

# U.S. Army Corps of Engineers South Pacific Division



## Nationwide Permit Pre-Construction Notification (PCN)

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

### 0. To be filled by the Corps

<b>Application Number:</b>	<b>Date Received:</b>	<b>Date Complete:</b>

### 1. Prospective Permittee and Agent Name and Addresses (see Instructions)

#### a. Prospective Permittee

First - \_\_\_\_\_ Middle - \_\_\_\_\_ Last - \_\_\_\_\_  
 Company - \_\_\_\_\_ Email Address - \_\_\_\_\_  
 Address - \_\_\_\_\_ City - \_\_\_\_\_ State - \_\_\_\_\_ Zip - \_\_\_\_\_  
 Phone (Residence/Mobile) - \_\_\_\_\_ Phone (Business) - \_\_\_\_\_

#### b. Agent (if applicable)

First - \_\_\_\_\_ Middle - \_\_\_\_\_ Last - \_\_\_\_\_  
 Company - \_\_\_\_\_ Email Address - \_\_\_\_\_  
 Address - \_\_\_\_\_ City - \_\_\_\_\_ State - \_\_\_\_\_ Zip - \_\_\_\_\_  
 Phone (Residence/Mobile) - \_\_\_\_\_ Phone (Business) - \_\_\_\_\_

**c. Statement of Authorization:** I hereby authorize \_\_\_\_\_, to act in my behalf as my agent for the proposed activity. (Optional, see instructions)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**2. Name and Location of the Proposed Activity (see Instructions)**

The proposed work would involve multiple-single and complete projects. See attachment for the information required in Boxes 2 through 10, and 11, if applicable.

**a. Project Name or Title:**

**b. County, State:**

**c. Name of Waterbody:**

**d. Coordinates:**

Unknown (please provide other location descriptions below)

Latitude -

Longitude -

**e. Other Location Description (optional, see instructions):**

**f. Driving Directions to the site (optional, see instructions):**

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

**4. Description of the Proposed Activity (see Instructions)**

**a. Complete description of the Proposed Activity:**

**b. Purpose of the Proposed Activity:**

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

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

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

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

Yes, Attached     No

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

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

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

### **5. Aquatic Resource Delineation (see Instructions)**

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

If yes, please attach a copy of the delineation

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

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

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

## 6. Compensatory Mitigation (see Instructions)

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

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

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

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

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

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

## 7. Endangered Species Act (ESA) Compliance (see Instructions)

a. For non-Federal permittees (if Federal permittee, check N/A and skip to 7(d)):  N/A

(1) Is there any Federally-listed endangered or threatened species or critical habitat that might be affected or is in the vicinity of the activity?  Yes  No

(2) Is the activity located in designated critical habitat for Federally-listed endangered or threatened species?  Yes  No

If yes to either (1) or (2), include the name(s) of those endangered or threatened species that might be affected by the proposed activity or might utilize the designated critical habitat that might be affected by the proposed activity:

- |    |    |
|----|----|
| 1. | 2. |
| 3. | 4. |
| 5. | 6. |

If no to both (1) and (2), proceed to Box 8.

Note: If yes to either (1) or (2), note per General Condition 18(c), you shall not begin work on the activity until notified by the Corps that the requirements of the ESA have been satisfied and that the activity is authorized.

**b. Has information sufficient to initiate consultation with the U.S. Fish and Wildlife Service/National Marine Fisheries Service for compliance with Section 7 of the ESA been prepared?**  Yes  No

If yes, please attach a copy of the information.

**c. Additional information you wish to provide regarding compliance with the ESA, if applicable:**

**d. For Federal permittees, you must provide documentation demonstrating compliance with ESA as a separate attachment.**

### 8. Historic Properties (see Instructions)

**a. For non-Federal permittees** (if Federal permittee, check N/A and skip to 8(d)):  N/A

(1) Is there a known historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places that the NWP may have the potential to affect?  Yes  No

If yes to (1), state which historic property may have the potential to be affected by the proposed activity:

- |    |    |
|----|----|
| 1. | 2. |
| 3. | 4. |
| 5. | 6. |

OR

A vicinity map indicating the location of the historic property is enclosed

(2) If no to (1), describe the potential for the proposed work to affect a previously unidentified historic property:

Note: If yes to (1), note per General Condition 20(c), you shall not begin the activity until notified by the Corps that the activity has no potential to cause effects or that consultation under Section 106 of the National Historic Preservation Act (NHPA) has been completed.

