor for the timely interim completion of the project.

No Excuse Lump Sum Bonus Option

The Department will add a lump sum bonus of \$900,000 to the contract if the Contractor meets the no excuse lump sum bonus option for interim completion of the project by November 20, 2026.

For the Contractor to receive the bonus, the Contractor must meet the November 20, 2026, interim completion requirements.

Time extensions for the no excuse lump sum bonus option will not be given for any reason including but not limited to non-excusable delays, excusable compensable delays, excusable non-compensable delays, contract changes, weather delays, overruns of quantities, utility delays, material delays, unusual market conditions, strikes, lockouts, transportation delays, national disasters, area-wide shortages, seasonal limits, delays due to archeological or historical sites, or any other delay.

If the Contractor does not complete the work by the interim completion requirement, the Contractor will not receive the lump sum bonus option, and the Department will assess liquidated damages in accordance with Section 8.9 Table A. The Department will assess liquidated damages for each calendar day the work (project) is late until the Contractor completes the required work.

In the event the Contractor does not complete the required work on time, the Department will count calendar days in accordance with Section 8.7 C.

June 18, 2027 Interim Completion Requirement

The Contractor will meet the following interim completion requirements by the June 18, 2027, interim completion date:

Complete all lifts of asphalt concrete, open all lanes to unimpeded traffic, and complete all other work except pavement markings, flush seal, rumble strips, and any final erosion control measures.

The Engineer, in the Engineer's sole discretion, will determine when the work required to meet the interim completion requirement is complete.

The Contractor will complete the required work prior to the interim completion requirement. If the Contractor does not complete the work by the interim completion

requirement, the Department will assess liquidated damages in accordance with Section 8.9 Table A. The Department will assess liquidated damages for each calendar day the work (project) is late until the Contractor completes the required work.

In the event the Contractor does not complete the required work on time, the Department will count calendar days in accordance with Section 8.7 C.

Field Work Completion

The Contractor will complete the project by the July 16, 2027 field work completion date.

Failure to Complete on Time

The Contractor will complete all work on the project prior to the field work completion requirement. If the Contractor does not complete all work by the field work completion requirement, the Department will assess liquidated damages in accordance with Section 8.9. The Department will assess liquidated damages for each working day the work (project) is late until the Contractor completes all field work.

In the event the Contractor does not complete all field work on time, the Department will count working days in accordance with Section 8.7 C.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION REGARDING
SECTION 404 OF
THE CLEAN WATER ACT**

**Project # P-PT 0011(145)83; PCN 05V6
Minnehaha County**

**DECEMBER 2, 2025
NATIONWIDE PERMIT NO 23**

The above referenced project is authorized by the Department of the Army Nationwide Permit Section (23), found in the December 27, 2021 Federal Register (86 FR 73522), Reissuance and Modification of Nation Wide Permits.

The following general conditions must be adhered to in order for any authorization by a nationwide permit to be valid:

Please refer to the attached *Fact Sheet Nationwide Permit 23 and 2021 Nationwide Permits Regional Conditions*

The above authorization permits placement of fill in the drainage crossings or wetlands identified in the Section A plan notes.

**PLEASE REFER TO THE TABLE OF WETLANDS IN THE SECTION A ENVIRONMENTAL
COMMITMENTS.**

Nationwide Permit 23 **Approved Categorical Exclusions**

Expires March 14, 2026

23. Approved Categorical Exclusions. Activities undertaken, assisted, authorized, regulated, funded, or financed, in whole or in part, by another Federal agency or department where:

- (a) That agency or department has determined, pursuant to the Council on Environmental Quality's implementing regulations for the National Environmental Policy Act (40 CFR part 1500 et seq.), that the activity is categorically excluded from the requirement to prepare an environmental impact statement or environmental assessment analysis, because it is included within a category of actions which neither individually nor cumulatively have a significant effect on the human environment; and
- (b) (b)The Office of the Chief of Engineers (Attn:CECW-CO)has concurred with that agency's or department's determination that the activity is categorically excluded and approved the activity for authorization under NWP 23.

