

U.S. Army Corps of Engineers South Pacific Division



Nationwide Permit Pre-Construction Notification (PCN) Form

This form integrates requirements of the U.S. Army Corps of Engineers Nationwide Permit Program within the South Pacific Division (SPD), including General and Regional Conditions. You MUST fill out all boxes related to the work being done. Fillable boxes in this form expand if additional space is needed.

Box 1 Project Name			
Applicant Name		Applicant Title	
Applicant Company, Agency, etc.		Applicant's internal tracking number (if any)	
Mailing Address			
Work Phone with area code	Mobile Phone with area code	Home Phone with area code	Fax # with area code
E-mail Address		Relationship of applicant to property: <input type="checkbox"/> Owner <input type="checkbox"/> Purchaser <input type="checkbox"/> Lessee <input type="checkbox"/> Other:	
Application is hereby made for verification that subject regulated activities associated with subject project qualify for authorization under a U.S. Army Corps of Engineers Nationwide Permit or Permits as described herein. I certify that I am familiar with the information contained in this application and, that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agency to which this application is made the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work <u>only</u> after all necessary permits have been received and to comply with all terms and conditions of the authorization.			
Signature of applicant			Date (mm/dd/yyyy)

If anyone other than the person named as the Applicant will be in contact with the U.S. Army Corps of Engineers representing the Applicant regarding this project during the permit process, Box 2 MUST be filled out.

Box 2 Authorized Agent/Operator Name		Agent/Operator Title	
Agent/Operator Company, Agency, etc.		E-mail Address	
Mailing Address			
Work Phone with area code	Mobile Phone with area code	Home Phone with area code	Fax # with area code
I hereby authorize the above named authorized agent to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant			Date (mm/dd/yyyy)
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			
Signature of authorized agent			Date (mm/dd/yyyy)

Proposed discharge of dredge and/or fill material. Indicate total surface area in **acres** and **linear feet** (where appropriate) of the proposed impacts to Waters of the United States, indicate water body type (tidal wetland, non-tidal wetland, vernal pool, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.), and identify the impact(s) as permanent and/or temporary for each requested Nationwide Permit¹:

¹ Enter the intended permit number(s). See Nationwide Permit regulations for permit numbers and qualification information: <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>

Water Body Type	Requested NWP Number:				Requested NWP Number:				Requested NWP Number:			
	Permanent		Temporary		Permanent		Temporary		Permanent		Temporary	
	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length
Total:												

Total volume (in cubic yards) and type(s) of material proposed to be dredged from or discharged into Waters of the United States:

Material Type	Total Volume Dredged	Total Volume Discharged
Rock Slope Protection (RSP)		
Clean spawning gravel		
River rock		
Soil/Dirt/Silt/Sand/Mud		
Concrete		
Structure		
Stumps/Root wads		
Other:		
Total:		

Activity requires a written waiver to exceed specified limits of the Nationwide Permit? Yes No
 If yes, provide Nationwide Permit number and name, limit to be exceeded, and rationale for each requested waiver:

Activity will result in the loss of greater than 1/2-acre of Waters of the United States? Yes No
 If yes, provide an electronic copy (compact disc) or multiple hard copies (7) of the complete PCN for appropriate Federal and State Pre-discharge Notification (See General Condition #31, Pre-construction Notification, Agency Coordination, Section 2 and 4):

Describe direct and indirect effects caused by the activity (General Condition #31, District Engineer's Decision:

Potential cumulative impacts of proposed activity(if any):

Drawings and figures (see each U.S. Army Corps of Engineers District's Minimum Standards Guidance):

Vicinity map: Attached (or mail copy separately if applying electronically)

To-scale Plan view drawing(s): Attached (or mail copy separately if applying electronically)

To-scale elevation and/or Cross Section drawing(s): Attached (or mail copy separately if applying electronically)

Numbered and dated pre-project color photographs: Attached (or mail copy separately if applying electronically)

Sketch drawing(s) or map(s): Attached (or mail copy separately if applying electronically)

Has a wetlands/waters of the U.S. delineation been completed?

Yes, Attached² (or mail copy separately if applying electronically) No

If a delineation has been completed, has it been verified in writing by the Corps?

