



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
INDIANAPOLIS REGULATORY OFFICE
9799 BILLINGS ROAD
INDIANAPOLIS, INDIANA 46216-1055
<http://www.lrl.usace.army.mil>

March 9, 2010

Operations Division
Regulatory Branch (North)
ID No. LRL-2010-250-sam

Mr. Long Nguyen
City of Indianapolis
Department of Public Works
1200 Madison Avenue, Suite 200
Indianapolis, IN 46225

Dear Mr. Nguyen:

This is in regard to the letter of March 1, 2010, submitted by USI Consultants concerning the proposed reconstruction of Marion County Bridge No. 3108F carrying Morris Street over the White River and the proposed debris removal from around the piers. The proposed project is located in Sections 11 and 14, Township 15 North, Range 3 East, Marion County, Indiana. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

With regards to the proposed bridge reconstruction, the provided information indicates that a placement of dredged or fill material will not be required, permanently or temporarily, into any "waters of the United States". Therefore, a Department of the Army (DA) permit is not required.

The proposed debris removal would not involve the placement of dredged or fill material into the White River provided the one-step removal method is used. This method normally involves excavating or dredging the material with a type of bucket loader such as a backhoe or tracked excavator. The material must be placed directly into an enclosed truck bed such as a dump truck and hauled to an approved disposal site. We will consider upland area of higher lands an approved disposal site in this case. The fallback of dredged material into any "waters of the United States" incidental to the removal activity is considered "de minimis". Consequently, your proposal is not subject to regulation pursuant to Section 404 CWA and a Department of the Army permit is not required.

If you have any questions concerning this matter, please contact me by writing to the above address or by calling 317-532-4226. Any correspondence should reference our assigned Identification Number LRL-2010-250-sam.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Matthews". The signature is fluid and cursive, with a large loop at the end of the last name.

Scott A. Matthews
Project Manager
Indianapolis Regulatory Office

Copy Furnished: IDEM (Sanders)
USI Consultants