

# 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



**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 7(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	





## Attachment 3: Additional PCN Requirements for Sacramento District Boundaries of California, Nevada, and Utah

This attachment contains additional information required to be submitted with the PCN for proposed activities within the Sacramento District Boundaries of California, Nevada, and Utah. You must submit the completed attachment, or other attachment containing the required information, for a complete PCN per Sacramento District Regional Condition B(1). For multiple single and complete projects, provide the information identified below for each single and complete project. If additional space is needed, provide as an attachment to the form, and please reference each section accordingly.

### 1. Form of PCN (Regional Condition B(1))

Have you submitted a completed South Pacific Division PCN Checklist or an application form (ENG Form 4345) with an attachment providing information on compliance with all of the General and Regional Conditions?

Yes, see attached  No

Note: If you check no, your PCN will be considered incomplete.

### 2. Avoidance and Minimization (Regional Condition B(1)(a))

Written statement describing how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S.:

### 3. Drawings (Regional Condition B(1)(b))

The following drawings are enclosed:

Plan-View drawing 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

Cross-Section view drawings 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 plan-view and cross-section view drawings contain the following

Title block:  Yes  No

Legend and scale:  Yes  No

Amount (in cubic yards) of fill in Corps jurisdiction (including permanent and temporary fills/structures):  Yes  No

Area (in acres) of fill in Corps jurisdiction (including permanent and temporary fill structures):  Yes  No

The ordinary high water mark (non-tidal waters) or mean high water mark and high tide line (tidal waters) shown in feet based on National Geodetic Vertical Datum (NGVD) or other appropriate reference elevation:  Yes  No

Do all drawings follow the South Pacific Division February 2016, *Updated Map and Drawing Standards for the South Pacific Division Regulatory Program*, or most recent update?  Yes  No

If no, describe why this requirement is proposed to be waived):

#### 4. Photographs (Regional Condition B(1)(c))

Have you enclosed 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?

Yes  No  N/A (describe why):

Is the compass angle and position of each photograph identified on the plan-view drawing(s) identified in Box 3?

Yes  No  N/A (describe why):

#### 5. Delineation of Aquatic Resource (Regional Condition B(1)(d))

Have you enclosed a delineation of aquatic resources completed in accordance with the Sacramento District's Minimum Standards for Acceptance of Aquatic Resources Delineation Reports, or updated standards adopted by the Sacramento District?

Yes  No  N/A

If no, describe why this requirement is proposed to be waived:

#### 6. Best Management Practices (BMPs) (Regional Condition B(1)(e))

Describe all proposed BMPs and highly visible markers proposed to be used during construction of the proposed activity, as required by Regional Conditions C(3) and C(4). If no BMPs and/or highly visible markers are proposed, describe why their use is not practicable or necessary:

#### 7. Temporary Access and Construction (Regional Condition B(1)(f))

The proposed activity would not result in the placement of dredged or fill material into waters of the U.S. for temporary access and construction. (Skip to Box 8)

a. The reasons why avoidance of temporary fill in waters of the U.S. is not practicable:

b. Description of the proposed temporary fill, including the type and amount (in cubic yards) of material to be placed and length of time temporary fill is estimated to remain in place):

**c. The area (in acres) of waters of the U.S. and for drainages (e.g. natural or relocated streams, creeks, rivers), the length (in linear feet) where the temporary fill is proposed to be placed:**

**d. Proposed plan for restoration of the temporary fill area to pre-project contours and conditions, including a plan for the re-vegetation of the temporary fill area, if vegetation would be removed or destroyed by the proposed temporary fill** (If a separate plan has been developed, reference and attach):

### **8. Dewatering Activities (Regional Condition B(1)(g))**

**The proposed activity would not result in dewatering activities that propose structures or fill in waters of the U.S. that require authorization from the Corps.** (skip to Box 9)

Note that any temporary fills in waters of the U.S. associated with dewatering activities must be discussed in Box 7.

**a. The proposed method for dewatering** (If a separate plan has been developed, reference and attach):

**b. The equipment that would be used to conduct dewatering activities** (If a separate plan has been developed, reference and attach):

**c. The length of time the area is proposed to be dewatered** (If a separate plan has been developed, reference and attach):

**d. The area (in acres) and length (in linear feet) in waters of the U.S. of the structure and/or fill** (If a separate plan has been developed, reference and attach):

**e. The method for removal of the structures and/or fill** (If a separate plan has been developed, reference and attach):

**f. The method for restoration of the waters of the U.S. affected by the structure or fill following construction** (If a separate plan has been developed, reference and attach):

**9. New or Replacement Linear Transportation Crossings (Regional Condition B(1)(h))**

- The proposed activity would not result in the construction of a linear transportation crossing. (skip to Box 11)
- The proposed linear transportation crossing would not alter the pre-construction course, condition, capacity and location of open waters. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings. (Skip to Box 10)

