



# Public Notice

U.S. ARMY CORPS OF ENGINEERS

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**Subject: Public Notice For The Re-Issuance Of Programmatic General Permit 18, Minimal Impact Covered Activities Under The Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan; Regional General Permit 19, Minimal Impact Covered Activities By Placer County Water Agency Under The Habitat Conservation Plan/Natural Community Conservation Plan; and Regional General Permit 20, Minimal Impact Activities Conducted Under The Western Placer County In-Lieu Fee Program Covered By The Western Placer County Habitat Conservation Plan/ Natural Community Conservation Plan**

**Action ID: SPK-2005-00485**

**Date: April 9, 2026**

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) has re-issued Programmatic General Permit (PGP) 18, Minimal Impact Covered Activities Under The Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan; Regional General Permit (RGP) 19, Minimal Impact Covered Activities By Placer County Water Agency Under The Habitat Conservation Plan/Natural Community Conservation Plan; and RGP 20, Minimal Impact Activities Conducted Under The Western Placer County In-Lieu Fee Program Covered By The Western Placer County Habitat Conservation Plan/ Natural Community Conservation Plan.

The PGP and RGPs can also be viewed at <https://www.spk.usace.army.mil/Missions/Regulatory/Permitting/Regional-and-Programmatic-General-Permits/>

**Attachments:** Final PGP 18, Final RGP 19, and Final RGP 20,



# Programmatic General Permit 18

U.S. ARMY CORPS OF ENGINEERS

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## MINIMAL IMPACT COVERED ACTIVITIES UNDER THE WESTERN PLACERCOUNTY HABITAT CONSERVATION PLAN/NATURAL COMMUNITYCONSERVATION PLAN

**EFFECTIVE: April 8, 2026**

**EXPIRES: April 7, 2031**

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The U.S. Army Corps of Engineers, Sacramento District (Corps), hereby issues Programmatic General Permit (PGP) 18 for certain covered activities identified in the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), under the Placer County Conservation Program (PCCP), that result in the discharge of dredged and/or fill material into waters of the United States (U.S.) resulting in no more than minimal individual and cumulative impacts. An activity is verified under the PGP when Placer County or the City of Lincoln issues an authorization in compliance with the February 2020, County Aquatic Resources Program (CARP), implementing ordinances, and all applicable terms and conditions of the HCP/NCCP.

Note: The term "you" and its derivatives, as used in this PGP, means the project applicant seeking authorization under the PGP, or any future transferee. The term "this office" refers to the appropriate U.S. Army Corps of Engineers, Sacramento District office, identified in the Contacts and Additional Information section below.

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

**ACTION ID:** SPK-2005-00485

**AUTHORITIES:** Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**LOCATION:** The PCCP Plan Area (Plan Area) encompasses approximately 270,000 acres within western Placer County and eastern Sutter County. Within western Placer County, the Plan Area is bounded on the north by Nevada and Yuba Counties, on the east by the City of Auburn and California Highway 49, on the south by Sacramento County, and on the west by Sutter County. With the exception of activities conducted by the Placer County Water Agency (PCWA), the Plan Area in western Placer County excludes the Cities of Auburn, Rocklin, and Roseville and Town of Loomis. Within Sutter County, the Plan Area includes 1,724 acres along the Racoon Creek floodplain, and 33 miles of Auburn Ravine, Racoon Creek, Cross Canal, and East Side Canal. The Plan Area Boundaries can be seen on the attached May 2020, *Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR* (attachment 1), prepared by ICF.

**PURPOSE:** This PGP is intended to minimize duplication between the CARP and the Corps' Regulatory Program, for authorization of HCP/NCCP Covered Activities subject to CWA 404 that are substantially similar in nature and would result in minimal individual and cumulative impacts on the aquatic environment. The PGP is premised on the CARP as implemented under local ordinances, resulting in the same or better level of protection of waters of the U.S. as currently exists under CWA 404. Subject to certain exclusions and conditions, the PGP eliminates the need for project applicants to seek separate review from this office for covered activities that result in minimal impacts to waters of the U.S., when such activities are authorized by the HCP/NCCP, in compliance with the CARP and implementing ordinances. In addition to reducing duplication with the CARP, the PGP is designed to expedite review of certain covered activities through other programmatic elements, such as compliance with Section 7 of the federal Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA). The PGP will increase certainty, reduce time, and improve efficiency for project applicants through synergies with processes implemented by local jurisdictions, such as those associated with land use entitlements, while protecting aquatic resources.

**BACKGROUND:** The PCCP is a regional approach to address issues related to planned development and species habitat conservation, consisting of the HCP/NCCP, CARP, and an In-Lieu Fee (ILF) program. The HCP/NCCP provides coverage for fourteen species of wildlife, including seven that are federally listed as threatened or endangered. The Plan Permittees consist of Placer County, the City of Lincoln, South Placer Regional Transportation Authority (SPRTA), Placer County Water Agency (PCWA), and Placer Conservation Authority (PCA). Other entities (e.g. Placer County Resource Conservation District) may receive coverage under the HCP/NCCP as a Participating Special Entity (PSE). The U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) have approved the HCP/NCCP through a species incidental take permit (ITP) issued to the PCCP's Plan Permittees under Section 10 of the ESA. The CARP, implemented by Placer County and the City of Lincoln through local implementing ordinances, establishes a program to evaluate activities that would impact aquatic resources considered to be waters of the U.S. or waters of the State. The ILF program provides compensatory mitigation for impacts associated with the covered activities, through funds paid to PCA.

**ACTIVITIES COVERED:** This PGP authorizes the discharge of dredged and/or fill material into waters of the U.S. associated with covered activities under the HCP/NCCP that would result in minimal individual and cumulative impacts on the aquatic environment and have been authorized under the CARP. HCP/NCCP covered activities are described briefly below and in greater detail in Chapter 2.6 of the HCP/NCCP.

1. **Valley Potential Future Growth (PFG) Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Valley PFG area in Plan Area A1, as shown on the May 2020, *Figure 2-1 Plan Area Components, Placer County*

*Conservation Program – EIS/EIR.* Specific activities included in this PGP within the Valley PFG include those covered activities identified in Chapter 2.6, Section 2.6.1 of the HCP/NCCP.

**2. Valley Conservation and Rural Development Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Valley Conservation and Rural Development Area in Plan Area A2, as shown on the 2020, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR.* Specific activities included in this PGP within the Valley Conservation and Rural Development Area include those covered activities identified in Chapter 2.6, Section 2.6.2 of the HCP/NCCP.

**3. Foothills PFG Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Foothills PFG area in Plan Area A3, as shown on the May 2020, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR.* Specific activities included in this PGP within the Foothills PFG include those covered activities identified in Chapter 2.6, Section 2.6.3 of the HCP/NCCP.

**4. Foothills Conservation and Rural Development:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Foothills Conservation and Rural Development area in Plan Area A4, as shown on the May 2020, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR.* Specific activities included in this PGP within the Foothills Conservation and Rural Development Area include those covered activities identified in Chapter 2.6, Section 2.6.4 of the HCP/NCCP.

**5. Regional Public Programs:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within Plan Area A or B, as shown on the May 2020, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR.* Specific activities included in this PGP for Regional Public Programs include those covered activities identified in Chapter 2, Section 2.6.5 of the HCP/NCCP.

**6. In-Stream Activities:** Activities resulting in the discharge of dredged and/or fill material into waters of the U.S. for activities within streams, reservoirs, or on-stream ponds in Plan Areas A or B, as shown on the May 2020, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR,* and as described in Chapter 2, Section 2.6.6 of the HCP/NCCP, including, but not limited to, maintenance activities in the stream channel, along the streambank, and adjacent wetlands within the riparian corridor. These activities may include those described in 1 through 5 above.

**7. Conservation Programs:** Activities resulting in the discharge of dredged and/or fill material into waters of the U.S. associated with implementing the conservation strategy identified in Chapter 5 of the HCP/NCCP in Plan Area A or B, as shown on the May 2020, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR,* including,

but not limited to, habitat enhancement, restoration, creation, translocation, and reserve management, and other activities, as described in Chapter 2, Section 2.6.7 of the HCP/NCCP.