The Office of the Chief of Engineers may require additional conditions, including pre-construction notification, for authorization of an agency's categorical exclusions under this NWP.

Notification: Certain categorical exclusions approved for authorization under this NWP require the permittee to submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The activities that require pre-construction notification are listed in the appropriate Regulatory Guidance Letter(s). (Authorities: Sections 10 and 404)

Note: The agency or department may submit an application for an activity believed to be categorically excluded to the Office of the Chief of Engineers (Attn:CECW-CO). Prior to approval for authorization under this NWP of any agency's activity, the Office of the Chief of Engineers will solicit public comment. As of the date of issuance of this NWP, agencies with approved categorical exclusions are: the Bureau of Reclamation, Federal Highway Administration, and U.S. Coast Guard. Activities approved for authorization under this NWP as of the date of this notice are found in Corps Regulatory Guidance Letter 05-07. Any future approved categorical exclusions will be announced in Regulatory Guidance Letters and posted on this same web site.

Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Structures and Fills. Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued.

Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR

402.02 for the definition of “effects of the action” for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding “activities that are reasonably certain to occur” and “consequences caused by the proposed action.”

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have “no effect” on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(e) Authorization of an activity by an NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take”

provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR

330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106

consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only

after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the

required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWP, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency

to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. (a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank

stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee

cannot begin the activity until receiving written notification from the Corps that there is “no effect” on listed species or “no potential to cause effects” on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee’s right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) (i) A description of the proposed activity; the activity’s purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible

inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination:* (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were

considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the single and complete crossings of waters of the United States that require PCNs to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings of waters of the United States authorized by an NWP. If an applicant requests a waiver of an applicable limit, as provided for in NWPs 13, 36, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by an NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource

functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters. The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure that the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is

required to comply with general conditions 18, 20, and/or 31), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

Further Information

1. District engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).



**US Army Corps
of Engineers®**
Omaha District

**2021 Nationwide Permits
Regional Conditions
Omaha District
State of South Dakota**

The following Nationwide Permit (NWP) regional conditions will be used in the State of South Dakota. The issuance of the NWPs was announced in the January 13, 2021, issue of the Federal Register (86 FR 2744) and December 27, 2021, issue of the Federal Register (86 FR 73522). Regional conditions are placed on NWPs to ensure projects result in no more than minimal adverse impacts to the aquatic environment and to address local resources concerns.

**A. PRECONSTRUCTION NOTIFICATION REQUIREMENTS APPLICABLE TO ALL NWPs
OR LIMITED REVOCATION OF NWPs**

For all NWPs, permittees must notify the Corps in accordance with General Condition 32 Preconstruction Notification (PCN) requirements for regulated activities located within or comprised of the following:

1. Wetlands Classified as Peatlands:

For the purposes of this condition, peatlands are permanently or seasonally waterlogged areas with a surface accumulation of peat (organic matter) 30 centimeters (12 inches) or more thick. Under cool, anaerobic, and acidic conditions, the rate of organic matter accumulation exceeds organic decay. Any peat-covered areas, including fens, bogs, and muskegs, are all peatlands.

- a. PCN required for NWP 3, 5, 20, 27, 30, 32, and 38.
- b. All NWPs not listed above are revoked for use in peatlands.

2. Waters Adjacent to Natural Springs:

PCN required for any regulated activity located within 100 feet of the water source in natural spring areas. For the purpose of this condition, a spring water source is defined as any location where there is flow emanating from a distinct point at any time during the growing season.

Springs do not include seeps and other groundwater discharge areas where there is no distinct point source of waters. Springs do not include drain tile outlets.

B. REQUIRED BEST MANAGEMENT PRACTICES APPLICABLE TO SOUTH DAKOTA

1. Suitable Material:

Permittees are reminded of General Condition No. 6 which prohibits use of unsuitable material. A list of materials prohibited or restricted as fill material in waters of the United States can be found at:

<http://www.nwo.usace.army.mil/Media/FactSheets/FactSheetArticleView/tabid/2034/Article/12320/prohibited-restricted-materials.aspx>

**2021 Nationwide Permits
Regional Conditions
Omaha District
State of South Dakota**

2. Culvert Countersink Depth:

For all NWP in jurisdictional streams and a stable stream bed, culvert stream crossings shall be installed with the culvert invert set below the natural stream channel flow line according to the table below. This regional condition does not apply in instances where the lowering of the culvert invert would allow a headcut to migrate upstream of the project into an unaffected stream reach or result in lowering the elevation of the stream reach.

