

COMPLETE APPLICATIONS- SP, LOP, & NWP

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Sacramento District Regulatory Program
Workshop


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US Army Corps of Engineers
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Questions about the Regulatory Program or 408 Program?

Call: (916) 557-5250

Email: CESPK-REGULATORY-INFO@usace.army.mil

WE'VE GONE PAPERLESS

All project related documents (permit applications, aquatic resource delineations, jurisdictional determinations, agency requests, etc.) should be submitted electronically to the following email address:
SPKRegulatoryMailbox@usace.army.mil



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*Individual Permit =
Standard Permit



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Complete Application- Individual/Standard Permit

► In the Regulations:

- 33 CFR 325.1 (c), (d) & (e) – *Applications for Permits*
- 33 CFR 325.3 – *Public Notice*

- An application is determined to be complete when **sufficient information** is received to issue a public notice
- The issuance of a public notice will not be delayed to obtain information necessary to evaluate an application

325.1(d)(10)



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- The notice must... include **sufficient information** to *give a clear understanding* of the nature and magnitude of the activity to generate meaningful comment 325.3(a)
- Any other available information which may assist interested parties in evaluating the likely impact of the proposed activity, if any, on factors affecting the public interest 325.3(a)(13)



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Complete Application- Individual/Standard Permit

- Specific Items:

- ▶ Completed application form (ENG 4345)

- Signed by applicant or by authorized agent
 - ▷ Agent authorization on form or separate written statement

- Form available here:

https://www.publications.usace.army.mil/Portals/76/Publications/EngineerForms/Eng_Form_4345_2019Feb.pdf?ver=2019-03-08-083618-337

- Instructions available here:

<https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll11/id/2340>

325.1(c)
325.1(d)(8)



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Print Form

Save As

U.S. Army Corps of Engineers (USACE)
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
 33 CFR 325. The proponent agency is CECW-CO-R.

Form Approved -
OMB No. 0710-0003
Expires: 02-28-2022

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpdcd.defense.gov/Privacy/SORNs/Index/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Middle - Last - Company - E-mail Address -		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - E-mail Address -	
6. APPLICANT'S ADDRESS: Address- City - State - Zip - Country -		9. AGENT'S ADDRESS: Address- City - State - Zip - Country -	
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax		10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)	
13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable) Address _____
15. LOCATION OF PROJECT Latitude: +N _____ Longitude: -W _____ City - _____ State- _____ Zip- _____	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID _____ Municipality _____ Section - _____ Township - _____ Range - _____	

Complete the
entire form OR
 attach a narrative
 that includes this
 information



Complete Application- Individual/Standard Permit

- 1- Contents of Application
 - a) Complete Description
 - b) Drawings, sketches, or plans sufficient for public notice (Engineering plans and specs are not required)
 - c) Location
 - d) Purpose & Need
 - e) Scheduling of Activity
 - f) Names & addresses of adjoining property owners
 - g) The location and dimensions of adjacent structures
 - h) List of authorizations required/received/denied (federal, state, local)



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Complete Application- Individual/Standard Permit

- Contents of Application (cont'd)-
- 2- Reasonably related activities
 - a) All activities which the applicant plans to undertake which are *reasonably related* to the same project and for which a DA permit would be required should be *included in the same permit application*.

325.1(d)(2)
- 3- For *Dredging* in Navigable Waters
 - a) A description of the type, composition and quantity of the material to be dredged;
 - b) The method of dredging; and
 - c) The site and plans for disposal of the dredged material.

325.1(d)(3)



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- Contents of Application (cont'd)-
- 4- **Discharge** of dredged or fill material
 - a) The source of the material;
 - b) The purpose of the discharge;
 - c) A description of the type, composition and quantity of the material;
 - d) The method of transportation and disposal; and
 - e) The location of the disposal site.

325.1(d)(4)



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- Contents of Application (cont'd)-
- 5- If activity involves construction of a filled area or pile or float-supported platform
 - a) The use of; and
 - b) Specific structures to be erected on the fill or platform

325.1(d)(5)

- 6- Construction of an **impoundment structure** applicant may be required to
 - a) Demonstrate that the structure complies with established state dam safety criteria;
 - b) Designed by qualified persons; or
 - c) Independently reviewed by similarly qualified persons.

325.1(d)(6)



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- Contents of Application (cont'd)-
- 7- **Mitigation** Statement (for discharges of dredged or fill material into waters of the U.S.)
 - a) How impacts to waters of the US are to be avoided and minimized; and
 - b) How impacts to waters of the US are to be compensated for; or
 - c) Why compensatory mitigation **should not be required** for the proposed impacts.

325.1(d)(7)



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Complete Application- LOP

- Section 10 ONLY
 - Include all the information for a complete SP
 - Would only require coordination with resource agencies and Tribes
 - Public interest evaluation
- Section 404 Minor Impact (SPK-2011-00025)
 - Include all the information for an SP, except for names/addresses of adjoining landowners (agency notification only for LOPs)
 - See list in LOP (Part B, #1-15) for specific submittal items.
 - Delineation required
 - Compensatory mitigation plan



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Complete Application- IP/SP & LOP Summary

- An SP application is determined to be complete when **sufficient information** is received to issue a public notice.
- 15 days for Corps to review and publish PN if application is complete
- Additional information is needed for full permit application evaluation. If this information is not included in the original submittal, it will result in Request(s) for Additional Information.
 - Section 7 of the Endangered Species Act (ESA)
 - Section 106 National Historic Preservation Act (NHPA)



