



# SENECA NATION OF INDIANS PERMIT APPLICATION FOR CONSTRUCTION PROJECTS WITHIN WATERWAYS

PIN #: \_\_\_\_\_ CPC #: \_\_\_\_\_  
BIN # / CIN #: \_\_\_\_\_ (SNI Use Only)

Lead Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax #: \_\_\_\_\_

Prime Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Contract Person: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax #: \_\_\_\_\_

Insurance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Seneca Nation of Indians must be listed as an *additional insured* upon approval of application.  
Mail Certificate of Insurance to:

Seneca Nation of Indians  
Director of Department of Transportation  
PO Box 231  
90 Ohi:yo' Way  
Salamanca, NY 14779

### PERMIT TYPE REQUESTED:

Permit required for all work activities within the top of the banks of a waterway.

Work within the water is limited to **June 1<sup>st</sup> through August 31<sup>st</sup>**.

- \_\_\_\_\_ BRIDGE (Over 20')  
\$800.00
- \_\_\_\_\_ CULVERT (Under 20')  
\$400.00
- \_\_\_\_\_ OTHER (i.e. Cleaning, Realignment, bank stabilization,...)  
\$200.00 per 100 linear feet

**EXTENSIONS FOR WORK IN THE WATER MAY BE REQUESTED:**

The deadline for submitting for EXTENSIONS is two (2) weeks prior to the second Saturday in August. Fees for EXTENSIONS are refundable if work is completed by August 31<sup>st</sup>.

**September 1<sup>st</sup> through September 8<sup>th</sup>**

_____	BRIDGE	\$200.00
_____	CULVERT	\$100.00
_____	OTHER	\$50.00 per 100 linear feet

**September 1<sup>st</sup> through September 15<sup>th</sup>**

_____	BRIDGE	\$400.00
_____	CULVERT	\$200.00
_____	OTHER	\$100.00 per 100 linear feet

Permit fees payable to the SENECA NATION OF INDIANS by check or money order to:

Seneca Nation of Indians  
PO Box 231  
90 Ohi:yo' Way  
Salamanca, NY 14779

**ENVIRONMENT AFFECTED:**

_____	WATER	_____	UTILITIES
_____	GRAVEL BARS	_____	STORM SEWERS
_____	TOPSOIL	_____	OTHER
_____	TREES / VEGETATION		

\* Attach an inventory of affected trees and vegetation

**LOCATION OF PROJECT:** \_\_\_\_\_  
\_\_\_\_\_

**NAME OF AFFECTED WATERWAY:** \_\_\_\_\_

\*As delineated on a USG Quadrangle Map

**IS THIS PROJECT COMPLETELY WITHIN A RIGHT-OF-WAY**

Attach all relevant documents, R.O.W. Agreements, Temporary Easements....

\_\_\_\_\_ Yes  
\_\_\_\_\_ No

**DATES OF OPERATION:**

Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

**NARRATIVE DESCRIPTION:**

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Include scope of work, specifications, maps, erosion control measures, coffer dams...  
Attach additional pages if necessary.

**JURISDICTION:**

By making application for a permit, the applicant and its associated agents shall consent to the exclusive jurisdiction of the Seneca Nation of Indians Peacemakers' Court over all applicant's / agent's activities while on Seneca Nation Land. The Seneca Nation in its discretion may pursue enforcement action in courts outside the Seneca Nation.

**SIGNATURE PAGE**

Application Submitted by: \_\_\_\_\_  
Name / Title

Agency / Company: \_\_\_\_\_

\_\_\_\_\_  
Date Signature

.....  
**SENECA NATION OF INDIANS use only:**

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:**

\_\_\_\_\_ Rejected

\_\_\_\_\_ Referred To: \_\_\_\_\_ For Review

\_\_\_\_\_ Recommended for Tribal Council Approval

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:**

\_\_\_\_\_ Rejected

\_\_\_\_\_ Referred To: \_\_\_\_\_ For Review

\_\_\_\_\_ Recommended for Tribal Council Approval

**VALID ONLY WITH CERTIFIED COUNCIL RESOLUTION ATTACHED**

\_\_\_\_\_  
Date Clerk  
Seneca Nation of Indians

The following general conditions must be followed in order for any authorization of a Seneca Nation Creek Permit for Construction Projects to be valid. The permit and conditions apply to any creek, stream, or other waterway that appears on USGS quadrangle map. Fill and other construction activities necessary for completion of a project are subject to Section 404 and 401 of the Federal Clean Waters Act of 1977. All activities will be periodically inspected by Seneca Nation representatives.