Yes, Date of preliminary or approved jurisdictional determination (mm/dd/yyyy): _____ Corps file number: _____ No

²If available, provide ESRI shapefiles (NAD83) for delineated waters

For proposed discharges of dredged material resulting from navigation dredging into inland or near-shore waters of the U.S. (including beach nourishment), please attach³ a proposed Sampling and Analysis Plan (SAP) prepared according to Inland Testing Manual (ITM) guidelines (including Tier I information, if available), or if disposed offshore, a proposed SAP prepared according to the Ocean Disposal Manual.

³Or mail copy separately if applying electronically

Is any portion of the work already complete? YES NO

If yes, describe the work:

Box 7 Authority:

Is Section 10 of the Rivers and Harbors Act applicable?: YES NO

Is Section 404 of the Clean Water Act applicable?: YES NO

Is the project located on U.S. Army Corps of Engineers property or easement?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Would the project affect a U.S. Army Corps of Engineers structure?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Is the project located on other Federal Lands (USFS, BLM, etc.)?: YES NO

Is the project located on Tribal Lands?: YES NO

Box 8 Is the discharge of fill or dredged material for which Section 10/404 authorization is sought part of a larger plan of development?: YES NO

If discharge of fill or dredged material is part of development, name and proposed schedule for that larger development (start-up, duration, and completion dates):

Location of larger development (if discharge of fill or dredged material is part of a plan of development, a map of suitable quality and detail of the entire project site should be included):

Box 9 Measures taken to avoid and minimize impacts to waters of the United States:

Box 10 Proposed Compensatory Mitigation related to fill/excavation and dredge activities. Indicate in **acres** and **linear feet** (where appropriate) the total quantity of Waters of the United States proposed to be created, restored, enhanced and/or preserved for purposes of providing compensatory mitigation. Indicate water body type (tidal wetland, non-tidal wetland, vernal pool, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.) or non-jurisdictional (uplands¹). Indicate mitigation type (permittee-responsible on-site/off-site, mitigation bank, or in-lieu fee program). If the mitigation is purchase of credits from a mitigation bank, indicate the bank to be used, if known:

¹ For uplands, please indicate if designed as an upland buffer.

Site Number	Water Body Type	Created		Restored		Enhanced		Preserved		Mitigation Type
		Area	Length	Area	Length	Area	Length	Area	Length	
Total:										

If no mitigation is proposed, provide detailed explanation of why no mitigation would be necessary:

If permittee-responsible mitigation is proposed, provide justification for not utilizing a Corps-approved mitigation bank or in-lieu fee program:

Has a draft/conceptual mitigation plan been prepared in accordance with the April 10, 2008, Final Mitigation Rule² and District Guidelines^{3,4,5}?

²http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitig_info.aspx

³**Sacramento and San Francisco Districts**-http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pdf/Mitigation_Monitoring_Guidelines.pdf

⁴**Los Angeles District**-http://www.spl.usace.army.mil/regulatory/mmg_2004.pdf

⁵**Albuquerque District**-http://www.spa.usace.army.mil/reg/mitigation/SPA%20Final%20Mitigation%20Guidelines_OLD.pdf

Yes, Attached (or mail copy separately if applying electronically) No

If no, a mitigation plan must be prepared and submitted, if applicable.

Mitigation site(s) Latitude & Longitude (D/M/S, DD, or UTM with Zone):	USGS Quadrangle map name(s):
Assessor Parcel Number(s):	Section(s), Township(s), Range(s):

Other location descriptions, if known:

Directions to the mitigation location(s):

Box 11 Threatened or Endangered Species and Essential Fish Habitat

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

- | | |
|----|----|
| a. | b. |
| c. | d. |
| e. | f. |

Have surveys, using U.S. Fish and Wildlife Service/NOAA Fisheries protocols, been conducted?

Yes, Report attached (or mail copy separately if applying electronically) No

Has a biological assessment or evaluation been completed for the proposed project?

Yes, Report attached (or mail copy separately if applying electronically) Not attached

Has Section 7 consultation been initiated by another federal agency?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has Section 10 consultation been initiated for the proposed project?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has the USFWS/NOAA Fisheries issued a Biological Opinion?

