

Filling Out a Project Permit

Tips for Small Acreages in Oregon

What Is a Permit?

A permit gives you formal permission to begin construction on a project. It means the permitting agency has found that the project plan meets the agency's regulations. This fact sheet focuses on permits required for projects that involve Oregon's waters.

Why Do I Need a Permit?

In the past, people were unaware that some construction projects did more harm than good. For example, entire streambanks were armored with rock to protect them from erosion. However, since rock does not reduce the erosive power of water, the rock only passed the erosion problem downstream and provided little fish habitat. More landowners are installing projects that protect the many values of the land. By law, many water projects require a permit. A permit protects you, your community, and the environment from unintended conflicts with watershed health goals.

When Do I Need a Permit?

Chances are you will need approval or a permit if the project involves water. Most projects that involve construction, excavation, or fill in streams, rivers, lakes, wetlands, or the ocean require a permit. Activities that may require a permit include:

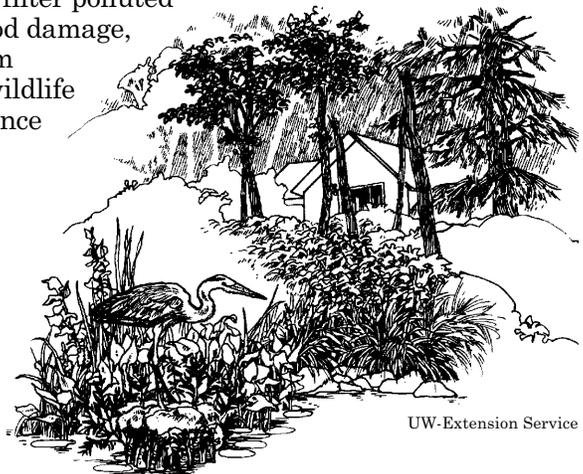
- Dredging or excavating
- Relocating a waterway
- Draining, clearing, or leveling wetlands
- Removing woody debris or gravel
- Placing fill, riprap, or other material
- Constructing bank or shore protection
- Placing fill to construct a dam, dike, roadway, or bridge
- Constructing a dock, pier, wharf, seawall, boat ramp, beach, intake, or outfall pipe

What Is a Wetland?

Most people recognize that swamps, marshes, and bottomland forests are wetlands. However, some wetlands can be hard to spot. A wet pasture full of "tules" could be a wetland. When in doubt, check it out with a wetland specialist. The USDA Natural Resources Conservation Service makes wetland determinations on farmland. Wetlands are areas that have these three conditions:

1. **Water** either covers or saturates the soil during the growing season. (Caution! Many wetlands do not have standing water or waterlogged soils during at least part of the growing season.)
2. **Plants** that can grow in saturated soils for at least part of the growing season. Examples of such plants are rushes, sedges, cattails, and willows.
3. **Soils** that have developed under waterlogged conditions. Signs of waterlogged soils include peat or muck layers, a bluish-gray or gray color, sandy layers with dark streaks, or a rotten-egg odor.

Wetlands can filter polluted runoff, reduce flood damage, protect banks from erosion, provide wildlife habitat, and enhance our quality of life. Agencies and landowners give wetlands special attention because of these values.



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"The long fight to save wild beauty represents democracy at its best. It requires citizens to practice the hardest of virtues - self restraint."

- Edwin Way Teale



USDA Natural Resources Conservation Service

A Checklist for Getting and Using Permits

The permitting process begins with you. Remember to contact all of the appropriate local, state, and federal agencies that may have an interest in your project. On some projects, a consultant may obtain permits on your behalf. However, you are ultimately responsible for getting the necessary permits and making sure that the permit requirements are met. *Tips to help you save time and money are in italics.*

Step 1 - Find Out What Permits May Apply

- A. Determine if the project involves adjoining landowners. If it does, ask your neighbors if they share similar goals and support the project. A streambank project may include several landowners.
- B. Ask local, state, and federal agencies to help you determine what permits apply to your project. Some agencies have their own checklists for getting a permit. (See the last page for a list of agencies.)
- C. Decide whether the project is regulated by the agencies. Confirm your conclusions with the agencies. Ask for written confirmation, if the project does not need a permit. Remember that local laws may differ from state and federal regulations. The project will need to meet the most stringent regulations.
- D. *If the project requires agency approval, set up a pre-application conference with the appropriate agencies. Present your project ideas and follow the agency recommendations.*

Step 2 - Plan the Project

- A. Ask the agencies if they think a resource professional is needed to design the project. For example, the correct slope, rock size, and plant materials may be needed for a successful stream bank project.
- B. *Budget time in your project schedule to get permit approvals.* The permit process may take 6 months or longer. Keep in mind that projects in fish-bearing streams must be constructed between July 1 and September 15 or 30, to avoid harming migrating fish.
- C. Consider environment-friendly designs. For example, the Oregon Department of State Lands prefers stream bank stabilization projects that combine native plants with hard structures. Plants protect the banks, slow erosive waters, and provide habitat for fish and wildlife.

Step 3 - Fill Out and Send in the Application

- A. *Read the application carefully and make sure the project meets the agency standards.*
- B. *Enter information that is accurate and complete.* Incomplete information is the most common reason for permit delays. Complete information is necessary to properly evaluate and approve the project. If you have questions about the needed information, contact the permitting agency.
- C. Include the scale drawings, property descriptions, proposed design, maps, and other materials as needed. Sign your signature in ink. *Drawings and maps on 8.5" by 11" paper are easier for agencies to handle.*
- D. Send the application with the permit fees. *Respond quickly to agency requests for more information. Ask the agency for clarification if you don't understand the request.*
- E. Once the permit is approved, read the conditions of approval carefully. *Ask the agency for help if you don't understand or don't think you can carry out the conditions.*
- F. The application may be rejected if the project does not comply with the agency regulations. Consider changing the design, moving the location, or finding an alternative use of the property.