### **GENERAL CONDITIONS**

1. *Navigation.* No activity may cause more than minimal adverse effect on navigation.
2. *Proper maintenance.* Any structure or fill authorized shall be properly maintained, including maintenance to insure public safety.
3. *Erosion and siltation controls.* Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills must be permanently stabilized at the earliest practicable date.
4. *Aquatic life movement.* No activity may substantially disrupt the movement of those species which normally migrate through the area, unless the activities primary purpose is to impound water.
5. *Equipment.* Heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbances.
6. *Tree Removal.* An inventory of all affected trees shall be supplied for review by the Nation prior to commencement of work. Tree replacement may be required at a 2:1 ratio.
7. *Suitable material.* No discharge of dredged or fill material may consist of unsuitable material (e.g. trash, debris, car bodies, etc.) and materials discharged must be free from toxic pollutants in toxic amounts.
8. *Mitigation.* Discharges of dredged or fill material into waters of the Seneca Nation must be minimized to the maximum extent practicable at the project site (i.e. on-site), unless the SNI Council has approved a compensation mitigation plan for the specific regulated activity.
9. *Spawning areas.* Discharges into spawning areas during spawning seasons must be avoided to the maximum extent practicable.
10. *Obstruction of high flows.* To the maximum extent practicable, discharges must not permanently restrict or impede the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters).
11. *Adverse impacts from impoundments.* If the discharge creates an impoundment of water, adverse impacts on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.
12. *Removal of temporary fills.* Any temporary fills must be removed in their entirety and the affected area returned to their preexisting elevation and vegetation must be re-established.

13. *Discharge of materials.* This permit does not authorize the discharge of dredged or fill materials into any waterway for the purpose of creating temporary structures that include but are not limited to groins, work pads, lay-down areas, and access roads.
14. *Excess fill materials.* Any excess fill material shall be disposed of at an upland site well removed from a waterway and the adjacent wetland, and shall be adequately to preclude re-entry into these waters.
15. *Responsibility.* The lead agency is responsible for ensuring that the contractor and / or workers executing the activity(s) authorized by this permit have knowledge of the terms and conditions of the authorization and that a copy of the permit document is at the project site throughout the period the work is underway.
16. *Tree disposal.* The disposal of trees, brush and other debris in any stream corridor, wetland or surface water is prohibited.
17. *Debris.* Every effort shall be made to keep construction debris from entering the waterway or wetland, and shall be removed immediately should any such debris be present in the waterway or wetland.
18. *Discharge material.* Any discharge of dredged or fill material shall consist of suitable material free from toxic pollutants in toxic amounts.
19. *Erosion and sediment control.* All erosion and sediment control practices shall be in place prior to any grading or filling operations and installation of proposed structures or fills. They shall remain in place until construction is completed and the area is stabilized.
20. *Erosion prevention.* As soon as possible following construction all exposed banks and slopes shall be seeded and mulched to prevent erosion.

#### **TEMPORARY SOIL EROSION AND SEDIMENT CONTROL**

21. All erosions and sediment control devices shall be placed prior to starting earthwork operations.
22. Temporary soil erosion and sediment control devices shall be checked and repaired as necessary, on a weekly basis and after each storm event. Periodic cleaning of the soil erosion and sediment control devices shall be necessary. Sediment deposits shall be removed from behind silt fences whenever more than 6 inches (150mm) of material has accumulated or if the fence has been breached or is bulging. Sediment traps and check dams shall be checked after each storm event and cleaned out if sediment deposits exceed 6 inches (150mm) or if one-half the design capacity has been exceeded, whichever is less.
23. Any disturbed areas that shall be left exposed more than 14 days, and are not subject to construction traffic shall immediately receive temporary seeding.
24. Any graded areas not subject to further disturbance or construction traffic shall within 14 days of final grading receive permanent vegetative cover.
25. All storm drainage outlets shall be stabilized before the discharge points become operational.

26. The site shall at all times be graded and maintained such that all storm water runoff is diverted to soil erosion and sediment control facilities.
27. Storm water from disturbed areas must be passed through a straw bale dike, sediment trap, or siltation fence before discharge beyond disturbed areas or into inlets of other drainage systems.
28. All stream channel work shall be limited to within the designated right-of-way; easement, approved temporary easements limits, or as described in approved Seneca Nation Consent and Release forms.
29. During construction, no wet or fresh concrete or leachate shall be allowed to escape to any waters nor shall washing from concrete trucks, mixers, or other devices be allowed to enter any waters.
30. All dredged and excavated material shall be disposed of on any upland site and be suitably stabilized so that it cannot reasonably re-enter any water body.
31. In the event de-watering operation becomes necessary a settling basin will be required unless the pump discharge is clear and free of sediment as the flowing stream.
32. Heavy equipment shall not be driven in the water.
33. The locations of erosion and sediment control measures may require field adjustments depending on the sequence of construction activities, construction methods, and / or actual field conditions. The Seneca Nation shall be immediately notified of any significant field changes to the erosion and sediment control measures indicated in the application.