

U.S. Army Corps of Engineers South Pacific Division



Nationwide Permit Pre-Construction Notification (PCN) Form

This form integrates requirements of the U.S. Army Corps of Engineers Nationwide Permit Program within the South Pacific Division (SPD), including General and Regional Conditions. You **MUST** fill out all boxes related to the work being done. Fillable boxes in this form expand if additional space is needed.

Box 1 Project Name			
Applicant Name		Applicant Title	
Applicant Company, Agency, etc.		Applicant's internal tracking number (if any)	
Mailing Address			
Work Phone with area code	Mobile Phone with area code	Home Phone with area code	Fax # with area code
E-mail Address		Relationship of applicant to property: <input type="checkbox"/> Owner <input type="checkbox"/> Purchaser <input type="checkbox"/> Lessee <input type="checkbox"/> Other:	
Application is hereby made for verification that subject regulated activities associated with subject project qualify for authorization under a U.S. Army Corps of Engineers Nationwide Permit or Permits as described herein. I certify that I am familiar with the information contained in this application and, that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agency to which this application is made the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work <u>only</u> after all necessary permits have been received and to comply with all terms and conditions of the authorization.			
Signature of applicant			Date (mm/dd/yyyy)

If anyone other than the person named as the Applicant will be in contact with the U.S. Army Corps of Engineers representing the Applicant regarding this project during the permit process, Box 2 **MUST** be filled out.

Box 2 Authorized Agent/Operator Name		Agent/Operator Title	
Agent/Operator Company, Agency, etc.		E-mail Address	
Mailing Address			
Work Phone with area code	Mobile Phone with area code	Home Phone with area code	Fax # with area code
I hereby authorize the above named authorized agent 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. I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant			Date (mm/dd/yyyy)
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			
Signature of authorized agent			Date (mm/dd/yyyy)

Box 6 Reason(s) for discharge into Waters of the United States (Description of why dredged and/or fill material needs to be placed in Waters of the United States):

Proposed discharge of dredge and/or fill material. Indicate total surface area in **acres** and **linear feet** (where appropriate) of the proposed impacts to Waters of the United States, indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.), and identify the impact(s) as permanent and/or temporary for each requested Nationwide Permit¹:

¹ Enter the intended permit number(s). See Nationwide Permit regulations for permit numbers and qualification information: <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>

Water Body Type	Requested NWP Number:				Requested NWP Number:				Requested NWP Number:			
	Permanent		Temporary		Permanent		Temporary		Permanent		Temporary	
	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length
Total:												

Total volume (in cubic yards) and type(s) of material proposed to be dredged from or discharged into Waters of the United States:

Material Type	Total Volume Dredged	Total Volume Discharged
Rock Slope Protection (RSP)		
Clean spawning gravel		
River rock		
Soil/Dirt/Silt/Sand/Mud		
Concrete		
Structure		
Stumps/Root wads		
Other:		
Total:		

Activity requires a written waiver to exceed specified limits of the Nationwide Permit? Yes No
 If yes, provide Nationwide Permit number and name, limit to be exceeded, and rationale for each requested waiver:

Activity will result in the loss of greater than 1/2-acre of Waters of the United States? Yes No
 If yes, provide an electronic copy (compact disc) or multiple hard copies (7) of the complete PCN for appropriate Federal and State Pre-discharge Notification (See General Condition #31, Pre-construction Notification, Agency Coordination, Section 2 and 4)"

Describe direct and indirect effects caused by the activity and how the activity has been designed (or modified) to have minimal adverse effects on the aquatic environment (See General Condition #31, Pre-construction Notification, District Engineer's Decision, Section 1):

Potential cumulative impacts of proposed activity (if any):

Required drawings and figures (see each U.S. Army Corps of Engineers District's Minimum Standards Guidance):

Vicinity map: Attached (or mail copy separately if applying electronically)

To-scale Plan view drawing(s): Attached (or mail copy separately if applying electronically)

To-scale elevation and/or Cross Section drawing(s): Attached (or mail copy separately if applying electronically)

Numbered and dated pre-project color photographs: Attached (or mail copy separately if applying electronically)

Sketch drawing(s) or map(s): Attached (or mail copy separately if applying electronically)

Has a wetlands/waters of the U.S. delineation been completed?