**Justification that the proposed activity would result in a net increase in aquatic resource functions and services:**

**10. Replacement Linear Transportation Crossings (Regional Condition B(1)(i))**

- The proposed activity would not result in the construction of a replacement linear transportation crossing. (skip to Box 11)
- The proposed replacement linear transportation crossing would not result in a reduction in the pre-construction bankfull width and depth of open waters of the U.S. at the crossing, as compared to the upstream and downstream open waters. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings. (Skip to Box 11)

**a. Information on why it is not practicable to approximate the pre-construction bankfull width of the upstream and downstream open waters:**

**b. Justification that the proposed reduction in the pre-construction bankfull width would result in a net increase in aquatic resource functions and services:**

## 11. Waiver of linear foot limitations (Regional Condition B(1)(j))

(for NWPs 13, 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, and 54)

The proposed activity would not require a waiver of the linear foot limitations for NWPs 13, 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, or 54. (skip to Box 12)

**a. A narrative description of the stream** (including known information on: volume and duration of flow; the approximate length, width, and depth of the waterbody and characteristics observed associated with an Ordinary High Water Mark (e.g. bed and bank, wrack line or scour marks); a description of the adjacent vegetation community and a statement regarding the wetland status of the adjacent areas (i.e. wetland, non-wetland); surrounding land use; water quality; issues related to cumulative impacts in the watershed, and; any other relevant information):

**b. Analysis of the proposed impacts to the waterbody, in accordance with General Condition 32 and Regional Condition B(1):**

**c. Measures taken to avoid and minimize losses to waters of the U.S., including other methods of constructing the proposed activity(s):**

**d. A compensatory mitigation plan describing how the unavoidable losses are proposed to be offset, in accordance with 33 CFR 332:**

## 12. NWP 23 Activities (Regional Condition B(1)(k))

The activity is not proposed under NWP 23. (skip to Box 13)

The following are enclosed:

- A copy of the signed Categorical Exclusion Document.
- A copy of the final agency determination for compliance with Section 7 of the Endangered Species Act, in accordance with General Condition 18.
- A copy of the final agency determination for compliance with Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, in accordance with Regional Condition B(12)
- A copy of the final agency determination for compliance with Section 106 of the National Historic Preservation Act, in accordance with General Condition 20.

**13. NWP 27 Activities (Regional Condition B(1)(l))**

The activity is not proposed under NWP 27. (skip to Box 14)

Justification that the proposed activity would result in a net increase in aquatic resource functions and services:

**14. NWP 29 or 39 Activities (Regional Condition B(1)(m))**

The activity is not proposed under NWP 29 or 39. (skip to Box 15)

The activity is proposed under NWP 29 or 39, but does not propose channelization or relocation of perennial or intermittent drainages. (skip to Box 15)

Justification that the proposed activity would result in a net increase in aquatic resource functions and services:

**15. Construction Activities in Standing or Flowing Waters (Regional Condition B(1)(n))**

The activity does not propose construction in standing or flowing waters, as construction would occur when the area is naturally dewatered. (skip to Box 16)

The activity does not propose construction in standing or flowing waters, as the area would be dewatered as identified in Box 8. (skip to Box 16)

Information on why it is not practicable to conduct construction activities when the area is dewatered naturally or through an approved dewatering plan:

**16. New Bank Stabilization Activities (Regional Condition B(1)(o))**

The activity does not propose the construction of new bank stabilization. (Skip to Box 17)

The proposed new bank stabilization would involve the sole use of native vegetation or other bioengineered design techniques. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings. (Skip to Box 17)

Information on why the sole use of vegetated techniques to accomplish the bank stabilization activity is not practicable:

**17. Critical Habitat for Federally-listed Threatened and/or Endangered Fish Species (Regional Condition B(1)(p))**

**N/A. The proposed activity is located in Nevada (including the Lake Tahoe Basin in California) or Utah.** (skip to Regional Condition list for the appropriate state)

**The proposed activity is located in California (excluding the Lake Tahoe Basin), but is not located in critical habitat for Federally-listed threatened and/or endangered fish species. Information to support this can be found in the South Pacific Division PCN form, attachments, and drawings.** (skip to Regional Condition list for California)

**The proposed activity is located in critical habitat for Federally-listed threatened and/or endangered fish species, but would not result in a reduction or alteration in the quality and availability of the Physical and Biological Features (also known as Essential Features or Primary Constituent Elements) because:**

**The proposed activity is located in critical habitat for Federally-listed threatened and/or endangered fish species, and would result in a reduction or alteration in the quality and availability of the Physical and Biological Features (also known as Essential Features or Primary Constituent Elements). See Boxes 17(a) and (b).**