### **EXCLUSIONS:**

1. This PGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that do not require authorization under the CARP or implementing ordinances.
2. This PGP may not be used to authorize activities not covered by the HCP/NCCP unless such activities receive coverage pursuant to Section 8.9.6 of the HCP/NCCP.
3. This PGP may not be used to authorize activities that resulted in the discharge of dredged or fill material into waters of the U.S. without Department of the Army (DA) authorization.
4. This PGP may not be used to authorize activities that require Section 408 permission to alter or temporarily or permanently occupy or use a Corps' federally authorized Civil Works projects under 33 USC 408.

### **TERMS OF AUTHORIZATION:**

1. Activity Completion: Activities conducted under this PGP may proceed only while covered by a valid CARP authorization, unless the PGP is modified, suspended, or revoked by the Corps.
2. Applying for PGP Authorization: Prior to commencing a proposed activity, you shall notify Placer County or the City of Lincoln as required in the CARP and implementing ordinances, in accordance with PGP General Condition number 1 (*Notification*).
3. Compliance with HCP/NCCP Conditions: Activities to be authorized under this PGP must be Covered Activities as identified above and Chapter 2.6 of the HCP/NCCP and must comply with any applicable terms and conditions contained in the HCP/NCCP, CARP, and implementing ordinances. You must receive written concurrence from Placer County or the City of Lincoln that the proposed project is eligible for coverage under the HCP/NCCP. Compliance with the HCP/NCCP requires you to implement the applicable and appropriate avoidance and minimization measures contained in Chapter 6 of the HCP/NCCP, and other applicable terms and conditions as contained in the HCP/NCCP.
4. Discretionary Authority: This office has the discretion to suspend, modify, or revoke authorizations under this PGP. This discretionary authority may be used by this office to further condition or restrict the applicability of the PGP for cases in which it has concerns associated with the Clean Water Act Section 404(b)(1) Guidelines, or regarding any factor of

the public interest. Should the Corps determine that a proposed activity may have more than minimal individual or cumulative adverse impacts to waters of the U.S. 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 PGP and provide instructions on how to apply for authorization under another type of DA permit. Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from this office, such as a Nationwide Permit, Regional General Permit, Letter of Permission, or Standard Permit. This office will determine on a case-by-case basis, as needed, whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. This office may restore authorization under the PGP at any time it determines the reason for asserting discretionary authority has been resolved or satisfied by a condition, project modification, or new information. This office may also use its discretionary authority to modify, suspend, or revoke the PGP at any time.

5. Avoidance and Minimization: Impacts to waters of the U.S. shall be avoided and minimized to the maximum extent practicable. For purposes of the PGP, notwithstanding this office's discretionary authority described above, this term shall be considered satisfied when you have designed and implemented activities to comply with all applicable avoidance and minimization measures contained in both Chapters 5 and 6 of the HCP/NCCP, the CARP, and local implementing ordinances.

6. Single and Complete Project: The activities authorized under this permit must be a single and complete project. A single and complete project is the total project proposed or accomplished by one owner or developer and may not be divided into phases or components to avoid permit thresholds or review requirements. For linear projects (e.g., roads, utility lines, pipelines), each crossing of a water of the United States at a separate and distant location is considered a single and complete project. However, separate channels of a braided stream or separate arms of a single wetland are considered one waterbody and may not be treated separately. For non-linear projects, the single and complete project is the total undertaking proposed by one owner or developer and must have independent utility. Which means it would be constructed and function absent the construction of other projects in the area.

7. Impact Thresholds for Losses of Waters of the U.S.: Loss of waters to carry forward: Loss of waters of the United States means waters of the United States permanently adversely affected by filling, flooding, excavation, drainage, or other regulated discharges of dredged or fill material. Permanent loss includes the conversion of an aquatic area to dry land, an increase in bottom elevation, or other permanent changes to the physical character of a waterbody. For streams, loss is measured as the area of stream bed permanently adversely affected. Loss is measured as the total acreage of waters of the United States permanently impacted and is not reduced by compensatory mitigation. Waters temporarily disturbed and restored to pre-construction contours and elevations are not included in the measurement of

loss. Impacts from activities that do not require Department of the Army authorization are not included in the calculation of loss for purposes of this permit.

a. Subject to the limitations identified in 7(a)(1) through (3), 7(b), and 7(c) below, this PGP does not authorize the loss of greater than 3.0 acres of waters of the U.S. or 500 linear feet of stream bed for each single and complete project. The limit for loss of streambed does not apply to jurisdictional ditches or canals, unless the ditch or canal is a relocated or channelized stream, as verified by this office). The acreage of loss of streambed for streams and/or ditches shall be included in the acreage threshold for loss of waters of the U.S.

(1) The loss of vernal pool type waters of the U.S., as verified in writing by this office, resulting from authorization of a single and complete project under this PGP shall not exceed 1.0 acre.

(2) The loss of irrigated wetlands in existing and active rice fields that are considered to be waters of the U.S., as verified in writing by this office, resulting from authorization of a single and complete project under this PGP shall not exceed 3.0 acres.

(3) The loss of all other types of waters of the U.S. not identified in 6(a)(1) and/or 6(a)(2), as verified in writing by this office, resulting from authorization of a single and complete project under this PGP shall not exceed 2.0 acres.

b. With the exception of activities within the boundaries of the Placer Vineyards Specific Plan and backbone infrastructure area (PVSP, SPK-1999-00737), this PGP does not authorize the loss of vernal pool waters of the U.S. within the Lower American River 8-digit hydrologic unit code (HUC) watershed (HUC 18020111),

c. Not including activities within the boundaries of the PVSP, the cumulative loss of waters of the U.S. authorized by this PGP shall not exceed 90 acres of waters of the U.S., and/or 15 acres of vernal pool waters of the U.S. Additional restrictions are listed in the General Conditions below. The cumulative loss of waters of the U.S. authorized by this PGP within the PVSP area shall not exceed 50 acres or 15 acres of vernal pool waters of the U.S. within the Plan Area. This cumulative limit is for the 5-year duration of the PGP.

8. Section 401 Water Quality Certification: A general Section 401 water quality certification has been issued for this PGP. If a project proponent determines they cannot comply with one or more of the general water quality certification conditions, they must request individual water quality certification. A valid 401 water quality certification or waiver thereof is required to be obtained and evidence thereof in possession by the applicant, prior to the commencement of activities authorized by this PGP (see General Condition 10).

**GENERAL CONDITIONS:**

1. **Notification:** You shall submit an application to Placer County or the City of Lincoln in accordance with the procedures specified in the CARP and implementing ordinances. Notification is not required to be made to this office except as provided by General Conditions 5 or 6. Specific written authorization from this office is not required, although this office may assert discretionary authority to modify, suspend, or revoke specific authorizations under this PGP as described in Term 4. If a pre-construction notification (PCN) is required because the proposed activity in waters of the U.S. has the potential to impair tribal rights and/or affect historic properties listed in or eligible for listing in the National Register of Historic Places (NRHP), the PCN shall be submitted to the [SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil). For purposes of this requirement, applicants are required to provide the following information listed below for each activity:

a. Include contact information of the project proponent and designated agent or primary point of contact, including mailing address, email address, telephone number, and fax number (if applicable).

b. Include the location of the activity (with latitude and longitude).

c. Include an electronic copy of the cultural resources report, prepared in accordance with the Corps Guidelines for Compliance with Section 106 of the National Historic Preservation Act of 1966 ([www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106tribal/2020.10.29-Section%20106%20Submittal%20Guidelines.pdf](http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106tribal/2020.10.29-Section%20106%20Submittal%20Guidelines.pdf)) (or most up-to-date guidance found on the website below).

d. Provide a project description which shall include the amount of fill material proposed to be placed in waters of the U.S. (in acres and linear feet, if applicable), whether the fill material is temporary or permanent, and the anticipated amount of loss of waters of the U.S. expected to result from the activity. The project description shall also specify the permit being applied for (e.g., PGP 18) to ensure proper processing. A plan view drawing(s) shall be provided that clearly depicts proposed temporary and permanent discharge of fill material into waters of the U.S. as a result of the proposed activity.

e. Provide a copy of the verified and currently valid aquatic resources delineation for the proposed activity area, conducted in accordance with the Corps' minimum standards for aquatic resource delineations (including Corps file number). Applicants may also request a Preliminary Jurisdictional Determination (PJD) at the time of PCN submittal if a verified aquatic resource delineation (ARD) is not available or has expired. Where applicable, the ARD shall also be prepared in compliance with California Aquatic Resources Program (CARP) standards.