Yes, Attached² (or mail copy separately if applying electronically) No

If a delineation has been completed, has it been verified in writing by the Corps?

Yes, Date of preliminary or approved jurisdictional determination (mm/dd/yyyy). Corps file number: Bc

²If available, provide ESRI shapefiles (NAD83) for delineated waters

For proposed discharges of dredged material resulting from navigation dredging into inland or near-shore waters of the U.S. (including beach nourishment), please attach³ a proposed Sampling and Analysis Plan (SAP) prepared according to Inland Testing Manual (ITM) guidelines (including Tier I information, if available), or if disposed offshore, a proposed SAP prepared according to the Ocean Disposal Manual.

³Or mail copy separately if applying electronically

Is any portion of the work already complete? YES NO

If yes, describe the work:

Box 7 Authority:

Is Section 10 of the Rivers and Harbors Act applicable?: YES NO

Is Section 404 of the Clean Water Act applicable?: YES NO

Is the project located on U.S. Army Corps of Engineers property or easement?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Would the project affect a U.S. Army Corps of Engineers structure?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Is the project located on other Federal Lands (USFS, BLM, etc.)?: YES NO

Is the project located on Tribal Lands?: YES NO

Box 8 Is the discharge of fill or dredged material for which Section 10/404 authorization is sought part of a larger plan of development?: YES NO

If discharge of fill or dredged material is part of development, name and proposed schedule for that larger development (start-up, duration, and completion dates):

Location of larger development (if discharge of fill or dredged material is part of a plan of development, a map of suitable quality and detail of the entire project site should be included):

Box 9 Measures taken to avoid and minimize impacts to waters of the United States:

Box 10 Proposed Compensatory Mitigation related to fill/excavation and dredge activities. Indicate in **acres** and **linear feet** (where appropriate) the total quantity of Waters of the United States proposed to be created, restored, enhanced and/or preserved for purposes of providing compensatory mitigation. Indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.) or non-jurisdictional (uplands¹). Indicate mitigation type (permittee-responsible on-site/off-site, mitigation bank, or in-lieu fee program). If the mitigation is purchase of credits from a mitigation bank, indicate the bank to be used, if known:

¹ For uplands, please indicate if designed as an upland buffer.

Site Number	Water Body Type	Created		Restored		Enhanced		Preserved		Mitigation Type
		Area	Length	Area	Length	Area	Length	Area	Length	
Total:										

If no mitigation is proposed, provide detailed explanation of why no mitigation would be necessary:

If permittee-responsible mitigation is proposed, provide justification for not utilizing a Corps-approved mitigation bank or in-lieu fee program:

Has a draft/conceptual mitigation plan been prepared in accordance with the April 10, 2008, Final Mitigation Rule² and District Guidelines?

²http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitig_info.aspx

³**Sacramento and San Francisco Districts**-http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pdf/Mitigation_Monitoring_Guidelines.pdf

⁴**Los Angeles District**-http://www.spl.usace.army.mil/regulatory/mmg_2004.pdf

⁵**Albuquerque District**-http://www.spa.usace.army.mil/reg/mitigation/SPA%20Final%20Mitigation%20Guidelines_OLD.pdf

Yes, Attached (or mail copy separately if applying electronically) No

If no, a mitigation plan must be prepared and submitted, if applicable.

Mitigation site(s) Latitude & Longitude (D/M/S, DD, or UTM with Zone):	USGS Quadrangle map name(s):
Assessor Parcel Number(s):	Section(s), Township(s), Range(s):

Other location descriptions, if known:

Directions to the mitigation location(s):

Box 11 Threatened or Endangered Species

Please list any federally-listed (or proposed) threatened or endangered species or critical habitat (or proposed critical habitat) within the project area (include scientific names (e.g., Genus species), if known):

- | | |
|----|----|
| a. | b. |
| c. | d. |
| e. | f. |

Have surveys, using U.S. Fish and Wildlife Service/NOAA Fisheries protocols, been conducted?