Yes, Attached (or mail copy separately if applying electronically) No

If yes, list date Opinion was issued (m/d/yyyy):

Is the project located within Essential Fish Habitat¹ (EFH)? Yes No

¹http://swr.nmfs.noaa.gov/hcd/HCD_webContent/EFH/index_EFH.htm

Box 12 Historic Properties and Cultural Resources:

Are any cultural resources of any type known to exist on-site? Yes No

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

- | | |
|----|----|
| a. | b. |
| c. | d. |
| e. | f. |

Has a cultural resource records search been conducted?

Yes, Report attached (or mail copy separately if applying electronically) No

Has a cultural resource pedestrian survey been conducted for the site?

Yes, Report attached (or mail copy separately if applying electronically) No

Has another federal agency been designated the lead federal agency for Section 106 consultation?

Yes, Designation letter/email attached (or mail copy separately if applying electronically) No

Has Section 106 consultation been initiated by another federal agency?

Yes, Initiation letter attached (or mail copy separately if applying electronically) No

Has a Section 106 MOA or PA been signed by another federal agency and the SHPO?

Yes, Attached (or mail copy separately if applying electronically) No

If yes, list date MOA or PA was signed (m/d/yyyy):

Box 13 Section 401 Water Quality Certification:

Applying for certification? Yes, Attached (or mail copy separately if applying electronically) No
 Not applicable (projects proposed for authorization under RHA Section 10 only)

Certification issued (including Programmatically)?

Yes, Attached (or mail copy separately if applying electronically) No

Certification waived? Yes, Attached (or mail copy separately if applying electronically) No

Certification denied? Yes, Attached (or mail copy separately if applying electronically) No

Exempted activity? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 14 Coastal Zone Management Act:

Is the project located within the Coastal Zone? Yes No (If no, proceed to Box 15)

If yes, applying for a coastal commission-approved Coastal Development Permit?

Yes, Attached (or mail copy separately if applying electronically) No

If no, applying for separate CZMA-consistency certification?

Yes, Attached (or mail copy separately if applying electronically) No

Permit/Consistency issued? Yes, Attached (or mail copy separately if applying electronically) No

Exempt? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 15 List of other certifications or approvals/denials received from other federal, state, or local agencies for work described in this application:

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

⁴ Would include but is not restricted to zoning, building, and flood plain permits

Nationwide Permit General Conditions (GC) checklist:

(<http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf>)

Check	General Condition	Rationale for compliance with General Condition
<input type="checkbox"/>	1. Navigation	
<input type="checkbox"/>	2. Aquatic Life Movements	
<input type="checkbox"/>	3. Spawning Areas	
<input type="checkbox"/>	4. Migratory Bird Breeding Areas	
<input type="checkbox"/>	5. Shellfish Beds	
<input type="checkbox"/>	6. Suitable Material	
<input type="checkbox"/>	7. Water Supply Intakes	
<input type="checkbox"/>	8. Adverse Effects from Impoundments	
<input type="checkbox"/>	9. Management of Water Flows	
<input type="checkbox"/>	10. Fills Within 100-Year Floodplains	
<input type="checkbox"/>	11. Equipment	
<input type="checkbox"/>	12. Soil Erosion and Sediment Controls	
<input type="checkbox"/>	13. Removal of Temporary Fills	
<input type="checkbox"/>	14. Proper Maintenance	
<input type="checkbox"/>	15. Single and Complete Project	
<input type="checkbox"/>	16. Wild and Scenic Rivers	
<input type="checkbox"/>	17. Tribal Rights	
<input type="checkbox"/>	18. Endangered Species	See Box 11 above.
<input type="checkbox"/>	19. Migratory Bird and Bald and Golden Eagle Permits	
<input type="checkbox"/>	20. Historic Properties	See Box 12 above.
<input type="checkbox"/>	21. Discovery of Previously Unknown Remains and Artifacts	
<input type="checkbox"/>	22. Designated Critical Resource Waters	
<input type="checkbox"/>	23. Mitigation	See Box 10 above.
<input type="checkbox"/>	24. Safety of Impoundment Structures	
<input type="checkbox"/>	25. Water Quality	See Box 13 above.
<input type="checkbox"/>	26. Coastal Zone Management	See Box 14 above.
<input type="checkbox"/>	27. Regional and Case-by-Case Conditions	
<input type="checkbox"/>	28. Use of Multiple Nationwide Permits	
<input type="checkbox"/>	29. Transfer of Nationwide Permit Verifications	
<input type="checkbox"/>	30. Compliance Certification	
<input type="checkbox"/>	31. Pre-Construction Notification	

