



# **Environmental Permitting**

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**ECORP Consulting, Inc.**  
ENVIRONMENTAL CONSULTANTS

# Federal Energy Regulatory Commission Licensing Support



Under the Federal Power Act, the Federal Energy Regulatory Commission (FERC) has the exclusive authority to license non-federal hydropower projects on navigable waterways and federal lands with review of state and federal agencies. Building and operating hydropower projects can affect the natural environment and result in changes to land use, which may be of concern to local citizens and non-governmental organizations.

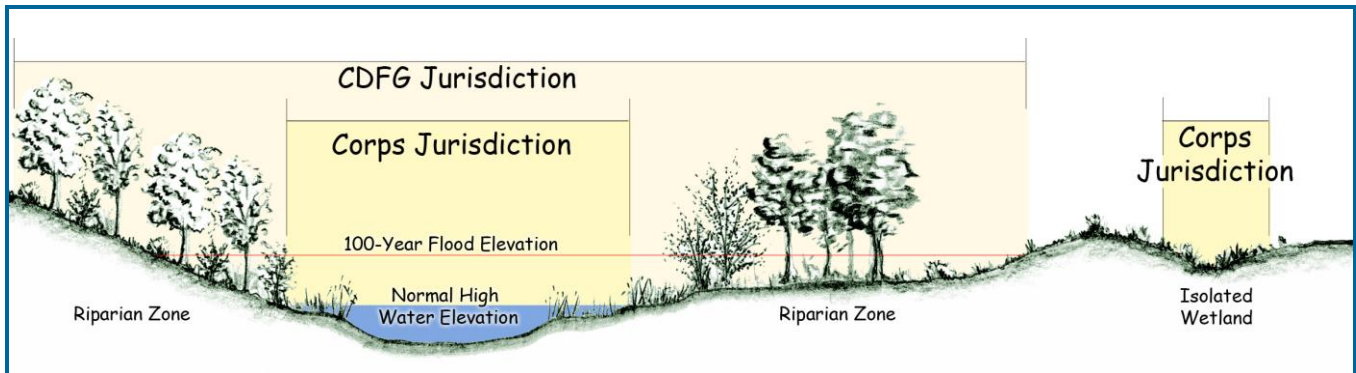
On July 23, 2003, FERC issued a Final Rule to revise its regulations pertaining to hydroelectric licensing under the Federal Power Act. Effective October 23, 2003, the revisions would create a new licensing process, the Integrated Licensing Process (ILP). ECORP is proficient at FERC licensing and relicensing, using ILP, Alternative Licensing Process (ALP), and Traditional Licensing Process (TLP). ECORP has conducted several FERC licensing and relicensing efforts, often leading the collaborative effort, and providing technical support for required study elements.

## Listed below are the elements, required by the ILP:

- Geology and soils
- Water resources
- Fish and aquatic resources
- Wildlife and botanical resources
- Wetlands, riparian and littoral habitat
- Rare, threatened and endangered species
- Recreation and land use
- Aesthetic resources
- Cultural resources
- Socioeconomic resources
- Tribal resources
- River basin description
- Dispute resolution (computer-aided)



## Federal Permits



ECORP frequently prepares applications for and negotiates the issuance of federal permits on our client's behalf. We have extensive experience with the U.S. Army Corps of Engineers through obtaining Clean Water Act, Section 404, Nationwide Permit authorizations, Letters of Permission, and Individual Permits. We also author Clean Water Act, Section 404(b)(1) alternatives analyses, as required by the U.S. Environmental Protection Agency. Our staff are experienced with preparing Biological Assessments and Habitat Conservation Plans used to support the Federal Endangered Species Act Section 7 (Biological Opinion) and Section 10 (Take Authorization) consultations with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. We also provide support to these agencies as they prepare the NEPA document associated with the permit issuance.

