



SECTION 401 WQC REGIONAL GENERAL PERMIT NOTIFICATION

State Form 51937 (R5 / 7-18)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM) and U.S. ARMY CORPS OF ENGINEERS (USACE)

Authorities: Section 401 Water Quality Certification, Section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbor Act

- INSTRUCTIONS:**
1. Familiarize yourself with the terms and conditions of this permit.
 2. Read the instructions before filling out this form.
 3. All applicable sections of this two (2) page form must be completed.

AGENCY USE ONLY
Date Received (mm/dd/yyyy)
IDEM ID
Processing Date (mm/dd/yyyy)

APPLICANT INFORMATION

Name of Project:	Designation Number:
Applicant:	Agent (Name of Company):
Contact Person:	Contact Person:
Address (number and street):	Address (number and street) :
City: State: ZIP Code:	City: State: ZIP Code:
Telephone Number:	Telephone Number:
E-mail Address:	E-mail Address:

PROJECT LOCATION

County:	Nearest Town:
Quad Name: Section:	Township: Range:
Latitude:	Longitude:
Project Address and Driving Directions:	

EXISTING CONDITIONS ON THE PROJECT SITE

Lake: <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Lake:
Stream: <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Stream: Stream Type: <input type="checkbox"/> Perennial <input type="checkbox"/> Intermittent <input type="checkbox"/> Ephemeral
Wetlands: <input type="checkbox"/> Yes <input type="checkbox"/> No	Acreage on the site by Wetland Type(s): _____ Emergent _____ Scrub-Shrub _____ Forested
	Date (mm/dd/yyyy) of Wetland Delineation: Date (mm/dd/yyyy) of the U.S. Army Corps of Engineers Jurisdiction Correspondence:

PROJECT IMPACTS

Activity Description:
Purpose of Project:
For Lake Impact (Acceptable fill is defined in the instructions):
(1) Linear feet of shoreline impact (Example – Seawall): _____
(2) Type of fill below the Ordinary High Water Mark: _____ Volume (Cubic Yards): _____ Acres: _____
(3) Does the shoreline or open water area have vegetation present? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, are you proposing natural shoreline stabilization? <input type="checkbox"/> Yes <input type="checkbox"/> No Description: _____
(4) Open water fill beyond shoreline (Examples – Boat Well, Underwater Beach): Type of Fill: _____ Acres: _____

For Stream Impact (Acceptable fill is defined in instructions):

- (1) Total linear feet of stream impact (Examples - bank stabilization, bridge construction or culvert placement, seawall work): _____
- (2) Total acre(s) of stream impact: _____
- (3) Type of fill below the Ordinary High Water Mark: _____ Volume (Cubic Yards): _____
- (4) Proposed start date of work in the stream (mm/dd/yyyy): _____ Proposed end date of work in the stream (mm/dd/yyyy): _____
- (5) Channel width in feet (See instructions): _____ Channel depth in feet (See instructions): _____
- (6) Cross-sectional area below the Ordinary High Water Mark: _____
- (7) For stream crossings, type of structure proposed to be Installed (Examples: three-sided or four-sided culvert, bridge, pipe): _____
- (8) For stream crossings, width of culvert structure/diameter of pipe to be Installed (feet): _____ Length of culvert structure/pipe (feet): _____
- (9) For stream crossings, substrate type (i.e. sand, soil or unconsolidated till, bedrock or consolidated till): _____
- (10) Open water fill that projects beyond the stream bank: Type of fill: _____ Acre(s) of open water impact: _____

For Wetland Impact (Acceptable fill is defined in instructions):

- (1) Type of fill: _____
- (2) Acre(s) of Impact: _____ Emergent _____ Scrub-Shrub _____ Forested

SIGNATURE OF APPLICANT – STATEMENT OF AFFIRMATION

I swear or affirm, under penalty of perjury as specified by IC 35-44.1-2-1 and other penalties specified by IC 13-30-10, that the statements and representations in this notification are true, accurate, and complete.

I certify that I have the authority to undertake and will undertake the activities exactly as described in this notification form. I am aware that there are penalties for submitting false information. I understand that any changes in project design subsequent to IDEM's and the USACE's granting of authorization to discharge to a water of the U.S. are not authorized, and that I may be subject to civil and criminal penalties for proceeding without proper authorization. I agree to allow representatives of IDEM and the USACE to enter and inspect the project site. I understand that the granting of other permits by local, state, or federal agencies does not release me from the requirement of obtaining the authorization requested herein before commencing the project.

Signature of Applicant: _____ Date (mm/dd/yyyy): _____

Printed Name of Applicant: _____ Title: _____

Enclose copies of the following documents (all enclosures must be on 8.5" by 11" paper). Failure to provide all applicable documents and information may result in a determination that the proposed project is out of scope.

