404 Permit Process

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404 Permit Liaisons

Jared and I process 404 applications- we determine what type of 404 a project will require and take the necessary steps to get that permit. Most of you are probably familiar with Jared and I hope to meet more of you, I'm rounding out my first year with ODOT. I attended OKLA State Univ and earned a degree in natural resources ecology & management I also have a masters of science with an emphasis in environmental & ecological protection- I started doing field research as a technician in College and have never been able to get away from it! — In addition I have taken the Wetland Delineation class and was fortunate to have Bob Pierce as my instructor who is one of the original authors of the 1987 USACE Wetland Delineation Manual and extremely knowledgeable.

Wetlands

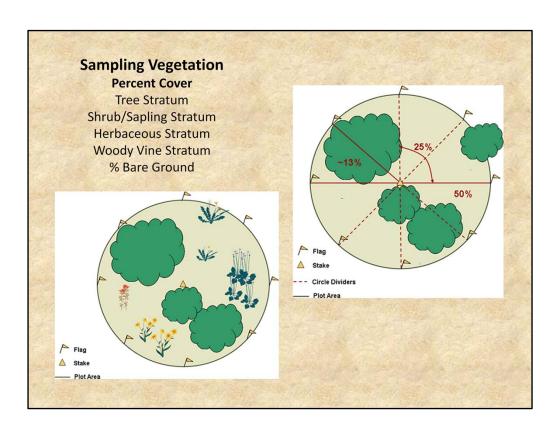
- · What is a wetland?
- How do delineators make that determination?
- Are you sure this is a wetland?

Shane mentioned the definition of a wetland but what really makes an area a wetland? One of the things I hear most often is "there was no water there, it's not a wetland". Unfortunately, it is not that simple. Wetlands are complex systems and making the determination is a somewhat complex process.

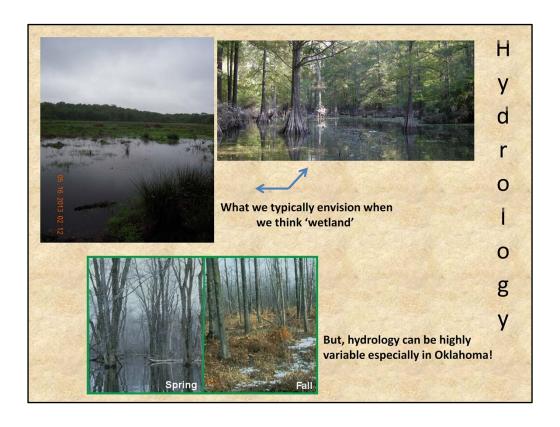
Field Work

- For an area to be deemed a wetland it must meet 3 criteria:
 - Vegetation
 - Hydrology
 - Soils
- Criteria and procedure as described in the 1987 Corps of Engineers Wetland Delineation Manual and the applicable Regional Supplement
- Not only are biologists identifying the vegetation and considering their ecology we must also read the soils and understand where the hydrology in an area is coming from

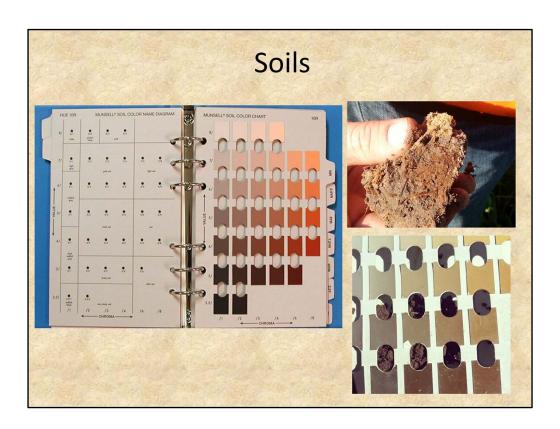
Wetland delineators rely on 3 positive findings of vegetation, hydrology and soils to call an area a wetland. For the corps the 7.5 min quads are the "bible" but for delineators the 1987 COE manual and the applicable supplements are the "bible".