Yes, Report attached (or mail copy separately if applying electronically) No

If a federally-listed species would be impacted, please provide a description of the impact and a biological evaluation, if available.

Yes, Report attached (or mail copy separately if applying electronically) Not attached

Has Section 7 consultation been initiated by another federal agency?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has Section 10 consultation been initiated for the proposed project?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has the USFWS/NOAA Fisheries issued a Biological Opinion?

Yes, Attached (or mail copy separately if applying electronically) No

If yes, list date Opinion was issued (m/d/yyyy):

Box 12 Historic properties and cultural resources:

Are any cultural resources of any type known to exist on-site? Yes No

Please list any known historic properties listed, or eligible for listing, on the National Register of Historic Places:

- | | |
|----|----|
| a. | b. |
| c. | d. |
| e. | f. |

Has a cultural resource records search been conducted?

Yes, Report attached (or mail copy separately if applying electronically) No

Has a cultural resource pedestrian survey been conducted for the site?

Yes, Report attached (or mail copy separately if applying electronically) No

Has another federal agency been designated the lead federal agency for Section 106 consultation?

Yes, Designation letter/email attached (or mail copy separately if applying electronically) No

Has Section 106 consultation been initiated by another federal agency?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has a Section 106 MOA or PA been signed by another federal agency and the SHPO?

Yes, Attached (or mail copy separately if applying electronically) No

If yes, list date MOA or PA was signed (m/d/yyyy):

Box 13 Section 401 Water Quality Certification:

Applying for certification? Yes, Attached (or mail copy separately if applying electronically) No

Certification issued? Yes, Attached (or mail copy separately if applying electronically) No

Certification waived? Yes, Attached (or mail copy separately if applying electronically) No

Certification denied? Yes, Attached (or mail copy separately if applying electronically) No

Exempted activity? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 14 Coastal Zone Management Act:

Is the project located within the Coastal Zone? Yes No

If yes, applying for a coastal commission-approved Coastal Development Permit?

Yes, Attached (or mail copy separately if applying electronically) No

If no, applying for separate CZMA-consistency certification?

Yes, Attached (or mail copy separately if applying electronically) No

Permit/Consistency issued? Yes, Attached (or mail copy separately if applying electronically) No

Exempt? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 15 List of other certifications or approvals/denials received from other federal, state, or local agencies for work described in this application:

Agency	Type of Approval ⁴	Identification Number	Date Applied	Date Approved	Date Denied

⁴Would include but is not restricted to zoning, building, and flood plain permits

Nationwide Permit General Conditions (GC) checklist:

(<http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf>)

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	
<input type="checkbox"/>	7. Water Supply Intakes	
<input type="checkbox"/>	8. Adverse Effects from Impoundments	
<input type="checkbox"/>	9. Management of Water Flows	
<input type="checkbox"/>	10. Fills Within 100-Year Floodplains	
<input type="checkbox"/>	11. Equipment	
<input type="checkbox"/>	12. Soil Erosion and Sediment Controls	
<input type="checkbox"/>	13. Removal of Temporary Fills	
<input type="checkbox"/>	14. Proper Maintenance	

<input type="checkbox"/>	15. Single and Complete Project	
<input type="checkbox"/>	16. Wild and Scenic Rivers	
<input type="checkbox"/>	17. Tribal Rights	
<input type="checkbox"/>	18. Endangered Species	See Box 11 above.
<input type="checkbox"/>	19. Migratory Bird and Bald and Golden Eagle Permits	
<input type="checkbox"/>	20. Historic Properties	See Box 12 above.
<input type="checkbox"/>	21. Discovery of Previously Unknown Remains and Artifacts	
<input type="checkbox"/>	22. Designated Critical Resource Waters	
<input type="checkbox"/>	23. Mitigation	See Box 10 above.
<input type="checkbox"/>	24. Safety of Impoundment Structures	
<input type="checkbox"/>	25. Water Quality	See Box 13 above.
<input type="checkbox"/>	26. Coastal Zone Management	See Box 14 above.
<input type="checkbox"/>	27. Regional and Case-by-Case Conditions	
<input type="checkbox"/>	28. Use of Multiple Nationwide Permits	
<input type="checkbox"/>	29. Transfer of Nationwide Permit Verifications	
<input type="checkbox"/>	30. Compliance Certification	
<input type="checkbox"/>	31. Pre-Construction Notification	



