



Regional General Permit #8

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

REGIONAL GENERAL PERMIT #8

FOR EMERGENCY ACTIONS

EFFECTIVE DATE: January 1, 2015

EXPIRATION DATE: December 31, 2019

PERMIT NUMBER: SPK-1997-00652

The District Engineer, Sacramento District, U.S. Army Corps of Engineers (Corps), hereby issues a Regional General Permit #8. For Emergency Actions authorizing structures or work in or affecting navigable waters of the United States and the discharge of dredged or fill material in WOUS, including wetlands, for necessary repair or protection of existing structures, facilities or fills where an imminent threat to life or property exists due to unforeseen events during an emergency incident. An emergency incident is an occurrence that presents a clear, sudden, unexpected, and imminent threat to life or property demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services (i.e., an incident that could potentially result in an unacceptable hazard to life or significant loss of property if corrective action requiring a permit is not undertaken immediately).

Note: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. After you receive written verification for your project under this regional general permit (RGP) from the Corps, you are authorized to perform that work in accordance with the terms and conditions and any project-specific conditions specified below.

ISSUING OFFICE: U.S. Army Corps of Engineers, Sacramento District, Regulatory Division

AUTHORITIES: This RGP covers activities under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable WOUS, and Section 404 of the Clean Water Act for the discharge of dredged or fill material in WOUS.

PURPOSE: This permit was developed to provide an expedited process to address emergency situations caused by generally unanticipated events or circumstances typically related to, but not limited to, weather-related phenomena. The Corps observed that emergencies resulting from weather-related events often require an immediate response that is not readily available under existing regulations implementing emergency permit procedures (33 CFR Part 325.2(e)(4)). Incidents not related to weather may require an immediate response as well, including, but not limited to, flood control and water storage structural failure, wastewater treatment systems failures, substance spills or pipeline breaks, and discharge of fills related to firefighting during a wildfire incident.

LOCATION: This RGP covers emergency actions subject to the Corps' Regulatory Program authorities within the Sacramento District's boundaries of California, Nevada, and Utah (see district map on page 11). Although a portion of Colorado is within the Sacramento District boundaries, this RGP does not apply to emergency incidents occurring in that region.

This RGP is applicable in the following counties in California, Nevada, and Utah:

California: All of Sacramento, Modoc, Shasta, Lassen, Plumas, Tehama, Butte, Glenn, Sierra, Yuba, Colusa, Lake, Yolo, Sutter, Placer, El Dorado, Amador, Calaveras, Alpine, Nevada, San Joaquin, Tuolumne, Stanislaus, Merced, Mariposa, Madera, Fresno, Kings, and Tulare; eastern portions of Alameda, Contra Costa, and Solano counties; north-western portion of Kern County, and northern portion of Mono County.

U.S. ARMY CORPS OF ENGINEERS – Sacramento District
1325 J Street, Room 1350, Sacramento, California 95814-2922
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx>

Nevada: All counties within the State of Nevada

Utah: All counties within the State of Utah

ACTIVITIES AUTHORIZED BY THIS GENERAL PERMIT: Discharges of dredged or fill material into waters of the United States, including wetlands, and/or work or structures in navigable waters of the United States for emergency repair and rehabilitation of previously authorized, currently serviceable, structures or fills, including, but not limited to bank stabilization, utility and wastewater systems, ancillary fills (such as temporary fills for access), flood control structures and features, roads, and bridges damaged by generally unanticipated events (e.g., fire, flood, storm, earthquake, land subsidence, landslide), in which the Corps determines that an emergency action is necessary, provided that the project is initiated within seven (7) days of receiving authorization from the Corps, and the activities meet the identified terms and conditions. Complete replacement of previously authorized, currently serviceable, structures or fills is generally not authorized by this RGP, unless it would result in very minor additional impacts to waters of the United States is limited to in-kind replacement, and the Corps determines that complete reconstruction is necessary to reduce the potential for future failure. This RGP does not authorize upgrades to existing facilities unless it is determined by the Corps that the upgrades are necessary to control the threats to life and/or property, the emergency action is required to meet current construction and safety standards, and the work would result in minor additional impacts to waters of the United States.