We'll start with vegetation. The USACE has a National Wetland Plant List – this list assigns each species an indicator status which is regionally dependent because a plant may be indicative of a moisture regime in one ecoregion and be totally different in another- so you look for the indicator within the region you are sampling. The indicator status' are: OBL, FAWC, FAC, & FACU- So- for example our process is to identify all of the plants within our sample plot first to know if the vegetation will be considered wetland vegetation. In order for the vegetation in an area to be positively identified as wetland vegetation 50% of the Dominant Species within our sampling plot (which is typically a 30 M plot) must be FAC or Wetter. (FAC, FACW, or OBL). This is an example of a sample plot- you can see the different layers identified. Important to remember that Oklahoma is extremely variable from E > W so the vegetation can give delineators a really good idea of what is going on in an area OR it could totally throw you off!! ©



Both of these photos are wetlands in Oklahoma- on the left is a photo taken by Joan at Boehler Seeps on the right is a photo of a Cypress marsh in the Little River NWR and for most of us this is what we envision when we think 'wetland'. Hydrology is key and sometimes it is blatantly obvious where the water in an area is coming fromtopographically speaking much of the time wetlands will be found in low spots but this is not always the case. Jared and I recently delineated a wetland on I-40 that is on the side of a hill- the water is seeping from underground and the area is a strong wetland (called a groundwater slope wetland)- but initially we just couldn't wrap our heads around why there was a wetland on this hill! Without hydrology an area cannot be a wetland but hydrology is highly variable and seasonal. As you can see the photo at the bottom reflects how seasonal inundation can be and as Shane mentioned the water only needs to be perched a short amount of time during the growing season so the likelihood of encountering inundation at a wetland, especially in Oklahoma, is highly variable!



How do we know that the soils in an area are "wetland soils" – The soil color is what tell us whether there is water in an area. This is an example of a nice grey soil matrix with iron concentrations very indicative of hydric soils HOWEVER there are different indicators of hydric soils and we won't get too technical for the most part we are looking for concentrations and depletions' of iron because the anaerobic conditions created by water are what create those soil indicators.

Data Form- Great Plains Region							
WETLAND DETERMINATION DATA FORM— Great Plains Region Projectible Appearation of Control of Contro	SOIL. Tricing Conception (Percent in the depth needed to document the indicator or continu the absence of indicators.) Pricing Color (mind) N						
VEGETATION - Use scientific names of pures.	Opinior Berris Ont States (PT) Medical Cost						
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So, all that information is collected on to this data sheet which is a legal document and the basis for an argument which we may need to make to the Corps. If you have all 3 as positive then you have a wetland. Now for all the environmental professionals (Wetland delineators) one thing I do want to ask you all today is to please fill out the data sheets completely (percent cover, etc). We look at them front and back and because it is not possible to be at every project site we rely on you to be our eyes and ears-that is what you are hired to do. In addition- in the Waters and Wetlands reports PLEASE give us a Jurisdictional determination. If you know it is going to be jurisdictional tell us 'yes, this is jurisdictional or no this is not- if you are pretty certain tell us 'yes, this is likely jurisdictional or no, not likely' but please try to avoid the 'may be' jurisdictional because it really doesn't help us when we are reviewing. We respect your professional opinion and yea it may change according to the Corps. but that is OK!

404 Permit Process

We are here **to ensure** projects have the necessary 404 permit to comply with the Clean Water Act

If we need cross sections we can ask for them later on.

ODOT 404 Submittal Process through Project Management (State Projects)

- Transmittal Memo
- PCN- with calculations (if any)
- Plans

These are submitted to PM who then provides us with a submittal package with everything.

Calculations

How do we make the determination

Ordinary High Water Mark & Q2
PCN Form
Impact Examples

What is your role as a designer

Calculations

Q2 or Ordinary High Water Mark

OHWM USACE Definition:

"The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

Q2

The average two year flooding event capacity

READ THE DEFINITION! – OHWM is a physical mark that is identified in the field. You are fine using Q2 even if it is a little conservative. If there are sizeable discrepencies amongst calculations, we use the field verified OHWM and may ask you to recalculate if necessary. Use what looks right!

Modified PCN Form

- · Will be available online
- Please- Do not add wetland impacts unless you are told to!
- Changes
 - Program Construction Project Cost
 - Cubic Yards of Fill (only for impacts >0.1 acres)
 - Linear Feet of Impacts