Complete Application- Nationwide Permit

- Requirements for a complete Pre-Construction Notification (PCN):
 - ▶ General Condition 32. *Pre-Construction Notification*
 - ▶ Sacramento District Regional Conditions- *Final Regional Conditions for Nevada and the Lake Tahoe Basin: B(1) and B(2)* located here:

https://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2017_nwps/Final_SPK_Regional_Conditions_for_Nevada_3_31_17.pdf?ver=2017-04-04-095504-693

- Recommend using the PCN Checklist with Attachment 3 for Nevada, located here:

https://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2017_nwps/SPD_NWP_PCN_with_SPK_Attachment_3_NV_FINAL.pdf?ver=2017-10-27-094843-710

Prospective Permittees can submit a DA Form 4345 with an attachment providing information regarding compliance with all of the General and Regional Conditions.



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Complete Application- Nationwide Permit

U.S. Army Corps of Engineers South Pacific Division



Nationwide Permit Pre-Construction Notification (PCN)

This form integrates requirements of the U.S. Army Corps of Engineers (Corps) Nationwide Permit Program within the South Pacific Division (SPD). Boxes 1-10 must be completed to include all information required by General Condition 32. Box 11 (or other sufficient information to show compliance with all General Conditions) must be completed for activities in Arizona, California, Nevada, and Utah, and is recommended for activities in Colorado and New Mexico. If additional space is needed, please provide as a separate attachment. Please refer to the *Instructions for the South Pacific Division Nationwide Permit Pre-Construction Notification (PCN)* (Instructions) for instructions for completing the PCN, as well as additional information on the attachments and tables included with this PCN that may be used.

0. To be filled by the Corps		
Application Number:	Date Received:	Date Complete:

1. Prospective Permittee and Agent Name and Addresses (see Instructions)	
a. Prospective Permittee	
First - <input type="text"/>	Middle - <input type="text"/> Last - <input type="text"/>
Company - <input type="text"/>	Email Address - <input type="text"/>
Address - <input type="text"/>	City - <input type="text"/> State - <input type="text"/> Zip - <input type="text"/>
Phone (Residence/Mobile) - <input type="text"/>	Phone (Business) - <input type="text"/>
b. Agent (if applicable)	
First - <input type="text"/>	Middle - <input type="text"/> Last - <input type="text"/>
Company - <input type="text"/>	Email Address - <input type="text"/>
Address - <input type="text"/>	City - <input type="text"/> State - <input type="text"/> Zip - <input type="text"/>
Phone (Residence/Mobile) - <input type="text"/>	Phone (Business) - <input type="text"/>
c. Statement of Authorization: I hereby authorize <input type="text"/> to act in my behalf as my agent for the proposed activity. (Optional, see instructions)	
Signature of Applicant _____	Date <input type="text"/>

Page 1 of 11

- Fill the form out completely. Don't leave boxes blank that should be filled out, even if answer is N/A.

- Instructions available here:

https://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2017_nwps/SPD_NWP_PCN_with_SPK_Attachment_3_NV_FINAL.pdf?ver=2017-10-27-094843-710



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Complete Application- Nationwide Permit

Nationwide Permit Pre-Construction Notification (PCN)

This form integrates requirements of the U.S. Army Corps of Engineers (Corps) Nationwide Permit Program within the South Pacific Division (SPD). Boxes 1-10 must be completed to include all information required by General Condition 32. Box 11 (or other sufficient information to show compliance with all General Conditions) must be completed for activities in Arizona, California, Nevada, and Utah, and is recommended for activities in Colorado and New Mexico. If additional space is needed, please provide as a separate attachment. Please refer to the *Instructions for the South Pacific Division Nationwide Permit Pre-Construction Notification (PCN)* (Instructions) for instructions for completing the PCN, as well as additional information on the attachments and tables included with this PCN that may be used.

0. To be filled by the Corps		
Application Number:	Date Received:	Date Complete:
1. Prospective Permittee and Agent Name and Addresses (see Instructions)		
a. Prospective Permittee		
First - <input type="text"/>	Middle - <input type="text"/>	Last - <input type="text"/>
Company - <input type="text"/>	Email Address - <input type="text"/>	
Address - <input type="text"/>	City - <input type="text"/>	State - <input type="text"/> Zip - <input type="text"/>
Phone (Residence/Mobile) - <input type="text"/>	Phone (Business) - <input type="text"/>	
b. Agent (if applicable)		
First - <input type="text"/>	Middle - <input type="text"/>	Last - <input type="text"/>
Company - <input type="text"/>	Email Address - <input type="text"/>	
Address - <input type="text"/>	City - <input type="text"/>	State - <input type="text"/> Zip - <input type="text"/>
Phone (Residence/Mobile) - <input type="text"/>	Phone (Business) - <input type="text"/>	
c. Statement of Authorization: I hereby authorize <input type="text"/> to act in my behalf as my agent for the proposed activity. (Optional, see instructions)		
Signature of Applicant		Date <input type="text"/>

- We have to have an applicant's name and, at minimum, physical address. Please include email address to support paperless initiative, or statement that hardcopy mailing is preferred.
- If agent information is provided all correspondence will be sent to the agent, EXCEPT the final permit, which has to be addressed to the permittee.



