U.S. Army Corps of Engineers
Permit Application Tips

MnDOT Environmental Conference
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Outline

• Introduction to Corps Regulatory Authorities
• Joint Application Form
• Purpose and Need
• Avoidance and Minimization/Alternatives
• Determining Impacts and Mitigation for Road Projects
• Examples
• Questions
• If time permits: GP-4
Regulatory Statutory Authorities

• Section 10 of the Rivers and Harbors Act of 1899
  – Navigable waters of the United States
  – “those waters subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce “

• Section 404 of the Clean Water Act
  – Waters of the United States

• The type of work proposed and the method used to complete the work determine whether or not a permit is required from the Corps to conduct the work.
•Aquatic Resources
What We Regulate – Types of Activities

The type of work proposed and the method used to complete the work determines whether or not a permit is required from the Corps.

Rivers and Harbors Act:
• work in, over, or under
• work (e.g., dredging or disposal of dredged material, temporary work pads, filling, etc)
• structures (e.g., piers, marinas, breakwaters, transmission lines, etc)

Clean Water Act:
- discharges of *dredged* and *fill* material
The Revised Joint Application Form

The revised joint application form was released for public use on February 18, 2014.

• effective 2-18-2014, this is the only joint application form in use

TIP: The revised form should be used for all requests for approval for authorizations under Section 404 of the CWA (includes 401 certification), and for WCA

• portions can be completed using MPARS
The Revised Joint Application Form

Contents:

• Instructions and submission information (2 pages)
• Main application information (Parts 1-5)
• Five activity-specific attachments (A-E)

**TIP:** Most road projects will require the following:
• Main application Parts 1 through 5
• Attachments C, D, and E.
The Revised Joint Application Form

Activity-Specific Attachments

• **Attachment A**: request for delineation review or jurisdictional determinations (preliminary or approved)

• **Attachment B**: supporting information for applications for 404 exemptions or activities not requiring mitigation

• **Attachment C**: P&N, avoidance, minimization, and off-site alternatives

• **Attachment D**: compensatory mitigation

• **Attachment E**: Local Road Replacement Program qualification
Part Three

- Project description, purpose and need, and schedule for implementation.
The Revised Joint Application Form

Part Four: Common Mistakes

• List impacts to **ALL** aquatic resources (include tributaries)

• Linear feet **and** area for tributary impacts

• Differentiate between permanent and temporary impacts by providing duration (days)

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**PART FOUR: Aquatic Resource Impact**

If your proposed project involves a direct or indirect impact to an aquatic resource (stream, lake, tributary, etc.), identify each impact in the table below. Indicate all anticipated impacts, including those expected to be temporary. Attach an overview view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

<table>
<thead>
<tr>
<th>Aquatic Resource ID</th>
<th>Aquatic Resource Type (stream, lake, etc.)</th>
<th>Type of Impact (direct, indirect, etc.)</th>
<th>Duration of Impact (permanent or temporary)</th>
<th>Size of Impact (Linear feet, area)</th>
<th>Existing Plant Community Type(s) in Impact Area</th>
<th>County, Major Watershed #</th>
<th>and Bank Service Area #</th>
</tr>
</thead>
<tbody>
<tr>
<td>1234</td>
<td>Stream</td>
<td>Direct</td>
<td>Permanent</td>
<td>100 feet</td>
<td>None</td>
<td>St Louis</td>
<td>1</td>
</tr>
<tr>
<td>5678</td>
<td>River</td>
<td>Indirect</td>
<td>Temporary</td>
<td>50 acres</td>
<td>Unknown</td>
<td>Anoka</td>
<td>2</td>
</tr>
</tbody>
</table>

1. Impacts are temporary unless the duration of the impacts exceed days. For example, a project with a temporary access for a small piece of a stream would be reported as 100 days or “100”.
2. Impacts less than 0.05 acre should be reported in linear feet. Impacts 0.05 acre or greater should be reported as linear feet rounded to the nearest 0.05 acre. Linear feet should be reported in linear feet. A linear feet of impact and an area of impact by indicating the linear feet of impact and the area in parentheses (e.g., 100 linear feet, 50 acres). For example, a project that impacts 100 linear feet of a stream that is 1 foot wide would be reported as 50 ft (100 square feet).
3. The water quality classification in the reference volume is the same as the reference volume. The reference volume is the stream classification in the reference volume.
4. The reference volume is the stream classification in the reference volume. The reference volume is the stream classification in the reference volume.
5. If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each. Click here to enter notes.

