United States Army Corps of Engineers

Regulatory Program
Applicant Information

General Information

Authority for the Regulatory Program

The U.S. Army Corps of Engineers has been regulating activities in the Nation's waters since 1890. Until the 1960's the primary purpose of the Regulatory Program was to protect navigation. Since then, as a result of laws and court decisions, the Program has been broadened so that it now considers the full public interest for both the protection and utilization of water resources.

The regulatory authorities and responsibilities of the Corps of Engineers are based on the following laws:

- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) prohibits the obstruction or alteration of navigable waters of the United States without a permit from the Corps of Engineers.

- The Clean Water Act (33 U.S.C. 1344) Section 301 of this Act prohibits the discharge of dredged or fill material into waters of the United States without a permit from the Corps of Engineers under Section 404 of the Act.

- Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended (33 U.S.C. 1413) authorizes the Corps of Engineers to issue permits for the transportation of dredged material for the purpose of dumping it into ocean waters.

Other laws may also affect the processing of applications for Corps of Engineers' permits. Among these are the National Environmental Policy Act, the Coastal Zone Management Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Deepwater Port Act, the Federal Power Act, the Marine Mammal Protection Act, the Wild and Scenic Rivers Act, and the National Fishing Enhancement Act of 1984.

Explanation of Some Commonly Used Terms

Certain terms, which are closely associated with the Regulatory Program, are explained briefly in this section. If you need more detailed definitions, refer to the Code of Federal Regulations (33 CFR Parts 320 through 330) or contact a Corps District regulatory office.

Activity(ies) as used in this packet includes structures (pier, wharf, bulkhead, or jetty, etc.) and work (which includes dredging, disposal of dredged material, filling, excavation, land clearing, leveeing or other modification of a water of the United States).

Navigable Waters of the United States are those waters of the United States that are subject to the ebb and flow of the tide shoreward to the mean high water mark and/or are presently used, or have been used in the past or may be susceptible to use to transport interstate or foreign commerce. These are waters that are navigable in the traditional sense where permits are required for certain activities pursuant to Section 10 of the Rivers and Harbors Act. This term should not be confused with the term below, "waters of the United States."

Waters of the United States is a broader term than navigable waters of the United States defined above. Included are adjacent wetlands and tributaries to navigable waters of the United States and other waters where the degradation or destruction of which could affect interstate or foreign commerce. These are the waters where permits are required for the discharge of dredged or fill material pursuant to Section 404 of the Clean Water Act.

Pre-application Consultation is one or more meetings between Corps of Engineers' staff and an applicant and his/her agent or consultant. A pre-application consultation is usually related to applications for major activities and may involve discussion of alternatives, environmental documents, National Environmental Policy Act procedures, mitigation requirements, and development of the scope of the data required when an environmental impact statement is required.

Public Hearings may be held to acquire information and give the public the opportunity to present views and opinions. The Corps may hold a hearing or participate in joint public hearings with other Federal or state agencies. The Corps may specify in the public notice that a hearing will be held, and any person may request in writing during the comment period that a hearing be held. Specific reasons must be given as to the need for a hearing. The Corps' Commander may attempt to resolve the issue informally or he may set the date for a public hearing. Hearings are held at times and places that are convenient for the interested public. Very few applications involve a public hearing.

The Public Interest Review is the term that refers to the evaluation of a proposed activity to determine probable impacts. Expected benefits are balanced against reasonably foreseeable detriments. All relevant factors are weighed. Corps policy is to provide applicants with a timely and carefully weighed decision that reflects the public interest.

Public Notice is the primary method of advising interested public agencies and private parties of the proposed activity and of soliciting comments and information necessary to evaluate the probable impact on the public interest. Upon request, anyone's name will be added to the distribution list to receive public notices.

Mitigation is the avoidance and minimization of impacts to wetlands and other aquatic areas and providing compensation for (replacement of) the unavoidably lost aquatic functions and values. For additional information regarding mitigation requirements, see page 11.

District Engineer is the Commanding Officer at each Corps of Engineer District. He acts as the hearing officer at public hearings and makes the final decision on the issuance or denial of Department of the Army permits.

Water body is a river, creek, stream, lake, pool, bay, wetland, marsh, swamp, tidal flat, ocean, or other water area.

Frequently Asked Questions

Various questions are often asked about the Regulatory Program. These answers may help you to understand the program better.