Project N	lo.:		J/P:	Facility:		County:						
Description	on:											
Let Date		Division:				Programmed Construction Project Cost:						
Sta or Str. No.		Location	Waterbody		Description		Calculations					
	Latitude	Longitude	Legal	Critical Resource Water?	Туре	Existing Structure/Condition	New Structure	Area	Cubic Yards of Fill*	Linear Feet of Impacts	Notes	
Structure name and Station from plans	Decimal Degrees	Decimal Degrees	Township, Range, Section	Name of Waterbody and if it is a Critical Resource Water	See below	Size, Type, and Condition of Structure	Size and Type of Structure	Area of Fill below OHWM	Cubic Yards of fill	Length of Impacts to Blue Line Stream	Number 1, 2, etc. Lis note description belo	
Types:	BPBank Prot	otes:	er 1, 2, etc. D Note whether Note type of f Note Ordinary Note any othe	chan-Channel Work, RC "We bescribe note here the impact is fill or o fill (rip rap, drilled sh	B-Reintland In	elevation taining to the calculations and	Bridge,** Wet-Wetlands, Mi delineation report by ODO1	sc-Miscellaneo	us	*Only necessary if i	impacts are over 0.1 acres	
Applica	nt:		1	Name: Oklahor	me: Oklahoma Department of Transportation Phone No: (405) 522-0734							
Address:				200 Northeast 21st Street, Oklahoma City, OK 73105-3204								
Address	Application Prepared By:			Name: ODOT Designer or Consultant Name Phone No:								
	ion Frepai	Processing Agent:			Oklahoma Department of Transportation							

Program Construction Cost can be found on ODOT's 8 year work plan and helps Shane for his annual reporting.

Cubic yards of fill only need to be included if our impacts (fill) is greater than 0.1 acres – this is for mitigation purposes

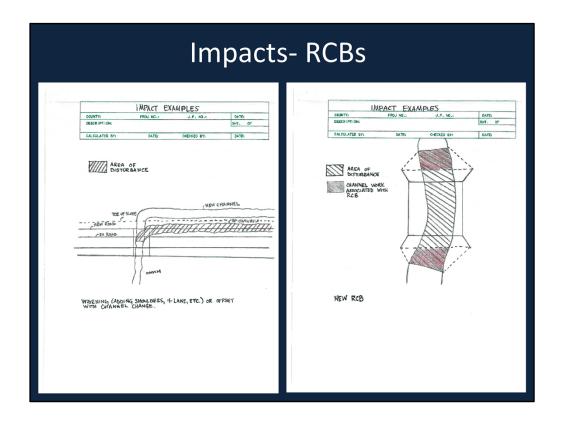
Linear Feet of Impacts- Linear feet should be measured from the center of the stream and include all bends and meanders- this is NOT just the length of your box!!

Please include LAT/LONG for each structure- decimal degrees – there should be different coordinates for each structure

A& M Statement is very important- please make this suitable for the amount of impact. If your project has a lot of impact and will require mitigation you should have a really solid A & M statement! You can find this information on the project initiation report and even the data recon can forewarn you of issues to come!

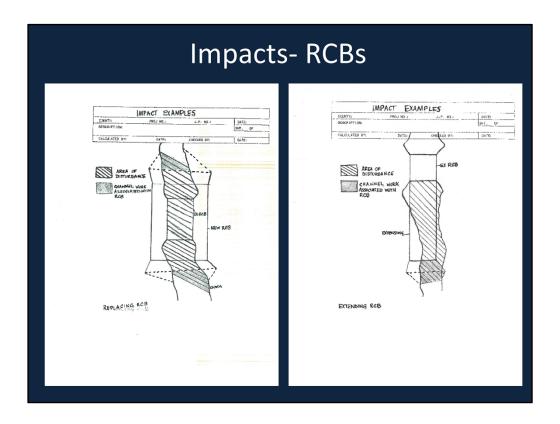
				SECTION 40	4 PR	E-CONSTRUCTION COUNTY PROJ		N FORM FOR	₹	DATE:	
Project N	lo.:		J/P:	Far	cility:		County:				
Description	on:										
Let Date:				Div	vision:		Programmed Co	onstruction Projec	t Cost:		
Sta or Str. No.		Location	Waterbody		Descr		Calculations				
	Latitude	Longitude	Legal	Critical Resource Water?	Туре	Existing Structure/Condition	New Structure	Area acre	Cubic Yards of Fill*	Linear Feet of Impacts	Notes
Structure name and Station rom plans	Decimal Degrees	Decimal Degrees	Township, Range, Section	Name of Waterbody and if it is a Critical Resource Water	See below	Size, Type, and Condition of Structure	Size and Type of Structure	f Area of Fill below OHWM	Cubic Yards of fill	Length of Impacts to Blue Line Stream	Number 1, 2, etc. Lis
rovide a br nited Stat	es will be con BP-Bank Prot	on describing has been described for, ection, CC—Chabotes: Number Numbe	or a brief sta innel Change, C er 1, 2, etc. Di lote whether t lote type of fi lote Ordinary	chan-Channel Work, RC "Wetland Inf sescribe note here the impact is fill or e ill (rip rap, drilled sh	chy comp CB-Reinformation formation excavation afts, dir OHWM)		not be required for the Bridge,** WetWetlands e delineation report by the	hose impacts. s, Misc—Miscellaneo		e de la companya del companya de la companya del companya de la co	mpacts to waters of the
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Local Government has it's own PCN form. We do not review County projects at ODOT but we can certainly answer questions- please don't hesitate to give us a call if you need help! The main difference with these forms is the process- these will be submitted by local government to the corps.