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**PART FIVE: Applicant Signature**

- Check here if you are requesting a pre-application consultation with the Corps and CEQ based on the information you have provided. Regulatory officials will not initiate a formal application review if the box is checked.
- By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to understand the work described herein.
- **Signature:** ___________________________  **Date:** ______________  **Note:** Click here to enter notes.

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The term “impact” as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form, it is not meant to indicate whether or not the activity may require mitigation/compensation.
The Revised Joint Application Form

• Attachment C
• Project purpose, need, and requirements
• Avoidance
• Minimization
• Off-site alternatives
Purpose & Need

“A P&N statement should be a simple statement of:

**why** the project is proposed  **AND**  **what** deficiencies and transportation problems need to be addressed.”

*(Minnesota Local Road Authority Reference Guide, Section 5.1 (page 18))*

**Examples of Needs:**

- Accidents/crash rate
- Structural deficiencies: culverts, shoulders, pavement
- Intersection deficiencies
- Sight distance deficiencies
- Drainage problems
- Failure to meet design standards
- Storm water treatment
- Pedestrian/multimodal needs
The P&N statement will:

• Clearly demonstrate “need”

• Identify problem that needs correction

• Form the basis of the “no action” comparison (existing conditions…)

• Drive the alternatives analysis (location restriction, etc)

• Support selection of preferred alternative
Purpose & Need TIPS

• The purpose & need statement can be stated in a single sentence or paragraph for minor activities.

• The purpose & need statement is best separated into two separate paragraphs/sections for more complicated projects.
Example P&N:

“The purpose of this project is to improve roadway safety through the reconstruction of the existing roadway to meet 30 MPH design standards. The need is because the existing roadway lacks the required roadway width, side slopes, curve geometry and sightlines.”
Revised Example P&N:

“The purpose of this project is to improve roadway safety on Highway X between County Road Z and CSAH D. The need is because the existing roadway lacks the required roadway width, side slopes, curve geometry and sightlines.”

-then provide specifics (i.e. roadway has 3-foot wide shoulders where 8-foot wide shoulders are required to meet safety standards).
TH 70 – Pine County, MN

**Needs:**
- deteriorating pavement resulting in a reduced load capacity; ride quality index less than 2.5

- several vertical curves in the project area that are substandard for site distance

- 5 year crash rate (0.71 crashes per million vehicles) and crash severity rates (1.21) above the statewide averages (0.71, and 1.20, respectively)
TH 70 – Pine County

• Application purpose: “to improve the safety and restore the carrying capacity of a roadway that has deteriorated pavement conditions and poor site distance”.

• Corps re-stated purpose: “to improve safety and carrying capacity on TH 70 between the intersection of Freedom Avenue to the bridge crossing of the St. Croix River to maintain the minimum level of service to the traveling public.”
Alternatives and Sequencing

• **Sequencing:** Required steps that must be taken to ensure that activities have the least adverse impact to aquatic resources

• **Alternatives:**
  – Off-site alternatives (LOPs and Standard Permits)
  – On-site alternatives and configurations (all permits)

• The range of alternatives is determined by the purpose and need.

• **TIP:** Compare aquatic resource impacts for each alternative.

• If your preferred alternative does NOT have the least aquatic resource impact, you will need to:
  – demonstrate how the other alternatives are not practicable, OR;
  – reduce the impacts of your alternative to be the LEDPA, OR;
  – adopt the LEDPA alternative
Alternatives and Sequencing

The Clean Water Act 404(b)(1) Guidelines require that…

“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” (LEDPA)

- Least damaging to aquatic resources
- Practicable alternatives: available and capable of being done considering cost, existing technology, and logistics in light of the overall project purpose
- Applicant is required to submit necessary information for the Corps to determine compliance with the Guidelines.
- Compensatory mitigation is NOT considered in the LEDPA determination.
Alternatives and Sequencing

NEPA requires that the “No Action” alternative always be considered.

The No Action alternative is the no permit alternative (not necessarily the no-build or no-project alternative)

-TIP: should always be specifically discussed in the application

Discuss not only the difference in aquatic resource impacts, but also the consequences of other likely uses of the project site, any exempt activities that could be undertaken, or any likely negative consequences of not pursuing the activity that requires a permit.