PERMIT DURATION: This RGP is valid for five years from issuance and will expire on December 31, 2019. If this RGP is not modified or reissued by the expiration date, it automatically expires and becomes null and void. The Corps may re-evaluate the terms and conditions of this permit at any time it deems necessary to protect the public interest. This permit may be re-issued, after public notice and documentation of the decision. Activities under this permit must be verified in writing by the Corps. Verifications are valid for six months. If work has not been completed prior to expiration of the verification, you must request an extension at least 30-days prior to the expiration date.

Minimum Impact Requirement: Any activity authorized by this RGP shall be the minimum necessary to alleviate the immediate emergency.

Impacts to Waters of the United States (WOUS): Fill and excavation impacts authorized by this RGP shall be limited to the minimum necessary for the project.

After-the-Fact Projects: This RGP shall not be used to authorize activities after they have impacted WOUS.

PERMIT CONDITIONS:

General Conditions:

1. Notification/Timing: You shall notify the appropriate Corps office identified on the list provided on page 10, in writing and as early as possible, and shall not initiate any discharges to waters or work in navigable waters associated with the activity until notified by the Corps that the activity may proceed under the authority of this RGP. You shall follow-up with a telephone call to the Corps as soon as possible, and send documentation (via fax or email) to verify the emergency and provide required information to the appropriate Sacramento District office. See required "Contents of Notification" below. When all of the required information is received, the Corps will complete the permit action using an expedited permit process. You shall ensure that the work requiring authorization does not proceed until the Corps provides such authorization. At least 48 hours prior to initiating the emergency project, you shall simultaneously notify the appropriate agencies identified in condition 2 below, and submit any required fees. Notification may be by telephone, e-mail, delivered written notice, or other verifiable means.

The authorized emergency work in WOUS must commence within seven days of permit authorization, and work in WOUS of the United States shall be completed within six months from the permit verification date, unless an extension is authorized, in writing, by the Corps. If additional time is needed to complete the authorized action, a written request for a time extension must be submitted to the Corps at least 30 days before the verification expires. The request should include justification for the extension.

2. Agency Coordination: Upon receipt of a notification, the Corps will immediately provide, by facsimile, e-mail, delivery, overnight mail or other expeditious manner, a copy of the notification package to the following agencies, as appropriate (You shall notify the appropriate agencies listed here, depending upon which state the activity is occurring, after your initial contact with the Corps office identified on page 10):

a. California: U.S. Environmental Protection Agency (USEPA) Region 9, U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS), California Department of Fish and Wildlife (CDFW), California State Historic Preservation Officer (SHPO), California State Water Resources Control Board, and Regional Water Quality Control Board.

b. Nevada: USEPA (Region 9), USFWS, Nevada Department of Wildlife, Nevada Division of Environmental Protection (NDEP), Nevada Division of Emergency Management, Nevada Division of State Lands (DSL), and the Nevada SHPO.

c. Utah: USEPA Region 8, USFWS, State of Utah Department of Environmental Quality (UDWQ), Utah Division of Water Resources, Utah Division of Wildlife Resources, and the Utah SHPO.

NOTE: Prior to making a decision on the proposed project the Corps will request that notified agencies provide comments via telephone or e-mail as expeditiously as possible; indicate whether or not they intend to provide substantive, site-specific comments regarding the proposed project; if so, when the comments will be provided. If agency personnel notify the Corps that they will submit comments before a decision is made on the proposed project, a short time frame will be allowed as determined by the Corps. The length of time for the comment period will depend on the nature of the emergency incident. The Corps will fully consider comments on the proposed activity related to the proposed activity's compliance with permit conditions established in accordance with an agency's legal authority. Agency recommendations for mitigation measures required to reduce the project's adverse environmental effects to a minimal level will also be considered. The Corps will provide informal responses to the commenting agencies, and the administrative record for the project will include both agency comments, and Corps responses associated with the notification.