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Complete Application- Nationwide Permit

2. Name and Location of the Proposed Activity (see Instructions)	
<input type="checkbox"/> The proposed work would involve multiple-single and complete projects. See attachment for the information required in Boxes 2 through 10, and 11, if applicable.	
a. Project Name or Title:	b. County, State:
c. Name of Waterbody:	
d. Coordinates:	
<input type="checkbox"/> Unknown (please provide other location descriptions below)	
Latitude -	Longitude -
e. Other Location Description (optional, see instructions):	
This box should be completed if the coordinates of the proposed activity are not known, and should be sufficient for the Corps to determine the location of the proposed activity. This may include the project street address, assessor's parcel number, municipality, section/township/range, etc. If there is an existing Corps' identification number for the site, please provide that here.	
f. Driving Directions to the site (optional, see instructions):	
This box should be completed if the coordinates of the proposed activity are not known, and should be sufficient for the Corps to determine the location of the proposed activity.	

- Requirements are for **EACH** single and complete project that requires a PCN
Example: If linear project with 20 crossings that are each a single and complete project and each require a PCN, the information must be submitted for each of the 20 crossings (can be in one document by checking box)
- Fill out all the boxes as appropriate.



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Complete Application- Nationwide Permit

Pre-Construction Notifications

The terms and conditions of the NWP include requirements for the submittal of a PCN in certain circumstances, and the RCs for Sacramento and Albuquerque District require the submittal of a PCN prior to initiation of construction activities within waters of the U.S. GC 31 of the NWPs identifies the minimum information necessary for a complete PCN. In addition, RC B(1) for California, Nevada, and Utah, identifies additional information required for a complete PCN in the Sacramento District boundaries of California, Nevada, and Utah. A PCN may be submitted in one of the following formats:

1. California, Nevada, and Utah:
 - a. Through the completion of the *South Pacific Division Pre-construction Notification Checklist* (SPD PCN Checklist), with Attachment 3, or other information demonstrating compliance with all applicable Regional Conditions.
 - [Instructions for the SPD PCN Checklist.](#)
 - [The SPD PCN Checklist with Attachment 3 for California.](#)
 - [The SPD PCN Checklist with Attachment 3 for Nevada.](#)
 - [The SPD PCN Checklist with Attachment 3 for Utah.](#)
 - [The SPD PCN Checklist with Attachment 4 for Navajo Nation in Utah](#)
 - with Table 1, Upload Sheet can be found [here](#).
 - Table 2, Multiple Single and Complete project sheet can be found [here](#).
 - b. Through the completion of a Department of the Army application form, [ENG Form 4345](#), found [here](#), with an attachment providing information regarding compliance with all of the GCs and RCs.

- If project has multiple single and complete projects being presented, there are Excel files located on our website (NWP link) that assist in presenting the needed information for EACH crossing.



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3. Specific NWP(s) you want to use to authorize the proposed activity (see Instructions)

- Per GC 32(b)(3), the prospective permittee must identify the specific NWPs requested to authorize the proposed activity.
- Please note the Corps makes final determination on appropriate NWP, whether the proposed activity meets the terms and conditions of the NWP, and whether the effects of the proposed activity would be no more than minimal, individually and cumulatively.



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4. Description of the Proposed Activity (see Instructions)
<p>a. Complete description of the Proposed Activity:</p> <p>Description including (not limited to) permanent and/or temporary impacts to or loss of waters, wetlands, other special aquatic sites and/or aquatic resources.</p> <p><i>EXAMPLE: Stabilization of an ephemeral drainage, resulting in a permanent impact but not permanent loss of 500 linear feet of stream bank. Approximately 10 cubic yards of material will be placed below the ordinary high water mark of the drainage. Approximately 0.01 acre of emergent wetland would be temporarily impacted with the placement of mats to facilitate access and staging materials for the project. All work to be conducted from top of bank to place the rock.</i></p>
<p>b. Purpose of the Proposed Activity:</p> <p><i>EXAMPLE: To stabilize 500 linear feet of ephemeral drainage to stop property loss.</i></p>

- GC 32(b)(4):
 - For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters.



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c. Direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands and other waters of the U.S. expected to result from the NWP(s) activity:

Direct and indirect impacts on the environment, sedimentation, turbidity, fish and wildlife habitat, vegetation re-growth, water quality, noise, etc.

If your project would sever a hydrologic connection between a wetland and it's source (e.g. levee/dam/berm) then the amount of wetland acres that would dry due to your project should be included here.

d. Description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity:

Measures may include, a description of any best management practices (BMPs) proposed to minimize effects to downstream waters of the U.S., avoidance and/or preservation of waters of the U.S. on the project site; installation and maintenance of erosion control measures; and any other measures proposed.

e. Any other NWP(s), Regional/Programmatic General Permit(s) or Individual Permit(s) used or intended to be used to authorize any part of the proposed activity or any related activity:

If the proposed activity is part of a larger overall project that would require authorization under Section 404 or Section 10, identify the other permits proposed to be used here. This includes other separate and distant crossings for linear projects that require DA authorization but do not require pre-construction notification.

f. Have sketches been provided containing sufficient detail to provide an illustrative description of the proposed activity?

☐ Yes, Attached ☐ No

☐ N/A; The activity is located in the Los Angeles District boundaries of Arizona and California, See Attachment 1

☐ N/A; The activity is located in the San Francisco District boundaries of California, See Attachment 2

☐ N/A; The activity is located in the Sacramento District boundaries of California, Nevada, or Utah, See Attachment 3

For SPK in NV select N/A because RC B(1) requires drawings that meet SPD's minimum mapping standards.