“The No Action alternative does not meet the project purpose” is not a sufficient discussion.
Alternatives and Sequencing

- **Off-site alternatives:**

When an off-site alternatives analysis is required, remember:

- If an alternate site is less environmentally damaging, that doesn’t necessarily mean that the applicant has to use that site. It means that they have to **reduce the environmental effects at their proposed site** so that IT is the least environmentally damaging.

- If the applicant doesn’t reduce the effects on their proposed site so that their project site is the least environmentally damaging, that doesn’t mean that we permit the activity on the other site; it means we must deny the permit.
How Much Detail?

- Alternatives analyses for major reconstruction or new construction will likely require more detail, including an evaluation of off-site alternatives.

- **TIP:** The level of detail and scrutiny given to alternatives and sequencing will be commensurate with the scope and degree of adverse effects to aquatic resources.

- **TIP:** pre-application meeting
Mitigation Sequencing

**Examples:**
Depending on the Purpose and Need, the following are examples of activities that generally don’t require an off-site alternatives analysis. The applicant must still consider on-site alternatives and configurations and demonstrate that they have complied with sequencing requirements:

- Culvert repair, replacement, extension, lining
- Adding turn lanes
- Widening shoulders
- Flattening in-slopes
Mitigation Sequencing

Example design alternatives for an intersection project:
• No Action
• All-way stop
• Signalized intersection
• Two-lane roundabout
• Diamond interchange

Example design alternatives for a widening project:
• No Action
• Non-symmetrical widening to minimize impacts
• Widening to minimum design standards
Mitigation Sequencing

- The applicant must demonstrate that they have taken all appropriate and practicable measures to avoid and minimize adverse effects to aquatic resources and must compensate for unavoidable adverse effects.
  - Avoid
  - Minimize
  - Compensate (compensatory mitigation)
Mitigation Sequencing

• **TIP**: the sequencing discussion for each impact should be included in the application; not just a general discussion.

  – Impacts were minimized at Wetlands A, B, and C by “XXXX”.

• Steps to minimize impacts are required to the extent appropriate to the scope and degree of those impacts and practicable in terms of cost, existing technology, and logistics in light of overall project purpose.
Mitigation Sequencing

Examples of avoidance and minimization measures:
(Reference Guide section 5.3)

- Steeper inslopes/back slopes
- Utilize guardrails
- Broken slopes
- Reduced radius curves
- Reduced ditch widths
- Narrower shoulders
- Turn lanes instead of frontage roads
- Reduced design speed
- Construct ditches so wetland outlets are not lowered
- Ensure activities don’t change the hydrologic regime of wetlands
- Use span bridge instead of culverts
TH 70 – Minimization Example

Why are WOUS being impacted?

- Wetlands #68 and #69 – The highway profile is being changed with the road surface being raised 1 to 1.5 feet, with inslopes being designed to current design standards and using special ditch grades.
- Wetland #70 – The highway profile is being changed with the road surface being raised approximately 0.5 foot with inslopes being designed to current design standards with special ditch grades.
- Wetlands #71A and 71B – The inslopes are being expanded to meet current state design standards.
- Wetlands #73, #74, and #75 – The highway profile is being changed with the road surface being raised 0.5 to 1.0 feet, with inslopes being designed to current design standards and some shallow ditch excavation.
- Wetlands #76 and #77 – The ditches are being excavated to improve drainage along the roadway.
- Wetland #78 – The forest road approach is being widened for safety reasons.
- Wetland #79 – The highway profile is being changed with the road surface being raised 1 foot and inslopes being designed to current design standards.
- Wetlands #80 and #81 – The highway profile is being changed by raising the road surface approximately 3 feet with steeper inslopes.
- Wetlands #82 and #83 – The road profile is being lowered 1 foot with slight ditch excavation and inslope designed to current state design standards.

The project will have a stormwater pollution prevention plan (SWPPP) to prevent sediments from reaching wetlands during runoff events. Stormwater best management practices will be incorporated into the construction plans with items such as silt fences, ditch blocks, and mulching being specified in the erosion control design sheets.

A considerable amount of effort has been put into minimizing the wetland impacts as part of this project. The initial project design resulted in over 5.25 acres of wetland impacts with concern that there could be lateral effects from some of the deepened ditches (see included Initial Wetland Impact Design Sheets 9/11/14). MnDOT had the design consultant redo the design to minimize the impacts and reduce excavation depths in the ditches. The attached table shows the list of wetland impacts that have been minimized through their design process. The minimization process reduced wetland impacts by over half. The design standard is 4:1 on inslopes, but as a minimization effort, the inslopes outside of the clear zone were steeplend to 3:1 slopes.
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<th>Type</th>
<th>Fill Area SQ FT</th>
<th>Cut Area SQ FT</th>
<th>Avoided</th>
<th>Minimized</th>
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<td>2</td>
<td>69</td>
<td>0</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Noted:
Avoided: Modifications to construction limits resulted in elimination of wetland impacts in grading and/or reclamation areas.

