

## SECTION 7

### AGENCY PERMITTING REQUIREMENTS

#### 7.1 PURPOSE

The following chapter discusses criteria for various agency permits that are required to construct various types of projects. Permit application forms should be obtained from the permitting agencies in order to insure the use of the most current forms and the proper completion of those forms.

It is important that all required permits are identified during the design phase of a project. Failure to obtain permits can cause costly delays during construction.

#### 7.2 PERMITTING AGENCIES

The following is a listing of the more common permits and the criteria that mandates the issuance of each permit.

<u>Agency Permit</u>	<u>Criteria</u>
Caltrans Encroachment	Any work that encroaches upon a state highway or right-of-way. This includes City streets that are designated State highways.
Reclamation Board Encroachment Permit	Any work that encroaches within 10 feet (normally) from the outside toe of a Standard Project Levee or designated waterway. Confirmation of jurisdiction must be made through the Reclamation Board. The Board has been known to exercise jurisdiction beyond the 10 feet in special situations.
American River Flood Control District	Any work that encroaches within 10 feet from the outside toe of a levee along the American River, Arcade Creek, or Haggirwood Creek. Confirmation of jurisdiction must be made through the district.
Reclamation District 1000	Any work that encroaches within 10 feet from the outside toe of a levee along the Sacramento River north of the confluence of the Sacramento and American Rivers and the drainage

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**Agency Permit**

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**Criteria**

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**U.S. Army Corps of Engineers**

canals in the North and South Natomas area. Confirmation of jurisdiction must be made through the district.

Any work that involves excavation of materials within a navigatable waterway to the mean high water level requires a permit under Section 10 of the River and Harbor Act of 1899 and Section 404 of the Clean Water Act.

Navigatable waterways include very small streams. Section 404 of the Clean Water Act requires permits for fill material which is to be placed within the high tide line of tidal waters, plus neighboring or adjacent wetlands. Contact the Corps for verification of jurisdiction.

**State Department of Fish & Game**

Under Section 1601 of the Fish & Game Code, any work that will alter a stream bed within the State of California.

**Central Valley Water Quality Control Board**

Any work that involves the discharge of materials into waterways of the State. They provide certification of the Corps of Engineers 404 permits. In addition, they issue waste discharge control permits under the State's Porter-Cologne Act and the Federal Clean Water Act.

**State Lands Commission**

The State Lands Commission has exclusive jurisdiction over all ungranted sovereign tide and submerged lands and the beds of navigable lakes and streams under Public Resources Code Section 6301. A permit may be required for dredging activities under Division 6 of the Public Resources Code.

**Agency Permit**

**Criteria**

**Public Utilities Commission**

**Any work that involves modifications to railways or railway structures.**

**Final determinations on jurisdictions should be made in writing in order to prevent jurisdictional problems during later phases of a project.**