Nevada Tahoe Conservation District

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March 2, 2026

Zachary Carter
Bureau of Water Quality Planning
Nevada Division of Environmental Protection
9805 Double R Road, Suite 200
Reno, Nevada 89521

PROJECT: Lower Rosewood Creek Aquatic Organism Passage Project

SUBJECT: Clean Water Act Section 401 Water Quality Certification Application

Dear Mr. Carter:

On behalf of the Nevada Tahoe Conservation District (NTCD), this letter transmits an application for Clean Water Act (CWA) Section 401 Water Quality Certification for the Lower Rosewood Creek Aquatic Organism Passage Project (Project). The Project is located along Rosewood Creek in Incline Village, Washoe County, Nevada. The Project area encompasses approximately 4.3 acres of private property managed by the Incline Village General Improvement District (IVGID) and the McCloud Condominium Homeowners Association, with work occurring within Washoe County right-of-way. NTCD is the Project proponent and is implementing the Project under participating agreements with the landowners and Washoe County.

The Project is a stream restoration and aquatic organism passage improvement effort designed to:

- Eliminate two existing standpipe culvert combinations that function as fish passage barriers,
- Restore longitudinal connectivity to approximately 1.5 miles of upstream habitat,
- Reduce channel incision,
- Improve floodplain connectivity, and
- Enhance riparian and instream habitat function.

Project implementation includes:

- Installation of two fish friendly passage culverts,
- Channel realignment and grade adjustment downstream of each new culvert installation,
- Excavation and grading of over-steepened banks to reconnect the channel to its floodplain, and
- Temporary dewatering through installation of up to two coffer dams and approximately 1,200 linear feet of diversion piping.

Permanent fill associated with culvert installation and channel reconstruction is estimated at approximately 85 cubic yards and will consist of native earthwork materials, stream gravel, sand, and rock.

An aquatic resources delineation was completed within the 4.3-acre Project area. A total of 43,412 square feet (0.993 acres) of potential Waters of the United States were identified, including:

- 3,617 square feet (0.083 acres) of creek channel along approximately 1,200 linear feet; and
- 39,795 square feet (0.91 acres) of adjacent riparian community.

Temporary impacts are limited to dewatering activities and diversion infrastructure. The Project is restorative in nature and will result in a net increase of approximately 0.021 acres of aquatic resources, functions, and services.

Construction will be conducted in accordance with applicable water quality protection requirements and will include:

- Isolation of in-water work areas prior to disturbance;
- Implementation of erosion and sediment control Best Management Practices (BMPs);
- Spill prevention and control measures;
- Staging of equipment and materials outside waters of the United States; and
- Immediate stabilization and revegetation of disturbed areas.

In-water work will occur within the approved regulatory work window.

Federal authorization is anticipated under:

- U.S. Army Corps of Engineers Nationwide Permit (NWP) 27 – Aquatic Habitat Restoration, Enhancement, and Establishment Activities; and
- NWP 14 – Linear Transportation Projects.

The U.S. Forest Service, serving as the lead federal agency, determined that the proposed Project will have no effect on federally listed species or designated critical habitat pursuant to Section 7 of the Endangered Species Act. In accordance with Section 106 of the National Historic Preservation Act, the U.S. Forest Service determined that no historic properties will be affected by the proposed Project. Consultation is complete and compliance with Section 7 and Section 106 has been satisfied.

The proposed Project has been designed to avoid and minimize impacts to waters of the United States to the maximum extent practicable and will comply with Nevada water quality standards. We believe the Project will result in long-term improvements to water quality, aquatic habitat, and watershed resilience within Rosewood Creek. NTCD respectfully requests issuance of a Clean Water Act Section 401 Water Quality Certification for the Lower Rosewood Creek Aquatic Organism Passage Project. Please find attachments for compliance documentation. Please feel free to contact me at dfellers@ntcd.org or (775) 524-3482 any time to discuss this matter.