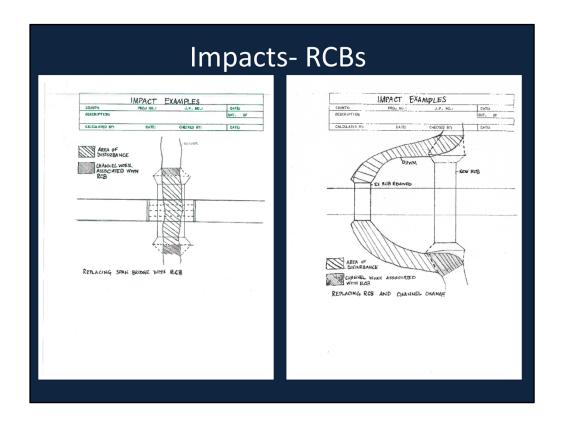
For starters the main thing I want to point out is that if it is fill within the channel it needs to be accounted for. Whether it is dirt, rip-rap, or concrete it is all considered fill. On the left we have an example where the road is being widened and so the channel needs to be moved to accommodate this change. All of the shaded area is channel that is being impacted.

On the right is an example of a box completely taking the place of the stream so we count the fill for the entire length of the box up to the apron to include any dirt fill at the end.



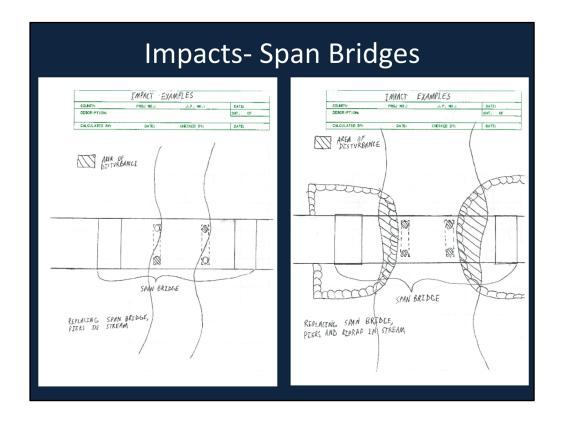
On the left we have an example of replacing an box- the center portion should also be shaded because the whole length up to the new apron is fill within the channel.

On the right we have a short box which is being extended. The new length should all be counted as fill within the channel.



On the left we have an example of replacing a Span bridge with an RCB- the entire length of the new box needs to be counted as fill within the channel.

On the right we have an example of removing an old box and re-channelizing the length of stream- the shaded area is all being cut off. In this instance we not only give acres of fill AND linear feet of fill.

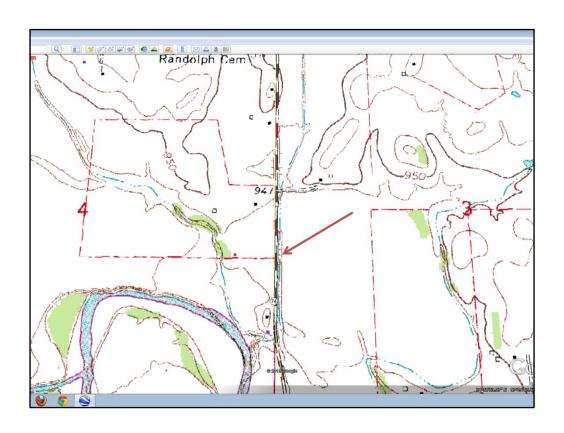


On the left is an example of replacing piers on a span bridge – as you can see only 2 piers are below the OHWM and therefore are the only two counted as fill.