Step 4 - Construct the Project

- A. Remember that you may need a permit from more than one agency to begin construction. If you begin construction without the necessary permits, the authorities may impose fines and require you to restore the area.
- B. *While the work is underway, you must follow all the conditions of approval, plans, and regulations exactly. Any changes to the project plan must be approved.*
- C. Once the project is done, check the site annually to see if it meets your project goals. Determine if modifications or maintenance is needed. Share your observations with resource professionals so that we all learn how to manage our resources successfully.

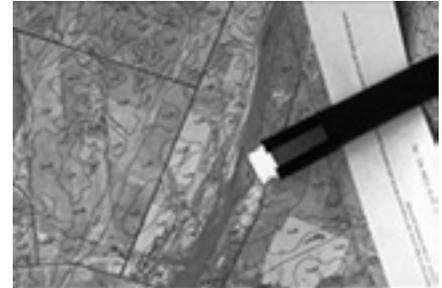


Agencies require certain documents and information to complete the permit application. You may be asked to provide the following information:

- **Aerial photos.**

These photos can be used to show the project location and the surrounding area. You may purchase aerial photos of the project area at your local USDA Farm Services Agency or by phoning the U.S. Geological Survey (USGS) at (888) ASK-USGS. You can also download a low-resolution digital photo from the Microsoft Terra Server online at http://terraserver.microsoft.com/terra_how.htm or order a high-resolution digital photo from USGS at the same website. Availability may vary.

Soil Survey



USDA Natural Resources Conservation Service

- **Floodplain maps.**

The Federal Emergency Management Agency (FEMA) publishes maps that show the location of the 100-year floodplain. You can order these maps by calling (800) 358-9616 or writing to the Map Service Center, PO Box 1038, Jessup, MD 20794-1038.

- **Map and tax lot number.**

This number is found on tax assessor maps. Call your county assessor to find out the tax lot number for your property.

- **National Wetland Inventory maps (NWI).**

The U.S. Fish and Wildlife Service publishes maps that show the general location of wetlands. You can purchase these maps through the USGS at (888) ASK-USGS.

- **Property legal description.**

The metes and bounds for your property may be found on the deed, land sales contract, or title insurance policy.

- **Property ownership.**

If the project involves roads, right-of-ways, or other properties that do not belong to you, then you need to list the name and addresses of the other landowners. This information is often needed for water right permits. Proof of easements or written authorization is required.

- **Stream name and river mile.**

This information is often available on topography maps.

- **Soils maps.**

To get a general soil map of your property, contact your local soil and water conservation district and USDA Natural Resources Conservation Service office. You may need to hire a consultant for site-specific soil investigations.

- **Topography maps.**

U.S. Geological Survey topography maps are useful for showing the project location, elevation, distance, longitude, and latitude. You can purchase a topography map at the Nature of Oregon Information Center, Suite 177, 800 NE Oregon Street, #5, Portland, Oregon 97232, (503) 731-4444. Or you may buy maps directly from the USGS writing to USGS Information Services, Box 25286, Denver, CO 80225, or ordering online at <http://mapping.usgs.gov/mac/findmaps.html>.

- **Township, Range, and Section.**

If the project is on your property, the township, range, and section number is coded in your tax lot number. You can also find this designation on the borders of a topography map, soil map, or Oregon Department of Forestry map.

- **Well logs.**

Water right applications may require the well log of your well or surrounding wells. This information is available from your local watermaster.

Check Out Your Permit Concerns with Us

If you are unsure whether your project needs a permit or would like to talk about specific concerns with an agency, you can call or write to the following agencies:



USDA Natural Resources
Conservation Service

Local

- Local planning department
- Local building department

State

- Oregon Division of State Lands
775 Summer Street NE
Salem, OR 97310
Phone: (503) 378-3805
Fax: (503) 378-4844
- Oregon Department of Environmental Quality
Water Quality Division
811 SW Sixth Avenue
Portland, OR 97204-1390
Phone: (503) 229-5279
(For water quality certification)
- Oregon Department of Land Conservation & Development
1175 Court Street NE
Salem, OR 97310-0590
Phone: (503) 373-0096
Fax: (503) 362-6705
(For projects that are west of the crest of the Oregon coast range)



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Federal

- U.S. Army Corps of Engineers, District Engineer
ATTN: CENWP-OP-G
P.O. Box 2946
Portland, OR 97208-2946
Phone: (503) 808-4373
Fax: (503) 808-4375
- Oregon Water Resources Department has watermasters that can assist you with water rights and well log records. Contact your local watermaster for more information.
- The local soil and water conservation district and the USDA-Natural Resources Conservation Service may provide site visits for projects that stabilize stream banks, drain agricultural land, or restore shallow water areas for wildlife. The office may also have aerial photos, floodplain maps, topography maps, and National Wetland Inventory maps that may be photocopied for a small fee. Look in the phone book blue pages under Federal government, Department of Agriculture, for the office nearest you.
- Oregon Department of Fisheries and Wildlife and the U.S. Fish and Wildlife Service may provide site visits for projects that restore wetlands and wildlife habitat. Look in the phone book blue pages under State and Federal Government for the offices nearest you.
- Oregon Department of Forestry issues approvals for all forest management activities, except planting. Look in the phone book blue pages under State Government for the office nearest you.