Sincerely,

Domi Fellers
Environmental Scientist

Enclosures:
CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION APPLICATION
ATTACHMENT A –SUPPLEMENTAL INFORMATION
ATTACHMENT B – FIGURES
ATTACHMENT C – 85% PLANVIEW/CROSS-SECTION DRAWINGS
ATTACHMENT D – DEWATERING AND DIVERSION PLAN
ATTACHMENT E – HYDROLOGY MEMO

ATTACHMENT F – PHOTOS
ATTACHMENT G – SWPPP
ATTACHMENT H – USACE PCN

Clean Water Act Section 401 Water Quality Certification Application

Please refer to the "Clean Water Act Section 401 Water Quality Certification Application Guidance" document for assistance with completing this application.

A. Pre-Filing Meeting	
Please provide the date that a pre-filing meeting was requested from Nevada Division of Environmental Protection (NDEP) Bureau of Water Quality Planning (BWQP). *Note: If a pre-filing meeting has not been requested, please schedule a pre-filing meeting with NDEP BWQP.*	**1/4/2023**

B. Contact Information		
Project Proponent Information		
Company Name: Incline Village General Improvement District		Address: 1220 Sweetwater Road
Applicant Name: Kate Hudson		City: Incline Village
Phone:775.832.1203	Fax:	State: NV
Email: ksn@ivgid.org		Zip Code: 89451
Agent Information		
Company Name: Nevada Tahoe Conservation District		Address: PO Box 915
Agent Name: Domi Fellers		City: Zephyr Cove
Phone: 775.524.3482	Fax: 775.586.1610	State: NV
Email: dfellers@ntcd.org		Zip Code: 89448

C. Project General Information	
Project Location	
Project/Site Name: Lower Rosewood Creek Aquatic Organism Passage Project	Name of receiving waterbody: Rosewood Creek, Lake Tahoe
Address: 948 Incline Way	Type of waterbody present at project location (*select all that apply*): ☒ Perennial River or Stream ☐ Intermittent River or Stream ☐ Ephemeral River or Stream ☒ Lake/Pond/Reservoir ☐ Wetland ☐ Other: _____
City: Incline Village	
County: Washoe	
State: NV	
Zip Code: 89451	
Latitude (UTM or Dec/Deg): 39.244375	Longitude (UTM or Dec/Deg): -119.945706

Township: 16 North	Range: 18 East	Section: 22	¼ Section: NW1/4 of the NE1/4 of Mount Diablo Principal Meridian

Project Details

Project purpose:	This project proposes to remove two standpipe/metal culvert crossings installed in 2003 at Incline Way and upstream near an existing multi-use path and replace them with structures that allow for the passage of native salmonids, as well as monitor outcomes. The project will expand and improve aquatic species habitat, along with improving sinuosity, channel morphology and floodplain connectivity.
Describe current site conditions: Attachments can include, but are not limited to, relevant site data, photographs that represent current site conditions, or other relevant documentation.	Rosewood Creek is a perennial stream with drainage into the NE corner of Lake Tahoe via Third Creek. In the past 25 years Rosewood Creek has been restored from Lakeshore Blvd where it discharges into Third Creek up to Northwood Blvd to reduce fine sediment, improve water quality, and reconnect the floodplain. Unfortunately, two metal standpipe/culvert combos were installed that inhibit fish passage due to the 3-foot elevation drop at each metal standpipe. Each metal standpipe is surrounded by vegetation. The average Rosewood Creek flow in late summer/early fall (Aug-Oct) is about 0.6cfs.
Describe the proposed activity including methodology of each project element:	The Project will maintain previous restoration qualities while improving fish passage and aquatic habitat with new culvert installations at Incline Way and upstream about 800 feet at the pedestrian path. Some grading will occur at both locations to account for the 3-foot elevation drop at the metal standpipes. The Project would have a net increase of 0.021 acres of aquatic resources and is proposed under NWP 27 Aquatic Habitat Restoration, Enhancement, and Establishment Activities and NWP 14 Linear Transportation. See Attachment A- Project Description. Project work includes the following components: • Replacement of two metal standpipe culvert combos with new culverts that allow aquatic species passage while maintaining equivalent hydraulic capacity (flow volume) • IVGID pedestrian path culvert- segmented open bottom box culvert with stream bed material at 4% slope • Incline Way culvert- equivalent concrete arch at 2.5% slope • Realignment of the channel below each culvert replacement to make up for the rapid (3-foot) elevation drop and create pool riffle morphology • Excavation of steep banks to improve floodplain connectivity • Incorporation of rock structures into the channel design to sustain riffles and facilitate fish passage • Use of fiber roll silt barriers, seeding and erosion control blankets to stabilize the site • Fish rescue and subsequent dewatering of approximately 1,200 linear feet of channel