On the right is an example of replacing piers however as you can see we have rip rap below the OHWM which must be counted as fill.



Yes, it is functioning as a bar ditch but it is still mapped on the USGS Quad as a blue line and is therefore JURISDICTIONAL!



Calculations

What is your role as a designer?

- · Think Creatively, Be Flexible
 - Pull in Toes of Slope
 - Modifying Alignment
- Consider the 404 permit early in the process

Pull in toes

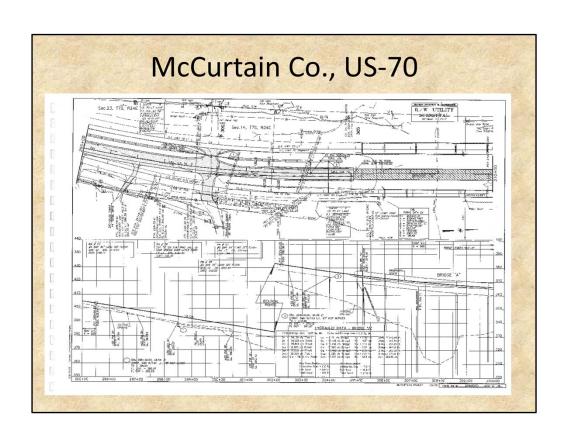
Slopes behind Guardrail – rather than 6:1 go 3:1 if necessary > we have done this before Can we align to the south to avoid wetlands on the north & vise versa
We rely on the designers to work with us to consider creative solutions so we can AVOID and MINIMIZE impacts as much as possible!

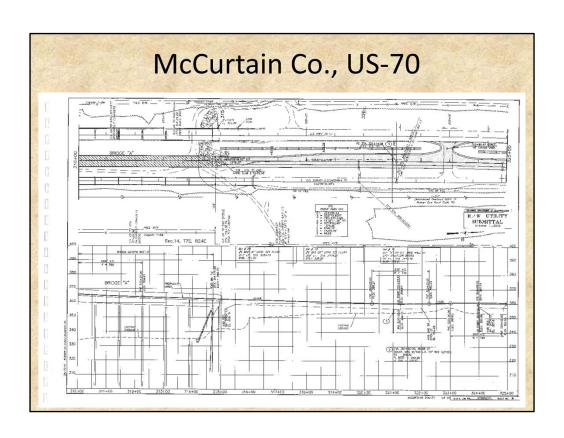
Avoidance, Minimization, Mitigation Examples

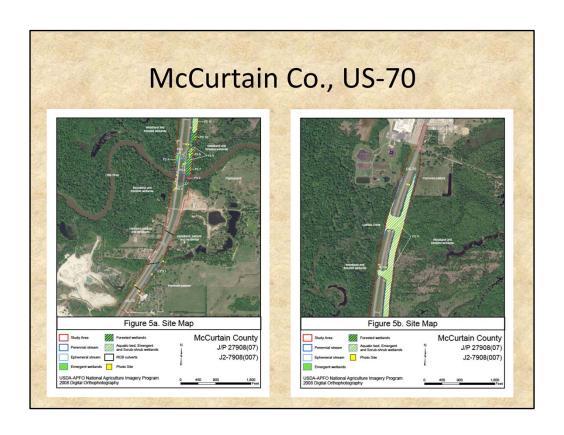
Avoidance → Minimization → Mitigation

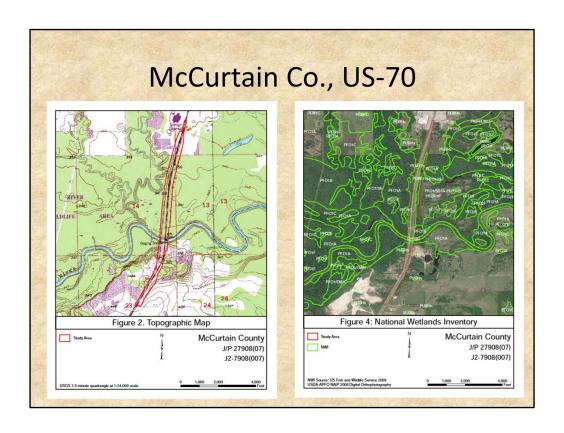
- McCurtain Co., J/P 27908(07), US-70
- Grady Co., J/P 28038(04), SH-19
- Kiowa Co., J/P 26477(04), SH-19