Culvert Type	Drainage Area	Minimum Distance Culvert Invert Shall Be Lowered Below Stream Flow Line
All culvert types	< 100 acres	Not required
Pipe diameter <8.0 ft	100 to 640 acres	1/2-ft
Pipe diameter <8.0 ft	>640 acres	1-ft
Pipe diameter > 8.0 ft	All drainage sizes	20% of pipe diameter
Box culvert	All drainage sizes	1-ft

- a. The stream flow line shall be defined as the longitudinal average of the low flow stream channel.
- b. The slope of the culvert should be parallel to the slope of the stream flow line.
- c. The culvert invert depression depth shall be measured at the culvert inlet for culverts installed at a slope less than the slope of the stream flow line.
- d. Riprap inlet and outlet protection shall be placed to match the height of the culvert invert.

ESTIMATE OF QUANTITIES AND ENVIRONMENTAL COMMITMENTS

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	P-PT 0011(145)83	A1	A5

Plotting Date: 11/24/2025 Revised: 11/24/2025 MMM

Section B – Grading

BID ITEM NUMBER	ITEM	QUANTITY	UNIT
009E0010	Mobilization	Lump Sum	LS
009E3220	Reestablish Right-of-Way and Property Corner	66	Each
009E3225	Reestablish Public Land Survey System Corner	5	Each
009E3230	Grade Staking	2.272	Mile
009E3245	Final Cross Section Survey	2.097	Mile
009E3250	Miscellaneous Staking	2.097	Mile
009E3280	Slope Staking	2.097	Mile
009E3290	Structure Staking	2	Each
009E3301	Engineer Directed Surveying/Staking	40.0	Hour
009E4200	Construction Schedule, Category II	Lump Sum	LS
100E0100	Clearing	Lump Sum	LS
110E0600	Remove Fence	17,697	Ft
110E0730	Remove Beam Guardrail	1,332.0	Ft
110E1010	Remove Asphalt Concrete Pavement	31,810.0	SqYd
120E0010	Unclassified Excavation	108,851	CuYd
120E0500	Option Borrow Excavation	522,313	CuYd
120E2000	Undercutting	5,440	CuYd
120E6100	Water for Embankment	5,569.4	MGal
250E0020	Incidental Work, Grading	Lump Sum	LS
270E0110	Salvage and Stockpile Granular Material	23,865.3	Ton
450E0122	18" RCP Class 2, Furnish	72	Ft
450E0130	18" RCP, Install	72	Ft
450E2008	18" RCP Flared End, Furnish	4	Each
450E2009	18" RCP Flared End, Install	4	Each
450E4759	18" CMP 16 Gauge, Furnish	1,408	Ft
450E4760	18" CMP, Install	1,408	Ft
450E4769	24" CMP 16 Gauge, Furnish	276	Ft
450E4770	24" CMP, Install	276	Ft
450E4778	30" CMP 14 Gauge, Furnish	346	Ft
450E4779	30" CMP 16 Gauge, Furnish	302	Ft
450E4780	30" CMP, Install	648	Ft
450E4789	36" CMP 16 Gauge, Furnish	158	Ft
450E4790	36" CMP, Install	158	Ft
450E5406	18" CMP Safety End, Furnish	20	Each
450E5407	18" CMP Safety End, Install	20	Each
450E5410	24" CMP Safety End, Furnish	4	Each
450E5411	24" CMP Safety End, Install	4	Each
450E5414	30" CMP Safety End, Furnish	8	Each
450E5417	30" CMP Safety End, Install	8	Each
450E5420	36" CMP Safety End, Furnish	4	Each
450E5423	36" CMP Safety End, Install	4	Each
462E0100	Class M6 Concrete	5.6	CuYd
480E0100	Reinforcing Steel	800	Lb