	• Additional revegetation work including native seed, willow staking and installation of erosion control blankets. • Equipment access within waters of the U.S. will be avoided where practicable, and any necessary equipment use will be conducted in compliance with permit conditions using methods that minimize substrate disturbance • Potential equipment- Excavator, Skid Steer, Backhoe, Loader, Dump Truck
Estimate the nature, specific location, and number of discharge(s) expected to be authorized by the proposed activity:	The Proposed project includes temporary cut of native soils and fill of native soils, rock, and gravel stream substrate. All material removed from the project site will be disposed of properly outside of the Tahoe Basin. The project includes temporary fills (sand bags) as coffer dams to dewater construction areas. Throughout the Project Area, the proposed activities will expand and improve aquatic species habitat, along with improving sinuosity, channel morphology and floodplain connectivity. The channel reconstruction downstream of each culvert replacement requires the use of excavation and the installation of appropriate natural grade controls made of rock, native soils and vegetation to stabilize the creek bed and banks, reconnect the creek with the floodplain, and create riffle-pool aquatic habitat. Proposed fill materials are primarily native and include sand/stream gravel, rock/boulders, and native earthwork fill. The culvert headwalls and wing walls may be cast-in place for both the IVGID pedestrian path and Incline Way culverts, but none of the associated concrete or aggregate base will be in the existing aquatic resources since the IVGID culvert replacement is confined to the existing culvert footprint and Incline Way culvert is in the Washoe County Incline Way right-of-way road prism outside of the existing aquatic resources. Total proposed fill within the potential Wetlands and Waters of the U.S. of the Rosewood Creek channels is 85 cubic yards (CY).
Provide the date(s) on which the proposed activity is planned to begin and end and the approximate date(s) when any discharge(s) may commence:	August 17, 2026 – October 15, 2026
Provide a list of the federal permit(s) or license(s) required to conduct the activity which may result in a discharge into regulated waters (see mandatory attachments):	USACE 404 (SPK-2026-00098), USACE NWP 27, USACE NWP 14 Section 7 Endangered Species Act consultation (complete- No Effect) Section 106 National Historic Preservation Act (complete- No findings)
Provide a list of all other federal, state, interstate, tribal, territorial, or local agency authorizations required for the proposed activity and the current status of each authorization:	NDEP Working in Waterways NDEP Temporary Discharge to Waters NDEP Construction (SWPPP) NDOW Scientific Collection Permit- secured TRPA Environmental Improvement Project Permit Washoe County Encroachment/Excavation Permit