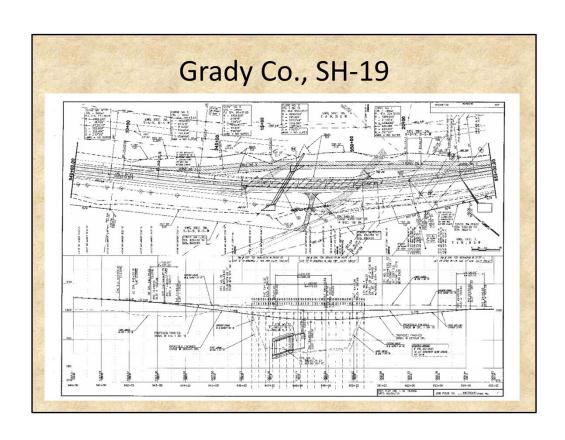
Jared is going to talk about real-world ODOT examples where we have successfully avoided & minimized.

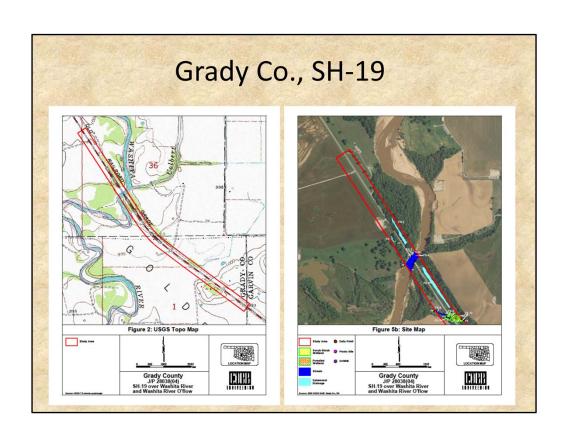


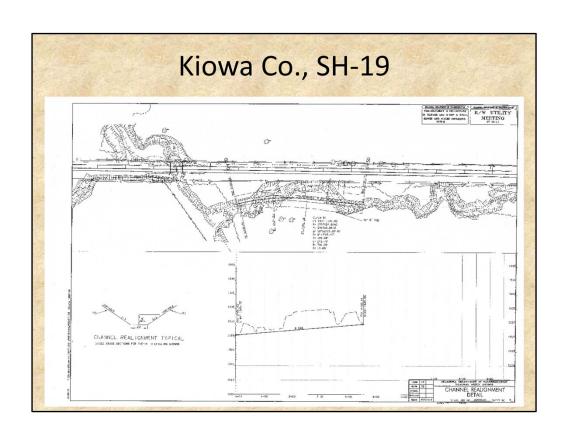


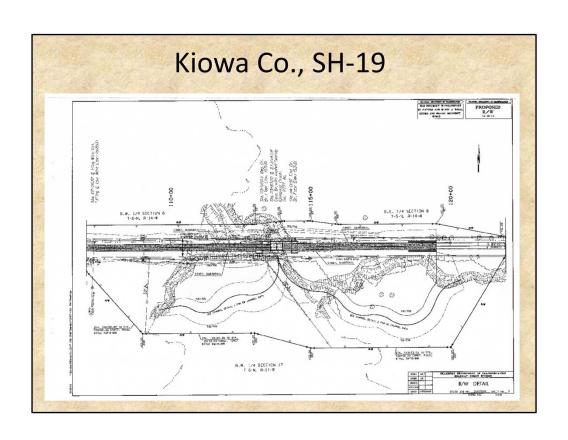


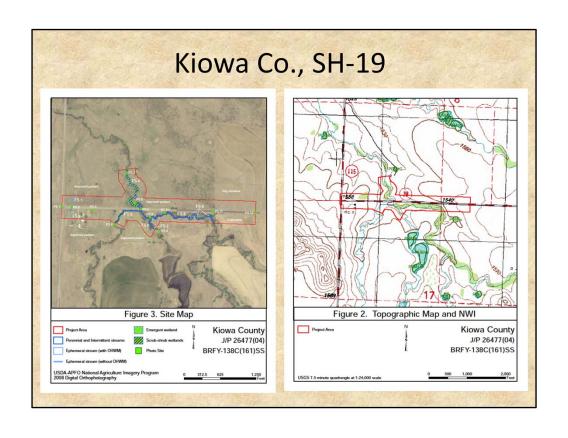












Mitigation

- This is where early planning and communication can especially be helpful
- Replacing function for function
- Avoidance, Minimization then Mitigation

