



U.S. ARMY CORPS OF ENGINEERS

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REGIONAL GENERAL PERMIT (XX)

Routine Minimally Impacting Projects Within Lake Tahoe

EFFECTIVE DATE:
EXPIRATION DATE:

PERMIT NUMBER: SPK-1999-25096

The District Engineer, Sacramento District, U.S. Army Corps of Engineers (Corps), hereby issues Regional General Permit XX (Routine Minimally Impacting Projects within Lake Tahoe) for activities with minimal individual and cumulative impacts waterward of the ordinary high water mark (6229.1 Lake Tahoe Datum) of Lake Tahoe, to include Emerald Bay and the Tahoe Keys within the States of California and Nevada.

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

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

PURPOSE: The purpose of this RGP is to implement an expedited permit application and review process for activities waterward of the ordinary high water mark of Lake Tahoe, to include Emerald Bay and the Tahoe Keys that require a Department of the Army (DA) Permit. These activities have minimal impacts on the aquatic environment, individually and cumulatively. In addition, this RGP is being established to avoid duplication with an existing regulatory program implemented and administered by the Tahoe Regional Planning Agency (TRPA), a bi-state regional planning agency compact created by the governors and lawmakers in Nevada and California and ratified by the US Congress to oversee development at Lake Tahoe. TRPA shorezone ordinances cover structures and projects located in the near shore area and waterward of the high water line including piers, boathouses, boatlifts, revetments, protective structures, marinas and anchored buoys.

LOCATION: Waterward of the ordinary high water mark (6229.1 feet LTD) of Lake Tahoe to include Emerald Bay and the Tahoe Keys within the States of California and Nevada.

ACTIVITIES/SCOPE OF WORK AUTHORIZED BY THIS GENERAL PERMIT: This general permit authorizes activities with minimal individual and cumulative impacts to waters of the United States within Lake Tahoe. Activities that may be authorized include, but are not limited to: repair, rehabilitation, replacement or removal of any previously authorized structure or fill; construction of new piers; installation of watercraft lifts; installation of floats; placement of buoys and buoy fields; placement of aids to navigation; installation of scientific measuring devices; construction or maintenance of boat ramps; construction of shoreline revetment; bank stabilization; aquatic invasive species control. This RGP also authorizes maintenance dredging activities, i.e. excavation and removal of accumulated sediment for maintenance of existing marina basins, access channels to marinas or boat slips, and boat slips to previously authorized

U.S. ARMY CORPS OF ENGINEERS – Sacramento District
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<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>

depths or controlling depths for ingress/egress, whichever is less, provided the dredged material is deposited at an upland site and proper siltation controls are used to prevent sediment reentry into the lake.

All work under this general permit must be conducted in accordance with the conditions listed below.

DESCRIPTION OF PROHIBITED ACTIVITIES: The following activities are prohibited under this RGP:

1. The conversion or use of a boat dock or pier as a recreation room, residence, or dwelling.
2. The mooring of a recreation room, floating residence, or dwelling.

TERMS OF AUTHORIZATION: Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from the Corps, such as a Letter of Permission or Standard Individual Permit. The Corps will determine on a case-by-case basis whether an activity would have more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. The Corps may add special conditions to a verification under this permit to ensure the activity has minimal impact.

1. **Impact Limitations for Waters of the U.S.:** The discharge of dredged and/or fill material into waters of the U.S. resulting from each activity authorized under this RGP shall not exceed 0.5 acres unless the discharge is temporary for aquatic species control.
2. **After the Fact Projects:** This RGP may not be used to resolve knowing and willful violations of Section 10 of the Rivers and Harbors Act or Section 404 of the Clean Water Act.
3. **Discretionary Authority:** The Corps has the discretion to suspend, modify, or revoke authorizations under this RGP. This discretionary authority may also be used by the Corps to further condition or restrict the applicability of the RGP for cases in which it has concerns associated with the Clean Water Act Section 404(b)(1) Guidelines, or regarding any public interest factor. Should the Corps determine that a proposed activity may have more than minimal individual or cumulative adverse impacts to aquatic resources or otherwise be contrary to the public interest, the Corps will modify the authorization to reduce or eliminate those adverse effects, or notify you that the proposed activity is not authorized by the RGP and provide instructions on how to seek authorization under an individual permit. The Corps may restore authorization under the RGP at any time it determines that the reason for asserting discretionary authority has been resolved or satisfied by a condition, project modification, or new information. The Corps may also use its discretionary authority to modify, suspend, or revoke this RGP at any time.