2. **Compensatory Mitigation:** You shall conduct required compensatory mitigation for the loss of waters of the U.S. at the ratios specified in the Compensatory Mitigation Standards

specified in the CARP and implementing ordinances (which mirror requirements contained in the HCP/NCCP), through the purchase of credits from the Western Placer County ILF program as described in Section 6.2.3 of the CARP.

3. Compliance Inspections: You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that the activity is being, or has been, accomplished in accordance with the terms and conditions of the permit. This office will notify you at least 48 hours in advance of an inspection.

4. Threatened and Endangered Species: No activity is authorized under this PGP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal ESA. Activities authorized under this PGP must comply with the mandatory terms and conditions of the Incidental Take Statement in the attached USFWS and NMFS Biological Opinions (BOs) for this PGP (USFWS #81420-2009-F-0520, dated December 1, 2020) (attachment 2) and (NMFS #WCRO-2020-03651, dated March 15, 2021) (attachment 3). These Incidental Take Statements contain mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” authorization under this PGP. Authorization under this PGP is conditional upon your compliance with all of the mandatory terms and conditions of the Incidental Take Statements. The reasonable and prudent measures associated with the “incidental take” authorization, as well as the mandatory terms and conditions, are derived from and consistent with the HCP/NCCP. Failure to comply with the mandatory terms and conditions of the Incidental Take Statements would constitute non-compliance with the PGP. The USFWS and NMFS are the appropriate authorities to determine compliance with the mandatory terms and conditions of their Incidental Take Statements, the Biological Opinions, and with the ESA. You must comply with all applicable mandatory terms and conditions of these Incidental Take Statements, including those ascribed to this office.

5. Historic Properties: You are not authorized to initiate any activities in waters of the U.S. under this PGP if the activity may affect historic properties listed, or eligible for listing, in the National Register of Historic Places, until the requirements of Section 106 of the National Historic Preservation Act (NHPA), as amended, have been satisfied. If NHPA compliance is not addressed programmatically, (e.g., by a Programmatic Agreement (PA)), you must notify this office via submittal of a PCN if the activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on, the NRHP, including previously unidentified historic properties. Such notification may be provided by either the applicant or the local implementing agency (i.e. Placer County or the City of Lincoln). The notification shall consist of the information identified in General Condition 1. This office may require the preparation of a cultural resources report, if not yet prepared, and will consult with the State Historic Preservation Officer (SHPO), as appropriate, following the policy and procedural standards of 33 CFR Part 325 Appendix C. This office's determination of compliance with the NHPA, including completed consultation with the SHPO,

as appropriate, will be provided to you and Placer County or the City of Lincoln. Should a memorandum of agreement (MOA) be required in association with a determination of “adverse effect to historic properties,” you shall comply with the terms and conditions of the MOA.

6. Tribal Rights: You shall ensure the activity, or its operation does not impair reserved Tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights. You are not authorized to initiate any activities in waters of the U.S. that have the potential to impair tribal rights under this PGP until this office has completed necessary tribal coordination/consultation or has determined the proposed action does not impair Tribal rights, unless tribal coordination/consultation is addressed programmatically (e.g., by a PA). You must notify this office via submittal of a pre-construction notification (PCN), as described in General Conditions 1 and 5 for any activity that would impair tribal rights. The Corps will conduct tribal coordination/consultation, as appropriate.

7. Permit Transfer: If the property associated with this permit is sold, you shall transfer the verification to the new owner by submitting a letter to Placer County or the City of Lincoln, with a copy provided to this office, to validate the transfer. A copy of the CARP authorization must be attached to the letter, and the letter must contain the name and address of the transferee, documentation of all aquatic resources and project phases already impacted under this verification at the time of transfer, as well as the following statement and signature of the transferee: When the structures or work authorized by this programmatic general permit (PGP) are still in existence at the time the property is transferred, the terms and conditions of this PGP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this PGP and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(Transferee)

\_\_\_\_\_  
(Date)

8. Wetland and Stream Avoidance and Minimization: You shall establish wetland and Stream System avoidance and minimization measures as described in the HCP/NCCP, CARP and implementing ordinances. Associated terms of the local CARP and implementing ordinances concerning avoidance and minimization measures, including (but not limited to) land use, allowable uses within the Stream System, exemptions, and waivers shall apply as described in the CARP and implementing ordinances. These terms shall meet or exceed all applicable standards and terms contained within Chapter 6 of the HCP/NCCP.

9. Unanticipated Discovery: If you discover any previously unknown historic, cultural or archeological remains and/or artifacts while accomplishing the activity authorized by this PGP, you shall immediately notify this office of what has been found, and to the maximum extent practicable, you shall avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. Notification to this office shall include a copy of the CARP authorization issued by Placer County or the City of Lincoln. This office will initiate the Federal, Tribal, and State coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

10. Water Quality Certification: You shall comply with all terms and conditions of the attached October 16, 2020, Section 401 General Water Quality Certification (WDID# 5A31CR00534) (attachment 4), as amended (WDID# 5A31CR00534A1; dated August 28, 2025) issued by the Central Valley Regional Water Quality Control Board, which is expressly incorporated as a condition of this permit. If you cannot comply with the terms and conditions of this water quality certification, then you must obtain individual water quality certification, or waiver thereof, for the proposed discharge in order for the activity to be authorized by this PGP.

#### **FURTHER INFORMATION:**

1. Congressional Authorities: Section 404 of the Clean Water Act (33 U.S.C. 1344)

2. Limits of this authorization:

a. This office has authority to determine if an activity complies with the terms and conditions of the PGP.

b. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.

c. This permit does not grant any property rights or exclusive privileges.

d. This permit does not authorize any injury to the property or rights of others.

e. 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 PGP is not contrary to the public interest was made in reliance on the information provided by the HCP/NCCP Plan Permittees.

5. Re-evaluation of Permit Decision: This office may re-evaluate its decision on this PGP 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 a 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 re-evaluation 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.

**PERMIT DURATION**: This PGP is valid for five (5) years from the date of issuance. It will expire on **April 7, 2031**. At least sixty (60) calendar days prior to expiration, this office will issue a public notice, with an opportunity for public comment, describing the reasons for reissuing the PGP for another five years with or without modification, or not reissuing the PGP. If this office has not reissued the PGP by the expiration date, the PGP will no longer be valid. This PGP may also be modified, suspended, or revoked by this office at any time deemed necessary. In such instance, this office will issue a public notice concerning the proposed action.

**CONTACTS AND ADDITIONAL INFORMATION**: For additional information about this PGP, please contact this office by phone at 916-557-5250, or by email at

[SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil). For an updated list of contacts, please visit our website at: <http://www.spk.usace.army.mil/missions/regulatory>.

**ATTACHMENTS:**

1. *Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR (May 2020).*
2. *Biological and Conference Opinion on U.S. Fish and Wildlife Service Proposed Issuance of a Section 10(a)(1)(B) Permit for the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan and U.S. Army Corps of Engineers Proposed Authorization and Implementation of a Clean Water Act Section 404 Permit Strategy Aligned with the Placer County Conservation Program (December 1, 2020; USFWS File Number 81420-2009-F-0520).*
3. *Intra-Service Endangered Species Act Section 7 Consultation (WCR-2020-00XXX) for the Issuance of section 10(a)(1)(B) Incidental Take Permit for the Placer County Conservation Program Habitat Conservation Plan authorizing take of California Central Valley steelhead (*Oncorhynchus mykiss*), Central Valley fall-run Chinook salmon (*O. tshawytscha*), and Central Valley late fall-run Chinook salmon (*O. tshawytscha*) and documentation of Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response (March 15, 2021; NMFS File Number WCRO-2020-03651).*
4. *Central Valley Regional Water Quality Control Board, General Order No. R5-2020-0048 Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification (October 16, 2020; WDID# 5A31CR00534), as amended (WDID# 5A31CR00534A1; dated August 28, 2025).*

This PGP becomes effective when the federal official, designated to act for the Secretary of the Army has signed below.




