Authorization to Discharge Dredged or Fill Material to Isolated Wetlands and/or Waters of the State Permit (Form #51821)

Instructions:

Block 1 - Responsible Party:
Company Name of Responsible Party: Indiana Department of Transportation
Address of Responsible Party: 100 N. Senate Ave.
City, State, Zip of Responsible Party: Indianapolis, IN 46204
Contact Person for Responsible Party: Name, Waterways Permit Unit Supervisor
Phone Number(s) for Responsible Party:
Fax Number for Responsible Party:
E-mail Address for Responsible Party:

Block 2 - Agent:
Company Name of Agent: INDOT or Design Consultant
Address of Agent: 100 N. Senate Ave. or Consultant address
City, State, Zip of Agent: Indianapolis, IN 46204 or Consultant address
Contact Person for Agent: Name, Design Engineer
Phone Number(s) for Agent:
Fax Number for Agent:
E-mail Address for Agent:

Block 3 - Project Location
Provide specific information relating to the location of your proposed project. Provide accurate maps depicting the project location. Try to keep detail on maps to a minimum, focusing instead on the location of structures and associated water bodies. Consult the USGS Quadrangle maps for information on the quarter, section, township and range of the project. IDEM may require that you submit full size plans to supplement the 8 1/2" by 11" map sheets if the project is large or complex.

Block 4 - Project Purpose and Description
Provide the proposed or actual start date and the anticipated completion date. If INDOT has started the project before obtaining authorization, INDOT may be in violation of federal and/or state law. Give a narrative description of the proposed project. INDOT should include any supplemental environmental reports, assessments, or other documents that explain or justify the proposed configuration of the project. Describe the purpose of the project (that is, what goal or outcome will be met by the construction of the project).

Block 5 - Avoidance, Minimization, and Mitigation Information
INDOT must describe possible alternatives to the proposed project that would avoid impacts to the aquatic resource that were considered during the project planning process. INDOT must also describe ways to minimize impacts considered during the project planning process, including a description of how you plan to contain any dredged/excavated material to prevent re-entry into waterways or wetlands. Examples of alternatives include construction on the upland portions of

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2 The agent will be the designer, whether INDOT or a consultant.
the property; rerouting a roadway to avoid a wetland; or alternate design plans. Minimization of the impacts may decrease any mitigation requirements that might otherwise apply.

Minimization may include reduction of the amount of dredging, filling, or vegetative clearing. For isolated wetlands only, enclosure of a copy of (1) a resolution of the executive of the county or municipality in which the wetland is located or (2) a permit or other approval from a local government entity having authority over the proposed use of the property on which the wetland is located; that includes a specific finding that the wetland activity is part of a legitimate use proposed by the applicant on the property, substitutes for the information required on avoidance and minimization.

Answer all the questions in detail, providing example, drawings, or other supporting information to illustrate the steps taken to consider alternatives. Provide reasons why various alternatives were or were not considered. In general, all impacts to wetlands or other waters that require the use of this form will require some form of compensatory mitigation. A detailed description of the mitigation plan must be provided, including: the location of the mitigation site, the size and type of mitigation to be performed, the construction sequence or timing of the mitigation, information on post construction monitoring, mitigation techniques, and success criteria of the mitigation site. A mitigation plan, with overview drawings, planting lists, cross sectional views, and other relevant information is recommended as a supplement to answer this question.

Block 6 - Drawing/Plan Requirements
INDOT must submit drawings/plans that are on 8 1/2 by 11 inch sheets. The project will be delayed if these materials are not submitted in the formats specified in the application.

Block 7 Supplemental Application Materials
All projects involving impacts to wetlands must be accompanied by a wetland delineation using the procedures established in the U.S. Army Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1 (January 1987). This delineation must be approved or reviewed by the Corps of Engineers in order for IDEM to determine the impacts to water bodies associated with the project. DO NOT submit an application involving impacts to wetlands without a wetland delineation. For projects that involve impacts to isolated wetlands, a letter from the Corps of Engineers that specifically makes this determination must be provided or the application will not be processed. Submittal of photographs depicting the project site is highly encouraged. Photos must be clearly labeled with the direction of the shot, the area depicted, and notes on relevant features. A map depicting the location of photos on the project site is also useful and should be included whenever photos are submitted. For project sites with isolated wetlands, a tract history is also required. This history provides information on all the wetlands on the site prior to January 1, 2004, and describes any and all activities within these wetlands, including impacts allowed to wetlands exempt from regulation under the various provisions of federal and state law. Direct questions regarding this requirement to IDEM staff for clarification.

Block 8 - Additional Information That May Be Required
INDOT is not required to submit the information specified in this section unless directed to do so by IDEM. However, INDOT may submit the information if it anticipates that such information will be required. For example, if INDOT is aware of issues on the proposed project site which may impact water resources, such as the presence of contaminated soils or sediments, endangered species, well field protection areas, or previously permitted activities on the project site, information regarding these points must be submitted with the certification application.
Block 9 - Permitting Requirements
Provide information regarding your application to the Corps of Engineers. If INDOT has not yet contacted the Corps of Engineers, it must do so as soon as possible (SEE BLOCK 7). Provide information regarding any other federal, state, or local permits, variances, licenses, or certifications required for the project. Indicate whether they were approved, denied, or are pending.