- (1) Location Map
- (2) Drawings of existing site and proposed project
- (3) Cross sections of proposed activities showing extent of fill waterward (for seawall, shoreline, and stream bank stabilization impacts)
- (4) Cross sections of proposed activities showing the bankfull width or Ordinary High Water Mark of the stream
- (5) At least three photos of the site, labeled
- (6) Copy of wetland delineation report (for projects with wetland impacts)
- (7) Copies of all correspondence from the USACE (for projects with wetland impacts)
- (8) Copies of all correspondence from the Indiana Department of Natural Resources, Division of Nature Preserves (required)

Please Note:

- (1) It is recommended that you send this form and the attachments **via certified mail**. The agencies will **not** notify you when this form is received.
- (2) IDEM and the USACE will review this form and all attachments for completeness and accuracy. You will not be contacted during the application process unless deficiencies are identified at which time the agencies may require additional information to verify that the project meets all conditions of the Regional General Permit and the Section 401 Water Quality Certification (WQC). If you are not contacted by IDEM within thirty (30) days of the date IDEM receives this notification form, your project is authorized, subject to the terms and conditions of the Section 401 Water Quality Certification and its conditions. You will not receive a written confirmation of authorization from IDEM, however the USACE will issue written authorization.
- (3) Read all the terms and conditions of the IDEM Regional General Permit, including all USACE and IDEM conditions. The terms and conditions of this general permit as instituted by IDEM can be found at: <http://www.in.gov/idem/wetlands/2353.htm>. Do not submit this notification form or commence work on the proposed project until you understand and are familiar with the limitations and restrictions of the IDEM Regional General Permit Notification Form.
- (4) Consult this webpage for more information: <http://www.in.gov/idem/wetlands/index.htm>

Upon completion of the application, mail this form and all enclosures to:

Indiana Department of Environmental Management
Office of Water Quality, Wetlands and Stormwater Section
Section 401 WQC/Isolated Wetlands Program
100 North Senate Avenue, IGCN, Room 1255
Indianapolis, Indiana 46204-2251

U.S. Army Corps of Engineers
Regulatory Branch

For office locations serving Indiana, please visit:
<http://www.usace.army.mil/Locations.aspx>

Instructions for Completing the IDEM Regional General Permit Notification

Please read these instructions carefully before completing the notification form. Sections labeled as mandatory must be completed accurately and completely in order for IDEM to process this notification form. IDEM will reject your notification form should you fail to complete all mandatory sections of the form.

DO NOT use this form if your project will impact ANY isolated wetlands. Consult with IDEM staff to determine the correct application form for use with your project.

If you have any questions or are unsure if your project qualifies for or requires this authorization, contact IDEM:

Indiana Department of Environmental Management
Office of Water Quality, Wetlands and Stormwater Section
Section 401 WQC / Isolated Wetlands Program
100 North Senate Avenue, IGCN 1255
Indianapolis, Indiana 46204-2251
Telephone: (317) 233-8488

Print clearly or type.

Attach additional information on 8.5" x 11" sheets or folded 11" x 17" sheets only.

BLOCK 1 – APPLICANT INFORMATION

- 1. MANDATORY:** Provide the applicant's name, address, email address, and telephone number. Applicants MUST provide a contact name. Provide a specific project name for any future correspondence.
- 2. OPTIONAL:** Provide the agent's address and telephone information (*an agent is anyone representing the applicant on the project, such as an attorney or consultant*). Applicants are not required to have an agent. This information should be included if a person other than the applicant is submitting the form and that person is designated as the contact point for questions regarding the proposed project. If the project is fully or partially funded by Federal Highway funds provide the specified Designation Number.

BLOCK 2 – PROJECT LOCATION

MANDATORY: Complete all blocks within this section. Most information required in this section can be obtained from the United States Geological Survey (USGS) 7.5-Minute Series Topographic Quadrangle maps, your local Soil and Water Conservation District (SWCD) office, or similar computer desktop mapping software and geo-positioning software. An address or descriptive location must be provided in order to allow for compliance inspections of the project.

BLOCK 3 – EXISTING CONDITIONS ON THE PROJECT SITE

MANDATORY: This section provides information on the types of aquatic resources present on the project site PRIOR TO any proposed impacts.

Check the appropriate box as to whether or not lakes, streams, or wetlands are present on the site. For wetlands, provide the acreage of each wetland type – your wetland delineation report will state the acreage of each wetland type delineated on the site.

For wetlands, acreages and types must be confirmed with a wetland delineation conducted in accordance with the 1987 U.S. Corps of Engineers Wetland Delineation Manual and Regional Supplements. Please attach a copy of this delineation and letter of confirmation from the U.S. Corps of Engineers for all projects that will impact wetlands. Correspondence from the U.S. Army Corps of Engineers confirming that the Waters in question are regulated under the Clean Water Act must be provided. Any letter or email from the U.S. Army Corps of Engineers that describes the extent of Waters of the U.S. on the site will be considered acceptable by IDEM. Common examples include: a jurisdictional determination verification letter, a U.S. Army Corps of Engineers Public Notice, an "RGP pending" letter.

BLOCK 4 – PROJECT IMPACTS

MANDATORY: Complete both "Activity Description" and "Purpose of Project" blocks within this section. Attach additional sheets if needed.

