

JOINT PERMIT APPLICATION FORM AKA STREAM ALTERATION APPLICATION

The Joint Permit Application Form is applicable to all projects that propose to alter the bed and/or banks of a natural stream in the State of Utah and is used to facilitate review of projects for compliance with Section 73-3-29 of the Utah Code and Administrative Rule R655-13 by the State Engineer's Office (SEO).

Although not a formal application of the U.S. Army Corps of Engineers (Corps), the information requested on the Joint Permit Application Form is used by the Corps to determine if the project meets the terms and conditions of Programmatic General Permit 10 (PGP-10), Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

Following submission of the application form and review by the SEO, the Corps, other relevant government agencies and the general public, the SEO and the Corps will determine if the project meets the approval criteria provided in Section 73-3-29 and PGP-10. Should the proposal meet all these approval criteria, a Joint Permit/Order of the State Engineer will be issued for the proposed project. A State Only Permit/Order of the State Engineer may be issued if the project does not meet the approval criteria of PGP-10 and the applicant will be referred to the Corps for alternative permitting if applicable.

Full text of Section 73-3-29, R655-13 and PGP-10 can be found at the following links:

73-3-29	https://le.utah.gov/solrsearch.jsp?ktype=Code&request=73-3-29
R655-13	https://rules.utah.gov/publicat/code/r655/r655-013.htm
PGP-10	https://www.waterrights.utah.gov/strmalt/whitepapers/20160222_PGP10.pdf

SOME NOTES ON COMPLETING THE JOINT PERMIT APPLICATION FORM

Although most information requested on the application form is self-explanatory, the following may be useful in completing the form.

Applicant: The applicant is the person, agency, or other organization that will be responsible for the work and meeting all conditions of an approved application. Therefore, contractors or consultants should not be listed within the applicant fields.

Authorized agent: If a consultant or contractor or other individual besides the applicant has been retained to either design or conduct the actual stream alteration project and will act as a primary contact person for the SEO, please enter the name of that person. If the applicant is to act as his or her own agent, leave these fields blank.

Stream to be altered: the name of the stream, river, or creek that is to be altered. If the project will not physically alter the channel of a natural stream, but only occurs adjacent to it, enter the name of the watercourse anyway. If the project will alter more than one watercourse, please fill out separate applications for each watercourse.

Latitude and longitude: These are the coordinates of the proposed project. Few (if any) proposals are constrained at a point so please enter the approximate center point of the proposed stream alteration. Latitude and longitude coordinates can be found using the SOE map server utility at:

<https://maps.waterrights.utah.gov/EsrMap/map.asp?layersToAdd=StreamAlteration>

Waters of the U.S.: This includes all areas located below the ordinary high water mark (OHW) of the channel. The ordinary high water mark is the line on the bank established by fluctuations of water and indicated by physical characteristics such as shelving, destruction of terrestrial vegetation, presence of litter or debris, or changes in the character of soil. OHW is considered analogous to bank full discharge or average seasonal high flow. The flow corresponding to the elevation of the water surface, in a natural stream, where overflowing onto the floodplain normally begins. In urbanized streams this is often lower than the top of bank.

This page may be discarded prior to application form submission.

Stream Alterations

Restoration Activities: Restoration is the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purposes of tracking net gains in aquatic resource area, restoration is divided into two categories: Reestablishment and rehabilitation. Reestablishment is the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Reestablishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions. Rehabilitation is the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions of a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function but does not result in a gain in aquatic resource area.

Placement of fill material in waters of the U.S.: This section of the application form is critical for review by the Corps. As noted in the application, examples of fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood chips, and materials used to create any structure or infrastructure in the waters of the U.S. Fill not only includes material introduced to the stream, but also material relocated from the stream. For example, if a utility was to be installed via open trench and the trench backfilled with the excavated material, that material should be counted as fill.

Plan-view drawing: Plan-view drawings should be accurately scaled and contain enough information that the nature and extent of the project is easily understandable. All drawings should show the proposed work with respect to the channel being altered. Depending on the nature of the project, before and after plan-view drawings may need to be provided. An example plan-view drawing is shown in Figure 1.

Cross-sectional drawing: Cross-sectional view drawings should be accurately scaled and contain enough information that the nature and extent of the project is easily understandable. All drawings should show the proposed work with respect to the channel being altered. Cross-sectional drawings must also show the location of the OHW mark. Depending on the nature of the project, before and after cross-sectional view drawings may need to be provided. An example of a cross-sectional drawing is shown in Figure 2.

