



**SUBJECT: FREEDOM OF INFORMATION ACT REQUEST**

**TO:**

US Army Engineer District, Sacramento  
Office of Counsel USACE - Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

**VIA ELECTRONIC MAIL**

**Phone number:** 916-557-7204

**E-mail address:** [FOIA-SPK@usace.army.mil](mailto:FOIA-SPK@usace.army.mil)

**FROM:**

**Company:** Wood Rodgers, Inc.

**ATTENTION:** Leslie M. Burnside, Associate

**Mailing address:** 1361 Corporate Blvd  
Reno, Nevada 89502

**Phone number:** 775-721-5412

**E-mail address:** [lburnside@woodrodgers.com](mailto:lburnside@woodrodgers.com)

**Date:** March 31, 2022

Pursuant to the Freedom of Information Act (FOIA) 5 U.S.C. 552, we are requesting federal government records relating to Determinations of Jurisdiction AND Permits that have been issued within the area of interest that are under your agency's jurisdiction.

**Our request is focused on the area described below**

Portions of Section 35, 36, 1, 212 and 11, Township 19 North, Range 18 East, and portions of Sections 31, 6, 7, and 18, Township 19 North, Range 19 East.

Please see the attached Vicinity Map for reference.

We are cognizant that processing fees for FOIA requests include professional search and review at \$44.00 per hour (billable on the ¼ hour) and clerical search and review time is \$20.00 per hour with reproduction costs at \$0.15 per page for standard copies and \$1.00 each for oversized and colored copies. Wood Rodgers, Inc. is willing to pay all applicable processing fees.

I look forward to receiving the requested documents within twenty (20) working days as required by statute.

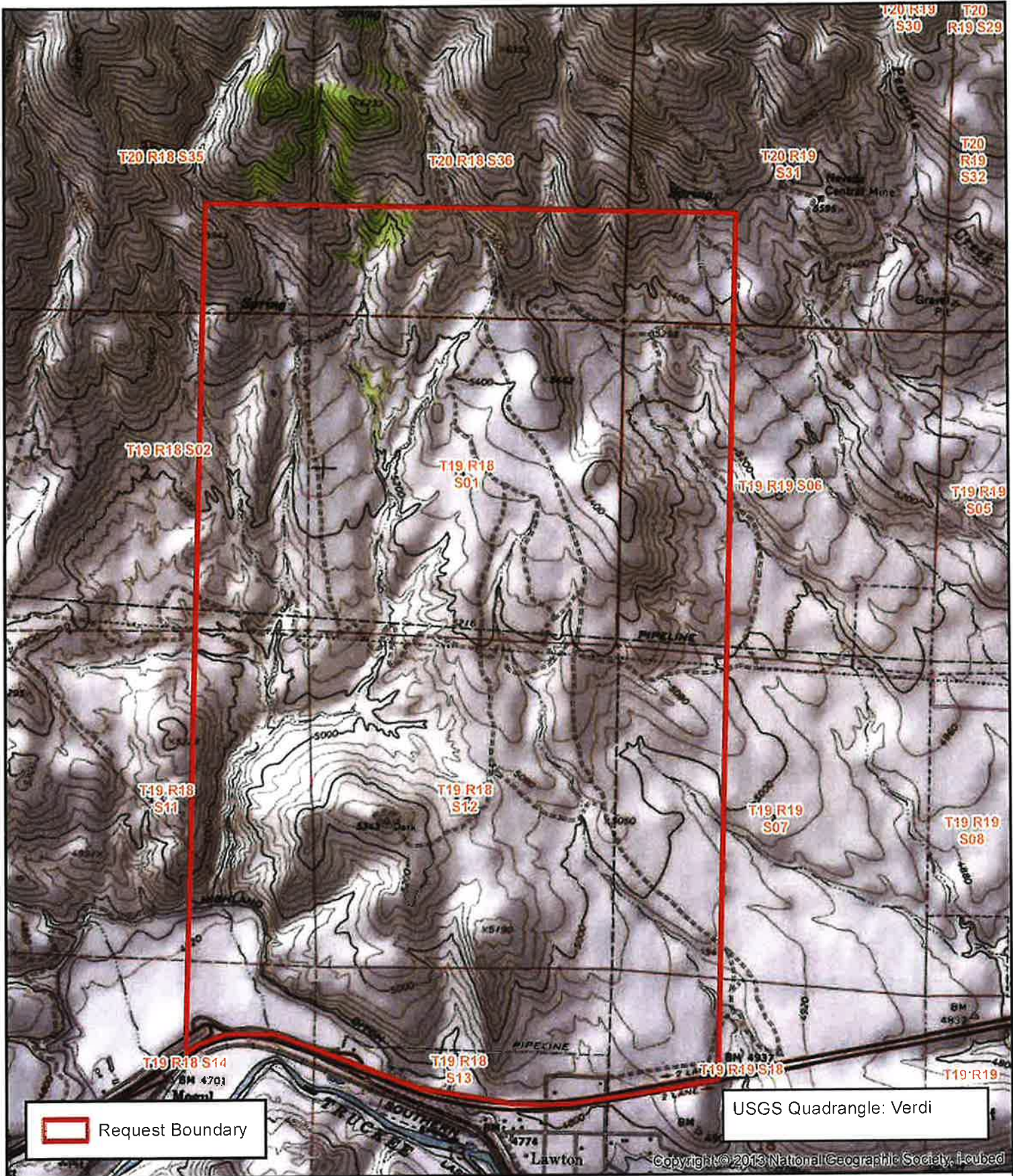
Thank you for your assistance.

Sincerely,

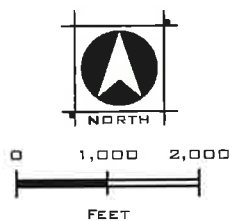
**WOOD RODGERS, INC.**

Leslie M. Burnside, Associate  
Environmental Program Manager





USGS QUADRANGLE  
VENTANA RIDGE  
RENO, NV  
JANUARY, 2018  
NOTES



**PRELIMINARY**



**WOOD RODGERS**  
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME  
1361 Corporate Boulevard  
Reno, NV 89502  
Tel: 775.823.4068  
Fax: 775.823.4066





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT**  
1325 J STREET  
SACRAMENTO CA 95814-2922  
May 9, 2022

Office of Counsel

SUBJECT: Freedom of Information Act Request No. FA-22-0089; Records Related to Determinations of Jurisdiction and Permits Issued by USACE Regarding Portions of Section 35, 36, 1, 212, and 11, Township 19 North, Range 18 East and Portions of Sections 31, 6, 7, and 18, Township 19 North, Range 19 East

Mr. Leslie M. Burnside  
Wood Rodgers, Inc.  
3301 C Street, Bldg. 100-B  
Sacramento, California 95816

Dear Mr. Burnside:

On March 31, 2022, our office received your Freedom of Information Act (FOIA) request for records related to Determinations of Jurisdiction and permits issued by USACE regarding portions of Section 35, 36, 1, 212, and 11, Township 19 North, Range 18 East and Portions of Sections 31, 6, 7, and 18, Township 19 North, Range 19 East.

For the purpose of assessing fees, I have classified you as a commercial requester under 32 C.F.R. § 518.85(b)(2)(i). The charge for providing the requested information is as follows:

Professional Search and Review; 3 hrs. @ \$44 per hour      \$132

Ms. Andrea Vaiasicca emailed you a payment request on April 28, 2022 and suspended further processing until we received confirmation of your payment. We received confirmation of your payment through <https://pay.gov> on May 5, 2022. Thank you.

As requested, a redacted copy of records related to Determinations of Jurisdiction and permits issued by USACE regarding portions of Section 35, 36, 1, 212, and 11, Township 19 North, Range 18 East and Portions of Sections 31, 6, 7, and 18, Township 19 North, Range 19 East is enclosed.

Although the bulk of the requested information has been provided. The correspondences containing information of historic inventories and location have been withheld in full pursuant to 5 U.S.C. 552(b)(3), generally known as "Exemption 3" of the FOIA. Exemption 3 incorporates the disclosure prohibitions referenced in other Federal statutes into the FOIA. The aforementioned information is protected in accordance with the non-disclosure clauses of the National Historic Preservation Act (16 USC 470w-3).



Also, names of Department of Defense (DoD) employees contained in the headers of e-mails and other similar lists of names within the records have been redacted pursuant to 5 U.S.C. § 552 (b)(6) of the Freedom of Information Act. In response to the terrorist attacks on the United States in the fall of 2001, DoD revised its policies which implement the Freedom of Information Act. At that time, the decision was made to withhold lists of names of all DoD employees. The court upheld this policy decision stating, "The privacy interest protected by exemption six of the Freedom of Information Act encompasses not only the addresses, but also the names of federal employees." See Judicial Watch, Inc. v. United States, 84 Fed. Appx. 335 (4th Cir. (2004)).

Because your request has been partially denied, you are advised of your right to appeal this determination through this office to the Secretary of the Army (ATTN: General Counsel). Your appeal must be postmarked or electronically transmitted within 90 days of the date of this letter. The envelope containing the appeal should bear the notation "Freedom of Information Act Appeal" and should be sent to U.S. Army Corps of Engineers, Sacramento District, ATTN: CESPCK-OC, 1325 J Street, Room 1440, Sacramento, California 95814.

For any further assistance or to discuss any aspect of your request, you have the right to contact the U.S. Army Corps of Engineers FOIA Public Liaison. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about FOIA mediation services they offer. Contact Information:

U.S. Army Corps of Engineers  
FOIA Public Liaison  
441 G. Street, NW  
ATTN: CECC-L (Emily Green)  
Washington, DC 20314-1000  
Email: [foia-liaison@usace.army.mil](mailto:foia-liaison@usace.army.mil)  
Phone: 202-761-4791

Office of Government Information Services  
National Archives and records Administration  
8601 Adelphi Road-OGIS  
College Park, MD 20740-6001  
E-Mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Phone: 202-741-5770 or  
Toll Free: 877-684-6448

If you have any questions regarding the provided information, please contact Ms. Andrea Vaiasicca, FOIA Specialist, at the above letterhead address or by calling (916) 557-7204.

Sincerely,



A. L. Faustino  
Initial Denial Authority  
District Counsel

Enclosures



November 20, 2001

Regulatory Branch (200125089)(FNW43)

Craig Dutton  
Baily & Dutton  
1641 Glen Oaks Drive  
Reno, Nevada 89513

Dear Mr. Dutton:

I am responding to your request concerning a Department of the Army permit for your proposed project, Northgate Unit 12, located within a portion of Sections 1, 12, and 13, Township 19 North, Range 18 East in Reno, Washoe County, Nevada.

You have proposed to extend the existing Beaumont Parkway 18" storm drain collector. This collector will be incorporated into the on-site drain facilities of Northgate Unit 12. The storm drain facilities will accept and convey 100% of the 5 and 100 year peak flows generated by the proposed development. The total permanent area of impact is 0.07 acres.

The Chief of Engineers has issued Nationwide Permit Number 39 that allows for the placement of dredged or fill material in waters of the United States for Residential, Commercial, and Institutional Developments. Your project may be constructed under this authority provided the work meets the conditions listed on the enclosed information sheets and the following Special Conditions:

1. You must utilize Best Management Practices throughout construction to control erosion and siltation. Straw Bales or Straw Mulch used must be certified as weed free.
2. Construction shall occur outside the avian breeding season. If this is not feasible, a qualified biologist shall survey the area prior to construction. If active nests are located, or if other evidence of nesting is observed, a protective buffer should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active. We recommend you contact the U.S. Fish and Wildlife Service at (775)861-6300, to determine if your project is to take place during the avian breeding season.



Upon completion of the work authorized by this permit, please sign and return the enclosed compliance certification as required by General Condition 14 of the nationwide permits.

This verification will be valid for a period of two years from the date of this letter. You should contact this office if work will extend beyond this date. This nationwide permit is scheduled to be modified, reissued, or revoked prior to February 11, 2002. It is incumbent upon you to remain informed of changes to the nationwide permits.

If you have any questions, please write to (b) (6) at our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, or telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

**ORIGINAL SIGNED**

(b) (6)

Chief, Central California/Nevada  
Section

(b) (6)

Enclosure

Copies Furnished: w/o Enclosure(s)

Nevada Division of Environmental Protection, Bureau of Water Quality Planning,  
333 West Nye Lane, Carson City, Nevada 89706

L....I.....R.

November 22, 1989

Regulatory Section (8900124)

Mr. Joe W. Howard, Senior Vice President  
SEA Incorporated  
950 Industrial Way  
Sparks, Nevada 89431

Dear Mr. Howard:

This concerns Washoe County Utility Division's proposal to construct a sewer interceptor in the Truckee River. The project would be located within Section 18, Township 19 North, Range 19 East, M.D.B. & M., at river mile (70.2).

The Chief of Engineers has issued a nationwide permit that allows for the placement of dredged or fill material for backfill or bedding of utility lines, provided there is no change in pre-construction bottom contours (excess material must be removed to an upland disposal area), in waters of the United States. The Washoe County sewer interceptor can be constructed under this authority provided the work meets the conditions listed on the enclosed information sheet. This verification is valid for a period of two years from the date of this letter. You should contact this office if work will extend beyond this date.

The U.S. Fish and Wildlife Service states that the federally listed endangered cui ui and the threatened Lahontan cutthroat trout are found in the Truckee River. Your project will comply with special condition (3) on the enclosed information sheet if the following construction practices are observed to insure that your project will not jeopardize a threatened, endangered, or other aquatic species:

a) No construction activity may occur below the ordinary high water line of the Truckee River from October 1 through June 30 of each year.

b) Any temporary structures or cofferdams constructed in waters of the United States shall consist of precast concrete barriers.



No dredged or fill material may be stockpiled or discharged in the Truckee River for temporary structures.

c) During construction activities, excavated areas shall be isolated from the flowing waters of the Truckee River to prevent any contaminants or sediment from entering the waterway. Waters isolated from the flowing waters of the Truckee River within the

construction area (by cofferdams) shall be pumped off-site or retained in sedimentation ponds to reduce impacts to the waterway.

d) That all excavated areas shall be backfilled with clean river rock upon completion of the project to prevent erosion related impacts to the waterway.

e) That any riparian vegetation lost during construction activities shall be replaced in kind with native riparian vegetation.

If you have any questions, please write to (b) (6), Room 6524, or telephone (916)551-2268.

Sincerely,

(b) (6)

Chief, Regulatory Unit 2

Enclosure

Copies furnished: without enclosure

Mr. Leonard Crowe, Washoe County Department of Comprehensive Planning, 241 Ridge Street, Reno, Nevada 89501.

Mr. Larry Bogdon, Washoe County-Engineering, Post Office Box 111130, Reno, Nevada 89520.

Mr. Claude Hunter, Carson Truckee Conservancy District, Post Office Box 2047, Reno, Nevada 89502-2047.

Ms. Pamela Wilcox, Administrator, Nevada Division of State Lands,

505 East King Street, Carson City, Nevada 89710.  
Mr. Wendell McCurry, Nevada Division of Environmental  
Protection, 201 South Fall St., Carson City, Nevada 89710.  
Mr. Richard Navarre, Complex Manager, U.S. Fish and Wildlife  
Service, Great Basin Complex, 4600 Kietzke Lane, Building C,  
Reno, Nevada 89502.  
Mr. Phil Oshida (W-7-2), U.S. Environmental Protection Agency,  
Region IX, 215 Fremont Street, San Francisco, Ca. 94105  
Mr. Roy Leach, Nevada Department of Wildlife, Region I, 380 West  
B Street, Fallon, Nevada 89406.

CC:  
N&FCU  
Civ Des Sec (Cassidy)





February 23, 2000

Regulatory Branch (200025009)(PVC)

William Simons  
518 W. 2nd Street #1  
Reno, Nevada 89503-5311

Dear Mr. Simons:

I am writing to you concerning the unauthorized discharge of fill material and boulders into a "water of the United States". The unauthorized discharge occurred in the Truckee River, upstream of Mayberry Park Footbridge, on Assessor's Parcel Number 039-240-16, within a portion of Section 18, Township 19 North, and Range 19 East, M.D.B.&M, in Reno, Washoe County, NV.

An on site inspection of the project was conducted on January 31, 2000 by personnel from our office. We determined that boulders back filled with imported dirt had been deposited approximately five to eight feet from the bank into the Truckee River.

Section 404 of the Clean Water Act requires that a Department of the Army permit be obtained prior to the discharge of dredged or fill material into a water of the United States including wetlands. Since a Department of the Army permit has not been issued authorizing this discharge, the work is in violation of the Clean Water Act. We have enclosed an extract of the law for your reference.

You are hereby directed to cease and desist from any additional discharge of fill material into the Truckee River.

We are currently conducting an investigation to determine the impact of this work on the public interest and the course of action that should be taken. To ensure that all pertinent information is available for our evaluation and included in the public record, you are invited to provide any information which you feel should be considered. Your plans for utilization of this work and your evaluation of the need to retain this fill may be of particular significance in determining what actions are to be taken. Since the information provided will become a part of the public record, it may be presented in any court action that could result from this investigation. Any information you wish to provide should reach this office no later than March 2, 2000.

Please submit the information requested and direct any questions to our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

**ORIGINAL SIGNED**

(b) (6)

Chief, Regulatory Branch

(b) (6)

Enclosure

Copies Furnished without enclosure:

Jim Bushey, City of Reno, P.O. Box 1900, Reno, Nevada 89505-1900  
Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Suite 138, Carson City, Nevada 89706-0851  
Nevada Division of Environmental Protection, Bureau of Water Pollution Control, 333 West Nye Lane, Carson City, Nevada 89706-0851  
U.S. Fish and Wildlife Service, 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502  
U.S. Fish and Wildlife Service, Attention: Enforcement, 1340 Financial Boulevard, Reno, Nevada 89502-7147  
Nevada Division of Environmental Protection, Attention: Enforcement, 333 West Nye Lane, Carson City, Nevada 89706-0851  
Kathleen Dadey, U.S. Environmental Protection Agency, Wetlands Section WTR-8, 75 Hawthorne Street, San Francisco, California 94105-1846  
Kimball Corbridge, Washoe County, 1001 E. Ninth Street, P.O. Box 11130, Reno, Nevada 89520-0027  
Kim Tidsdale, Nevada Division of Wildlife, Western Region Office, 380 West B, Fallon, Nevada 89406-2915  
Ed Bittleston, Nevada Division of State Lands, 333 West Nye Lane, Carson City, Nevada 89706-0851

cc:

Nev Off

Reg Br



February 23, 2000

Regulatory Branch (200025009)(PVC)

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Sincerely,

(b) (6)

Chief, Regulatory Branch

Enclosure

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U.S. Fish and Wildlife Service, 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502  
U.S. Fish and Wildlife Service, Attention: Enforcement, 1340 Financial Boulevard, Reno, Nevada 89502-7147  
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Kathleen Dadey, U.S. Environmental Protection Agency, Wetlands Section WTR-8, 75 Hawthorne Street, San Francisco, California 94105-1846  
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Kim Tidsdale, Nevada Division of Wildlife, Western Region Office, 380 West B, Fallon, Nevada 89406-2915  
Ed Bittleston, Nevada Division of State Lands, 333 West Nye Lane, Carson City, Nevada 89706-0851

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Sincerely,

(b) (6)

Chief, Regulatory Branch

Enclosure

Copies Furnished without enclosure:

Jim Bushey, City of Reno, P.O. Box 1900, Reno, Nevada 89505-1900  
Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Suite 138, Carson City, Nevada 89706-0851  
Nevada Division of Environmental Protection, Bureau of Water Pollution Control, 333 West Nye Lane, Carson City, Nevada 89706-0851  
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Kim Tidsdale, Nevada Division of Wildlife, Western Region Office, 380 West B, Fallon, Nevada 89406-2915  
Ed Bittleston, Nevada Division of State Lands, 333 West Nye Lane, Carson City, Nevada 89706-0851

cc:

Nev Off

Reg Br

(b) (6)



C

WILLIAM SIMONS  
518 W 2ND STREET #1  
RENO NV 89503-5311

**Error!** 1

C

JIM BUSHEY  
CITY OF RENO  
PO BOX 1900  
RENO NV 89505-1900  
**Error! 2**

C

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATER QUALITY PLANNING  
333 WEST NYE LANE SUITE 138  
CARSON CITY NV 89706-0851  
**Error! 3**

C

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATER POLLUTION CONTROL  
333 WEST NYE LANE  
CARSON CITY NV 89706-0851

**Error!** 4



C

US FISH AND WILDLIFE SERVICE  
1340 FINANCIAL BOULEVARD SUITE 234  
RENO NV 89502

||\_\_|\_|\_|\_\_\_\_|\_|\_|\_|\_\_\_\_\_|\_|\_|\_|5

C

US FISH AND WILDLIFE SERVICE  
ATTENTION ENFORCEMENT  
1340 FINANCIAL BOULEVARD  
RENO NV 89502-7147  
**Error! 6**

C

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION  
ATTENTION ENFORCEMENT  
333 WEST NYE LANE  
CARSON CITY NV 89706-0851  
**Error! 7**

C

KIMBALL CORBRIDGE  
WASHOE COUNTY  
1001 E NINTH STREET  
PO BOX 11130  
RENO NV 89520-0027  
**Error! 8**



C

KIM TIDSDALE  
NEVADA DIVISION OF WILDLIFE  
WESTERN REGION OFFICE  
380 WEST B  
FALLON NV 89406-2915  
**Error! 9**

C

ED BITTLESTON  
NEVADA DIVISION OF STATE LANDS  
333 WEST NYE LANE  
CARSON CITY NV 89706-0851

**Error!** 10

March 20, 2000

Regulatory Branch (200025009)(FCN)

William and William Simons  
518 W. 2nd Street #1  
Reno, Nevada 89503

Dear Messrs. Simons:

This letter concerns the unauthorized discharge of fill material in the Truckee river at your property site. Your property is located adjacent to the Truckee River within a portion of Section 18, Township 19 North, Range 19 East, MDB&M, in Reno, Washoe County, Nevada.

On March 15, representatives from our Nevada Regulatory Office, Nevada Division of Environmental Protection, Nevada Division of State Lands, and U.S. Fish and Wildlife Service met with you to discuss voluntary restoration of the site to resolve this violation. We appreciate your continued cooperation and willingness to remove the unauthorized fill.

At this field meeting and our meeting on March 1, 2000, we described our concerns that the unauthorized placement of boulders and backfill material into the river below the "ordinary high water" will likely cause adverse changes to channel morphology of the Truckee River, including scouring of the opposite bank.

As we discussed, voluntary restoration and resolution of this violation will include;

1. All terms and conditions of your Rolling Stock permit issued by Nevada Division of Environmental Protection must be followed to insure that construction methods do not impair the water quality to the Truckee River.
2. All material placed waterward of the staked line shall be removed. This line was staked and flagged on March 15, 2000.
3. Clean boulders can be temporarily stockpiled on the unvegetated northern edge of your property for potential use in any future permitted bank stabilization project. This stockpile shall be removed within 1 year from the date of this letter.
4. All other fill material cannot be stockpiled within the 100-year floodplain, and must be removed from your property.

5. You shall slope the bank back at a minimum of 2:1, the toe of the bank starting at our staked line.

6. You shall complete removal by April 1, 2000. If work will extend beyond this date, you will need to stop work until we complete our Section 7 consultation with U.S. Fish and Wildlife Service to determine the effects of your project on Lahontan Cutthroat Trout and their habitat.

We will meet with you onsite on Friday, March 31, 2000, at 10:00 AM to inspect your completed work.

We understand your concerns about continued erosion of your bank, the loss of property and your need to stabilize the site. Because your property is within the 100-year flood plain, it will continue to experience flooding in extreme high water events, however a properly designed stabilization treatment project will alleviate the continued erosion of your property. Once you have resolved your violation, you may apply for a Department of the Army permit for bank stabilization. We would support a bio-engineered bank stabilization project, using native willows provided it is performed in compliance with our Nationwide Permit NW13, for Bank Stabilization. Under separate cover, we will provide you a sample permit application, and examples of suitable bank revetment designs.

In order to qualify for a Department of the Army permit, the proposed stabilization project will need to incorporate measures which reduce adverse environmental effects to a minimal level. The minimum requirements for a stabilization project will need to include:

- 1) The use of native vegetation (bioengineering) to maintain wildlife habitat, and to increase revetment stability and erosion protection.
- 2) The use of appropriately sized revetment material.
- 3) Revetment material keyed into the toe of a reconfigured bank slope.
- 4) Upstream and downstream ends of the revetment tied into stable anchorage points.
- 5) Construction methods and timing that would not adversely impact fish or fish habitat.
- 6) Completed and signed application and application checklist.
- 7) Section 401 Water Quality Certification from Nevada Division of Environmental Protection to insure water quality is protected during construction.

Again, we appreciate your cooperative attitude in working toward a timely resolution to your violation. If you have any questions, please write to (b) (6) or (b) (6) at our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)  
Chief, Nevada Office

Copy furnished without enclosure:

Jim Bushey, City of Reno, P.O. Box 1900, Reno, Nevada 89505

Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Suite 138, Carson City, Nevada 89706

Nevada Division of Environmental Protection, Bureau of Water Pollution Control, 333 West Nye Lane, Carson City, Nevada 89706

Nevada Division of Environmental Protection, Attention: Enforcement, 333 West Nye Lane, Carson City, Nevada 89706

U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office, 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502

Kathleen Dadey, U.S. Environmental Protection Agency, Wetlands Section WTR-8, 75 Hawthorne Street, San Francisco, California 94105

Kim Tisdale, Nevada Division of Wildlife, 1100 Valley Drive, P.O. Box 10678, Reno, Nevada 89520-0022

Ed Bittleston, Nevada Division of State Lands, 333 West Nye Lane, Carson City, Nevada 89706  
Carson-Truckee Water Conservancy District, PO. Box 2047, Reno, Nevada 89505-2047

**City of Reno  
Attention: Jim Bushey  
P.O. Box 1900  
Reno, Nevada 89505**



**Nevada Division of Environmental Protection  
Bureau of Water Quality Planning  
333 West Nye Lane, Suite 138  
Carson City, Nevada 89706**

**Nevada Division of Environmental Protection  
Bureau of Water Pollution Control  
333 West Nye Lane  
Carson City, Nevada 89706**

**U.S. Fish and Wildlife Service  
1340 Financial Boulevard, Suite 234  
Reno, Nevada 89502**

**Nevada Division of Environmental Protection, Attention:  
Enforcement  
333 West Nye Lane  
Carson City, Nevada 89706**

**U.S. Environmental Protection Agency  
Attention: Kathleen Dadey  
Wetlands Section WTR-8  
75 Hawthorne Street  
San Francisco, California 94105**

**Nevada Division of State Lands  
Attention: Ed Bittleston  
333 West Nye Lane  
Carson City, Nevada 89706**



**Messrs. William and William Simons**  
**518 W. 2nd Street #1**  
**Reno, Nevada 89503**

**Kim Tisdale  
Nevada Division of Wildlife  
1100 Valley Drive  
P.O. Box 10678  
Reno, Nevada 89520-0022**

April 10, 2000

Regulatory Branch (200025009)(FRV)

William and William Simons  
518 W. 2nd Street #1  
Reno, Nevada 89503

Dear Messrs. Simons:

I am writing in regards to the unauthorized discharge of fill material into the Truckee River at your property site. Your property is located adjacent to the Truckee River within a portion of Section 18, Township 19 North, and Range 19 East, M.D.B.&M., in Reno, Washoe County, Nevada.

On Friday March 30, 2000, personnel from our office conducted a compliance site inspection of the above referenced property. Based on our site visit, we have determined that in general conditions identified in our letter dated March 20, 2000 have been completed, therefore, the voluntary restoration of this site has been accomplished, and this violation resolved. Please be reminded that stockpiled boulders must be removed by March 20, 2001.

As we discussed with you in our meeting on March 1, 2000, and on-site, we encourage you submit a bank stabilization project as soon as possible. We suggest you contact Washoe Storey Conservation District and/or the Natural Resources Conservation District for guidance on a project that will stabilize your site, and qualify for a Department of the Army Nationwide Permit.

Again we greatly appreciate your continued cooperation and timely restoration of the unauthorized activity.

If you have any questions, please write to (b) (6) at our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, email (b) (6)@spk.usace.army.mil, or telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)

Chief, Nevada Regulatory Office



cc

Jim Bushey, City of Reno, P.O. Box 1900, Reno, Nevada 89505

Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Suite 138, Carson City, Nevada 89706

Nevada Division of Environmental Protection, Bureau of Water Pollution Control, 333 West Nye Lane, Carson City, Nevada 89706

U.S. Fish and Wildlife Service, Reno Fish and Wildlife Office, Attention: Richard Duncan, 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502

U.S. Environmental Protection Agency, Attention: Kathleen Dadey, Wetlands Section WTR-8, 75 Hawthorne Street, San Francisco, California 94105

Nevada Division of Wildlife, Attention: Kim Tidsdale, 1100 Valley Drive, P.O. Box 10678, Reno, Nevada 89520-0022

Nevada Division of State Lands, Attention: Ed Bittleston, 333 West Nye Lane, Carson City, Nevada 89706

Carson-Truckee Water Conservancy District, P.O. Box 2047, Reno, Nevada 89505-2047

# FIELD INSPECTION RECORD

1. Name (Inspector) <b>(b) (6)</b>	2. DATE <u>3/30/00</u>
3. PERMIT NUMBER <u>200025009</u>	3. E-NUMBER
	5. SUSPENSE NUMBER

INSTRUCTIONS: Place an "X" in the appropriate box or annotate the required information

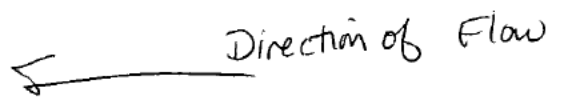
- |   |   |                                   |
|---|---|-----------------------------------|
| <input type="checkbox"/> SECTION 10             | <input type="checkbox"/> PRE-CONSTRUCTION INSPECTION      | <input type="checkbox"/> PROPOSED |
| <input checked="" type="checkbox"/> SECTION 404 | <input checked="" type="checkbox"/> COMPLIANCE INSPECTION | <input type="checkbox"/> EXISTING |
| <input type="checkbox"/> SECTION 13             | <input type="checkbox"/> VIOLATION INSPECTION             |                                   |
| <input type="checkbox"/> OTHER (Specify) _____  | FLIGHT NUMBER _____                                       |                                   |


7. BANK  
RIGHT LEFT

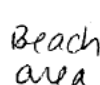
8. RIVER MILE

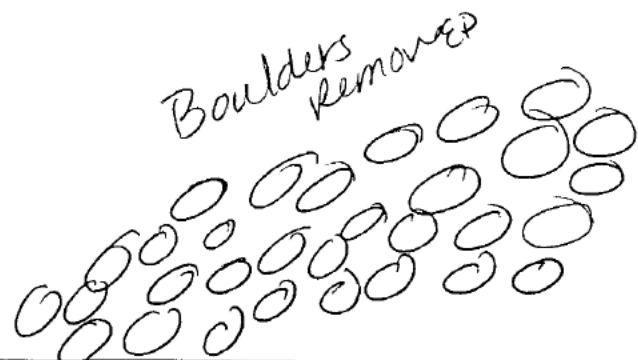
9. NAME OF WATERWAY <u>Truckee River</u>	10. COUNTY <u>Washoe</u>	11. PARCEL NUMBER
12. TRIBUTARY	13. SUBDIVISION	14. LOT NUMBER
15. WIDTH OF WATERWAY	16. LOCATION (nearest town or city)	
17. NAME (property owner) <u>William &amp; William Simons</u>	18. TELEPHONE NUMBER	
19. ADDRESS		
20. NAME (lessee)	21. TELEPHONE NUMBER	
22. NAME (person contacted)	23. TELEPHONE NUMBER	
24. NAME (agent)	25. TELEPHONE NUMBER	

26. FIELD SKETCH

  
 Direction of Flow  
 Truckee River

  
 Vegetation

  
 Beach area

  
 Boulders Removed

- \* All Material was not removed From site.
- \* Bank slope "sloppy"
- \* write violation resolved letter & plan for new bank stabilization project
- \* have until 3/20/2001 to remove boulders stockpiled on site.

Site Inspection 3/15/00

USACE - letter

- All Material waterward of stake line needs to be removed
- slope bank back 2-1
- All fill that's removed needs to be taken out of Flood plain  
includes waterward of stakes & Material Removed for 2-1 slopes
- Rolling stock - being completed by Simons

At least 5 days construction time  
needs to be done prior to 4/1 b/c of USFWS concerns

- temporary stockpile of rocks - not more than 1 year - not to rocks - not on top of rocks.

