U.S. Army Corps of Engineers, Galveston District

- 50,000+ sq mi, with 700 miles coastline, 150 miles inland
- 48 counties, portions of 4 parishes with 16 congressional districts
- 340 dedicated professionals and annual budget of approximately $150 million

Custodians of the Coast
Section 10 Rivers and Harbors Act of 1899 (33 U.S.C. 401)

- Structures and/or work in or affecting navigable waters of the United States
- Structures and/or work outside the limits of navigable waters, *if* these structures or work could affect the course, location, or condition of the waterbody so as to impact its navigable capacity
- Artificial islands, installations, or other devices on the outer continental shelf
Section 404 Clean Water Act
(33 U.S.C 1344)

- Discharge of dredged or fill material
- Activities Regulated as a Discharge of Dredged Material
  - Addition of dredged material to a specified discharge site located in waters
  - Runoff or overflow from a contained land or water disposal area
  - Any addition, including more than incidental redeposit of dredged material, mechanized landclearing, ditching, channelization, or other excavation
Section 103 Marine Protection, Research, and Sanctuaries Act
(Ocean Dumping Act - 33 U.S.C. 1413)

- Transportation of dredged material by vessel or vehicle for purpose of dumping (disposal) in ocean waters at disposal sites designated by EPA under 40 CFR 228

- Dredged material for purposes of Section 103 means any material excavated or dredged from “navigable” waters of the United States.
Department of the Army Permits

- **Nationwide Permits**
  - Authorizes Section 10 and Section 404 actions
  - Minimal impact to aquatic environment
  - Expedite permit review process

- **Letters of Permission**
  - Authorizes Section 10 Actions ONLY
  - Non-Controversial Actions

- **Standard Permit**
  - Authorizes Section 10 and Section 404 Actions
  - Controversial Actions

Nationwide Permits Useful for Docks

- NWP 3 – Maintenance of Structures
- NWP 13 – Bank Stabilization
- NWP 19 – Minor Dredging
- NWP 35 – Maintenance Dredging of Existing Basins
- NWP 16 – Water Quality Certification for return water from upland disposal
Applying for a DA Permit

- Engineer Form 4345
- Complete description of the proposed activity including necessary drawings, sketches, or plans sufficient for public notice

http://www.swg.usace.army.mil/BusinessWithUs/RegulatoryBranch/Permits/PermitApplication.aspx
Public Notice Requirements

- Corps Authorities
- Location maps including dredge placement, project plans including the location and dimensions of adjacent structures
- Description, purpose and need, and scheduling of the proposed activity;
- List of authorizations required by other federal, interstate, state, or local agencies for the work, including all approvals received or denials already made
- Information on the characteristics and composition of the dredged material
- Threatened and Endangered Species, Coastal Zone Consistency, Water Quality, Historic properties, and Mitigation statements.
Why Did My Last Permit Take So Long

Primary Cause Of Delay For Applications Is Incomplete Or Contradictory Information
What Do We Recommend

- Review for correctness and completeness – is everything here that is required to publish a public notice.
- Attach all relative information, including maps, drawings, photos, supporting documentation.
- Double check…triple check information for consistency between written information and drawings.
- Remember to sign and date the Engineer From 4345.
- Questions - Contact Corps.
Drawings

- Black and White - 8.5” by 11” Paper
- Scale, All dimensions standard
- Complete Legend
- All Drawings consistent - Clear Details
- Tabular info MUST MATCH drawing info!
- Depict all jurisdictional, construction access, staging AND placement areas

http://www.swg.usace.army.mil/BusinessWithUs/RegulatoryBranch/Permits/PermitApplication.aspx
Good Maps
Limit information to that necessary for permit evaluation purposes
Example Plans – Dredging

Critical Information
A. & B. Dimensions of dredging area.
C. Distance of dredging area from existing shoreline or bulkhead.
D. & I. Distance of dredging area from fixed reference point.
E. & F. Dimensions of dredged material placement area.
G. Distance of dredged material placement area from the fixed reference point.
H. Capacity (cubic yards) of dredged material placement area.
J. Distance of placement area from fixed reference point.

Include information on the type of dredging (hydraulic or mechanical).

Please include North arrow.

Provide details on methods of moving dredged material to planned placement area.

Critical Information
A. Depth of proposed excavated channel or dredged area.
B. Width of proposed channel at bottom of channel.
C. Width of proposed channel at top of channel.
D. Water depth (existing bottom) at mean low tide or ordinary low water.
E. Water depth (existing bottom) at mean high tide or ordinary high water.
F. Distance from the centerline of proposed channel or edge of proposed dredged area to existing shore or bulkhead.
G. Amount of material to be removed (cubic yards).

http://www.swg.usace.army.mil/BusinessWithUs/RegulatoryBranch/Permits/PermitApplication.aspx
Typical Cross-Section View of Dredged Material Placement Area for Hydraulic Dredging Projects

Critical Information
A. Dimension of dredged material placement area.
B. Retaining wall height.
C. Weir structure or outfall pipe height.
D. Retaining wall width at the top.
E. Retaining wall width at the base.

Please indicate how the run-off from the placement area is going to return to the main water body.

http://www.swg.usace.army.mil/BusinessWithUs/RegulatoryBranch/Permits/PermitApplication.aspx
Specific Issues Related to Dredge Material Placement –

- Confined Upland Placement
- Beneficial Use
- Material testing
Confined Disposal Facilities (CDF)

Hart Miller Disposal Area in Baltimore

Craney Island in Virginia

Lake Huron

(Cuyahoga River)

Cleveland
Beneficial Uses

- Wetland Habitat
- Shoreline Protection
- Beach Renourishment
- Recreation
- Agriculture
- Island Habitat
- Construction Fill
- Construction Materials
- Mine Land Restoration

http://el.erdc.usace.army.mil/dots/budm/budm.cfm
Testing Manuals

- Tiered testing and evaluation
- Testing procedures (elutriate, benthic, and bioaccumulation)
- Computer Models for mixing
- Statistical tools, QA/QC, and data interpretation
- Case-specific evaluations
On March 19, 2008, the EPA placed the San Jacinto River Waste Pits Superfund Site on the National Priorities List.

All permit applicants and existing permitees within the area of concern must conduct certain sampling events.

How We Can Help

- Early consultation can save you schedule and budget headaches.
- Pre-application meetings are available for the regulated public to get feedback in your project planning stages.
- Regulatory project managers and administrative staff are there to assist you. If there’s a question, ASK!
Questions!?  

Contact us:

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