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5. Aquatic Resource Delineation (see Instructions)

a. Has a delineation of aquatic resources been conducted in accordance with the current method required by the Corps? ☐ Yes ☐ No

If yes, please attach a copy of the delineation

Note: If no, your PCN is not complete. In accordance with General Condition 32, you may request the Corps delineate the special aquatic sites and other waters on the project site, but there may be a delay. In addition, the PCN will not be considered complete until the delineation has either been submitted to or completed by the Corps, as appropriate.

b. If a delineation has been submitted, would you like the Corps to conduct a jurisdictional determination (preliminary or approved)? ☐ Yes ☐ No

If yes, please complete, sign and return the attached *Appendix 1 – Request for Corps Jurisdictional Determination (JD)* sheet or provide a separate attachment with the information identified in Appendix 1.

- GC 32(b)(5) requires the PCN include a delineation of wetlands, other special aquatic sites, and other waters.
 - In some circumstances, including where the Corps verifies general permits, jurisdictional questions may not arise. **Unless a JD is specifically requested by the prospective permittee, the Corps will generally not conduct an approved or preliminary JD. If the prospective permittee requests a JD, the Corps will provide one.** However, the prospective permittee should be aware that completion of an approved or preliminary JD associated with a NWP may lengthen the processing time for the evaluation of the NWP.



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5. Aquatic Resource Delineation (see Instructions)

a. Has a delineation of aquatic resources been conducted in accordance with the current method required by the Corps? ☐ Yes ☐ No

If yes, please attach a copy of the delineation

Note: If no, your PCN is not complete. In accordance with General Condition 32, you may request the Corps delineate the special aquatic sites and other waters on the project site, but there may be a delay. In addition, the PCN will not be considered complete until the delineation has either been submitted to or completed by the Corps, as appropriate.

b. If a delineation has been submitted, would you like the Corps to conduct a jurisdictional determination (preliminary or approved)? ☐ Yes ☐ No

If yes, please complete, sign and return the attached *Appendix 1 – Request for Corps Jurisdictional Determination (JD)* sheet or provide a separate attachment with the information identified in Appendix 1.

- SPK-2016-00005- Request for Aquatic Resources Delineation Verification of Jurisdictional Determination has the needed form, located here:

https://www.spk.usace.army.mil/Portals/12/documents/regulatory/jd/documents/REQUEST_FOR_DELINEATION_OR_JD_20170331.pdf?ver=2017-04-04-100852-693



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6. Compensatory Mitigation (see Instructions)

a. Will the proposed activity result in the loss of greater than 1/10-acre of wetlands? ☐ Yes ☐ No

If yes, describe how you propose to compensate for the loss of each type of wetland:

The information submitted should include the type of compensatory mitigation (e.g. purchase of mitigation bank or in-lieu fee credits or permittee responsible establishment, re-establishment, rehabilitation, enhancement or preservation) for each wetland type (e.g. marsh, seasonal wetland, vernal pool, riparian wetland, seep, and fen). If no compensatory mitigation is proposed, explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. If preservation is proposed as compensatory mitigation, identify how the proposed preservation meets the 5 criteria listed in 33 CFR 332.3(h)).

Note: for the loss of less than 1/10 acre of wetlands, or if no compensatory mitigation is proposed, the Corps may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

b. Will the proposed activity result in the loss of streams or other open waters of the U.S.? ☐ Yes ☐ No

If yes, provide a description of any proposed compensatory mitigation for the loss of each type of stream or other open water:

The information submitted should include the type of compensatory mitigation (e.g. purchase of mitigation bank or in-lieu fee credits or permittee responsible establishment, re-establishment, rehabilitation, enhancement or preservation) for each stream type (e.g. ephemeral, intermittent, or perennial). If no compensatory mitigation is proposed, explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. If preservation is proposed as compensatory mitigation, identify how the proposed preservation meets the 5 criteria listed in 33 CFR 332.3(h)).

Note: if no compensatory mitigation is proposed, the Corps may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in no more than minimal adverse environmental effects.

For multiple single & complete projects, use the tables referenced earlier to clearly define the mitigation for each.

***FOLLOW THE SPD MITIGATION AND MONITORING GUIDELINES- available on website**



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7. Endangered Species Act (ESA) Compliance (see Instructions)	
a. For non-Federal permittees (if Federal permittee, check N/A and skip to 7(d)): <input type="checkbox"/> N/A	
(1) Is there any Federally-listed endangered or threatened species or critical habitat that might be affected or is in the vicinity of the activity? <input type="checkbox"/> Yes <input type="checkbox"/> No	
(2) Is the activity located in designated critical habitat for Federally-listed endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes to either (1) or (2), include the name(s) of those endangered or threatened species that might be affected by the proposed activity or might utilize the designated critical habitat that might be affected by the proposed activity:	
1. <input type="text"/>	2. <input type="text"/>
3. <input type="text"/>	4. <input type="text"/>
5. <input type="text"/>	6. <input type="text"/>
If no to both (1) and (2), proceed to Box 8.	
Note: If yes to either (1) or (2), note per General Condition 18(c), you shall not begin work on the activity until notified by the Corps that the requirements of the ESA have been satisfied and that the activity is authorized.	

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b. Has information sufficient to initiate consultation with the U.S. Fish and Wildlife Service/National Marine Fisheries Service for compliance with Section 7 of the ESA been prepared? <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please attach a copy of the information.
c. Additional information you wish to provide regarding compliance with the ESA, if applicable:
<input type="text"/>
d. For Federal permittees, you must provide documentation demonstrating compliance with ESA as a separate attachment.