3. Mitigation: You shall avoid and minimize discharges of dredged or fill material into WOUS to the maximum extent practicable. Staging, and both temporary and long-term material disposal areas, shall be located outside of WOUS to the maximum extent practicable. If it is not practicable to avoid the discharge of dredged or fill material for staging and disposal areas outside of WOUS, the reasons why shall be identified in the notification required in Condition 1. Compensation for unavoidable, adverse project impacts may be required as a condition of authorization by the Corps.

The Corps will consider the functions of the aquatic resources to be impacted or lost (e.g., habitat functions, aquifer recharge, sediment conveyance or retention, flood storage), the permanence of the project's impacts on the resource, and the potential long-term effects of the action on remaining functions of the impacted aquatic resource, when determining the acceptability of mitigation.. In general, the compensatory mitigation should be located within the same watershed as the impact site, and should be located where it is most likely to successfully replace lost functions and services at a functional compensatory mitigation ratio of no less than 1:1, as determined by the Corps. Mitigation proposals should be submitted following the guidance as specified in the Mitigation Rule, found at 33CFR Part 332.3, Compensatory Mitigation for Losses of Aquatic Resources, 10-Apr-08, (http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/final_mitig_rule.pdf).

4. Minimal Impacts: Any work authorized by this RGP must be the minimum necessary to alleviate the immediate emergency, unless less than total reconstruction only results in very minor additional impact to aquatic resources. Complete replacement of previously authorized, currently serviceable, structures or fills is limited to in-kind replacement, and the Corps determines if complete reconstruction is necessary to reduce the potential for future failure.

5. District Engineer's Decision: In reviewing the notification for the proposed activity, the Corps will determine whether the activity will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. You shall submit a proposed mitigation plan with the initial notification to expedite the process. The Corps will consider any mitigation you have proposed in determining whether the net adverse environmental effects for the proposed work are minimal. In certain circumstances you may be required to develop and implement a final mitigation plan after the project is under way or completed.

6. Start Work Date: You shall initiate any project authorized under this RGP within seven (7) days of receiving authorization to proceed from the Corps, unless otherwise informed by the Corps. If the repair or rehabilitation work can be delayed beyond this immediate time frame, the situation may not be an emergency. If the project start time can be delayed for more than a week, the imminent threat is likely to have diminished in magnitude as well as immediacy.

7. Site Access: You shall allow representatives from the Corps to inspect the authorized activity at any time deemed necessary to ensure the project is being or has been accomplished in accordance with the terms and conditions of this RGP.

8. Tribal Rights: You shall ensure that the authorized activity does not impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

9. Water Quality Certification: If a conditioned Section 401 Water Quality Certification (WQC) has been issued or waived for your project, you shall comply with the conditions specified in the certification (see Appendix C) as special conditions to this permit.

a. For California permittees on non-tribal land: The State Water Resources Control Board issued the attached WQC (No. SB14007IN) for this RGP on December 15, 2014 (See Appendix C).

b. For Utah permittees on non-tribal land: The Utah Department of Environmental Quality issued the attached WQC (No. DWQ-2014-00652) for this RGP on October 20, 2014 (See Appendix C).

c. For Nevada permittees on non-tribal Land: The Nevada Department of Environmental Protection reissued the attached WQC for this RGP on October 24, 2014. The WQC was originally issued on January 5, 2010 (See Appendix C).

d. For permittees on certain tribal lands in USEPA Region 8: The USEPA Region 8 issued the attached WQC (No. 8EPR-EP) for tribal waters of the U.S. within the State of Utah on December 8, 2014 (See Appendix C).

e. For permittees on certain tribal lands in USEPA Region 9: The USEPA Region 9 issued the attached WQC (No. 8EPR-EP) on December 8, 2014, for tribal waters of the U.S. within the Sacramento District boundaries in California and Nevada (See Appendix C).

10. Endangered Species: No activity is authorized under this RGP which is likely to jeopardize the continued existence of a threatened or endangered species or destroy or adversely modify designated critical habitat as identified by the Federal Endangered Species Act (ESA). Authorization of an activity by the RGP does NOT authorize the "take" of a listed threatened or endangered species, as defined under the Federal ESA. You shall not begin work in WOUS until notified by the Corps that the requirements of the ESA have been satisfied and the activity is authorized.

11. Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act: You shall ensure that activities in WOUS that serve as breeding areas for migratory birds protected by law are avoided to the maximum extent practicable. An activity authorized under this RGP does not authorize the 'take' of a migratory bird, including bald and golden eagles, as defined under the Federal Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act.

12. Historic Properties: No activity which may affect historic properties listed, or eligible for listing in the National Register of Historic Places (NRHP) is authorized until the requirements of the National Historic Preservation Act (NHPA) have been satisfied. You shall not begin any work in WOUS until notified by the Corps that the requirements of NHPA have been satisfied and the activity is authorized.

13. Discovery of Previously Unknown Remains and Artifacts: If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the

Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

14. Erosion and Siltation Controls: You must make every effort to ensure that any dredged or excavated material is not likely to be washed into any WOUS, including wetlands. Appropriate erosion and siltation controls, such as sedimentation basins, and/or "certified weed free" straw bales, siltation or turbidity curtains, or other means designed to minimize turbidity in adjacent waters, including wetlands, shall be used and maintained in effective operating condition throughout the construction period and until soils are stabilized. All exposed soil and other fills, as well as any work below the ordinary high water mark or mean high tide line, must be stabilized within ten days after construction ends to prevent additional damage to the project area through erosion or siltation. Water diversion activities, or dewatering, must not result in the degradation of beneficial uses or exceed water quality objectives of receiving waters.

15. Bank Stabilization: Any stream banks affected by the work shall be stabilized and planted with appropriate native riparian vegetation, in similar densities to adjacent undisturbed areas, concurrently with project completion, to protect against subsequent erosion and to minimize adverse effects on fish and wildlife. Riprap shall not be used as stabilization unless you have demonstrated vegetative or bioengineering erosion control measures are not practicable. Project design and construction shall include subsequent establishment of native riparian vegetation within any riprap areas.

16. Equipment: You shall ensure that heavy equipment working in waters is thoroughly cleaned, free of leaks and placed on mats. You shall implement any other appropriate and practicable measures to minimize adverse impacts, such as soil compaction and vegetation disturbance, in wetlands and to minimize discharges of pollutants and soil disturbance in waters. These measures include the use of wide-treaded equipment or other devices to minimize impacts to soil and vegetation.

17. Suitable Material: You shall ensure that only clean, non-erodible material which is free from toxic pollutants is used in WOUS, including wetlands. Examples of unsuitable material, include but are not limited to: trash; contaminated soils, or other pollutants; tires; vehicle bodies; farm machinery; metal junk, including barrels; appliances; wire; asphalt; biodegradable building materials (including wood debris, sheet rock and roofing); material with exposed pipe or rebar; chemically treated materials subject to leaching in an aquatic environment; or other deleterious materials.

18. Wild and Scenic Rivers: You shall not conduct any activities within 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 that river is in an official study status, unless the appropriate Federal agency with direct management responsibility for that river has determined in writing that the proposed activity would not adversely affect the Wild and Scenic River designation or study status, as mandated in Section 7 of the Wild and Scenic Rivers Act. Information on Wild and Scenic Rivers may be obtained from the National Wild and Scenic Rivers System website at <http://www.rivers.gov/national-system.php>, or from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management). You shall not conduct any work under authority of this RGP until you have received this written determination (email is acceptable), and shall submit a copy of the determination to the Corps prior to construction activities designated Wild and Scenic Rivers.

19. Aquatic Life Movements: You shall ensure that the activity authorized under this RGP does not substantially disrupt the movement of those species of aquatic life indigenous to the water body, including those species that normally migrate through the area. Culverts may only be used if they are essential to the success of the emergency project, and must not impede expected water flows. Temporary fills, and culverts installed on a temporary basis to alleviate further damage, must be removed and any affected stream reaches must be restored to pre-project conditions once the emergency has subsided, using BMPs and locally native vegetation. Water diversion activities, or dewatering, must not result in the degradation of beneficial uses or exceedance of water quality objectives of receiving waters.

20. Shellfish Production: You shall ensure that no discharge of dredged or fill material occurs in areas of concentrated natural or commercial shellfish production.

