

Section 408 Statement of No Objection

See instructions on page 2 of this form

NAME OF CIVIL WORKS PROJECT – (i.e., levee or floodway system)

NAME OF LOCAL SPONSOR FOR THE CIVIL WORKS PROJECT

REQUESTER INFORMATION:

Name of Entity/Organization requesting Alteration

Address

Point of Contact for the requested Alteration (name and title)

City, State, Zip

Email

Phone

ALTERATION DESCRIPTION:

(Describe in the space above a summary of the proposed Alteration: including kind and type of construction; purpose intended; location both by levee stationing AND GPS geographic coordinates. Include means for access to Alteration site, proposed schedule for construction, sequence of construction,, etc. Use separate sheets if necessary, identifying each by reference herein. All plans and specifications associated with the Alteration must be included as part of the request package.)

Provided That:

Upon termination or expiration of this permission (whether by voluntary relinquishment by the requester, by revocation by the local sponsor or otherwise) the requester shall remove all structures, improvements, or appurtenances which may have been erected or constructed under this permission, and shall repair or replace any portion of the Levee System or right-of-way which may have been damaged by his/her operations (including grading and seeding, or sodding, if necessary), to the satisfaction of the local sponsor.

The structure or operation for which this permission is issued shall be maintained by the requester in such manner as shall not injure or damage the Levee System, or interfere with its operation and maintenance in accordance with regulations of the Secretary of the Army.

The structure or operation covered by this permission may be damaged, removed or destroyed by the local sponsor in time of flood emergency if such action is determined by the local sponsor to be necessary in order to preserve life or property or prevent damage or impairment to the use or safety of the Levee System, and the local sponsor shall not be liable to the requester for such damage or destruction.

Unless otherwise specifically provided herein, this permission may be cancelled at any time by the local sponsor upon 10 days written notice mailed to the address shown above. During such 10-day period, (or such other period as may be provided herein), the requester will be permitted to remove any property or improvements installed under this permission, and to repair or replace any damage to the Levee System right-of-way or structures resulting from his/her use or operations. At the end of such period, the local sponsor shall have the right to possess and dispose of any such property or improvements remaining upon its right-of-way, and may proceed to repair or replace any such damage, and the requester herein shall be liable to the local sponsor for the full cost of such repairs or replacements.

The construction, installation and maintenance of the structure or structures covered by this permission shall be subject to inspection by representatives of the local sponsor and the U.S. Army Corps of Engineers (USACE) at all reasonable times. In the event the work covered by this permission consists of or includes major construction, the cost of inspection thereof by the local sponsor and/or the USACE may be required to be paid by the requester.

Requester agrees that it will not use the area or facilities covered by this permission for any purpose other than is specifically covered by this permission.

Special Conditions, if applicable, are included in the attached USACE approval letter.

THIS ALTERATION PERMISSION SHALL NOT BE VALID UNTIL APPROVED BY THE LOUISVILLE DISTRICT LEVEE SAFETY OFFICER (LSO), U.S. ARMY CORPS OF ENGINEERS. THE REQUESTER IS RESPONSIBLE FOR OBTAINING SECTION 10/404/103 PERMISSIONS THROUGH LOUISVILLE DISTRICT'S REGULATORY DIVISION, AS NECESSARY.

LOCAL SPONSOR AND REQUESTER SIGNATURES:

Authorized Representative of Local Sponsor
[please print or type name and title]

Signature of Local Sponsor

Title

Date

Terms of this Alteration permission are hereby accepted.

Authorized Representative of Requester
[please print or type name and title]

Signature of Requester responsible for O&M
of Alteration

Title

Date

USACE APPROVAL:

John R. Bock, P.E.
Chief, Engineering Division and
Levee Safety Officer

U.S. Army Corps of Engineers
600 Dr. Martin Luther King Jr. Place
Louisville, Kentucky 40202

Date

For Louisville District Only: **Alteration #** _____

Instructions for Section 408 Statement of No Objection

NAME OF THE CIVIL WORKS PROJECT – Provide the name of the Civil Works Project (i.e., levee/floodwall system, dam system, hydropower facilities, or navigation) to be altered by this alteration.

NAME OF THE LOCAL SPONSOR FOR THE CIVIL WORKS PROJECT – Provide the name of the Local Sponsor who must be in agreement with this alteration request prior to forwarding to USACE for technical review. The Local Sponsor is the non-federal government organization responsible for operating and maintaining a levee/floodwall system and must authorize the alteration.

REQUESTER INFORMATION - Provide the name of the entity, organization or company requesting the alteration to the USACE Civil Works Project (i.e, levee/floodwall system). Information must also include the address, a point of contact (POC) for the requested alteration with name and title. The POC must also include an email and phone if the USACE has any questions regarding the alteration request. The entity, organization, or company listed as the Requester will be responsible for the operation and maintenance of the alteration. The engineering design firm or consultant preparing the plans and specifications for the alteration is **NOT** the Requester. A request for Section 408 permission can originate from a Local Sponsor or an independent requester.

ALTERATION DESCRIPTION – Provide a brief description of the proposed Alteration to include the work which will be accomplished in relation to the existing USACE Civil Works Project. Identify the location of the alteration which **MUST** include the existing stationing as shown on as-built drawings and geographic (GPS) coordinates of the site. **Do not write “See Attached”**; Application will be returned and the Alteration review may be delayed. See Part 2 for required submittal materials. Special Conditions which may apply to this Alteration will be stated in the USACE approval letter.

LOCAL SPONSOR AND REQUESTER SIGNATURES –

Authorized Representative of the Local Sponsor - Provide the name, title, and signature/date of the Local Sponsor or an authorized representative. This is commonly signed by a Levee Commissioner, City Engineer, Public Works Director, or Mayor. Signature from the Local Sponsor indicates approval of the proposed alteration.

Authorized Representative of Requester – Provide the name, title, and signature/date of the individual or authorized representative of the entity, organization, or company who will be responsible for the proposed alteration and all associated communication. The entity, organization, or company will be responsible for the operation and maintenance of the alteration. The engineering design firm or consultant preparing the plans and specifications for the alteration is **NOT** the Requester.

USACE APPROVAL – Form must be properly filled out prior to USACE technical review and must include the submittals necessary for the USACE to perform an evaluation of the proposed alteration. The Louisville District Levee Safety Officer (LSO) will approve once the technical evaluation has been completed and all issues have been resolved. Any unauthorized revisions to the alteration submittal package after approval by the LSO voids the approval of the Alteration.



Feel free to contact the Louisville District Levee Safety Section or the Section 408 Coordinator if you have any questions regarding these requirements.