Section B – Grading, Continued

BID ITEM NUMBER	ITEM	QUANTITY	UNIT
600E0300	Type III Field Laboratory	1	Each
620E0020	Type 2 Right-of-Way Fence	640	Ft
620E0030	Type 3 Right-of-Way Fence	16,544	Ft
620E0510	Type 1 Temporary Fence	14,100	Ft
620E1020	2 Post Panel	84	Each
620E1030	3 Post Panel	21	Each
630E0500	Type 1 MGS	400.0	Ft
630E1500	Type 1 Guardrail Transition	8	Each
630E2017	MGS MASH Flared End Terminal	8	Each
670E0200	Type A Frame and Grate	4	Each
670E5400	Precast Drop Inlet Collar	4	Each
700E0210	Class B Riprap	659.3	Ton
720E1010	PVC Coated Bank and Channel Protection Gabion	15.0	CuYd
734E0900	Temporary Diversion Channel for Fish Passage	2	Each
831E0110	Type B Drainage Fabric	1,037	SqYd
900E0010	Refurbish Single Mailbox	4	Each

Section C – Traffic Control

BID ITEM NUMBER	ITEM	QUANTITY	UNIT
634E0010	Flagging	300.0	Hour
634E0110	Traffic Control Signs	290.0	SqFt
634E0120	Traffic Control, Miscellaneous	Lump Sum	LS
634E0275	Type 3 Barricade	16	Each
634E0630	Temporary Pavement Marking	5.8	Mile
634E0700	Traffic Control Movable Concrete Barrier	82	Each
634E0750	Temporary Concrete Barrier End Protection	8	Each
634E0760	Temporary Concrete Barrier End Protection Module Set or Repair Kit	1	Each
634E1002	Detour and Restriction Signing	1,024.0	SqFt
634E1215	Contractor Furnished Portable Changeable Message Sign	5	Each

INDEX OF SHEETS

A1 to A2 Estimate of Quantities for Sections B, C, D, E, F, M, and S
A3 to A5 Environmental Commitments

Section D – Erosion and Sediment Control

BID ITEM NUMBER	ITEM	QUANTITY	UNIT
110E1690	Remove Sediment	2.3	CuYd
110E1693	Remove Erosion Control Wattle	250	Ft
110E1700	Remove Silt Fence	2,254	Ft
230E0010	Placing Topsoil	42,736	CuYd
730E0100	Cover Crop Seeding	60.0	Bu
730E0202	Type B Permanent Seed Mixture	460	Lb
731E0200	Fertilizing	12.80	Ton
732E0100	Mulching	115.2	Ton
734E0103	Type 3 Erosion Control Blanket	31,912	SqYd
734E0154	12" Diameter Erosion Control Wattle	1,000	Ft
734E0165	Remove and Reset Erosion Control Wattle	250	Ft
734E0325	Surface Roughening	6.4	Acre
734E0602	Low Flow Silt Fence	8,375	Ft
734E0604	High Flow Silt Fence	642	Ft
734E0610	Mucking Silt Fence	626	CuYd
734E0620	Repair Silt Fence	2,254	Ft
734E0630	Floating Silt Curtain	1,150	Ft
900E1320	Construction Entrance	2	Each

