

The Rivers and Harbors Act, also known as the Refuse Act was passed in 1899.

This conferred to the Army Corps of Engineers regulatory authority over the navigable waters of the United States

# Water Pollution Control Act

June 30, 1948

AKA

The Clean Water Act.



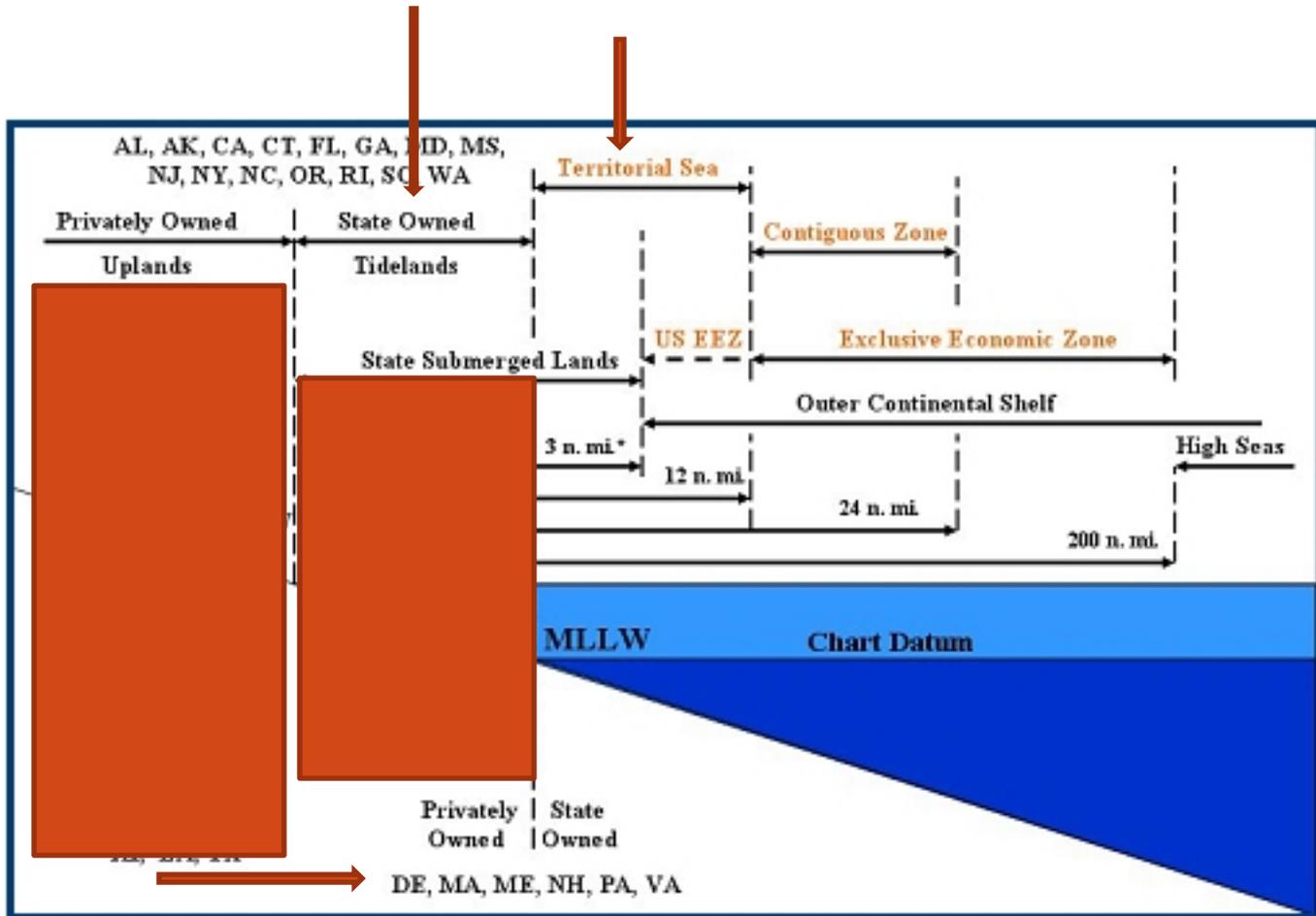
# Scope of Work

## SEC. 404

(a) The Secretary may issue permits, after notice and opportunity for public hearings **for the discharge of dredged or fill material into the navigable waters at specified disposal sites**. Not later than the fifteenth day after the date an applicant submits all the information required to complete an application for a permit under this subsection, the Secretary shall publish the notice required by this subsection.

(b) Subject to subsection (c) of this section, each such disposal site shall be specified for each such permit by the Secretary (1) through the application of guidelines developed by the Administrator, in conjunction with the Secretary which guidelines shall be based upon **criteria comparable to the criteria applicable to the territorial seas, the contiguous zone, and the ocean** under section 403(c), and (2) in any case where such guidelines under clause (1) alone would prohibit the specification of a site, through the application additionally of the economic impact of the site on navigation and anchorage.

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(b) Subject to subsection (c) of this section, each such disposal site shall be specified for each such permit by the Secretary (1) through the application of **guidelines developed by the Administrator**, in conjunction with the Secretary which guidelines shall be based upon criteria comparable to the criteria applicable to the territorial seas, the contiguous zone, and the ocean under section 403(c), and (2) in any case where such guidelines under clause (1) alone would prohibit the specification of a site, through the application additionally of the economic impact of the site on navigation and anchorage.

(f)(1) .....(A) from **normal farming, silviculture**, and ranching activities such as plowing, seeding, cultivating, minor drainage, harvesting **for the production of food, fiber, and forest products**, or upland soil and water conservation practices;



(B) for the purpose of maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, and bridge abutments or approaches, and transportation structures;

(C) for the purpose of construction or maintenance of farm or stock ponds or irrigation ditches, or **the maintenance of drainage ditches**;



(D) for the purpose of construction of temporary sedimentation basins on a construction site which does not include placement of fill material into the navigable waters;

(E) for the purpose of **construction or maintenance of farm roads or forest roads**, or temporary roads for moving mining



equipment, where such roads are constructed and maintained, in **accordance with best management practices**, to assure that flow and circulation patterns and chemical and biological characteristics of the **navigable waters** are not impaired, that the reach of the navigable waters is not reduced, and that any adverse effect on the aquatic environment will be otherwise minimized;

40 CFR Parts 110, 112, 116, 117, 122, 230,  
232 and 401

Clean Water Act Regulatory Programs  
Wednesday, August 25, 1993

§328.3 Definitions.

\* \* \* \* \*

(a) \* \* \*

(8) Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