Q. *How early should I apply for a Corps permit?*

A. Since two to four months is normally required to process a routine application involving a public notice, you should apply as early as possible to be sure you have all required approvals before your planned commencement date. For a large or complex activity that may take longer, it is often helpful to have a "pre-application consultation" or informal meeting with the Corps during the early planning phase of your project. You may receive helpful information at this point that could prevent delays later. When in doubt as to whether a permit may be required or what you need to do, please do not hesitate to call a Corps District regulatory office.

Q. *I have obtained permits from local and state governments. Do I still need an individual permit from the Corps of Engineers?*

A. It is possible you may not have to obtain an individual permit, depending on the type or location of work. The Corps has many general permits that authorize minor activities without the need for extensive individual processing. Check with your Corps District Regulatory office for information on general permits. When a general permit does not apply, you may still be required to obtain an individual permit.

Q. *What will happen if I do work without getting a permit from the Corps?*

A. Performing unauthorized work in waters of the United States or failure to comply with the terms of a valid permit can have serious consequences. You would be in violation of Federal law and could face stiff penalties, including fines and/or requirements to restore the area.

Enforcement is an important part of the Corps Regulatory Program. Corps surveillance and monitoring activities are often aided by various agencies, groups, and individuals, who report suspected violations. When in doubt as to whether a planned activity needs a permit, contact the nearest District regulatory office.

Q. *How can I obtain further information about permit requirements?*

A. Information about the Regulatory Program is available from any Corps of Engineers District regulatory office. Information may also be obtained from the water resource agency in your state.

Q. *Are most permits denied?*

A. Nationwide, only three percent of all requests for permits are denied. Those few applicants who have been denied permits usually have refused to change the design, timing, or location of the proposed activity. When a permit is denied, an applicant may redesign the project and submit a new application. To avoid unnecessary delays, pre-application consultations, particularly for applications for major activities, are recommended. The Corps will give you helpful information, including factors that will be considered during the public interest review and alternatives to consider that may prove to be useful in designing a project.

Q. *What is a wetland and what is its value?*

A. Wetlands are areas that are periodically or permanently inundated by surface or ground water and support vegetation adapted for life in saturated soil. Wetlands include swamps, marshes, bogs and similar areas. A significant natural resource, wetlands serve important functions relating to fish and wildlife, food chain production, habitat, nesting, spawning, rearing and resting sites for aquatic and land species, protection of other areas from wave action and erosion, storage areas for storm and flood waters, natural recharge areas where ground and surface water are interconnected, and natural water filtration and purification functions.

Although individual alterations of wetlands may constitute a minor change, the cumulative effect of numerous changes often results in major damage to wetland resources. The review of applications for alteration or destruction of wetlands will include consideration of whether the proposed activity can be located outside the aquatic environment.

Q. *Can I design my project to eliminate the need for a Corps permit?*

A. If your activity is located in an area of tidal waters, the best way to avoid the need for a permit is to select a site that is above the high tide line and avoids wetlands or other water bodies. In the vicinity of fresh water, stay above ordinary high water and avoid wetlands adjacent to the stream or lake. Also, it is possible that your activity is exempt and does not need a Corps permit or that it has been authorized by a nationwide or regional general permit. So, before you build, land clear, dredge or fill in a water of the United States, contact the Corps District regulatory office in your area for specific information about location, exemptions, and regional and nationwide general permits.

The Permit Application

General

The application form used to apply for a permit is Engineer Form 4345, *Application for Department of the Army Permit*. One is included in this package for your use. You can also obtain the application from one of the Corps of Engineers District regulatory offices. Some Corps Districts may use a slightly modified form for joint processing with a state agency; however, the required information is basically the same. It is important that you provide the complete information in the requested format. This information will be used to determine the appropriate form of authorization and to evaluate your proposal.

Some types of work have been previously authorized by nationwide or regional permits, and no further Corps approvals are required. Others may qualify for abbreviated permit processing, with authorizations in the form of letters of permission in which a permit decision can usually be reached in less than 30 days. For other activities, a public notice may be required to notify Federal, state, and local agencies, adjacent property owners, and the general public of the proposal to allow an opportunity for review and comment or to request a public hearing. Most applications involving public notices are completed within four months and many are completed within 60 days.

The Corps will begin to process your application immediately upon receipt of all required information. You will be sent an acknowledgement of its receipt and the application number assigned to your file. You should refer to this number when inquiring about your application. Your proposal will be reviewed, balancing the need and expected benefits against the probable impacts of the work, taking into consideration all comments received and other relevant factors. This process is called the public interest review. The Corps' goal is to reach a decision regarding permit issuance or denial within 60 days of receipt of a complete application. However, some complex activities, issues, or requirements of law may prevent the Corps from meeting this goal on a particular application.