	Washoe County Interlocal Agreement McCloud Condominium Homeowner's Assn MOU Incline Village General Improvement District MOU	
Total area of impact to regulated waterbodies (acres):	4.3 acres, Net Cut will occur in 0.08 acres (3,360 SF), Net Fill will occur in 0.05 acres (2,060 SF)	
Total distance of impact to regulated waterbodies (linear feet):	1,200 LF	
Amount excavation and/or fill discharged within regulated waters (acres, linear feet, and cubic yards):	Temporary: 9 CY (coffer dams)	Permanent: 85 CY 20 CY (stream sands/gravel/rock/wood) 65 CY (native earthwork fill)
Amount of dredge material discharged within regulated waters (acres, linear feet, and cubic yards):	Temporary: 0	Permanent: 0
Describe the reason(s) why avoidance of temporary fill in regulated waters is not practicable (if applicable):	Temporary fill must be placed to conduct dewatering and diversion for resource protection during construction.	
Describe the Best Management Practices (BMPs) to be implemented to avoid and/or minimize impacts to regulated waters: Examples include sediment and erosion control measures, habitat preservation, flow diversions, dewatering, hazardous materials management, water quality monitoring, equipment or plans to treat, control, or manage discharges, etc.	• Prior to starting work, a nesting bird survey will be conducted within the project area (including a 100-foot buffer) no more than 7 days prior to construction activities if work is scheduled to occur during the breeding season—April 1 through August 31. If a nest is found, exclusionary avoidance zones (to be determined based on species-specific needs) will be created surrounding any active nests along the project alignment. • Prior to starting work, the contractor shall install temporary BMP measures at locations where needed to control erosion and water pollution during the construction of the project. The BMP measures shall remain in place and shall be maintained in a functional condition for the duration of the construction. Silt fence is required at all cross-drain outlets. Silt fence or sediment logs will be required at other locations as shown on the drawings or staked in the field by the engineer. All erosion control measures shall meet or exceed requirements of the Tahoe Regional Planning Agency (TRPA). • All existing vegetation shall be preserved unless specifically identified by the engineer for removal. BMPs to protect vegetation shall be installed by the contractor if required by TRPA. Contractor to revegetate any areas outside the disturbed area shown on the plans with plants approved by TRPA.	

	• All trees and natural vegetation to remain on the site shall be protected per TRPA. • Soil and construction material shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of violating this condition exists. • During construction environmental protection devices, such as erosion control, dust control, and vegetation protection devices shall be maintained at all times. • Loose soil mounds or surfaces shall be protected from wind or water erosion by being appropriately covered when construction is not in active progress or when required by TRPA. • Excavated material shall be stored up-gradient from the excavated area whenever possible. No material shall be stored in any stream environment zone (SEZ) or wet area. • Only equipment of a size and type that will do the least amount of damage, under prevailing site conditions, and considering the nature of the work to be performed, will be used. • At a minimum, the contractor or his agent shall inspect all disturbed areas, areas used for storage of materials and equipment that are exposed to precipitation, vehicle entrance and exit locations, and all BMPs weekly, prior to a forecasted rain event and within 24 hours after any actual rain event. Some exceptions to weekly inspections may apply, such as frozen ground conditions of suspension of land disturbance activities. Refer to the SWPP.
Describe how the activity has been designed to avoid and/or minimize adverse effects, both temporary and permanent, to regulated waters:	The Project has been designed to minimize adverse effects to WOUS through the phasing and timing of the project as well as the dewatering and diversion plan. The Project will have coffer dams and diversions in place as necessary, while conducting work in the late summer (Aug-Oct)when conditions are dry and the creek flow is ideally at its lowest (0.6cfs). The project has a robust revegetation plan.
Describe any compensatory mitigation planned for this project (if applicable):	The project will result in a net gain of 0.021 acres of aquatic resources and therefore no compensatory mitigation is necessary.

D. Signature		
Name and Title (Print): Domi Fellers, NTCD Environmental Scientist	Phone Number: 775.524.3482	Date:

X _____

Signature of Responsible Official

Mandatory Attachments:

- **Federal Permit or License Application** - A copy of the federal permit or license application and any readily available water quality-related materials that informed the development of the federal license or permit application.
- **Site Map** - A map or diagram of the proposed project site including project boundaries in relation to regulated waters, local streets, roads, and highways.
- **Engineered Drawings** - Engineered drawings are preferred to be submitted at the 70% design level. If only conceptual designs are available at the time of application, plans for construction should be submitted prior to the start of the project. Specific locations of the proposed activities and details of specific work elements planned for the project should be identified (e.g., staging areas, concrete washouts, perimeter controls, water diversions, or other BMPs).