1:200
Plot Scale -
Plotted From -

SECTION B ESTIMATE OF QUANTITIES

BID ITEM NUMBER	ITEM	QUANTITY	UNIT
009E0010	Mobilization	Lump Sum	LS
009E3220	Reestablish Right-of-Way and Property Corner	66	Each
009E3225	Reestablish Public Land Survey System Corner	5	Each
009E3230	Grade Staking	2,272	Mile
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009E3301	Engineer Directed Surveying/Staking	40.0	Hour
009E4200	Construction Schedule, Category II	Lump Sum	LS
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450E0130	18" RCP, Install	72	Ft
450E2008	18" RCP Flared End, Furnish	4	Each
450E2009	18" RCP Flared End, Install	4	Each
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450E4760	18" CMP, Install	1,408	Ft
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450E5411	24" CMP Safety End, Install	4	Each
450E5414	30" CMP Safety End, Furnish	8	Each
450E5417	30" CMP Safety End, Install	8	Each
450E5420	36" CMP Safety End, Furnish	4	Each
450E5423	36" CMP Safety End, Install	4	Each
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620E1020	2 Post Panel	84	Each
620E1030	3 Post Panel	21	Each
630E0500	Type 1 MGS	400.0	Ft
630E1500	Type 1 Guardrail Transition	8	Each
630E2017	MGS MASH Flared End Terminal	8	Each
670E0200	Type A Frame and Grate	4	Each
670E5400	Precast Drop Inlet Collar	4	Each
700E0210	Class B Riprap	659.3	Ton
720E1010	PVC Coated Bank and Channel Protection Gabion	15.0	CuYd
734E0900	Temporary Diversion Channel for Fish Passage	2	Each
831E0110	Type B Drainage Fabric	1,037	SqYd
900E0010	Refurbish Single Mailbox	4	Each

GRADING OPERATIONS

Water for Embankment is estimated at the rate of 10 gallons of water per cubic yard of Embankment minus Waste.

The estimated cubic yards of excavation and/or embankment required to construct outlet ditches, ditch blocks, and approaches are included in the earthwork balance notes on the profile sheets.

The estimated excavation required for placing the Granular Bridge End Backfill and/or Bridge End Embankment, and for constructing the Bridge Berms between bridge abutments and shaping the bridge waterway channels are listed in the Table of Unclassified Excavation. Overburden Excavation for Riprap is not included in the Unclassified Excavation quantity. Refer to Section E for information regarding the Overburden Excavation for Riprap. The excavated material from the construction of the Bridge Berms and shaping the bridge waterway channels should be disposed of at a site provided by the Contractor and approved by the Engineer. This waste material is not included in the Waste shown in the Table of Excavation Quantities by Balances.

Special ditch grades and other sections of the roadway different than the typical sections will be constructed to the limits shown on the cross sections. If significant changes to the cross sections are necessary during construction, the Engineer will contact the Designer for the proposed change.

Generally, all shallow inlet and outlet ditches as noted on the plan sheets will be cut with a 10-foot-wide bottom with 5:1 backslopes. However, the Engineer may direct the Contractor to adjust the ditch width for proper alignment with the drainage structure.

Temporary fence and/or permanent fence will be placed ahead of the grading operation unless otherwise directed by the Engineer.

CLASSIFICATION OF EXCAVATION

Large glacial boulders may be encountered sporadically within the project limits. Very large boulders could require more effort to excavate. Most of the material encountered should be able to be excavated using conventional methods associated with normal Unclassified Excavation.

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	P-PT 0011(145)83	B2	B53

Plotting Date: 11/24/2025 Revised: 11/24/2025 MMM

GENERAL GEOLOGY

The project alignment traverses glacial terrain typical of eastern South Dakota. Included within this terrain may be areas of loess, shale, sand, gravel, glacial till and boulder till. As is the case with most glacial terrain, the materials throughout the project can vary greatly in a short distance.

UTILITIES

The Contractor will be aware that the existing utilities shown in the plans were surveyed prior to the design of this project and might have been relocated or replaced by a new utility facility prior to construction of this project, might be relocated or replaced by a new utility facility during the construction of this project, or might not require adjustment and may remain in its current location. The Contractor will contact each utility owner and confirm the status of all existing and new utility facilities. The utility contact information is provided elsewhere in the plans or bidding documents.

RAILROAD CROSSING AT STATION 34+64 (xr107)

A separate highway-rail grade crossing project will be constructed by Minnehaha County beginning at station 33+85 (xr107). The railroad work will include flattening the grade at the highway-rail crossing. Minnehaha County will coordinate all work activities with BNSF Railroad Company and be responsible for notifying the railroad company of road closures.

TYPE III FIELD LABORATORY

The Contractor will provide high-speed broadband internet connection to the field lab. The multiport internet connection may be hardwired, through a cellular method, or other approved service that allows Wi-Fi connection. Prior to obtaining the internet connection, the Contractor will submit the internet connection's technical data to the Area Office to check for compatibility with the state's computer equipment. The Contractor's personnel are prohibited from using the internet connection unless pre-approved by the Project Engineer. The internet service will be incidental to the contract unit price per each for "Type III Field Laboratory".