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Michael S. Jewell  
Chief, Regulatory Division

08 April 2026

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Date



# Regional General Permit 19

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

## MINIMAL IMPACT COVERED ACTIVITIES BY PLACER COUNTY WATER AGENCY UNDER THE HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN

**EFFECTIVE: April 8, 2026**

**EXPIRES: April 7, 2031**

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The U.S. Army Corps of Engineers, Sacramento District, hereby issues Regional General Permit(RGP) 19 for covered activities conducted by the Placer County Water Agency (PCWA) under the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), that result in the discharge of dredged and/or fill material into waters of the United States (U.S.) resulting in no more than minimal individual or cumulative impacts.

Note: The term "you" and its derivatives, as used in this RGP, means the permittee (PCWA) or any future transferee. The term "this office" refers to the appropriate U.S. Army Corps of Engineers, Sacramento District office identified in the Contacts and Additional Information section below. After you receive written verification for your project under this RGP from this office, you are authorized to perform that work in accordance with the terms and conditions specified below, and any project specific special conditions included in the written verification.

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

**ACTION ID:** SPK-2005-00485

**AUTHORITIES:** Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**LOCATION:** Activities authorized under this RGP would occur within the Placer County Conservation Program (PCCP) Plan Area boundaries. The PCCP Plan Area encompasses approximately 270,000 acres within western Placer County and eastern Sutter County. Within western Placer County, the Plan Area is bounded on the north by Nevada and Yuba Counties, on the east by the City of Auburn and California Highway 49, on the south by Sacramento County, and on the west by Sutter County. Activities conducted may also be located in the Cities of Auburn, Loomis, Rocklin, and Roseville. Within Sutter County, the Plan Area includes 1,724 acres along the Racoon Creek floodplain, and 33 miles of Auburn Ravine, Racoon Creek, Cross Canal, and East Side Canal. The Plan Area Boundaries can be seen on the attached May 2020, *Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR* (attachment 1), prepared by ICF.

**ACTIVITIES COVERED:** This RGP authorizes the discharge of dredged and/or fill material into waters of the U.S. associated with construction, maintenance, expansion, or operational activities conducted by you, provided the activities comply with the HCP/NCCP and Placer County Aquatic Resources Program (CARP). This RGP authorizes only those activities that require a Department of the Army (DA) permit under Section 404 of the Clean Water Act (e.g. the activity would result in a discharge of dredged and/or fill material into waters of the U.S. and/or the activity would not be exempt under Section 404(f) of the Clean Water Act). Activities authorized include:

1. Utility lines: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of utility lines.
2. Water Treatment Plants: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water treatment plants.
3. Energy Supply: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of power plants or generators.
4. Metering Stations: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of metering stations.
5. Water Storage Tanks: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water storage tanks.
6. Intake and Water Diversion Structures: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of intake structures and water diversion structures.
7. Outfall Structures: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of outfall structures.
8. Water Systems Facilities Center: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water systems facilities centers. Structures associated with a facilities center include, but are not limited to warehouses, fabrication shops, crew buildings, administration buildings, vehicle/equipment wash areas, fuel stations, and associated infrastructure, including utilities, parking areas, and access roads/driveways.

9. Corporation Yards: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of corporation yards. Structures associated with a corporation yard include, but are not limited to, warehouses, lay-down areas for storage, and associated infrastructure, including utilities, parking areas, and access roads/driveways.

10. Pump Stations: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of pump stations.

11. Wells: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water supply wells.

12. Bank Stabilization: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction or maintenance of bank stabilization within the immediate vicinity of any in-stream structures or fills associated with producing or providing water to residents and businesses of Placer County.

13. Sediment and Debris Removal: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the removal of sediment from streams, reservoirs, canals, ditches, or other waters of the U.S. within 200 feet from water supply structures or fills managed by PCWA.

14. Access and Staging: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of access and staging areas.

15. Canals and Ditches: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, lining, expansion, maintenance, or operation of water supply canals or ditches.

16. Berm Maintenance: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of reservoir and canal berms.

17. Linear Transportation Projects: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of linear transportation projects associated with water supply projects.

18. Minor Discharges: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of other structures, fills, or facilities not specifically listed above, associated with producing or providing water to residents and businesses of Placer County, as identified in the HCP/NCCP.

**EXCLUSIONS:**

1. This RGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that are not conducted by you.
2. This RGP may not be used to authorize activities not covered by the HCP/NCCP as identified in Chapter 2 of the HCP/NCCP.

**TERMS OF AUTHORIZATION:**

1. Activity Completion: Activities authorized by this office under this RGP are valid until the expiration date of the RGP or the date identified by the Corps in the verification letter, whichever occurs sooner, unless modified, suspended, or revoked by the Corps.
2. Applying for RGP Authorization: Prior to commencing a proposed activity, you shall submit a complete pre-construction notification (PCN) containing the information identified in *PROCEDURES* below. No discharge of dredged and/or fill material into waters of the U.S. shall commence until this office has provided written verification that the activity is authorized under this RGP.
3. Compliance with HCP/NCCP Conditions: Activities to be authorized under this RGP must be covered activities as identified in Chapter 2 of the HCP/NCCP and must comply with any applicable terms and conditions contained in the HCP/NCCP and this RGP. You must provide information to support a determination that the proposed project is eligible for coverage under the HCP/NCCP to this office with the PCN required in *PROCEDURES* below. Compliance with the HCP/NCCP requires you to implement the applicable and appropriate avoidance and minimization measures contained in Chapter 6 of the HCP/NCCP, and other applicable terms and conditions as contained in the HCP/NCCP.
4. Discretionary Authority: This office has the discretion to suspend, modify, or revoke authorizations under this RGP. This discretionary authority may be used by this office 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 factor of the public interest. Should this office 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, this office 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 apply for authorization under another type of DA permit. Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from this office, such as a Nationwide Permit (NWP), Letter of Permission (LOP) or Standard Permit (SP). This office will determine on a case-by-case basis, as needed, whether an activity has more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. This office may restore

authorization under the RGP at any time it determines the reason for asserting discretionary authority has been resolved or satisfied by a condition, project modification, or new information. This office may also use its discretionary authority to modify, suspend, or revoke the RGP at any time.

5. Avoidance and Minimization: Impacts to waters of the U.S. shall be avoided and minimized to the maximum extent practicable. For purposes of the RGP, notwithstanding this office's discretionary authority described above, this term shall be considered satisfied when you have designed and implemented activities to comply with all applicable avoidance and minimization measures contained in Chapters 5 and 6 of the HCP/NCCP.

6. Single and Complete Project: The activities authorized under this permit must be a single and complete project. A single and complete project is the total project proposed or accomplished by one owner or developer and may not be divided into phases or components to avoid permit thresholds or review requirements. For linear projects (e.g., roads, utility lines, pipelines), each crossing of a water of the United States at a separate and distant location is considered a single and complete project. However, separate channels of a braided stream or separate arms of a single wetland are considered one waterbody and may not be treated separately. For non-linear projects, the single and complete project is the total undertaking proposed by one owner or developer and must have independent utility, meaning it would be constructed and function absent the construction of other projects in the area.

7. Thresholds: Loss of waters of the United States means waters of the United States permanently adversely affected by filling, flooding, excavation, drainage, or other regulated discharges of dredged or fill material. Permanent loss includes the conversion of an aquatic area to dry land, an increase in bottom elevation, or other permanent changes to the physical character of a waterbody. For streams, loss is measured as the area of streambed permanently adversely affected. Loss is measured as the total acreage of waters of the United States permanently impacted and is not reduced by compensatory mitigation. Waters temporarily disturbed and restored to pre-construction contours and elevations are not included in the measurement of loss. Impacts from activities that do not require DA authorization are not included in the calculation of loss for purposes of this permit.

a. The loss of waters of the U.S., including wetlands, resulting from authorization of a single and complete project under this RGP shall not exceed a total of 0.25 acre. The loss of streambed shall not exceed 300 linear feet of jurisdictional stream, and/or a total of 1,000 linear feet of jurisdictional irrigation, water supply, or drainage ditch or canal. This is provided the ditch or canal is not a relocated or channelized stream, as verified by this office. However, this office may waive the linear foot requirement by making a written determination concluding the discharge will result in no more than minimal individual or cumulative effects. The acreage of loss of streambed for streams, ditches, and/or canals shall be included in the acreage threshold for loss of waters of the U.S. The loss of waters of the U.S. and loss of streambed shall not include activities that do not require DA authorization (i.e. would not

result in a discharge of fill material into waters of the U.S. or are exempt under Section 404(f) of the Clean Water Act).

b. Bank stabilization activities are limited to no more than 500 feet in length along the bank of jurisdictional streams and no more than 1,000 feet in length along the bank of jurisdictional irrigation, water supply, or drainage ditches or canals. This is provided the ditch or canal is not a relocated or channelized stream, as verified by this office. This office may, waive this requirement by making a written determination concluding the discharge will result in no more than minimal individual or cumulative effects.

c. The cumulative loss of waters of the U.S. authorized under this RGP shall not exceed 3 acres (including the acreage of loss of streambed), within the Plan Area. The cumulative loss of vernal pool waters of the U.S. authorized by this RGP shall not exceed 1 acre.

d. The removal of sediment from the vicinity of existing structures or fills shall be limited to the minimum necessary to restore the waterway in the vicinity of the structure or fill to the approximate dimensions that existed when the structure was built but shall not extend more than 200 feet in any direction from the structure. This limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged and/or excavated fill material must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by this office.