Minimized: Modification to construction limits resulting in reduction of wetland impacts. Maximum inslopes utilized are 1:4 and 1:4 with 1:3 break at clear zone where excessive fills occur.

Modification to wetlands were performed by steepening inslope and backslopes as needed, reducing excavation by revision of special ditch grades or typical ditch depths, and revising ditch widths.
Mitigation Sequencing

Note:

• The Corps defers to the road authority’s assessment of need and technical transportation expertise. However, the Corps does require the information necessary to determine compliance with the Guidelines and other federal laws and regulations.

• Often the information the Corps needs does not require additional work to be done, but rather that the applicant submit documentation of work that has already been done (alternatives, avoidance, minimization, etc.).

• To prevent having to backtrack, keep permit requirements in mind during project evaluation and design.

• **TIP**: have pre-application meetings for projects with larger impacts (i.e. >0.5 acre) or questionable alternatives analysis.
Determining Impacts and Mitigation for Road Projects

**Basic Requirements:**

- Depict, label and tabulate the size of all waters in the project area
  - Differentiate by type of water

- Depict, label and tabulate the size of all impacts to waters in the project area
  - Differentiate by type and permanence of impact

- Mitigation is generally required for the footprint of the permanent impacts in waters (Waters of the U.S.)
  - There may be impacts that require authorization but do NOT require compensatory mitigation
The Revised Joint Application Form

Part Four

• This is the portion of the application form that has changed the most
• List impacts to **ALL** aquatic resources
• Differentiate between permanent and temporary impacts by providing duration (days)
Determining Impacts and Mitigation for Road Projects

Existing Cross-Section

Upland

Ditch

Road

Ditch

Wetland

WoUS

WoUS
Determining Impacts and Mitigation for Road Projects
Determining Impacts and Mitigation for Road Projects
Determining Impacts and Mitigation for Road Projects
Determining Impacts and Mitigation for Road Projects

- Existing Cross-Section
  - Upland
  - Ditch
  - Road
  - Ditch
  - Wetland

- WoUS
  - Upland
  - Road
  - Ditch

- WoUS
  - Wetland
Determining Impacts and Mitigation for Road Projects

Proposed Cross-Section

Upland
Ditch
Road
Ditch
Wetland

WoUS
WoUS
Determining Impacts and Mitigation for Road Projects

- Cut
- Fill
- Temporary Stockpile (fill)
- WoUS
Determining Impacts and Mitigation for Road Projects
These cut and fill impacts need authorization, but the function is replaced with an in-kind ditch in immediately adjacent uplands, so mitigation is generally not required.
Determining Impacts and Mitigation for Road Projects

Existing Plan View

Road centerline

ROW

Wetland in ditch with adjacent uplands

Wetland basin

Wetland in ditch with adjacent wetland basin
Determining Impacts and Mitigation for Road Projects

Proposed Plan View

Road widened

Ditches relocated

Existing

Proposed

Ditches relocated
Determining Impacts and Mitigation for Road Projects

Proposed Plan View

Existing limit of impact (outside top of ditch bank)

Proposed limit of impact (outside top of ditch bank)
Determining Impacts and Mitigation for Road Projects

Existing limit of impact (outside top of ditch bank)

Proposed limit of impact (outside top of ditch bank)

Mitigation requirement
Determining Impacts and Mitigation for Road Projects

The plan calls for a 70 foot 60-inch CMP, extending the existing 45 foot culvert by 12.5 feet at both the inlet and outlet (25 feet total).

Impact to be reported is the distance from the previous end of culvert to the new proposed end of culvert (including any apron or riprap). Both length and area of stream impact should be reported.

Proposed Plan View
Determining Impacts and Mitigation for Road Projects

The plan calls for replacing an existing 45 foot culvert with a new 70 foot 60-inch CMP.