PROCEDURES/NOTIFICATION REQUIREMENTS: You may choose to request a pre-application meeting with the Corps and other resource agencies. To process the application, the PCN and supporting documents shall be completed and submitted to the U.S. Army Corps of Engineers, Sacramento District, Reno Regulatory Field Office.

1. The following information shall be submitted to the Reno Regulatory Field Office, 300 Booth Street, Room 3050, Reno, Nevada 89509-1328 for a complete application:

- a. A completed and signed *Regional General Permit X Pre-Construction Notification* application form (PCN), Attachment A or from our Sacramento District website at: <http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/Regional-and-Programmatic-General-Permits/>
- b. A description of how the activities will comply with each of the permit conditions of this RGP (see the RGP XX Checklist located at the end of the PCN form found in Attachment A).
- c. Drawings, including plan and cross-section views, 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 drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill within Lake Tahoe, including both permanent and temporary fills/structures. The ordinary high water mark should be shown Lake Tahoe Datum (6229.1 LTD) or other appropriate referenced elevation. All drawings shall follow the South Pacific Division February 2016, *Updated Map and Drawing Standards for the South Pacific Division Regulatory Program*, or most recent update (available on the South Pacific Division website at: <http://www.spd.usace.army.mil/Missions/Regulatory/PublicNoticesandReferences.aspx/>).
- d. 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. The compass angle and position of each photograph shall be identified on the plan-view drawing(s).
- e. A description of measures proposed to be taken to avoid and minimize impacts to the aquatic environment to the maximum extent practicable, including those to wetlands, Federally-listed threatened and/or endangered species, spawning habitat, and shallow water habitat.
- f. Information regarding proposed compensatory mitigation to compensating for unavoidable impacts to the aquatic environment. If compensatory mitigation is not being proposed, a narrative must be provided explaining why compensatory mitigation should not be required or is not otherwise practicable.
- g. Information regarding the effects of the project on federally listed threatened and/or endangered species shall be submitted with the PCN required for this RGP. Surveys/reports may be required for Endangered Species consultation.
- h. A description of proposed construction Best Management Practices (BMPs) and highly visible markers to be used during construction of the proposed activity. If no BMPs or highly visible markers are proposed, the application shall provide a description of why their use is not practicable or necessary.
- i. If the work includes the discharge of dredged or fill material below the ordinary high water mark of the lake, then notification shall include a description of the type and quantity (in cubic yards) of material.
- j. If the work includes the discharge of dredged or fill material below the ordinary high water mark of the lake, then notification shall include proof that 401 Water Quality Certification has been applied for from the appropriate State authority (California Water Quality Control Board, Lahontan Region or Nevada Division of Environmental Protection, Bureau of Water Quality Planning), or a copy of the 401 Water Quality Certification or waiver issued for the project.

k. A cultural resources report prepared to meet the Sacramento District's March 24, 2014 *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)

l. Evidence you have applied for and/or received required permits from the Tahoe Regional Planning Agency (TRPA); California State Lands Commission (SLC) or Nevada State Lands (NVSL); if within California, the California Department of Fish and Wildlife (CDFW); and if in Nevada, the Nevada Division of Environmental Protection, Bureau of Water Pollution Control. If a permit is not required, evidence must be provided in the PCN.

2. Within 30-days following receipt of the PCN form, the Reno Regulatory Field Office will notify you via letter or email if the PCN is complete; and if consultation under Section 7 of the Endangered Species Act (ESA) and/or Section 106 of the National Historic Preservation Act (NHPA) is required. If the PCN is not complete, the notification will specifically identify the additional information required to be submitted.