8. Section 401 Water Quality Certification: A general Section 401 water quality certification (WQC) has been issued for this RGP. If you determine you cannot comply with one or more of the general WQC conditions, you must request individual WQC. A valid 401 WQC, or waiver thereof, is required to be obtained and evidence thereof in possession by you, prior to the commencement of activities authorized by this RGP (see General Condition 20).

9. Reporting Requirements: You shall submit annual post-construction reports to this office documenting all activities covered under the RGP that were completed the previous year. The reports shall be submitted no later than January 30, and contain documentation related to activities completed between January 1 and December 31 of the previous year. The reports shall include: (a) the activity name; (b) DA permit number; (c) type of HCP/NCCP covered activity; (d) a full description of the work in waters of the U.S. that was completed, including acreage and/or linear feet of permanent and temporary discharges of dredged and/or fill material into waters of the U.S. (by aquatic resource type) and acreage and/or linear feet of loss of waters of the U.S. (by aquatic resource type); (e) evidence of your fulfillment of any CWA 404 compensatory mitigation requirements required by the RGP verification issued by this office, and (f) the cumulative acreage and/or linear feet loss of waters of the U.S. and loss of stream bed that has occurred under the RGP since its issuance.

10. Special conditions: This office may add special conditions to the verification letter to ensure that the activity will comply with the terms and conditions of the RGP, and that adverse impacts are individually and cumulatively minimal.

### **GENERAL CONDITIONS:**

1. Avoidance and Minimization Measures: You shall comply with all avoidance and minimization measures, terms, and other conditions as identified in Chapter 6 of the HCP/NCCP. You shall ensure impacts to waters of the U.S. within and adjacent to the stream system are avoided and minimized to the maximum extent practicable.
2. Compensatory Mitigation: You shall conduct required compensatory mitigation for the loss of waters of the U.S. at the ratios specified in Chapter 5 of the HCP/NCCP, through the purchase of credits from the Western Placer In-Lieu Fee Program (WPILF). Compensatory mitigation requirements will be specifically identified in the RGP verification letter issued by this office for the single and complete project.
3. Bed and Bank Stabilization: You shall ensure all bank stabilization activities involve either the sole use of native vegetation or other bioengineered design techniques (e.g. willow plantings, root wads, large woody debris, etc.), or a combination of hard-armoring (e.g. riprap) and native vegetation or bioengineered design techniques, unless specifically determined to be impracticable by this office. Information on why the sole use of vegetated techniques is not practicable must be provided in your PCN.
4. Equipment: You shall ensure heavy equipment working in wetlands is placed on mats or other measures, such as low-ground pressure equipment to minimize soil disturbance, are taken. You shall include information regarding methods to minimize soil disturbance in the PCN.
5. Fills within 100-Year Floodplains: You shall ensure the activity complies with applicable FEMA-approved state or local floodplain management requirements.
6. Limits of Disturbance: You shall clearly identify the limits of disturbance in the field with highly visible markers (e.g. construction fencing, flagging, silt barriers, etc.) prior to commencing construction activities in waters of the U.S. You shall maintain such identification properly until construction is completed and the soils have been stabilized. You are prohibited from any activity (e.g. equipment usage or materials storage) that may impact waters of the U.S. outside of the permit limits (as shown on the permit drawings).
7. Management of Water Flows: Unless otherwise specifically authorized by this office, you shall maintain the pre-construction course, condition, capacity, and location of open waters (e.g. rivers, streams, lakes, ponds). You must construct the activity to withstand expected high

flows and ensure the proposed activity does not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. Activities that alter the pre-construction course, condition, capacity, and location of open waters may be authorized if this office makes a determination, based on the information you provide, that the alteration would result in no more than minimal individual or cumulative adverse effects. For areas containing existing linear transportation crossings or other structures in open waters, the preconstruction course, condition, capacity, and location of open waters shall be determined based on the upstream and downstream portions of the open waters.

8. Migratory Bird Breeding Areas: You shall ensure the activity avoids waters of the U.S. that serve as breeding areas for migratory birds to the maximum extent possible.

9. Suitable Fill: You shall ensure that fill material discharged into waters of the U.S. is free from toxic pollutants in toxic amounts (section 307 of the Clean Water Act). You shall ensure that all fill material discharged into waters of the U.S. is clean and free of contaminants and noxious plants. You shall not discharge fresh cement or concrete unless it is placed in sealed forms and specifically authorized by this office. Unsuitable fill material includes, but is not limited to, vehicle bodies, farm machinery, appliances and other metal objects, asphalt, biodegradable construction debris, tires, and concrete with exposed rebar.

10. Utility Lines: You shall construct all utility lines in accordance with the following:

a. You shall install utility lines by directional drilling, clear span, or other techniques that do not require a discharge of fill material into waters of the U.S. with perennial or intermittent flow, unless determined to be not practicable by this office.

b. You shall ensure the construction of utility lines does not result in draining any water of the U.S., including wetlands. This may be accomplished through the use of clay blocks, bentonite, or other suitable material (as approved by this office) to seal the trench. For utility line trenches, during construction, you shall remove and separately stockpile the top 6 to 12 inches of topsoil. Following installation of the utility line(s), you shall replace the stockpiled topsoil as the top layer and seed the area with native vegetation.

c. You shall stabilize (e.g., blanket and seed) all disturbed areas immediately adjacent to, and within 25 feet of, waters of the U.S. immediately upon completion of the utility line construction in waters of the U.S. at that location.

d. You shall restore temporarily disturbed construction areas in waters of the U.S. to preconstruction conditions, including grading to original contours and revegetating (with native vegetation or other appropriate vegetation approved by this office) within 30 days following completion of the discharge of dredged and/or fill material into waters of the U.S. authorized by

this RGP. A brief restoration plan, which includes a contour topographic map, shall be submitted with the PCN.

11. Aquatic Life Movements: The following criteria shall apply to all linear transportation crossings (e.g. roads, trails, bridges, culverts) of streams:

a. For all activities in waters of the U.S. that are suitable habitat for Federally listed fish species, including designated critical habitat for such species, you shall design all new or substantially reconstructed linear transportation crossings (e.g. roads, bridges, culverts) to ensure that the passage and/or spawning of fish is not hindered. In these areas, you shall employ bridge designs that span the stream or river, including pier-or pile-supported spans, or designs that use a bottomless arch culvert with a natural stream bed;

b. Unless determined to be not practicable by this office, you shall design all linear transportation crossings proposed to be replaced to match the approximate bankfull width and depth of upstream and downstream open waters; and,

c. You shall ensure all bank stabilization activities comply with General Condition 3.

12. Work in Standing or Flowing Waters: You shall not discharge dredged or fill material into standing or flowing waters, unless specifically authorized by this office. You may accomplish this through construction during the dry season or through dewatering of the work area. Any proposed dewatering plan must be approved, in writing, by this office prior to commencing construction activities.

13. Compliance Inspections: You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that the activity is being, or has been, accomplished in accordance with the terms and conditions of the permit. This office will notify you at least 48 hours in advance of an inspection.