21. Spawning Areas: You shall ensure that discharges in spawning areas during spawning seasons are avoided to the maximum extent practicable. You shall ensure that the notification required in Condition 1 contains information on how spawning areas will be avoided and/or how impacts to spawning areas will be minimized.

22. Waterfowl Breeding Areas: You shall avoid discharges into breeding areas for migratory waterfowl to the maximum extent practicable. You shall ensure that the notification required in Condition 1 contains information on how waterfowl breeding areas will be avoided and/or how impacts to spawning areas will be minimized.

23. Navigation: No activity may cause more than a minimal adverse effect on the course or capacity of a navigable water.

- a. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable WOUS.
- b. No activity may cause more than a minimal adverse effect on navigation.
- c. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at your expense on authorized facilities in navigable WOUS.
- d. You understand and agree that, if future operations by the United States require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, you will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused hereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration

24. Water Supply Intakes: No discharge of dredged or fill material may occur in the proximity of a public water supply intake except where the discharge is for repair of the public water supply intake structures or adjacent bank stabilization.

25. Obstruction of High Flows: You shall ensure that the project does not permanently restrict or impede the passage of normal or expected high flows in the affected watercourse.

26. Adverse Effects from Impoundments: If the authorized work creates an impoundment of water, you shall ensure that adverse effects on the aquatic system caused by the accelerated hydrology and/or the restriction of its flow are minimized to the maximum extent practicable. You shall ensure that the notification required in Condition 1 contains information on how adverse effects from an impoundment would be minimized.

27. Proper Maintenance: Any structure or fill authorized by this RGP shall be properly maintained in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted structure or fill, although you may make a good faith transfer to a third party. If you do not continue to maintain the authorized structure, or desire to abandon it without a good faith transfer, you shall request a permit from the Corps, which may require restoration of the area.

28. Removal of Temporary Fills: You shall remove all temporary structures, work and fills, including cofferdams, in their entirety following completion of construction activities. You shall return any area affected by temporary construction, dewatering, and access work, including staging areas, to their pre-existing elevations and revegetate with appropriate native vegetation common to the area, upon completion of the authorized work.

29. Post-project reports: You shall provide a written report to the Corps and the appropriate agencies listed in Condition 2, after completing activities authorized under this RGP. Failure to provide a timely report following completion of the work may be considered a violation (33 CFR Part 326.4(d)) and subject to appropriate enforcement actions. The report shall include the following:

- a. The name, address, telephone number (and/or e-mail address) of the applicant, and any designated agent; and

b. The location of the proposed project, including identification of the affected water(s) and the latitude and longitude of the site. The project boundaries must be depicted on a copy of a U.S. Geologic Survey (USGS) topographic map, or other location map with sufficient detail to clearly identify the exact location and extent of the project. Detailed directions to the project site must also be provided; and

c. The purpose and need to retain any of the discharges, structures or other work completed in response to the emergency; and

d. A description of work completed, including scaled drawings with plan and cross sections, showing the project area and acreage and/or linear feet of water(s) impacted, construction details, including current contours relative to the ordinary high water line and/or limit of wetlands; quantities (in cubic yards) and types of materials used; and

e. Photographs showing pre- and post-project site conditions, environmental impacts resulting from the work, the type and extent of vegetation and/or habitat disturbed or lost. Include the name, type of WOUS (e.g., river, streambed, lake, reservoir, riparian area, seasonal wetland, etc.) and description of all temporary and permanent adverse impact(s) in acres and/or linear feet.

f. Information on the project's effects on federally-listed or proposed endangered species, or designated or proposed critical habitat. If the work affected listed species and/or their habitat, provide a written report outlining the mitigation measures, and any compensatory mitigation completed to minimize harm to the species and/or habitat. If mitigation is determined to be appropriate for a specific project or group of projects, a mitigation proposal must be submitted to the Corps for review and approval. The mitigation should be designed to offset disturbance and /or loss of vegetation or habitat from proposed project activities. The Corps will forward the report to the appropriate agencies for their review and comment.

g. Information regarding the project's potential impacts to historic properties listed, proposed for listing, or potentially eligible for listing in the National Register of Historic Places.