Submit the completed application materials to NDEP (ndep401@ndep.nv.gov) with the appropriate U.S. Army Corps of Engineers Regulatory Office copied on the communication (http://www.spk.usace.army.mil/Missions/Regulatory/Contacts/Contact-Your-Local-Office/).

ATTACHMENT A – SUPPLEMENTAL INFORMATION

ATTACHMENT A: Supporting Information for NDEP 401 Application for Lower Rosewood Creek Aquatic Organism Passage Project

USACE SPK 2026-00098

This supplemental information is to support Clean Water Action Section 401 Water Quality Certification Application for the Lower Rosewood Creek Aquatic Organism Passage Project for placement of primarily native fill in Waters and Wetlands of the U.S. during fish friendly culvert replacement and re-alignment of Rosewood Creek at both the pedestrian path and Incline Way to account for the elevation drop from the standpipe, reduce channel incision, and improve floodplain connectivity.

PROJECT DESCRIPTION

The Lower Rosewood Creek Aquatic Organism Passage Project (Project) is located on private land owned and operated by the Incline Village General Improvement District (IVGID), the McCloud Condominium Homeowner's Association (McCloud) and Washoe County right-of-way in Incline Village, Washoe County, Nevada **(Figure 1**- **Project Location and Vicinity**). The proposed Project is being designed and managed by the Nevada Tahoe Conservation District (NTCD). NTCD will enter into Memorandum of Understanding (MOUs) agreements with both IVGID and McCloud but will have an Interlocal Agreement (ILA) with the Washoe County Community Services Department (WCCSD).

Rosewood Creek is a perennial stream with drainage into the northeast corner of Lake Tahoe. Rosewood Creek has a healthy stream environment zone bordered by Jeffrey pine and mixed conifer forest. Rosewood Creek headwaters encompass the diverse drainage of a steep neighborhood that culminates in the discharge of four culverts under State Route 431 at the IVGID Mountain Golf Course and Titlist Drive. Rosewood Creek passes through multiple culverts before it discharges into Lake Tahoe via Third Creek. In the past 25 years Rosewood Creek has been restored from Lakeshore Blvd where it discharges into Third Creek up to Northwood Blvd to reduce fine sediment, improve water quality, and reconnect the floodplain. Unfortunately, two metal standpipe/culvert combos were installed in 2003 that inhibit fish passage due to the rapid (3 foot) elevation drop at each metal standpipe. The Project area is 4.3 acres.

The central component of the Project is to remove two metal standpipe culvert crossings and replace them with box culvert structures that allow for the passage of native salmonids. The first standpipe and culvert replacement would occur at Incline Way, and the second standpipe and culvert replacement would occur approximately 800 feet upstream at an existing multi-use path. Removing and replacing these obstructions with fish friendly passages will enable native salmonids to move upstream from Lake Tahoe to above Northwood Blvd via Third and Rosewood Creeks without any manmade obstructions, improving aquatic habitat.

Other Project components include re-aligning Rosewood Creek at both the pedestrian path and Incline Way to account for the elevation drop from the standpipes, while reducing channel incision

and improving floodplain connectivity. Substantial restoration and water quality work has occurred upstream resulting in a decreased sediment load to this reach compared to when the standpipe culverts were originally installed. Grading upstream and downstream from both culvert replacements will permanently sequester the captured fine sediments from the past degradation. The new streambed will consist of clean streambed material and robust riparian vegetation that has less potential for sediment discharge resulting in improved water quality.

Restoration techniques will vary depending on observed existing conditions and will range from significant grading in some areas to smaller adaptive management techniques in other areas. The Project will install fish friendly passages, improve water quality along with aquatic and terrestrial habitats, and monitor outcomes for two years post-construction. The Project would result in a net increase in the area of aquatic resources of 0.021 acres.