Tips

- Don't leave this box blank!
- A Biological Assessment is not required for a complete PCN. However, if consultation with USFWS or NMFS is required, this information is helpful in facilitating review of the PCN.
- If required, review SPK's Biological Assessment Checklist:
<https://www.spk.usace.army.mil/Portals/12/documents/regulatory/pdf/BA-checklist-final-7-13-11.pdf>



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Complete Application- Nationwide Permit

8. Historic Properties (see Instructions)	
a. For non-Federal permittees (if Federal permittee, check N/A and skip to 7(d)): <input type="checkbox"/> N/A	
(1) Is there a known historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places that the NWP may have the potential to affect? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes to (1), state which historic property may have the potential to be affected by the proposed activity:	
1. <input type="text"/>	2. <input type="text"/>
3. <input type="text"/>	4. <input type="text"/>
5. <input type="text"/>	6. <input type="text"/>
OR	
<input type="checkbox"/> A vicinity map indicating the location of the historic property is enclosed	
(2) If no to (1), describe the potential for the proposed work to affect a previously unidentified historic property:	
<input type="text"/>	
Note: If yes to (1), note per General Condition 20(c), you shall not begin the activity until notified by the Corps that the activity has no potential to cause effects or that consultation under Section 106 of the National Historic Preservation Act (NHPA) has been completed.	
b. Has information sufficient to initiate consultation with the State Historic Preservation Officer/Tribal Preservation Officer for compliance with Section 106 of the National Historic Preservation Act (NHPA) been prepared?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please attach a copy of the information.	
c. Additional information you wish to provide regarding compliance with the NHPA, if applicable:	
<input type="text"/>	
d. For Federal permittees, you must provide documentation demonstrating compliance with NHPA in a separate attachment.	

Tips:

- Don't leave this box blank!
- A Cultural Resources Evaluation is not required for a complete PCN. However, if consultation with SHPO and interested Tribes is required, this information is helpful in facilitating PCN review.
- See SPK's Guidance on Cultural Resource Evaluations:
http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL_2014-03-24_Section-106-Guidelines.pdf



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9. National Wild and Scenic Rivers (see Instructions)

a. Will the proposed activity(s) occur in a component of the National Wild and Scenic River System or 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?

☐ Yes, in a component of a National Wild and Scenic River System; ☐ Yes, in a “study” river ☐ No

If yes, identify the Wild and Scenic River or the “study river”

Note: per General Condition 16(b), you shall not begin the NWP activity until notified by the Corps that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status. If you have received written notification from the Federal agency, please attach the correspondence.

We do NOT currently have any Wild and Scenic Rivers in Nevada or the Lake Tahoe Basin



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10. Section 408 Permissions (see Instructions)

a. Will the NWP also require permissions from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a Corps federally authorized Civil Works project? ☐ Yes ☐ No

If yes, have you received Section 408 permission to alter, occupy, or use the Corps project? ☐ Yes ☐ No

If yes, please attach the Section 408 permission

If yes, note per General Condition 31, an activity that requires Section 408 permission is not authorized by NWP until the Corps issues the Section 408 permission to alter, occupy, or use the Corps project, and the Corps issues a written NWP verification.

- Do NOT skip and do not assume “No” check the websites for the appropriate district:

- Sacramento District:

- <https://www.spk.usace.army.mil/408permissions/>

- Los Angeles District:

- <https://www.spl.usace.army.mil/Missions/Section-408-Permits/>



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11. Compliance with NWP General Conditions (see Instructions)		
Check	General Condition	Rationale for Compliance with General Condition
<input type="checkbox"/>	1. Navigation	
<input type="checkbox"/>	2. Aquatic Life Movements	
<input type="checkbox"/>	3. Spawning Areas	
<input type="checkbox"/>	4. Migratory Bird Breeding Areas	
<input type="checkbox"/>	5. Shellfish Beds	
<input type="checkbox"/>	6. Suitable Material	

Note: RCs for the Sacramento District in Nevada, requires the PCN contain information showing compliance with all NWP GCs. This may be provided through the completion of checklist in Box 11, or as a separate attachment.



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- Sacramento, Los Angeles, and San Francisco Districts, each have an attachment to the PCN Checklist.
- SPK's is Attachment 3.
 - ▶ Prospective permittee must submit the completed attachment, or other attachment containing the required information, for a complete PCN per Sacramento District RC B(1).
- Fill out all appropriate boxes!

U.S. Army Corps of Engineers Sacramento District



Attachment 3: Additional PCN Requirements for Sacramento District Boundaries of California, Nevada, and Utah

This attachment contains additional information required to be submitted with the PCN for proposed activities within the Sacramento District Boundaries of California, Nevada, and Utah. You must submit the completed attachment, or other attachment containing the required information, for a complete PCN per Sacramento District Regional Condition B(1). For multiple single and complete projects, provide the information identified below for each single and complete project. If additional space is needed, provide as an attachment to the form, and please reference each section accordingly.