For any specific information on the evaluation process, filling out the application forms, or the status of your application, you should contact the regulatory branch of the Corps of Engineers District office that has jurisdiction over the area where you plan to do the work.

Typical Processing Procedure for a Standard Individual Permit

1. Pre-application consultation (optional).

2. Applicant submits ENG Form 4345 to District regulatory office.*

3. Corps receives application and assigns identification number.

4. Public notice is issued (within 15 days of receiving all information).

5. 15-30 day comment period, depending upon nature of activity.

6. Proposal is reviewed by the Corps** as well as the following:

    a. Public

    b. Special interest groups

    c. Local agencies

    d. State agencies

    e. Federal agencies

7. The Corps considers all comments.

8. Other Federal agencies are consulted, if appropriate.

9. The Corps may ask applicant to provide additional information.

10. Public hearing is held, if needed.

11. The Corps makes decision.

12. Permit is issued or,

13. Permit is denied and applicant advised of reason.

* A local variation, often a joint Federal-State application form may be submitted.

** Review period may be extended if applicant fails to submit information, or if due to requirements of certain regulations.

Evaluation Factors

The decision whether to grant or deny a permit is based on a public interest review of the probable impact of the proposed activity and its intended use. Benefits and detriments are balanced by considering effects on items such as:

conservation	navigation
economics	shore erosion and accretion
aesthetics	recreation
general environmental concerns	water supply and conservation
wetlands	water quality
cultural values	energy needs
flood hazards	safety
floodplain values	needs and welfare of the people
food and fiber production	considerations of private ownership

The following **general criteria** will be considered in the evaluation of every application:

- the relative extent of the public and private need for the proposed activity;
- the practicability of using reasonable alternative locations and methods to accomplish the objective of the proposed activity; and
- the extent and permanence of the beneficial and/or detrimental effects that the proposed activity is likely to have on the public and private uses to which the area is suited.

Section 404(b)(1) of the Clean Water Act:

If your project involves the discharge (placement) of dredged or fill material, it will also be necessary for the Corps to evaluate your proposed activity under the Section 404(b)(1) guidelines prepared by the Environmental Protection Agency in consultation with the Corps. The guidelines restrict discharges into aquatic areas where less environmentally damaging, practicable alternatives exist.

Types of Permits

Individual Permits (Standard Permits)

A standard permit is one processed through the typical review procedures, which include public notice, opportunity for a public hearing, and receipt of comments. A final decision is made following a case-by-case evaluation of a specific activity.

Letters of Permission

If work is minor or routine with minimum impacts and objections are unlikely, then it may qualify for a Letter of Permission (LOP). An LOP can be issued much quicker than a standard permit since an individual public notice is not required. The District Engineer will notify you if your proposed activity qualifies for an LOP.

General Permits

In many cases the formal processing of a permit application is not required because of general permits already issued to the public at large by the Corps of Engineers. These are issued on a regional and nationwide basis. Separate applications may not be required for activities authorized by a general permit; nevertheless, reporting may be required. For specific information on general permits, contact the Corps District regulatory office having jurisdiction over the area of the proposed work.

Fees

Fees are required for individual (standard) permits. $10.00 will be charged for a permit for a non-commercial activity; $100.00 will be charged for a permit for a commercial or industrial activity. The Corps will make the final decision as to the amount of the fee. ***Do not send a fee when you submit an application.*** When the Corps issues the permit, you will be notified and asked to submit the required fee payable to the Treasurer of the United States. No fees are charged for transferring a permit from one property owner to another, for Letters of Permission, for activities authorized by a general permit, or for permits to governmental agencies.

Drawings

General Information

Three types of drawings, Vicinity, Plan, and Elevation, are required to accurately depict activities. Some examples are attached for your information.

Submit one original, or good quality copy of all drawings on 8-1/2 x 11-inch white paper. Tracing paper or film may be used. Submit the fewest number of sheets necessary to adequately show the proposed activity. Drawings should be prepared in accordance with the general format of the samples, using block style lettering. Each page should have a title block. Drawings do not have to be prepared by an engineer, but professional assistance may become necessary if the project is large or complex. Leave a 1-inch margin at the top edge of each sheet for purposes of reproduction and binding.

In the title block of each sheet of drawings, identify the proposed activity and include the name of the body of water, river mile (if applicable), name of county and state, name of applicant, number of the sheet, total number of sheets in set, and date the drawing was prepared.