3. Within 30-days following receipt of a complete PCN form, this office will initiate any required consultations under Section 7 of the ESA and/or Section 106 of the NHPA.

4. Within 30-days following completion of required consultations under Section 7 of the ESA and/or Section 106 of the NHPA, or, if consultation is not required, within 45-days following receipt of a complete PCN, this office will notify you via letter if the project is authorized under this RGP, subject to the terms and conditions.

5. No work may proceed under the authority of this RGP until you have been notified, in writing, by this office that the activity is authorized.

PERMIT DURATION: This permit is valid for 5 years from issuance, and will expire on [DATE]. 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 until [DATE], when this RGP is scheduled to be modified, reissued, or revoked. If work has not been completed prior to expiration of the verification, the applicant must submit a written request an extension 30 days prior to the expiration date.

GENERAL CONDITIONS:

1. **Special Conditions:** You shall comply with all special conditions that are included in the verification under this RGP to ensure the authorized activity has minimal impacts on the aquatic environment. Such conditions may include those required for compliance with Section 7 of the ESA and Section 106 of the NHPA.

2. **Water Quality:** If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

3. **Cultural Resources:** No activity is authorized that may affect cultural resources listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

4. **Discovery of Previously Unknown Remains and Artifacts:** If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately cease work in waters of the U.S. and notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

5. **Tribal Rights:** You shall ensure that the authorized project or associated access does not impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

6. **Endangered Species:** No activity is authorized under this RGP that is likely to jeopardize the continued existence of a threatened and/or endangered species, or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA). No work may occur that may affect a threatened and/or endangered species, until this office has completed consultation under Section 7 of the ESA.

7. **In-Water Work Windows:** You shall conduct in-water work from August 1 through October 31.

8. **Spawning Areas:** You shall avoid activities in spawning areas during spawning seasons to the maximum extent practicable.

9. **Aquatic Life Movements:** No activity may substantially disrupt the necessary life cycle movements of aquatic wildlife indigenous to the waterbody, including those species that migrate through the area.

10. **Migratory Bird Breeding Areas:** You shall avoid breeding areas for migratory birds to the maximum extent practicable.

11. **Suitable Material:** Fill material must be clean and free of contaminants and noxious plants. Fresh cement or concrete is not allowed in waters unless it is placed in sealed forms. Unsuitable fill material includes vehicle parts, appliances and other metal objects, asphalt, construction debris and tires.

12. **Completion of Required Compensatory Mitigation:** You shall complete the construction of any compensatory mitigation required by special condition(s) of the RGP verification before or concurrent with commencement of the authorized activity, except when specifically determined to be impracticable by the Corps. When mitigation involves use of a mitigation bank or in-lieu fee program, you shall submit proof of purchase of compensatory mitigation credits to the Corps prior to commencement of the authorized activity.

13. **Permittee-Responsible Compensatory Mitigation:** For permittee responsible compensatory mitigation, you shall develop and submit a final comprehensive mitigation and monitoring plan to the Corps for review and approval, prior to commencement of the authorized project. The plan shall include the mitigation location and design drawings, plan for any proposed vegetation plantings, including species proposed to be planted, and final success criteria, presented in the format of the *Final 2015 Regional Compensatory Mitigation and Monitoring Guidelines for South Pacific Division USACE*, or most recent update (available on the South Pacific Division website at: <http://www.spd.usace.army.mil/Missions/Regulatory/PublicNoticesandReferences.aspx>).

14. **Water Intake Lines:** No activity may occur in the proximity of and adversely affecting, a public water supply intake, except where the activity is for the maintenance, repair or replacement of the intake structure or for adjacent bank stabilization.

15. **Navigation:**

a. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

b. 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 waters of the United States.

c. 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.

16. **Local Approvals:** If not provided with the PCN, the permittee shall provide copies of all State and local approvals (permits and leases) to the Reno Regulatory Field Office prior to commencement of construction.