TABLE OF TEMPORARY DIVERSION CHANNELS FOR FISH PASSAGE

The Contractor will construct a temporary diversion channel in accordance with standard plate 734.30 at the locations listed in the following table:

Station	Quantity (Each)
116+50	1
128+45	1
Total:	2

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SECTION F ESTIMATE OF QUANTITIES

BID ITEM NUMBER	ITEM	QUANTITY	UNIT
009E3320	Checker	Lump Sum	LS
120E6200	Water for Granular Material	567.8	MGal
260E1010	Base Course	23,453.0	Ton
260E1030	Base Course, Salvaged	23,865.3	Ton
320E0032	PG 58H-34 Asphalt Binder	792.8	Ton
320E1060	Class G Asphalt Concrete	13,768.4	Ton
320E4000	Hydrated Lime	137.0	Ton
320E7008	Grind 8" Rumble Strip or Stripe in Asphalt Concrete	0.8	Mile
320E7012	Grind 12" Rumble Strip or Stripe in Asphalt Concrete	2.8	Mile
320E7028	Grind Centerline Rumble Stripe in Asphalt Concrete	1.3	Mile
320E7030	Grind Sinusoidal Centerline Rumble Stripe in Asphalt Concrete	0.4	Mile
330E0010	MC-70 Asphalt for Prime	64.8	Ton
330E0100	SS-1h or CSS-1h Asphalt for Tack	29.3	Ton
330E1000	Blotting Sand for Prime	134.5	Ton
900E1980	Storage Unit	1	Each

SURFACING THICKNESS DIMENSIONS

The plans shown spread rates will be applied even though the thickness may vary from that shown on the plans.

At those locations where material must be placed to achieve a required elevation, the depth/quantity may be varied to achieve the required elevation.

CHECKING SPREAD RATES

The Contractor will be responsible for checking the Asphalt Concrete, Base Course, Salvaged and Base Course spread rates and taking the weigh delivery tickets as the surfacing material arrives on the project and is placed onto the roadway.

The Contractor will compute the required spread rates for each typical surfacing section and create a spread chart prior to the start of material delivery and placement. The Engineer will review and check the Contractor's calculations and spread charts. The station to station spread will be written on each ticket as the surfacing material is delivered to the roadway.

At the end of each day's shift, the Contractor will verify the following:

- All tickets are present and accounted for,
- The quantity summary for each item is calculated,
- The amount of material wasted if any,
- Each day's ticket summary is marked with the corresponding 'computed by',
- The ticket summary is initialed and certified that the delivered and placed quantity is correct.

All daily tickets and the summary by item will be given to the Engineer no later than the following morning.

If the checker is not properly and accurately performing the required duties, the Contractor will correct the problem or replace the checker with an individual capable of performing the duties to the satisfaction of the Engineer. Failure to do so will result in suspension of the work.

The Department will perform depth checks. The Contractor will be responsible for placement of material to the correct depth unless otherwise directed by the Engineer. If the placed material is not within a tolerance of ±1/2 inch of the plan shown depth, the Contractor will correct the problem at no additional cost to the Department. Excess material above the tolerance will not be paid for. Achieving the correct depth may require picking up and moving material or other action as required by the Engineer.

All costs for providing the Contractor furnished checker and performing all related duties will be incidental to the contract lump sum price for the "Checker". No allowances will be made to the contract lump sum price for "Checker" due to authorized quantity variations unless the quantities for the material being checked vary above or below the estimated quantities by more than 25 percent. Payment for the Checker will then be increased or decreased by the same proportion as the placed material quantity bears to the estimated material quantity.

BASE COURSE, SALVAGED

Base Course, Salvaged will be obtained from the stockpile site(s) provided by the Contractor and may be used without further gradation testing.

All other requirements for Base Course, Salvaged will apply.

CLASS G ASPHALT CONCRETE

Mineral Aggregate for Class G Asphalt Concrete will conform to the requirements for Class G, Type 1.