Simons 200025009  
attendees

Ed Bittleston NDS  
Jayl Mulligan NDE  
Richard Duncan US  
Jim Harvey USFWS

(b) (6)

Bill Simons Sr.  
Bill Simons Jr.

Compliance Inspection

3/31 at 10:00 AM

FRIDAY



**FAX HEADER SHEET**  
**U.S. Army Corps of Engineers**  
**Nevada Regulatory Office**  
**C. Clifton Young Federal Building**  
**300 Booth Street, Room 2103**  
**Reno, Nevada 89509**

TO: William Simons

Fax: 322-2021

Phone:

FROM: (b) (6)

fax: (775) 784-5306

U.S. Army Corps of Engineers  
Nevada Regulatory Office

Phone: (775) 784-5304

Date: 3/17/00

Pages to Follow: 2

(b) (6)

Releasers signature

**COMMENTS:**

Letter will be reviewed and signed by  
Chief of our office on 3/22/00 - He is  
out of office until then, we wanted  
to provide you with a copy ASAP!  
Thank for working with us!!

(b) (6)

WAC

Simons Meeting 3/1/00 - site scheduled  
Wed 3/15 10:00AM  
to mark Ordinan high

Simons - Flood scoured property - water flows over property during floods. Rocks left on perimeter entire property in 100 year flood plain.

- William Sr's Father bought property in 43, used it for penres & fishing. Park bought property adjacent & put in park.
- Always had nice cottonwoods - Beavers destroyed & had beaver problem.
- trying to stabilize land & area for maybe building someday - not plans right now. Was a house there in 1940's taken out by flood of 1950.
- tried to take Rocks & Rearrange them to protect area, back filled w/ smaller rocks, crushed gravel & fill. Tried to place rocks not to damage vegetation - Tried very hard to stay right on bank.

Nancy - use willows instead of cottonwoods, maybe use will have to pull material out of our jurisdiction

Icyl - will need rolling stock permit

Ecl - will issue Cease & desist & Require Material Removal

USFWS - done before April 1st

USACE - will write letter saying if you do x, y, z will resolve violation.  
Maybe we can bring Charlie Donahue - on site

March 20, 2000

Regulatory Branch (200025009)(FCN)

William and William Simons  
518 W. 2nd Street #1  
Reno, Nevada 89503

Dear Messrs. Simons:

This letter concerns the unauthorized discharge of fill material in the Truckee river at your property site. Your property is located adjacent to the Truckee River within a portion of Section 18, Township 19 North, Range 19 East, MDB&M, in Reno, Washoe County, Nevada.

On March 15, representatives from our Nevada Regulatory Office, Nevada Division of Environmental Protection, Nevada Division of State Lands, and U.S. Fish and Wildlife Service met with you to discuss voluntary restoration of the site to resolve this violation. We appreciate your continued cooperation and willingness to remove the unauthorized fill.

At this field meeting and our meeting on March 1, 2000, we described our concerns that the unauthorized placement of boulders and backfill material into the river below the "ordinary high water" will likely cause adverse changes to channel morphology of the Truckee River, including scouring of the opposite bank.

As we discussed, voluntary restoration and resolution of this violation will include;

1. All terms and conditions of your Rolling Stock permit issued by Nevada Division of Environmental Protection must be followed to insure that construction methods do not impair the water quality to the Truckee River.
2. All material placed waterward of the staked line shall be removed. This line was staked and flagged on March 15, 2000.
3. Clean boulders can be temporarily stockpiled on the unvegetated northern edge of your property for potential use in any future permitted bank stabilization project. This stockpile shall be removed within 1 year from the date of this letter.
4. All other fill material cannot be stockpiled within the 100-year floodplain, and must be removed from your property.



5. You shall slope the bank back at a minimum of 2:1, the toe of the bank starting at our staked line.
6. You shall complete removal by April 1, 2000. If work will extend beyond this date, you will need to stop work until we complete our Section 7 consultation with U.S. Fish and Wildlife Service to determine the effects of your project on Lahontan Cutthroat Trout and their habitat.

We will meet with you onsite on Friday, March 31, 2000, at 10:00 AM to inspect your completed work.

We understand your concerns about continued erosion of your bank, the loss of property and your need to stabilize the site. Because your property is within the 100-year flood plain, it will continue to experience flooding in extreme high water events, however a properly designed stabilization treatment project will alleviate the continued erosion of your property. Once you have resolved your violation, you may apply for a Department of the Army permit for bank stabilization. We would support a bio-engineered bank stabilization project, using native willows provided it is performed in compliance with our Nationwide Permit NW13, for Bank Stabilization. Under separate cover, we will provide you a sample permit application, and examples of suitable bank revetment designs.

In order to qualify for a Department of the Army permit, the proposed stabilization project will need to incorporate measures which reduce adverse environmental effects to a minimal level. The minimum requirements for a stabilization project will need to include:

- 1) The use of native vegetation (bioengineering) to maintain wildlife habitat, and to increase revetment stability and erosion protection.
- 2) The use of appropriately sized revetment material.
- 3) Revetment material keyed into the toe of a reconfigured bank slope.
- 4) Upstream and downstream ends of the revetment tied into stable anchorage points.
- 5) Construction methods and timing that would not adversely impact fish or fish habitat.
- 6) Completed and signed application and application checklist.
- 7) Section 401 Water Quality Certification from Nevada Division of Environmental Protection to insure water quality is protected during construction.



Again, we appreciate your cooperative attitude in working toward a timely resolution to your violation. If you have any questions, please write to (b) (6) or Ms. (b) (6) at our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)  
Chief, Nevada Office

Copy furnished without enclosure:

Jim Bushey, City of Reno, P.O. Box 1900, Reno, Nevada 89505

Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Suite 138, Carson City, Nevada 89706

Nevada Division of Environmental Protection, Bureau of Water Pollution Control, 333 West Nye Lane, Carson City, Nevada 89706

Nevada Division of Environmental Protection, Attention: Enforcement, 333 West Nye Lane, Carson City, Nevada 89706

U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office, 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502

Kathleen Dadey, U.S. Environmental Protection Agency, Wetlands Section WTR-8, 75 Hawthorne Street, San Francisco, California 94105

Kim Tisdale, Nevada Division of Wildlife, 1100 Valley Drive, P.O. Box 10678, Reno, Nevada 89520-0022

Ed Bittleston, Nevada Division of State Lands, 333 West Nye Lane, Carson City, Nevada 89706

Carson-Truckee Water Conservancy District, PO. Box 2047, Reno, Nevada 89505-2047

April 10, 2000

Regulatory Branch (200025009)(FRV)

William and William Simons  
518 W. 2nd Street #1  
Reno, Nevada 89503

Dear Messrs. Simons:

I am writing in regards to the unauthorized discharge of fill material into the Truckee River at your property site. Your property is located adjacent to the Truckee River within a portion of Section 18, Township 19 North, and Range 19 East, M.D.B.&M., in Reno, Washoe County, Nevada.

On Friday March 30, 2000, personnel from our office conducted a compliance site inspection of the above referenced property. Based on our site visit, we have determined that in general conditions identified in our letter dated March 20, 2000 have been completed, therefore, the voluntary restoration of this site has been accomplished, and this violation resolved. Please be reminded that stockpiled boulders must be removed by March 20, 2001.

As we discussed with you in our meeting on March 1, 2000, and on-site, we encourage you submit a bank stabilization project as soon as possible. We suggest you contact Washoe Storey Conservation District and/or the Natural Resources Conservation District for guidance on a project that will stabilize your site, and qualify for a Department of the Army Nationwide Permit.

Again we greatly appreciate your continued cooperation and timely restoration of the unauthorized activity.

If you have any questions, please write to (b) (6) at our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, email (b) (6) @spk.usace.army.mil, or telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)  
Chief, Nevada Regulatory Office



cc

Jim Bushey, City of Reno, P.O. Box 1900, Reno, Nevada 89505  
Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West  
Nye Lane, Suite 138, Carson City, Nevada 89706  
Nevada Division of Environmental Protection, Bureau of Water Pollution Control, 333 West  
Nye Lane, Carson City, Nevada 89706  
U.S. Fish and Wildlife Service, Reno Fish and Wildlife Office, Attention: Richard Duncan,  
1340 Financial Boulevard, Suite 234, Reno, Nevada 89502  
U.S. Environmental Protection Agency, Attention: Kathleen Dadey, Wetlands Section WTR-  
8, 75 Hawthorne Street, San Francisco, California 94105  
Nevada Division of Wildlife, Attention: Kim Tidsdale, 1100 Valley Drive, P.O. Box 10678,  
Reno, Nevada 89520-0022  
Nevada Division of State Lands, Attention: Ed Bittleston, 333 West Nye Lane, Carson City,  
Nevada 89706  
Carson-Truckee Water Conservancy District, P.O. Box 2047, Reno, Nevada 89505-2047

**William and William Simons**  
**518 W. 2nd Street #1**  
**Reno, Nevada 89503**

**Jim Bushey  
City of Reno  
P.O. Box 1900  
Reno, Nevada 89505**

**Nevada Division of Environmental Protection  
Bureau of Water Quality Planning  
333 West Nye Lane, Suite 138  
Carson City, Nevada 89706**

**Nevada Division of Environmental Protection  
Bureau of Water Pollution Control  
333 West Nye Lane  
Carson City, Nevada 89706**

**U.S. Fish and Wildlife Service  
Reno Fish and Wildlife Office  
Attention: Richard Duncan  
1340 Financial Boulevard, Suite 234  
Reno, Nevada 89502**

**U.S. Environmental Protection Agency  
Attention: Kathleen Dadey  
Wetlands Section WTR-8  
75 Hawthorne Street  
San Francisco, California 94105**

**Nevada Division of Wildlife  
Attention: Kim Tidsdale  
1100 Valley Drive, P.O. Box 10678  
Reno, Nevada 89520-0022**



**Nevada Division of State Lands  
Attention: Ed Bittleston  
333 West Nye Lane  
Carson City, Nevada 89706**

**Carson-Truckee Water Conservancy District**  
**P.O. Box 2047**  
**Reno, Nevada 89505-2047**

September 27, 2001

Regulatory Branch (200125089)(PJD)

Bailey & Dutton  
Attention: Craig Dutton  
1641 Glen Oaks Drive  
Reno, Nevada 89513

Dear Mr. Dutton:

This letter concerns the NORTHGATE UNIT 12 Project located in Northwest Reno, Washoe County, Nevada, within Sections 1, 12, 13, Township 19 North and Range 18 East, M.D.B. & M. at Assessor's Parcel Number 208-280-01.

Based on the photographs submitted by Ms. Nancy Lightfoot of Summit Engineering Corporation, we are making a preliminary determination that two of three drainage features located on the Northgate Unit #12 project area are jurisdictional waters of the United States. The east and west unnamed, ephemeral drainages support sufficient flow to show physical evidence of "ordinary high water" and are considered to be a part of the surface water tributary system of the Truckee River. However, the central drainage does not support sufficient flows to cut and maintain a bed and bank, and therefore, we do not consider this drainage to be jurisdictional. An annotated copy of your site map clarifying which drainages are jurisdictional is enclosed for your review.

It appears that the west drainage will not be modified and the headwaters of the east drainage will likely require a permit prior to construction. Our jurisdiction in this area is under Section 404 of the Clean Water Act. A Department of the Army permit is required prior to discharging dredged or fill materials into waters of the United States. Discharge of dredged material includes, but is not limited to, any addition, including redeposit, of dredged material, including excavated material, into the waters of the United States which is incidental to any activity including mechanized land clearing, ditching, channelization, or other excavation. Accordingly, a permit will be required prior to filling any of the waters present on the NORTHGATE UNIT 12 property. The type of permit required will depend on the type and amount of waters which would be lost or adversely modified by fill activities. We believe that your project would likely qualify for Nationwide permit 39, for fills needed for Residential, commercial and institutional developments. A fact sheet describing this permit is also enclosed.

Please refer to identification number 200125089 in any correspondence concerning this project. If you have any questions, please write to our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)

Chief, Nevada Regulatory Office

Enclosures

Copy furnished with enclosures:

Community Development Department, City of Reno, Attention: Kristen Shields, Planner, P.O.

Box 1800, Reno, Nevada 89505

Summit Engineering, Attention: Benjamin Veach, 5405 Mae Anne Avenue, Reno, Nevada 89523

**Community Development Department  
City of Reno  
Attn: Kristen Shields, Planner  
P.O. Box 1800  
Reno, Nevada 89505**

**Summit Engineering  
Attn: Benjamin Veach  
5405 Mae Anne Avenue  
Reno, Nevada 89523**

**Bailey & Dutton  
Attention: Craig Dutton  
1641 Glen Oaks Drive  
Reno, Nevada 89513**

September 27, 2001

*mailed  
9-27-01*

Regulatory Branch (200125089)(PJD)

Bailey & Dutton  
Attention: Craig Dutton  
1641 Glen Oaks Drive  
Reno, Nevada 89513

Dear Mr. Dutton:

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Based on the photographs submitted by Ms. Nancy Lightfoot of Summit Engineering Corporation, we are making a preliminary determination that two of three drainage features located on the Northgate Unit #12 project area are jurisdictional waters of the United States. The east and west unnamed, ephemeral drainages support sufficient flow to show physical evidence of "ordinary high water" and are considered to be a part of the surface water tributary system of the Truckee River. However, the central drainage does not support sufficient flows to cut and maintain a bed and bank, and therefore, we do not consider this drainage to be jurisdictional. An annotated copy of your site map clarifying which drainages are jurisdictional is enclosed for your review.

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Sincerely,

**ORIGINAL  
SIGNED BY**

(b) (6)

Chief, Nevada Regulatory Office

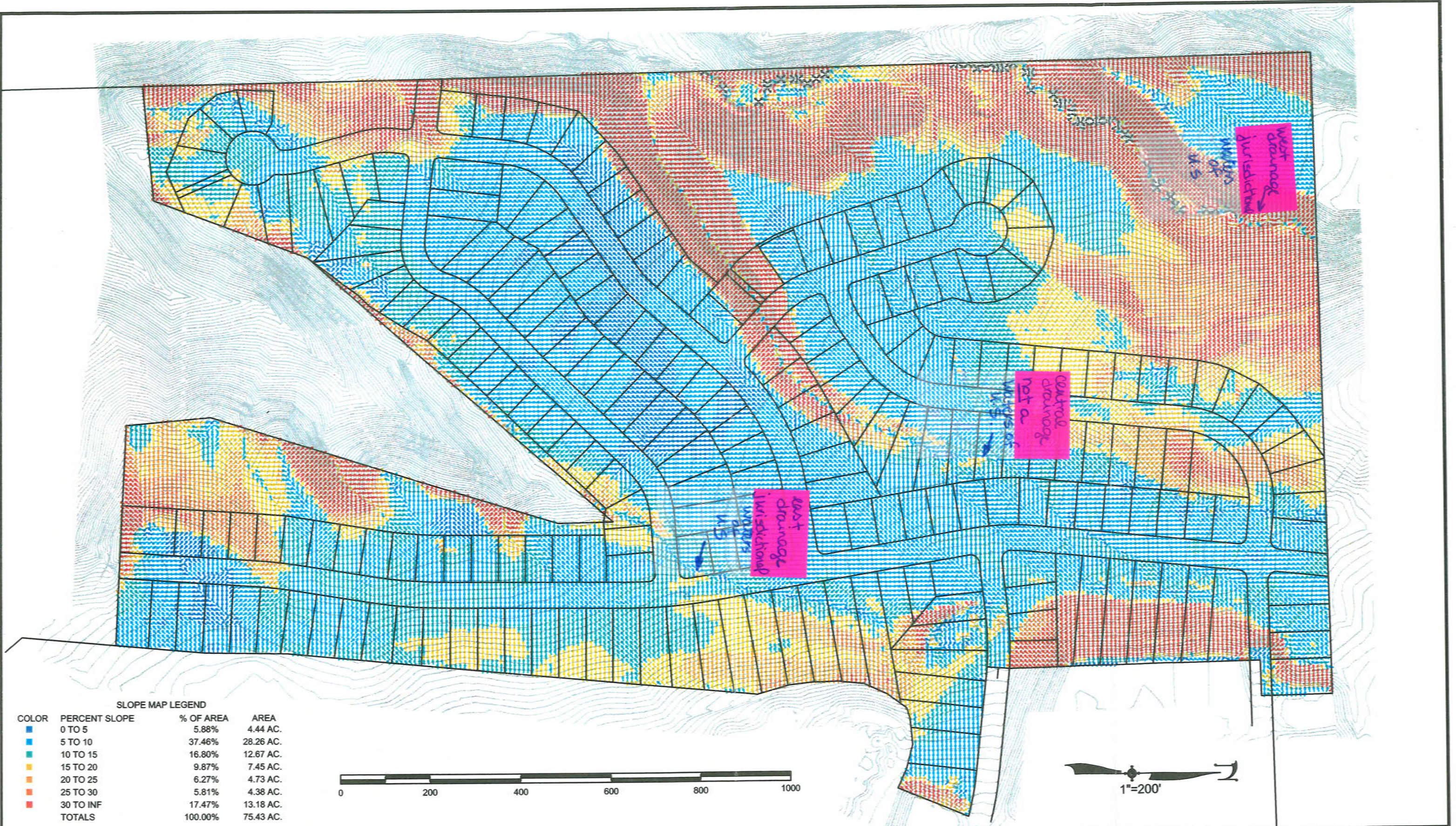
Enclosures

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Community Development Department, City of Reno, Attention: Kristen Shields, Planner,  
P.O. Box 1800, Reno, Nevada 89505  
Summit Engineering, Attention: Benjamin Veach, 5405 Mae Anne Avenue, Reno, Nevada  
89523







SLOPE MAP LEGEND			
COLOR	PERCENT SLOPE	% OF AREA	AREA
■	0 TO 5	5.88%	4.44 AC.
■	5 TO 10	37.46%	28.26 AC.
■	10 TO 15	16.80%	12.67 AC.
■	15 TO 20	9.87%	7.45 AC.
■	20 TO 25	6.27%	4.73 AC.
■	25 TO 30	5.81%	4.38 AC.
■	30 TO INF	17.47%	13.18 AC.
	TOTALS	100.00%	75.43 AC.







November 20, 2001

Regulatory Branch (200125089)(FNW43)

Craig Dutton  
Baily & Dutton  
1641 Glen Oaks Drive  
Reno, Nevada 89513

Dear Mr. Dutton:

I am responding to your request concerning a Department of the Army permit for your proposed project, Northgate Unit 12, located within a portion of Sections 1, 12, and 13, Township 19 North, Range 18 East in Reno, Washoe County, Nevada.

You have proposed to extend the existing Beaumont Parkway 18" storm drain collector. This collector will be incorporated into the on-site drain facilities of Northgate Unit 12. The storm drain facilities will accept and convey 100% of the 5 and 100 year peak flows generated by the proposed development. The total permanent area of impact is 0.07 acres.

The Chief of Engineers has issued Nationwide Permit Number 39 that allows for the placement of dredged or fill material in waters of the United States for Residential, Commercial, and Institutional Developments. Your project may be constructed under this authority provided the work meets the conditions listed on the enclosed information sheets and the following Special Conditions:

1. You must utilize Best Management Practices throughout construction to control erosion and siltation. Straw Bales or Straw Mulch used must be certified as weed free.
2. Construction shall occur outside the avian breeding season. If this is not feasible, a qualified biologist shall survey the area prior to construction. If active nests are located, or if other evidence of nesting is observed, a protective buffer should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active. We recommend you contact the U.S. Fish and Wildlife Service at (775)861-6300, to determine if your project is to take place during the avian breeding season.

**Upon completion of the work authorized by this permit, please sign and return the enclosed compliance certification as required by General Condition 14 of the nationwide permits.**

This verification will be valid for a period of two years from the date of this letter. You should contact this office if work will extend beyond this date. This nationwide permit is scheduled to be modified, reissued, or revoked prior to February 11, 2002. It is incumbent upon you to remain informed of changes to the nationwide permits.

If you have any questions, please write to (b) (6) at our Nevada Field Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, or telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)  
Chief, Central California/Nevada  
Section

Enclosure

Copies Furnished: w/o Enclosure(s)

Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Carson City, Nevada 89706

**Upon completion of the work authorized by this permit, please sign and return the enclosed compliance certification as required by General Condition 14 of the nationwide permits.**

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Sincerely,

(b) (6)

Chief, Central California/Nevada  
Section

(b) (6)

Enclosure

Copies Furnished: w/o Enclosure(s)

Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Carson City, Nevada 89706





# COMPLIANCE CERTIFICATION

**Permit Number:** 200125089

**Name of Permittee:** Baily & Dutton  
1641 Glen Oaks Drive  
Reno, NV 89513

**Date of Issuance:** November 20, 2001

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers, Sacramento District  
Nevada Regulatory Office  
C. Clifton Young Federal Building  
300 Booth Street, Room 2103  
Reno, Nevada 89509

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

\* \* \* \* \*

*I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.*

---



CRAIG DUTTON  
BAILY & DUTTON  
1641 GLEN OAKS DRIVE  
RENO NV 89513

| | \_ \_ | \_ | \_ \_ | \_ | \_ \_ | \_ | \_ \_ | \_ | | \_ \_ \_ | 1

NEVADA DIVISION OF ENVIRONMENTAL  
PROTECTION  
BUREAU OF WATER QUALITY PLANNING  
333 WEST NYE LANE  
CARSON CITY NV 89706

| | \_ \_ | \_ | \_ | \_ \_ \_ | | | \_ \_ \_ \_ | | \_ \_ | | \_ \_ \_ | 2

May 13, 2002

Regulatory Branch (200225035)

Greg Peitzmeier  
690 East Plumb Lane  
Suite 2  
Reno, Nevada 89502

Dear Mr. Peitzmeier:

This letter concerns the Granite Ridge Lakemont Homes project, located within a portion of Section 6, Township 19 North, Range 19 East, M.D.B. & M., Washoe County, Nevada.

The U.S. Army Corps of Engineers (Corps) has reviewed the report "*Delineation of Wetlands and Waters of the United States, Granite Ridge Project Area, Reno, Nevada*", dated April 4, 2002, submitted to the Corps with the letter dated April 15, 2002. The Corps concurs with your consultant's determination that the 145 acre project area supports two unnamed tributaries for a total of 0.12 acres of waters of the United States, as depicted in the enclosed map.

The Corps' jurisdiction in this area is under Section 404 of the Clean Water Act. A Department of the Army permit is required prior to discharging dredged or fill materials into waters of the United States. Discharge of dredged material includes but is not limited to any addition, including redeposit, of dredged material, including excavated material, into the waters of the United States which is incidental to any activity including mechanized land clearing, ditching, channelization, or other excavation. Accordingly, a permit will be required prior to filling any of the waters present on the Granite Ridge Lakemont Homes property. The type of permit required will depend on the type and amount of waters which would be lost or adversely modified by fill activities.

This verification is valid for five years from the date of this letter unless new information warrants revision of the determination before the expiration date. Please refer to Corps number 200225035 in any correspondence concerning this project. If you have any questions, please write to (b) (6) Nevada Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

**ORIGINAL  
SIGNED BY**

(b) (6)

Chief, Nevada Office

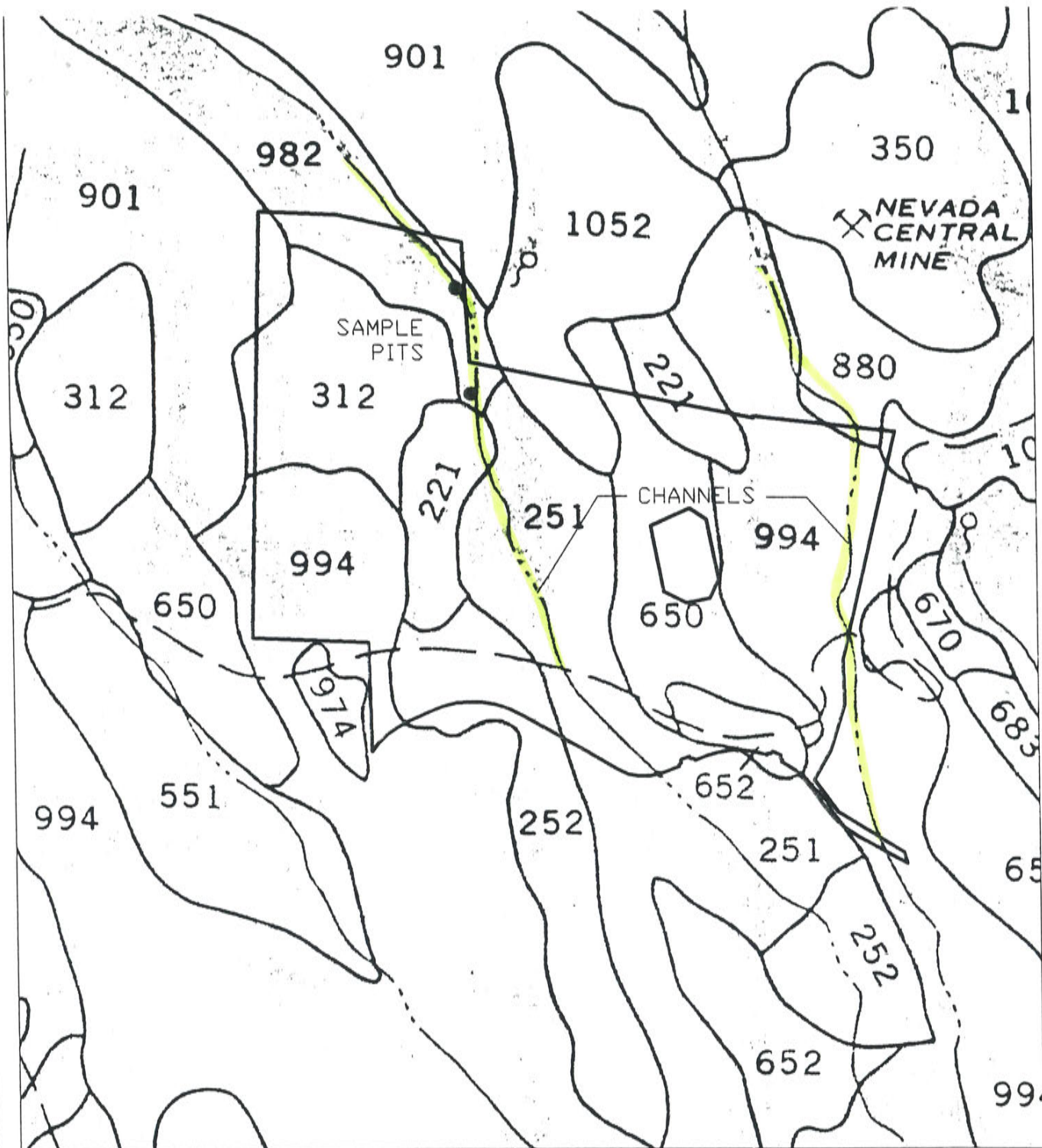
(b) (6)

Enclosure

Copy furnished: w/o enclosure

JBR Environmental, 4741 Caughlin Parkway, Suite 2, Reno, Nevada 89509





BASE IMAGE: SOIL SURVEY OF WASHOE COUNTY, NEVADA,  
SOUTH PART, USDA SCS, 1983

— PROJECT BOUNDARY



# LAKEMONT HOMES GRANITE RIDGE

## FIGURE 2 SOILS MAP

**jbr**  
environmental consultants, inc.

DATE DRAWN 03/14/02

DESIGN BY DW	DRAWN BY RD	CH'D BY	SCALE NTS
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REVISION	

Enclosure 1



May 13, 2002

Regulatory Branch (200225035)

Greg Peitzmeier  
690 East Plumb Lane  
Suite 2  
Reno, Nevada 89502

Dear Mr. Peitzmeier:

This letter concerns the Granite Ridge Lakemont Homes project, located within a portion of Section 6, Township 19 North, Range 19 East, M.D.B. & M., Washoe County, Nevada.

The U.S. Army Corps of Engineers (Corps) has reviewed the report *"Delineation of Wetlands and Waters of the United States, Granite Ridge Project Area, Reno, Nevada"*, dated April 4, 2002, submitted to the Corps with the letter dated April 15, 2002. The Corps concurs with your consultant's determination that the 145 acre project area supports two unnamed tributaries for a total of 0.12 acres of waters of the United States, as depicted in the enclosed map.

The Corps' jurisdiction in this area is under Section 404 of the Clean Water Act. A Department of the Army permit is required prior to discharging dredged or fill materials into waters of the United States. Discharge of dredged material includes but is not limited to any addition, including redeposit, of dredged material, including excavated material, into the waters of the United States which is incidental to any activity including mechanized land clearing, ditching, channelization, or other excavation. Accordingly, a permit will be required prior to filling any of the waters present on the Granite Ridge Lakemont Homes property. The type of permit required will depend on the type and amount of waters which would be lost or adversely modified by fill activities.

This verification is valid for five years from the date of this letter unless new information

warrants revision of the determination before the expiration date. Please refer to Corps number 200225035 in any correspondence concerning this project. If you have any questions, please write to (b) (6), Nevada Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)  
Chief, Nevada Office

(b) (6)

Enclosure

Copy furnished: w/o enclosure

JBR Environmental, 4741 Caughlin Parkway, Suite 2, Reno, Nevada 89509

Greg Peitzmeier  
690 East Plumb Lane  
Suite 2  
Reno, Nevada 89502

**JBR Environmental  
4741 Caughlin Parkway, Suite 2  
Reno, Nevada 89509**

August 15, 2002

Regulatory Branch (200225035)(S106)

Rebecca Palmer  
State Historic Preservation Office  
100 South Stewart Street  
Carson City, Nevada 89710

Dear Ms. Palmer:

In accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, the U.S. Army Corps of Engineers (Corps) is requesting your concurrence with our no historic properties affected determination for the proposed Lakemont Homes Granit Ridge project. The project is located within portions of Section 31, Township 20 North, Range 19 East and Section 6, Township 19 North, Range 19 East, M.D.B. & M., Washoe County, Nevada.

In general this project consists of two road crossings of an unnamed tributary. The proposed project would result in approximately 292 linear feet and 512 square feet (0.01 acres) of permanent impacts to waters of the United States.

The Area of Potential Affect (APE) is 200 feet around each road crossing. A cultural resources inventory has been completed within the APE. The *"Cultural Resources Inventory of the Proposed Granite Ridge Subdivision, Washoe County, Nevada"*, dated June 2002, prepared by Kautz Environmental Consultants, is provided for your review. In summary, nine archaeological sites were identified during the investigation, all of which are not eligible for the NRHP.



Please reference Corps number 200225035 in any correspondence concerning this project. If you have any questions, please write (b) (6), Nevada Office, C. Clifton Young Federal Building, 300 Booth Street, Room 2103, Reno, Nevada 89509, telephone (775) 784-5304, FAX (775) 784-5306.

Sincerely,

(b) (6)

Chief, Nevada Office  
Regulatory Branch

(b) (6)

Enclosure

Copies furnished: w/out enclosure

Greg Peitzmeier, Lakemont Homes, 690 East Plumb Lane, Suite 2, Reno, Nevada 89502  
Catherine Clark, JBR Environmental Consultants, 4741 Caughlin Parkway, Suite 2, Reno,  
Nevada 89509





September 22, 2002

Regulatory Branch (200225035)

Greg Peitzmeier  
Lakemont Homes  
690 E Plumb Ln, Ste 2  
Reno, Nevada 89502

Dear Mr. Peitzmeier:

The US Army Corps of Engineers (Corps) has received your application for Department of the Army authorization to complete two minor road crossings affecting an unnamed tributary a couple miles northwest of Reno. You are proposing to construct two, culverted road crossings that are needed in conjunction with a housing development. The north crossing will impact approximately 110 feet of tributary and the south road crossing will impact approximately 185 feet of tributary. The enclosed maps and drawings in Enclosure 1 provide additional project details. The purpose of the project is to prepare the site for residential development and provide road access. This project is located in Section 31, Township 20 North, Range 19 East, Washoe County, Nevada. This project has been reviewed for compliance with Section 404 of the Clean Water Act.

Based on the information you provided and discussions with your agent, JBR Environmental Consulting, the Corps verifies that your project is authorized under the criteria of Nationwide Permit (NWP) 14. Section 401 water quality certification from the Nevada Division of Environmental Protection (NDEP) has been issued for this proposed project (see General Condition 9 of Enclosure 2).

