

# Permit Application Components

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# Questions to ask yourself during the application process

- 1) What is the purpose and need of the project? What alternatives have I considered?
- 2) What are the aquatic impacts and how have I avoided/minimized/compensated for those impacts?
- 3) What are the additional resources in the project area?
  - Federally listed species and State and Tribal sensitive species
  - Cultural, Archaeological, Historical Resources



# Purpose and Need



- Purpose/need statement describes transportation problem (need) and solution (purpose).
- Problems defined: Safety and Design standards, lack of access, congestion, etc.



# Why the Purpose and Need is Important

- Foundation for decision-making
- Provides strong foundation for alternatives development
- For WCA purposes, purpose and need is used to determine eligibility of BWSR road program.



# 404(b)(1) Guidelines

## Alternatives analysis (40 CFR 230.10)

“No discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem”

- *Practicable* alternatives: available and capable of being done considering cost, existing technology, and logistics in light of overall project purpose
- Applicant required to submit necessary information for Corps to determine compliance with the guidelines.



# Mitigation sequencing



# Other resources to consider

- Biological resources: Federally listed (ESA) or state or tribal sensitive species?



- Cultural resources: archaeological/historic sites or traditional cultural/historic



# What do I do now?

- Consider pre-application meeting **early in the road planning process.**
  - Determination of who has jurisdiction/what will be regulated
  - Discussion of additional information that may be needed for permit review





# What happens when I involve the agencies late in the process?



- ▶ If you skip the pre-application meeting and your project has significant environmental impacts:
  - May revisit the project development process from the beginning
  - Corps may request revisions to satisfy 404:
    - Broaden project purpose
    - Evaluate additional alternatives
    - Modify the proposal
  - Corps may find that proposal cannot comply with 404 requirements (fatal flaw)



# Info for Complete Application

- ✓ Name, address, signature and date
- ✓ Description of project & location
- ✓ Drawings/plans showing ALL proposed activities
- ✓ Purpose and need for project
- ✓ Name/address of adjoining property owners
- ✓ Description of fill - type, quantity, locations
- ✓ List of all authorizations required for proposal including all approvals received/denied



\*\*If application complete, public notice can be issued



# Info for Permit Decision

- ✓ Waters/wetlands accurately identified (boundary concurrence)
- ✓ Thorough analysis of alternatives to avoid/minimize impacts
- ✓ Dismiss alternatives if:
  - they do not meet project purpose or
  - are not practicable or
  - are more damaging to the natural environment
- ✓ Compensatory mitigation plan