When directed by the Engineer, the Contractor will saw and remove a total of three undamaged compaction cores per asphalt concrete lift from designated area(s) and repair the hole(s) to the satisfaction of the Engineer. All costs associated with the compaction cores will be incidental to the contract unit price per each for "Compaction Sample".

All other requirements for Class G will apply.

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	P-PT 0011(145)83	F2	F29

Plotting Date: 12/04/2025

Revised: 12-04-2025 LLA

SUMMARY OF CLASS G ASPHALT CONCRETE COMPACTION

LOCATION	Compaction With Specified Density (Ton)	Compaction Without Specified Density (Ton)
Mainline - SD 11		
Sta. 90+00.00 to Sta. 165+75.00	8,065.8	---
(See typical sections for information)		
Mainline - SD 11 Shoulders		
Sta. 90+00.00 to Sta. 165+75.00	3,167.1	---
(Excluding Bridges)		
Crossroad 107 - 258th Street		
Sta. 13+50.00 to Sta. 33+84.93	1,622.4	27.6
Intersecting Road - Tie-Ins		
XR 107 - 258th Street	---	201.4
XR 126 - Palisade Street	---	82.6
XR 159 - 257th Street	---	102.4
Farm Entrances		
Mainline SD 11 Entrances (9 each)	---	62.8
Crossroad 107 Entrances (5 each)	---	247.3
Surfacing for Guardrail	---	189.0
Subtotals:	12,855.3	913.1
Grand Total:	13,768.4	

BLOTTING SAND FOR PRIME

Included in the Estimate of Quantities are 5 tons of Blotting Sand for Prime to be used where necessary for maintenance of traffic as directed by the Engineer. (Rate = 10 pounds per square yard)

GRIND 8" or 12" RUMBLE STRIPS OR STRIPES IN ASPHALT CONCRETE

Asphalt concrete rumble stripes will be constructed on the shoulders. Rumble stripes will be paid for at the contract unit price per mile for "Grind 8" Rumble Strip or Stripe in Asphalt Concrete" or for "Grind 12" Rumble Strip or Stripe in Asphalt Concrete". It is estimated that 3.6 miles of asphalt concrete rumble stripes will be required.

Rumble stripe installation will be completed prior to application of the flush seal and permanent pavement markings.

The Contractor will be required to apply the flush seal to the newly installed 8 or 12" rumble strips at a width of 18" and at a rate of 0.1 Gal/SqYd. Cost for this work will be incidental to the contract unit price per mile for "Grind 12" Rumble Strip or Stripe in Asphalt Concrete".

TABLE OF 12" SHOULDER RUMBLE STRIPS OR STRIPES

Sta	to	Sta.	Length (Mile)
SD11			
90+00.00	to	114+99.46	0.5
118+83.71	to	128+20.67	0.2
130+50.64	to	165+75.00	0.7
Total =			1.4*

*Single Shoulder length – Both Shoulders = 2.8 miles

TABLE OF 8" SHOULDER RUMBLE STRIPS OR STRIPES

Sta	to	Sta.	Length (Mile)
Crossroad 107 - 258th Street			
13+50.00	to	33+84.93	0.4
Total =			0.4*

*Single Shoulder length – Both Shoulders = 0.8 miles

GRIND CENTERLINE RUMBLE STRIPE IN ASPHALT CONCRETE

Rumble stripes will be constructed on the centerline, as detailed in the plans. Centerline rumble stripe installation will be completed prior to application of the flush seal and permanent pavement markings.

The Contractor will be required to apply the flush seal to the newly installed 12" rumble strips at a width of 18" and at a rate of 0.1 Gal/SqYd. Cost for this work will be incidental to the contract unit price per mile for "Grind Centerline Rumble Stripe in Asphalt Concrete".

Rumble stripes will be paid for at the contract unit price per mile for "Grind Centerline Rumble Stripe in Asphalt Concrete". It is estimated that 1.3 miles of centerline rumble stripes will be required.

Centerline rumble stripes will be constructed according to the details of Standard Plate 320.18 outside the limits shown in the Table of Sinusoidal Centerline Rumble Stripes.