<p>1. Form of PCN (Regional Condition B(1))</p> <p>Have you submitted a completed South Pacific Division PCN Checklist or an application form (ENG Form 4345) with an attachment providing information on compliance with all of the General and Regional Conditions?</p> <p><input type="checkbox"/> Yes, see attached <input type="checkbox"/> No</p> <p><small>Note: If you check no, your PCN will be considered incomplete.</small></p>
<p>2. Avoidance and Minimization (Regional Condition B(1)(a))</p> <p>Written statement describing how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S.:</p>
<p>3. Drawings (Regional Condition B(1)(b))</p> <p>The following drawings are enclosed:</p> <p><input type="checkbox"/> Plan-View drawing clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the U.S. on the site</p> <p><input type="checkbox"/> Cross-Section view drawings clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the U.S. on the Site</p> <p>The plan-view and cross-section view drawings contain the following</p> <p>Title block: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Legend and scale: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Amount (in cubic yards) of fill in Corps jurisdiction (including permanent and temporary fills/structures): <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Area (in acres) of fill in Corps jurisdiction (including permanent and temporary fill structures): <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The ordinary high water mark (non-tidal waters) or mean high water mark and high tide line (tidal waters) shown in feet based on National Geodetic Vertical Datum (NGVD) or other appropriate reference elevation: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Do all drawings follow the South Pacific Division February 2016, <i>Updated Map and Drawing Standards for the South Pacific Division Regulatory Program</i>, or most recent update? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe why this requirement is proposed to be waived:</p>



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This attachment contains additional information required to be submitted with the PCN for proposed activities within the Sacramento District Boundaries of Nevada. *This is to address the requirements of RC B(1) and B(2)(e).*

1. Form of PCN B(1)
2. Avoidance and Minimization, Regional Condition B(1)(a)
3. Drawings, Regional Condition B(1)(b)
4. Photographs, Regional Condition B(1)(c)
5. Delineation of Aquatic Resource (Regional Condition B(1)(d))
6. Best Management Practices (BMPs) (Regional Condition B(1)(e))
7. Temporary Access and Construction (Regional Condition B(1)(f))
8. Dewatering Activities (Regional Condition B(1)(g))
9. New or Replacement Linear Transportation Crossings (Regional Condition B(1)(h))
10. Replacement Linear Transportation Crossings (Regional Condition B(1)(i))
11. Waiver of linear foot limitations (Regional Condition B(1)(j)) for NWP 13, 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, and 54
12. NWP 23 Activities (Regional Condition B(1)(k))
13. NWP 27 Activities (Regional Condition B(1)(l))
14. NWP 29 or 39 Activities (Regional Condition B(1)(m))
15. Construction Activities in Standing or Flowing Waters (Regional Condition B(1)(n))
16. New Bank Stabilization Activities (Regional Condition B(1)(o))
17. Critical Habitat for Federally-listed Threatened and/or Endangered Fish Species (Regional Condition B(1)(p))
18. Essential Fish Habitat (EFH) (Regional Condition B(2)(e))



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1. Form of PCN (Regional Condition B(1))

Have you submitted a completed South Pacific Division PCN Checklist or an application form (ENG Form 4345) with an attachment providing information on compliance with all of the General and Regional Conditions?

☐ Yes, see attached ☐ No

Note: If you check no, your PCN will be considered incomplete.

2. Avoidance and Minimization (Regional Condition B(1)(a))

Written statement describing how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S.:

Be descriptive. Examples: Project size minimized to footprint necessary to achieve project purpose, avoided wetland impacts by utilizing existing roads, etc.



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4. Photographs (Regional Condition B(1)(c))

Have you enclosed numbered and dated pre-project color photographs showing a representative sample of waters proposed to be impacted on the site, and all waters of the U.S. proposed to be avoided on and immediately adjacent to the project site?

☐ Yes ☐ No ☐ N/A (describe why):

Is the compass angle and position of each photograph identified on the plan-view drawing(s) identified in Box 3?

☐ Yes ☐ No ☐ N/A (describe why):



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3. Drawings (Regional Condition B(1)(b))

The following drawings are enclosed:

- ☐ Plan-View drawing clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the U.S. on the site
- ☐ Cross-Section view drawings clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the U.S. on the Site

The plan-view and cross-section view drawings contain the following

Title block: ☐ Yes ☐ No

Legend and scale: ☐ Yes ☐ No

Amount (in cubic yards) of fill in Corps jurisdiction (including permanent and temporary fills/structures): ☐ Yes ☐ No

Area (in acres) of fill in Corps jurisdiction (including permanent and temporary fill structures): ☐ Yes ☐ No

The ordinary high water mark (non-tidal waters) or mean high water mark and high tide line (tidal waters) shown in feet based on National Geodetic Vertical Datum (NGVD) or other appropriate reference elevation: ☐ Yes ☐ No

Do all drawings follow the South Pacific Division February 2016, *Updated Map and Drawing Standards for the South Pacific Division Regulatory Program*, or most recent update? ☐ Yes ☐ No

If no, describe why this requirement is proposed to be waived):



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5. Delineation of Aquatic Resource (Regional Condition B(1)(d))

Have you enclosed a delineation of aquatic resources completed in accordance with the Sacramento District's Minimum Standards for Acceptance of Aquatic Resources Delineation Reports, or updated standards adopted by the Sacramento District?

☐ Yes ☐ No ☐ N/A

If no, describe why this requirement is proposed to be waived:

Examples: Project located on Lake Tahoe, known Section 10 Water,
Project located on Truckee River, known intrastate water, etc.



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6. Best Management Practices (BMPs) (Regional Condition B(1)(e))

Describe all proposed BMPs and highly visible markers proposed to be used during construction of the proposed activity, as required by Regional Conditions C(3) and C(4). If no BMPs and/or highly visible markers are proposed, describe why their use is not practicable or necessary:

Examples: Construction during no/low flow, silt fences, turbidity curtains, etc.