Since drawings must be reproduced, use heavy dark lines. Color shading cannot be used; however, dot shading, hatching, or similar graphic symbols may be used to clarify line drawings.

Vicinity Map

The vicinity map that you provide will be printed in any public notice that is issued and used by the Corps of Engineers and other reviewing agencies to locate the site of the proposed activity. You may use an existing road map or U.S. Geological Survey topographic (scale 1: 24,000) as the vicinity map. Please include sufficient details to simplify locating the site from both the water body and from land. Identify the source of the map or chart from which the vicinity map was taken and, if not already shown, add the following:

- Location of activity site (draw an arrow showing the exact location of the site on the map).
- Latitude, longitude, river mile (if known), and other information that coincides with Block 16 on the application form.

- Name of water body and the name of the larger creek, river, bayou, etc., to which the water body is an immediate tributary.
- Name, description and location of landmarks.
- Name of all applicable political (County, Parish, Borough, Town, City, etc.) jurisdictions.
- Name of and distance to nearest town, community, or other identifying locations.
- Names or numbers of all roads in the vicinity of the site.
- North arrow.
- Scale.

Plan View

The Plan View shows the proposed activity as if you were looking straight down on it from above. Your plan view should clearly show the following:

- Name of water body (river, creek, lake, wetland, etc.) and river mile (if known) at location of activity.
- Existing shorelines.
- Mean high and mean low water lines and maximum (spring) high tide line in tidal areas.
- Ordinary high water line and ordinary low water line, if the proposed activity is located on a non-tidal water body.
- Average water depths around the activity.
- Dimensions of the activity and distance it extends from the high water line into the water.
- Distances to nearby Federal projects, if applicable.
- Distance between proposed activity and navigation channel, where applicable.
- Location of any structures in navigable waters immediately adjacent to the proposed activity.
- Location of any wetlands (marshes, swamps, tidal flats, etc.)
- North arrow.
- Scale.

- If dredged (excavated) or fill material is involved, describe the type of material, number of cubic yards, method of handling, and the location of fill and spoil disposal area, the drawing should show proposed retention levees, weirs, and/or other means for retaining hydraulically placed materials.

- Mark the drawing to indicate previously completed portions of the activity.

Elevation and/or Cross Section View

The elevation and/or cross section view is a scale drawing that shows the side, front, or rear of the proposed activity. If a section view is shown, it represents the proposed structure as it would appear if cut internally for display. Your elevation should clearly show the following:

- Water elevations as shown in the plan view.

- Water depth at waterward face of proposed activity or if dredging is proposed, dredging and estimated disposal grades.

- Dimensions from mean high water line (in tidal waters) or ordinary high water (non-tidal) of proposed fill or structure.

- Cross-section of excavation or fill, including approximate side slopes.

- Graphic or numerical scale.

- Principal dimensions of the activity.

Notes on Drawings*

- Names of adjacent property owners who may be affected. Complete names and addresses should be shown in Block 24 on ENG Form 4345.

- Legal property description: Number, name of subdivision, block, and lot number. Section, Township, and Range (if applicable) from plot, deed, or tax assessment.

- Photographs of the site of the proposed activity are not required; however, pictures are helpful and may be submitted as part of any application.

- While illustrations need not be professional, they should be clear, accurate, and contain all necessary information. (Illustrations for most projects are prepared by hand.)

* Drawings should be as clear and simple as possible (not too "busy").

MITIGATION REQUIREMENTS FOR CORPS PERMITS

The Corps of Engineers and the U.S. Environmental Protection Agency signed a Memorandum of Agreement on February 7, 1990, which implemented the President's national goal of no-net-loss of wetlands. This memorandum sets forth the policy and procedures to be used in determining appropriate mitigation for projects that involve the permitted placement of dredged or fill material into wetlands and other waters. If a project results in identifiable losses of wetland functions and values, compensatory mitigation may be required for a project to receive approval under Section 404 of the Clean Water Act. If the mitigation plan necessary to ensure compliance with the Clean Water Act is not reasonably implementable or enforceable, the permit shall be denied.

The first step in the process is to determine if the wetlands can be avoided. The second step is to minimize adverse impacts to those wetland areas that cannot be avoided. If the Corps determines that the proposed site is the only available practicable alternative, then any remaining adverse impacts to the wetland functions and values must be mitigated to the extent appropriate and practicable in terms of cost, existing technology and logistics in light of the overall project purposes. Generally, the mitigation ratio of not less than acre for acre is required; however, the ratio (acre for acre) can be higher if the wetlands lost are of high quality. Any request for a Section 404 permit should include a statement regarding the applicant's consideration of the mitigation requirement. For more information on mitigation, please contact the Corps Regulatory office for the area where the work is planned.