TABLE OF CENTERLINE RUMBLE STRIPES

Sta	to	Sta.	Length (Mile)
SD11			
90+00.00	to	114+99.46	0.5
118+83.71	to	128+20.67	0.2
130+50.64	to	158+05.00	0.5
Crossroad 107 - 258th Street			
20+88.00	to	27+96.00	0.1
Total =			1.3

GRIND SINUSOIDAL CENTERLINE RUMBLE STRIPE IN ASPHALT CONCRETE

Sinusoidal rumble stripes will be constructed on the centerline, as detailed in the plan set. Sinusoidal rumble stripes will be paid for at the contract unit price per mile for "Grind Sinusoidal Centerline Rumble Stripe in Asphalt Concrete". It is estimated that 0.4 miles of sinusoidal rumble stripes will be required.

Sinusoidal rumble stripe installation will be completed prior to application of the flush seal and permanent pavement markings.

The Contractor will be required to apply the flush seal to the newly installed 14" rumble strips at a width of 18" and at a rate of 0.1 Gal/SqYd. Cost for this work will be incidental to the contract unit price per mile for "Grind Sinusoidal Centerline Rumble Stripe in Asphalt Concrete".

TABLE OF SINUSOIDAL CENTERLINE RUMBLE STRIPES

Sta	to	Sta.	Length (Mile)
SD11			
158+05	to	165+75	0.1
Crossroad 107 - 258th Street			
13+50.00	to	20+88.00	0.1
27+96.00	to	33+84.93	0.1
Total =			0.4

STORAGE UNIT

The Contractor will provide a storage unit such as a portable storage container or a semi-trailer meeting the minimum size requirements from the table below:

Project Total Asphalt Concrete Tonnage	Minimum Internal Size (Cu Ft)	Minimum External Size (L x W x H)
Less than 50,000 ton	1,166	20' x 8' x 8.6' std
More than 50,000 ton	2,360	40' x 8' x 8.6' std
All Gyratory Controlled QC/QA Projects	2,360	40' x 8' x 8.6' std

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
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Plotting Date: 12/04/2025

Revised: 12-04-2025 LLA

The storage unit is intended for use only by the Engineer for the duration of the project. The QC lab personnel or the Contractor will not be allowed to use the storage container while it is on the project, without permission of the Engineer.

The storage unit will be on site and operational prior to asphalt concrete production. Upon completion of asphalt concrete production, the Engineer will notify the Contractor when the storage unit can be removed from the project. The storage unit use will not exceed 30 calendar days from the completion of asphalt concrete production. The storage unit will remain the property of the Contractor.

The storage unit will be weather proof and will be set in a level position. The storage unit will be able to be locked with a padlock.

The storage unit will be placed adjacent to the QA lab, as approved by the Engineer.

The following will apply when the storage unit provided on the project is a portable storage container:

1. The portable storage container will be constructed of steel.
2. The portable storage container will be set such that it is raised above the surrounding ground level to keep water from ponding under or around the storage container.

The following will apply when the storage unit provided on the project is a semi-trailer:

1. A set of steps and hand railings will be provided at the exterior door.
2. If the floor of the semi-trailer is 18 inches or more above the ground, a landing will be constructed at the exterior door. The minimum dimensions for the landing will be 4 feet by 5 feet. The top of the landing will be level with the threshold or opening of the doorway.
3. The semi-trailer may be connected to the QA lab by a stable elevated walkway. The walkway will be a minimum of 48 inches wide and contain handrails installed at 32 inches above the deck of the walkway. The walkway will be constructed such that it is stable and the deck does not deform during use and allows for proper door operation. Walkway construction will be approved by the Engineer.

All cost for furnishing, maintaining, and removing the storage unit including labor, equipment, and materials including any necessary walkways, landings, stairways, and handrails will be included in the contract unit price per each for "Storage Unit".

INTERSECTING ROADS AND ENTRANCES

Intersecting roads and entrances will be satisfactorily cleared of vegetation, shaped and compacted prior to placement of mainline surfacing. This work will be considered incidental to other contract items. Separate measurement and payment will not be made.