Illinois Proposed Regional Conditions and Suspended NWPs for the 2020 Nationwide Permits

A: Suspended NWPs

1. NWPs 1, 3, 10, 11, 13, 22, 28, 35, 36, and 52 are suspended for activities within the Illinois portion of Lake Michigan
2. NWPs 36 is suspended for activities within the Fox River-Chain O' Lakes Region

B: Regional Conditions Applicable Before Authorization

1. For NWP 12, NWP C, and NWP D, pre-construction notification is required in accordance with General Condition No. 32 for the following activities:

   a. Activities that involve mechanized land clearing in a forested wetland for the utility line right-of-way.
   b. Activities that involve discharges into special aquatic sites, including wetlands.
   c. Utility lines placed parallel to or along a jurisdictional stream bed.

2. Pre-construction notification in accordance with General Condition No. 32 is required for all proposed projects that result in the loss of greater than 300 linear feet of stream bed.

3. Any bank stabilization activity involving a method that protrudes from the bank contours, such as jetties, stream barbs, and/or weirs, will require a pre-construction notification in accordance with General Condition No. 32.

4. For projects in Cook, DuPage, and Will Counties. Permittees must submit a pre-construction notification to the District Engineer if the NWP activity is located in the recharge zones for Hine's emerald dragonfly (*Somatochlora hineana*, "HED"), critical habitat units or within 3.25 miles of a critical habitat unit for HED. Please visit the following website for the locations of the Hine's emerald dragonfly critical habitat units in Illinois. www.fws.gov/midwest/endangered/insects/hed/FRHinesFinalRevisedCH.html

5. All permanent new or replacement culverts in streams shall be constructed/installed in accordance with the following, in order to ensure compliance with NWP General Conditions No. 2 - Aquatic Life Movement and No. 9 - Management of Water Flows.

   a. Size: The width of the culvert should be sufficient to accommodate bank-full flows. Either a bottomless culvert or bridge must be used where practicable. In the event this is not practicable, a single pipe or box culvert system should be considered as a preferred option to a multi-barrel pipe or multi-cell box culvert. If proposing a multi-barrel or cell structure, document why a preferable option cannot be utilized.

   b. Depth: To maintain low flow and aquatic life movement within culverts with a bottom, the culvert invert must be embedded. Specifically, the culvert must be installed with its bottom buried below the grade of the stream bed, as measured at the average low

point, to a depth of a minimum of 6 to 12 inches throughout the length of the culvert. (Note: When not practicable to do so due to small culvert size or site geomorphology, it is acceptable to allow natural deposition to cover the interior of the culvert bed following placement of the culvert invert to the 6-12 inches depth.) Multiple pipe culverts may not be used to receive base flow.

c. The dimension, pattern, and profile of the stream above and below the stream crossing shall not be permanently modified by changing the width or depth of the stream channel.

d. The culvert bed slope shall remain consistent with the slope of the adjacent stream channel.

e. Stone aprons and scour protection placed in streams shall not extend higher than the stream bed in order to create a uniform grade, and shall be filled with native stream bed material and supplemented with similarly sized material, if needed, to fill interstitial spaces to maintain water flow on the surface of the stream bed.

f. For all crossings, provide a brief description of the stream (i.e. flow, stream bed slope, size, type of stream bed material, existing natural or man-made barrier, etc..), assessed to determine appropriate culvert design and to ensure management of water flows and aquatic life movement. In addition, provide cross-sections of the stream at the crossing, and upstream and downstream of the crossing showing the stream bed low point and ordinary high-water width.