17. **Contractor Compliance:** You are responsible for all authorized work and ensuring that all contractors and workers are made aware of and adhere to the terms and conditions of the permit authorization. You shall ensure that a copy of the permit authorization and associated drawings are available and visible for quick reference at the site until all installation activities are completed.

18. **Notification of Start and Complete Dates:** You shall notify the Reno Regulatory Field Office of the start date for the authorized work within 10 days prior to beginning work within navigable waters of the U.S.

19. **Compliance Certification:** Within 30 days of completion of the authorized activity, you shall submit a signed copy of the Compliance Certificate located in Attachment B, regarding the completed work and any required mitigation. The certification shall also contain:

a. As-built drawings of the authorized work conducted on the project site and any on-site and/or off-site permittee responsible compensatory mitigation. The as-builts shall include a plan-view drawing of the location of the authorized work footprint (as shown on the permit drawings), with an overlay of the work as constructed in the same scale as the permit drawings. The drawing shall show all areas of ground disturbance, wetland impacts, structures, and the boundaries of any on-site and/or off-site mitigation or avoidance areas. Please note that any deviations from the work as authorized, which result in additional impacts to waters of the U.S., must be coordinated with the appropriate Corps office prior to impacts; and

b. Numbered and dated post-construction color photographs of the work conducted within a representative sample of the permanently filled waters of the U.S., all of the partially filled waters of the U.S., and within all avoided waters of the U.S. on and immediately adjacent

to the project area. The compass angle and position of all photographs shall be similar to the pre-construction color photographs required above in the Terms of Authorization (1)(c) and shall be identified on the plan-view drawing(s) required above in the Terms of Authorization (1)(b) of this RGP.

c. A description and photo-documentation of all BMPs installed as required by above in the Terms of Authorization (1)(f).

20. **Inspections:** You shall allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

21. **Maintenance:** You shall maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 22 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

22. **Transfer:** If the permittee sells the property associated with this permit, the permittee may transfer the permit verification to the new owner by submitting a letter to the Reno Regulatory Field Office to validate the transfer. A copy of the permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this regional general permit are still in existence at the time the property is transferred, the terms and conditions of this general permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this general permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee) (Date)

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/or 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 this office 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. This office 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 to have been false, incomplete, or inaccurate (see 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such 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 referenced 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 where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

CONTACTS AND ADDITIONAL INFORMATION:

USACE, Sacramento District, Reno Regulatory Field Office, 300 Booth Street, Room 3050, Reno, Nevada 89509; Phone: 775-784-5305; Email: spk-regulatory-info@usace.army.mil

Sacramento District, Regulatory Web Page: <http://www.spk.usace.army.mil/Missions/Regulatory>

U.S. Army Corps of Engineers, Sacramento District
1325 J Street, Room 1350, Sacramento, CA 95814-2922
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx>

Nevada Division of Environmental Protection (NDEP), Bureau of Water Quality Planning,
901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249;
istone@ndep.gov

NDEP Web Page: <http://ndep.nv.gov/admin/guide.htm>

California Regional Water Quality Board – Lahontan (LRWQB) 2501 Lake Tahoe Boulevard,
South Lake Tahoe, California 96150; Phone (530) 542-5400 or Fax (530) 544-2271

LRWQB: <http://www.waterboards.ca.gov/lahontan/>

ATTACHMENTS:

Attachment A: RGP X, Pre-Construction Notification Form

Attachment B: Compliance Certification

ATTACHMENT A

RGP #3 Pre-Construction Notification Form

U.S. Army Corps of Engineers Sacramento District



Regional General Permit (RGP) X Pre-Construction Notification (PCN) Form

This form may be used to request verification for activities waterward of the ordinary high water mark (6229.1 feet LTD) of Lake Tahoe to include Emerald Bay and the Tahoe Keys under RGP X. If you need assistance completing any portion of this form, please contact the Reno Regulatory Field Office. If additional space is needed, provide as an attachment to the form.