San Francisco District (SPN) in California:

A. General Regional Conditions that apply to all NWP's in the Sacramento, San Francisco, and Los Angeles Districts:

1. Is pre-construction notification (PCN) required? Yes No

If yes, then in accordance with General Condition 31, the appropriate U.S. Army Corps of Engineers (Corps) District shall be notified using either the South Pacific Division PCN Checklist or a signed application form (ENG Form 4345) with an attachment providing information on compliance with all of the General and Regional Conditions. The PCN Checklist and application form are available at:

<http://www.spn.usace.army.mil/regulatory/index.html>. In addition, the PCN shall include:

- a. A written statement describing how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States; and
- b. Drawings, including plan and cross-section views, clearly depicting the location, size and dimensions of the proposed activity as well as the location of delineated waters of the U.S. on the site. The drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill in Corps jurisdiction, including both permanent and temporary fills/structures. The ordinary high water mark or, if tidal waters, the mean high water mark and high tide line, should be shown (in feet), based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation. All drawings for projects located within the boundaries of the Los Angeles District shall comply with the most current version of the *Map and Drawing Standards for the Los Angeles District Regulatory Division* (available on the Los Angeles District Regulatory Division website at: www.spl.usace.army.mil/regulatory/); and
- c. Numbered and dated pre-project color photographs showing a representative sample of waters proposed to be impacted on the project site, and all waters proposed to be avoided on and immediately adjacent to the project site. The compass angle and position of each photograph shall be documented on the plan-view drawing required in subpart b of this regional condition.

If yes, is the PCN attached? Yes No Not Applicable

2. Is the activity located in an area designated as Essential Fish Habitat (EFH) by the Pacific Fishery Management Council (i.e., all tidally influenced areas - Federal Register dated March 12, 2007 (72 FR 11092)).
 Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall include an EFH assessment and extent of proposed impacts to EFH. Examples of EFH habitat assessments can be found at:

<http://www.swr.noaa.gov/efh.htm>.

3. Are any other Federal agencies involved? Yes No

If yes, for activities in which the Corps designates another Federal agency as the lead for compliance with Section 7 of the Endangered Species Act (ESA) of 1973 as amended (50 CFR Part 402.07), Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (EFH) (50 CFR 600.920(b)) and/or Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (36 CFR 800.2(a)(2)), the lead Federal agency shall provide all relevant documentation to the appropriate Corps demonstrating any previous consultation efforts, as it pertains to the Corps Regulatory permit area (for Section 7 and EFH compliance) and the Corps Regulatory area of potential effect (APE) (for Section 106 compliance). For activities requiring a PCN, this information shall be submitted with the PCN. If the Corps does not designate another Federal agency as the lead for ESA, EFH and/or NHPA, the Corps will initiate consultation for compliance, as appropriate.

4. Is the project located within a waterbody supporting any federally-listed threatened or endangered fish species?
 Yes No
If yes, unless determined to be impracticable by the Corps, the permittee shall design all road crossings to ensure that the passage and/or spawning of fish is not hindered. In these areas, the permittee 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 streambed.

5. Will the permittee complete the construction of any compensatory mitigation required by special condition(s) of the NWP verification before or concurrent with commencement of construction of the authorized activity?
 Yes No

If no, then the proposed activity may not be in compliance with Regional Condition 10, unless construction of compensatory mitigation prior to or concurrent with commencement of construction of the authorized activity is specifically determined impracticable by the Corps.

Will the mitigation involve use of a mitigation bank or in-lieu fee program? Yes No

If yes, then the permittee shall submit proof to the Corps of payment prior to commencement of construction of the authorized activity.