Project work includes the following components:

- Replacement of two metal standpipe culvert combos with new culverts
- Realignment of the channel below each culvert replacement to make up for the rapid elevation drop and create pool riffle morphology
- Excavation of steep banks to improve floodplain connectivity
- Incorporation of rock structures into the channel design to sustain riffles and facilitate fish passage
- Use of fiber roll silt barriers, seeding and erosion control blankets to stabilize the site
- Fish rescue and subsequent dewatering of approximately 1,200 linear feet of channel
- Additional revegetation work including native seed, willow staking and installation of erosion control blankets.

The project will be constructed between August and October 2026. Once the permitting and design is complete, the Nevada Tahoe Conservation District (NTCD) will advertise the project for public bid, select an implementation contractor, and implement the project. NTCD engineers will provide oversight of the construction implementation and vegetation restoration. NTCD will coordinate with property owner personnel throughout implementation.

PROJECT PURPOSE

The Project purpose is to remove the two metal standpipe culvert combos installed in 2003 that block the upstream passage of native salmonids on Rosewood Creek with new fish friendly culverts. Rosewood Creek is a tributary to Third Creek and has undergone multiple restoration projects over the last couple decades. Removing and replacing these obstructions with fish friendly passages will enable aquatic species to move upstream from Lake Tahoe to Village Blvd via Third and Rosewood Creeks without any manmade obstructions. Trout preferentially utilize Rosewood Creek in the spring, which is the spawning season for the native Lahontan cutthroat trout (LCT), due to the smaller and lower elevation watershed with spring temperatures that are warmer than Third Creek. With the barriers removed, there are no other barriers between the

downstream end of Rosewood to upstream of Village Blvd, opening roughly 1.5 miles of Rosewood Creek to LCT and other native fish.

Grading and channel work downstream from each culvert will improve sinuosity, channel morphology, and fish habitat, along with improving floodplain connectivity.

Rosewood Creek has long been considered a large contributor of fine sediment to Lake Tahoe, hence the numerous restoration projects. One section of incised channel may be a continued source of fine sediment to Lake Tahoe and may also be lowering groundwater tables which can lead to encroachment by lodgepole pine (*Pinus contorta*). The grading of channel banks will reduce incision and improve floodplain connectivity. The Project is needed to provide suitable passage conditions for aquatic species and restore a channel that maintains continuity in hydrologic and geomorphic processes.

Figure 1. Project Location and Vicinity

DIRECT AND INDIRECT ENVIRONMENTAL EFFECTS

DIRECT EFFECTS

The 4.3-acre Project area was assessed for aquatic resources and a total of 3,617 sq. feet (0.083 acres) of potential Waters were delineated in the Rosewood Creek channel and 39,795 sq. feet (0.91 acres) of potential Wetlands delineated adjacent to the channel for a total of 0.993 acres (**Figure 2- Existing Wetland Inventory**). From the table in Figure 2, the Waters includes Rosewood Creek, R4SBC and the Wetlands include RPC1 through RPC4, RP1SS. The direct effects of the proposed Project include cut of native soils and fill of native soils, gravel stream substrate, and rock/boulders. Total proposed fill in the Rosewood Creek channel is 61 cubic yards (CY) and fill in potential wetlands is 21 CY on channel bank cutback and 36 CY below the Incline Way culvert (**Table 1**).

Table 1. Fill quantities by Waters/Wetland type for the proposed Project.

MapID	Code	P. Area (sqft.)	P. Length (ft.)	P. Cut (CY)	P. Fill (CY)
RPC1	RP1SS	12,913	340	0	0
RPC2	RP1SS	19,389	523	55	21
RPC3	RP1SS	6,157	130	72	36
RPC4	RP1SS	2,410	40	0	0
PUBx	PUBx	4,037	100	0	0
Rosewood Creek	R4SBC	3,965	1,360	16	61
Total		48,871		143	118

However, the proposed Project has been designed to result in a net gain of aquatic resources. Realignment of the creek and creation of pool riffle morphology would increase sinuosity and extend the length of the existing Rosewood Creek channel from 1,200 feet to 1,360 feet and the area of the channel by 0.008 acres (**Figure 3- Proposed Impacts**). Subtract the MapID Rosewood Creek proposed area in Figure 2: 3965sqft from Figure 3: 3617sqft to get 348sqft or 0.008 acres. The improved channel morphology and revegetation would expand the potential wetland area by 0.025 acres by subtracting the MapID RPC2 and RPC3 square footage in Figure 2 from Figure 3 to return 1,074sqft or 0.025 acres.