- 1. Activity description** refers to WHAT you intend to do – examples include filling a certain acreage of wetland, placing a certain quantity of riprap into a stream, constructing bridge piers, or installing a specific type of culvert.
- 2. Project description** refers to WHY you need to do this activity – to create a driveway, to stabilize a streambank, to install a bridge or culvert in a stream to access a site, to develop a site for commercial use, for example:

When calculating stream impacts, all areas that are affected by placement of fill, bank armoring, piping, installing culverts, excavation, or any other activity must be counted. Any proposed project involving the creation of dams or in-channel pools CANNOT use this notification form.

When calculating impacts, all areas within lakes, rivers, streams and the like, must be counted. This includes areas under new bridge piers, footprints of underwater beaches, and footprints of boat ramps, as examples.

The Ordinary High Water Mark means that line on the shore of a waterbody 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.

Channel width means the average distance from one bank of the stream to the other bank measured on the level at the bankfull stage elevation.

IDEM will accept the Ordinary High Water Mark as a surrogate measurement for the bankfull stage elevation.

Channel depth means the average distance from the bankfull stage elevation to the deepest part of the channel (thalweg). IDEM will accept the Ordinary High Water Mark as a surrogate measurement for the bankfull stage elevation.

Bankfull stage elevation means the elevation where any additional increase in stage elevation would result in water leaving the channel and entering the floodplain. The bankfull discharge is the same as the *effective discharge*. Determining the bankfull stage elevation from field indicators is also acceptable. The U.S. Army Corps of Engineers has information available for determining the ordinary high water mark at http://www.nap.usace.army.mil/Portals/39/docs/regulatory/jd/jd_guidebook_051207final.pdf. In addition, the website (<http://feh.iupui.edu/tools/determining-bankfull-stage/terminology/>) will provide information related to bankfull stage elevation. IDEM will also accept the Ordinary High Water Mark as a surrogate measurement for the bankfull stage elevation. Note that IDEM does not require that a responsible party survey the bankfull stage elevation, but rather requires that width and depth measurements be taken relative to this elevation.

Acceptable fill material must be clean earthen fill that is free from any hazardous waste or regulated solid waste. Examples: clean earthen fill dirt, glacial stone, riprap, sand, freshly poured concrete.

BLOCK 5 – SIGNATURE OF APPLICANT - STATEMENT OF AFFIRMATION

MANDATORY: The name and signature must match the name of the applicant on the first page. Notification forms signed by any person other than the applicant will not be approved.

NOTE - The listed supplemental information must be provided in order to verify that your project qualifies for the terms and conditions of this regional general permit.

You may wish to hire a private environmental consultant to assist you with the completion of this form, assessing impact totals, and the creation of all required submittals (maps, photos, plans, cross-sections, IDNR and U.S. Army Corps of Engineers correspondence, etc.).

Upon request, IDEM can provide you with a list of private environmental consultants that work in Indiana. If you are proposing impacts to wetlands, you will need to hire an environmental consultant to complete a wetland delineation for your property.

BLOCK 6 – ENCLOSURES

MANDATORY: Complete all applicable sections and include with notification submission.

- 1. Location Map** should include a general overview as well as zoomed in location with nearest intersections shown.
- 2. Drawings of existing site and project** should include existing conditions and impact areas.
- 3. Cross sections showing water ward fill** should show the extent of fill from top of bank to below the Ordinary High Water Mark with the Ordinary High Water Mark shown.
- 4. Cross sections showing encapsulation or open water fill** should show the full bank to bank cross section as well as the structure to be placed and all stream dimensions along with the Ordinary High Water Mark.
- 5. Photos of the Site:** Include at least three photos with descriptions of all impact locations.
- 6. Wetland Delineation for Wetland Impacts:** Supply a copy of the wetland delineation completed of the project site using the 1987 US Army Corps of Engineers Wetland Delineation Manual and appropriate Regional Supplement, completed during the growing season for all projects with wetland impacts or avoided wetland impacts.
- 7. Copy of all USACE correspondence:** This may be in the form of an Approved Jurisdictional Determination, Preliminary Jurisdictional Determination, or in rare instances, e-mail correspondence.
- 8. Copies of all DNR correspondence:** You must submit, with this notification form, correspondence from the IDNR, Division of Nature Preserves, which states that no state endangered, threatened, or rare species is documented on a permanent or seasonal basis within a ½ (0.50) mile radius of the proposed project site by the Indiana Natural Heritage Data Center. Alternately, you may provide written documentation from the IDNR, Division of Nature Preserves, which states that the proposed activities will not constitute a violation of state laws protecting state endangered, threatened, or rare species if they are documented on a permanent or seasonal basis within a ½ (0.50) mile radius of the proposed project site. Additional information regarding how to request Indiana Natural Heritage Data, including fees, required information, and timeframes, is available at the following:

IDNR - Division of Nature Preserves
Attn: Natural Heritage Data Manager
402 W. Washington St., Room W267
Indianapolis, IN 46204
Fax number: 317-233-0133
<https://www.IN.gov/dnr/naturepreserve/4746.htm>
TClark2@DNR.IN.Gov