Sacramento District Nationwide Permit Program

Regional Conditions Checklist for California

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

On March 18, 2012, the U.S. Army Corps of Engineers' South Pacific Division approved 26 regional conditions for the 2012 Nationwide Permits (NWP) in California, excluding the Lake Tahoe Basin, within the Sacramento District. This checklist is intended to assist applicants with completing the South Pacific Division Pre-Construction Notification Checklist and to ensure compliance with the regional conditions. This checklist does not include the full text of each regional condition.

Please refer to the *Final Sacramento District Nationwide Permit Regional Conditions for California, excluding the Lake Tahoe Basin* (http://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2012_nwps/2012-NWP-RC-CA.pdf) and the *List of Additional Information Required for Complete Pre-Construction Notification for California, Nevada and Utah*, when completing this checklist.

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 condition.

Check	Regional Condition	Compliance Rationale
<input type="checkbox"/>	1. Pre-construction Notification. PCN must include: <input type="checkbox"/> Avoidance & minimization statement. <input type="checkbox"/> Plan & cross-section drawings. <input type="checkbox"/> Pre-project photos.	
<input type="checkbox"/>	2. Pre-construction Notification. PCN must be submitted for: <input type="checkbox"/> Activities in a vernal pool. <input type="checkbox"/> Activities in the Primary or Secondary Zone of the Legal Delta, Sacramento River, and San Joaquin River, and immediate tributaries. <input type="checkbox"/> Crossings of perennial or intermittent waters. <input type="checkbox"/> Activities within 100 feet of a natural spring. <input type="checkbox"/> Activities located in areas designated as EFH.	
<input type="checkbox"/>	3. Recordation. Permittee will record the NWP verification.	
<input type="checkbox"/>	4. Avoided Waters. Permittee shall: <input type="checkbox"/> Establish & maintain a preserve. <input type="checkbox"/> Place avoided waters & buffers into a separate parcel; and <input type="checkbox"/> Establish permanent legal protection.	
<input type="checkbox"/>	5. Temporary Fill. PCN must include: <input type="checkbox"/> Avoidance practicability statement. <input type="checkbox"/> Description of the fill. <input type="checkbox"/> Plan for restoration and/or revegetation. Permittee will: <input type="checkbox"/> Use clean & washed gravel, <input type="checkbox"/> Place a horizontal marker. <input type="checkbox"/> Remove all temporary fill within 30 days.	