Your project must be conducted in accordance with the conditions in Enclosure 2, and the following special conditions:

- a. Project impacts will be compensated by maintaining a 35-foot buffer on each side of the impact tributary.
- b. All areas disturbed as a result of this project shall be revegetated with native vegetation or allowed to re-establish native vegetation and maintained to insure viability for at least five years.
- c. You must control these non-native invasive species in project area: *Lythrum salicaria*, purple loosestrife, *Lepidium latifolium*, tall whitetop, *Tamarix ramosissima*, saltcedar / tamarisk, and *Cirsium arvense*, Canada thistle; there is zero tolerance for these four species.



d. State of Nevada Best Management Practices shall be utilized throughout construction to prevent erosion or sediment discharge into the creek. If straw bales or straw mulch are used as an erosion prevention measure, they must be certified as weed-free.

You must also complete and sign the enclosed Compliance Certification (Enclosure 3) for the completed work (See General Condition 14 of Enclosure 2). Submit the signed Compliance Certification to the Corps address listed below. Failure to comply with any of the conditions or a change in project scope may render your authorization invalid and could result in the Corps initiating an enforcement action. Please note that other permits may also need to be obtained before you begin your work activity.

After reviewing your proposal, the Corps has determined that the net impacts will not exceed the minimal impact guidance for this NWP. This letter of verification is valid until September 2004 unless this NWP expires, is modified, reissued, or revoked prior to that date. This NWP is scheduled to be modified, reissued or revoked on March 18, 2007. If you commence or are under contract to commence this activity before the date the NWP expires, you will have 12 months from the expiration date to complete the activity under the present terms and conditions of the current NWP.

If you have any questions or need more clarification, you may write the US Army Corps of Engineers-Nevada Office, 300 Booth St Rm 2103, Reno NV 89509-1361 or call 784-5304. You may also send an email to: (b) (6)@usace.army.mil.

Sincerely,

**ORIGINAL  
SIGNED BY**

(b) (6)

Chief, Nevada Office  
Regulatory Branch

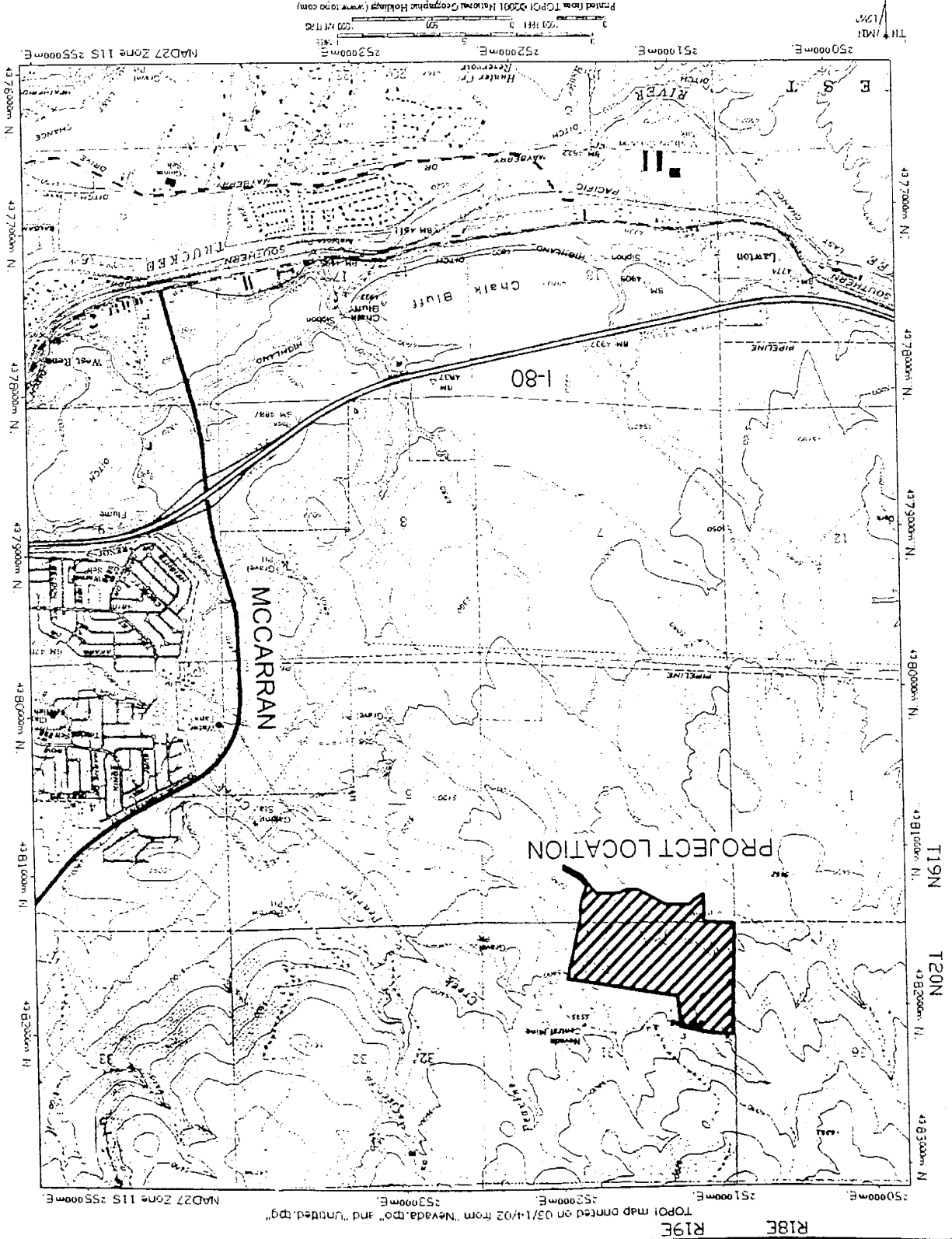
Enclosures

Copies Furnished: (with enclosure 1)

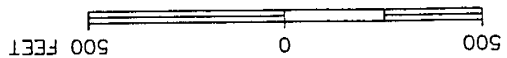
David Worley, JBR Environmental Consultants, Inc, 4741 Caughlin Pkwy, Ste 2, Reno NV 89509

Glen Gentry, Bureau of Water Quality Planning Nevada Division of Environmental Protection, 333 W Nye Ln, Ste 138 Carson City NV 89706-0851

James Shaffer, Washoe County Health Department, 1001 E Ninth St, Reno NV 89512-2845

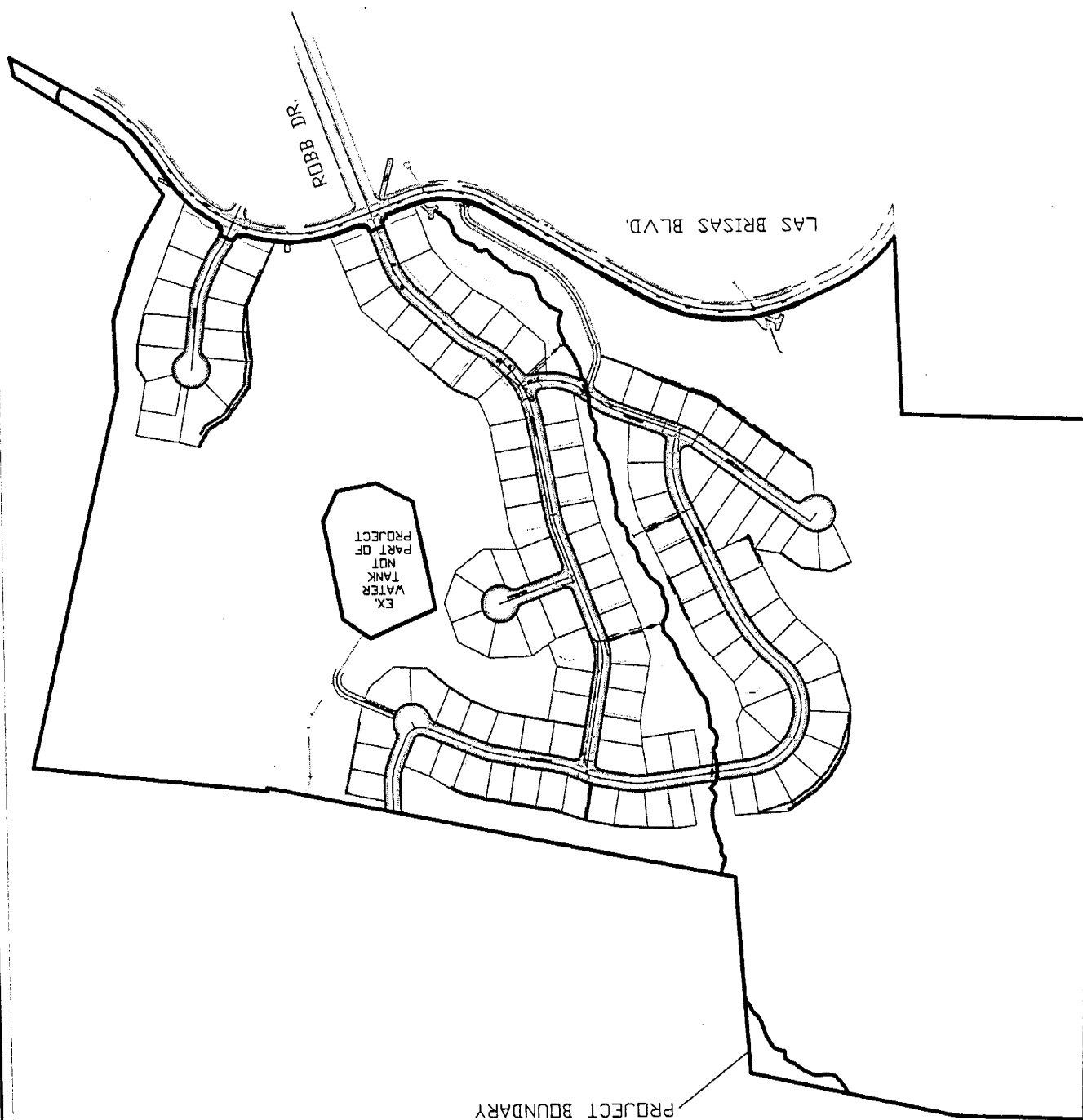


R18E R19E  
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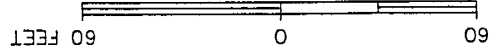


**jb**  
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Enclosure 1 - Sheet 2 of 4  
Corps Number: 200225035  
September 2002  
Lakemont Homes  
Innated Tributary

LAKEMONT HOMES  
GRANITE RIDGE



LENGTH OF CULVERT: 110 FEET  
AVERAGE CREEK WIDTH: 1.75 FEET  
TOTAL IMPACT: 193 SQUARE FEET



# LAKEMONT HOMES

GRANITE RIDGE

Lakemont Homes  
Unnamed Tributary  
SSING

September 2002  
Corps Number: 200225035

Enclosure 1 - Sheet 3 of 4



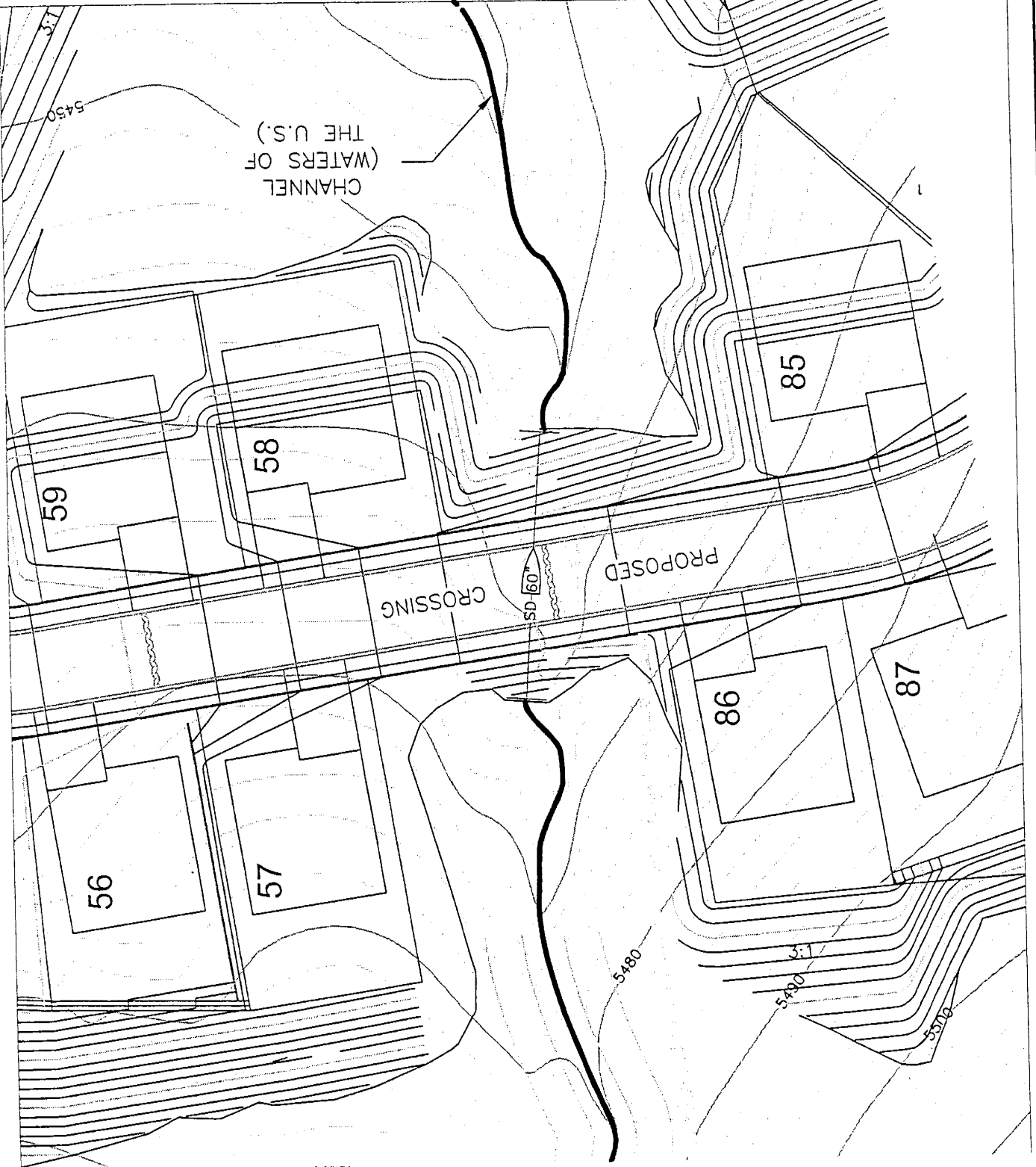
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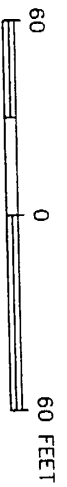
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Scale: 1" = 20'

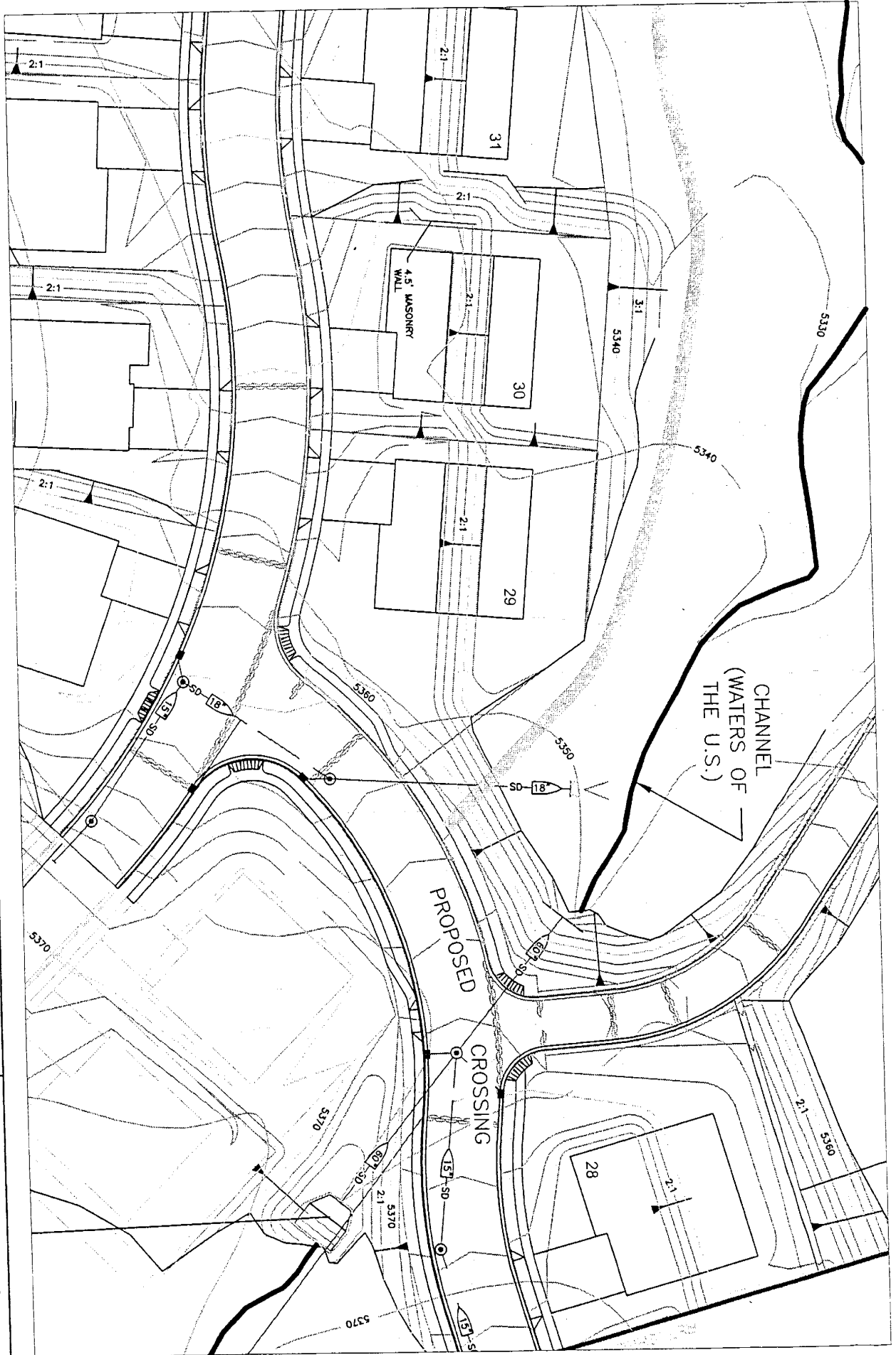
07/23/02



LENGTH OF CULVERT: 182 FEET  
 AVERAGE CREEK WIDTH: 1.75 FEET  
 TOTAL IMPACT: 319 SQUARE FEET



Lakemont Homes  
 Unnamed Tributary  
 September 2002  
 Corps Number: 200225035  
 Enclosure 1 - Sheet 4 of 4



## NATIONWIDE PERMIT GENERAL CONDITIONS, FURTHER INFORMATION, AND REGIONAL CONDITIONS<sup>1</sup>

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The following General Conditions must be followed in order for any authorization by an Nationwide Permit (NWP) to be valid:

1. *Navigation.* No activity may cause more than a minimal adverse effect on navigation.
2. *Proper Maintenance.* Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.
3. *Soil Erosion and Sediment Controls.* Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
4. *Aquatic Life Movements.* No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.
5. *Equipment.* Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.
6. *Regional and Case-By-Case Conditions.* The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state or Tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination.
7. *Wild and Scenic Rivers.* No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area, *e.g.*, National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service.
8. *Tribal Rights.* No activity or its operation may impair reserved Tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
9. *Water Quality.*
  - (a) In certain states and Tribal lands, an individual 401 Water Quality Certification must be obtained or waived (See 33 CFR 330.4(c)).
  - (b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the state or Tribal 401 certification (either generically or individually) does not require or approve water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of water

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<sup>1</sup>Nationwide Permit General Conditions and Further Information excerpted from Federal Register, Vol 67, No. 10, pages 2089-2094, 15 January 2002; includes corrections published in Federal Register, Vol 67, No. 30, pages 6692-6695, 13 February 2002 and Federal Register, Vol 67, No. 37, page 8579, 25 February 2002; Regional Conditions excerpted from <http://www.spk.usace.army.mil/cespk-co/regulatory/NW-Conditions.html>.



quality management includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (refer to General Condition 21 for stormwater management requirements). Another important component of water quality management is the establishment and maintenance of vegetated buffers next to open waters, including streams (refer to General Condition 19 for vegetated buffer requirements for the NWP).

This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.

10. *Coastal Zone Management*. In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see 33 CFR 330.4(d)).

11. *Endangered Species*.

(a) No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS the District Engineer may add species-specific regional endangered species conditions to the NWPs.

(b) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization, *e.g.*, an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc., from the USFWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their world wide web pages at <http://www.fws.gov/r9endspp/endspp.html> and [http://www.nfms.noaa.gov/prot\\_res/overview/es.html](http://www.nfms.noaa.gov/prot_res/overview/es.html) respectively.

12. *Historic Properties*. No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the notification must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

13. *Notification*.

(a) Timing: where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction notification (PCN) as early as possible. The District Engineer must determine if the notification is complete within 30 days of the date of receipt and can request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the District Engineer will notify the prospective permittee that the notification is still incomplete and the PCN review process will not commence until all of the requested information has been received by the District Engineer. The prospective permittee shall not begin the activity:

(1) Until notified in writing by the District Engineer that the activity may proceed under the NWP with any special conditions imposed by the District or Division Engineer; or

(2) If notified in writing by the District or Division Engineer that an Individual Permit is required; or

(3) Unless 45 days have passed from the District Engineer's receipt of the complete notification and the prospective permittee has not received written notice from the District or Division Engineer. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Notification: The notification must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), Regional General Permit(s), or Individual Permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision.);
- (4) For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows, *e.g.*, submerged aquatic vegetation, seagrass beds, and riffle and pool complexes (see paragraph 13(f));
- (5) For NWP 7 (Outfall Structures and Maintenance), the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed;
- (6) For NWP 14 (Linear Transportation Projects), the PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable;
- (7) For NWP 21 (Surface Coal Mining Activities), the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;
- (8) For NWP 27 (Stream and Wetland Restoration Activities), the PCN must include documentation of the prior condition of the site that will be reverted by the
- (9) For NWP 29 (Single-Family Housing), the PCN must also include:
  - (i) Any past use of this NWP by the individual permittee and / or the permittee's spouse;
  - (ii) A statement that the single-family housing activity is for a personal residence of the permittee;
  - (iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring  $\frac{1}{4}$ -acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than  $\frac{1}{4}$ -acre in size, formal wetland delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));
  - (iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and / or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;
- (10) For NWP 31 (Maintenance of Existing Flood Control Facilities), the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:
  - (i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased;
  - (ii) A delineation of any affected special aquatic sites, including wetlands; and,
  - (iii) Location of the dredged material disposal site;
- (11) For NWP 33 (Temporary Construction, Access, and Dewatering), the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources;
- (12) For NWPs 39, 43 and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the US were achieved on the project site;
- (13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal to offset losses of waters of the US or justification explaining why compensatory mitigation should not be required. For discharges

that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44 (Mining Activities), the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock / mineral mining activities);

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work; and

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

(c) Form of Notification: The standard Individual Permit application form (Form ENG 4345) may be used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(18) of General Condition 13. A letter containing the requisite information may also be used.

(d) District Engineer's Decision: In reviewing the PCN for the proposed activity, the District Engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. The prospective permittee may submit a proposed mitigation plan with the PCN to expedite the process. The District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. The District Engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the District Engineer will expeditiously review the proposed compensatory mitigation plan. The District Engineer must review the plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the District Engineer will notify the applicant either:

(1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an Individual Permit;

(2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or

(3) that the project is authorized under the NWP with specific modifications or conditions. Where the District Engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

(e) *Agency Coordination*: The District Engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

For activities requiring notification to the District Engineer that result in the loss of greater than  $\frac{1}{2}$ -acre of waters of the US, the District Engineer will provide immediately, *e.g.*, via facsimile transmission, overnight mail, or other expeditious manner, a copy to the appropriate Federal or state offices (USFWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision on the notification. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer will indicate in the administrative record associated with each notification that the resource agencies' concerns were considered. As required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to NMFS within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of notifications to expedite agency notification.

(f) *Wetland Delineations*: Wetland delineations must be prepared in accordance with the current method required by the Corps (For NWP 29 see paragraph (b)(9)(iii) for parcels less than  $\frac{1}{4}$ -acre in size). The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

14. *Compliance Certification*. Every permittee who has received NWP verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include:

- (a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions;
- (b) A statement that any required mitigation was completed in accordance with the permit conditions; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

15. *Use of Multiple Nationwide Permits*. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit, *e.g.*, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the US for the total project cannot exceed  $\frac{1}{3}$ -acre.

16. *Water Supply Intakes*. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

17. *Shellfish Beds*. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

18. *Suitable Material*. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material, *e.g.*, trash, debris, car bodies, asphalt, etc., and material

used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the CWA).

19. *Mitigation.* The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US to the maximum extent practicable at the project site, *i.e.*, on site.

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation, *i.e.*, replacement or substitution of aquatic resources for those impacted, will not be used to increase the acreage losses allowed by the acreage limits of some of the NWP. For example,  $\frac{1}{4}$ -acre of wetlands cannot be created to change a  $\frac{3}{4}$ -acre loss of wetlands to a  $\frac{1}{2}$ -acre loss associated with NWP 39 verification. However,  $\frac{1}{2}$ -acre of created wetlands can be used to reduce the impacts of a  $\frac{1}{2}$ -acre loss of wetlands to the minimum impact level in order to meet the minimal impact requirement associated with NWPs.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection, *e.g.*, easements, deed restrictions, of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineers may require slightly wider vegetated buffers to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation, *e.g.*, stream buffers or wetlands compensation, based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements, or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for accomplishing and / or complying with the mitigation plan.

20. *Spawning Areas.* Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction, *e.g.*, excavate, fill, or smother downstream by substantial turbidity, of an important spawning area are not authorized.

21. *Management of Water Flows.* To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions, *e.g.*, location, capacity, and flow rates. Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not

increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow.

This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

22. *Adverse Effects From Impoundments*. If the activity creates an impoundment of water, adverse effects to the aquatic system due to the acceleration of the passage of water, and / or the restricting its flow shall be minimized to the maximum extent practicable. This includes structures and work in navigable waters of the US, or discharges of dredged or fill material.

23. *Waterfowl Breeding Areas*. Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

24. *Removal of Temporary Fills*. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

25. *Designated Critical Resource Waters*. Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers, critical habitat for Federally listed threatened and endangered species, coral reefs, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. Discharges of dredged or fill materials into waters of the US may be authorized by the above NWP's in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the USFWS or the NMFS has concurred in a determination of compliance with this condition.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with General Condition 13, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The District Engineer may authorize activities under these NWP's only after it is determined that the impacts to the critical resource waters will be no more than minimal.

26. *Fills Within 100-Year Floodplains*. For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) Discharges in Floodplain: Below Headwaters. Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below headwaters, *i.e.*, five cfs, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, 43, and 44.

(b) Discharges in Floodway: Above Headwaters. Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

27. *Construction Period*. For activities that have not been verified by the Corps and the project was commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12-months after such date (including any modification that affects the project). For activities



that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps. For projects that have been verified by the Corps, an extension of a Corps approved completion date may be requested. This request must be submitted at least one month before the previously approved completion date.

### **FURTHER INFORMATION**

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other Federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project.

### **NEVADA REGIONAL CONDITIONS**

1. Nationwide Permits 14, 29, 33, 39, 40, 41, 42, 43, and 44 are withdrawn from use in histosols, including fens. For the use of all other nationwide permits in fens, project proponents are required to notify the Corps using the notification (PCN) procedures of the nationwide permit program (see General Condition 13, above). This will be a "Corps only" notification.
2. For all activities using any existing and proposed nationwide permits, mitigation that is required by special condition must be completed before or concurrent with project construction. Where project mitigation involves the use of a mitigation bank or in-lieu fee, payment must be made to the bank or fee-in-lieu program before commencing construction of the permitted activity.
3. For all nationwide permits requiring notification, except nationwide permit 27, the applicant must provide a written statement to the District Engineer explaining how avoidance and minimization of losses of waters of the United States were achieved on the project site.
4. All existing and proposed nationwide permits are suspended in the Lake Tahoe basin in favor of using Regional General Permit 16.



## COMPLIANCE CERTIFICATION

**US Army Corps  
of Engineers®**

Sacramento District

*Corps Permit Number:* 200225035

*Date:* \_\_\_\_\_

*Permittee:* Lakemont Homes

I hereby certify that the work authorized by the above-referenced permit number has been completed in accordance with the terms and conditions of the referenced permit, and any required mitigation was completed in accordance with the permit conditions, except as noted below:

\_\_\_\_\_  
*Permittee Signature*

*Please return this form to:*

US Army Corps of Engineers  
Sacramento District, Nevada Office  
300 Booth Street, Room 2103  
Reno, Nevada 89509-1361

Enclosure 3

September 23, 2002

Regulatory Branch (200225035)

Greg Peitzmeier  
Lakemont Homes  
690 E Plumb Ln, Ste 2  
Reno, Nevada 89502

Dear Mr. Peitzmeier:

The US Army Corps of Engineers (Corps) has received your application for Department of the Army authorization to complete two minor road crossings affecting an unnamed tributary a couple miles northwest of Reno. You are proposing to construct two, culverted road crossings that are needed in conjunction with a housing development. The north crossing will impact approximately 110 feet of tributary and the south road crossing will impact approximately 185 feet of tributary. The enclosed maps and drawings in Enclosure 1 provide additional project details. The purpose of the project is to prepare the site for residential development and provide road access. This project is located in Section 31, Township 20 North, Range 19 East, Washoe County, Nevada. This project has been reviewed for compliance with Section 404 of the Clean Water Act.

Based on the information you provided and discussions with your agent, JBR Environmental Consulting, the Corps verifies that your project is authorized under the criteria of Nationwide Permit (NWP) 14. Section 401 water quality certification from the Nevada Division of Environmental Protection (NDEP) has been issued for this proposed project (see General Condition 9 of Enclosure 2).

Your project must be conducted in accordance with the conditions in Enclosure 2, and the following special conditions:

- a. Project impacts will be compensated by maintaining a 35-foot buffer on each side of the impact tributary.
- b. All areas disturbed as a result of this project shall be revegetated with native vegetation or allowed to re-establish native vegetation and maintained to insure viability for at least five years.
- c. You must control these non-native invasive species in project area: *Lythrum salicaria*, purple loosestrife, *Lepidium latifolium*, tall whitetop, *Tamarix ramosissima*, saltcedar / tamarisk, and *Cirsium arvense*, Canada thistle; there is zero tolerance for these four species.
- d. State of Nevada Best Management Practices shall be utilized throughout construction to prevent erosion or sediment discharge into the creek. If straw bales or straw mulch are used as an erosion prevention measure, they must be certified as weed-free.

You must also complete and sign the enclosed Compliance Certification (Enclosure 3) for the completed work (See General Condition 14 of Enclosure 2). Submit the signed Compliance Certification to the Corps address listed below. Failure to comply with any of the conditions or a change in project scope may render your authorization invalid and could result in the Corps initiating an enforcement action. Please note that other permits may also need to be obtained before you begin your work activity.

After reviewing your proposal, the Corps has determined that the net impacts will not exceed the minimal impact guidance for this NWP. This letter of verification is valid until September 2004 unless this NWP expires, is modified, reissued, or revoked prior to that date. This NWP is scheduled to be modified, reissued or revoked on March 18, 2007. If you commence or are under contract to commence this activity before the date the NWP expires, you will have 12 months from the expiration date to complete the activity under the present terms and conditions of the current NWP.

If you have any questions or need more clarification, you may write the US Army Corps of Engineers-Nevada Office, 300 Booth St Rm 2103, Reno NV 89509-1361 or call 784-5304. You may also send an email to (b) (6)@usace.army.mil.