1. To be Filled by the Corps

a. Application Number –	b. Date Received –	c. Date Application Complete –
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2. Applicant and Agent Name and Addresses

a. Applicant

First -	Middle -	Last -	Company -
Address -		City -	State -
Phone (Res) -	Phone (Bus) -	Fax -	Email -

b. Agent

First -	Middle -	Last -	Company -
Address -		City -	State -
Phone (Res) -	Phone (Bus) -	Fax -	Email -

3. Statement of Authorization: I hereby authorize _____, to act in my behalf as my agent in the processing of this pre-construction notification and to furnish, upon request, supplemental information in support of this pre-construction notification.

Signature of Applicant Date

4. Name and Location of the Proposed Activity

a. Project Name or Title -

b. Coordinates: (Decimal degrees or degree/minutes/seconds) Latitude - Longitude -	e. Project Street Address: Address -
c. Section, Township, Range:	City -
d. County Assessor Parcel Number (include County name):	State -
	Zip -

f. Directions to the site -

5. Description of the Proposed Activity

a. Nature of the Activity – Provide a complete description of the proposed activity, including best management practices (BMPs), equipment, number of piling or buoys, etc.) –

6. Information Regarding Activities Authorized Under RGP X

(Note: If you answer Yes to any question identified with * in this section, your project does not qualify for RGP X. You should submit a completed and signed DA Application Form 4345 , see <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx>)

a. Would the discharge of dredged and/or fill material into Lake Tahoe resulting from each activity authorized under this RGP exceed 0.5 acre? Yes No

If yes, is the discharge temporary for aquatic species control? Yes No

7. Information Regarding Activities Prohibited Under RGP X

(Note: If you answer Yes to any question identified with * in this section, your project does not qualify for RGP X. You should submit a completed and signed DA Application Form 4345 , see <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx>)

a. Would the boat dock be converted or used as a recreation room, residence or dwelling?* Yes No

b. Would the structure be used to moor a recreation room, floating residence or dwelling?* Yes No

8. Description of Proposed Structures

a. Would structures be installed or constructed waterward of the OHWM? Yes No (skip to Block 10)

If yes, what structures will be installed or constructed? -

b. Total area of the activity (acres) -

c. Distance from closest adjacent property boundary -

d. Dimensions of structure waterward of the OHWM (in feet) (if dock is U-shaped or of irregular dimensions, describe) –

Length - Width -

Description of irregularly shaped dock -

e. Distance from adjacent property structures (in feet). Should be depicted on drawings –

Structure 1:

Structure 2:

i. Proposed methods for installation or construction of structures (Describe how structures would be installed or constructed to include how the project site will be accessed. Piling is address in 9 below.) -

k. Material being used for construction -

Will the material being used be chemically treated? Yes No

If yes, what chemical(s) will be used?

9. Piling

a. Would piling be driven waterward of the OHWM? Yes No (skip to Block 10)

If yes, identify what material the pilings will be made of -

Identify the number of pilings that would be installed?

b. Length of time for installation of pilings (in days) -

c. Size of the pilings (diameter in inches) -

d. Pilings installed using a vibratory hammer? Yes No

e. Pilings installed using a drop hammer? Yes No

f. If pilings will not be installed using a vibratory or drop hammer, describe of the method of installation -

g. If pilings will be installed using a drop hammer, will the project meet the following specifications:

i. For wood pilings:

Yes No N/A Pilings will be installed with only one hammer with all pilings installed in one day.

ii. For concrete pilings:

Yes No N/A Pilings will be 18-inches in diameter or less

Yes No N/A Pilings will be installed with only one hammer with all pilings installed in one day

iii. For steel pilings:

Yes No N/A Pilings will be 12-inches in diameter or less

Yes No N/A The drop hammer will be 3,000 pounds or smaller

Yes No N/A A wood or nylon (plastic) cushion block will be placed between the hammer and the piling

