

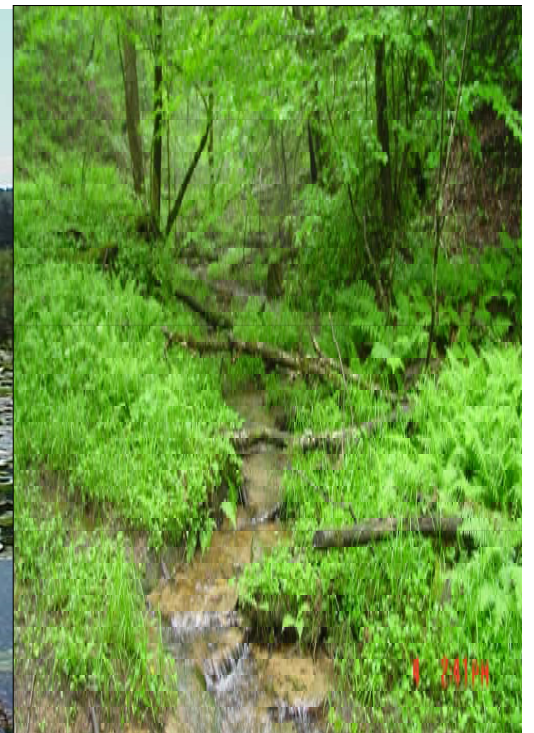
# United States Army Corps of Engineers - Huntington District

## Regulatory Overview

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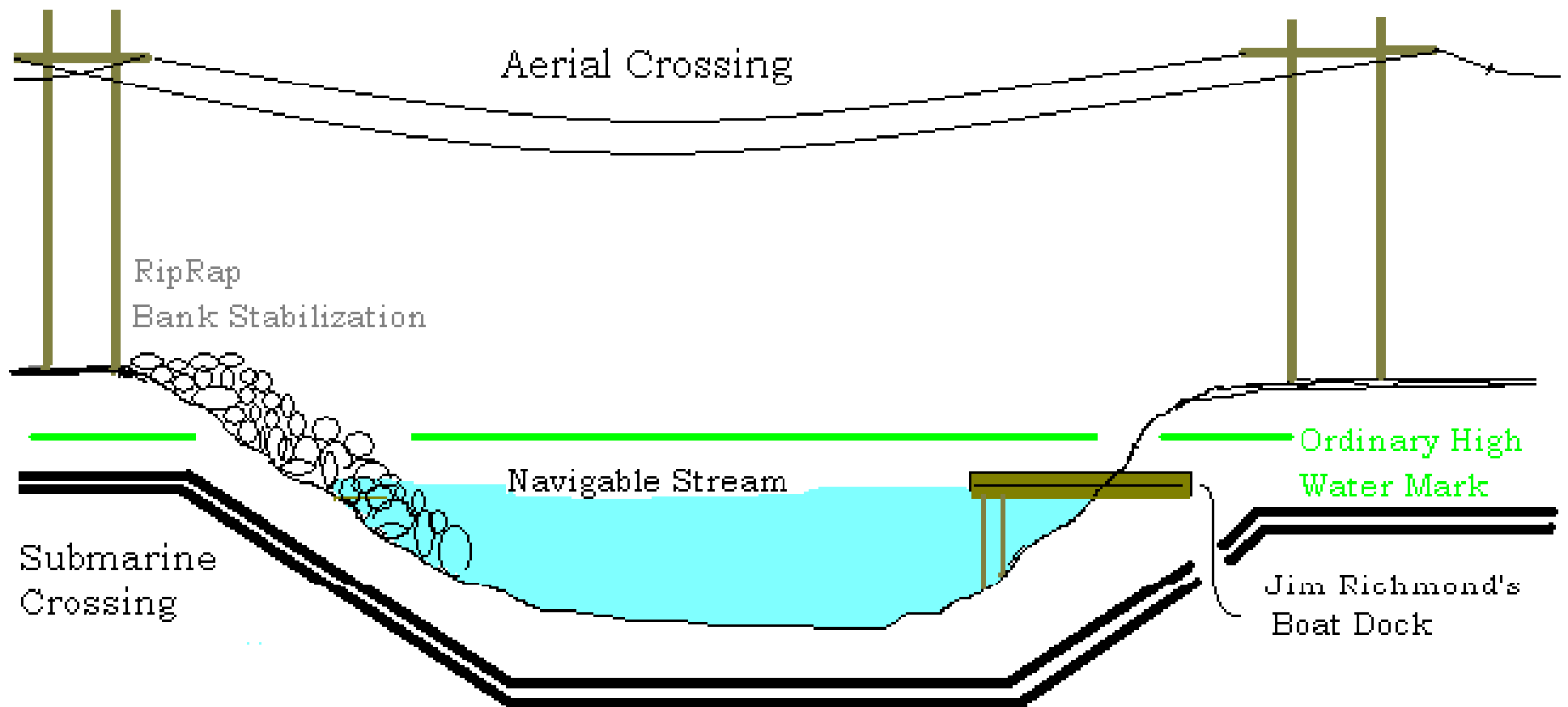
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# Primary Regulatory Authorities

- 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



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# 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???



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