*Version April 2013*

**Joint Application for Permit**

**REVIEW CHECKLIST**

This checklist is offered to supplement the Corp instructions. It highlights confusing or commonly missed items.

The preparation or review of the 404 permit application was done by the following qualified professional:

Name, Firm & Title:

|  |  |  |
| --- | --- | --- |
| **Checked** | **Item** |  |
|  | **Before you start** | Do you have an approved environmental document? |
|  | **Before you start** | Does the preparer have, or has the preparer worked under the supervision of a person with, a working knowledge of   * the definition of a discharge of fill material to Waters per Section 404 of the Clean Water Act, * Section 10 of the Rivers and Harbors Act, * Compensatory Mitigation for Losses of Aquatic Resources (commonly known as the Mitigation Rule, published 4/10/08), * and the Idaho Stream Alteration Act, IDAPA 37.03.07. |
|  | **Before you start** | Has the preparer read the Corp instructions Instruction Guide for the Joint Application for Permit located at <http://www.nww.usace.army.mil/Portals/28/docs/regulatory/JtApplication/Instruction_Guide.pdf> |
|  | **Block 1** | LHTAC projects – contact is the local hwy district.  ITD projects – contact is the District Engineer or District Environmental Planner. |
|  | **Block 2** | The agent is the person who can discuss 404 matters, if questions arise. |
|  | **Block 3** | Please include ITD key number, if applicable. |
|  | **Block 16** | Is the activity in, under, or over water that is a Section 10 waterway? *Indicate in this block and attach additional info., such as excavation, structures, composition of materials, hazardous materials issues related to sediment, directional boring. Call for more info if needed.* <http://www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision/Section10Waters.aspx> |
|  | **Block 18** | If a mitigation plan is needed,  Do Not:   * Reiterate the mitigation details in block 18. * If impacts are under 0.1 acres to Waters of US (including wetlands) it is unlikely the Corp will require mitigation. Mitigation required by FHWA (1.5:1) should be addressed in the NEPA document, but not here.   Do:   * Note the relevant attachments in Block 18. * Note the status of the mitigation plan approval.   Attach:   * the mitigation plan * If mitigation includes the purchase of bank credits, attach a copy of the purchase agreement. |
|  | **Block 19, 20, 27 &28** | Report only the permanent and temporary fill amount below ordinary high water mark or in wetlands, not all fill. Report both stream and wetland impacts.Boxes 19 & 20 may be confusing. You may say “see attached”. |
|  | **Block 22** | Do not put NEPA clearance dates in this block. Do put previous 404 permit information. |
|  | **Block 23** | State navigable waters?<http://www.idl.idaho.gov/bureau/smr/navwaters/nw_index.htm> |
|  | **Block 26a** | Reminder for project scheduling purposes:  NW Permits 3 (Maint), 23 (Cat Ex) and 33 (Temp) will not require a WQC.  All other NW permits and any individual 404 permit will require an individual WQC .  All projects on tribal lands will require an individual WQC.  The Corp NWP is not valid without the WQC. See Corp website for more info. |
|  | **Block 27** | Does your project needs a permit from IDWR. <http://adminrules.idaho.gov/rules/current/37/0307.pdf> (IDAPA 37.03.07 - 010) |
|  | **Block 29** | This is a requirement for Individual Permits only. For an individual permit it should include ALL property owners along the entire length of the project, regardless of impacts. |
|  | **Block 30** | Applicant must always sign. If an agent is identified, they must sign. |
|  |  | **Drawings and Supplemental Information** |
|  | **Drawings** | Did the set of legible drawings meet the Corp requirements? <http://www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision/DrawingsandIllustrations.aspx> |
|  | **Drawings** | Math check: Does the sum of the areas and volumes on the drawings match the application? |
|  | **X-Sections** | Attachment: Are x-sections of each impact area attached? |
|  | **X-Sections** | Does the x-section of each area show both the area and the volume of fill below OHWM? Are x-sections included that show impacts to wetlands that are not associated with a traditional waterway? Example: roadside ditches. |
|  | **Plan** | Are some impacts only temporary? If yes, differentiate between the type/quantity of permanent and temporary in an attached narrative. |
|  | **Wild & Scenic River** | Is your project is located on or adjacent to a wild and scenic river?  If yes,attach documentation from the managing agency that the project is in compliance with the Wild and Scenic Rivers Act/management plan? This includes study reaches.  <http://www.rivers.gov/rivers/idaho.php> |
|  | **Select Waters** | Is your project located on or adjacent to a select waters and wetlands? If yes, it is recommended the notes regarding coordination with F&G are attached. See list of waters:  <http://www.nww.usace.army.mil/Portals/28/docs/regulatory/NWPs/2012NWP_RegCond.pdf> |

**Transmittal Instructions**

1. Submit, via email, to LHTAC or ITD District (as relevant) for transmittal to HQ Env, for transmittal to USACE.
2. Any individuals listed as a cc on the transmittal email to HQ Env will be copied when the application is forwarded to the Corp for action.
3. Consultants should attach this checklist with their submittal to LHTAC or the District to expedite delivery to the Corp.
4. Submit directly to IDWR under separate cover, per district or LHTAC procedures.