Sincerely,

(b) (6)  
Chief, Nevada Office  
Regulatory Branch

Enclosures

Copies Furnished: (with enclosure 1)

David Worley, JBR Environmental Consultants, Inc, 4741 Caughlin Pkwy, Ste 2, Reno NV 89509  
Glen Gentry, Bureau of Water Quality Planning Nevada Division of Environmental Protection,  
333 W Nye Ln, Ste 138 Carson City NV 89706-0851  
James Shaffer, Washoe County Health Department, 1001 E Ninth St, Reno NV 89512-2845

## COMPLIANCE CERTIFICATION

*Corps Permit Number:* 200225035

*Date:* \_\_\_\_\_

*Permittee:* Lakemont Homes

I hereby certify that the work authorized by the above-referenced permit number has been completed in accordance with the terms and conditions of the referenced permit, and any required mitigation was completed in accordance with the permit conditions, except as noted below:

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Permittee*

*Please return this form to:*  
US Army Corps of Engineers  
Sacramento District, Nevada Office

Enclosure 3

300 Booth Street, Room 2103  
Reno, Nevada 89509-1361



COPY

June 6, 2003

Regulatory Branch (200325004)

Boris Selitch  
TCA Properties, LLC  
4435 Canyon Drive  
Reno, Nevada 89509

Dear Mr. Selitch:

The US Army Corps of Engineers (Corps) has received your application for Department of the Army authorization to fill a ravine in west Reno that has a jurisdictional, unnamed tributary to the Truckee River. You are proposing to place approximately 1050 feet of the unnamed tributary in a culvert and place 852,000 cubic yards of fill over the entire 16.3 acre development area. To minimize potential erosion from downstream discharges, an energy dissipater will be installed at the lower end of the culverted structure. The enclosed maps and drawings in Enclosure 1 provide additional project details. The purpose of the project is to complete a housing development. This project is located in Section 18, Township 19 North, Range 19 East, Washoe County, Nevada of the Verdi USGS Topographic Quadrangle. This project has been reviewed for compliance with Section 404 of the Clean Water Act.

Based on the information your agent, Jeff Codega Planning/Design, Inc., provided, the Corps verifies that your project is authorized under the criteria of Nationwide Permit (NWP) 39. You may proceed completing your proposed activity, as described above and indicated on the enclosed drawings. Section 401 water quality certification from the Nevada Division of Environmental Protection (NDEP) has been issued for this proposed project (see General Condition 9 of Enclosure 2).

Your project must be conducted in accordance with the conditions in Enclosure 2, and the following special conditions:

- a. You must install an energy dissipater at the downstream end of the culvert to disperse energy from the culverted stream.
- b. You shall take the actions required to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title or interest in real property. Proof of this recordation shall be submitted to the Corps before 10% of the project completion.

You must also complete and sign the enclosed Compliance Certification (Enclosure 3) for the completed work (See General Condition 14 of Enclosure 2). Submit the signed Compliance Certification to the Corps address listed below. Failure to comply with any of the conditions or a change in project scope may render your authorization invalid and could result in the Corps initiating an enforcement action. Please note that other permits may also need to be obtained before you begin your work activity.

After reviewing your proposal, the Corps has determined that the net impacts will not exceed the minimal impact guidance for this NWP. This letter of verification is valid until March 2005 unless this NWP expires, is modified, reissued, or revoked prior to that date. This NWP is scheduled to be modified, reissued or revoked on March 18, 2007. If you commence or are under contract to commence this activity before the date the NWP expires, you will have 12 months from the expiration date to complete the activity under the present terms and conditions of the current NWP.

Your proposed activity has been assigned Corps number 200325004. Please reference this number in any future correspondence about this activity. If you have any questions or need more clarification, you may write the US Army Corps of Engineers, Reno Regulatory Office, 300 Booth St Rm 2103, Reno NV 89509-1361 or call 784-5304. You may also send an email to: (b) (6) @usace.army.mil.

Sincerely,

(b) (6)  
Chief, Reno Regulatory Office

Enclosures

Copy Furnished: w/ Enclosure

John Krompotic, Jeff Codega Planning/Design, Inc., 433 W Plumb Ln, Reno NV 89509

May 24, 2005

Regulatory Branch (200325004)

COPY

Martin Hudler  
Mentor Ltd.  
5845 Jean Road  
Lake Oswego, Oregon 97035-5384

Dear Mr. Hudler:

We received your request to reverify a previously verified Nationwide Permit (NWP) authorization to fill a ravine in west Reno that has a jurisdictional, unnamed tributary to the Truckee River. Additionally, you requested that the NWP verification be reassigned to you, the new property owner / developer. We presume you are proposing to fill the same area and in the same manner as TCA Properties proposed. Therefore the proposal is still to culvert approximately 1050 feet of the unnamed tributary and place 852,000 cubic yards of fill over the entire 16.3-acre development area. To minimize potential erosion from downstream discharges, an energy dissipater will be installed at the lower end of the culverted structure. For your information, the enclosed maps and drawings in Enclosure 1 provide additional project details; these are the original plans that were verified with TCA Properties. If you propose something different, you should contact this office. The purpose of the project is to complete a housing development. This project is located in Section 18, Township 19 North, Range 19 East, Washoe County, Nevada of the Verdi USGS Topographic Quadrangle. This project has been reviewed for compliance with Section 404 of the Clean Water Act.

Based on the information previously provided by TCA Properties' agent, Jeff Codega Planning/Design, Inc., the Corps verifies that your project is still authorized under the criteria NWP 39. You may proceed completing your proposed activity, as described above and indicated on the enclosed drawings. Section 401 water quality certification from the Nevada Division of Environmental Protection (NDEP) has been issued for this proposed project (see General Condition 9 of Enclosure 2).

Your project must be conducted in accordance with the conditions in Enclosure 2, and the following special conditions:

- a. You must install an energy dissipater at the downstream end of the culvert to disperse energy from the culverted stream.
- b. You shall take the actions required to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property. Proof of this recordation shall be submitted to the Corps before 10% of the project completion.

You must also complete and sign the enclosed Compliance Certification (Enclosure 3) for the completed work (See General Condition 14 of Enclosure 2). Submit the signed Compliance Certification to the Corps address listed below. Failure to comply with any of the conditions or a change in project scope may render your authorization invalid and could result in the Corps initiating an enforcement action. Please note that other permits may also need to be obtained before you begin your work activity.

After reviewing your proposal, the Corps has determined that the net impacts will not exceed the minimal impact guidance for this NWP. This letter of verification is valid until March 18, 2007, when this NWP is scheduled to expire, or unless it is revoked before that date. If you commence or are under contract to commence this activity before the date this NWP expires, you will have 12 months from the expiration date to complete the activity under the present terms and conditions of the current NWP.

Your proposed activity has been assigned Corps number 200325004. Please reference this number in any future correspondence about this activity. We have updated our records to show that Mentor Ltd. is the permittee. If you have any questions or need more clarification, you may write the US Army Corps of Engineers, Reno Regulatory Office, 300 Booth St Rm 2103, Reno NV 89509-1361 or call 784-5307. You may also send an email to:

(b) (6) @usace.army.mil.

Sincerely,

(b) (6)

Chief, Reno Regulatory Office

Enclosures

Copy Furnished w/Enclosures:

Glen Gentry, Nevada Department of Environmental Protection, Bureau of Water Quality  
Planning, 333 West Nye Lane, Ste. 138, Carson City, NV 89706-0851

## COMPLIANCE CERTIFICATION

*Corps Permit Number:* 200325004

*Date:* \_\_\_\_\_

*Permittee:* Mentor Ltd.

I hereby certify that the work authorized by the above-referenced permit number has been completed in accordance with the terms and conditions of the referenced permit, and any required mitigation was completed in accordance with the permit conditions, except as noted below:

\_\_\_\_\_

*Signature*

*Permittee*

*Please return this form to:*

U.S. Army Corps of Engineers  
Reno Regulatory Office  
300 Booth Street, Room 2103



# CROM-STANLEY ENGINEERING

1132 W. First St. • Suite A • Reno, NV 89503

Office: (775) 324-5188

Fax: (775) 324-7188

## LETTER OF TRANSMITTAL

DATE	4/28/10	JOB NO.	
ATTENTION	(b) (6)		
RE	Nationwide Permit		

TO:

Army Corps of Engineers

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via \_\_\_\_\_ the following items:

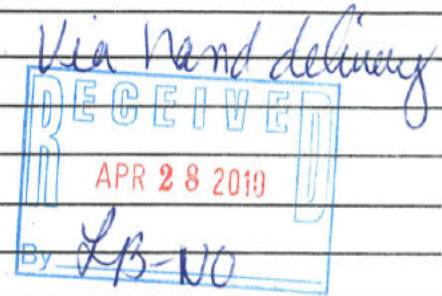
- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications  
☐ Copy of letter ☐ Change order ☐ \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
		1	Nationwide permit & attachment

THESE ARE TRANSMITTED as checked below:

- ☒ For approval ☐ Approved as submitted ☐ Resubmit \_\_\_\_\_ copies for approval  
☐ For your use ☐ Approved as noted ☐ Submit \_\_\_\_\_ copies for distribution  
☐ As requested ☐ Returned for corrections ☐ Return \_\_\_\_\_ corrected prints  
☐ For review and comment ☐ \_\_\_\_\_  
☐ FOR BIDS DUE \_\_\_\_\_ 20 \_\_\_\_\_ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:



SPK-2003-25004-N0

COPY TO:

SIGNED:

Sean Crom

May 24, 2005

Regulatory Branch (200325004)

Martin Hudler  
Mentor Ltd.  
5845 Jean Road  
Lake Oswego, Oregon 97035-5384

Dear Mr. Hudler:

We received your request to reverify a previously verified Nationwide Permit (NWP) authorization to fill a ravine in west Reno that has a jurisdictional, unnamed tributary to the Truckee River. Additionally, you requested that the NWP verification be reassigned to you, the new property owner / developer. We presume you are proposing to fill the same area and in the same manner as TCA Properties proposed. Therefore the proposal is still to culvert approximately 1050 feet of the unnamed tributary and place 852,000 cubic yards of fill over the entire 16.3-acre development area. To minimize potential erosion from downstream discharges, an energy dissipater will be installed at the lower end of the culverted structure. For your information, the enclosed maps and drawings in Enclosure 1 provide additional project details; these are the original plans that were verified with TCA Properties. If you propose something different, you should contact this office. The purpose of the project is to complete a housing development. This project is located in Section 18, Township 19 North, Range 19 East, Washoe County, Nevada of the Verdi USGS Topographic Quadrangle. This project has been reviewed for compliance with Section 404 of the Clean Water Act.

Based on the information previously provided by TCA Properties' agent, Jeff Codega Planning/Design, Inc., the Corps verifies that your project is still authorized under the criteria NWP 39. You may proceed completing your proposed activity, as described above and indicated on the enclosed drawings. Section 401 water quality certification from the Nevada Division of Environmental Protection (NDEP) has been issued for this proposed project (see General Condition 9 of Enclosure 2).

Your project must be conducted in accordance with the conditions in Enclosure 2, and the following special conditions:

- a. You must install an energy dissipater at the downstream end of the culvert to disperse energy from the culverted stream.
- b. You shall take the actions required to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property. Proof of this recordation shall be submitted to the Corps before 10% of the project completion.



You must also complete and sign the enclosed Compliance Certification (Enclosure 3) for the completed work (See General Condition 14 of Enclosure 2). Submit the signed Compliance Certification to the Corps address listed below. Failure to comply with any of the conditions or a change in project scope may render your authorization invalid and could result in the Corps initiating an enforcement action. Please note that other permits may also need to be obtained before you begin your work activity.

After reviewing your proposal, the Corps has determined that the net impacts will not exceed the minimal impact guidance for this NWP. This letter of verification is valid until March 18, 2007, when this NWP is scheduled to expire, or unless it is revoked before that date. If you commence or are under contract to commence this activity before the date this NWP expires, you will have 12 months from the expiration date to complete the activity under the present terms and conditions of the current NWP.

Your proposed activity has been assigned Corps number 200325004. Please reference this number in any future correspondence about this activity. We have updated our records to show that Mentor Ltd. is the permittee. If you have any questions or need more clarification, you may write the US Army Corps of Engineers, Reno Regulatory Office, 300 Booth St Rm 2103, Reno NV 89509-1361 or call 784-5307. You may also send an email to: (b) (6) @usace.army.mil.

Sincerely,

(b) (6)

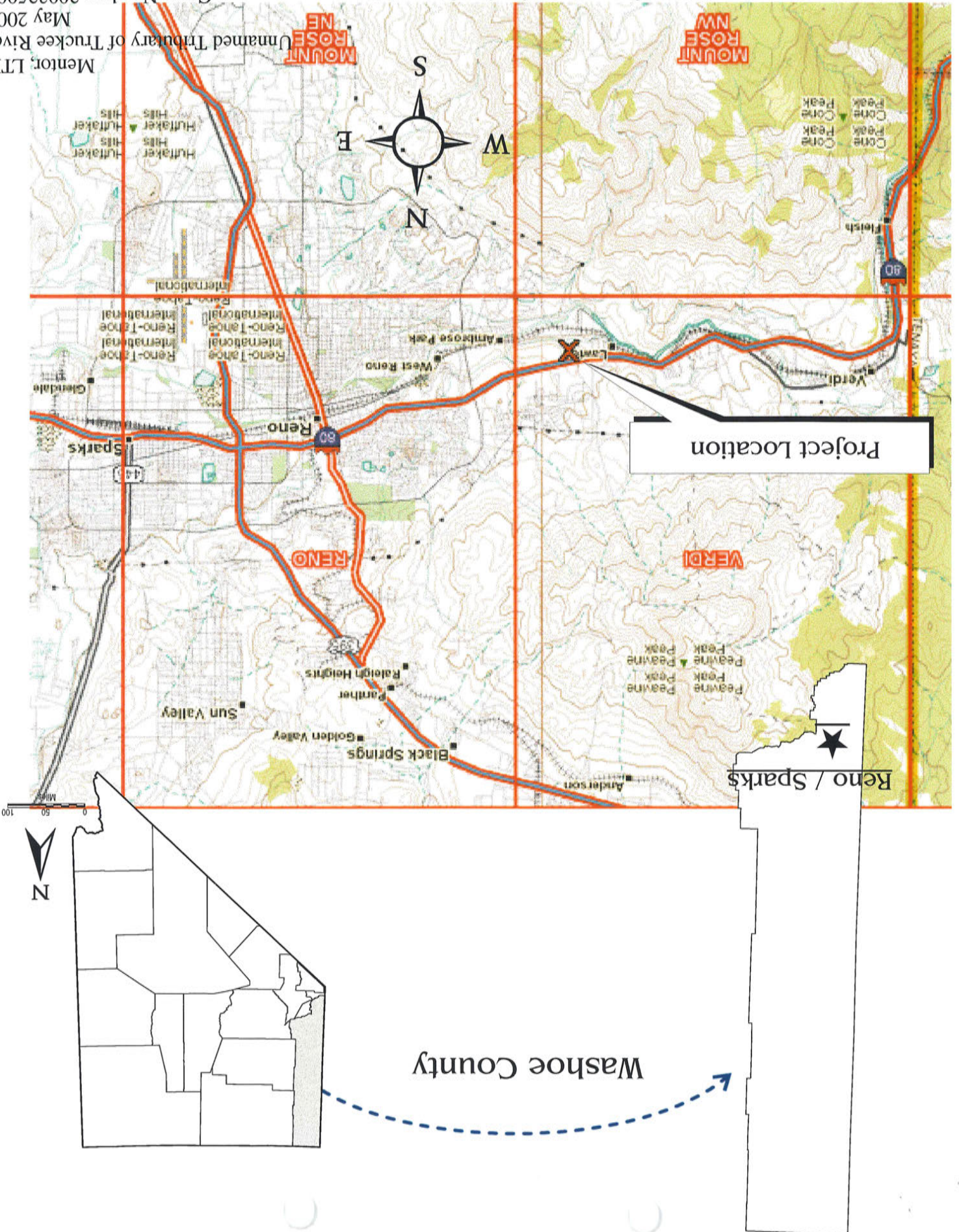
Chief, Reno Regulatory Office

Enclosures

Copy Furnished w/Enclosures:

Glen Gentry, Nevada Department of Environmental Protection, Bureau of Water Quality  
Planning, 333 West Nye Lane, Ste. 138, Carson City, NV 89706-0851





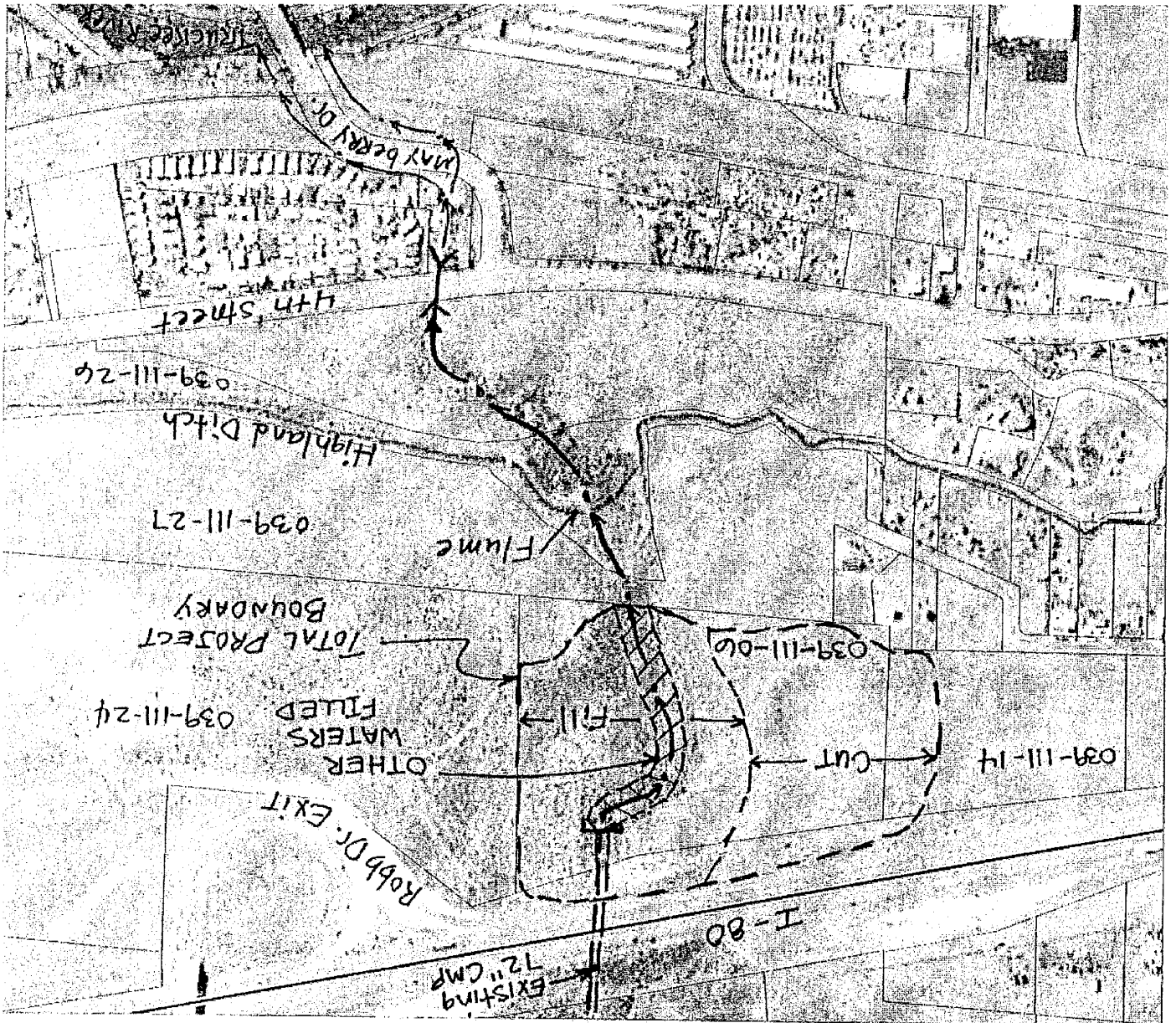


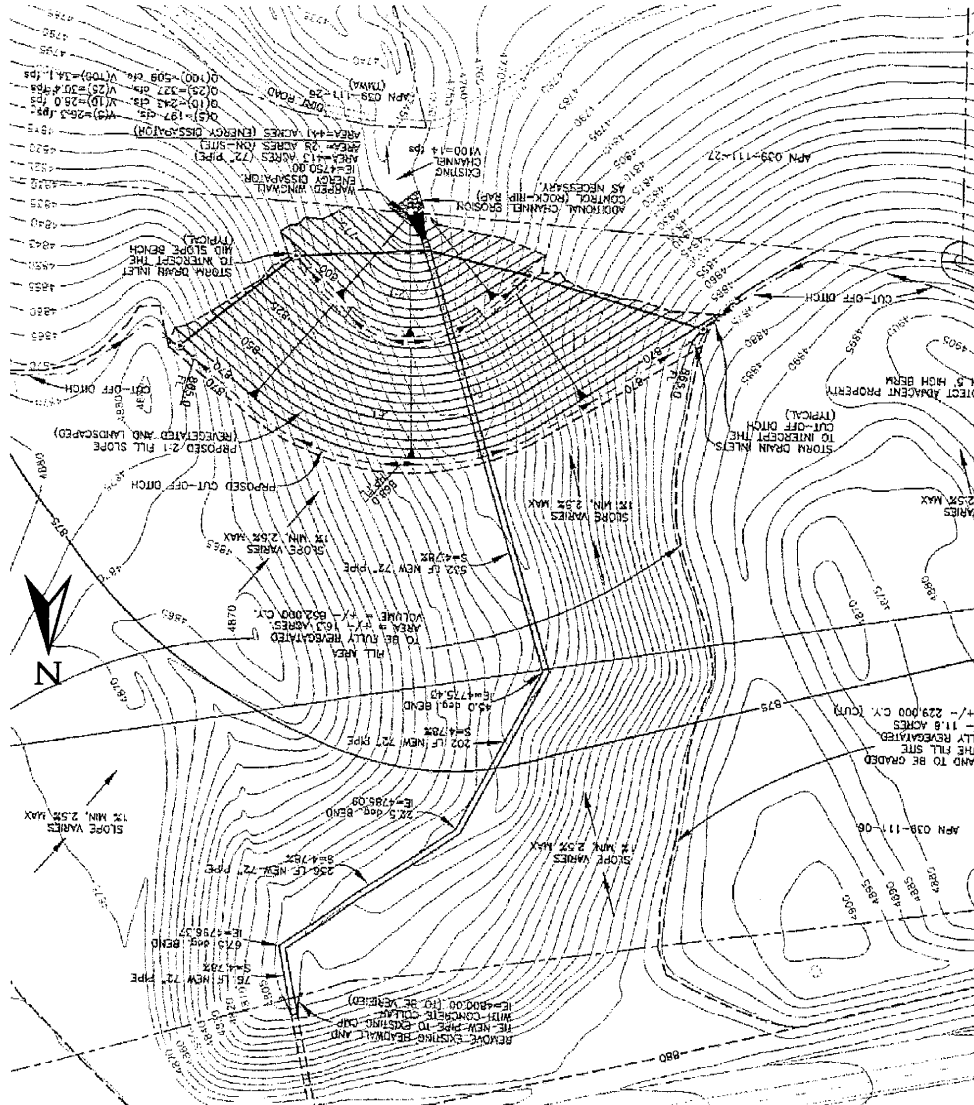
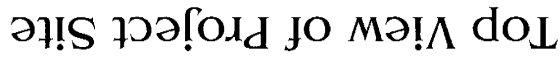
# Top View of Project Site



Scale 1:6703

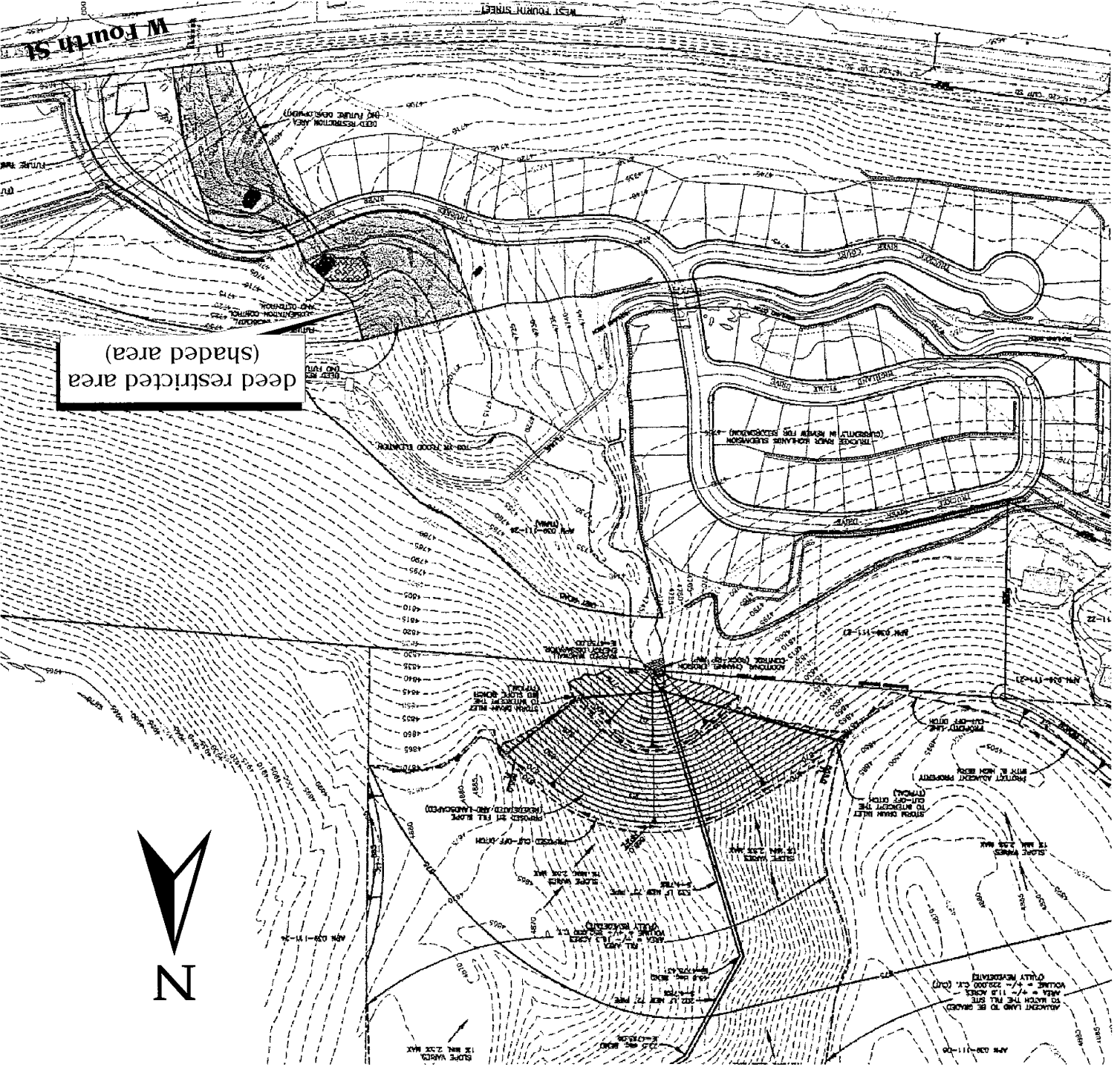
Map & Drawings Provided by Jeff Codega Designs





# Top View of Project Site showing deed restricted area

Drawing Provided by Jeff Codega Designs



## NATIONWIDE PERMIT GENERAL CONDITIONS, FURTHER INFORMATION, AND REGIONAL CONDITIONS<sup>1</sup>

---

The following General Conditions must be followed in order for any authorization by an Nationwide Permit (NWP) to be valid:

1. *Navigation.* No activity may cause more than a minimal adverse effect on navigation.
2. *Proper Maintenance.* Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.
3. *Soil Erosion and Sediment Controls.* Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
4. *Aquatic Life Movements.* No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.
5. *Equipment.* Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.
6. *Regional and Case-By-Case Conditions.* The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state or Tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination.
7. *Wild and Scenic Rivers.* No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area, e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service.
8. *Tribal Rights.* No activity or its operation may impair reserved Tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
9. *Water Quality.*
  - (a) In certain states and Tribal lands, an individual 401 Water Quality Certification must be obtained or waived (See 33 CFR 330.4(c)).
  - (b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the state or Tribal 401 certification (either generically or individually) does not require or approve water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of water

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<sup>1</sup>Nationwide Permit General Conditions and Further Information excerpted from Federal Register, Vol 67, No. 10, pages 2089-2094, 15 January 2002; includes corrections published in Federal Register, Vol 67, No. 30, pages 6692-6695, 13 February 2002 and Federal Register, Vol 67, No. 37, page 8579, 25 February 2002; Regional Conditions excerpted from <http://www.spk.usace.army.mil/cespk-co/regulatory/NW-Conditions.html>.



quality management includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (refer to General Condition 21 for stormwater management requirements). Another important component of water quality management is the establishment and maintenance of vegetated buffers next to open waters, including streams (refer to General Condition 19 for vegetated buffer requirements for the NWP).

This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.

10. *Coastal Zone Management.* In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see 33 CFR 330.4(d)).

11. *Endangered Species.*

(a) No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS the District Engineer may add species-specific regional endangered species conditions to the NWPs.

(b) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization, *e.g.*, an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc., from the USFWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their world wide web pages at <http://www.fws.gov/r9endspp/endspp.html> and [http://www.nmfs.noaa.gov/prot\\_res/overview/es.html](http://www.nmfs.noaa.gov/prot_res/overview/es.html) respectively.

12. *Historic Properties.* No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the notification must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

13. *Notification.*

(a) Timing: where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction notification (PCN) as early as possible. The District Engineer must determine if the notification is complete within 30 days of the date of receipt and can request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the District Engineer will notify the prospective permittee that the notification is still incomplete and the PCN review process will not commence until all of the requested information has been received by the District Engineer. The prospective permittee shall not begin the activity:

(1) Until notified in writing by the District Engineer that the activity may proceed under the NWP with any special conditions imposed by the District or Division Engineer; or

(2) If notified in writing by the District or Division Engineer that an Individual Permit is required; or

(3) Unless 45 days have passed from the District Engineer's receipt of the complete notification and the prospective permittee has not received written notice from the District or Division Engineer. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Notification: The notification must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), Regional General Permit(s), or Individual Permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision.);
- (4) For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows, *e.g.*, submerged aquatic vegetation, seagrass beds, and riffle and pool complexes (see paragraph 13(f));
- (5) For NWP 7 (Outfall Structures and Maintenance), the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed;
- (6) For NWP 14 (Linear Transportation Projects), the PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable;
- (7) For NWP 21 (Surface Coal Mining Activities), the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;
- (8) For NWP 27 (Stream and Wetland Restoration Activities), the PCN must include documentation of the prior condition of the site that will be reverted by the
- (9) For NWP 29 (Single-Family Housing), the PCN must also include:
  - (i) Any past use of this NWP by the individual permittee and / or the permittee's spouse;
  - (ii) A statement that the single-family housing activity is for a personal residence of the permittee;
  - (iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring  $\frac{1}{4}$ -acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than  $\frac{1}{4}$ -acre in size, formal wetland delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));
  - (iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and / or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;
- (10) For NWP 31 (Maintenance of Existing Flood Control Facilities), the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:
  - (i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased;
  - (ii) A delineation of any affected special aquatic sites, including wetlands; and,
  - (iii) Location of the dredged material disposal site;
- (11) For NWP 33 (Temporary Construction, Access, and Dewatering), the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources;
- (12) For NWPs 39, 43 and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the US were achieved on the project site;
- (13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal to offset losses of waters of the US or justification explaining why compensatory mitigation should not be required. For discharges

that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44 (Mining Activities), the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock / mineral mining activities);

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work; and

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

(c) Form of Notification: The standard Individual Permit application form (Form ENG 4345) may be used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(18) of General Condition 13. A letter containing the requisite information may also be used.

(d) District Engineer's Decision: In reviewing the PCN for the proposed activity, the District Engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. The prospective permittee may submit a proposed mitigation plan with the PCN to expedite the process. The District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. The District Engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the District Engineer will expeditiously review the proposed compensatory mitigation plan. The District Engineer must review the plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the District Engineer will notify the applicant either:

(1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an Individual Permit;

(2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or

(3) that the project is authorized under the NWP with specific modifications or conditions. Where the District Engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

(e) *Agency Coordination*: The District Engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

For activities requiring notification to the District Engineer that result in the loss of greater than  $\frac{1}{2}$ -acre of waters of the US, the District Engineer will provide immediately, *e.g.*, via facsimile transmission, overnight mail, or other expeditious manner, a copy to the appropriate Federal or state offices (USFWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision on the notification. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer will indicate in the administrative record associated with each notification that the resource agencies' concerns were considered. As required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to NMFS within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of notifications to expedite agency notification.