**b. Has information sufficient to initiate consultation with the State Historic Preservation Officer/Tribal Preservation Officer for compliance with Section 106 of the National Historic Preservation Act (NHPA) been prepared?**

Yes  No

If yes, please attach a copy of the information.

**c. Additional information you wish to provide regarding compliance with the NHPA, if applicable:**

**d. For Federal permittees, you must provide documentation demonstrating compliance with NHPA in a separate attachment.**

## 9. National Wild and Scenic Rivers (see Instructions)

**a. Will the proposed activity(s) occur in a component of the National Wild and Scenic River System or a river officially designated by Congress as a “Study River” for possible inclusion in the system while the river is in an official study status?**

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

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

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

## 10. Section 408 Permissions (see Instructions)

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

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

If yes, please attach the Section 408 permission

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

**11. Compliance with NWP General Conditions (see Instructions)**

<b>Check</b>	<b>General Condition</b>	<b>Rationale for Compliance with General Condition</b>
<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 7 above.
<input type="checkbox"/>	19. Migratory Bird and Bald and Golden Eagle Permits	

<input type="checkbox"/>	20. Historic Properties	See Box 8 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 Boxes 4(d) and 6 above.
<input type="checkbox"/>	24. Safety of Impoundment Structures	
<input type="checkbox"/>	25. Water Quality, including status of Section 401 Water Quality Certification	
<input type="checkbox"/>	26. Coastal Zone Management, including status of CZM Consistency Certification from the State of California (for projects in or affecting the Coastal Zone)	

<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. Activities Affecting Structures or Works Built by the United States	See Box 10 above.
<input type="checkbox"/>	32. Pre-Construction Notification	

# U.S. Army Corps of Engineers Albuquerque District Los Angeles District Sacramento District



## Attachment 4: Compliance with Albuquerque, Los Angeles, and Sacramento District Regional Conditions for Navajo Nation Lands in New Mexico, Arizona, and Utah

This checklist is intended to assist prospective permittees with documenting compliance with the Albuquerque, Los Angeles, and Sacramento District Regional Conditions for Navajo Nation Lands in New Mexico, Arizona, and Utah. This checklist does not include the full text of each regional condition. Please refer to the (1) Albuquerque District *2017 Regional Conditions to Nationwide permits on the Navajo Nation* for New Mexico (<http://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/NWP/>), (2) *Final 2017 Nationwide Permit Regional Conditions for Navajo Nation Lands within the Los Angeles District* for Arizona, ([http://www.spl.usace.army.mil/Portals/17/docs/regulatory/Permit\\_Process/final\\_SPL\\_NN\\_regional\\_conditions.pdf?ver=2018-04-05-195302-027](http://www.spl.usace.army.mil/Portals/17/docs/regulatory/Permit_Process/final_SPL_NN_regional_conditions.pdf?ver=2018-04-05-195302-027)) or (3) *Final Sacramento District Nationwide Permit (NWP) Regional Conditions for Navajo Nation Lands* for Utah (<http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/Nationwide-Permits/>) 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 Regional Condition.

Check	Regional Condition	Rationale for Compliance
<input type="checkbox"/>	<b>1. <u>PCN for Intermittent and Perennial Streams, Special Aquatic Sites, and Springs:</u></b> Notification is required in accordance with General Condition 32 for activities in intermittent and perennial streams, special aquatic sites, and within 100 feet of the point of groundwater discharge of a natural spring.	
<input type="checkbox"/>	<b>2. <u>Suitable Fill:</u></b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use of broken concrete for bank stabilization prohibited unless demonstrate only practicable material.</li> <li><input type="checkbox"/> PCN required for the use of broken concrete as bank stabilization.</li> <li><input type="checkbox"/> PCN must include justification for use.</li> <li><input type="checkbox"/> Use of broken concrete with rebar or used tires prohibited in all waters of the U.S..</li> </ul>	
<input type="checkbox"/>	<b>3. <u>Channelization:</u></b> PCN required for permanent channelization to previously un-channelized streams.	