Instructions for Preparing a Department of the Army Permit Application

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name of the responsible party or parties. If the responsible party is an agency, company, corporation or other organization, indicate the responsible officer and title. If more than one party is associated w1th the application, please attach a sheet with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency designated by you to represent you in this process. An agent can be an attorney, builder, contractor, engineer or any other person or organization. (Note: An agent is not required.)

Block 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he/she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project (i.e., Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center, etc.).

Block 13. Name of Water body. Please provide the name of any stream, lake, marsh or other waterway to be directly impacted by the activity. If it is a minor, unnamed stream, identify the water body the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter here.

Block 15. Location of Proposed Project. Enter the county and state where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked Block 15.

Block 16. Other Location Descriptions. If available, provide the Section, Township and Range of the site and/or the latitude and longitude. You may also provide a description of the proposed project location, such as lot numbers, tract numbers, etc., or you may choose to locate the proposed project site from a known point (example: the right descending bank of Smith Creek, one mile down from the Highway 14 Bridge). If the site is located adjacent to large river or stream, include the river mile of the

proposed project site, if known.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers, as well as names. Also provide distances from known locations and any other information that would assist in locating the site.

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wingwalls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles or float supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe in detail what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 18.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

Block 20. Reason(s) for Discharge. If the activity involves the discharge of dredged and/or fill material into a wetland or other water body, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Block 21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards. Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description agrees with your illustrations. (Discharge material includes: rock, sand, clay, concrete, etc.)

Block 22. Surface Areas of Wetlands or Other Waters Filled. Describe the area to be filled at each location. Specifically identify the surface areas or part thereof to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken, if necessary, to prevent runoff from the dredged material back into a water body. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Is Any Portion of the Work Already Complete? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, etc. If wetlands or other water bodies were filled, describe the size of fill in acres or square feet. If the work was done under an existing Corps permit, identify the authorization, if possible.

Block 24. Names and Addresses of Adjoining Property Owners, Lessees, etc., whose Property Adjoins the Project Site. List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the water body or aquatic site where the work is being proposed so that they may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked Block 24.

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

Block 25. Information about Approvals or Denials by Other Agencies. You may need the approval of other Federal, state or local agencies for your project. Identify any applications you have submitted and the status, it any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 26. Signature of Applicant or Agent. The application must be signed by the owner or other authorized party (agent), This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.)

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number.

Please submit one original, or a good quality copy, of all drawings on an 8-1/2 x 11-inch plain white paper (tracing paper or film may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identity the project, the applicant, and the type of illustration (vicinity map, plan view or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate and contain all necessary information.

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-0003
Expires December 31, 2004

The Public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law,no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403;Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1413. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required)
6. APPLICANT'S ADDRESS	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOs. W/AREA CODE a. Residence b. Business	10. AGENT'S PHONE NOs. W/AREA CODE a. Residence b. Business

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE DATE

NAME, LOCATION, AND DESCRIPTION OR PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)

13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable)
15. LOCATION OF PROJECT COUNTY STATE Select	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) **Section, Township, Range, Lat/Lon, and/or Accessors's Parcel Number, for example.**

17. DIRECTIONS TO THE SITE

18. Nature of Activity (Description of project, include all features)

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

23. Is Any Portion of the Work Already Complete? Yes ___ No ___ IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

25. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

*Would include but is not restricted to zoning, building, and flood plain permits

26. To the best of my knowledge the proposed activity described in my permit application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Management Program.
Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT _____ DATE _____ SIGNATURE OF AGENT _____ DATE _____

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

AFFILIATED WITH ENG 4345

CERTIFICATION OF LEGAL INTEREST

This is to certify that I, the undersigned, do own or have other legal interest in the subject property and wish to have the attached permit application evaluated.

☐ I also hereby grant permission for entry upon and inspection of the said property for permit evaluation purposes with the understanding that I can withdraw this right-of-entry only in writing and that responsible effort will be made to contact the undersigned prior to entry upon said property.

☐ I do not grant permission for entry upon and inspection of the said property for permit evaluation purposes with the understanding that if an on-site inspection is needed, the permit process may be hampered.