(f) *Wetland Delineations*: Wetland delineations must be prepared in accordance with the current method required by the Corps (For NWP 29 see paragraph (b)(9)(iii) for parcels less than  $\frac{1}{4}$ -acre in size). The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

14. *Compliance Certification*. Every permittee who has received NWP verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include:

- (a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions;
- (b) A statement that any required mitigation was completed in accordance with the permit conditions; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

15. *Use of Multiple Nationwide Permits*. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit, *e.g.*, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the US for the total project cannot exceed  $\frac{1}{3}$ -acre.

16. *Water Supply Intakes*. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

17. *Shellfish Beds*. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

18. *Suitable Material*. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material, *e.g.*, trash, debris, car bodies, asphalt, etc., and material

used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the CWA).

19. *Mitigation.* The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US to the maximum extent practicable at the project site, *i.e.*, on site.

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation, *i.e.*, replacement or substitution of aquatic resources for those impacted, will not be used to increase the acreage losses allowed by the acreage limits of some of the NWP's. For example,  $\frac{1}{4}$ -acre of wetlands cannot be created to change a  $\frac{3}{4}$ -acre loss of wetlands to a  $\frac{1}{2}$ -acre loss associated with NWP 39 verification. However,  $\frac{1}{2}$ -acre of created wetlands can be used to reduce the impacts of a  $\frac{1}{2}$ -acre loss of wetlands to the minimum impact level in order to meet the minimal impact requirement associated with NWP's.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection, *e.g.*, easements, deed restrictions, of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineers may require slightly wider vegetated buffers to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation, *e.g.*, stream buffers or wetlands compensation, based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements, or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for accomplishing and / or complying with the mitigation plan.

20. *Spawning Areas.* Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction, *e.g.*, excavate, fill, or smother downstream by substantial turbidity, of an important spawning area are not authorized.

21. *Management of Water Flows.* To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions, *e.g.*, location, capacity, and flow rates. Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not

that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps. For projects that have been verified by the Corps, an extension of a Corps approved completion date may be requested. This request must be submitted at least one month before the previously approved completion date.

### **FURTHER INFORMATION**

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other Federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project.

### **NEVADA REGIONAL CONDITIONS**

1. Nationwide Permits 14, 29, 33, 39, 40, 41, 42, 43, and 44 are withdrawn from use in histosols, including fens. For the use of all other nationwide permits in fens, project proponents are required to notify the Corps using the notification (PCN) procedures of the nationwide permit program (see General Condition 13, above). This will be a "Corps only" notification.
2. For all activities using any existing and proposed nationwide permits, mitigation that is required by special condition must be completed before or concurrent with project construction. Where project mitigation involves the use of a mitigation bank or in-lieu fee, payment must be made to the bank or fee-in-lieu program before commencing construction of the permitted activity.
3. For all nationwide permits requiring notification, except nationwide permit 27, the applicant must provide a written statement to the District Engineer explaining how avoidance and minimization of losses of waters of the United States were achieved on the project site.
4. All existing and proposed nationwide permits are suspended in the Lake Tahoe basin in favor of using Regional General Permit 16.



increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow.

This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

*22. Adverse Effects From Impoundments.* If the activity creates an impoundment of water, adverse effects to the aquatic system due to the acceleration of the passage of water, and / or the restricting its flow shall be minimized to the maximum extent practicable. This includes structures and work in navigable waters of the US, or discharges of dredged or fill material.

*23. Waterfowl Breeding Areas.* Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

*24. Removal of Temporary Fills.* Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

*25. Designated Critical Resource Waters.* Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers, critical habitat for Federally listed threatened and endangered species, coral reefs, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. Discharges of dredged or fill materials into waters of the US may be authorized by the above NWP's in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the USFWS or the NMFS has concurred in a determination of compliance with this condition.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with General Condition 13, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The District Engineer may authorize activities under these NWP's only after it is determined that the impacts to the critical resource waters will be no more than minimal.

*26. Fills Within 100-Year Floodplains.* For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) Discharges in Floodplain: Below Headwaters. Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below headwaters, *i.e.*, five cfs, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, 43, and 44.

(b) Discharges in Floodway: Above Headwaters. Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

*27. Construction Period.* For activities that have not been verified by the Corps and the project was commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12-months after such date (including any modification that affects the project). For activities

## COMPLIANCE CERTIFICATION

*Corps Permit Number:* 200325004

*Date:* \_\_\_\_\_

*Permittee:* Mentor Ltd.

I hereby certify that the work authorized by the above-referenced permit number has been completed in accordance with the terms and conditions of the referenced permit, and any required mitigation was completed in accordance with the permit conditions, except as noted below:

\_\_\_\_\_  
*Permittee Signature*

*Please return this form to:*

US Army Corps of Engineers  
Reno Regulatory Office  
300 Booth Street, Room 2103  
Reno, Nevada 89509-1361

Enclosure 3



DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO CA 95814-2922

REPLY TO  
ATTENTION OF

October 6, 2010

Regulatory Division (SPK-2003-25004-NO)

Mr. Boris Selitsch  
4435 Canyon Drive  
Reno, Nevada 89519

Dear Mr. Selitsch:

We are responding to your April 28, 2010, request for a Department of the Army permit for the TCA Properties project. This approximately 0.25-acre project involves activities, including discharges of dredged or fill material, in waters of the United States. The project is located in an unnamed tributary to the Truckee River, Section 18, Township 19 North, Range 19 East, Mount Diablo Base Meridian, Latitude 39.51380°, Longitude -119.89223°, Reno, Washoe County, Nevada.

Based on the information you provided and the attached drawings dated August 6, 2010, the proposed activity, resulting in impacts to approximately 0.19 acres of an unnamed tributary, is authorized by Nationwide Permit Number NWP 39, *Commercial and Institutional Developments*. Your work must comply with the general terms and conditions listed on the enclosed Nationwide Permit information sheets and the following special conditions:

Special Conditions

1. You must install an energy dissipater at the downstream end of the culvert to disperse energy from the culverted stream.
2. You shall establish and maintain a 2.5-acre of avoided and preserved waters of the United States, as depicted on the enclosed drawings entitled *TCA Properties - Compensatory Mitigation Proposal*, dated August 6, 2010, in perpetuity. The purpose of this preserve is to insure that functions and values of the aquatic environment are protected.
3. To minimize external disturbance to preserved waters of the United States, you shall establish a buffer, consisting of native upland vegetation around the entire perimeter of all preserved and avoided waters of the United States, including the wetlands within the proposed preserve.
4. To insure that the preserve is properly managed, you shall develop a specific and detailed preserve management plan for the preservation area. This plan shall be submitted to and specifically approved, in writing, by the U.S. Army Corps of Engineers prior to engaging in any work authorized by this permit. This plan shall describe in detail any activities that are proposed within the preserve area and the long term funding and maintenance of each of the preserve area.
5. To protect the integrity of the preserve and avoid unanticipated future impacts, no roads, utility lines, trails, benches, equipment or fuel storage, grading, firebreaks, mowing, grazing, planting, discing, pesticide use, burning, or other structures or activities shall be constructed or occur within the preservation area without specific, advance written approval from the U.S. Army Corps of Engineers.



6. To assure success of the preserved areas, you shall monitor the preservation area occurring for five years. This period shall commence upon completion of the authorized fill activity, but not later than one year after the initiation of fill activity. The primary focus of this monitoring shall be to assure that the preserve is successfully established and maintained as wetland and wildlife habitat and not adversely affected by surrounding development.

7. You shall submit monitoring reports to this office, for each year of the five-year monitoring period, by October 1 of each year

You must sign the enclosed Compliance Certification and return it to this office within 30 days after completion of the authorized work.

This verification is valid for two years from the date of this letter or until the Nationwide Permit is modified, reissued, or revoked, whichever comes first. All of the existing NWP's are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWP's. We will issue a public notice when the NWP's are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have twelve 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Failure to comply with the General Conditions of this Nationwide Permit, or the project-specific Special Conditions of this authorization, may result in the suspension or revocation of your authorization.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2003-25004-NO in any correspondence concerning this project. If you have any questions, please contact (b) (6) at our Reno Regulatory Field Office, 300 Booth Street, Room 3060, Reno, Nevada 89509, email (b) (6)@usace.army.mil, or telephone 775-784-5305. For more information regarding our program, please visit our website at [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

(b) (6)

Senior Project Manager, Reno Field Office  
Sacramento District

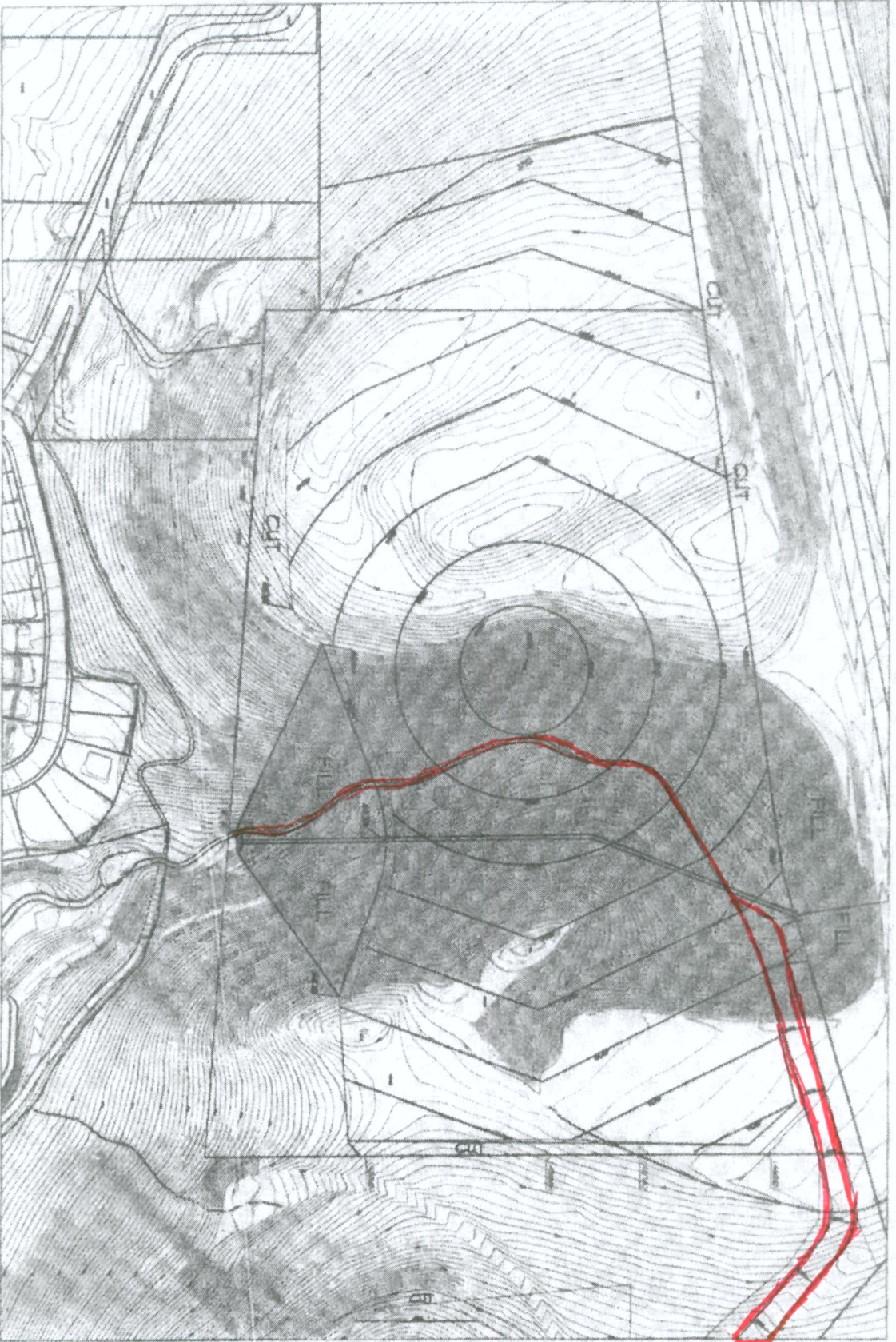
Enclosures

Copy furnished without enclosures:

Ms. Jean Stone, Nevada Division of Environmental Protection, Bureau of Water Quality and Planning,  
901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249

Mr. Jeryl Gardner, Nevada Division of Environmental Protection, Bureau of Water Quality and Planning,  
901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249





APR  
→

GRADING PLAN  
SCALE: 1"=100'



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY ENGINEER DISTRICT, SACRAMENTO**  
**CORPS OF ENGINEERS**  
**1325 J STREET**  
**SACRAMENTO CA 95814-2922**

REPLY TO  
ATTENTION OF

October 6, 2010

Regulatory Division (SPK-2003-25004-NO)

Mr. Boris Selitsch  
4435 Canyon Drive  
Reno, Nevada 89519

Dear Mr. Selitsch:

We are responding to your April 28, 2010, request for a Department of the Army permit for the TCA Properties project. This approximately 0.25-acre project involves activities, including discharges of dredged or fill material, in waters of the United States. The project is located in an unnamed tributary to the Truckee River, Section 18, Township 19 North, Range 19 East, Mount Diablo Base Meridian, Latitude 39.51380°, Longitude -119.89223°, Reno, Washoe County, Nevada.

Based on the information you provided and the attached drawings dated August 6, 2010, the proposed activity, resulting in impacts to approximately 0.19 acres of an unnamed tributary, is authorized by Nationwide Permit Number NWP 39, *Commercial and Institutional Developments*. Your work must comply with the general terms and conditions listed on the enclosed Nationwide Permit information sheets and the following special conditions:

Special Conditions

1. You must install an energy dissipater at the downstream end of the culvert to disperse energy from the culverted stream.
2. You shall establish and maintain a 2.5-acre of avoided and preserved waters of the United States, as depicted on the enclosed drawings entitled *TCA Properties - Compensatory Mitigation Proposal*, dated August 6, 2010, in perpetuity. The purpose of this preserve is to insure that functions and values of the aquatic environment are protected.
3. To minimize external disturbance to preserved waters of the United States, you shall establish a buffer, consisting of native upland vegetation around the entire perimeter of all preserved and avoided waters of the United States, including the wetlands within the proposed preserve.
4. To insure that the preserve is properly managed, you shall develop a specific and detailed preserve management plan for the preservation area. This plan shall be submitted to and specifically approved, in writing, by the U.S. Army Corps of Engineers prior to engaging in any work authorized by this permit. This plan shall describe in detail any activities that are proposed within the preserve area and the long term funding and maintenance of each of the preserve area.
5. To protect the integrity of the preserve and avoid unanticipated future impacts, no roads, utility lines, trails, benches, equipment or fuel storage, grading, firebreaks, mowing, grazing, planting, discing, pesticide use, burning, or other structures or activities shall be constructed or occur within the preservation, area without specific, advance written approval from the U.S. Army Corps of Engineers.



6. To assure success of the preserved areas, you shall monitor the preservation area occurring for five years. This period shall commence upon completion of the authorized fill activity, but not later than one year after the initiation of fill activity. The primary focus of this monitoring shall be to assure that the preserve is successfully established and maintained as wetland and wildlife habitat and not adversely affected by surrounding development.

7. You shall submit monitoring reports to this office, for each year of the five-year monitoring period, by October 1 of each year

You must sign the enclosed Compliance Certification and return it to this office within 30 days after completion of the authorized work.

This verification is valid for two years from the date of this letter or until the Nationwide Permit is modified, reissued, or revoked, whichever comes first. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have twelve 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Failure to comply with the General Conditions of this Nationwide Permit, or the project-specific Special Conditions of this authorization, may result in the suspension or revocation of your authorization.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2003-25004-NO in any correspondence concerning this project. If you have any questions, please contact (b) (6) at our Reno Regulatory Field Office, 300 Booth Street, Room 3060, Reno, Nevada 89509, email (b) (6)@usace.army.mil, or telephone 775-784-5305. For more information regarding our program, please visit our website at [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

(b) (6)  
Senior Project Manager, Reno Field Office  
Sacramento District

Enclosures

Copy furnished without enclosures:

Ms. Jean Stone, Nevada Division of Environmental Protection, Bureau of Water Quality and Planning,  
901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249

Mr. Jeryl Gardner, Nevada Division of Environmental Protection, Bureau of Water Quality and Planning,  
901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249

## COMPLIANCE CERTIFICATION

**Permit File Number:** SPK-2003-25004-NO

**Nationwide Permit Number:** NWP 39, *Commercial and Institutional Developments.*

**Permittee:** Boris Selitsch  
4435 Canyon Drive  
Reno, Nevada 89519

**County:** Washoe

**Date of Verification:** October 6, 2010

Within 30 days after completion of the activity authorized by this permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
Sacramento District  
Reno Regulatory Field Office  
300 Booth Street, Room 3060  
Reno, Nevada 89509  
*DLLS-CESPK-RD-Compliance@usace.army.mil*

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of the permit your authorization may be suspended, modified, or revoked. If you have any questions about this certification, please contact the Corps of Engineers.

\* \* \* \* \*

***I hereby certify that the work authorized by the above-referenced permit, including all the required mitigation, was completed in accordance with the terms and conditions of the permit verification.***

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

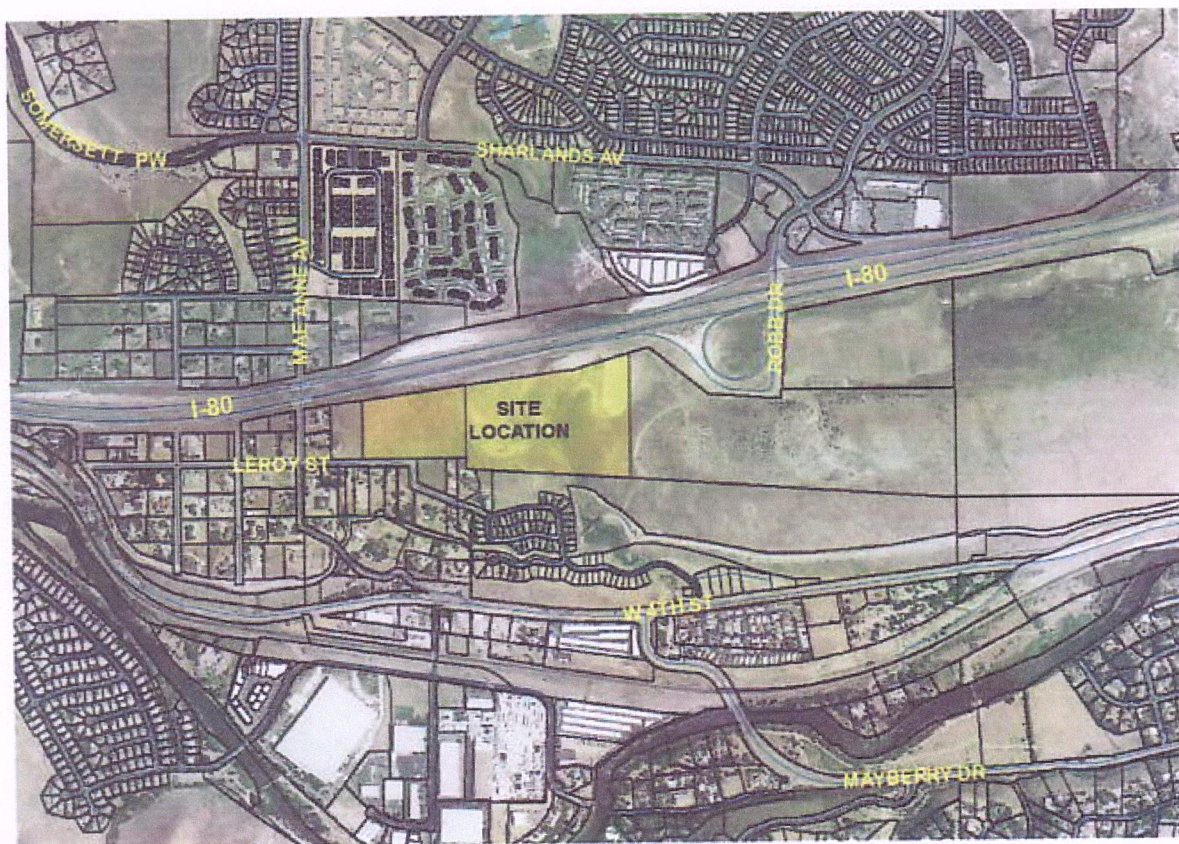




**General Vicinity Map**

### Property Location

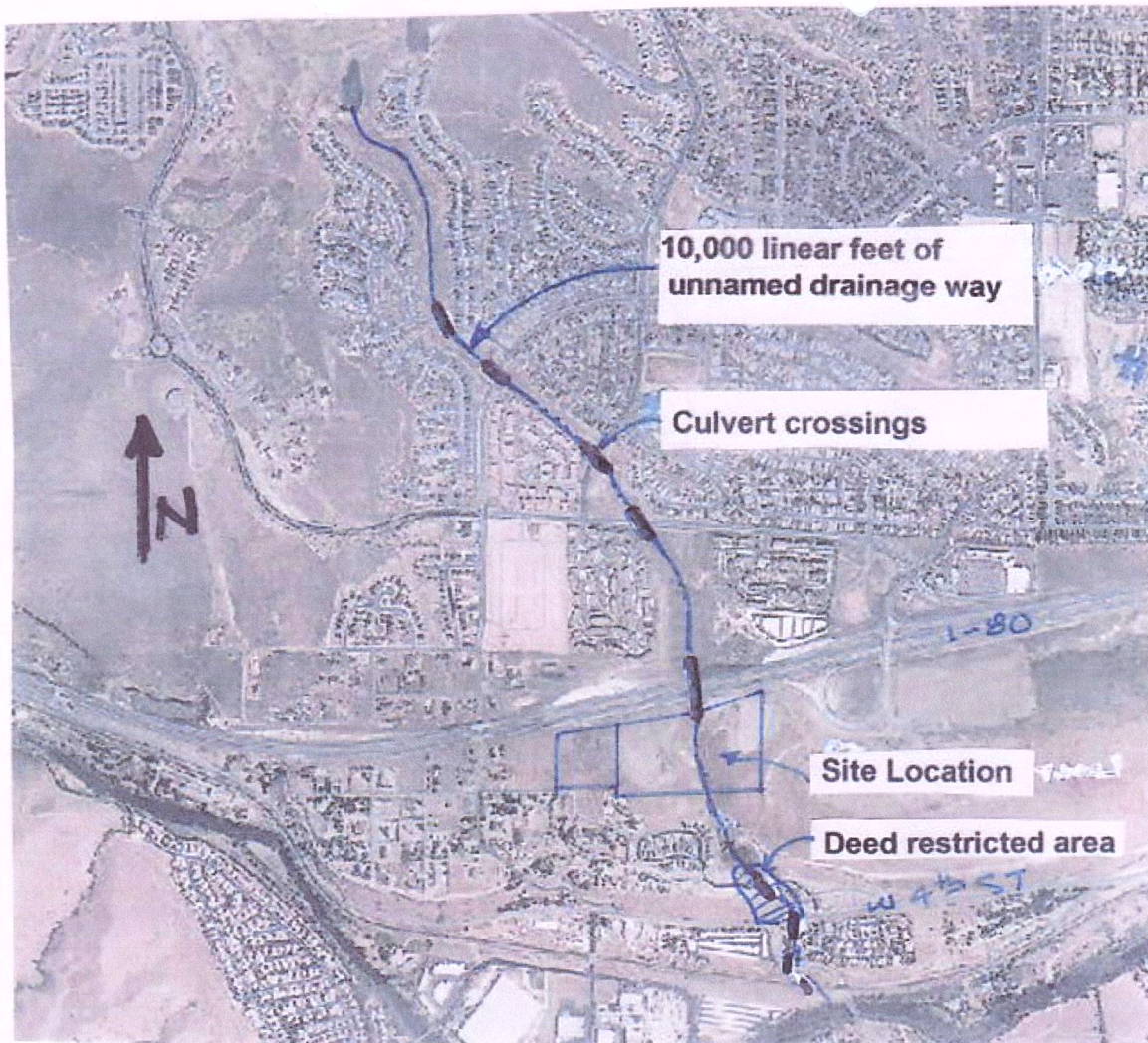
This site is located on the south side of I-80 and just west of Robb Drive. It includes 2 parcels which are APN 212-112-01 (24.51 acres), APN 212-122-03 (10.14 acres) that total 34.65 acres.



**Figure 1 – Vicinity Map**

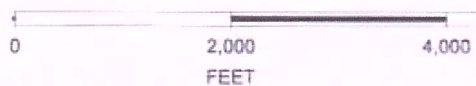
TCA PROPERTIES  
 UNNAMED TRIBUTARY OF THE TRUCKEE  
 RENO, NEVADA  
 APRIL 2010  
 ENCLOSURE 1





SCALE 1 : 20,000

Truckee River



### TOP VIEW OF UNNAMED DRAINAGE WAY

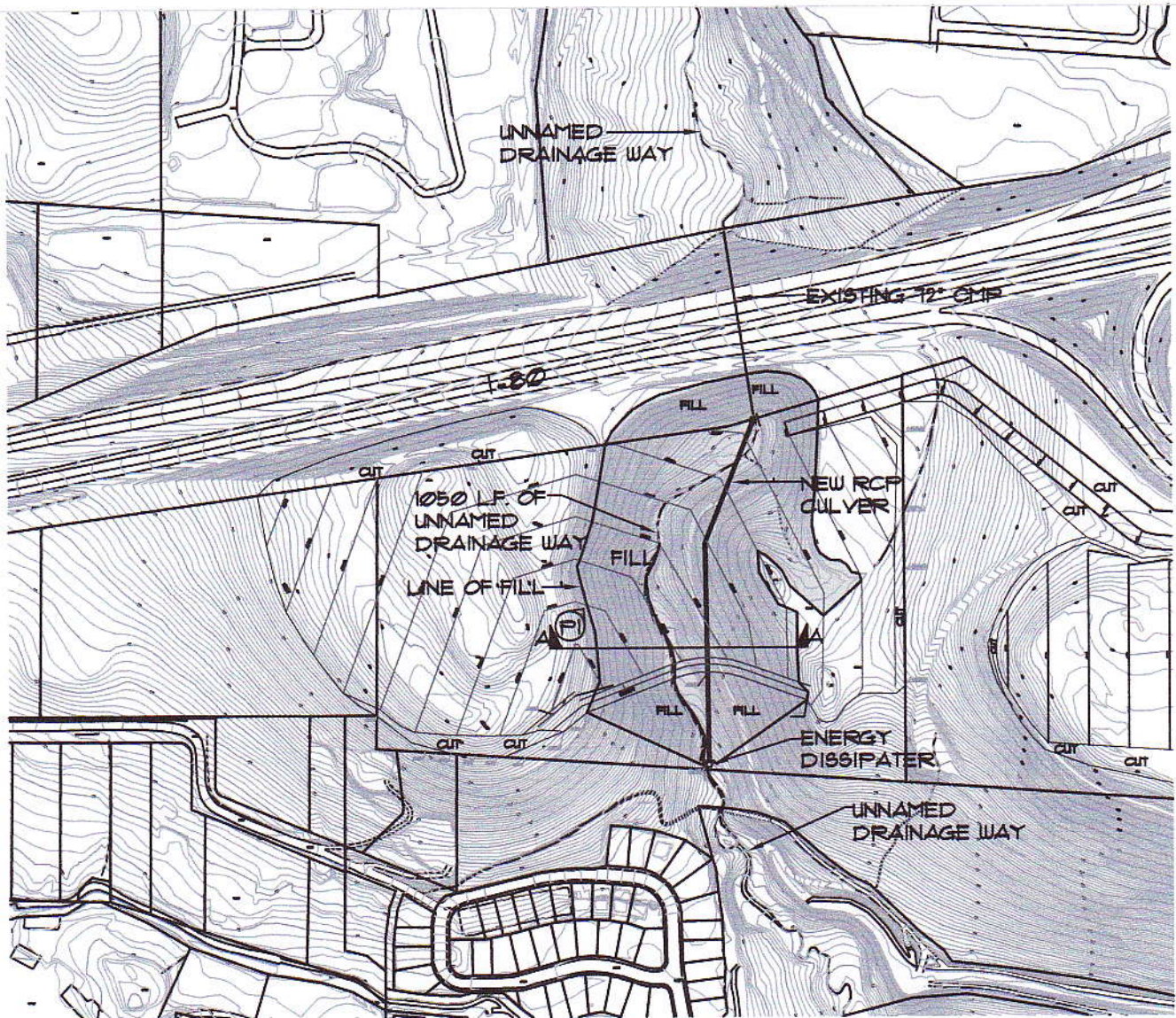
TCA PROPERTIES  
UNNAMED TRIBUTARY OF THE TRUCKEE  
RENO, NEVADA  
APRIL 2010  
ENCLOSURE 2





