

**2007 NATIONWIDE PERMITS
REGIONAL CONDITIONS
STATE OF NEBRASKA
OMAHA DISTRICT - US ARMY CORPS OF ENGINEERS**

1. Fens

All Nationwide Permits, except NWP 3, 20, 27, 32, 38, A and C are revoked for use in fens. For Nationwide Permits 3, 20, 27, 32, 38 and A with the exception of NWP C, permittees must notify the Corps in accordance with General Condition No. 27 (Notification) prior to initiating any regulated activity impacting fens. There is no notification requirement for NWP C.

Wetlands commonly known as fens are defined as wetlands that are characterized by waterlogged, spongy ground and contain (in all or in part) soils classified as histosols or mineral soils with a histic epipedon. To determine whether this provision applies, the entire wetland must be examined for the presence of histosols or histic epipedons.

2. Springs

All Nationwide Permits, except NWP 3, 20, 27, 32, 37, 38, A and C are revoked for activities located within 100 feet of the water source in natural spring areas. For Nationwide Permits 3, 20, 27, 32, 37, 38 and A with the exception of NWP C, permittees must notify the Corps in accordance with General Condition No. 27 (Notification) prior to initiating any regulated activity located within 100 feet of the water source in natural spring areas. There is no notification requirement for NWP C.

For purposes of this condition, a spring source is defined as any location where there is artesian 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 water.

3. Rainwater Basin Wetlands

For those Rainwater Basin wetlands that show evidence of a surface water connection to a navigable waterway, Nationwide Permits 6, 29, 39, 40, 41, 42, and 43 are revoked for use in historic, traditional Rainwater Basin wetlands found in the 17-county Rainwater Basin area of south central Nebraska. For all other Nationwide Permits, except NWP C, permittees must notify the Corps in accordance with General Condition No. 27 (Notification) prior to initiating any regulated activity impacting traditional Rainwater Basin wetlands. There is no notification requirement for NWP C.

A traditional basin is defined as those wetlands typically found in a depressional situation on Fillmore, Scott, Olbut or Massie soils.

4. Eastern Saline Wetlands

All Nationwide Permits, except NWPs 3, 27, A and C are revoked for use in Category I Eastern Saline wetlands in Lancaster County and Saunders County, Nebraska. For Nationwide Permits 3, 27 and A, with the exception of NWP C, permittees must notify the Corps in accordance with General Condition No. 27 (Notification) prior to initiating any regulated activity impacting Category I saline wetlands. There is no notification requirement for NWP C.

Where an activity is being undertaken in any other category of Eastern Saline wetlands, permittees must notify the Corps in accordance with General Condition No. 27 (Notification) prior to initiating any regulated activity except those activities authorized under NWP C.

5. Critical Habitat for *Grus americana* (Whooping Crane)

Nationwide Permits 29, 39, 40, 42, 43 and 44 are revoked for use in the critical habitat areas for *Grus americana* (Whooping Crane) as defined in the Federal Register of May 15, 1978 (FR 43 20938-20942). For all other Nationwide Permits, except for NWP C, permittees must notify the Corps in accordance with General Condition No. 27 (Notification) prior to initiating any regulated activity in the critical habitat for *Grus americana*.

6. Platte River (from the confluence of the North Platte and South Platte to the mouth)

For all Nationwide Permits, except NWP C, permittees must notify the Corps in accordance with General Condition No. 27 (Notification) prior to initiating any regulated activity on the Platte River.

7. Revegetation of Disturbed Areas

All areas disturbed by construction shall be revegetated with appropriate perennial, native grasses and forbs and maintained in this condition. *Phalaris arundinacea* (Reed Canary Grass), *Lythrum salicaria* (Purple Loosestrife), *Bromus inermis* (Smooth Brome), *Phragmites, sp.* (Common Reed, River Reed) and *Tamarix, sp.* (Salt Cedar). are NOT appropriate choices of vegetation. The disturbed areas shall be reseeded concurrent with the project or immediately upon completion. Revegetation shall be acceptable when ground cover of desirable species reaches 75%. If this seeding cannot be accomplished by September 15 the year of project completion, then an erosion blanket shall be placed on the disturbed areas. The erosion blanket shall remain in place until ground cover of desirable species reaches 75%. If the seeding can be accomplished by September 15, all seeded areas shall be properly mulched to prevent additional erosion.