Signature

Legal Interest Title

Reset All Forms

INSTRUCTIONS FOR SUBMITTING A PERMIT APPLICATION

1. Complete the attached application form **(ENG FORM 4345)**. If you need assistance or wish to have a pre-application meeting, contact us at the number below.

2. Complete the attached **Certification of Legal Interest.** If the signature on the certification is other than that of the owner, the legal interest should be specified; i.e., Lessee, Trustee, Executor, etc.

3. Prepare an 8-1/2 x 11-inch drawing of the plan and elevation views of the proposed work **and** a vicinity map. (See attached examples.)

4. Mail the above information to the Regulatory Branch at the address below with a letter describing the purpose, nature, and extent of the proposed work. Also, describe the quantity and type of material involved, acreage involved, construction methods, and alternate sites you considered.

USACE, Vicksburg District
Attention: Regulatory Branch
4155 Clay Street
Vicksburg, Mississippi 39183-3435
Phone: 601-631-7071
Fax: 601-631-5459

You may also submit your information electronically to our e-mail address: *regulatory@mvk02.usace.army.mil* or visit our Web site at *www.mvk.usace.army.mil* for additional information.

5. A State Water Quality Certification will be required if your proposed work involves the placement of dredged or fill material into a water of the United States (including wetlands). The responsible state agency listed below will determine whether or not your project will violate the State's water quality standards. The Corps will make your initial application for water quality certification for projects in the State of Arkansas, Louisiana, or Mississippi.

Arkansas Department of
Environmental Quality
Water Division
P. O. Box 8913
Little Rock, Arkansas 72219-8913
Phone: 501-682-0645

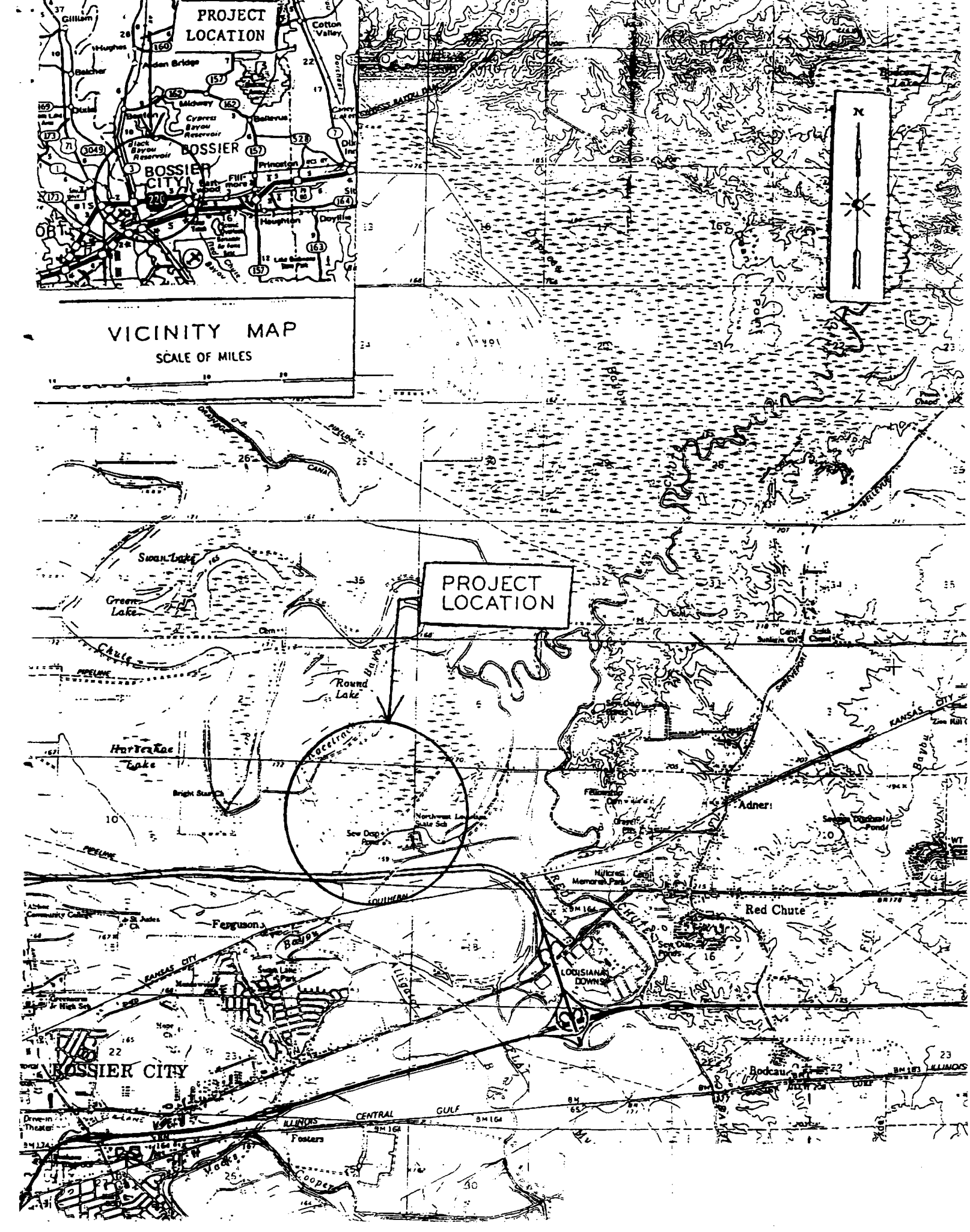
Louisiana Department of
Environmental Quality
Office of Water Resources
P. O. Box 82215
Baton Rouge, Louisiana 70884-2215
Phone: 504-765-0664