**GRADING PLAN**  
SCALE: 1"=200'



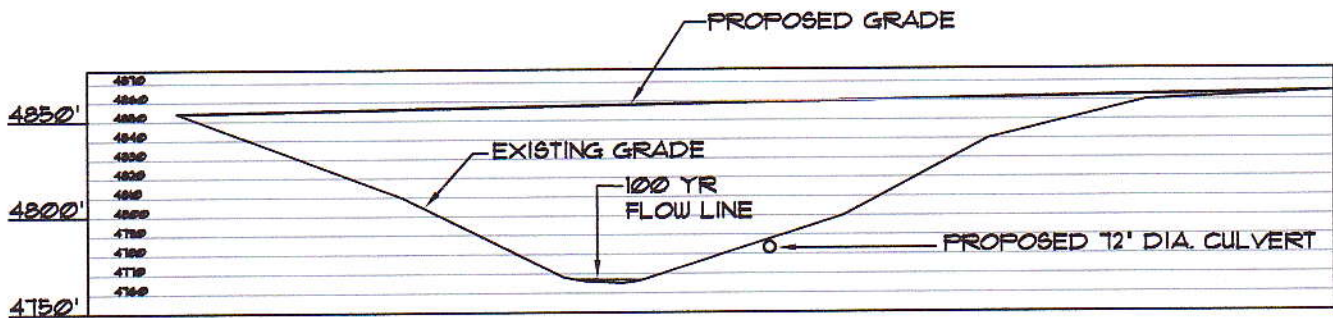


DIRECTION TAKEN

P1 PICTURE 1

P2 PICTURE 2

# SITE PLAN (TOP VIEW) SCALE: 1"=300'

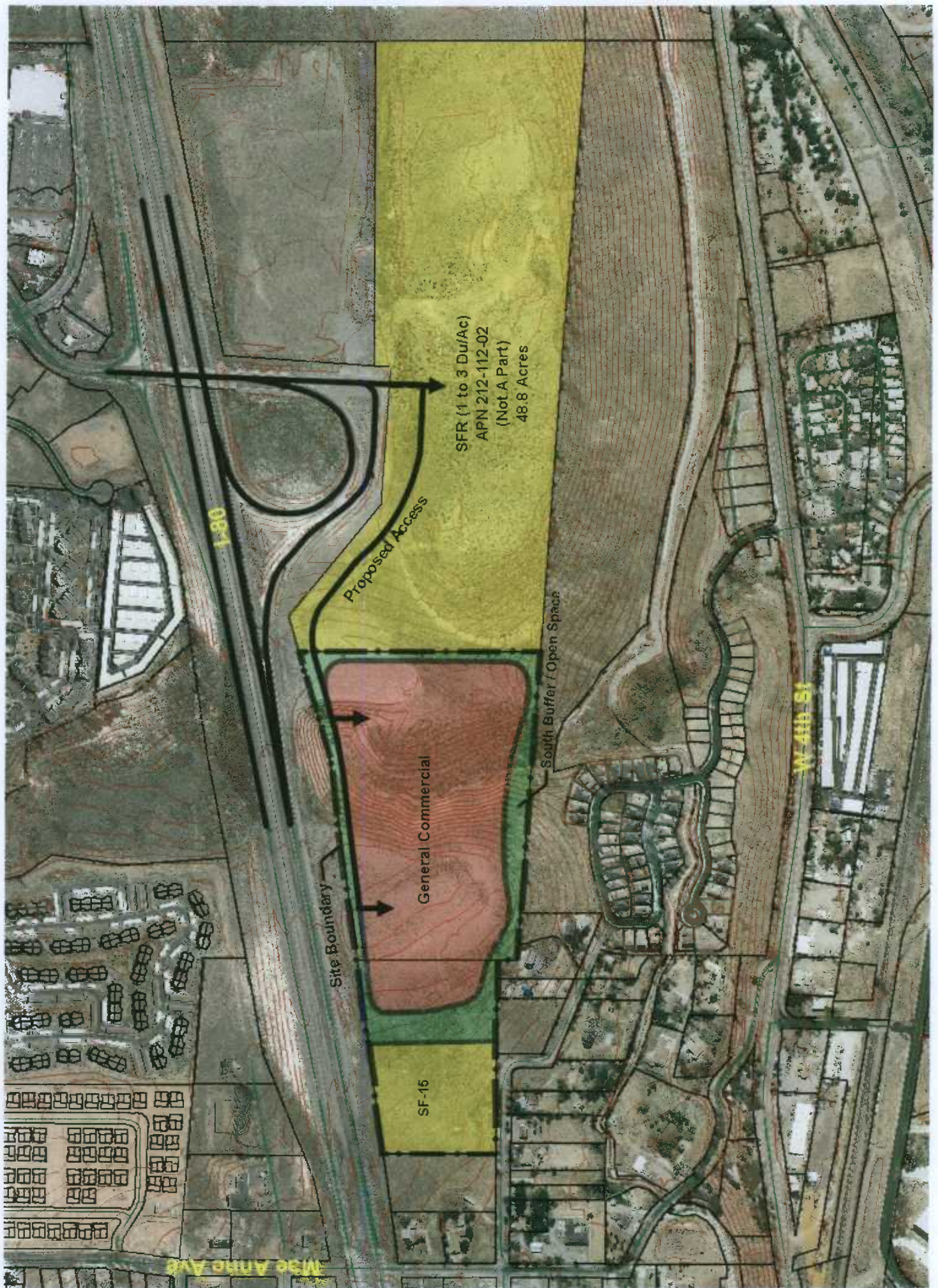


# SECTION A-A SCALE: 1"=100' HORIZ. 1"=100' VERT.

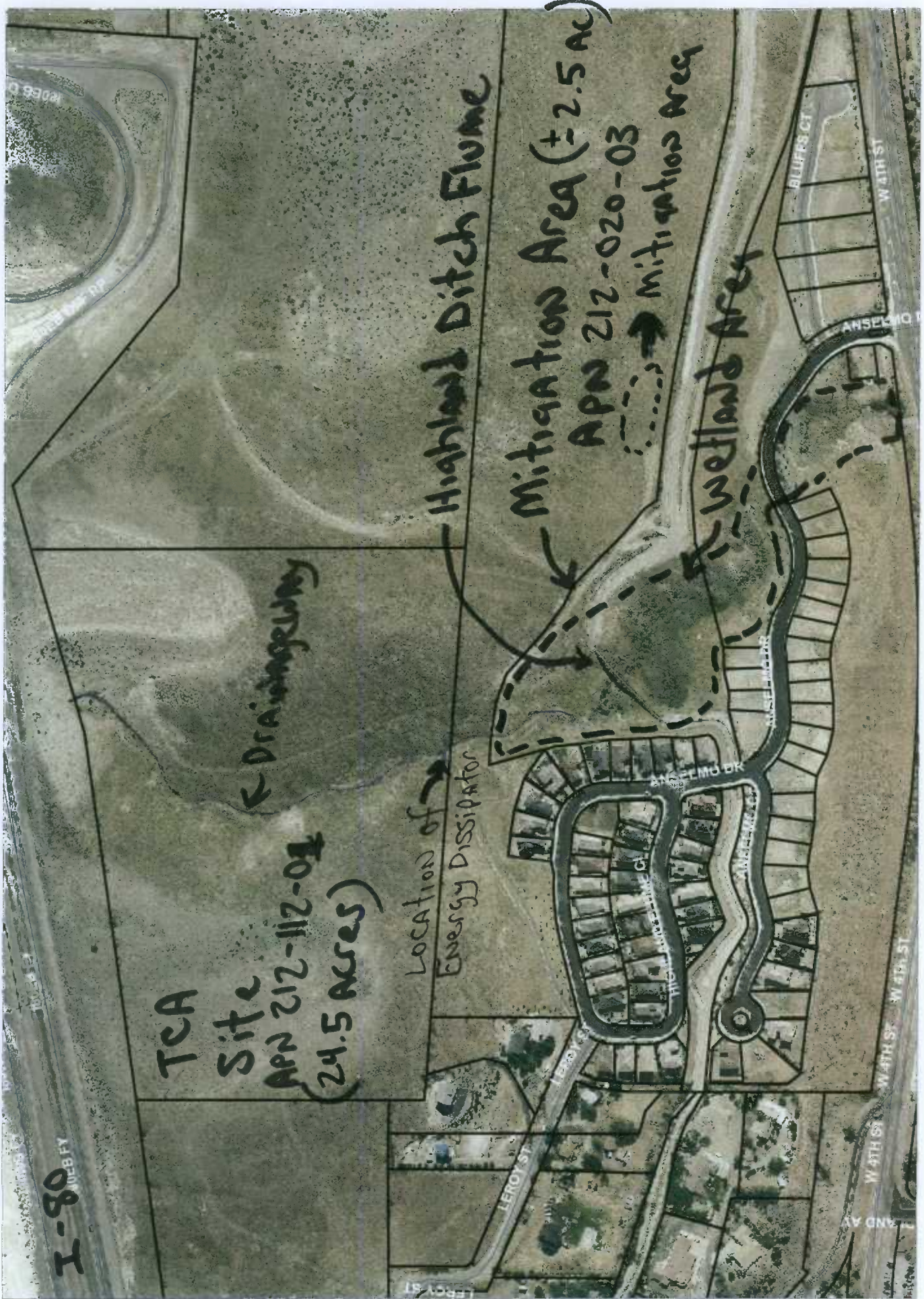
TCA PROPERTIES  
UNNAMED TRIBUTARY OF THE TRUCKEE  
RENO, NEVADA  
APRIL 2010  
ENCLOSURE 2

Revised August 6, 2010



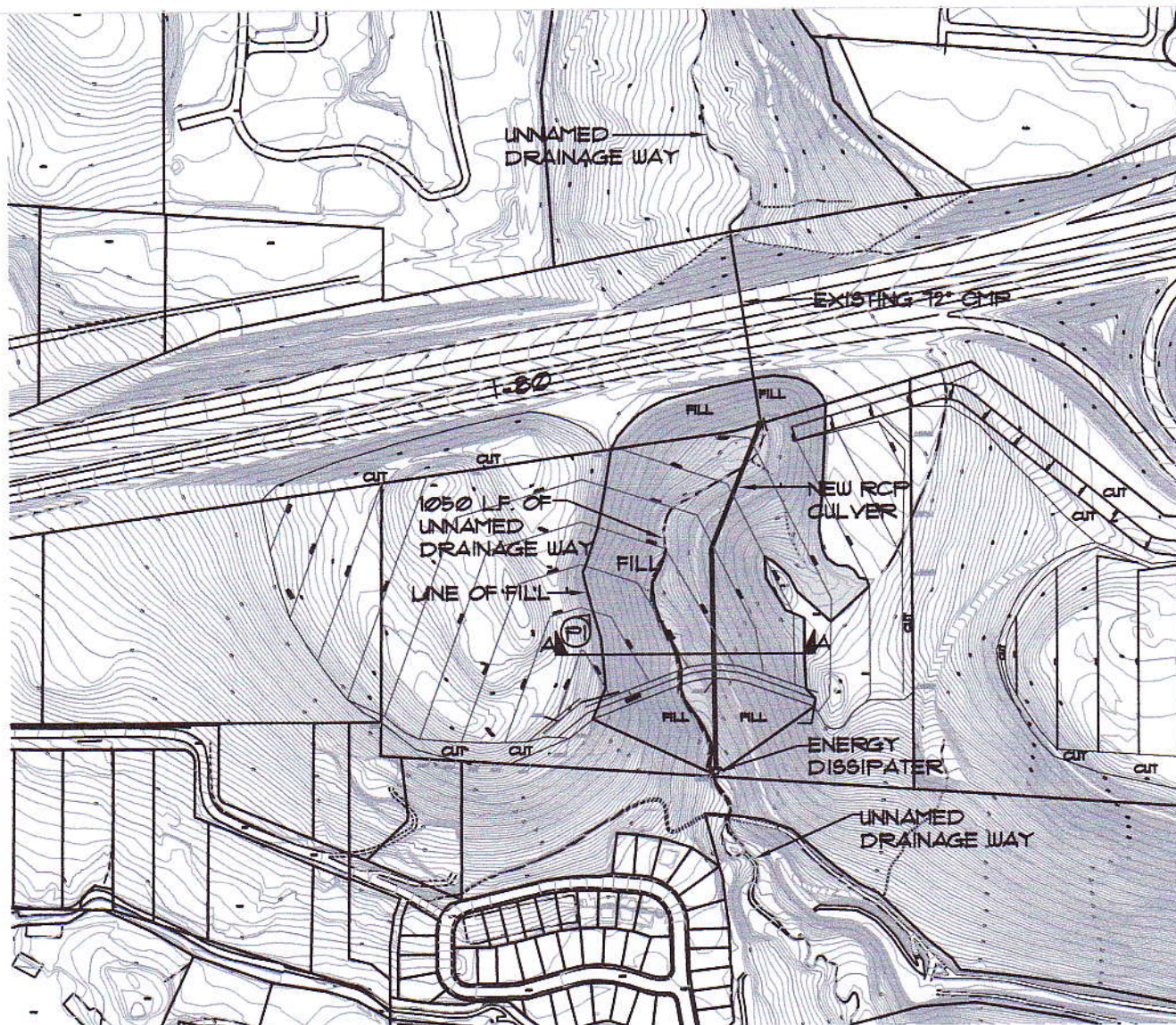






1" = 300'



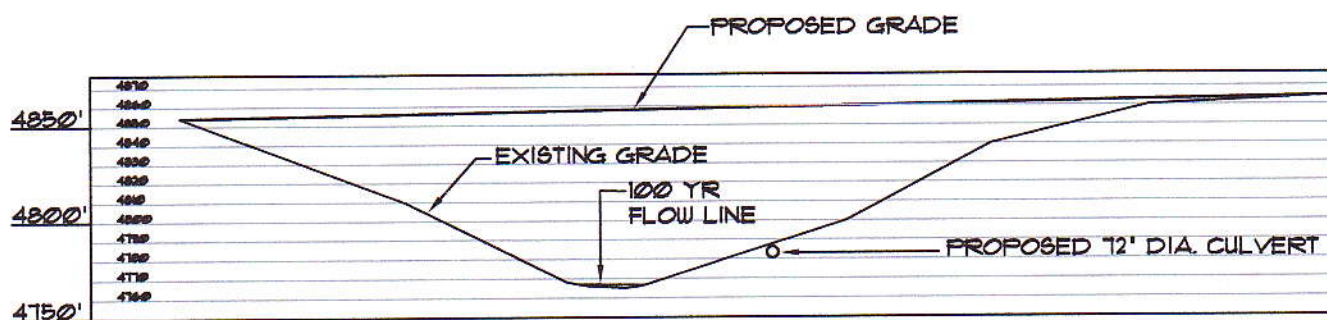


DIRECTION TAKEN

P1 PICTURE 1

P2 PICTURE 2

# SITE PLAN (TOP VIEW) SCALE: 1"=300'



# SECTION A-A SCALE: 1"=100' HORIZ. 1"=100' VERT.

TCA PROPERTIES  
UNNAMED TRIBUTARY OF THE TRUCKEE  
RENO, NEVADA  
APRIL 2010  
ENCLOSURE 2



PICTURE 1





PICTURE 2



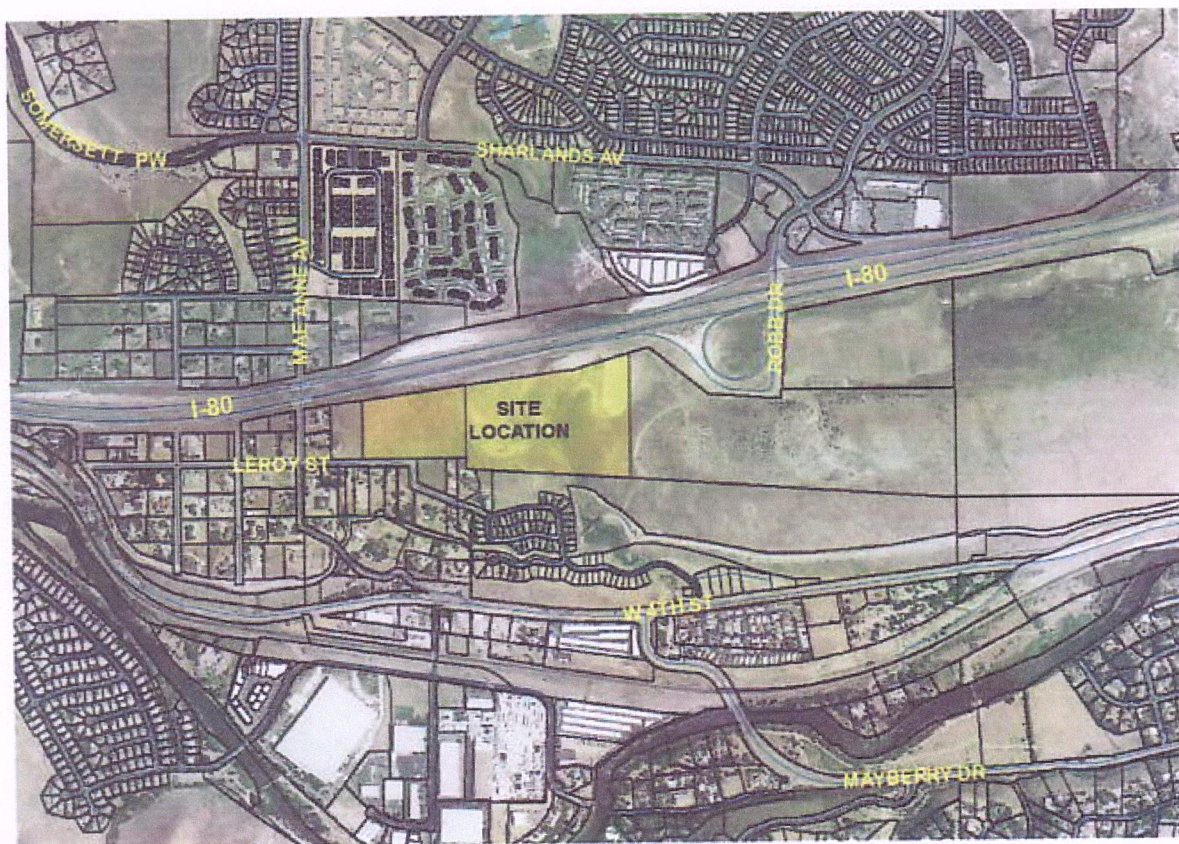




**General Vicinity Map**

### Property Location

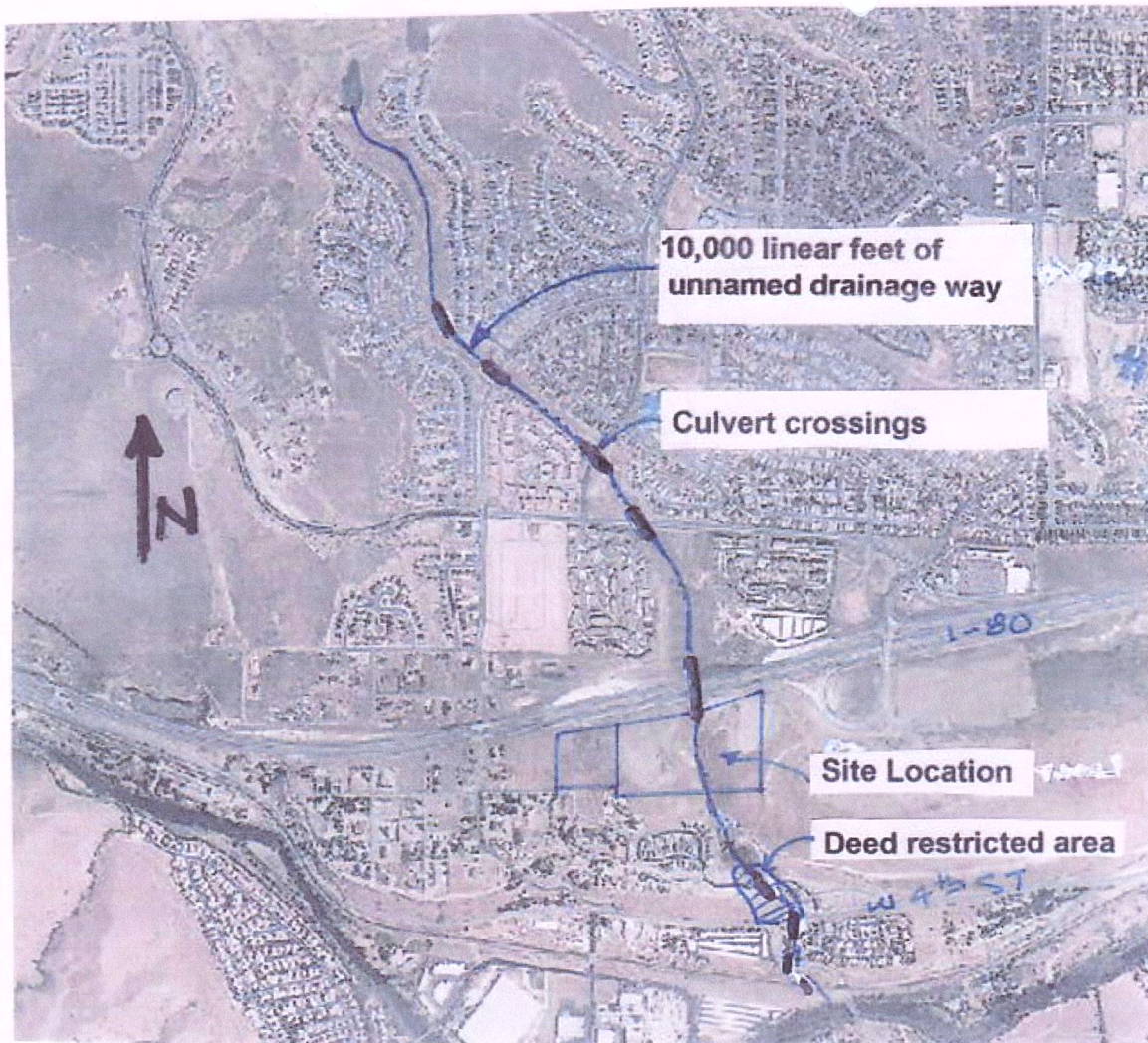
This site is located on the south side of I-80 and just west of Robb Drive. It includes 2 parcels which are APN 212-112-01 (24.51 acres), APN 212-122-03 (10.14 acres) that total 34.65 acres.



**Figure 1 – Vicinity Map**

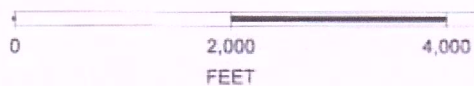
TCA PROPERTIES  
 UNNAMED TRIBUTARY OF THE TRUCKEE  
 RENO, NEVADA  
 APRIL 2010  
 ENCLOSURE 1





SCALE 1 : 20,000

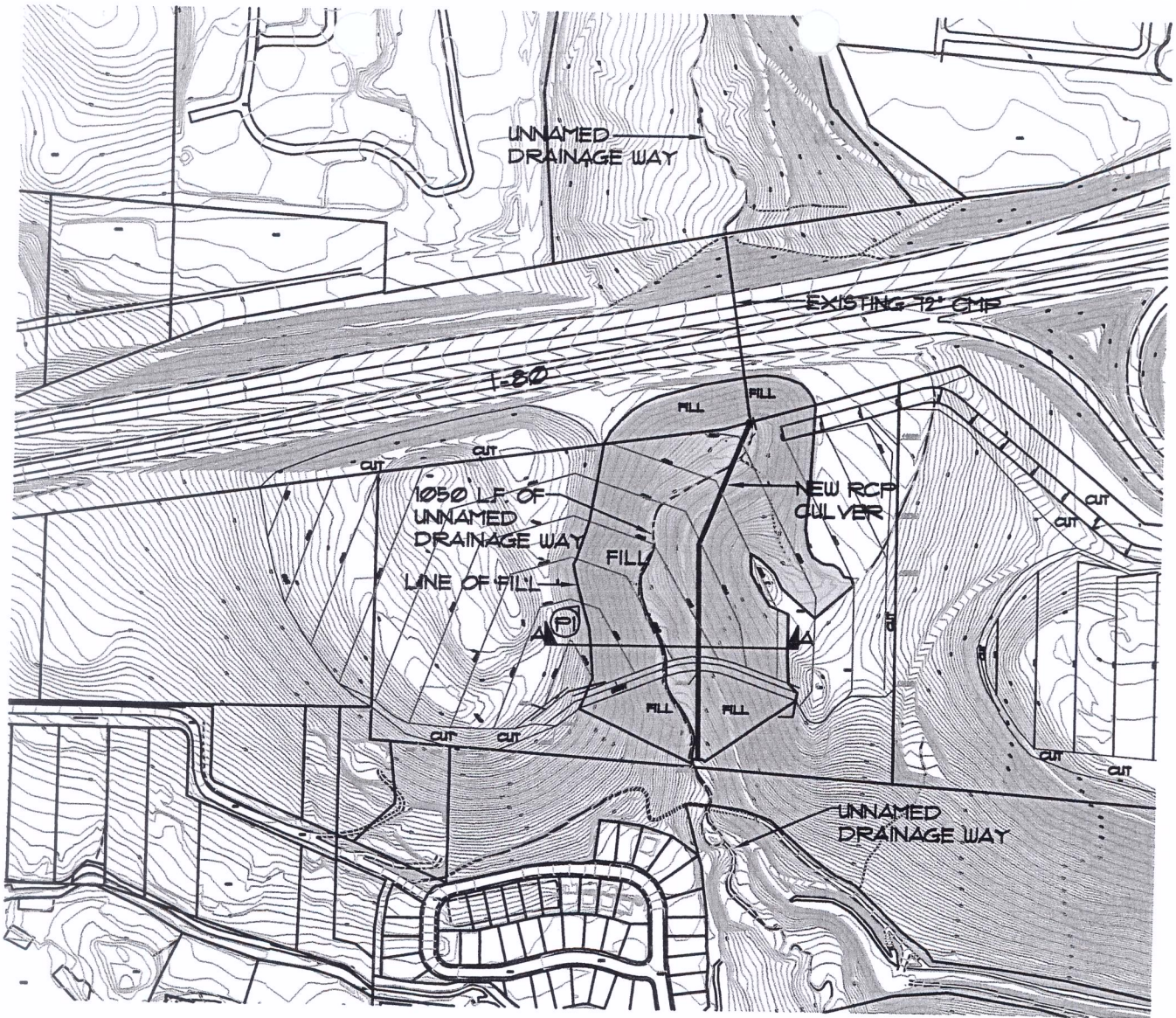
Truckee River



### TOP VIEW OF UNNAMED DRAINAGE WAY

TCA PROPERTIES  
UNNAMED TRIBUTARY OF THE TRUCKEE  
RENO, NEVADA  
APRIL 2010  
ENCLOSURE 2





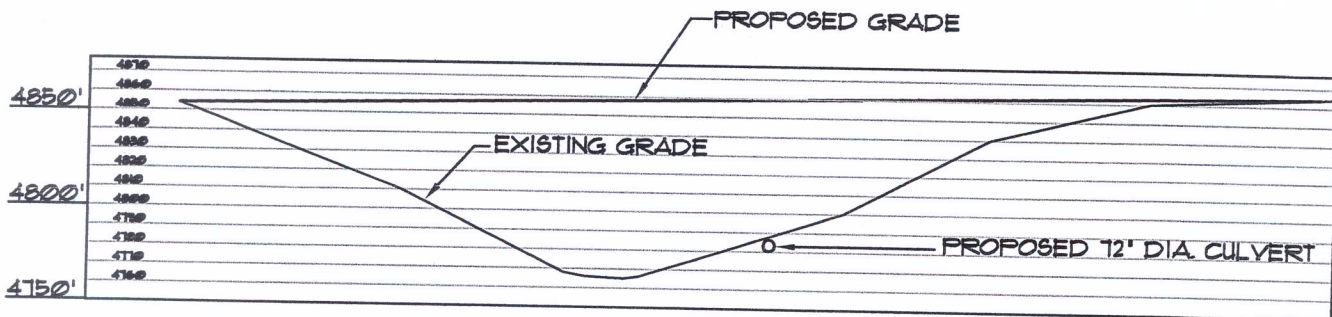
DIRECTION TAKEN

P1 PICTURE 1

P2 PICTURE 2

## SITE PLAN (TOP VIEW)

SCALE: 1"=300'



## SECTION A-A

SCALE: 1"=100' HORIZ.  
1"=100' VERT.

TCA PROPERTIES  
UNNAMED TRIBUTARY OF THE TRUCKEE  
RENO, NEVADA  
APRIL 2010  
ENCLOSURE 3

D A PERMIT NO N-12

89-124



NW 12

STATUS  
up d ✓

November 22, 1989

Regulatory Section (8900124)

Mr. Joe W. Howard, Senior Vice President  
SEA Incorporated  
950 Industrial Way  
Sparks, Nevada 89431

Dear Mr. Howard:

This concerns Washoe County Utility Division's proposal to construct a sewer interceptor in the Truckee River. The project would be located within Section 18, Township 19 North, Range 19 East, M.D.B. & M., at river mile (70.2).

The Chief of Engineers has issued a nationwide permit that allows for the placement of dredged or fill material for backfill or bedding of utility lines, provided there is no change in pre-construction bottom contours (excess material must be removed to an upland disposal area), in waters of the United States. The Washoe County sewer interceptor can be constructed under this authority provided the work meets the conditions listed on the enclosed information sheet. This verification is valid for a period of two years from the date of this letter. You should contact this office if work will extend beyond this date.

The U.S. Fish and Wildlife Service states that the federally listed endangered cui ui and the threatened Lahontan cutthroat trout are found in the Truckee River. Your project will comply with special condition (3) on the enclosed information sheet if the following construction practices are observed to insure that your project will not jeopardize a threatened, endangered, or other aquatic species:

- a) No construction activity may occur below the ordinary high water line of the Truckee River from October 1 through June 30 of each year.
- b) Any temporary structures or cofferdams constructed in waters of the United States shall consist of precast concrete barriers. No dredged or fill material may be stockpiled or discharged in the Truckee River for temporary structures.
- c) During construction activities, excavated areas shall be isolated from the flowing waters of the Truckee River to prevent any contaminants or sediment from entering the waterway. Waters isolated from the flowing waters of the Truckee River within the

construction area (by cofferdams) shall be pumped off-site or retained in sedimentation ponds to reduce impacts to the waterway.

d) That all excavated areas shall be backfilled with clean river rock upon completion of the project to prevent erosion related impacts to the waterway.

e) That any riparian vegetation lost during construction activities shall be replaced in kind with native riparian vegetation.

If you have any questions, please write to (b) (6), Room 6524, or telephone (916) 551-2268.

Sincerely,

(b) (6)

Chief, Regulatory Unit 2

Enclosure

Copies furnished: without enclosure

Mr. Leonard Crowe, Washoe County Department of Comprehensive Planning, 241 Ridge Street, Reno, Nevada 89501.  
Mr. Larry Bogdon, Washoe County-Engineering, Post Office Box 111130, Reno, Nevada 89520.  
Mr. Claude Hunter, Carson Truckee Conservancy District, Post Office Box 2047, Reno, Nevada 89502-2047.  
Ms. Pamela Wilcox, Administrator, Nevada Division of State Lands, 505 East King Street, Carson City, Nevada 89710.  
Mr. Wendell McCurry, Nevada Division of Environmental Protection, 201 South Fall St., Carson City, Nevada 89710.  
Mr. Richard Navarre, Complex Manager, U.S. Fish and Wildlife Service, Great Basin Complex, 4600 Kietzke Lane, Building C, Reno, Nevada 89502.  
Mr. Phil Oshida (W-7-2), U.S. Environmental Protection Agency Region IX, 215 Fremont Street, San Francisco, Ca. 94105  
Mr. Roy Leach, Nevada Department of Wildlife, Region I, 380 West B Street, Fallon, Nevada 89406. *Edson Junell*

cc:  
N&FCU  
Civ Des Sec (b) (6)



Consulting Engineers

950 INDUSTRIAL WAY  
SPARKS, NEVADA 89431-6092  
(702) 358-6931  
FAX: 358-6954

July 25, 1989  
Project No. 133-15-1

**Legal Description**  
**Washoe County-Lawton/Verdi Interceptor**  
**Truckee River Crossing**

The following describes the centerline of a 20 foot wide permanent sanitary sewer easement together with two 20 foot wide temporary construction easements situated to the left and right of and contiguous to said permanent easement, said easements lying within a portion of the S 1/2 of the SW 1/4 of Section 18, T19N, R19E, MDM, Washoe County, Nevada, being more particularly described as follows:

Commencing at the quarter corner common to Sections 18 and 19, said Township and Range, from which point a found 1/2" steel pin set in concrete marking a section corner common to Sections 17, 18, 19 and 20 bears S 86° 21' 10" E, 2,610.25 feet;

Thence from said quarter corner, N 32° 36' 20" W, 148.30 feet to a point described as Station 201+67, Siphon 19-1;

Thence S 81° 49' 11" W, 13.00 feet to a point herein described as Station 201+80, being the true point of beginning;

Thence S 81° 49' 11" W, 263.00 feet to a point described as Station 204+43, Siphon 19-2 and the point of terminus.

RRH:jk

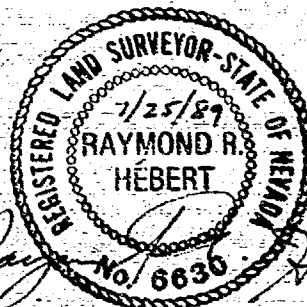
RICHARD W. ARDEN, P.E.  
President

RONALD D. BYRD, P.E.  
Executive Vice President

JOE W. HOWARD, P.E.  
Senior Vice President

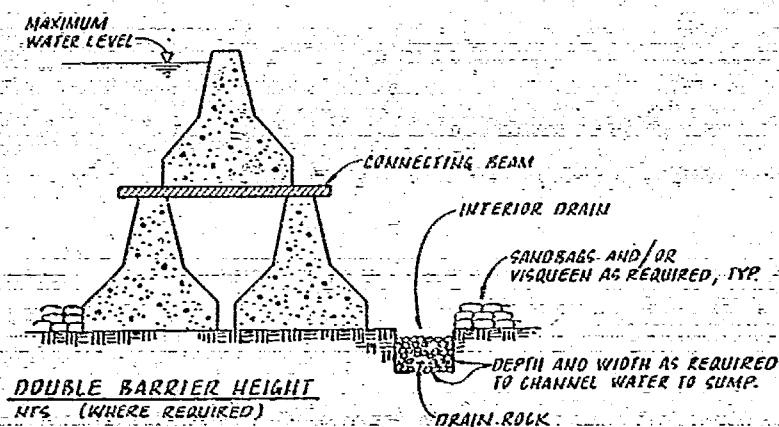
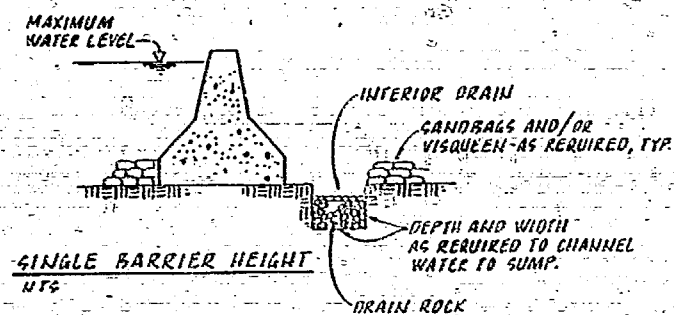
HARRY R. ERICSON, R.L.S.  
Vice President

LARRY J. JOHNSON  
Vice President

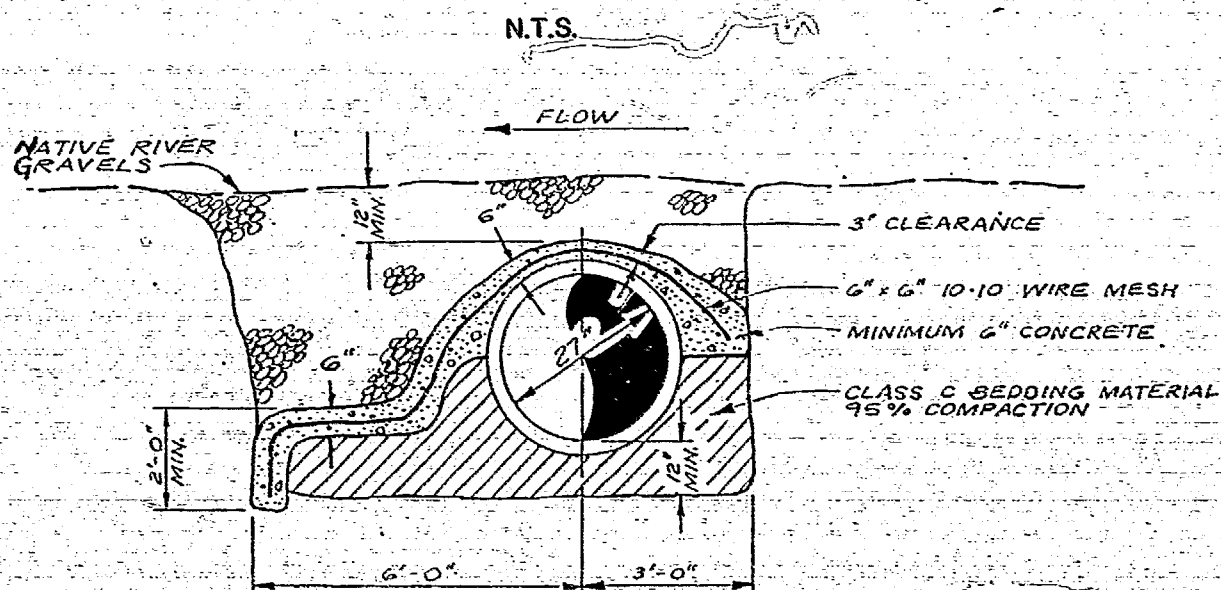


Reno/Sparks  
Las Vegas  
Phoenix





### CONCRETE BARRIER RAIL & INTERIOR DRAIN DETAIL



### RIVER CROSSING TRENCH

N.T.S.

