

Permit Checklist for Stream Modification Projects for Scioto County

Compiled from Ohio Department of Natural Resources Division of Soil and Water Resources Ohio Stream Management Guide No. 06

This checklist serves as a guide in obtaining information and permits for projects within a stream environment, such as stream maintenance and modification projects as well as many projects involving wetlands. The size of the stream and the planned project design will affect the permit requirements. This checklist may not contain all of the necessary permits required but is a guide for the most common and necessary permits.

In most cases when applying for a permit the purpose of the project, a map showing the entire project area and a project contact person need to be included in correspondence to the regulatory/resource agency.

Local Permits

1. Special flood hazard area development permit. The floodplain administrator will review all development, structural and nonstructural, proposed in a federally identified special flood hazard area (SFHA). The SFHA is that area subject to inundation in the event of a 100-year flood. The 100-year flood has a one percent chance of occurring in any given year. The purpose of this regulation is to demonstrate that there will be no impact on the water surface elevations during the discharge of a 100-year flood. Contact the **Scioto County Local Floodplain Administrator at 740-354-7557.**

Ohio Department of Natural Resources (ODNR) Permits/Requirements

1. If instream blasting is planned written permission is required from the Chief of the Division of Wildlife prior to blasting (Ohio Revised Code (O.R.C.) 1533.58). Contact the **Division of Wildlife's Environmental Section at 614-265-6300.**

2. If dewatering is anticipated in the project area resulting in a loss of aquatic life monetary compensation is required for the loss of that aquatic life (O.R.C. 1531.02). Contact the **Division of Wildlife's Environmental Section at 614-265-6300.**

3. If dewatering a site with a pump with a capacity to withdraw 100,000 gallons per day or more (70 gallons per minute) a temporary water withdrawal facility registration form will need to be filed with the **Division of Water Resources Water Resources Section at 614-265-6740** (O.R.C. 1521.16).

4. If spoil from the project is placed as to create a dike or levee a permit may be required from the **Division of Water Resources Water Engineering Group at 614-265-6731** (O.R.C. 1521.06).

5. At this time there are no scenic rivers in Scioto County but for future reference if one is designated and the project is located near a State Scenic River authorization under the Director's Approval Authority may be needed. Contact the Division of Natural Areas and Preserves **Scenic Rivers Staff at 614-265-6453.**

6. Submit a request to the Division of Natural Areas and Preserves' Natural Heritage Database staff to locate any endangered, threatened, or special interest species found on or near your project site. Contact the **Division of Natural Areas and Preserves' staff at 614-265-6453** for a request form.

Ohio Environmental Protection Agency (Ohio EPA) Permits

1. A **401 Water Quality Certification from the Ohio EPA** (required under the U.S. Clean Water Act) may be required if the project involves **work in a stream**. You should contact the Ohio EPA early, during project planning. The Ohio EPA has fact sheets available which explain the certification and permit process. The Ohio EPA also has a series of flow charts on Section 404 Nationwide Permits (under USACE permits below) which will help you know whether your project falls within certain pre-authorized permit categories or whether you must apply for an individual permit. The **Division of Surface Water** should be contacted for more information at **614-644-2001**.

2. If the project may **impact a public water supply through dewatering** the **Division of Drinking and Ground Waters** should be contacted at **614-644-2752**.

The Ohio Historic Preservation Office (OHPO)

1. The **OHPO should be consulted on specific archeological, prehistorical or historical sites or structures** which may be affected by the project (National Historic Preservation Act of 1966, Public Law 89-665). Submit a letter requesting a consultation to the OHPO at Ohio Historic Preservation Office, Attn: Department Head, Technical & Review Services, 1982 Velma Avenue, Columbus, OH, 43211-2497, phone **614-297-2300**.

Federal Agency Permits/Consultations

1. If the project will involve **dredging or placing fill in waters of the United States** a **Section 10 Permit (Rivers & Harbors Act) and/or a Section 404 Permit (Clean Water Act) must be obtained from the U.S. Army Corps of Engineers (COE)**. Waters of the United States include lakes, streams and wetlands. **Note:** The COE cannot permit an activity until the Section 401 Water Quality Certification is approved by the Ohio EPA. Items that will need to be submitted for Clean Water Act permits include a COE application, project description and project drawings. If the project is likely to impact a wetland area, include a delineation and an alternatives analysis. Contact information is **Huntington District COE**, Attn: Regulatory Branch, 502 Eighth St., Huntington, WV, 25701-2070, phone **304-399-5210** or toll free **1-866-502-2570**.

2. The COE requires that the **U.S. Fish and Wildlife Service (U.S. FWS) be consulted regarding the presence of federally listed threatened or endangered plants and wildlife** located in the project area (U.S. Endangered Species Act). Submit a letter requesting a consultation to U.S. Fish and Wildlife Service, Ecological Services, 6950-H Americana Parkway, Reynoldsburg, OH, 43068-4115, phone **614-469-6923**.

Not all projects will require the same permits or same level of project documentation. By contacting agencies in the project planning stages, your time, resources and frustration can be reduced. Getting input prior to permit application can avoid costly changes required by the various agencies protecting our natural resources. Plan ahead...to avoid confusion later!

The complete ODNR Permit Checklist for Stream Modification Projects can be obtained by contacting ODNR DWR, 2045 Morse Road, Bldg. B, Columbus, OH 43229-6693 or online at <http://soilandwater.ohiodnr.gov/portals/soilwater/pdf/stream/stfs06.pdf>

For further assistance contact the Scioto Soil and Water Conservation District at 740-259-9231 Ext. 4.