Yes No N/A Pilings will be installed with only one hammer with all pilings installed in one day

h. If the project would not be accomplished with a vibratory hammer, provide information on why. -

i. If the project would not be accomplished with a drop hammer using the criteria in (8)(g), provide information on why. -

10. Discharge of Dredged or Fill Material

a. Would fill be placed waterward of the OHWM? Yes No (skip to Block 11)

b. Reason for Discharge

c. Types of Material Being Discharged and the Amount of Each in Cubic Yards

Type:	Type:	Type:
Amount:	Amount:	Amount:

d. Area in Acres of Lake Tahoe Filled:

11. In-water Work Window

a. Would in-water activities occur between 8/1 and 10/31? Yes No

Proposed start date - Proposed end date -

b. Length of time needed for installation or construction (days) -

12. Project Purpose -

13. Drawings (ensure that the following drawings are enclosed):

- A vicinity map showing the location of the proposed project
- A plan view drawing showing the location and configuration of the proposed dock and access.
- A cross-section view drawing showing the location and configuration of the proposed dock and access.

14. Pre-project color photographs:

- Proposed location
- Shoreline where the lake would be accessed

15. Measures taken to avoid and minimize impacts to the aquatic environment -

16. Proposed Compensatory Mitigation

a. Description of proposed compensatory mitigation (Complete below table to identify water body type for mitigation (e.g. Lake); the mitigation type (e.g. permittee responsible on-site or off-site, mitigation bank, or in-lieu fee program); if compensatory mitigation would be establishment, re-establishment, enhancement, rehabilitation, or preservation; area of proposed for mitigation; and the mitigation bank to be used (if the proposal is the purchase of credits from a mitigation bank). (Note: see the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) for information on available mitigation banks that include the proposed project in the bank service area <https://rsgisias.crrel.usace.army.mil/ribits/f?p=107:2:2047977829221431>)

Mitigation Type	Establishment, Re-establishment, Enhancement, Rehabilitation or Preservation?	Area (acre)	Mitigation Bank Name (if applicable)

b. If no compensatory mitigation is proposed, provide an explanation of why it should not be required -

c. If permittee-responsible mitigation proposed, provide justification for not using a Corps' approved mitigation bank/ in-lieu fee program -

17. Threatened or Endangered Species

Note: If any activity would affect a Federally-listed threatened and/or endangered species the Corps will need to conduct consultation with the U.S. Fish and Wildlife Service (USFWS) for compliance with Section 7 of the Endangered Species Act (ESA)

a. Are any Federally-listed (or proposed) threatened/endangered species known to exist in the project area? Yes No

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

i.	ii.	iii.
iv.	v.	vi.

b. Has a Biological Assessment (BA) or other report been completed for impacts to Federally-listed species under Section 7 of the ESA?

Yes, attached No, provide the following information:

A description of the action to be considered - See blocks 6 – 9.

A description of the specific area that may be affected by the action. -

What is the distance to the mouth of the nearest stream? -

What is the substrate at the site (i.e. sandy, cobble, large granite boulder)? -

A description of any listed species or critical habitat that may be affected by the action. -

For work located within spawning areas, how will spawning areas be avoided and/or how will impacts to spawning areas will be minimized? -

A description of the manner in which the action may affect listed species/critical habitat & analysis of cumulative impacts. -

Relevant reports including any environmental impact statement, environmental assessment, or BA prepared. -

Any other relevant available information on the action, the listed species, or critical habitat: -

18. Historic properties and cultural resources:

a. Are any cultural resources of any type known to exist in the project area? Yes No

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

i.	ii.	iii.
iv.	v.	vi.

b. Has a cultural resource records search been conducted? Yes, attached No

c. Has a cultural resource pedestrian survey been conducted for the site? Yes, attached No

e. Has a cultural resources report been prepared to meet the Sacramento District's March 24, 2014, *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)? Yes, attached No

19. Other Authorizations

a. Is the project located on U.S. Army Corps of Engineers property or easement? Yes No