14. Threatened and Endangered Species: No activity is authorized under this RGP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal ESA. Activities authorized under this RGP must comply with the mandatory terms and conditions of the Incidental Take Statements in the attached USFWS and NMFS Biological Opinions (BOs) for this RGP (USFWS #81420-2009- F-0520, dated December 1, 2020) (attachment 2) and (NMFS #WCRO-2020-03651, dated March 15, 2021) (attachment 3). The Incidental Take Statements in these BOs contain mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" authorization under this RGP. Authorization under this RGP is conditional upon your compliance with all of the mandatory terms and conditions of these Incidental Take Statements. Failure to comply with these mandatory terms and conditions would constitute noncompliance with the RGP. The USFWS and NMFS are the appropriate authorities to determine compliance with the terms and

conditions of their Incidental Take Statements, Biological Opinions, and with the ESA. You must comply with all applicable mandatory terms and conditions of these Incidental Take Statements, including those ascribed to this office.

15. Historic Properties: No activity is authorized under the RGP if the activity may affect historic properties listed, or eligible for listing, in the National Register of Historic Places, until the requirements of Section 106 of the National Historic Preservation Act (NHPA), as amended, have been satisfied. Upon receipt of the PCN, if one has not been prepared, this office may determine whether a cultural resources report or other information is necessary to ensure compliance with Section 106 of the NHPA and will request the necessary information within 30 days after receipt of the PCN. This office will consult with the State Historic Preservation Officer (SHPO), as appropriate, following the policy and procedural standards of 33 CFR Part 325 Appendix C. This office's determination of compliance with the NHPA, including completed consultation with the SHPO, as appropriate, will be provided to you. Should a memorandum of agreement (MOA) be required in association with a determination of "adverse effect to historic properties," you shall comply with the terms and conditions of the MOA.

16. Permit Transfer: If the property associated with this permit is sold, you shall transfer the verification to the new owner by submitting a letter to this office to validate the transfer. The letter must contain the name and address of the transferee, as well as the following statement and signature of the transferee: When the structures or work authorized by this regional general permit (RGP) are still in existence at the time the property is transferred, the terms and conditions of this RGP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this RGP and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(Transferee)

\_\_\_\_\_  
(Date)

17. Wetland and Stream Setbacks: You shall establish wetland and stream setbacks and avoidance and minimization as described in the CARP and implementing ordinances. Associated terms of the local CARP ordinances concerning setbacks, including (but not limited to) land use, allowable uses within setbacks, exemptions, and waivers shall apply to all activities authorized by this RGP, as described in the CARP and implementing ordinances. Wetland and stream setbacks shall meet or exceed all applicable standards and terms contained within Chapter 6 of the HCP.

18. Tribal Rights: No activity or its operation shall impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights. You are not authorized to initiate any activities in waters of the U.S. that have the potential to impair tribal rights under this RGP until this office has completed necessary tribal coordination/consultation or has determined the proposed action does not impair tribal rights, unless tribal coordination/consultation is addressed programmatically (e.g., by a PA).

19. Unanticipated Discoveries: If you discover any previously unknown historic, cultural or archeological remains and/or artifacts while accomplishing the activity authorized by this RGP, you shall immediately notify this office of what has been found, and to the maximum extent practicable, shall avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. This office will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

20. Water Quality Certification: You shall comply with all terms and conditions of the attached October 16, 2020, Section 401 General Water Quality Certification (WDID# 5A31CR00538) (attachment 4), as amended (WDID# 5A31CR00538A1; dated August 28, 2025), which is expressly incorporated as condition of this permit. If you cannot comply with the terms and conditions of this 401 WQC, then you must obtain individual 401 WQC, or waiver thereof, for the proposed discharge in order for the activity to be authorized by this RGP.

## **PROCEDURES:**

1. You may choose to request a pre-application meeting with this office and other resource agencies prior to submittal of a PCN. To request a pre-application meeting, please contact [SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil). A request for a pre-application meeting should contain the project name, type of project, county, approximately acreage of impacts to waters of the U.S., and the project proponent's contact information.

2. The project proponent shall request authorization under the RGP by submitting a PCN through the Regulatory Request System (<https://rrs.usace.army.mil>). The PCN shall include a completed DA Permit Application Form (ENG 4345) requesting authorization under this RGP. For activities with multiple single and complete projects, you may submit one ENG 4345, but it must contain information regarding each single and complete project. In addition, for the Corps to process the PCN, the following information must be provided:

a. A letter or a completed DA Permit Application Form (ENG 4345), requesting authorization under the RGP;

- b. Contact information of the project proponent and designated agent or primary point of contact, including mailing address, email address, telephone number, and fax number (if applicable);
- c. The applicable Covered Activity as identified in the HCP/NCCP;
- d. A complete description of the proposed activity, including:
  - (1) The activity's purpose;
  - (2) Direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of each type of waters of the U.S. expected to result from the proposed activity, in acres and, for streams, linear feet;
  - (3) The amount (in cubic yards) and type of fill material proposed to be discharged into each type of water of the U.S.; and
  - (4) The amount (in acres) and length (in linear feet) of each type of waters of the U.S. to be permanently filled and the amount and length of each type of waters of the U.S. to be temporarily filled. For waters of the U.S. to be temporarily filled, include the approximate length of time the waters of the U.S. would be filled before restoration to pre-construction contours and conditions would occur;
- e. The location of the activity (with latitude and longitude);
- f. A brief narrative describing how the proposed activity would comply with all General Conditions of this RGP, a statement identifying why the General Condition does not apply or a description of why compliance with the General Condition is not practicable. Failure to comply with a General Condition may result in this office determining the proposed activity does not qualify for authorization under this RGP and will be evaluated under an alternative process;
- g. For each applicable avoidance and minimization measure identified in Chapter 6 of the HCP/NCCP, a brief narrative describing how the activity would comply with each measure. Specifically, the narrative should describe how the proposed activity is in compliance with Avoidance and Minimization Measures associated with an aquatic resource as specified in the HCP;
- h. A written statement explaining how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S. to the maximum extent practicable;
- i. For all dewatering activities that propose structures or fill in waters of the U.S. that require authorization from this office:

- (1) The proposed methods for dewatering;
- (2) The equipment that would be used to conduct dewatering;
- (3) The length of time the area is proposed to be dewatered;
- (4) The area (in acres) and length (in linear feet) of waters of the U.S. of the dewatering structure and/or fill;
- (5) The method for removal of the dewatering structure and/or fill; and
- (6) The method for restoration of the waters of the U.S. affected by the structure or fill following construction;

j. For all temporary discharge of dredged and/or fill material into waters of the U.S.: The reason(s) why avoidance of temporary fill in waters of the U.S. is not practicable;

(1) A description of the proposed temporary fill, including the type and amount (in cubic yards) of material to be placed;

(2) 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; and,

(3) A 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;

k. For activities that propose to alter the pre-construction course, condition, capacity or location of open waters, the PCN shall include sufficient justification to determine that the proposed activity would result in a no more than minimal individual or cumulative adverse effects;

l. For replacement linear transportation crossings that would 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:

(1) Information on why it is not practicable to approximate the pre-construction bankfull width of the upstream and downstream open waters, and;

(2) Sufficient justification to determine that the reduction in the pre-construction bankfull width would result in a net increase in aquatic resource functions and services.

