Huntington Stormwater Utility

Floodwall Encroachment

Authorized by Huntington City Code
Article 955

Revised May 2025

Floodwall Encroachment Permit Requirements

The Huntington Stormwater Utility operates and maintains Huntington's Floodwall & Levee system in accordance with federal rules established by the US Army Corps of Engineers and FEMA. All encroachment over, under or through the floodwall and levee system must be approved by the Huntington Stormwater Utility and in some cases, the U.S. Army Corps of Engineers.

Article 955.03 - PERMISSION TO CONSTRUCT STRUCTURES OR PERFORM OTHER ACTIVITIES ON LAND OR RIGHTS-OF-WAY.

(a) Upon the submission of written application and any documents and drawings deemed necessary to the Huntington Stormwater Utility, any person may request permission to place or construct structures, utility crossings, or to perform other activities on the lands or rights-of-way acquired by the City of Huntington or Huntington Stormwater Utility for flood walls. Thereafter, the Huntington Stormwater Utility will then consider whether the submission warrants further investigation and preliminary approval. If initial analysis indicates the possibility of approval of the proposed use, the Huntington Stormwater Utility shall require the submission of an application for encroachment on the floodwall and/or right-of-way. Once the application is deemed complete, the proposal will either be approved for further processing or negotiations will take place to determine the method for the installation of the use that best suits the interests of the Huntington Stormwater Utility. Upon preliminary agreement of the parties, the matter must then be submitted by the applicant, and at the applicant's expense, to the United States Army Corps of Engineers. Further, upon preliminary approval and agreement on the plans, the Huntington Stormwater Utility will submit a letter of "no objection" to the Corps of Engineers. If the Corps of Engineers approves the application as submitted and issues a permit, the applicant may proceed under the specific terms set forth in the application and permit. If the Corps approves an application subject to any amendments to the plan, the project may not go forward until the Huntington Stormwater Utility reviews that project application as amended and issues a letter of "no objection." If there is objection to the amended application, the project may not proceed despite any approval and permit of the Corps of Engineers.

(b) All costs and expenses of the Huntington Stormwater Utility incidental to the installation or engineering review or to perform other activities on Floodwall right-of-way, shall be borne by the owner(s) of the private installation or activity. The amount of, and the terms of payment for these costs and expenses shall be determined by the Huntington Stormwater Utility for such structure or activity and submitted to the applicant. The project may not proceed until the costs of the Huntington Stormwater Utility are reimbursed.

(c) With the application, a permit fee of $1,500 shall be paid to the Huntington Stormwater Utility. The application fee is not refundable.

(d) On a yearly basis a right-of-way service fee of $1,000 shall be charged in addition to any other fees and shall be due on January 1 of each year. The fee is to be paid to the Huntington Stormwater Utility for each structure or activity maintained under this article.

The list below is to assist the applicant in providing the necessary information for an encroachment permit from the Huntington Stormwater Utility.

<u>Narrative Report</u>

1. A cover sheet that includes owner, developer and engineer's name, address, phone number and email addresses.
2. Brief description of the project.

3. The narrative must include a statement of who will **be responsible** for maintenance of the proposed encroachment structures.
4. Note: As-built drawings are required once construction is completed.
5. Projects with an easement must include a copy of the easement.
6. Payment of $1,500.00 application fee.

Drawings

7. A cover sheet with the owner's name and contact information.
8. A map that details the location. (Show nearby streets for cross reference)
9. A drawing sheet that depicts the encroachment, pipe, or structures onto or over the floodwall with an appropriate legend.
10. Clearly marked elevations.
11. Plan view and profile view of proposed structures.
12. Description of materials used in proposed structures.
13. Description of sediment and erosion control measures if necessary.
14. Location of other utilities, storm sewers, sanitary sewer lines, and catch basins that may be impacted.
15. A description of maintenance for the proposed structures.
16. All drawings, calculations, and narrative must be sealed by a WV Registered Professional Engineer.

A PDF file of the narrative and plans with (full size) drawings are to be provided (can be sent via email) to the Huntington Stormwater Utility. Paper copies are not required until the final revised plan is approved. At that time plans and drawings must be folded to fit into an 8"x11" folder.

DO NOT SEND PLANS ROLLED IN A TUBE.

If you have any questions, please contact the Stormwater Utility office at 304-781-1952.

Please make checks payable to **Huntington Stormwater Utility.**

Please mail your check and application to the following address:
Huntington Stormwater Utility
P.O. Box 7578
Huntington, WV 25777
Attn: Director

Huntington Stormwater Utility

Application for Floodwall & Levee Encroachment

Note: The application form and supporting documentation must be completed in its entirety or it will be returned, and the project review may be delayed. The omission of required items may be cause for rejection or delay in the review of this submittal.

Applications, plans, drawings and calculations must be emailed in PDF format to: sherry.wilkins@huntingtonswu.com. Permit Fees can be mailed to the Huntington Stormwater Utility, PO Box 7578, Huntington, WV 25777-1931, Attn: Director. Or, hand-delivered to our offices located at 555 7th Avenue, Huntington, WV 25701. Reviews will start upon receipt of a completed application and payment of permit fees.

Project Contact	
Name:	
Address:	
Phone:	Fax:
Email:	

Project Information	
Project Name:	
Address:	
County Tax Map Number:	Parcel ID Number:
Latitude:	Longitude:
Deed Book and Page Number - Book:	Page:
Do you have an easement for the project?	
Does this project require Section 408 approval from the US Army Corps of Engineers?	

Floodwall Encroachment Application Checklist Items

All items shall be initialed by the owner or the design engineer as included or marked as N/A. If an item is marked as N/A, provide an explanation.

Narrative Description
Provide a brief description of the project. Narrative can be provided in the space below or included as an attachment to this application.

Initial below	Existing Site Conditions
	Existing and proposed contours, streets, and rights of way.
	Existing utilities, sanitary sewers, and storm drainage structures and facilities that may be impacted.
	Proposed Site Plan
	Location of proposed structures on Floodwall right of way.
	Profiles of all proposed encroachments; including percent grade, pipe diameters, material, lengths, and elevations.
	Locations, details, and standard drawings for encroachments.
	If you have an easement for the project, please provide a copy.
	Maintenance
	Required maintenance? Indicate who will be responsible for each maintenance task.

Right of Entry

I, the undersigned, hereby grant the Huntington Stormwater Utility the right to enter my property for the purpose of pre-permit site visits, inspections and monitoring for compliance.

I, the undersigned, certify that I fully understand the provisions of the Huntington Stormwater Utility Stormwater Ordinances (Article 955) and will construct and maintain all approved encroachment structures in accordance with applicable Ordinances and permits.

I will provide as-built drawings within 60 days of completion of this project.

_____ _____

Project Owner Signature Date

_____

Print Name

Please do <u>not</u> provide plans that are rolled up. Plans should be folded to fit into an 8” x 10” file folder.

Permit fee - $1,500.00.
Yearly Right of Way service fee - $1,000.00

Checks are to be made payable to ***Huntington Stormwater Utility***

Mailed to:
Huntington Stormwater Utility
P.O. Box 7578
Huntington, WV 25777
Attn: Director