### U.S. Army Corps of Engineers

- Clean Water Act
  - Section 404 Nationwide and Individual Permits
- Rivers and Harbors Act
  - Section 10 Permits

### U.S. Environmental Protection Agency

- Clean Water Act
  - Section 404(b)(1) Alternatives Analysis
- National Environmental Policy Act (NEPA)
  - Environmental Assessments (EA)
  - Environmental Impact Statements (EIS)

### U.S. Fish and Wildlife Service

- Endangered Species Act
  - Section 7 Consultations for Biological Opinions
  - Section 10 Habitat Conservation Plans

### National Marine Fisheries Service

- Endangered Species Act
  - Section 7 Consultation for Biological Opinions

### Advisory Council on Historic Preservation

- National Historic Preservation Act
  - Section 106 Determinations
- Archaeological Resource Protection Act
- Native American Graves Protection and Repatriation Act



## State Permits



ECORP assists our clients through preparation of applications for state permits including those required by the California Endangered Species Act, California Department of Fish and Wildlife Code, Section 1600, Section 401 of the Clean Water Act, and the Porter-Cologne Act (State/Regional Water Quality Control Board Water Quality Certifications/Waste Discharge Permits). Additionally, ECORP staffs a stormwater group that provides resources for clients needing assistance with NPDES permitting and SWPPP preparation.

### State of California

- California Environmental Quality Act (CEQA)
  - Negative Declarations (ND)
  - Environmental Impact Reports (EIR)
- State Historic Preservation Officer Determinations

### California Department of Fish and Wildlife

- Lake and Streambed Alteration Agreements
  - Section 1600 Permits
- California Endangered Species Act

### Regional Water Quality Control Board

- Clean Water Act Water Quality Certification
  - Section 401 Certifications
  - Section 402 National Pollutant Discharge Elimination System (NPDES) Permitting
  - Storm Water Pollution Prevention Plans
- Porter-Cologne Act
  - Waste Discharge Permits

### California Reclamation Board

- Encroachment Permits

### California Coastal Commission

- California Coastal Act
  - Local Coast Program (LCP)



## Local Entitlements



ECORP provides project support during the local entitlement process. On a regular basis, ECORP advises landowners on the anticipated regulatory steps required for processing their holdings and achieving the right to develop a property for a particular use. For this purpose, ECORP conducts a due diligence assessment for biological, cultural, and other resources. These types of studies function as an “early warning system” for landowners which can then guide them as to which resource-based studies and federal and state permits are needed during the local entitlement process. The end result of the entitlement process is typically the preparation of the associated CEQA document and issuance of a grading and/or development permit.

### Services Provided

- Biological and cultural resources constraints analysis
- Public database search for biological resources
- Jurisdictional wetland delineation
- Focused surveys for plant and animal species
- Tree inventories and assessments
- Cultural resource studies and records searches
- Mitigation planning and agency negotiation
- Project impact analysis
- CEQA document preparation (including technical appendices)
- Public participation and meetings
- Resource agency consultation and agency meetings
- Regulatory permit applications for wetlands
- Endangered species permitting



# Storm Water Quality Management



ECORP offers a wide range of storm water quality management expertise to both the private and public sectors for development projects (construction and post-construction), and industrial facilities. Our water quality staff approach each project with site-specific and cost-effective techniques to minimize storm water pollution, and comply with state, federal, and local regulations.

## Services Provided

- Qualified SWPPP Developers (QSD)
  - Site specific Storm Water Pollution Prevention Plans (SWPPPs)
  - Selection of appropriate and cost-effective Best Management Practices (BMPs)
  - SWPPP Plan Amendments
  - Stormwater Multiple Application and Report Tracking System (SMARTS) Notice of Intent (NOI) preparation
  - Risk calculations
- Qualified SWPPP Practitioners (QSP)
  - Linear Underground/overhead Projects (LUP) and traditional construction site monitoring and reporting
  - Rain Event Action Plan (REAP)
  - Water quality monitoring, sampling, analysis, and reporting
- Storm water consultation/National Pollutant Discharge Elimination System (NPDES) technical assistance
  - SMARTs Technical Assistance
  - Change of Information (COI)
  - Notice of Termination (NOT)
  - On-call site assessment
  - Agency liaison and response to agency enforcement actions
- Storm water pollution prevention training and tailboards
  - Key concepts of erosion and sediment control
  - Storm water regulation
  - BMP technology, proper installation, and maintenance and monitoring
  - Preconstruction environmental awareness training for sensitive species and habitats
- Industrial monitoring and reporting
  - Site inspections and water quality monitoring
  - Annual report preparation