If yes, has the Section 408 process been initiated? Yes No

b. Would the project affect a U.S. Army Corps of Engineers structure? Yes No

If yes, has the Section 408 process been initiated? Yes No

c. Is the project located on other Federal Lands (e.g. USFS)?: Yes No

If yes, what Agency?

d. Is the project located on Tribal Lands? Yes No

e. Does the activity involve the discharge of dredged or fill material? Yes No

If yes, has an application for Section 401 Water Quality Certification been submitted? Yes No

Has the Section 401 Water Quality Certification been issued? Yes, attached No

Has the Section 401 Water Quality Certification been waived? Yes, attached No

Has the Section 401 Water Quality Certification been denied? Yes, attached No

f. List of other certifications or approvals/denials received from other Federal, state, or local agencies:

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

20. Application is hereby made for RGP X as described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 5 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

U.S. Army Corps of Engineers Sacramento District



RGP X Permit Conditions Checklist: In order to ensure that your project is in compliance with the GCs of RGP X, please complete the below checklist. Please refer to RGP X for the full text of the GCs:

	General Condition	Rationale for compliance with GC
<input type="checkbox"/>	1. Special Conditions: You shall comply with all special conditions placed on the RGP X verification	I understand and agree to comply with all special conditions.
<input type="checkbox"/>	2. Water Quality: You shall comply with any conditioned water quality certification issued for the activities authorized by this permit.	I understand and agree to comply with the Water Quality Certification.
<input type="checkbox"/>	3. Cultural Resources: No activity may affect cultural resources until the requirements of Section 106 are completed.	I understand and agree to comply with this condition.
<input type="checkbox"/>	4. Discovery of Previously Unknown Remains and Artifacts: If you discover previously unknown remains and artifacts, you must <input type="checkbox"/> Cease work <input type="checkbox"/> Notify appropriate Sacramento District office	I understand and agree to comply with this condition.
<input type="checkbox"/>	5. Tribal Rights: The work may not impair reserved tribal rights.	I understand and agree to comply with this condition.
<input type="checkbox"/>	6. Endangered Species <input type="checkbox"/> No Activity may jeopardize species or adversely affect critical habitat. <input type="checkbox"/> No work may affect a species until requirements of Section 7 are completed.	I understand and agree to comply with this condition.
<input type="checkbox"/>	7. In-water Work Windows <input type="checkbox"/> Work conducted through 8/1 and 10/31	I understand and agree to comply with this condition.
<input type="checkbox"/>	8. Spawning Areas <input type="checkbox"/> Avoid spawning areas during spawning season <input type="checkbox"/> PCN must contain information on avoidance	I understand and agree to comply with this condition. See box X for information on avoidance and minimization of spawning areas.
<input type="checkbox"/>	9. Aquatic Life Movements <input type="checkbox"/> May not disrupt life cycle movements for aquatic life <input type="checkbox"/> PCN must contain information on avoidance	I understand and agree to comply with this condition. See box X for information on avoidance and minimization of aquatic life movements.
<input type="checkbox"/>	10. Migratory Bird Breeding Areas <input type="checkbox"/> Avoid breeding areas <input type="checkbox"/> PCN must contain information on avoidance	I understand and agree to comply with this condition. See box X for information on avoidance and minimization of migratory bird breeding areas.
<input type="checkbox"/>	11. Suitable Material <input type="checkbox"/> Material must be free from toxic pollutants <input type="checkbox"/> Fresh cement or concrete shall be placed in sealed forms	
<input type="checkbox"/>	12. Completion of Compensatory Mitigation <input type="checkbox"/> Mitigation completed before or concurrent with construction <input type="checkbox"/> Proof of bank credits or in-lieu fee payment submitted prior to beginning construction	
<input type="checkbox"/>	13. Permittee Responsible Compensatory Mitigation <input type="checkbox"/> Final comprehensive mitigation and monitoring plan must be submitted and approved prior to start of construction and/or discharge of fill material. <input type="checkbox"/> Contain Mitigation location <input type="checkbox"/> Contain Design drawings <input type="checkbox"/> Contain Vegetation plans <input type="checkbox"/> Contain Final success criteria <input type="checkbox"/> Follow required Sacramento District format	
<input type="checkbox"/>	14. Water Intake Lines: No activity may occur in the proximity of and adversely affecting, a public water supply intake.	I understand and agree to comply with this condition. See box X for information on how the activity would have no adverse effects to the public water supply intake

