

Regional Categorical Permission Alteration Description – 6. Buildings and Other Structures

This Regional Categorical Permission covers the construction and modification of buildings and other structures, such as artwork, raptor perches, owl boxes, decks, patios, solar arrays, and diversion structures, along with associated work, such as minor landscaping, within the federal project easement. The maximum area of construction must not exceed 5 acres. Structures must be constructed in previously disturbed areas and must not convert native habitat. Buildings and similar structures authorized under this Regional Categorical Permission must not be used for human habitation. Modifications to existing buildings can be allowed if the habitable area of the structure is not increased.

New buildings within the levee embankment are not included in this Regional Categorical Permission. For buildings outside the levee embankment, but within 300 feet of the levee (typically located on the waterside), the requester should complete a geotechnical analysis that includes slope stability and seepage analyses to ensure that the proposed building does not pose a serious risk to the levee. If a geotechnical investigation is not possible, the following rule of thumb may be appropriate: Add 10 feet of lateral distance from the levee toe for each foot of excavation. That is, at 10 feet from the toe, excavation is limited to a depth of 1 foot; at 20 feet from the toe, a depth of 2 feet, and so on. A geotechnical analysis is not needed if the building is constructed on fill.

If for any reason an existing building or structure is cumulatively damaged to more than 50 percent of its market value, the building or structure may not be reconstructed or replaced without the approval of the non-federal sponsor if there is a non-federal sponsor for the project. If a damaged building or structure is not repaired or replaced, the entire building or structure, including all associated materials, must be completely removed within a reasonable timeframe and the area restored to pre-building conditions so that there is no interference with the flood risk management project's function, inspection, operation, or flood fighting.

Following removal, the area must be restored to pre-building conditions by filling any holes with compacted material similar to the adjacent soil. Any damage to the federal Civil Works project caused by removal of the building must be repaired by the requester.

Regional Categorical Permission Alteration Checklist – 6. Buildings and Other Structures

Note: The following checklist is intended for planning purposes only and includes information that USACE reviewers look for when considering a Section 408 request for buildings and structures under the Regional Categorical Permission. To be reviewed under the Regional Categorical Permission, the proposed project must adhere to all requirements of the Regional Categorical Permission, including the full alteration description (see previous page). The plans and narrative project description should reflect this information.

<input type="checkbox"/> New Construction	<input type="checkbox"/> Replacement	<input type="checkbox"/> Modification	<input type="checkbox"/> Authorize Existing
Maximum total area of disturbance is 5 acres:			<input type="checkbox"/>
Reference: [Click to enter document source. Example – plan sheet (p. 4), specs, report.]			
Comment: [Click to enter rationale, explanation, unique situation, etc.]			
Work will occur in previously disturbed area(s) and will not convert native habitat:			<input type="checkbox"/>
Reference: [Click to enter document source. Example – plan sheet (p. 4), specs, report.]			
Comment: [Click to enter rationale, explanation, unique situation, etc.]			
New building/structure <u>or</u> modification to existing building/structure will not be used for human habitation:			<input type="checkbox"/>
Reference: [Click to enter document source. Example – plan sheet (p. 4), specs, report.]			
Comment: [Click to enter rationale, explanation, unique situation, etc.]			
Proposed alteration does not include any new buildings within the levee embankment:			<input type="checkbox"/> N/A <input type="checkbox"/>
Reference: [Click to enter document source. Example – plan sheet (p. 4), specs, report.]			
Comment: [Click to enter rationale, explanation, unique situation, etc.]			
If a building is to be removed, project plans show that the area will be restored to pre-building conditions by filling any hole(s) with compacted material similar to adjacent soil:			Yes <input type="checkbox"/>
Reference: [Click to enter document source. Example – plan sheet (p. 4), specs, report.]			
Comment: [Click to enter rationale, explanation, unique situation, etc.]			
Hydraulic blockage calculation $\geq 1\%$?			Yes <input type="checkbox"/> No <input type="checkbox"/>
Reference: [Click to enter document source. Example – plan sheet (p. 4), specs, report.]			
Comment: [Click to enter rationale, explanation, unique situation, etc.]			
Hydraulic model used for hydraulic analysis?			Yes <input type="checkbox"/> No <input type="checkbox"/>
Reference: [Click to enter document source. Example – plan sheet (p. 4), specs, report.]			
Comment: [Click to enter rationale, explanation, unique situation, etc.]			

– For Official Use Only below this line –

[*Comment*]

RCP Eligibility Review

<u>Yes</u>	<u>No</u>	<u>Add'l. Info Requested</u>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Environmental Reviewer: _____ Date: <small>Click date</small> _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Engineering Reviewer: _____ Date: <small>Click date</small> _____