Functions and services to be considered in the justification include but are not limited to: short- or long-term surface water storage, subsurface water storage, moderation of groundwater flow or discharge, dissipation of energy, cycling of nutrients, removal of elements and compounds, retention of particulates, export of organic carbon, and maintenance of plant and animal communities.

m. A written statement identifying the amount and type of proposed compensatory mitigation proposed for the loss of each type of water of the U.S., or a statement identifying why compensatory mitigation should not be required;

n. Project Figures:

(1) A vicinity map clearly depicting the location of the proposed activity; and,

(2) A plan-view, and cross-section view drawing, clearly depicting the location, size, and dimensions of the proposed permanent or temporary discharge of fill material into waters of the U.S., and the location of all waters of the U.S. on-site. The drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill in Corps jurisdiction, including both permanent and temporary fills/structures. The ordinary high-water mark should be shown (in feet) based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation;

(3) All drawings shall be prepared in accordance with 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/>);

o. 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);

p. A delineation of waters of the U.S., including wetlands, for the project site. Wetlands shall be delineated using the Corps 1987 Wetland Delineation Manual and 2008 Arid West Region Regional Supplement, or most recent manual in effect at the time of the PCN. The delineation report shall be conducted in accordance with the Sacramento District's Minimum Standards for Acceptance of Aquatic Resources Delineation Reports (available at [http://www.spk.usace.army.mil/Portals/12/documents/regulatory/jd/minimumstandards/Minimum\\_Standards\\_for\\_Delineation\\_with\\_Template-final.pdf](http://www.spk.usace.army.mil/Portals/12/documents/regulatory/jd/minimumstandards/Minimum_Standards_for_Delineation_with_Template-final.pdf)), or updated standards adopted by this office, unless specifically waived by this office;

q. If available, one hard copy and one electronic copy of a cultural resources report meeting the Corps Guidelines for Compliance with Section 106 of the National Historic

Preservation Act of 1966 ([http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL\\_2014-03-24\\_Section-106-Guidelines.pdf](http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL_2014-03-24_Section-106-Guidelines.pdf)). If a cultural resources report has not been prepared, the PCN shall include a statement to that effect; and,

r. For any proposals to waive the linear foot limits identified in Term 7(a) and 7(b), the PCN shall contain information on why the proposed activity would result in no more than minimal individual or cumulative effects, including the following:

(1) A narrative description of the stream. This should include 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;

(2) An analysis of the proposed impacts to the waterbody, in accordance with Procedure 2(d)(2);

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

(4) A compensatory mitigation plan describing how the unavoidable losses are proposed to be offset;

3. Within 15-days following receipt of the PCN, this office will notify you via letter or email if:

a. The proposed activity may qualify for authorization under the RGP;

b. The PCN is complete; and,

c. If consultation under Section 7 of the ESA, Section 305(b)(4)(b) of the Magnuson-Stevens Fisheries Conservation and Management Act (MSFCMA) and/or Section 106 of the National Historic Preservation Act (NHPA) is required; or,

d. If the proposed activity does not qualify for authorization under the RGP, the notification will identify specific modifications necessary for the proposed activity to qualify for authorization under the RGP, and/or instructions on how to apply for authorization under a different permit. If the PCN is not complete, the notification will specifically identify the additional information required to be submitted. If the PCN is complete, but additional information is necessary to make a decision, the notification will specifically identify the additional information required to be submitted.

4. Within 30-days following receipt of a complete PCN, and additional information necessary to complete the consultation(s), this office will initiate any required consultations under Section 7 of the ESA, Section 305(b)(4)(B) of the MSFCMA, and/or Section 106 of the NHPA;

5. Within 15-days following completion of any required ESA/NHPA/MSFCMA consultations and the 401 WQC process (if individual 401 WQC is requested), or, if consultation and individual 401 WQC is not required, within 30-days following receipt of a complete PCN, this office will notify you via letter if the activity is authorized under this RGP, subject to the terms and conditions of the authorization; and,

6. 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.

**FURTHER INFORMATION:**

1. Congressional Authorities: 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. Re-evaluation 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 re-evaluation 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.

6. Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from this office, such as a NWP or LOP. This office will determine on a case by- case basis whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. This office may include additional special conditions to a verification under this permit to ensure the activity has minimal impact.

**PERMIT DURATION**: This RGP is valid for five (5) years from issuance and will expire on **April 7, 2031**. This office may reevaluate the terms and conditions of this RGP at any time it deems necessary to protect the public interest. At least sixty (60) calendar days prior to expiration, this office will issue a public notice, with an opportunity for public comment, describing the reasons for reissuing the RGP for another five years with or without

modification, or not reissuing the RGP. If this office has not reissued the RGP by the expiration date, the RGP will no longer be valid. This RGP may also be modified, suspended, or revoked by this office at any time deemed necessary. In such instance, this office will issue a public notice concerning the proposed action. This RGP may be reissued, after public notice and documentation of the decision. Activities authorized by this RGP must be verified in writing by this office.

**ATTACHMENTS:**

1. *Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR (May 2020)*
2. *Biological and Conference Opinion on U.S. Fish and Wildlife Service Proposed Issuance of a Section 10(a)(1)(B) Permit for the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan and U.S. Army Corps of Engineers Proposed Authorization and Implementation of a Clean Water Act Section 404 Permit Strategy Aligned with the Placer County Conservation Program (December 1, 2020; USFWS File Number 81420-2009-F-0520).*
3. *Intra-Service Endangered Species Act Section 7 Consultation (WCR-2020-00XXX) for the Issuance of section 10(a)(1)(B) Incidental Take Permit for the Placer County Conservation Program Habitat Conservation Plan authorizing take of California Central Valley steelhead (*Oncorhynchus mykiss*), Central Valley fall-run Chinook salmon (*O. tshawytscha*), and Central Valley late fall-run Chinook salmon (*O. tshawytscha*) and documentation of Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response (March 15, 2021; NMFS File Number WCRO-2020-03651).*
4. *Central Valley Regional Water Quality Control Board, General Order No. R5-2020-0049 Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification (October 16, 2020; WDID# 5A31CR00538), as amended (WDID# 5A31CR00538A1; dated August 28, 2025).*

This RGP becomes effective when the federal official, designated to act for the Secretary of the Army has signed below.



\_\_\_\_\_  
Michael S. Jewell  
Chief, Regulatory Division

0 April 2026

\_\_\_\_\_  
Date



# Regional General Permit 20

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

## MINIMAL IMPACT ACTIVITIES CONDUCTED UNDER THE WESTERN PLACER COUNTY IN-LIEU FEE PROGRAM COVERED BY THE WESTERN PLACER COUNTY HABITAT CONSERVATION PLAN/ NATURAL COMMUNITY CONSERVATION PLAN

**EFFECTIVE:** April 8, 2026

**EXPIRES:** April 7, 2031

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The U.S. Army Corps of Engineers, Sacramento District (Corps), hereby issues Regional General Permit (RGP) 20 for activities conducted under the Western Placer County In-lieu Fee (WPILF) Program and covered by the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), that result in the discharge of dredged and/or fill material into waters of the United States (U.S.) resulting in no more than minimal individual and cumulative impacts.

The activities authorized would be conducted to meet the Conservation Strategy as identified in the HCP/NCCP. An activity is authorized under this RGP after this office approves the individual In-lieu fee project under the WPILF Program.

Note: The term "you" and its derivatives, as used in this RGP, means the WPILF Program Sponsor or any future transferee. The term "this office" refers to the appropriate U.S. Army Corps of Engineers, Sacramento District office identified in the Contacts and Additional Information section below. After you receive written verification for your project under this RGP from this office, you are authorized to perform that work in accordance with the terms and conditions specified below, and any project specific special conditions included in the written verification.

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

**ACTION ID:** SPK-2005-00485

**AUTHORITIES:** Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**LOCATION:** Activities authorized under this RGP would occur within the Placer County Conservation Program (PCCP) Plan Area boundaries. The PCCP Plan Area encompasses approximately 270,000 acres within western Placer County and eastern Sutter County. Within western Placer County, the Plan Area is bounded on the north by Nevada and Yuba Counties, on the east by the City of Auburn and California Highway 49, on the south by Sacramento County, and on the west by Sutter County. With the exception of activities

conducted by the Placer County Water Agency (PCWA), the Plan Area in western Placer County excludes the Cities of Auburn, Loomis, Rocklin, and Roseville. Within Sutter County, the Plan Area includes 1,724 acres along the Racoon Creek floodplain, and 33 miles of Auburn Ravine, Racoon Creek, Cross Canal, and East Side Canal. The Plan Area Boundaries can be seen on the attached May 2020, *Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR* (attachment 1), prepared by ICF.

**PURPOSE:** This RGP is intended to expedite authorization under Section 404 of the Clean Water Act for establishment, re-establishment, enhancement, or rehabilitation activities that result in a net increase in aquatic resource functions and services and are approved by this office under the WPILF Program. The RGP is premised on the approval of an activity by this office, in consultation with the IRT, under the WPILF Program, conducted by the Placer Conservation Authority (PCA) in partnership with the HCP/NCCP Permittees (Placer County, City of Lincoln, South Placer Regional Transportation Authority [SPRTA], and PCWA). This RGP eliminates the need for project applicants to seek separate authorization from this office for those activities approved by this office under the WPILF Program. This RGP will reduce time and paperwork, and improve efficiency for this office, PCA, and the HCP/NCCP Permittees for those activities approved under the WPILF Program.