DATEPRINT N30980



RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

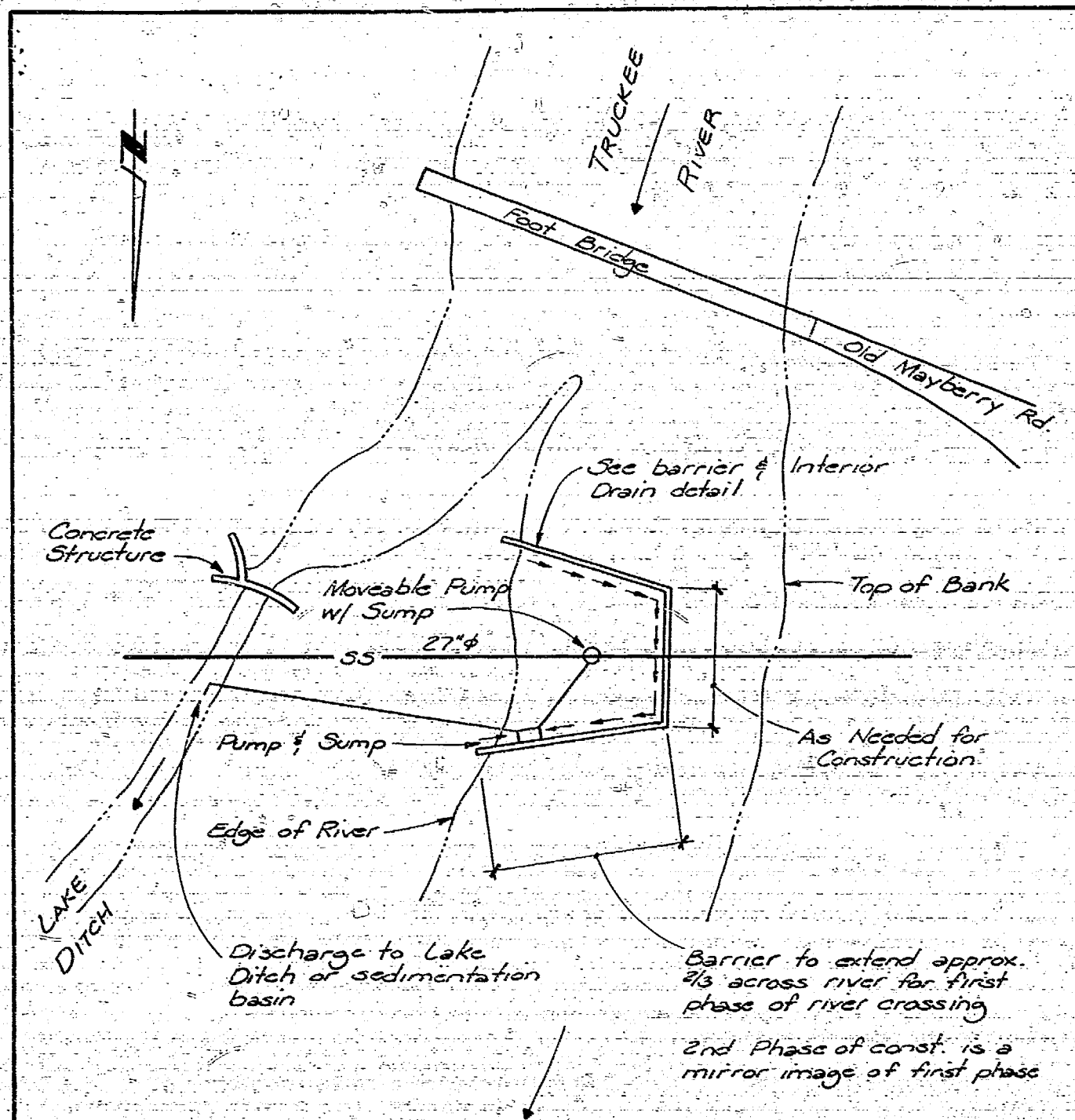
TRUCKEE RIVER CROSSING  
WASHOE CO. UTILITIES DIVISION

Project No. 133-15-1

4 of 4

25x10





# DEWATERING PLAN

N.T.S.

DATA PRINT N20090



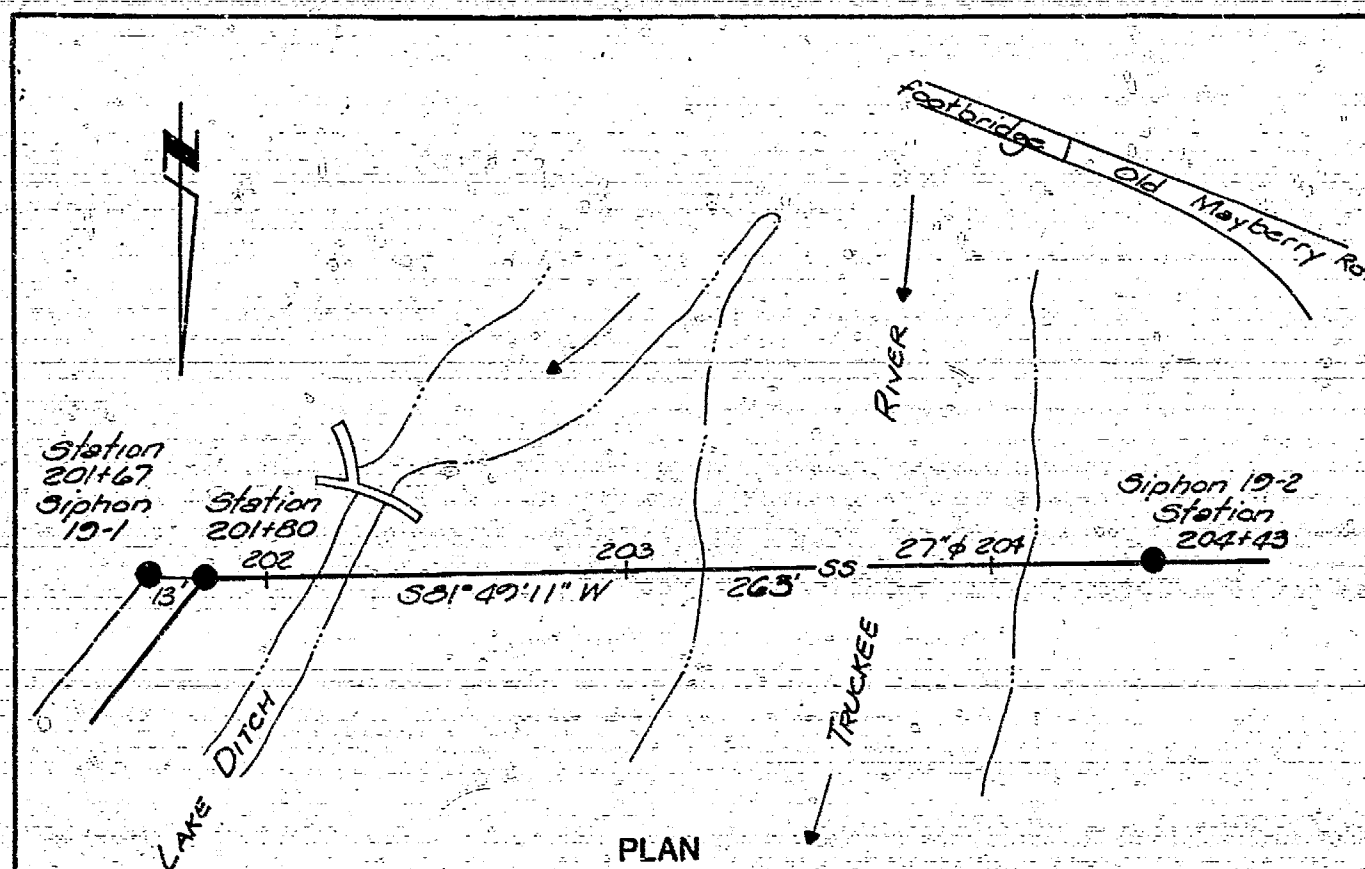
RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

TRUCKEE RIVER CROSSING  
WASHOE CO. UTILITIES DIVISION

Project No. 133-16-1

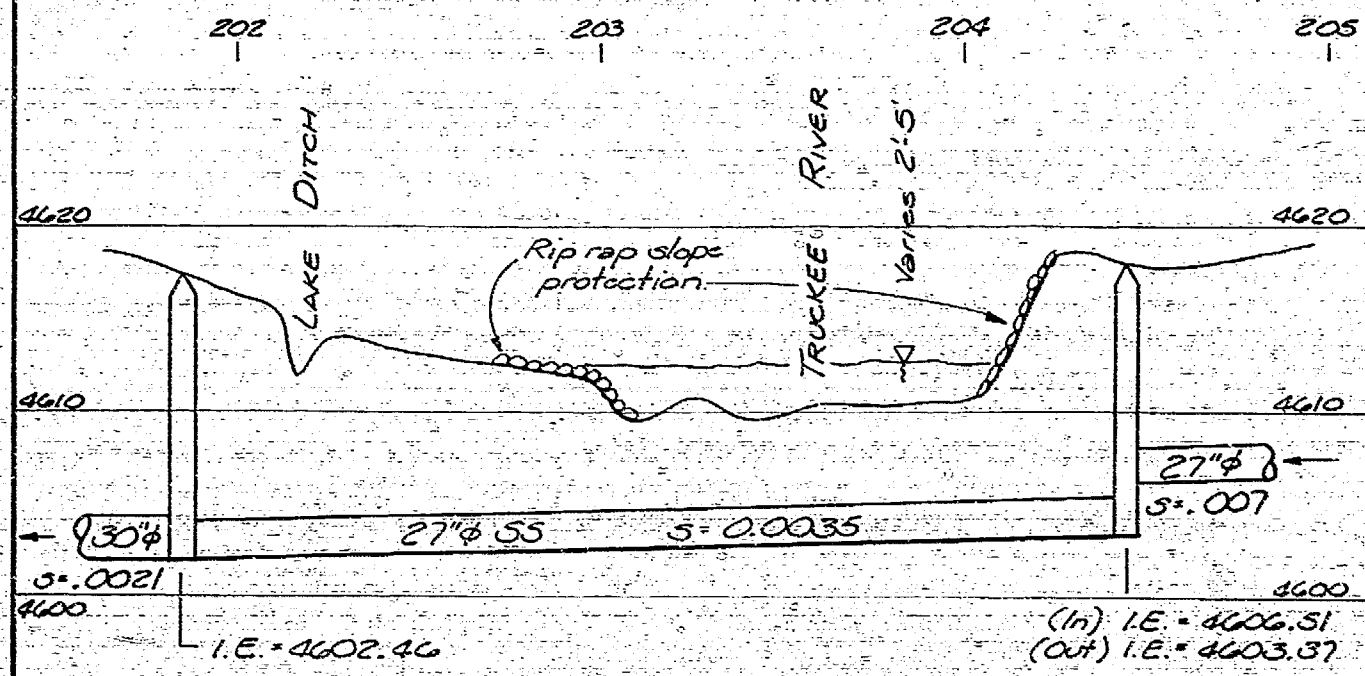
3 of 4

25x1



PLAN

N.T.S.



PROFILE

N.T.S.

DATA PRINT N30980

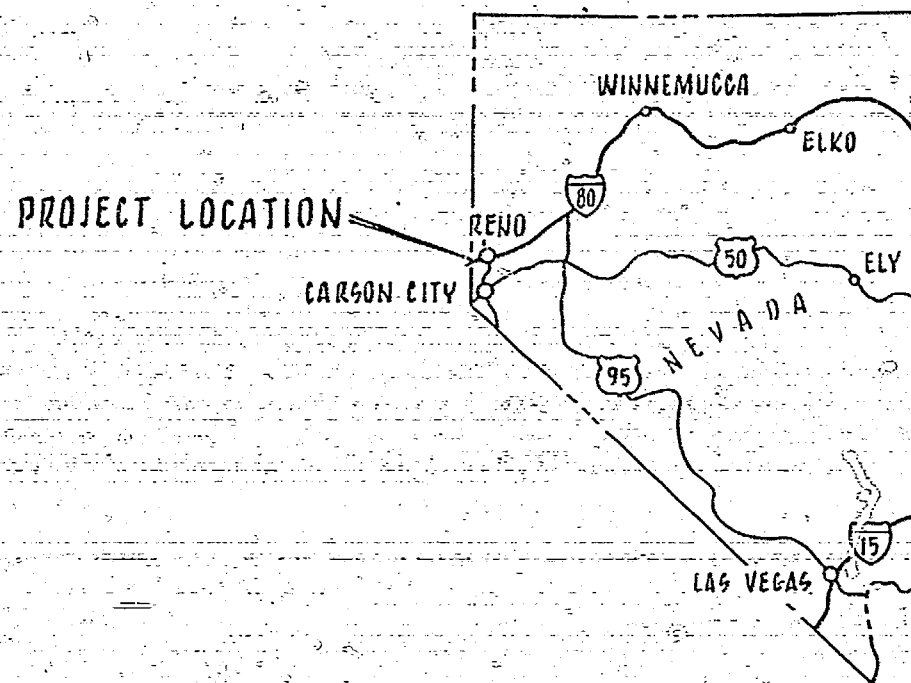


RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

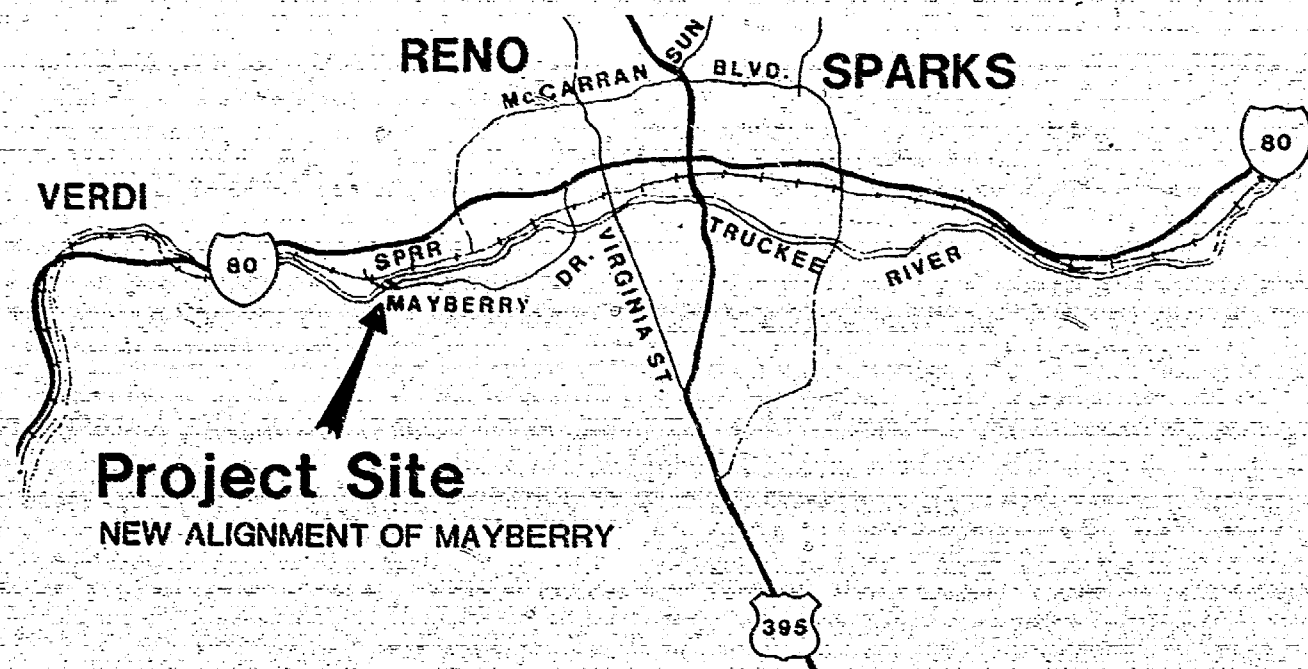
TRUCKEE RIVER CROSSING  
WASHOE CO. UTILITIES DIVISION

Project No. 133-15-1

2 of 4



**LOCATION MAP**



**VICINITY MAP**

DATA PRINT N50960



RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

TRUCKEE RIVER CROSSING

WASHOE CO. UTILITIES DIVISION

Project No. 133-15-1

1 of 4



198900124

07-28 89



Consulting Engineers

950 INDUSTRIAL WAY  
SPARKS, NEVADA 89431-6092  
(702) 358-6931

July 20, 1989  
Project No. 133-15-1

Sacramento District Corps of Engineers  
Regulatory Section  
650 Capitol Mall  
Sacramento, CA 95814

ATTN: (b) (6)

Gentlemen:

The Utility Division of Washoe County Nevada is requesting a National Permit for the installation of a sanitary sewer interceptor line across the Truckee River.

The proposed crossing will be approximately 27 inches in diameter reinforced concrete pipe installed according to the attached drawings. The interceptor is to provide collection and treatment of sanitary sewage for the area west of Reno to the California State Line. This area is presently using septic tanks and several small treatment plants.

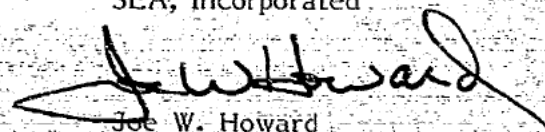
The location of the proposed crossing is west of the new Mayberry Road bridge just east of the "Old Mayberry Road foot bridge."

The application is presently being considered by the Nevada Department of Wildlife, the State of Nevada Division of State Lands and Division of Environmental Protection.

The permit should be issued to the Utility Division of Washoe County, P.O. Box 1130, Reno, Nevada, 89520, c/o Mr. John Collins, P.E., Chief Sanitary Engineer, phone 702/785-4743.

If you have any questions, please feel free to call at any time.

Sincerely,  
SEA, Incorporated

  
Joe W. Howard  
Senior Vice-President

RICHARD W. ARDEN, P.E.  
President

RONALD D. BYRD, P.E.  
Executive Vice President

JOE W. HOWARD, P.E.  
Senior Vice President

HARRY R. ERICSON, R.L.S.  
Vice President

LARRY J. JOHNSON  
Vice President

STEVEN G. ARGYRIS  
Secretary-Treasurer

JWH/ckt

Enclosures

cc: Mr. John Collins



# CONVERSATION RECORD

TIME 1310

DATE 2 NOV 89

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☐ INCOMING  
☒ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Joe Howard

ORGANIZATION (Office, dept., bureau, etc.)

SEA

TELEPHONE NO.

(702)  
358-6931

SUBJECT

Washoe County Sewer Interceptors

ROUTING

NAME/SYMBOL

INT

SUMMARY

bank protection (Q)?

He was unavailable - left message - he will call back

> They will place riprap to protect bank where excavation has occurred. riprap will probably be limited to 20 cy on each bank and 1 cy or less per linear foot.

ACTION REQUIRED

work covered under NW permits  
Call Monday if no response  
11/16

NAME OF PERSON DOCUMENTING CONVERSATION

(b) (6)

SIGNATURE

DATE

2 NOV 89

ACTION TAKEN

SIGNATURE

TITLE

DATE



# CONVERSATION RECORD

TIME

DATE

*pm*

*2*

*Nov 89*

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☐ INCOMING

☒ OUTGOING

ROUTING

NAME/SYMBOL

INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

*Roy Leach*

*NDW*

SUBJECT

*Washoe County Sewer Interceptor  
198900124 - Truckee River*

SUMMARY

*NDW has no objection to proposed action provided work is restricted to June 1 - Oct 1 1989. Also they recommend replacement of any riparian vegetation w/ willow etc.*

ACTION REQUIRED

*NW*

*put on mail list*

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

**(b) (6)**

*2 Nov 89*

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

U.S. G.P.O. 1983-424-378

CONVERSATION RECORD

OPTIONAL FORM 271 (12-75)  
DEPARTMENT OF DEFENSE

25X10



# SACRAMENTO DISTRICT ROUTING SLIP

FROM (b) (6) - Regulatory Sec		DATE 11/2/89	
DISTRICT ENGINEER	CONSTR-OPS DIVISION	ENGINEERING DIVISION	LIFE CYCLE PROJECT MGR'S:
DEPUTY DIST ENGR (CIV)	ASSISTANT	ASSISTANT	AREA C
DEPUTY DIST ENGR (MIL)	ADMIN OFFICER	SPECIAL ASST TO CHIEF	AREA D
DEPUTY DIST ENGR (PM)	SERVICE BRANCH	ADMIN OFFICER	AREA E
EXECUTIVE ASSISTANT	MOTOR TRANSPORT OFCR	ADMIN UNIT	AREA F
SECRETARY	CONSTRUCTION BRANCH	SECRETARY	AREA G
	PROJECT MGT SECTION	MILITARY PROJECTS BR	
VALUE ENGINEERING OFC	QUALITY ASSURANCE SEC	PROJECT MGT - AF SEC	PROGRAMS MGT OFFICE
SECURITY OFFICE	CONTRACT ADMIN SEC	PROJECT MGT - ARMY SEC	CIV PROGS ANALYSIS BR
SADBU	PROGRAMS & REPTS SEC	INSTALLATION SPT SEC	PROGS FORMULATION BR
EEO <input type="checkbox"/> -SEPM	EPA GRANTS BRANCH	SPECIAL PROJECTS SEC	PROGRAMS MGT BR
EMPLOYEE COUNCIL	GRANTS ADMIN SEC	CONSTRUCTION SPT SEC	
INTERNAL REVIEW OFC	CONSTRUCTION SPT SEC	A-E NEGOTIATIONS SEC	EMERGENCY MGT DIVISION
OFFICE OF COUNSEL	OPERATIONS BRANCH	MILITARY DESIGN BRANCH	
SAFETY OFFICE	REGULATORY SECTION	SPECIAL ASSISTANT	PLANNING DIVISION
PUBLIC AFFAIRS OFFICE	SALT LAKE UNIT #3	MILITARY DESIGN SEC A	ASSISTANT
	GRAND JUNCTION UNIT #4	CADD SECTION	SPECIAL ASST TO CHIEF
INFORMATION MGT OFFICE	OPS & MAINTENANCE SEC	MILITARY DESIGN SEC C	ADMIN OFFICER
REQMTS & PLANNING BR	PROJECT OPERATIONS SEC	MECHANICAL DESIGN SEC	SECRETARY
PHONE/DATA LINES	BRYTE BEND YARD	ELECTRICAL DESIGN SEC	SPECIAL STUDIES BRANCH
INTEGRATION & IMPLM BR	NAV & FLOOD CONTROL SEC	TECHNICAL SUPPORT BR	AMERICAN RIVER BASIN BR
SYSTEMS & PROG SEC	NATURAL RESOURCES SEC	SPECIAL ASSISTANT	SACRAMENTO RIV BASIN BR
MICRO SUPPORT SEC	LAKES	SPECIFICATIONS SEC	COLO/GREAT BASIN BR
SUPPORT SERVICES BR	BLACK BUTTE	COST ESTIMATING SEC	SAN JOAQUIN BASIN BR
INFO PROCESSING SEC	EASTMAN	DQA - AF SEC	ECONOMICS BRANCH
WORD PROCESSING	ENGLEBRIGHT	DQA - ARMY SEC	FLOOD PLAIN MGT BR
COMPUTER ROOM	HENSLEY	DRAFT'G & MAP FILES SEC	ENVIRONMENTAL RES BR
GRAPHIC ARTS SEC	ISABELLA	MAP FILES	
CUSTOMER ASSISTANCE CTR	KAWEAH	GEOTECHNICAL BRANCH	REAL ESTATE DIVISION
LIBRARY	MENDOCINO	SOIL DESIGN SECTION	ACQUISITION BRANCH
REPRODUCTION SEC	NEW HOGAN	GEOLOGY SECTION	LEASING SECTION
RECORDS MGT SEC/RHA	PINE FLAT	MATERIALS SECTION	LEGAL SECTION
MAIL & MESSAGE SEC	SONOMA	SURVEY SECTION	PURCHASING SECTION
TELETYPE/FAX/ONYME	STANISLAUS	CIVIL DESIGN BRANCH	APPRAISAL BRANCH
	SUCCESS	CIVIL PROJECTS SEC A	MGT & DISPOSAL BR
LOGISTICS MGT OFFICE	VALLEY RESIDENT OFC	CIVIL PROJECTS SEC B	NORTH SECTION
TRANSP & FACILITIES BR	CENTRAL AREA OFFICE	CIVIL PROJECTS SEC C	SOUTH SECTION
SUPPLY BRANCH	SACRAMENTO RES OFC	CENTRAL VALLEY SECTION	PLANNING & CONTROL BR
OFC SUP & RECEIV'G SEC	MCCLELLAN RES OFC	CIVIL DESIGN SECTION	CADASTRAL SEC
PROPERTY	PENINSULA AREA OFFICE	STRUCTURAL DESIGN SEC	CONTROL & REPTS SEC
	BAY RESIDENT OFC	HYDRAULIC DESIGN SEC	
RESOURCE MGT OFFICE	MONTEREY RES OFC	HYDROLOGY SECTION	
BUDGET BRANCH	UTAH AREA OFFICE	RESERVOIR CONTROL SEC	
FINANCE & ACCTG BR	HILL AFB RES OFC		
EXAMINATION SEC	SOUTH UTAH RES OFC	NON-DISTRICT ELEMENTS	
DATA CONTROL SEC	LITTLE DELL RES OFC	HYDROLOGIC ENGR CTR	SPD PERSONNEL OFFICE
CIV WORKS ACCTG SEC	SHARPE AREA OFFICE	MGT ENGR TEAM C	ASSISTANT CPO
DISBURSING SEC	COST CONTR AREA OFC	MGT ENGR TEAM D	MGT EMPL REL BR
QUALITY ASSURANCE SEC		HEALTH UNIT	POS MGT & CLASS BR
REV FUND ACCTG SEC	CONTRACTING DIVISION	USACARA	RECRUIT & PLACEMENT BR
MIL ACCTG SEC	PROCUREMENT BRANCH	AFRCE	TECH SERVICES BR
MGT ANAL & MNPWR BR	CONTRACT SECTION	CESPD	TRAINING & DEVL BR
	PURCHASE SECTION	CESPL	AOD PROGRAM MGT
	CONTRACT ADMIN BR	CESPN	SPD RES AUDIT OFC
ATTN	FOR:		ACTN COORD CMT DRAFT CIRC SGNR INFO FILE
John Rompala - Bob Kelly			
REMARKS Any comments?			
1. NO BARRIERS OR EXCAVATION IN RIVER CHANNEL DURING FLOOD SEASON NOV1-APRIL 15 UNLESS OTHERWISE APPROVED IN WRITING BY C-T CONSERVANCY DIST.			
2. SEND COPY OF THIS TO CLAUDE HUNTER (CTCD) FOR THEIR APPROVAL ETC.			

CESPK FORM 1  
1 OCT 88

(Previous editions are obsolete)

\*U.S.GPO:1988-585-024/92353

STEVEN G. ARGYRIS  
Secretary-Treasurer

JWH/ckt

DO NOT USE FOR APPROVALS, DISAPPROVALS,  
CONCURRENCES, OR SIMILAR ACTIONS

Enclosures  
cc: Mr. John Collins



# CONVERSATION RECORD

TIME

DATE

TYPE

☐ VISIT

☐ CONFERENCE

☐ TELEPHONE

☐ INCOMING

☐ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

SUBJECT

SUMMARY

## MEMORANDUM OF CALL

Previous editions usable

TO:

(b) (6)

☐ YOU WERE CALLED BY-

☐ YOU WERE VISITED BY-

OF (Organization)

*Claude Hunter*

☐ PLEASE PHONE ►

☐ FTS

☐ AUTOVON

☐ WILL CALL AGAIN

☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL

☐ WISHES AN APPOINTMENT

MESSAGE

*No comments on bridge over truckee river*

ACTION REQUIRED

RECEIVED BY

DATE

TIME

*10/9*

63-110 NSN 7540-00-634-4018  
GPO : 1987 - 193-554

STANDARD FORM 63 (Rev. 8-81)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.6

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

☆ U.S. G.P.O. 1983-424-378

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)  
DEPARTMENT OF DEFENSE



# CONVERSATION RECORD

TIME 1100

DATE 16 NOV 89

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☒ INCOMING

☐ OUTGOING

ROUTING

NAME/SYMBOL INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Chet Buchanan

ORGANIZATION (Office, dept., bureau, etc.)

USFWS

TELEPHONE NO.