6. Will the activity result in the loss of greater than 300 linear feet of intermittent and/or ephemeral streams for NWPs 29, 39, 40, 42, 43, 44, 51, and 52 or result in the loss of greater than 500 linear feet along the bank for NWP 13? Yes No

If yes, is the applicant requesting a waiver of the linear foot limit? Yes No Not Applicable

If yes, then the request shall include the following:

- a. 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 water body and characters 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 associated vegetation community (i.e. wetland, non-wetland); surrounding land use; water quality; issues related to cumulative impacts in the watershed, and; any other relevant information; and
- b. An analysis of the proposed impacts to the waterbody in accordance with General Condition 31 and Regional Condition 3; and
- c. Measures taken to avoid and minimize losses, including other methods of constructing the proposed project; and
- d. A compensatory mitigation plan describing how the unavoidable losses are proposed to be compensated, in accordance with 33 CFR Part 332.

B. SPN Regional Conditions to be applied across the entire San Francisco District:

1. Is the project located within the **San Francisco Bay diked baylands** (undeveloped areas currently behind levees that are within the historic margin of the Bay)? Diked historic baylands are those areas on the Nichols and Wright map below the 5-foot contour line, National Geodetic Vertical Datum (NGVD) (see Nichols, D.R., and N. A. Wright. 1971. Preliminary map of historic margins of marshland, San Francisco Bay, California. U.S. Geological Survey Open File Map, Figure 1 on the Public Notice for Federal Register Notice Announcing the Reissuance of the Nationwide Permits and the San Francisco District Regional Conditions:
<http://www.spn.usace.army.mil/regulatory/nwp/2012/final%20NWPs.pdf>)? Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN must include an explanation of how avoidance and minimization of losses of waters or wetlands are taken into consideration to the maximum extent practicable (see General Condition 23(a)).

2. Is the project located within the **Santa Rosa Plain** (<http://www.spn.usace.army.mil/regulatory/srp/srpmmap.pdf>)?
 Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN must include an explanation of how avoidance and minimization of losses of waters or wetlands are taken into consideration to the maximum extent practicable (see General Condition 23(a)).

3. Will the proposed project impact **Eelgrass Beds**? Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN must include a compensatory mitigation plan, habitat assessment, and extent of proposed-project impacts to Eelgrass Beds.

C. SPN Regional Conditions to be applied to specific Nationwide Permits (NWP):

NWP 3:

Will excavation equipment operate from an upland site? Yes No

If no, an explanation as to need to place equipment in waters of the U.S. must be included in the PCN.

Will work occur within a special aquatic site? Yes No

If yes, an explanation why the special aquatic site cannot be avoided, as well as impact minimization measures, must be included in the PCN.

NWP 11:

Are temporary structures proposed in wetlands or vegetated shallow water areas? Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall include the type of habitat and aerial extent affected by the structure(s).

NWP 12:

Will excess material removed from any trenching that is not used for backfilling of the trench be disposed of at an upland site? Yes No

Does the proposed project include construction of substation facilities? Yes No

If yes, NWP 12 cannot be used to authorize this project.

NWP 13:

Will more than 300 linear feet of bank be stabilized? Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall address the effect of the bank stabilization on the stability of the opposite side of the waterway's bank, and on the adjacent property upstream and downstream of the activity.

Will wetland vegetation or submerged, rooted, aquatic plants be removed from an area greater than 0.1 acre or 300 linear feet? Yes No

If yes, notification pursuant to General Condition 31 is required and shall include vegetation type and extent of removal.

Will excess material excavated from a toe trench be disposed of in an upland location? Yes No

If yes, the PCN shall include the location of the disposal site.

Will additional fill extend beyond the original shoreline in excess of one cubic yard per running foot?

Yes No

Will bank stabilization incorporate structures or modifications beneficial to fish and wildlife? Yes No
If no, the applicant shall demonstrate why the structures or modifications were not considered practicable.

NWP 14:

Will the proposed project fill greater than 300 linear feet of a jurisdictional waterway? Yes No
If yes, notification pursuant to General Condition 31 is required. The PCN shall address the effect of the activity on the stability of the opposite side of the waterway's bank, and on the adjacent property upstream and downstream of the activity.