Impact to be reported is the distance between the inlet and outlet ends of the new proposed culvert (including any apron or riprap). Both length and area of stream impact should be reported.
Determining Impacts and Mitigation for Road Projects

Aquatic Resource Impact Summary from MN Joint Application (Part Four)

<table>
<thead>
<tr>
<th>Aquatic Resource ID (as noted on overhead view)</th>
<th>Aquatic Resource Type (wetland, lake, tributary etc.)</th>
<th>Type of Impact (fill, excavate, drain, or remove vegetation)</th>
<th>Duration of Impact Permanent (P) or Temporary (T)¹</th>
<th>Size of Impact²</th>
<th>Overall Size of Aquatic Resource ³</th>
<th>Existing Plant Community Type(s) in Impact Area ⁴</th>
<th>County, Major Watershed #, and Bank Service Area # of Impact Area ⁵</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland A</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>0.23 ac</td>
<td>NA</td>
<td>Fresh Wet Meadow</td>
<td>Grant Co. BSA 4</td>
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<td>Wetland A</td>
<td>Wetland</td>
<td>Excavate (Cut)</td>
<td>P</td>
<td>0.14 ac</td>
<td>NA</td>
<td>Fresh Wet Meadow</td>
<td>Grant Co. BSA 4</td>
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<td>Wetland B</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>0.21 ac</td>
<td>NA</td>
<td>Shallow Marsh</td>
<td>Grant Co. BSA 4</td>
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<td>Wetland</td>
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<td>T(60 days)</td>
<td>0.45 ac</td>
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<td>Tributary</td>
<td>Fill</td>
<td>P</td>
<td>250 sq ft 25 linear ft</td>
<td>NA</td>
<td>NA</td>
<td>Grant Co. BSA 4</td>
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</table>
Determining Impacts and Mitigation for Road Projects

Describe proposed mitigation in Joint Application Form Road Bank – Attachment E
Any mitigation not provided by Road Bank – Attachment D

The mitigation required by the Clean Water Act and by the Wetland Conservation Act may not always be the same because the two laws regulate different impacts.

If an applicant is not proposing to mitigate for some or all of the impacts in Part Four, then justify that in Attachment B.
Determining Impacts and Mitigation for Road Projects

Local Road Replacement Table – Attachment E of Joint Application

<table>
<thead>
<tr>
<th>Wetland Impact ID (as noted on overhead view)</th>
<th>Type of Impact (fill, excavate, drain)</th>
<th>Size of Impact (square feet or acres to 0.01)</th>
<th>Existing Plant Community Type(s) in Impact Area¹</th>
<th>County, Major Watershed #, and Bank Service Area # of Impact²</th>
</tr>
</thead>
<tbody>
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</tr>
</tbody>
</table>

- Replacement/Compensatory Mitigation Table – Attachment D of Joint Application

<table>
<thead>
<tr>
<th>Wetland Bank Account #</th>
<th>County</th>
<th>Major Watershed #</th>
<th>Bank Service Area #</th>
<th>Credit Type (if applicable)</th>
<th>Number of Credits</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

¹ Existing Plant Community Type(s) in Impact Area
² County, Major Watershed #, and Bank Service Area # of Impact
Determining Impacts and Mitigation for Road Projects

Summary:

✓ Depict, label and tabulate all waters by type (wetland plant community, tributary, etc.)
✓ Depict, label and tabulate all impacts by type (cut, fill, etc.) and permanence (permanent, temporary)

• Example - Expand road and an in-kind ditch into uplands:
  ✓ Cut and/or fill in WoUS needs to be authorized
  ✓ Generally no mitigation requirement

• Example - Expand road and an in-kind ditch into WoUS:
  ✓ Cut and/or fill in WoUS needs to be authorized
  ✓ Mitigation required for additional encroachment into WoUS
TH 70 Project: aerial photo background, sheet number, north arrow, scale bar
**TIP:** Don’t need to include numbers on maps if the aquatic resource IDs are labeled, you have a corresponding impact table, and the impacts are depicted on the maps with a legend.
**TIP:** provide separate impact amounts for wetland and stream/tributary impacts and depict separately.
TIP: Label cross-sections with aquatic resource IDs; it is very helpful to depict fill/cut with colors or shading, but you don’t need to if you have it displayed on the plan-view aerial photograph maps.
# Example Table – TH 70