NOTE: If you undertook a number of separate projects at separate sites, you may submit a comprehensive report providing all of the above information for each of the sites.

30. Transfer: If you sell the property associated with this permit, you shall obtain the signature of the new owner, which includes their name, address and telephone number and confirmation that they understand and will abide by all conditions of this permit, and any case-specific special conditions of verification, and forward a copy of that documentation to the Corps to validate transfer of this authorization.

31. Special Conditions: The Corps may add special conditions to an authorization to ensure the activity complies with the terms and conditions of this RGP, and/or that adverse impacts on the aquatic environment or other aspects of the public interest are individually and cumulatively minimal. You shall comply with all special conditions listed in the RGP verification.

NOTIFICATION REQUIREMENTS: The notification shall be submitted using the Department of the Army Permit Application (ENG 4345) with an attachment containing additional required information. The permit application is available at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx>. Your notification must include the following information:

Contents of Notification:

1. The name, address, telephone number (and e-mail address, if available) of the applicant and any designated agent, including contractors; and

2. The location of the proposed project. This should include identification of the affected water(s) and the latitude and longitude of the site. The project boundaries should be depicted on a copy of a U.S. Geologic Survey (USGS) topographic

map, or other location map with sufficient detail to clearly identify the exact location and extent of the project. Detailed directions to the project site should also be provided; and

3. A description of the nature of the imminent threat to life or property and the proposed project's purpose and need; and
4. A description of the work proposed to rectify the emergency situation. This should include drawings with plans and sections with approximate existing and proposed contours, showing the project area and approximate acreage and/or linear feet of potential disturbance to waters relative to the ordinary high water line and/or limit of wetlands; and other construction details, including type and quantity of materials and equipment proposed to be used for the project and the approximate amount of time required to complete the work.
5. A description of existing conditions at the project site and anticipated environmental impacts resulting from the proposed work, including the type and extent of vegetation and/or habitat which would be disturbed or lost due to the project, and photographs showing pre-project site conditions.
6. A description of measures proposed to be taken to avoid and minimize impacts to the aquatic environment, including those to wetlands, federally-listed threatened and/or endangered species, spawning habitat, and waterfowl breeding areas.
7. A mitigation plan for compensating for adverse effects to the aquatic environment. If compensatory mitigation is not being proposed, a narrative must be provided explaining why it should not be required (See condition 3 for additional information).
8. A description of anticipated impacts from the activities on federally-listed threatened and/or endangered species and essential fish habitat (EFH). Information on the location of threatened and/or endangered species and their critical habitat, and EFH within the Sacramento District can be obtained directly from the U.S. Fish and Wildlife Service (<http://www.fws.gov/>) and the National Marine Fisheries Service (<http://www.nmfs.noaa.gov/>). You should contact the Corps, USFWS, and NMFS as appropriate concerning the potential presence of listed or proposed species, or designated or proposed critical habitat in the project area. You should provide the Corps with the name(s) of, and other pertinent information related to, agency personnel you contacted. If the project may affect federally-listed proposed or endangered species, or designated or proposed critical habitat, you should include a list of measures which would be taken to minimize harm to the species and/or habitat. The information provided must include the following:
 - a. A description of the action to be considered;
 - b. A description of the specific area that may be affected by the action;
 - c. A description of listed species or critical habitat that may be affected by the action;
 - d. A description of the manner in which the action may affect listed species or critical habitat and an analysis of any cumulative impacts;
 - e. Relevant reports including any environmental impact statement, environmental assessment, or biological assessment prepared; and
 - f. Any other relevant available information on the action, the listed species, or designated or proposed critical habitat in the project area.
9. A description of any historic properties which may be affected by the proposed work; include a vicinity map identifying historic resources, and indicate the location of historic resources if they are present. If the Corps determines that the project may affect cultural resources, you may be required to submit a cultural resources report, prepared in accordance with the February 25, 2011 Guidelines for Compliance with Section 106 of the National Historic Preservation Act (http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL_2014-03-24_Section-106-Guidelines.pdf). If a Programmatic Agreement (PA) is in place, then the Corps will provide specific guidance regarding the terms and requirements of that agreement, which may include preparation and submission of a cultural resources inventory, documentation, or other measures to be specified by the Corps so as to comply with the terms of that statewide PA.