(702) 885-5227

SUBJECT

198900124

SUMMARY

Service has no objection w/ inclusion of proposed special conditions

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

(b) (6)

SIGNATURE

DATE

16 NOV 89

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

U.S. G.P.O. 1983-424-378

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)  
DEPARTMENT OF DEFENSE

25x10



# SACRAMENTO DISTRICT ROUTING SLIP

FROM (b) (6)		Regulatory Sec		DATE	11/2/89					
DISTRICT ENGINEER	CONSTR-OPS DIVISION	ENGINEERING DIVISION	LIFE CYCLE PROJECT MGR'S:							
DEPUTY DIST ENGR (CIV)	ASSISTANT	ASSISTANT	AREA C							
DEPUTY DIST ENGR (MIL)	ADMIN OFFICER	SPECIAL ASST TO CHIEF	AREA D							
DEPUTY DIST ENGR (PM)	SERVICE BRANCH	ADMIN OFFICER	AREA E							
EXECUTIVE ASSISTANT	MOTOR TRANSPORT OFCR	ADMIN UNIT	AREA F							
SECRETARY	CONSTRUCTION BRANCH	SECRETARY	AREA G							
VALUE ENGINEERING OFC	PROJECT MGT SECTION	MILITARY PROJECTS BR	PROGRAMS MGT OFFICE							
SECURITY OFFICE	QUALITY ASSURANCE SEC	PROJECT MGT - AF SEC	CIV PROGS ANALYSIS BR							
SADBU	CONTRACT ADMIN SEC	PROJECT MGT - ARMY SEC	PROGS FORMULATION BR							
EEO <input type="checkbox"/> SEPM	PROGRAMS & REPTS SEC	INSTALLATION SPT SEC	PROGRAMS MGT BR							
EMPLOYEE COUNCIL	EPA GRANTS BRANCH	SPECIAL PROJECTS SEC	EMERGENCY MGT DIVISION							
INTERNAL REVIEW OFC	GRANTS ADMIN SEC	CONSTRUCTION SPT SEC	PLANNING DIVISION							
OFFICE OF COUNSEL	CONSTRUCTION SPT SEC	A-E NEGOTIATIONS SEC	ASSISTANT							
SAFETY OFFICE	OPERATIONS BRANCH	MILITARY DESIGN BRANCH	SPECIAL ASST TO CHIEF							
PUBLIC AFFAIRS OFFICE	REGULATORY SECTION	SPECIAL ASSISTANT	ADMIN OFFICER							
	SALT LAKE UNIT #3	MILITARY DESIGN SEC A	SECRETARY							
	GRAND JUNCTION UNIT #4	CADD SECTION	SPECIAL STUDIES BRANCH							
INFORMATION MGT OFFICE	OPS & MAINTENANCE SEC	MILITARY DESIGN SEC C	AMERICAN RIVER BASIN BR							
REOMTS & PLANNING BR	PROJECT OPERATIONS SEC	MECHANICAL DESIGN SEC	SACRAMENTO RIV BASIN BR							
PHONE/DATA LINES	BRYTE BEND YARD	ELECTRICAL DESIGN SEC	COLO/GREAT BASIN BR							
INTEGRATION & IMPLM BR	NAV & FLOOD CONTROL SEC	TECHNICAL SUPPORT BR	SAN JOAQUIN BASIN BR							
SYSTEMS & PROG SEC	NATURAL RESOURCES SEC	SPECIAL ASSISTANT	ECONOMICS BRANCH							
MICRO SUPPORT SEC	LAKES	SPECIFICATIONS SEC	FLOOD PLAIN MGT BR							
SUPPORT SERVICES BR	BLACK BUTTE	COST ESTIMATING SEC	ENVIRONMENTAL RES BR							
INFO PROCESSING SEC	EASTMAN	DQA - AF SEC	REAL ESTATE DIVISION							
WORD PROCESSING	ENGLEBRIGHT	DQA - ARMY SEC	ACQUISITION BRANCH							
COMPUTER ROOM	HENSLEY	DRAFT'G & MAP FILES SEC	LEASING SECTION							
GRAPHIC ARTS SEC	ISABELLA	MAP FILES	LEGAL SECTION							
CUSTOMER ASSISTANCE CTR	KAWEAH	GEOTECHNICAL BRANCH	PURCHASING SECTION							
LIBRARY	MENDOCINO	SOIL DESIGN SECTION	APPRAISAL BRANCH							
REPRODUCTION SEC	NEW HOGAN	GEOLOGY SECTION	MGT & DISPOSAL BR							
RECORDS MGT SEC/RHA	PINE FLAT	MATERIALS SECTION	NORTH SECTION							
MAIL & MESSAGE SEC	SONOMA	SURVEY SECTION	SOUTH SECTION							
TELETYPE/FAX/ONTYME	STANISLAUS	CIVIL DESIGN BRANCH	PLANNING & CONTROL BR							
	SUCCESS	CIVIL PROJECTS SEC A	CADASTRAL SEC							
LOGISTICS MGT OFFICE	VALLEY RESIDENT OFC	CIVIL PROJECTS SEC B	CONTROL & REPTS SEC							
TRANSP & FACILITIES BR	CENTRAL AREA OFFICE	CIVIL PROJECTS SEC C								
SUPPLY BRANCH	SACRAMENTO RES OFC	CENTRAL VALLEY SECTION								
OFC SUP & RECV'G SEC	MCCLELLAN RES OFC	CIVIL DESIGN SECTION								
PROPERTY	PENINSULA AREA OFFICE	STRUCTURAL DESIGN SEC								
RESOURCE MGT OFFICE	BAY RESIDENT OFC	HYDRAULIC DESIGN SEC								
BUDGET BRANCH	MONTEREY RES OFC	HYDROLOGY SECTION								
FINANCE & ACCTG BR	UTAH AREA OFFICE	RESERVOIR CONTROL SEC								
EXAMINATION SEC	HILL AFB RES OFC									
DATA CONTROL SEC	SOUTH UTAH RES OFC									
CIV WORKS ACCTG SEC	LITTLE DELL RES OFC									
DISBURSING SEC	SHARPE AREA OFFICE	NON-DISTRICT ELEMENTS								
QUALITY ASSURANCE SEC	COST CONTR AREA OFC	HYDROLOGIC ENGR CTR								
REV FUND ACCTG SEC		MGT ENGR TEAM C								
MIL ACCTG SEC	CONTRACTING DIVISION	MGT ENGR TEAM D								
MGT ANAL & MNPWR BR	PROCUREMENT BRANCH	HEALTH UNIT								
	CONTRACT SECTION	USACARA								
	PURCHASE SECTION	AFRCE								
	CONTRACT ADMIN BR	CESPD								
		CESPL								
		CESPN								
ATTN	FOR:		ACTN	COORD	CMT	DRAFT	CIRC	SGNR	INFO	FILE
John Rampala - Bob Kelly										
REMARKS	Any comments?									
1. NO BARRIERS OR EXCAVATION IN RIVER CHANNEL DURING FLOOD SEASON NOV-1 - APRIL 15 UNLESS OTHERWISE APPROVED IN WRITING BY C-T CONSERVANCY DIST.										
2. SEND COPY OF THIS TO CLAUDE HUNTER (CTCD) FOR THEIR APPRAIAL ETC										

CESPK FORM 1  
1 OCT 88

(Previous editions are obsolete)

\*U.S. GPO:1988-585-024/92353

DO NOT USE FOR APPROVALS, DISAPPROVALS,  
CONCURRENCES, OR SIMILAR ACTIONS





Consulting Engineers

950 INDUSTRIAL WAY.  
SPARKS, NEVADA 89431-6092  
(702) 358-6931



198900124 07-28 89

July 20, 1989

Project No. 133-15-1

Sacramento District Corps of Engineers  
Regulatory Section  
650 Capitol Mall  
Sacramento, CA 95814

ATTN: (b) (6)

Gentlemen:

The Utility Division of Washoe County Nevada is requesting a National Permit for the installation of a sanitary sewer interceptor line across the Truckee River.

The proposed crossing will be approximately 27 inches in diameter reinforced concrete pipe installed according to the attached drawings. The interceptor is to provide collection and treatment of sanitary sewage for the area west of Reno to the California State Line. This area is presently using septic tanks and several small treatment plants.

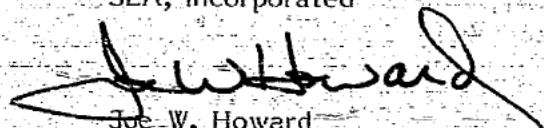
The location of the proposed crossing is west of the new Mayberry Road bridge just east of the "Old Mayberry Road foot bridge."

The application is presently being considered by the Nevada Department of Wildlife, the State of Nevada Division of State Lands and Division of Environmental Protection.

The permit should be issued to the Utility Division of Washoe County, P.O. Box 1130, Reno, Nevada, 89520, c/o Mr. John Collins, P.E., Chief Sanitary Engineer, phone 702/785-4743.

If you have any questions, please feel free to call at any time.

Sincerely,  
SEA, Incorporated

  
Joe W. Howard  
Senior Vice-President

RICHARD W. ARDEN, P.E.  
President

RONALD D. BYRD, P.E.  
Executive Vice President

JOE W. HOWARD, P.E.  
Senior Vice President

HARRY R. ERICSON, P.L.S.  
Vice President

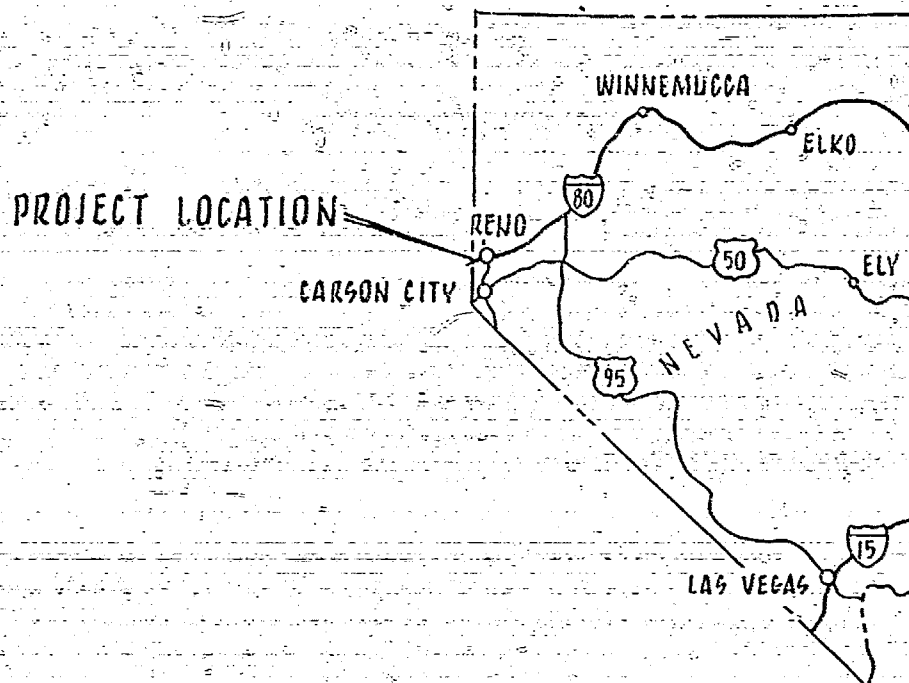
LARRY J. JOHNSON  
Vice President

STEVEN G. ARGYRIS  
Secretary-Treasurer

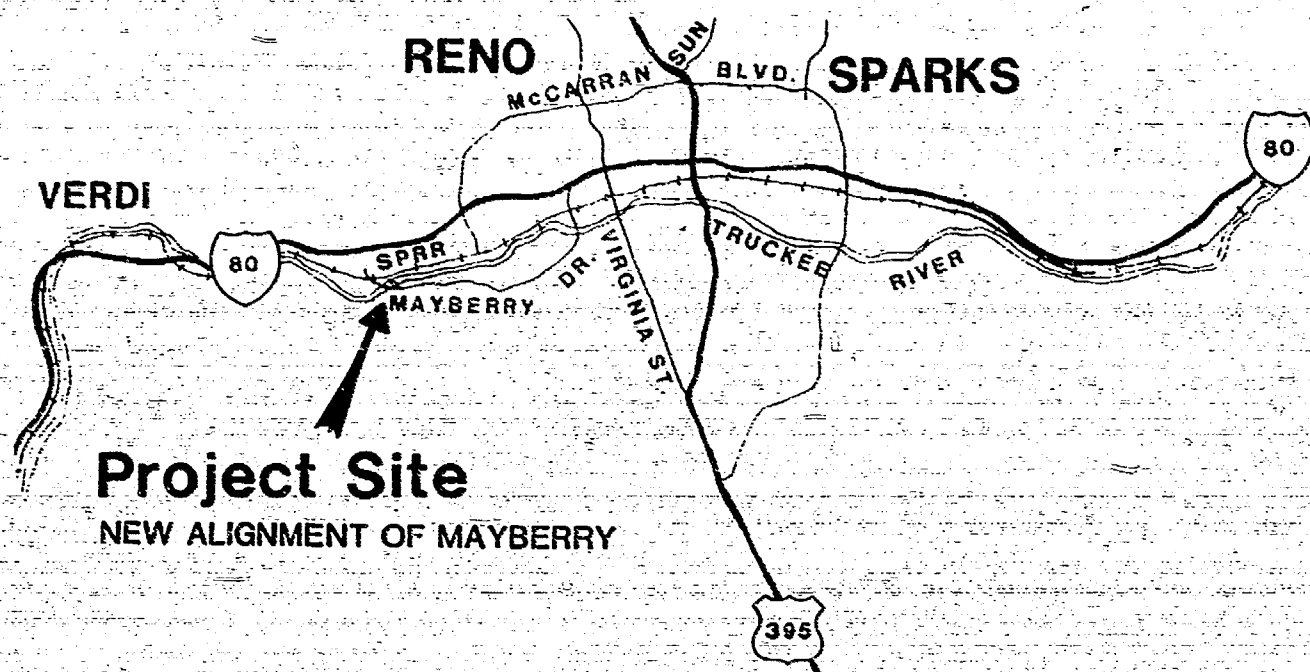
JWH/ckt

Enclosures

cc: Mr. John Collins



**LOCATION MAP**



**VICINITY MAP**

DATA PRINT NO. 00980



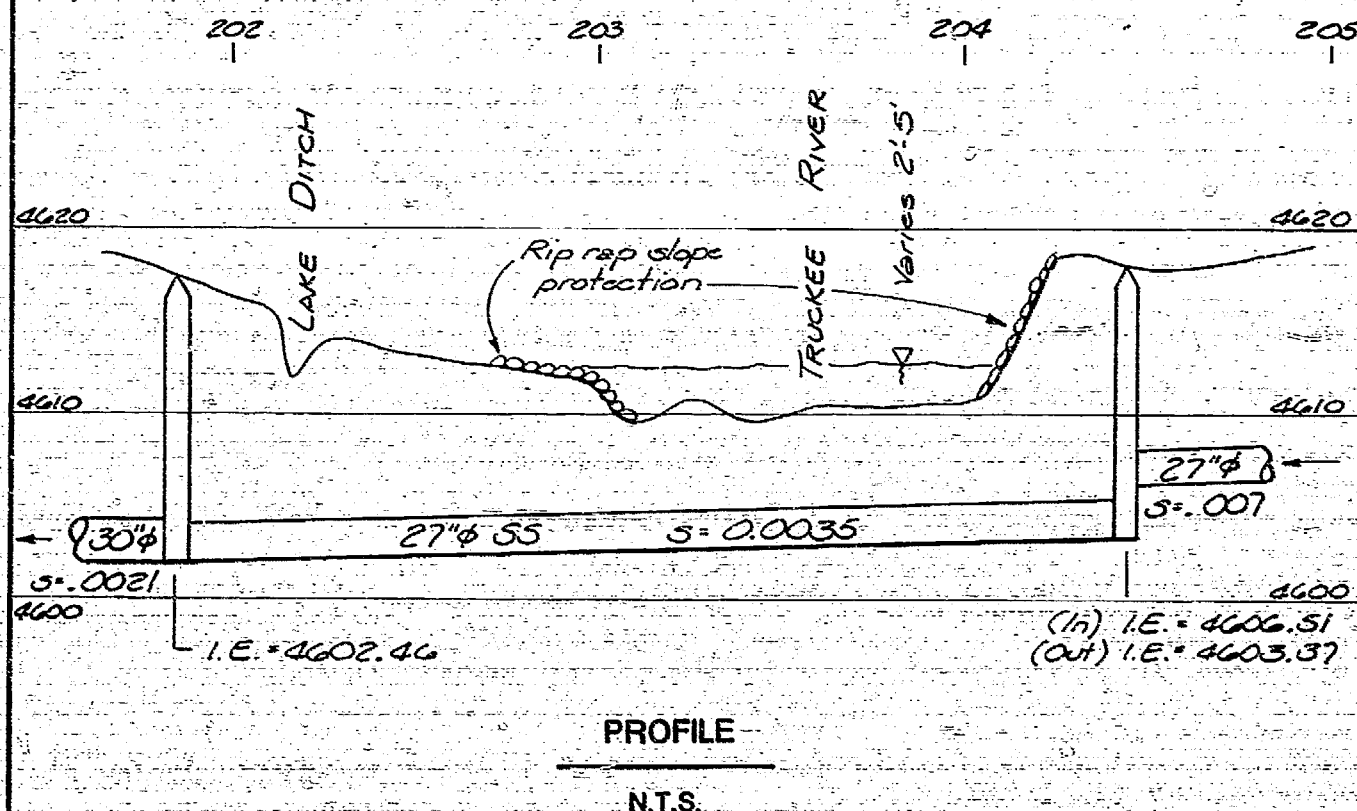
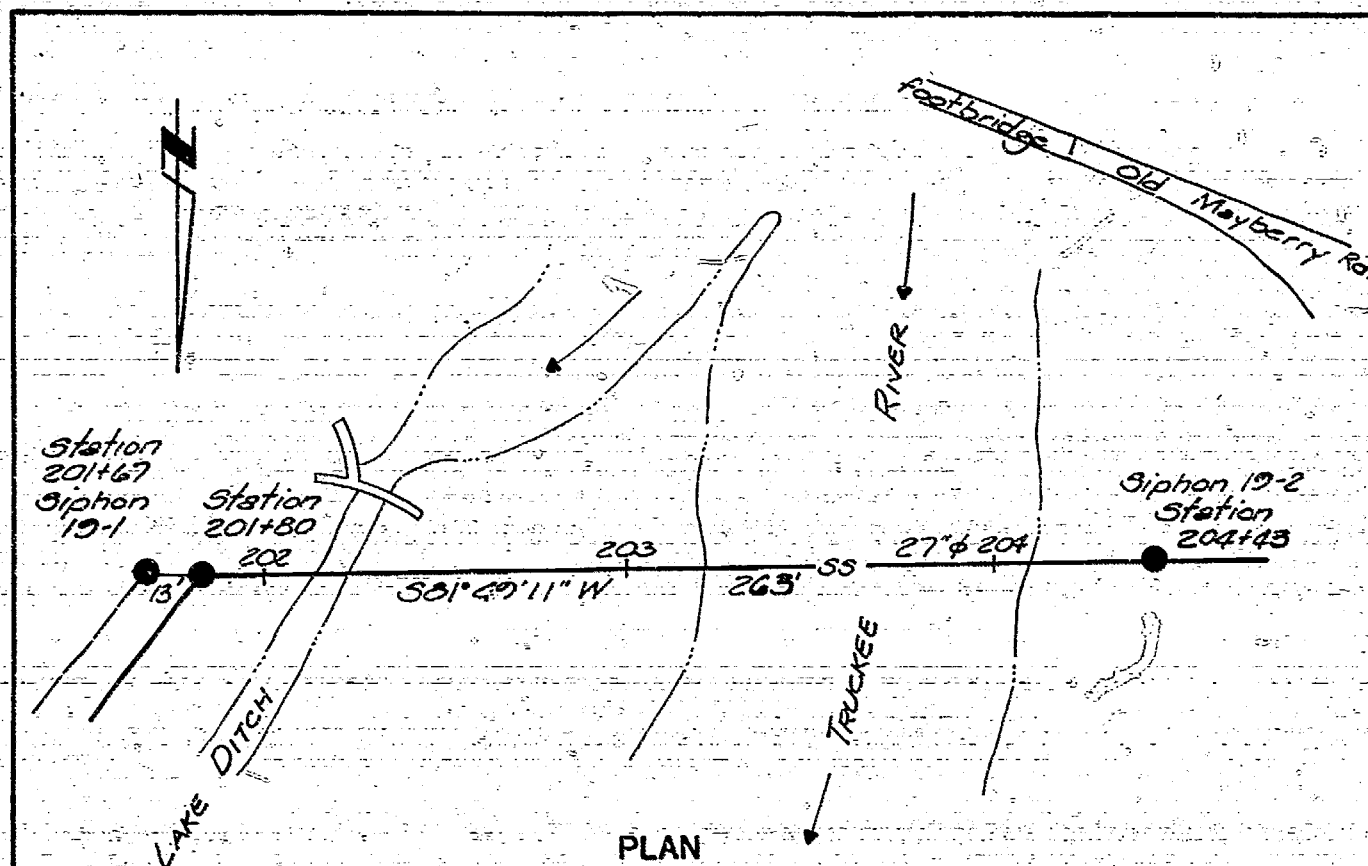
RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

TRUCKEE RIVER CROSSING  
WASHOE CO. UTILITIES DIVISION

Project No. 133-16-1

1 of 4





DATEPRINT IN30980



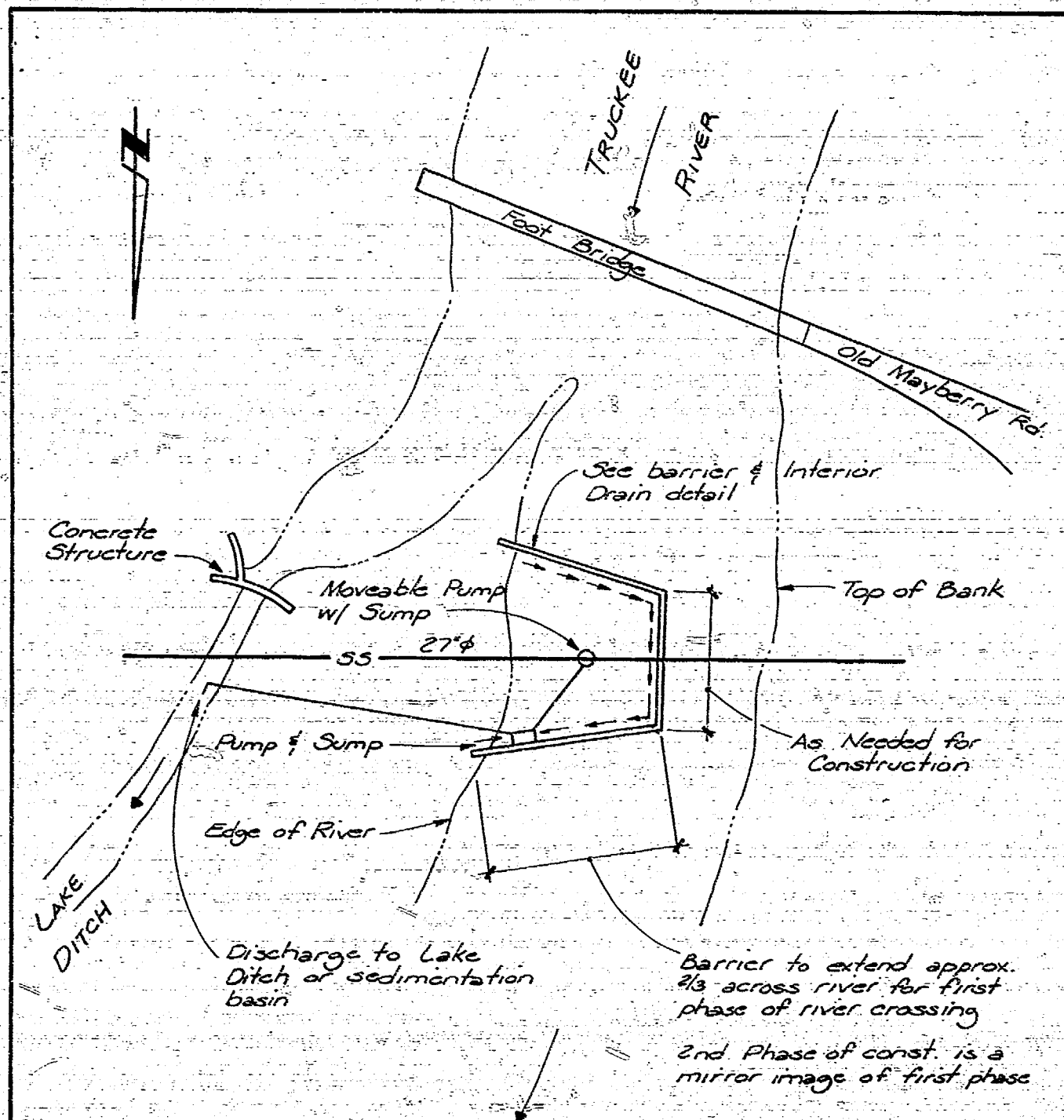
RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

TRUCKEE RIVER CROSSING  
WASHOE CO. UTILITIES DIVISION

Project No. 135-15-1

2 of 4

25X10



# **DEWATERING PLAN**

N.T.S.

DATEPRINT N20090



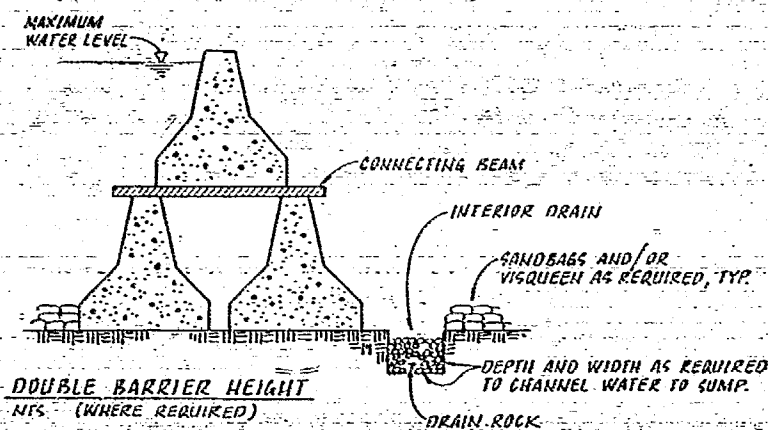
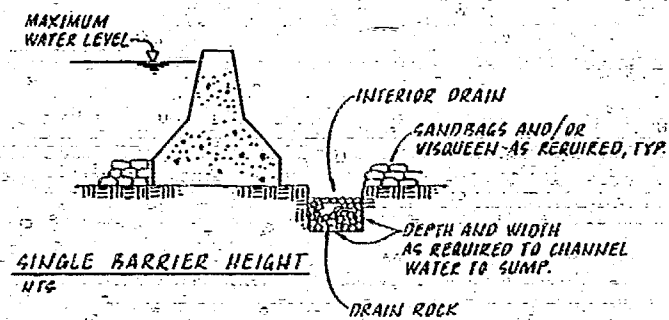
RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

**TRUCKEE RIVER CROSSING**  
**WASHOE CO. UTILITIES DIVISION**

Project No. 193-16-1

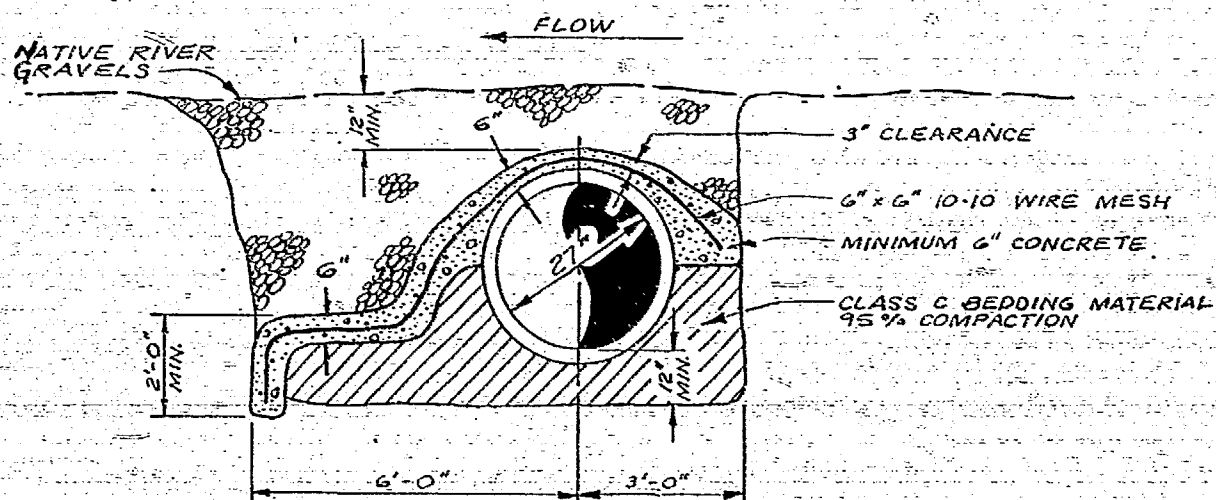
3 of 4

25x10



### CONCRETE BARRIER RAIL & INTERIOR DRAIN DETAIL

N.T.S.



### RIVER CROSSING TRENCH

N.T.S.

DATE/PRINT N00980



RENO/SPARKS, NEVADA  
LAS VEGAS, NEVADA  
PHOENIX, ARIZONA

TRUCKEE RIVER CROSSING

Project No. 133-15-1

WASHOE CO. UTILITIES DIVISION

4 of 4



Consulting Engineers

950 INDUSTRIAL WAY  
SPARKS, NEVADA 89431-6092  
(702) 358-6931  
FAX: 358-6954

July 25, 1989  
Project No. 133-15-1

**Legal Description**  
**Washoe County-Lawton/Verdi Interceptor**  
**Truckee River Crossing**

The following describes the centerline of a 20 foot wide permanent sanitary sewer easement together with two 20 foot wide temporary construction easements situated to the left and right of and contiguous to said permanent easement, said easements lying within a portion of the S 1/2 of the SW 1/4 of Section 18, T19N, R19E, MDM, Washoe County, Nevada, being more particularly described as follows:

Commencing at the quarter corner common to Sections 18 and 19, said Township and Range, from which point a found 1/2" steel pin set in concrete marking a section corner common to Sections 17, 18, 19 and 20 bears S 86° 21' 10" E, 2,610.25 feet;

Thence from said quarter corner, N 32° 36' 20" W, 148.30 feet to a point described as Station 201+67, Siphon 19-1;

Thence S 81° 49' 11" W, 13.00 feet to a point herein described as Station 201+80, being the true point of beginning;

Thence S 81° 49' 11" W, 263.00 feet to a point described as Station 204+43, Siphon 19-2 and the point of terminus.

RRH:jk

RICHARD W. ARDEN, P.E.  
President

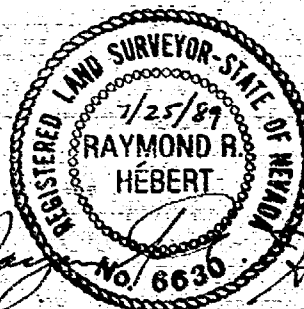
RONALD D. BYRD, P.E.  
Executive Vice President

JOE W. HOWARD, P.E.  
Senior Vice President

HARRY R. ERICSON, R.L.S.  
Vice President

LARRY J. JOHNSON  
Vice President

Reno/Sparks  
Las Vegas  
Phoenix





# CONVERSATION RECORD

TIME

DATE

*pm*

*2*

*Nov 89*

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☐ INCOMING

☒ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

*Roy Leach*

*NDW*

SUBJECT

*Washoe County Sewer Interceptor  
198900129 - Truckee River*

SUMMARY

*NDW has no objection to proposed action provided work is restricted to June 1 - Oct 1 1989. Also they recommend replacement of any riparian vegetation w/ willow etc.*

ACTION REQUIRED

*NW*

*put on mail list*

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

*(b) (6)*

*2 Nov 89*

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

U.S. G.P.O. 1983-424-378

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)  
DEPARTMENT OF DEFENSE

25X10



# CONVERSATION RECORD

TIME 1310

DATE 2 NOV 89

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☐ INCOMING

☒ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Joe Howard

ORGANIZATION (Office, dept., bureau, etc.)

SEA

TELEPHONE NO.

(702)  
358-6931

SUBJECT

Washoe County Sewer Interceptor

ROUTING

NAME/SYMBOL

INT

SUMMARY

bank protection (Q) 2.

He was unavailable - left message - he will call back

> They will place riprap to protect bank where excavation has occurred. riprap will probably be limited to 20 cy on each bank and 10 cy or less per linear foot.

ACTION REQUIRED

Work covered under NW permits  
Call Mandy if no response  
11/15

NAME OF PERSON DOCUMENTING CONVERSATION

(b) (6)

SIGNATURE

DATE

2 NOV 89

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

U.S. G.P.O. 1983-424-378

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)  
DEPARTMENT OF DEFENSE

25X10



# CONVERSATION RECORD

TIME

DATE

TYPE

☐ VISIT

☐ CONFERENCE

☐ TELEPHONE

☐ INCOMING

☐ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

ROUTING

NAME/SYMBOL INT

SUBJECT

SUMMARY

## MEMORANDUM OF CALL

Previous editions usable

TO:

(b) (6)

☐ YOU WERE CALLED BY-

☐ YOU WERE VISITED BY-

*Claude Hunter*

OF (Organization)

☐ PLEASE PHONE ►

☐ FTS

☐ AUTOVON

☐ WILL CALL AGAIN

☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL

☐ WISHES AN APPOINTMENT

MESSAGE

*No comments on bridge over truckee river*

ACTION REQUIRED

RECEIVED BY

DATE

TIME

63-110 NSN 7540-00-634-4018  
GPO : 1987 - 193-554

STANDARD FORM 63 (Rev. 3-81)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.6

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

★ U.S. G.P.O. 1983-424-378

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)  
DEPARTMENT OF DEFENSE

25X10



# CONVERSATION RECORD

TIME 1100

DATE 16 NOV 89

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☒ INCOMING

☐ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Chet Buchanan

ORGANIZATION (Office, dept., bureau, etc.)

USFWS

TELEPHONE NO.

(702) 885-5227

SUBJECT

198900124

ROUTING

NAME/SYMBOL

INT

SUMMARY

Source has no objection w/ inclusion of proposed special conditions

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

(b) (6)

SIGNATURE

DATE

16 NOV 89

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

★ U.S. G.P.O. 1983-424-378

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)  
DEPARTMENT OF DEFENSE

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