Block 10 - Adjoining Property Owners and Addresses
List the names and addresses of landowners adjacent to the property on which the project is located. Adjacent property owners are persons who share property lines with the project property(s). Inclusion of names and addresses of other persons (or entities) potentially affected by the project must include persons within the neighborhood, lake association, or in the general vicinity that may have an interest in the project. Consult with IDEM for further clarification.

Block 11 - Signature - Statement of Affirmation
The Commissioner of INDOT or his designee must sign and date the application. No other signatures will be accepted. The application will not be processed without the appropriate signature.

WORKSHEET
Note: When calculating any type of impact, all areas that are affected by placement of fill, bank armoring, culverting, excavation, or any other activity must be counted. When calculating open water impact, all areas within lakes, rivers, streams and the like must be counted. This includes areas under new bridge piers, beaches, and boat ramps, as examples. The Ordinary High Water Mark means that line on the shore of a water body established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, natural destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

- Fill out only the sections of this worksheet that apply to the project -

Section A – Wetlands
This section is for wetlands determined to be under the jurisdiction of the U.S. Army Corps of Engineers (Corps) and that require a Section 404 permit as well as a Section 401 Water Quality Certification from IDEM. List the type of wetland as Emergent (EM), Scrub shrub (SS), or Forested (FO). "Emergent wetland" means a wetland characterized by erect, rooted, herbaceous hydrophytes, excluding mosses and lichens. "Scrub shrub wetland" means a wetland dominated by woody vegetation having a height greater than three and two-tenths (3.2) feet, and a stem diameter less than three (3) inches. This includes true shrubs, young trees, and trees and shrubs stunted by environmental conditions. “Forested wetland” means a wetland dominated by woody vegetation that has a diameter, at breast height, greater than three (3) inches, regardless of total height. The size of the wetland must be determined by conducting a wetland delineation consistent with the protocols established in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual. The applicant must list whether or not the wetland will be impacted, the acreage of the impact, and the quantity of fill to be discharged into the wetland. The applicant
must identify whether or not this is an after-the-fact (ATF) permit. An ATF permit is for impacts to wetlands or other water bodies under the jurisdiction of IDEM that did not receive authorization before the impacts occurred. Additionally, the applicant must describe the type and composition of material proposed to be discharged or removed from the wetland.

Section B - Isolated Wetlands
This section is for wetlands the Corps has determined to be isolated and no longer under their jurisdiction. The Corps jurisdictional determination letter must be included with the application. Isolated wetlands are considered State Regulated Wetlands and proposed impacts to these wetlands will be reviewed pursuant to IC 13-18-22. The class of wetland must be determined by the definitions outlined in IC-13-11-2-25.8. This is determined by assessing the vegetation type, hydrologic function, habitat functions, values of the wetland, and disturbances to the wetland. The applicant must determine the type of wetland by designating the wetland as either Non-Forested (NF) or Forested (F). The size of the wetland must be determined by conducting a wetland delineation consistent with the protocols established in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual. The applicant must list whether or not the wetland will be impacted, the acreage of the impact, and the quantity of fill to be discharged into the wetland. The applicant must identify whether or not this is an after-the-fact (ATF) permit. An ATF permit is for impacts to wetlands or other water bodies under the jurisdiction of IDEM that did not receive authorization before the impacts occurred. Additionally, the applicant must describe the type and composition of material proposed to be discharged or removed from the wetland.

Section C - Bridges and Stream Crossings
This section is for projects that impact streams in order to construct, maintain, or protect structures used to cross the stream. The applicant must list the name of the stream to be impacted by the proposed project. The stream name can be found on the USGS Topographic map. If the stream does not have a name, identify it as a tributary to the next stream or water body with a name. Describe the proposed impacts in detail. Include the lengths of bank impacts to both banks upstream and downstream. Determination of left and right banks is made in the following manner- at the point furthest upstream on the project site, face downstream - the left bank is on your left and the right bank is on your right. Identify the volume per running foot of material to be discharged below the Ordinary High Water Mark (OHWM). Identify the total area below the OHWM to receive a discharge of fill material.

Section D - Bank Stabilization
This section is for projects that discharge fill material in order to stabilize eroding land along streams, lakes, or other water bodies. The applicant must list the name of the water body to be impacted by the proposed project. The name of the water body can be found on the USGS Topographic map. If the water body does not have a name, identify it as a tributary to the next stream or water body with a name. Provide the length of shoreline or bank impact. Identify the volume per running foot of material to be discharged below the Ordinary High Water Mark (OHWM). Identify the total area below the OHWM to receive a discharge of fill material.

Section E - Stream Relocation
This section is for projects that propose to relocate a stream from its existing banks either by open channel construction or by stream piping. The applicant must list the name of the stream to be impacted by the proposed project. The stream name can be found on the USGS Topographic map. If the stream does not have a name, identify it as a tributary to the next stream or water body with a name. Describe the impacts to the stream. Provide the linear feet of existing channel to be relocated and the length of new channel to be constructed. The applicant must state whether the old channel is proposed to be filled and describe the type and quantity of fill to be used to fill the old channel. The applicant must also provide the type of relocation “new channel or piping.

**Section F - Open Water Fill**

This is for projects where the fill material extends beyond the edge of the shoreline into open water. Some examples include the filling of pit mines, borrow pits, and other land reclamation projects. Provide the name of the water body to be impacted. If the water body does not have a name, identify it as unnamed open water body. Describe the impacts to the water body including the area to be filled and the type and quantity of fill material to be discharged.