



# Public Notice

US Army Corps  
of Engineers

Public Notice Number: Reissuance of Regional Conditions  
Date: 12 April 2002

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

In reply, please refer to the Public Notice Number

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## TO WHOM IT MAY CONCERN

On August 14, 2001, the Sacramento District issued a public notice describing proposed regional conditions for the Nationwide Permit Program in California (Central Valley only), Nevada and Utah. Comment letters were received and reviewed by the District. On April 8, 2002, the Division Engineer of the U.S. Army Corps of Engineers, South Pacific Division, determined that the Nationwide Permits, with the inclusion of the regional conditions, authorized activities in the Sacramento District with minimal adverse effects on the aquatic environment.

Attached are the final regional conditions to the Nationwide Permit Program now in effect in the Sacramento District. Please visit our website at <http://www.spk.usace.army.mil/cespk-co/regulatory/> for more information concerning the Nationwide Permit Program

Michael J. Conrad, Jr.  
Colonel, Corps of Engineers  
District Engineer

## NATIONWIDE PERMIT PROGRAM REGIONAL CONDITIONS

### I. Regional conditions to be applied across the entire Sacramento District:

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 Nationwide Permits 14, 29, 33, 39, 40, 41, 42, 43, and 44 are withdrawn from use in histosols, including fens.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

### II. Regional conditions to be applied in California and Nevada:

All existing and proposed nationwide permits are suspended in the Lake Tahoe basin in favor of using Regional General Permit 16.

### III. Regional conditions to be applied in Utah

For use of any nationwide permit with the following attributes, notification of the Corps of Engineers' Utah Regulatory Office, using the "Notification" procedures of the Nationwide Permit Program (General Condition 13), is required, except where certain nationwide permits are restricted and can not be used as indicated in each category. This will be a "Corps only" notification:

1. All activities that will affect waters of the U.S. below the elevation 4217 feet msl adjacent to the Great Salt Lake and below 4500 feet msl adjacent to Utah Lake.
2. Bank stabilization in a perennial stream that would affect more than 100 feet of stream length as measured from the upstream portion of the affected bank to the downstream section, narrow the cross-section of the stream, substantially reduce the riparian vegetation, or increase velocities.
3. All activities that will affect springs. A spring is an aquatic feature caused by ground water being discharged to the surface, creating wetland and/or stream characteristics. Nationwide Permits 14, 16, 18, 29, 33, 36, 39, 40, 42, 43, and 44 can not be used in spring areas.