

# APPLICANT GUIDE



## 408 Decision Process

In order to construct any project within the boundary of the federal levee right-of-way, an applicant must obtain authorization pursuant to Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408 (commonly referred to as "Section 408"). Section 408 authorizes the U.S. Army Corps of Engineers (USACE) to grant such permission if the proposed project does not pose a risk to the public interest and will not impair the usefulness of the federally authorized project. Applicants must coordinate with the local sponsor (CDID#1) to first request an Alteration Determination followed by a Section 408 Review, unless a 408 is determined not applicable.

### What's an Alteration Determination?

An Alteration Determination is a decision from the USACE about whether or not a proposed project has the potential to impact, alter or impair the federal levee. Impacts can be positive or negative and include projects which may improve the levee or benefit its usefulness on a temporary or permanent basis. The extent of a 408 Review generally coincides with the limits of the federal right-of-way but can extend beyond the levee limits depending on the nature of the project.

### What's a Statement of No Objection?

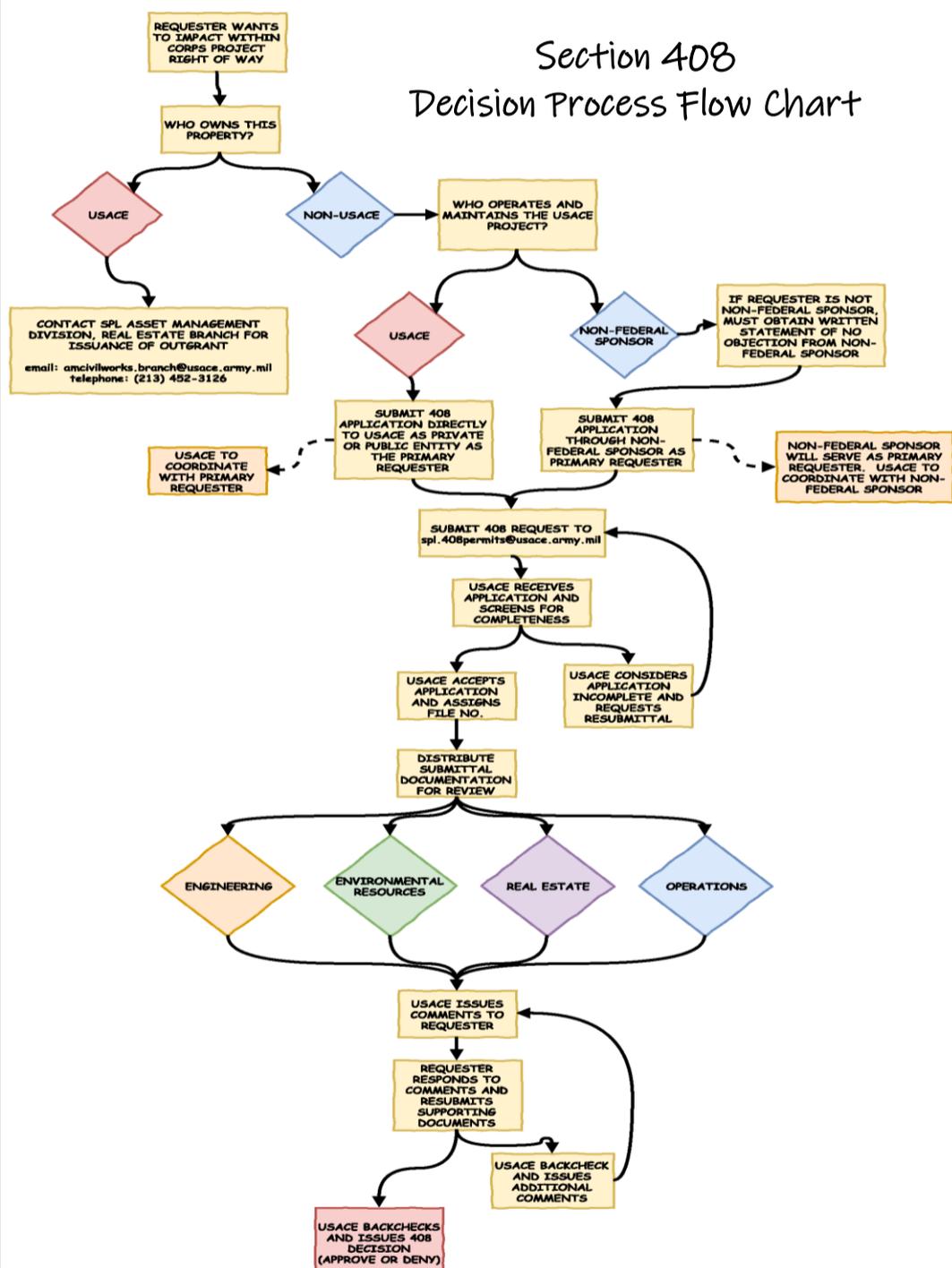
Before the USACE can begin a Section 408 Review, a Statement of No Objection must be issued by the local non-federal sponsor (CDID#1). This letter requires approval from the CDID#1 Board of Supervisors and does not constitute project approval. It authorizes the USACE to conduct an evaluation of the proposed project pursuant to Section 14 of the Rivers and Harbors Act of 1899, codified by Title 33, Section 408 of the United States Code. CDID#1 reserves the right to provide input, comment, revise, amend or reject a project throughout the review process up to and including final project authorization. Project approval from the USACE does not eliminate the need to still obtain other local and state permits.

### How do I apply?

You can apply online at [www.cdidi1.org](http://www.cdidi1.org), email us with details about your project, or stop by our office to turn in a paper application. For a list of things we need to know about your project before we can get started, refer to the Applicant Guide for a Section 408 Pre-App. We're here to help!

### Who can I call for help?

Amy Blain, District Manager  
360.423.2493  
[amy.blain@cdid1.org](mailto:amy.blain@cdid1.org)  
CDID#1 Main Office location  
5350 Pacific Way, Longview WA 98632  
[www.cdidi1.org](http://www.cdidi1.org)



### How can I speed up the process?

Applicants can use a Contributed Funds Agreement to expedite the review process in one of two ways.

- 1156 agreements are fairly short, simple and available to anyone without public notice.
- 214 agreements are available to a non-federal entity or natural gas company and require a public purpose determination. For more information, go to:



[www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/](http://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/)