**a. The reasons why it is not practicable to avoid the reduction or alteration in the quality and availability of the Physical and Biological Features of the designated critical habitat:**

**b. Information demonstrating that the reduction or alteration in the quality and availability of the Physical and Biological Features of the designated critical habitat will have no more than minimal individual or cumulative adverse effects:**

**18. Essential Fish Habitat (EFH) (Regional Condition B(2)(e))**

**N/A. The proposed activity will not occur in areas designated as EFH located in Nevada (including the Lake Tahoe Basin in California) or Utah.** (skip to Regional Condition list for the appropriate state)

**The proposed activity will occur in areas designated as EFH and an EFH assessment and extent of proposed impacts to EFH is enclosed.**

## Compliance with Sacramento District Regional Conditions for California, Excluding the Lake Tahoe Basin

This checklist is intended to assist prospective permittees with documenting compliance with all Sacramento District Regional Conditions, as required by Regional Condition B(1). 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/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>A(1). <u>Primary and Secondary Zone of the Legal Delta:</u></b> NWP 29 and 39 are revoked in the Primary or Secondary Zone of the Legal Delta.	
<input type="checkbox"/>	<b>A(2). <u>Mather Core Recovery Area:</u></b> NWP 14, 18, 23, 29, 39, 40, 42, 43, and 44 are revoked from use in vernal pools in the Mather Core Recovery Area.	
<input type="checkbox"/>	<b>A(3). <u>All NWPs except 3, 6, 20, 27, 32, and 38:</u></b> Revoked for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	
<input type="checkbox"/>	<b>B(1). <u>Additional PCN Requirements:</u></b>	See Boxes 1 through 1(p)
<input type="checkbox"/>	<b>B(2). <u>PCN Requirements:</u></b> PCN must be submitted for: <ul style="list-style-type: none"> <li><input type="checkbox"/> Discharge of fill material into vernal pools.</li> <li><input type="checkbox"/> Activities in the Primary or Secondary Zone of the Legal Delta, Sacramento River, and San Joaquin River, and navigable tributaries.</li> <li><input type="checkbox"/> New or replacement linear transportation crossings where the pre-construction bankfull width of waters of the U.S. at the crossing would be reduced.</li> <li><input type="checkbox"/> Activities within 100 feet of a known natural spring.</li> <li><input type="checkbox"/> Activities located in areas designated as EFH that would result in an adverse effect to EFH.</li> <li><input type="checkbox"/> Activities in waters of the U.S. on Tribal lands.</li> </ul>	
<input type="checkbox"/>	<b>B(3). <u>Utility Line Activities:</u></b> PCN shall be submitted when a utility line: <ul style="list-style-type: none"> <li><input type="checkbox"/> Results in a discharge of dredged/fill material into perennial drainages, other perennial open waters, and/or special aquatic sites.</li> <li><input type="checkbox"/> Results in a loss of greater than 100 linear feet of intermittent or ephemeral drainages/open waters of the U.S.</li> <li><input type="checkbox"/> Includes construction of a temporary or permanent access road, substation, or foundation within waters of the U.S.</li> <li><input type="checkbox"/> Does not involve restoration of trenches to pre-project contours and conditions within 20 days.</li> <li><input type="checkbox"/> Involves discharge of excess material from trench into waters of the U.S.</li> </ul>	

Check	Regional Condition	Rationale for Compliance
<input type="checkbox"/>	<p><b>B(4). <u>New Bank Stabilization.</u></b> New bank stabilization activities shall:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use native vegetation, bioengineering design techniques, or a combination, unless specifically determined to be not practicable by the Corps.</li> </ul> <p><b>PCN will be submitted when new bank stabilization:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Involves any hard-armoring or the placement of any non-vegetated or non-bioengineered technique in waters of the U.S.</li> </ul>	
<input type="checkbox"/>	<p><b>B(5). <u>NWP 3, 6, 20, and 27:</u></b> A PCN shall be submitted for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.</p>	
<input type="checkbox"/>	<p><b>B(6). <u>NWP 23:</u></b> A PCN shall be submitted for all activities.</p>	
<input type="checkbox"/>	<p><b>B(7). <u>NWP 27:</u></b> PCN shall be submitted when the activity:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Results in a discharge of dredged and/or fill material into perennial drainages and other perennial open waters of the U.S. or special aquatic sites.</li> <li><input type="checkbox"/> Results in a discharge of dredged and/or fill material into greater than 0.10 acre or 100 linear feet of intermittent or ephemeral drainages or other intermittent or ephemeral open waters of the U.S.</li> </ul>	
<input type="checkbox"/>	<p><b>B(8). <u>NWP 29 and 39.</u></b> Channelization or relocation of perennial or intermittent drainages is not authorized unless the Corps determines the channelization or relocation would result in a net increase in aquatic resource functions and services. This Regional Condition does not apply to certain ditches.</p>	
<input type="checkbox"/>	<p><b>B(9). <u>NWP 46.</u></b> Discharge shall not cause the loss of greater than 0.5 acre or 300 linear feet of waters of the U.S., unless specifically waived in writing by the Corps.</p>	
<input type="checkbox"/>	<p><b>B(10). <u>Linear Transportation Crossings.</u></b> The following criteria apply:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> For Federally-listed fish species, span the stream or river or use bottomless arch culvert.</li> <li><input type="checkbox"/> Shall be constructed to maintain pre-construction course, condition, capacity and location of open waters unless the activity would result in a net increase in aquatic resource functions and services.</li> <li><input type="checkbox"/> Replacement linear transportation crossings shall be designed to approximate the bankfull width and depth of upstream and downstream open waters, unless determined to be not practicable by the Corps.</li> </ul>	
<input type="checkbox"/>	<p><b>B(11). <u>Standing or Flowing Water:</u></b> Unless determined to be not practicable by the Corps, no construction activities shall occur within standing or flowing waters. Must allow inspection of activity(s).</p>	