**BACKGROUND:** The PCCP is a regional approach to address issues related to planned development and species habitat conservation, consisting of the HCP/NCCP, County Aquatic Resources Program (CARP), and the WPILF Program. The HCP/NCCP provides coverage for fourteen species of wildlife, including seven that are federally listed as threatened or endangered. The U.S. Fish and Wildlife Service's Sacramento Field Office (USFWS) and National Marine Fisheries Service (NMFS) have approved the HCP/NCCP through a species incidental take permit (ITP) issued to the PCCP's Plan Permittees under Section 10 of the ESA. The CARP provides a program, implemented by Placer County and the City of Lincoln through local implementing ordinances, to evaluate activities that would impact aquatic resources considered to be waters of the U.S. or waters of the State. The WPILF Program provides compensatory mitigation for impacts associated with the Covered Activities, through funds paid to PCA.

**ACTIVITIES COVERED:** This RGP authorizes discharges of dredged and/or fill material into waters of the U.S. associated with aquatic resource establishment, re-establishment, enhancement, and/or rehabilitation activities, provided the activities result in a net increase in aquatic resource functions and services and are approved by this office under the WPILF Program.

**EXCLUSIONS:**

1. This RGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that do not result in a net increase in aquatic resource functions and services.

2. This RGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities under the WPILF Program that are not approved by this office.

### **TERMS OF AUTHORIZATION:**

1. Activity Completion: Activities authorized by this office under this RGP may be conducted until the expiration date of the RGP or by the date identified by the Corps in the approved WPILF project documentation appended to the WPILF Program instrument, whichever occurs sooner, unless modified, suspended, or revoked by the Corps.

2. RGP Authorization: The discharges of dredged and/or fill material into waters of the U.S. associated with implementation of the WPILF program are verified under this RGP when the Corps approves the WPILF project.

3. Discretionary Authority: This office has the discretion to suspend, modify, or revoke authorizations under this RGP. This discretionary authority may be used by this office to further WPILF Program RGP 20 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 factor of the public interest. Should this office determine that a proposed activity may have more than minimal individual or cumulative adverse impacts to waters of the U.S. or otherwise be contrary to the public interest, this office 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 apply for authorization under another type of DA permit. Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from this office, such as a Nationwide Permit, Regional General Permit, Letter of Permission, or Standard Permit. This office will determine on a case-by-case basis, as needed, whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. This office may restore authorization under the RGP at any time it determines the reason for asserting discretionary authority has been resolved or satisfied by a condition, project modification, or new information. This office may also use its discretionary authority to modify, suspend, or revoke the RGP at any time.

4. Avoidance and Minimization: Impacts to waters of the U.S. shall be avoided and minimized to the maximum extent practicable. For purposes of the RGP, notwithstanding this office's discretionary authority described above, this term shall be considered satisfied when you have designed and implemented activities to comply with all applicable avoidance and minimization measures contained in Chapters 5 and 6 of the HCP/NCCP.

5. Single and Complete Project: The activities authorized under this permit must be a single and complete project. A single and complete project is the total project proposed or accomplished by one owner or developer and may not be divided into phases or components to avoid permit thresholds or review requirements. For linear projects (e.g., roads, utility lines,

pipelines), each crossing of a water of the United States at a separate and distant location is considered a single and complete project. However, separate channels of a braided stream or separate arms of a single wetland are considered one waterbody and may not be treated separately. For non-linear projects, the single and complete project is the total undertaking proposed by one owner or developer and must have independent utility, meaning it would be constructed and function absent the construction of other projects in the area.

6. Section 401 Water Quality Certification: A general Section 401 water quality certification (WQC) has been issued for this RGP. If you determine you cannot comply with one or more of the general WQC conditions, you must request individual WQC. A valid 401 WQC, or waiver thereof, is required to be obtained and evidence thereof in possession by you, prior to the commencement of activities authorized by this RGP (see General Condition 4).

### **GENERAL CONDITIONS:**

1. Permit Transfer: If a WPILF project site associated with this permit is sold, you shall transfer the verification to the new owner by submitting a letter to this office, to validate the transfer. The letter must contain the name and address of the transferee, as well as the following statement and signature of the transferee: When the structures or work authorized by this regional general permit (RGP) are still in existence at the time the property is transferred, the terms and conditions of this RGP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this RGP and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(Transferee)

\_\_\_\_\_  
(Date)

2. Tribal Rights: No activity or its operation shall impair reserved Tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights. You are not authorized to initiate any activities in waters of the U.S. that have the potential to impair tribal rights under this RGP until this office has completed necessary tribal coordination/consultation or has determined the proposed action does not impair tribal rights, unless tribal coordination/consultation is addressed programmatically (e.g., by a PA).

3. Unanticipated Discovery: If you discover any previously unknown historic, cultural or archeological remains and/or artifacts while accomplishing the activity authorized by this RGP, you shall immediately notify this office of what has been found, and to the maximum extent practicable, shall avoid construction activities that may affect the remains and artifacts until the

required coordination has been completed. This office will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. Water Quality Certification: You shall comply with all terms and conditions of the enclosed October 16, 2020, Section 401 General Water Quality Certification (WDID# 5A31CR00539) (attachment 4), as amended (WDID# 5A31CR00539A1; dated August 28, 2025), which is expressly incorporated as condition of this permit. If you cannot comply with the terms and conditions of this 401 WQC, then you must obtain individual 401 WQC, or waiver thereof, for the proposed discharge in order for the activity to be authorized by this RGP.

#### **FURTHER INFORMATION:**

1. Congressional Authorities: Section 404 of the Clean Water Act (33 U.S.C. 1344)

2. Limits of this authorization:

a. This office has authority to determine if an activity complies with the terms and conditions of the RGP.

b. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.

c. This permit does not grant any property rights or exclusive privileges.

d. This permit does not authorize any injury to the property or rights of others.

e. 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 RGP is not contrary to the public interest was made in reliance on the information provided by you.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this RGP 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 a 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.

**PERMIT DURATION**: This RGP is valid for five (5) years from the date of issuance and will expire on **April 7, 2031**. At least sixty (60) calendar days prior to expiration, this office will issue a public notice, with an opportunity for public comment, describing the reasons for reissuing the RGP for another five years with or without modification, or not reissuing the RGP. If this office has not reissued the RGP by the expiration date, the RGP will no longer be valid. This RGP may also be modified, suspended, or revoked by this office at any time deemed necessary. In such instance, this office will issue a public notice concerning the proposed action.

**CONTACTS AND ADDITIONAL INFORMATION**: For additional information about this RGP, please contact this office by phone at 916-557-5250, or by email at [SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil). For an updated list of contacts, please visit our website at <http://www.spk.usace.army.mil/missions/regulatory>.

**ATTACHMENTS:**

1. *Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR (May 2020).*
2. *Biological and Conference Opinion on U.S. Fish and Wildlife Service Proposed Issuance of a Section 10(a)(1)(B) Permit for the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan and U.S. Army Corps of Engineers Proposed Authorization and Implementation of a Clean Water Act Section 404 Permit Strategy Aligned with the Placer County Conservation Program (December 1, 2020; USFWS File Number 81420-2009-F-0520).*
3. *Intra-Service Endangered Species Act Section 7 Consultation (WCR-2020-00XXX) for the Issuance of Section 10(a)(1)(B) Incidental Take Permit for the Placer County Conservation Program Habitat Conservation Plan authorizing take of California Central Valley steelhead (*Oncorhynchus mykiss*), Central Valley fall-run Chinook salmon (*O. tshawytscha*), and Central Valley late fall-run Chinook salmon (*O. tshawytscha*) and documentation of Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response (March 15, 2021; NMFS File Number WCRO-2020-03651).*
4. *Central Valley Regional Water Quality Control Board, General Order No. R5-2020-0050 Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification (October 16, 2020; WDID# 5A31CR00539), as amended (WDID# 5A31CR00539A1; dated August 28, 2025).*

This RGP becomes effective when the federal official, designated to act for the Secretary of the Army has signed below.




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Michael S. Jewell  
Chief, Regulatory Division

08 April 2026

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Date