Check	Regional Condition	Compliance Rationale
<input type="checkbox"/>	6. Stream Crossings. <input type="checkbox"/> For Federally-listed fish species habitat, span the stream or river, or use bottomless arch culvert. <input type="checkbox"/> Ensure only minor impacts would occur to fish and wildlife passage or expected high flows. <input type="checkbox"/> No work within standing or flowing waters. <input type="checkbox"/> Dewatering plans must be approved by the Corps. <input type="checkbox"/> Will comply with Regional Condition 19; <input type="checkbox"/> Will not result in a reduction of bankfull width or depth of streams or negatively alter the flood control capacity.	
<input type="checkbox"/>	7. Lead Federal Agency. Must submit documentation pertaining to the Corps Permit Area for ESA and Area of Potential Effect for NHPA.	
<input type="checkbox"/>	8. Compliance Certificate. Must submit: <input type="checkbox"/> As-built drawings. <input type="checkbox"/> Post-construction photographs.	
<input type="checkbox"/>	9. Permittee Responsible Mitigation. Must submit a final compensatory mitigation & monitoring plan.	
<input type="checkbox"/>	10. Mitigation. Must complete mitigation construction before or concurrent with commencement of project construction and/or submit proof of mitigation bank or ILF payment.	
<input type="checkbox"/>	11. Contractor Awareness. Responsible for awareness and shall ensure permit & drawing availability.	
<input type="checkbox"/>	12. Limits of Disturbance. Must clearly identify & ensure no work takes place outside of limits.	
<input type="checkbox"/>	13. Notification. Must notify 10 days prior to initiation of project construction.	
<input type="checkbox"/>	14. Inspections. Must allow inspection of activity(s).	
<input type="checkbox"/>	15. Mather Core Recovery Area (Sacramento County). NWP's (see list) revoked from use in vernal pools.	
<input type="checkbox"/>	16. Legal Delta. NWP's (see list) revoked.	
<input type="checkbox"/>	17. Secondary Zone. Impacts must be mitigated within the Secondary Zone of the Legal Delta.	
<input type="checkbox"/>	18. NWP 12 (Utility Lines). <input type="checkbox"/> Activity will not drain wetlands or waters. <input type="checkbox"/> Permittee will stockpile top 6-12" of topsoil. <input type="checkbox"/> Permittee will replace topsoil, and then re-seed. PCN a i ghbe submitted when a utility line: <input type="checkbox"/> Results in a discharge of fill into perennial or intermittent waters, or special aquatic sites <input type="checkbox"/> Results in a discharge of fill into greater than 100 linear feet of ephemeral waters; <input type="checkbox"/> Includes construction of an access road, substation or foundation within waters; or <input type="checkbox"/> Does not involve restoration of trenches to pre-project contours and conditions.	

Check	Regional Condition	Compliance Rationale
<input type="checkbox"/>	<p>19. NWPs 13 & 14. For bank stabilization activity(s):</p> <p><input type="checkbox"/> Activity will use native vegetation, bioengineering design techniques, or a combination thereof.</p> <p>PCN a i ghbe submitted when stabilization:</p> <p><input type="checkbox"/> Involves hard-armoring or non-vegetated/non-bioengineered technique.</p>	
<input type="checkbox"/>	<p>20. NWP 23 (Categorical Exclusions).</p> <p><input type="checkbox"/> Submit a PCN for all activities.</p> <p><input type="checkbox"/> Include a copy of the CE.</p> <p><input type="checkbox"/> Include final agency determinations for ESA, EFH, and NHPA.</p>	
<input type="checkbox"/>	<p>21. NWP 27 (Aquatic Habitat Restoration). PCN must be submitted when the activity:</p> <p><input type="checkbox"/> Results in a discharge of fill into perennial or intermittent waters, or special aquatic sites; or</p> <p><input type="checkbox"/> Results in a discharge of fill into greater than 100 linear feet of ephemeral waters.</p>	
<input type="checkbox"/>	<p>22. NWPs 29 and 39 (Residential & Commercial Development). Channelization or relocation of intermittent or perennial drainages is not authorized, except when relocation would result in a net increase in functions.</p>	
<input type="checkbox"/>	<p>23. Waivers (300 & 500 linear foot): PCN must include:</p> <p><input type="checkbox"/> A narrative description;</p> <p><input type="checkbox"/> An analysis of the proposed impacts;</p> <p><input type="checkbox"/> Measures taken to avoid and minimize losses to waters; and</p> <p><input type="checkbox"/> A compensatory mitigation plan.</p>	
<input type="checkbox"/>	<p>24. NWPs 29, 39, 40, 42, and 43: Must establish and maintain upland vegetated buffers.</p>	
<input type="checkbox"/>	<p>25. NWP 46 (Discharge in Ditches): Will not cause the loss of greater than 0.5 acres of waters or the loss of more than 300 linear feet of ditch.</p>	
<input type="checkbox"/>	<p>26. All NWPs. All NWPs except (see list) are revoked for activities in histosols, fens, bogs and peatlands, and in wetlands contiguous with fens.</p>	