10. A description of how the activities will comply with each of the permit conditions of this RGP.

NOTE: If you are proposing to undertake a number of separate projects at different sites, you may submit a comprehensive notification providing all of the above information for each of the separate sites.

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization:

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of the Corps that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: The Corps may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which the Corps did not consider in reaching the initial public interest decision.

A reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action when appropriate. You would be required to pay for any

corrective measures ordered by the Corps. If you fail to comply with the directive, the Corps may, in certain situations (such as those specified in 33 CFR 209.170), implement the corrective measures by contract or otherwise and bill you for the cost.

CONTACTS AND ADDITIONAL INFORMATION:

Where to send Notification for RGP#8 projects:

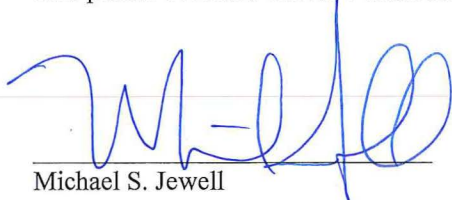
- 1. For Alameda, Calaveras, Contra Costa, Fresno, Kern, Kings, Madera, Mariposa, Merced, Mono, Sacramento, San Joaquin, Solano, Stanislaus, Tulare, Tuolumne, and Yolo Counties in California:** Chief, California South Branch, Sacramento District Regulatory Division, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922; e-mail regulatory-info@usace.army.mil; telephone (916) 557-7253; fax (916) 557-7803.
- 2. For Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Lake, Nevada, Placer, Sierra, Sutter, and Yuba Counties in California:** Chief, California North Branch, Sacramento District Regulatory Division, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922; e-mail regulatory-info@usace.army.mil; telephone (916) 557-7731; fax (916) 557-7803.
- 3. For Lassen, Modoc, Plumas, Shasta, and Tehama Counties in California:** Redding Field Office, Sacramento District Regulatory Division, U.S. Army Corps of Engineers, 310 Hemsted, Suite 310, Redding, California 96002-1842; e-mail regulatory-info@usace.army.mil; telephone (530) 223-9534; fax (530) 223-9539.
- 4. For the State of Nevada, except Clark, Nye, Lincoln and White Pine Counties, to:** Reno Field Office, Nevada-Utah Regulatory Branch, U.S. Army Corps of Engineers, C. Clifton Young Federal Building, 300 Booth Street, Room 3050, Reno, Nevada 89509-1328; e-mail regulatory-info@usace.army.mil; telephone (775) 784-5304; fax (775) 784-5306.
- 5. For Clark, Lincoln, Nye, and White Pine Counties in Nevada to:** St. George Field Office, Nevada-Utah Regulatory Branch, U.S. Army Corps of Engineers, 196 East Tabernacle, Room 30, St. George, Utah 84770-3474; e-mail regulatory-info@usace.army.mil; telephone (435) 986-3979; fax (435) 986-3981.
- 6. For State of Utah except Beaver, Garfield, Iron, Kane, San Juan, Piute, Washington and Wayne Counties:** Nevada-Utah Regulatory Branch, Sacramento District Regulatory Division, U.S. Army Corps of Engineers, 533 West 2600 South, Suite 150, Bountiful, Utah 84010-7744; e-mail regulatory-info@usace.army.mil; telephone (801) 295-8380; fax (801) 295-8842.
- 7. For Beaver, Garfield, Iron, Kane, Piute, San Juan, Washington, and Wayne counties in Utah:** Chief, St. George Field Office, Nevada-Utah Regulatory Branch, U.S. Army Corps of Engineers, 196 East Tabernacle, Room 30, St. George, Utah 84770-3474; e-mail regulatory-info@usace.army.mil; telephone (435) 986-3979; fax 435-986-3981.

For application forms and other information concerning the Corps' Regulatory program and the Sacramento District visit our website: <http://www.spk.usace.army.mil/Missions/Regulatory.aspx>.