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7. Temporary Access and Construction (Regional Condition B(1)(f))

☐ The proposed activity would not result in the placement of dredged or fill material into waters of the U.S. for temporary access and construction. (Skip to Box 8)

a. The reasons why avoidance of temporary fill in waters of the U.S. is not practicable:

Examples: No other reasonable access available

b. Description of the proposed temporary fill, including the type and amount (in cubic yards) of material to be placed and length of time temporary fill is estimated to remain in place):

DO NOT SKIP, if applicable

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c. The area (in acres) of waters of the U.S. and for drainages (e.g. natural or relocated streams, creeks, rivers), the length (in linear feet) where the temporary fill is proposed to be placed:

DO NOT SKIP, if applicable

d. Proposed plan for restoration of the temporary fill area to pre-project contours and conditions, including a plan for the re-vegetation of the temporary fill area, if vegetation would be removed or destroyed by the proposed temporary fill (If a separate plan has been developed, reference and attach):

DO NOT SKIP, if applicable



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8. Dewatering Activities (Regional Condition B(1)(g))

☐ The proposed activity would not result in dewatering activities that propose structures or fill in waters of the U.S. that require authorization from the Corps. (skip to Box 9)

Note that any temporary fills in waters of the U.S. associated with dewatering activities must be discussed in Box 7.

a. The proposed method for dewatering (If a separate plan has been developed, reference and attach):

DO NOT SKIP, if applicable

b. The equipment that would be used to conduct dewatering activities (If a separate plan has been developed, reference and attach):

DO NOT SKIP, if applicable

c. The length of time the area is proposed to be dewatered (If a separate plan has been developed, reference and attach):

d. The area (in acres) and length (in linear feet) in waters of the U.S. of the structure and/or fill (If a separate plan has been developed, reference and attach):

DO NOT SKIP, if applicable

e. The method for removal of the structures and/or fill (If a separate plan has been developed, reference and attach):

DO NOT SKIP, if applicable

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f. The method for restoration of the waters of the U.S. affected by the structure or fill following construction (If a separate plan has been developed, reference and attach):

DO NOT SKIP, if applicable



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9. New or Replacement Linear Transportation Crossings (Regional Condition B(1)(h))

- ☐ The proposed activity would not result in the construction of a linear transportation crossing. (skip to Box 11)
- ☐ The proposed linear transportation crossing would not alter the pre-construction course, condition, capacity and location of open waters. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings. (Skip to Box 10)

Justification that the proposed activity would result in a net increase in aquatic resource functions and services:

DO NOT SKIP, if applicable

10. Replacement Linear Transportation Crossings (Regional Condition B(1)(i))

- ☐ The proposed activity would not result in the construction of a replacement linear transportation crossing. (skip to Box 11)
- ☐ The proposed replacement linear transportation crossing would not result in a reduction in the pre-construction bankfull width and depth of open waters of the U.S. at the crossing, as compared to the upstream and downstream open waters. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings. (Skip to Box 11)

a. Information on why it is not practicable to approximate the pre-construction bankfull width of the upstream and downstream open waters:

DO NOT SKIP, if applicable

b. Justification that the proposed reduction in the pre-construction bankfull width would result in a net increase in aquatic resource functions and services:

DO NOT SKIP, if applicable



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11. Waiver of linear foot limitations (Regional Condition B(1)(j))

(for NWP 13, 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, and 54)

☐ The proposed activity would not require a waiver of the linear foot limitations for NWP 13, 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, or 54. (skip to Box 12)

a. A narrative description of the stream (including known information on: volume and duration of flow; the approximate length, width, and depth of the waterbody and characteristics observed associated with an Ordinary High Water Mark (e.g. bed and bank, wrack line or scour marks); a description of the adjacent vegetation community and a statement regarding the wetland status of the adjacent areas (i.e. wetland, non-wetland); surrounding land use; water quality; issues related to cumulative impacts in the watershed, and; any other relevant information):

DO NOT SKIP, if applicable

b. Analysis of the proposed impacts to the waterbody, in accordance with General Condition 32 and Regional Condition B(1):

DO NOT SKIP, if applicable

c. Measures taken to avoid and minimize losses to waters of the U.S., including other methods of constructing the proposed activity(s):

DO NOT SKIP, if applicable

d. A compensatory mitigation plan describing how the unavoidable losses are proposed to be offset, in accordance with 33 CFR 332:

DO NOT SKIP, if applicable and if not give reason why



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12. NWP 23 Activities (Regional Condition B(1)(k))

☐ The activity is not proposed under NWP 23. (skip to Box 13)

☐ The following are enclosed:

- ☐ A copy of the signed Categorical Exclusion Document.
- ☐ A copy of the final agency determination for compliance with Section 7 of the Endangered Species Act, in accordance with General Condition 18.
- ☐ A copy of the final agency determination for compliance with Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, in accordance with Regional Condition B(12)
- ☐ A copy of the final agency determination for compliance with Section 106 of the National Historic Preservation Act, in accordance with General Condition 20.

