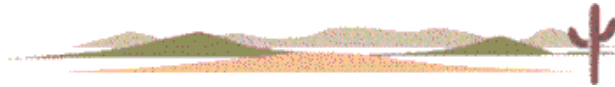


THE PERMIT PROCESS

THINGS TO BE AWARE OF WHEN IMPLEMENTING PROJECTS

Federal and State Lands must comply with regulations. Private lands implementing projects with state or federal funds must comply with permitting processes.



Rangeland Improvements

- ❑ **State Rangelands require permits to place improvements. Applications must be filed with the Arizona State Land Department with a filing fee before project activity can begin**

Archeology

- ❑ **Areas that will be disturbed must have a cultural clearance that complies with SHPO (State Historic Preservation Office) requirements**
- ❑ **Archeological surveys must be conducted by professionals certified to do them**
- ❑ **If an archeological significant site is present, the best solution is to move the proposed activity so that it does not impact the site**
- ❑ **Once an authorized agency has determined that there is no impact and files the report with SHPO, a clearance letter will be issued and the project may proceed**

Native Plant Law

- ❑ **The Arizona Department of Agriculture regulates the removal of native plants on state and private land.**
- ❑ **Any ground disturbance that will harm native plants must have a permit issued and a notice published of the intended activity to allow for salvage of plants**
- ❑ **Private landowners must follow the regulations on private land but do not have to allow people on the land to salvage plants**

Threatened and Endangered Species

- ❑ **An authorized state or federal agency must determine in an environmental assessment if threatened or endangered species are present**
- ❑ **If T&E species are not present, no additional action is required**
- ❑ **If T&E species are present, a Section 7 consultation with USFWS is required to determine the extent of the project impact on the species.**
- ❑ **If there is no or minimal impact, or the project can be designed to eliminate impacts, a permit will be issued.**

Water Rights

- ❑ ***An application for water rights must be filed if the project involves structures that will impound water or will use ground water.***
- ❑ ***Applications are filed with the Arizona Department of Water Resources***
- ❑ ***The procedure for surface water rights involves filing the notice of application in a local paper for three weeks to allow down stream users the opportunity to protest.***
- ❑ ***If water rights applications are protested, ADWR waits 450 days for applicant to resolve the issue before continuing the process.***
- ❑ ***If applications are not protested, ADWR issues a permit to construct, checks the project after construction and if all requirements are met, then issues a water right.***

US Army Corps of Engineers 404 permit

- ❑ ***Permits are required for any earth moving activity that will result in discharge of dredged or fill material into Waters of the US, including wetlands.***
- ❑ ***Areas that are not jurisdictional do not need a permit***
- ❑ ***Applications are letters submitted along with the project design***
- ❑ ***The Corps can issue a letter of permission if the project has a minimal or no impact and construction can begin***
- ❑ ***The Corps has Nationwide permits that cover several areas. If activity fits under a Nationwide permit, the application letter should address that. The Corps will issue a letter and regulations on the NW permit that must be followed to be in compliance***
- ❑ ***If a permit is required, the Corps will review the project and determine whether or not to issue a permit. If a permit is issued, the cost is \$10 or \$100 depending upon the applicants affiliation.***

State Water Quality 401 permit

- ❑ ***Required any time a COE 404 permit is required***
- ❑ ***Required any time a NPDES 402 permit is required (this is a point discharge source of pollution)***
- ❑ ***Applications are available from Arizona Department of Environmental Quality (ADEQ)***

County (may vary with county)

- ❑ ***Flood plain permits***