Is the proposed project to construct taxiways or runways? Yes No
If yes, NWP 14 cannot be used to authorize this project.

Has this NWP been used to authorize previous project segments within the same linear transportation project?
 Yes No
If yes, justification must be provided demonstrating that the cumulative impacts of the proposed and previously authorized project segments do not result in more than minimal impacts to the aquatic system.

Has any new or additional bank stabilization required for the crossing incorporated structures or modifications beneficial to fish and wildlife? Yes No
If no, the applicant shall demonstrate why they were not considered practicable. Bottomless and embedded culverts are encouraged over traditional culvert stream crossings.

NWP 23:

Use of this NWP requires notification pursuant to General Condition 31. Please refer to Regional Conditions for additional information on PCN requirements.

NWP 27:

The PCN shall include documentation of a review of the project's impacts to demonstrate that at the conclusion of work the project would result in a net increase of aquatic function. The documentation must also include a review of the project's impacts on adjacent properties or structures and must also discuss cumulative impacts associated with the project.

NWP 29:

Will the activity result in the replacement of wetlands or waters of the U.S. with impervious surfaces?
 Yes No

If yes, the residential development shall incorporate low impact development concepts to the extent practicable, and a description of those concepts proposed shall be included with the PCN. Additional information on concepts and definitions are available at the following website: <http://www.epa.gov/owow/NPS/lid>

Is the proposed project located within the San Francisco Bay diked baylands (Figure 1 on the Public Notice for Federal Register Notice Announcing the Reissuance of the Nationwide Permits and the San Francisco District Regional Conditions: <http://www.spn.usace.army.mil/regulatory/nwp/2012/final%20NWPs.pdf>)?

Yes No

If yes, NWP 29 cannot be used to authorize this project.

NWP 33:

Are access roads designed to be the minimum width necessary? Yes No Not Applicable (N/A)

Are access roads designed to minimize changes to the hydraulic flow characteristics of waterways and degradation of water quality for project implementation? Yes No N/A

Will the road(s) be properly stabilized and maintained during and after construction? Yes No N/A

Will fill be placed to minimize encroachment of equipment within waters of the U.S.? Yes No N/A

Will vegetative disturbance be minimized? Yes No N/A

Will borrow material be taken from an upland source, where feasible? Yes No N/A

If no to any of the above, NWP 33 cannot be used to authorize the project.

Will the proposed project result in stream channelization? Yes No N/A
If yes, NWP 33 cannot be used to authorize the project.

NWP 35:

Use of this NWP requires notification pursuant to General Condition 31. Please refer to Regional Conditions for additional information on PCN requirements.

NWP 39

Will the activity result in the replacement of wetlands or waters of the U.S. with impervious surfaces?
 Yes No

If yes, the commercial or institutional development shall incorporate low impact development concepts to the extent practicable, and a description of those concepts proposed shall be included with the PCN. Additional information on concepts and definitions are available at the following website: <http://www.epa.gov/owow/NPS/lid>

Is the proposed project located within the San Francisco Bay diked baylands (Figure 1 on the Public Notice for Federal Register Notice Announcing the Reissuance of the Nationwide Permits and the San Francisco District Regional Conditions: <http://www.spn.usace.army.mil/regulatory/nwp/2012/final%20NWPs.pdf>)?
 Yes No

If yes, NWP 39 cannot be used to authorize the project.

NWP 40:

Will work impede flows during high volume events of a perennial or intermittent watercourse? Yes No
If yes, NWP 40 can not be used to authorize the project.

NWP 41:

If the Corps determines that there will be a detrimental impact to aquatic habitat, compensatory mitigation may be required.

Will fill material be re-deposited, re-graded, and/or discharged, or will channel lining be installed?
 Yes No

If yes, notification pursuant to General Condition 31 is required. The PCN shall include a statement demonstrating the need for the project and an explanation of the project's benefit to water quality.

NWP 42:

Are buildings proposed in waters of the U.S.? Yes No

If yes, the applicant must demonstrate that there is no on-site practicable alternative less environmentally damaging as defined by the Section 404(b)(1) guidelines.