## Aquatic Resource Impact Summary

<table>
<thead>
<tr>
<th>Wetland ID From Delineation Report</th>
<th>Wetland, Lake, Tributary, etc.</th>
<th>Aquatic Resource Type</th>
<th>Type of Impact</th>
<th>Duration of Impact</th>
<th>Size of Impact (sq. ft.)</th>
<th>Overall Size of Aquatic Resource</th>
<th>Location</th>
<th>Wetland Type</th>
<th>Existing Plant Community Type</th>
<th>County/Major Watershed/Bank Service Area (BIA)</th>
<th>Wetland Extends Beyond ROW</th>
</tr>
</thead>
<tbody>
<tr>
<td>74</td>
<td>Wetland</td>
<td>Excavate</td>
<td>P</td>
<td>1380</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 6</td>
<td>Shrub-Carr</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>75</td>
<td>Wetland</td>
<td>Excavate</td>
<td>P</td>
<td>33</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 6</td>
<td>Shrub-Carr</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>76</td>
<td>Wetland</td>
<td>Excavate</td>
<td>P</td>
<td>311</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 2</td>
<td>Sedge Meadow</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>77</td>
<td>Wetland</td>
<td>Excavate</td>
<td>P</td>
<td>1237</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 7</td>
<td>Hardwood Meadow</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>78</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>42</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 2</td>
<td>Sedge Meadow</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>79</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>450</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 2</td>
<td>Sedge Meadow</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>80</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>1905</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 3</td>
<td>Hardwood Swamp</td>
<td>Pine/37/BIA 6</td>
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<td>Yes</td>
</tr>
<tr>
<td>81</td>
<td>Wetland</td>
<td>Excavate</td>
<td>P</td>
<td>954</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 3</td>
<td>Hardwood Swamp</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>82</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>5980</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>83</td>
<td>Wetland</td>
<td>Excavate</td>
<td>P</td>
<td>641</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 3</td>
<td>Hardwood Swamp</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
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<tr>
<td>84</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>480</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 3</td>
<td>Hardwood Swamp</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
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<tr>
<td>85</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>1101</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 3</td>
<td>Hardwood Swamp</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
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<td>86</td>
<td>Wetland</td>
<td>Excavate</td>
<td>P</td>
<td>1854</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 3</td>
<td>Hardwood Swamp</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>87</td>
<td>Wetland</td>
<td>No Impact</td>
<td>P</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>Type 3</td>
<td>Hardwood Swamp</td>
<td>Pine/37/BIA 6</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Wetland Ditches</td>
<td>Wetland</td>
<td>Fill</td>
<td>P</td>
<td>9,060 linear ft.</td>
<td>60,069 sq. ft.</td>
<td>N/A</td>
<td>Various</td>
<td>Various</td>
<td>Pine/37/BIA 6</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

* Wetland ID represents the Wetland ID Number from the Wetland Delineation Report.
Questions?
GP-4 (Transportation GP)

• Permittee: public road authorities in MN
• Authorities: Sec. 10 RHA & Sec. 404 CWA
• Authorized activities:
  – Discharge dredged/fill material in WOUS or work in navigable WOUS for activities associated with the reconstruction, expansion, modification, or improvement of existing public road systems
GP-4 (Transportation GP)

- Impact Thresholds:
  - *Permanent to WOUS*: 3 acres
    - Includes tributaries
    - Tributaries also have a 500 linear foot threshold per crossing or location
    - Wetlands located in roadside ditches are not counted toward the threshold
  - *Temporary to WOUS*: no threshold
    - limited to minimum necessary for the project
GP-4 (Transportation GP)

- **Examples of Eligible Activities:**
  - a) repair, rehabilitation, reconstruction, or replacement of existing bridges, culverts, and roads, including road widening, lane addition, shoulder improvements, etc.;
  - b) the maintenance or construction of non-motorized pedestrian, bicycle, or multi-use sidewalks and trails whose purpose is to enhance the safety and mobility of the existing public road system (w/caveat Exclusion f);
  - c) minor realignments of existing transportation projects where there is a demonstrated need to improve safety, durability, or capacity, such as vertical and horizontal curve corrections or improvements to existing roadway intersections and interchanges.
GP-4 (Transportation GP)

- Notable differences between GP-4 and GP-3:
  - Different thresholds
  - Different PCN requirements
  - Some new exclusions
    - e.g. New roads, including frontage roads
    - e.g. Stormwater ponds outside roadside ditches
  - Some new reporting requirements
    - Permanent impacts >0.1 ac
    - Temporary impacts >0.5 ac
  - 30-day notification of complete PCN
GP-4 (Transportation GP)

• Comment period open until May 13, 2015
• Questions???

– Sarah Wingert, sarah.e.wingert@usace.army.mil, 651-290-5358
– Ben Orne, benjamin.g.orne@usace.army.mil, 651-290-5280