<input type="checkbox"/>	<p>15. Navigation</p> <p><input type="checkbox"/> Use may not interfere with free navigation and boat dock/access may not cause more than minimal adverse effect on navigation</p> <p><input type="checkbox"/> U.S. Coast Guard required lights and signals must be installed and maintained at your expense</p> <p><input type="checkbox"/> You may be required to remove, relocated or alter the authorized dock/access without expense to the U.S. and no claim shall be made against the U.S.</p>	<p>I understand and agree to comply with this condition.</p>
<input type="checkbox"/>	<p>16. Local Approvals: Permittee shall provide copies of all State and local approvals (permits and leases) to the U.S. Army Corps of Engineers, Sacramento District, Reno Regulatory Field Office prior to commencement of construction</p>	<p>I understand and agree to comply with this condition.</p>
<input type="checkbox"/>	<p>17. Contractor Compliance</p> <p><input type="checkbox"/> Permittee responsible for all work</p> <p><input type="checkbox"/> Ensure copy of permit is available during construction</p>	<p>I understand and agree to comply with this condition.</p>
<input type="checkbox"/>	<p>18. Notification of Start and Completion Dates</p> <p><input type="checkbox"/> Notification submitted 10-days prior to construction</p> <p><input type="checkbox"/> Notification submitted 30-days following completion</p>	<p>I understand and agree to comply with this condition.</p>
<input type="checkbox"/>	<p>19. Compliance Certification</p> <p><input type="checkbox"/> Compliance Certification submitted within 30-days</p> <p>Certification contains:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Statement that work complied with conditions <input type="checkbox"/> Statement that mitigation was completed <input type="checkbox"/> As-built drawings <input type="checkbox"/> Post-project color photographs <input type="checkbox"/> Description and photo-documentation of all BMPs 	<p>I agree to submit a compliance certification within 30-days following completion of construction activities.</p>
<input type="checkbox"/>	<p>20. Inspection</p> <p><input type="checkbox"/> You shall allow inspection of project</p> <p><input type="checkbox"/> You will be notified in advance of inspections</p>	<p>I understand and agree to comply with this condition.</p>
<input type="checkbox"/>	<p>21. Maintenance</p> <p><input type="checkbox"/> You shall maintain the dock/access in good conditions and in conformance with permit</p> <p><input type="checkbox"/> Must request a permit to cease to maintain or abandon</p>	<p>I understand and agree to comply with this condition.</p>
<input type="checkbox"/>	<p>22. Transfer: Permittee may transfer the permit verification to the new owner.</p> <p><input type="checkbox"/> Permittee submit a letter to the appropriate Corps district office to validate the transfer.</p> <p><input type="checkbox"/> Copy of the permit verification attached.</p> <p><input type="checkbox"/> Must include statement of transfer from the RGP, signature of Transferee and date.</p>	<p>I understand and agree to comply with this condition.</p>

ATTACHMENT B

Compliance Certification



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

COMPLIANCE CERTIFICATION

Permit File Number: SPK-XXXX-XXXXX

Project Name: NAME

Regional General Permit X, Routine Minimally Impacting Projects Within Lake Tahoe

Permittee: COMPANY
Attn: NAME
ADDRESS 1
ADDRESS 2
CITY, STATE, ZIP CODE

County: NAME

Date of Verification: DATE

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

U.S. Army Corps of Engineers
Sacramento District
Reno Regulatory Field Office
300 Booth Street, Room 3050
Reno, Nevada 89509
DLL-CESPK-RD-Compliance@usace.army.mil

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

* * * * *

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

Signature of Permittee

Date