Mississippi Department of Environmental Quality
Bureau of Pollution Control
Post Office Box 10385
Jackson, Mississippi 39289-0385
Phone: 601-961-5171

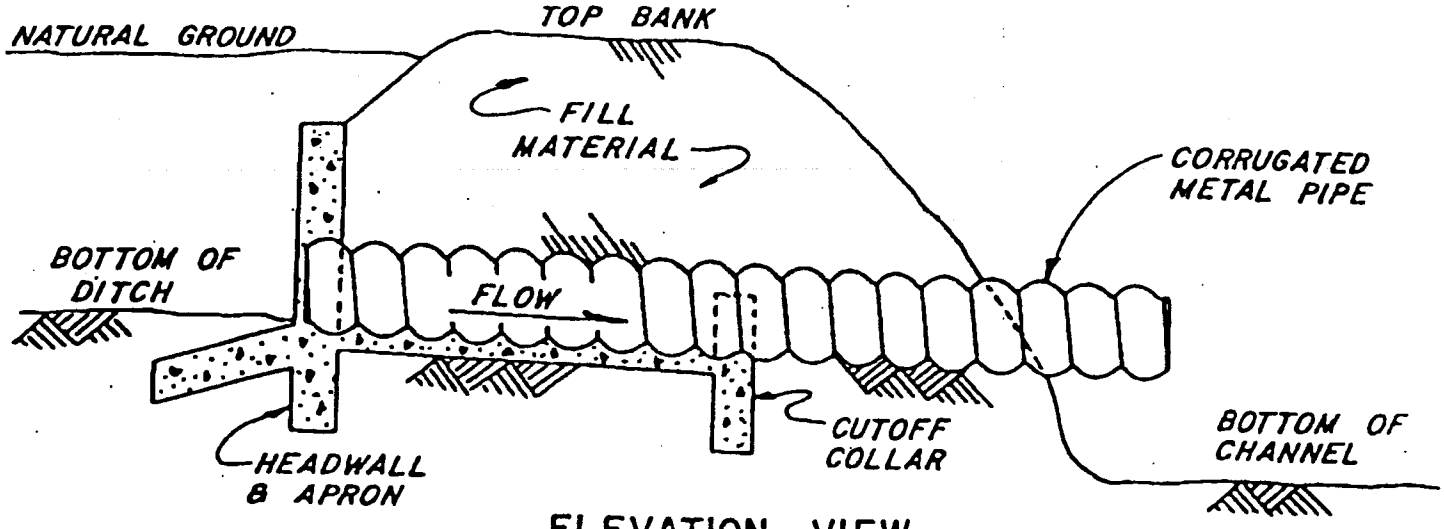
6. Because of the extensive evaluation and coordination required, the permit application should be forwarded to the Vicksburg District well in advance of the proposed start of construction.

Except on very minor proposals, the permit process can be expected to take a minimum of **4-months.** Submission of accurate and complete information will minimize the amount of time required to evaluate a permit application.

7. You will be notified whether or not a fee will be required. If a Department of the Army Permit is issued, the cost is $100 for commercial activities and $10 for private work. Please do not send any fees with your application.