ATTACHMENTS:

Water Quality Certifications

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

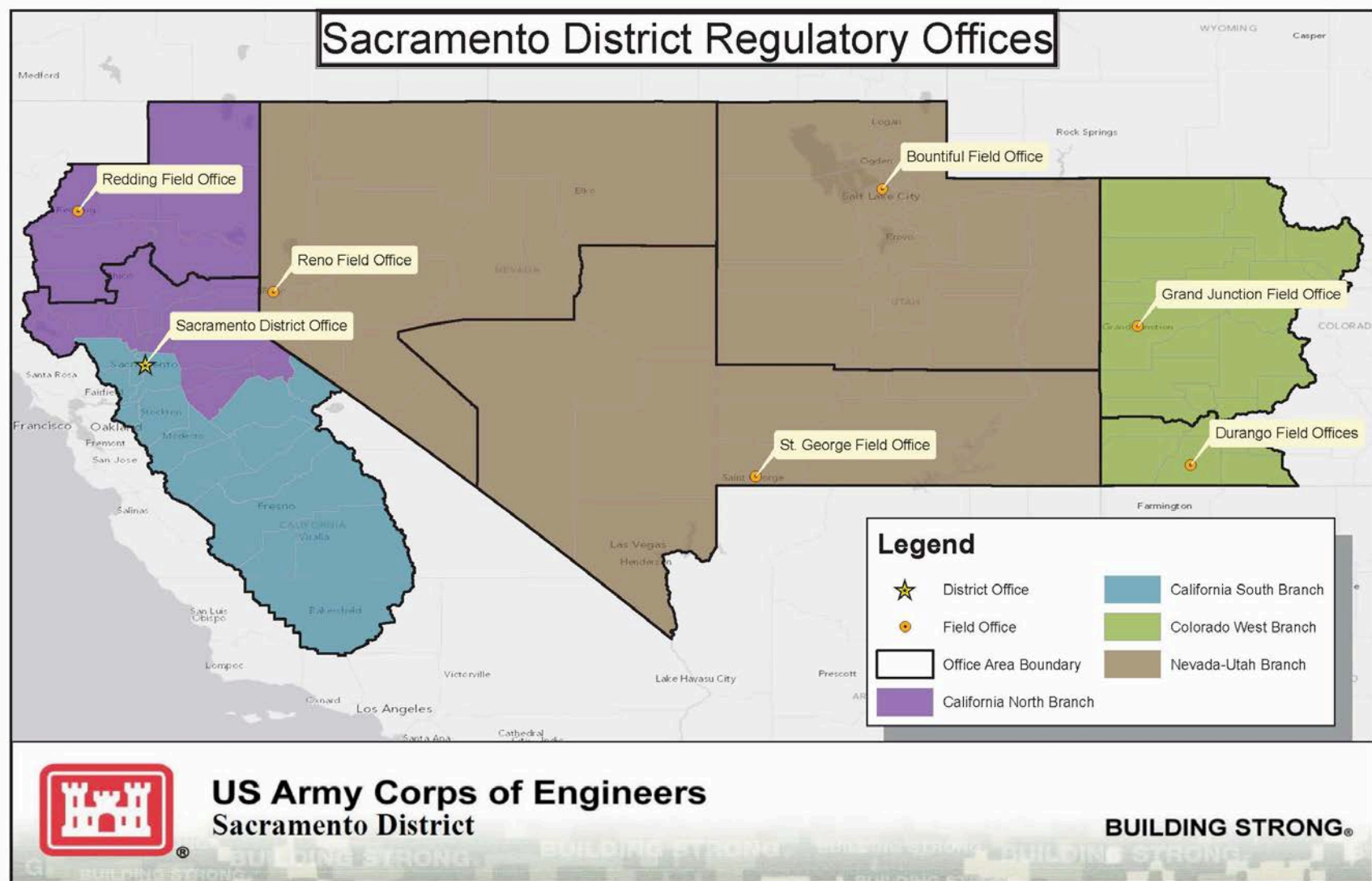


Michael S. Jewell
Chief, Regulatory Division
(For the District Engineer)

29 September 2015
Date

U.S. ARMY CORPS OF ENGINEERS – Sacramento District
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Regional General Permit #8



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