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13. NWP 27 Activities (Regional Condition B(1)(l))

☐ The activity is not proposed under NWP 27. (skip to Box 14)

Justification that the proposed activity would result in a net increase in aquatic resource functions and services:

DO NOT SKIP, if applicable

14. NWP 29 or 39 Activities (Regional Condition B(1)(m))

☐ The activity is not proposed under NWP 29 or 39. (skip to Box 15)

☐ The activity is proposed under NWP 29 or 39, but does not propose channelization or relocation of perennial or intermittent drainages. (skip to Box 15)

Justification that the proposed activity would result in a net increase in aquatic resource functions and services:

DO NOT SKIP, if applicable



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15. Construction Activities in Standing or Flowing Waters (Regional Condition B(1)(n))

☐ The activity does not propose construction in standing or flowing waters, as construction would occur when the area is naturally dewatered. (skip to Box 16)

☐ The activity does not propose construction in standing or flowing waters, as the area would be dewatered as identified in Box 8. (skip to Box 16)

Information on why it is not practicable to conduct construction activities when the area is dewatered naturally or through an approved dewatering plan:

DO NOT SKIP, if applicable- Examples: Impractical to dewater Lake Tahoe, Water-dependent activity, Emergency repair during high flow, etc.

16. New Bank Stabilization Activities (Regional Condition B(1)(o))

☐ The activity does not propose the construction of new bank stabilization. (Skip to Box 17)

☐ The proposed new bank stabilization would involve the sole use of native vegetation or other bioengineered design techniques. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings. (Skip to Box 17)

Information on why the sole use of vegetated techniques to accomplish the bank stabilization activity is not practicable:

DO NOT SKIP, if applicable



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17. Critical Habitat for Federally-listed Threatened and/or Endangered Fish Species (Regional Condition B(1)(p))

☒ N/A. The proposed activity is located in Nevada (including the Lake Tahoe Basin in California) or Utah. (skip to Regional Condition list for the appropriate state)

☐ The proposed activity is located in California (excluding the Lake Tahoe Basin), but is not located in critical habitat for Federally-listed threatened and/or endangered fish species. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings. (skip to Regional Condition list for California)

18. Essential Fish Habitat (EFH) (Regional Condition B(2)(e))

☒ N/A. The proposed activity will not occur in areas designated as EFH located in Nevada (including the Lake Tahoe Basin in California) or Utah. (skip to Regional Condition list for the appropriate state)

☐ The proposed activity will occur in areas designated as EFH and an EFH assessment and extent of proposed impacts to EFH is enclosed.



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DO NOT SKIP

Check the boxes that are applicable to your project and give the rationale for compliance.

IF the condition does not apply to your project, indicate N/A in the Rationale.



Compliance with Sacramento District Regional Conditions for Nevada and the Lake Tahoe Basin in California		
<p>This checklist is intended to assist prospective permittees with documenting compliance with all Sacramento District Regional Conditions, as required by Regional Condition B(1). This checklist does not include the full text of each regional condition. Please refer to the <i>Final Sacramento District Nationwide Permit Regional Conditions for Nevada and the Lake Tahoe Basin in California</i> (http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/Nationwide-Permits/) when completing this checklist.</p> <p>Please check the box to indicate you have read and have/will comply with the Regional Condition and provide a rationale on how you have/will comply with the Regional Condition.</p>		
Check	Regional Condition	Rationale for Compliance
<input type="checkbox"/>	A(1). <u>All NWP's except 3, 6, 20, 27, 32, and 38:</u> Revoked for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	
<input type="checkbox"/>	A(2). <u>Lake Tahoe:</u> All NWP's revoked in Lake Tahoe upon issuance of Regional General Permit	
<input type="checkbox"/>	B(1). <u>Additional PCN Requirements:</u>	See Boxes 1 through 1(p)
<input type="checkbox"/>	B(2). <u>PCN Requirements:</u> PCN must be submitted for: <ul style="list-style-type: none"> <input type="checkbox"/> New or replacement linear transportation crossings where the pre-construction bankfull width of waters of the U.S. at the crossing would be reduced. <input type="checkbox"/> Activities within 100 feet of a known natural spring. <input type="checkbox"/> Activities in waters of the U.S. on Tribal lands. <input type="checkbox"/> Activities proposing in-stream grouted outfall structures or grouting of stream bottoms.. 	
<input type="checkbox"/>	B(3). <u>Utility Line Activities:</u> PCN shall be submitted when a utility line: <ul style="list-style-type: none"> <input type="checkbox"/> Results in a loss of greater than 100 linear feet of perennial, intermittent, or ephemeral drainages/open waters of the U.S. <input type="checkbox"/> Includes construction of a temporary or permanent access road, substation, or foundation within waters of the U.S. <input type="checkbox"/> Does not involve restoration of trenches to pre-project contours and conditions within 20 days. <input type="checkbox"/> Involves discharge of excess material from trench into waters of the U.S. 	
<input type="checkbox"/>	B(4). <u>New Bank Stabilization.</u> New bank stabilization activities shall: <ul style="list-style-type: none"> <input type="checkbox"/> Use native vegetation, bioengineering design techniques, or a combination, unless specifically determined to be not practicable by the Corps. PCN will be submitted when new bank stabilization: <ul style="list-style-type: none"> <input type="checkbox"/> Involves any hard-armoring or the placement of any non-vegetated or non-bioengineered technique in waters of the U.S. 	



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Reference Information:

- SPD Map and Drawing Standards:
 - <http://www.spd.usace.army.mil/Missions/Regulatory/Public-Notices-and-References/Article/651327/updated-map-and-drawing-standards/>
- ESA Compliance
 - http://www.spk.usace.army.mil/Portals/12/documents/regulatory/pdf/ESA_Template_Guidance.pdf
- NHPA Compliance
 - http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL_2014-03-24_Section-106-Guidelines.pdf
- Compensatory Mitigation Compliance Documentation
 - <http://www.spd.usace.army.mil/Portals/13/docs/regulatory/mitigation/MitMon.pdf>



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Questions?



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