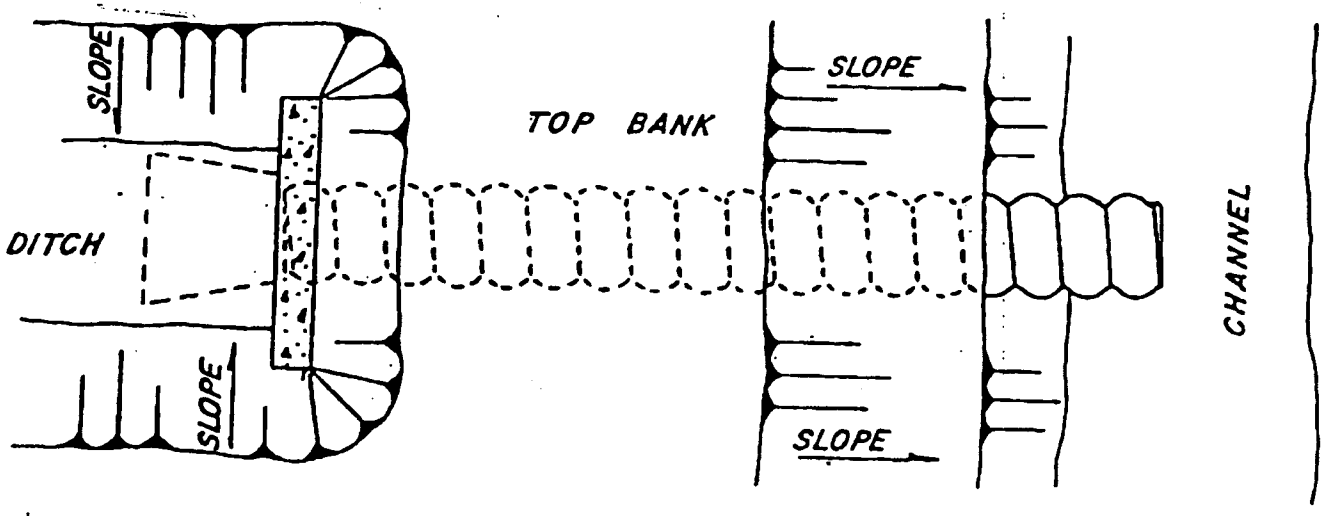

PROJECT LOCATION
VICINITY MAP
SCALE OF MILES
BOSSIER
BOSSIER CITY
Cotton Valley
Cypress Bayou Reservoir
Black Bayou Reservoir
Princeton
Haughton
Doyline
Swan Lake
Green Lake
Round Lake
Horseshoe Lake
Bright Star Ch
Northwest Louisiana State Sch
Sew Disp Ponds
Adner
Hillcrest Memorial Park
Red Chute
LOUISIANA DOWNS
Ferguson
Swan Lake Park
Bodcau
Fosters
Cooper
ILLINOIS CENTRAL GULF
KANSAS CITY
PIPELINE
CANAL
Drive-in Theater
Community College
St Judes Ch
Greenacres Jr High Sch
Hope Ch
Cem
Sunlight Ch
Smith Chapel
Fellowship Cem
Gravel Pits
Sewage Disposal Pond
Bayou
Bellevue
Cotton Valley
Belcher
Hughes
Gilliam
Dixie
Midway
Benton
Bellevue
Princeton
Doyline
Haughton
Fillmore
Bastwood
Red Chute
Bayou
Alligator
Cooper
Vacks
Fill
Point
Chapel
N

TYPICAL OVERFALL PIPE



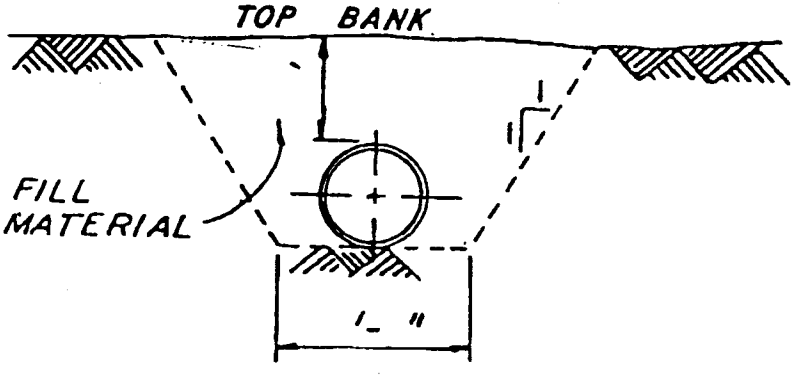
ELEVATION VIEW

NO SCALE



PLAN VIEW

NO SCALE



CROSS SECTION