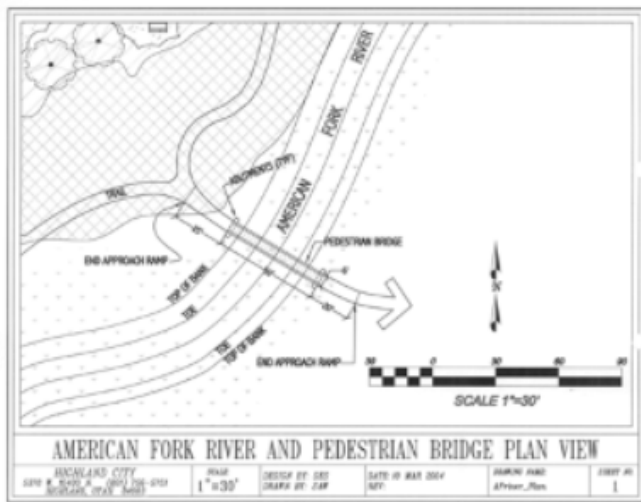


Figure 1. Plan-view drawing

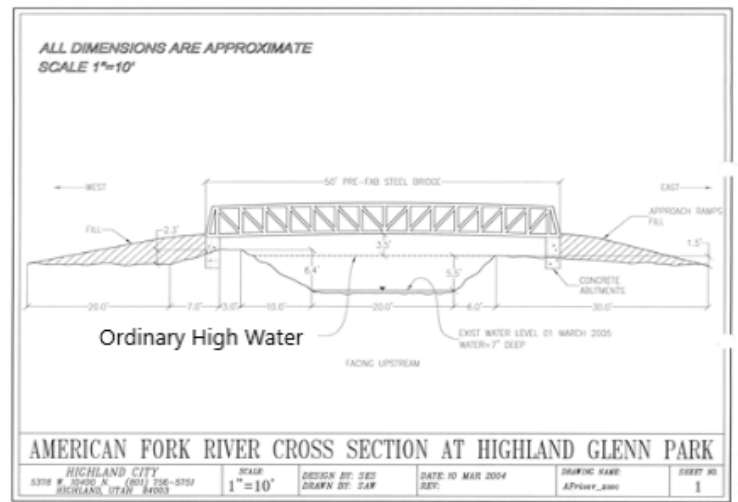


Figure 2. Cross-sectional drawing

CONTACT INFORMATION

For more information regarding the Joint Permit/Stream Alteration Application Form or questions regarding the Stream Alteration Program, please contact the Division of Water Rights at 801-538-7240 or visit the Division's website at: waterrights.utah.gov.

Rec. by _____
Fee Rec. _____
Receipt # _____

JOINT PERMIT APPLICATION FORM

U.S ARMY CORPS OF ENGINEERS – FOR SECTIONS 404 AND 10

UTAH STATE ENGINEER’S OFFICE – FOR SECTION 73-3-29 OF THE UTAH CODE

Application Number _____ / _____
 (assigned by): _____ Corps _____ State Engineer

APPLICANT INFORMATION		
Applicant name (Last, First, M.I.)	Applicant telephone number	Applicant email
Applicant address (street, RFD, box, number, city, state, zip)		
AUTHORIZED AGENT INFORMATION (if any)		
Authorized agent name	Authorized agent telephone number	Authorized agent email
Authorized agent address (street, RFD, box, number, city, state, zip)		
PROJECT LOCATION AND STREAM INFORMATION		
Name of stream to be altered	Latitude (in decimal degrees)	County
	Longitude (in decimal degrees)	
Project location or address	Characteristic water flow of stream to be altered <input type="checkbox"/> Water flow year-round (perennial) <input type="checkbox"/> Water flow during part of the year (intermittent) <input type="checkbox"/> Water flow only during/immediately following rain (ephemeral)	
PROJECT INFORMATION		
Final scope of work. Brief description of project including construction methods, equipment, etc. to be employed to complete the work.		
Will the work result in the relocation, straightening, piping or a rearranging a natural stream channel?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Purpose (justification) of project.		
Is this a single and complete project?*		<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, please describe the larger project or other related activities?		

* A single and complete is the total project proposed or accomplished by the applicant. Single and complete projects may not be “piecemealed” to avoid the limits in this PGP authorization.

