

Permit Determination Checklist 2023

INDOT Ecology and Waterway Permitting Office
(EWPO) Revised 2/3/2023

1. PROJECT SPECIFIC INFORMATION		Date:	
Project Route/Type			
INDOT Des. Number	Contract # -		
County			
RFC Date	Letting Date -	Stage 3 Due Date -	
INDOT PM			
2. Preparer Contact Information			
3. Detailed Activity Description including Impacts to Regulated Resources (refer to permit checklists for required information)			
4. Materials Used			
		<input type="checkbox"/> Waters Report	<input type="checkbox"/> Regulatory Guidance
		<input type="checkbox"/> NEPA Documents	<input type="checkbox"/> Project Plans
		<input type="checkbox"/> Scope of Work	<input type="checkbox"/> IndianaMAP
		<input type="checkbox"/> Waterway Permit Manual	<input type="checkbox"/> USGS IN StreamStats
		<input type="checkbox"/>	<input type="checkbox"/>
Timeline			
1. The target permit approval/on-hand date is two (2) weeks prior to Stage 3 submittal.			
2. To calculate the first draft permit application submittal to EWPO, use the following formula. Please note, EWPO review time is based on the complexity of the permit application or the project:			
Stage 3 Date - (Agency Review Time + EWPO Review Time) = Submittal Date to EWPO			
Agency Review Timeframes:			
4 months – 404/401 NWP or RGP, County Regulated Drain			
5 months – CSGP, USACE Section 5			
6-9 months – 401 IP			
7 months – Section 10			
9-12 months – CIF			
20 months – 404 IP			

5. 401 WQC (IDEM)/ 404 (USACE)

- a. Are there jurisdictional streams, wetlands and/or open water within the project area?
 - Yes – Type: Stream(s) Wetland(s) Open Water No [NPR]
- b. If yes, what are the total impacts to the resources (reference the waters report)?

	PERMANENT IMPACTS	TEMPORARY IMPACTS
<i>Wetlands</i>		
Total Acres		
<i>Streams</i>		
LF Below OHWM		
Acres Below OHWM		
LF Stream Relocation		
Net Gain/Loss		
<i>Open Water</i>		
Total Acres		
<i>Floodway</i>		
Acreage Below BFE		

6. IDNR Construction in a Floodway (CIF)

- a. Is there any work being conducted below BFE (Including changes in elevation)? Yes No [NPR]
- b. Is any stream's individual drainage area ≥ 1 mile²? Yes No [NPR]
- Each crossing that will impact a DNR jurisdictional floodway will require a permit.
- c. Upstream Drainage Area _____ sq mi
- d. Rural Bridge Exemption Yes [NPR] No
- Project must meet the following five requirements:
- Construction/reconstruction project of a state highway bridge funded by INDOT.
 - Upstream drainage area of the waterway is less than or equal to 50 square miles (does not exceed 50 square miles).
 - Project is in a rural area (if within two miles of an urban planning zone, include coordination with the local entity with jurisdiction).
 - Project is limited to a bridge or culvert (bank stabilization, roadway repair, and stream relocation are not exempt activities).
 - Each building impacted by the project is higher than the regulatory flood elevation (lowest elevation in the structure including the basement).
- e. Logjam and Sandbar Removal General License Yes [NPR] No
- f. Qualified Outfall Projects General License Yes [NPR] No
- g. Mitigation Yes No

7. Construction Stormwater General Permit

Will one (1) acre or more of soil be disturbed? Yes No [NPR]

(Such as tree clearing, full-depth replacement, shoulder work, construction access, etc.) _____ ac

[Coordination with INDOT-ES Storm Water Team is required.]

8. County Regulated Drains

- Is the project located in a regulated drain? Yes No [NPR]
- Is the project in a county that requires notification? Yes No [NPR]

Allen, Elkhart, Hamilton, Hendricks, Lake, LaPorte.

Designation as a regulated drain may prevent construction of on-site mitigation. Include coordination with the entity with jurisdiction.

9. Section 9 (USCG) and Section 10 (USACE)

Does the project impact a navigable waterway? Yes No [NPR]

10. Levee

Does the project impact a levee? Yes No [NPR]

11. Additional Considerations

- Fish Spawning (restriction of instream work between April 1 – June 30)
- Tree Clearing (restriction of clearing between April 1 – September 30)
- Wildlife Concerns (e.g. wildlife crossing, etc.)
- Adjacent project(s) - may be looked at cumulatively for impacts and mitigation
- Endangered, Threatened or Rare Species (see DNR Early Coordination letter, USFWS species list)
- Migratory Birds (see DNR Early Coordination letter, USFWS species list, visual evidence such as nests)
- Bats (see USFWS species list, visual evidence such as guano, staining, etc.)
- Other Protected Species (see DNR Early Coordination letter, USFWS species list)
- Indiana designated waters - salmonid or outstanding state resource waters, critical wetland and aquatic sites
- US EPA Class V Injection Well
- St. Joseph Aquifer System
- Waters Report <5 years from date of first field visit
- USFWS and IDNR Early Coordination requirements
- Section 106 consultation

If there are any special concerns, notify designer that the project should take these into consideration when completing the design and permit applications. Some special concerns may require extra coordination with agencies and possibly permits. If marked, notify the project manager in your permit determination response of these conflicts.

12. EWPO Preliminary Permit Determination Concurrence ***For EWPO Use Only***

This is a **preliminary** permit determination based on the information presented at the time of the request. **If scope and plans change the designer should contact us for a revised determination.** A final permit determination will be done at the time of permit application submittal and/or any changes to the scope of the project.

Permit Determination:

- ▶ **No Permits Required**
 - Project does not impact jurisdictional aquatic resources and has less than one acre of soil disturbance.
- ▶ **State Form 51937**
 - Cumulative impacts are < 500 \square ' <0.25 ac <150' encapsulation < 1 cy/ft discharge under OHWM.
 - There **is no** stream relocation associated with a structure or it meets 401 NWP 14 Condition 6.
- ▶ **State Form 51821**
 - Cumulative impacts are > 500 \square ' >0.25 ac >150' encapsulation >1 cy/ft discharge under OHWM.
 - There **is** stream relocation which doesn't meet 401 NWP 14 Condition 6, or the relocation is not associated with a structure.
 - NWP and/or RGP conditions are not met.
- ▶ **USACE Form 4345**
 - 404 IP – a single wetland or stream is impacted that is >1.0 acre or > 1,500'.
- ▶ **Mitigation**
 - If there is a loss of > 0.1 ac wetland or 0.03 ac of streambed (explain in Detailed Activity Description, item 3 above).
 - Cumulative impacts > 300' stream and/or 0.1 ac wetland/stream.

Permit Type

- 404 NWP
 - 3a 3b 3c 13 14 33
 - 404 RGP
 - 404 IP
 - 401 WQC
 - NWP 3a 3b 3c 13 14 33
 - RGP
 - IP
 - CIF (State Form 42946)
 - County Drain
 - Stormwater (CSGP)
 - USACE Section 408
 - USACE Section 10
 - USCG Section 9
 - Mitigation
- PCN no PCN (pre-construction notification)
- PCN no PCN

Project Notes: (include special considerations such as wildlife crossings or protected species)

EWPO Reviewer Signature: _____

Date: _____

For EWPO Use Only:

- Email to:
- PM
 - PD Preparer
 - Storm Water Specialist
 - Team Lead
 - Other _____

Date sent: _____

Update: Milestones EWPS ProjectWise (file PD email)