Check	Regional Condition	Rationale for Compliance
<input type="checkbox"/>	<b>B(12). <u>Lead Federal Agency:</u></b> Must submit documentation for compliance with Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, and National Historic Preservation Act.	
<input type="checkbox"/>	<b>C(1). <u>Recordation.</u></b> Permittee will record NWP verification for areas required to be preserved as a special condition or where boat ramps, docks, marinas, piers, or permanently moored vessels will be constructed or placed in or adjacent to navigable waters.	
<input type="checkbox"/>	<b>C(2). <u>Compensatory Mitigation:</u></b> <ul style="list-style-type: none"> <li><input type="checkbox"/> For permittee responsible compensatory mitigation, develop and submit a final comprehensive mitigation and monitoring plan for approval prior to commencement of construction activities in waters of the U.S.</li> <li><input type="checkbox"/> Complete the construction of compensatory mitigation before or concurrent with construction of authorized activity and submit proof of purchase of mitigation bank or in-lieu fee program credits prior to commencement of construction of the authorized activity.</li> <li><input type="checkbox"/> Compensatory mitigation for unavoidable impacts within the Secondary Zone of the Legal Delta shall be conducted within the Secondary Zone of the Legal Delta.</li> </ul>	
<input type="checkbox"/>	<b>C(3). <u>Best Management Practices (BMPs):</u></b> Unless determined to be not practicable or appropriate by Corps, permittee shall employ and maintain construction BMPs.	
<input type="checkbox"/>	<b>C(4). <u>Highly Visible Markers:</u></b> Unless determined to be not practicable or appropriate by Corps, permittee shall clearly identify the limits of the authorized activity with highly visible markers. The permittee is prohibited from any activity that impacts waters of the U.S. outside of the permit limits.	
<input type="checkbox"/>	<b>C(5). <u>Temporary Access and Construction:</u></b> For temporary fill within waters of the U.S., the permittee shall: <ul style="list-style-type: none"> <li><input type="checkbox"/> Use spawning quality gravel where appropriate, as determined by the Corps.</li> <li><input type="checkbox"/> Install a horizontal marker to delineate the existing bottom elevation of waters of the U.S.</li> <li><input type="checkbox"/> Remove all temporary fill and restore the area to pre-project contours and conditions within 30 days following completion of construction activities in waters of the U.S.</li> </ul>	
<input type="checkbox"/>	<b>C(6). <u>Utility Line Activities:</u></b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Permittee shall ensure utility line does not result in draining waters of the U.S.</li> <li><input type="checkbox"/> Unless determined not practicable or appropriate by the Corps, permittee shall dispose of excess material from utility line trench in an upland location.</li> </ul>	

Check	Regional Condition	Rationale for Compliance
<input type="checkbox"/>	<b>C(7). <u>Contractor Compliance:</u></b> Permittee is responsible for all work and ensuring contractors and workers are aware of and adhere to terms and conditions of the authorization. The permittee shall ensure a copy of the authorization and drawings are available at the site.	
<input type="checkbox"/>	<b>C(8). <u>Site Inspection:</u></b> Permittee shall allow Corps representatives to inspect authorized activity and any avoidance, preservation, and/or compensatory mitigation areas at any time deemed necessary.	
<input type="checkbox"/>	<b>C(9). <u>Compliance Certification:</u></b> Permittee shall submit: <ul style="list-style-type: none"> <li><input type="checkbox"/> As-built drawings;</li> <li><input type="checkbox"/> Numbered and dated post-construction photographs;</li> <li><input type="checkbox"/> Description and photo-documentation of all BMPs;</li> <li><input type="checkbox"/> For temporary fills in waters of the U.S., a description and photo-documentation of all restored waters of the U.S.</li> </ul>	