PLACEMENT OF FILL MATERIAL IN WATERS OF THE U.S.

Will fill* material be placed in the stream for the construction of the project? Yes No

Linear feet of stream that will be impacted below ordinary high mark water** elevation.

Acreage or square footage of stream affected by the project.

Source and type of fill material

* Examples of fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood chips, and materials used to create any structure or infrastructure in the waters of the U.S.

** The ordinary high water mark is the line on the bank established by fluctuations of water and indicated by physical characteristics such as shelving, destruction of terrestrial vegetation, presence of litter or debris, or changes in the character of soil. (see Figure 2 on page 2 for clarification).

ADDITIONAL PROJECT INFORMATION

What steps were taken to avoid and minimize impacts (i.e. avoid unnecessary impacts, minimize unavoidable impacts) to the stream? Indicate best management practices (ex. silt fencing) to be utilized during construction activities to avoid and minimize impacts to the stream.

Describe any proposed mitigation to offset impacts to the stream channel.

Describe dewatering method if working in wetted channel/live water (provide drawing/sketch if necessary).

Alternatives (other ways to accomplish project purpose).

Cultural resource impacts

Are you aware of any cultural resources or any historic properties that will be impacted by the proposed project? Yes No
If Yes, please explain.

Has a cultural resource survey been conducted on the property where the proposed project is to occur? Yes No
If Yes, please briefly explain the survey results.

Threatened and Endangered Species impacts

Are there Federally-listed Threatened and/or Endangered Species in the project area? Yes No
Have surveys for Threatened and/or Endangered Species been conducted on the property where the proposed project is to occur? Yes No

List other authorizations required by Federal, state, or local governments (i.e. National Flood Insurance Program), and the status of those authorizations.

Federal Involvement: Is there a federal agency involved in this project (lease, right-of-way, funding, additional authorizations)? Yes No

Estimated starting date of project

Estimated completion date of project

Please complete the following checklist

Failure to indicate that all pertinent information has been submitted will result in your application being returned.

- Appropriate application processing fee payment (see fee schedule below).
- A clear site location map with enough detail to easily find the site, a recent aerial/satellite image of the site, and a USGS topography map (7.5 minute quadrangle map is recommended).
- Plan view and cross-sectional drawings showing all work requiring a permit, including fills, structures, borrow sites, staging areas and storage areas. **The drawings must clearly demarcate the ordinary high water mark of the waters of the U.S. to be impacted and clearly illustrate where fill will be placed below the ordinary high water mark.** Professional drawings are not required; however, drawings must be scaled or indicate dimensions of the work to be completed.
- A restoration plan for any areas temporarily disturbed during work, including re-contouring, revegetation with appropriate native plants and maintenance and monitoring to ensure success for the restored area.
- Ground photographs taken from various locations of the proposed disturbance area.
- Please check the box if the proposed project involves bank stabilization or protection. If so, please complete the following:
 - A description of the need for the work, including the cause of the erosion and the threat posed to structures, infrastructure, and/or public safety.
 - A narrative demonstrating the proposed activity incorporates the least damaging bank protection methods. These methods include, but are not limited to, the use of bioengineering, biotechnical design, root wads, large woody debris, native plantings, and beach nourishment in certain circumstances. If rock must be used due to site erosion conditions, explain how the bank stabilization structure incorporates elements beneficial to aquatic organisms.
 - A planting plan which involves the use of native riparian plants, unless the applicant demonstrates it is not appropriate or not practicable.

Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities or am acting as the duly authorized agent of the applicant which is a (check one of the following) commercial , non-commercial , or governmental entity.

Signature of applicant _____ Date: _____

I hereby certify that _____ is acting as my agent on this project.

Filing Instructions

Application supplements should be submitted on paper no larger than 11 x 17 inches or alternatively as PDF format electronic files. If more than one watercourse is to be altered as a result of the project, a separate application must be submitted for each watercourse. Application fees must be received by the Division of Water Rights at the time of application submission and must be either hand delivered or submitted through standard mail to the following address:

Utah Division of Water Rights
1594 W. North Temple, Suite 220
Salt Lake City, UT 84114-6300

Application Processing Fees

Application fees are based on the type of entity applying for the proposed stream alteration project.

Commercial Entities:	\$2000.00	per application processed.
Non-Commercial Entities:	\$100.00	per application processed.
Governmental Entities:	\$500.00	per application processed.