Primary Regulatory Authorities

- Section 404 Clean Water Act
- Section 10 of Rivers and Harbors Act of 1899
A PERMIT FROM THE CORPS OF ENGINEERS IS REQUIRED FOR WORK PERFORMED IN, OVER OR UNDER THE NAVIGABLE WATERS.
Waters of the U.S.

- **33 CFR 328.3**
  - Section 10 waters
  - Interstate waters/wetlands
  - Intrastate waters which could affect interstate or foreign commerce
  - All impoundments of waters
  - Tributaries of waters defined above
  - Territorial seas
  - Wetlands adjacent to waters defined above
Ordinary High Water Mark

- 33 CFR 329.11(a)(1)
  - A line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.
Types of Permits

- General permits
  - Nationwide
  - Regional
- Individual permits
  - Standard permits
  - Letters of Permission
Nationwide Permits (NWP’s)

- Maintenance
- Bank stabilization
- Linear Transportation Projects
- Utility lines
- Temporary Construction, Access & Dewatering
Regional Permits

- Boat docks
- Mooring structures
- Maintenance dredging
Letter of Permission

- Larger floating docks
- Trash booms

- Coordinated with the Agencies
Standard Individual Permit

- Formal application
- Drawings
- Mitigation
- Alternative Analysis
- Public Notice with opportunity for Public Hearing
- EA/EIS and Decision Document
- Permit Decision
Questions???