INDIRECT EFFECTS

The indirect effects that would result from the Project include habitat and water quality benefits. The incorporation of rock structures into the channel would sustain riffles, facilitate fish passage, and improve access to quality fish habitat for the native salmonids. The improved channel morphology and increase in hydraulic connectivity would promote overbanking where possible, thereby improving riparian plant populations, reducing conifer encroachment, and promoting groundwater recharge for a more sustainable baseflow. The Project would reduce

the input of sediment to both Third Creek and Lake Tahoe from channel degradation and aid in the achievement of Lake Tahoe Total Maximum Daily Load (TMDL).

PROPOSED MITIGATION MEASURES TO REDUCE ADVERSE ENVIRONMENTAL EFFECTS

Construction of the proposed Project would include a Storm Water Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs) as follows:

- Prior to starting work, a nesting bird survey will be conducted within the project area (including a 100-foot buffer) no more than 7 days prior to construction activities if work is scheduled to occur during the breeding season—April 1 through August 31. If a nest is found, exclusionary avoidance zones (to be determined based on species-specific needs) will be created surrounding any active nests along the project alignment.
- Prior to starting work, the contractor shall install temporary BMP measures at locations where needed to control erosion and water pollution during the construction of the project. The BMP measures shall remain in place and shall be maintained in a functional condition for the duration of the construction. Silt fence is required at all cross-drain outlets. Silt fence or sediment logs will be required at other locations as shown on the drawings or staked in the field by the engineer. All erosion control measures shall meet or exceed requirements of the Tahoe Regional Planning Agency (TRPA).
- All existing vegetation shall be preserved unless specifically identified by the engineer for removal. BMPs to protect vegetation shall be installed by the contractor if required by TRPA. Contractor to revegetate any areas outside the disturbed area shown on the plans with plants approved by TRPA.
- All trees and natural vegetation to remain on the site shall be protected per TRPA.
- Soil and construction material shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of violating this condition exists.
- During construction environmental protection devices, such as erosion control, dust control, and vegetation protection devices shall be maintained at all times.
- Loose soil mounds or surfaces shall be protected from wind or water erosion by being appropriately covered when construction is not in active progress or when required by TRPA.
- Excavated material shall be stored up-gradient from the excavated area whenever possible. No material shall be stored in any stream environment zone (SEZ) or wet area.
- Only equipment of a size and type that will do the least amount of damage, under prevailing site conditions, and considering the nature of the work to be performed, will be used.
- At a minimum, the contractor or his agent shall inspect all disturbed areas, areas used for storage of materials and equipment that are exposed to precipitation, vehicle entrance and exit locations, and all BMPs weekly, prior to a forecasted rain event and within 24 hours after any actual rain event. Some exceptions to weekly inspections may

apply, such as frozen ground conditions of suspension of land disturbance activities. Refer to the SWPP.

AQUATIC RESOURCES DELINEATION

A preliminary jurisdictional delineation study of the Project Area was conducted in February 2024 to determine the location and extent of wetland or water features potentially subject to regulation by the U.S. Army Corps of Engineers (Corps) under Section 404 of the Federal Clean Water Act (CWA). The results of this study (**Attachment E- Aquatic Resources Delineation Report**) are considered preliminary until verified by the Corps. The wetland delineation was conducted in accordance with the 1987 Corps of Engineers Wetland Delineation Manual (USACE 1987), the Arid West Regional Supplement to the Corps of Engineers Wetland Delineation Manual (Version 2.0), (USACE 2008a), and the 2008 A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States (USACE 2008b).

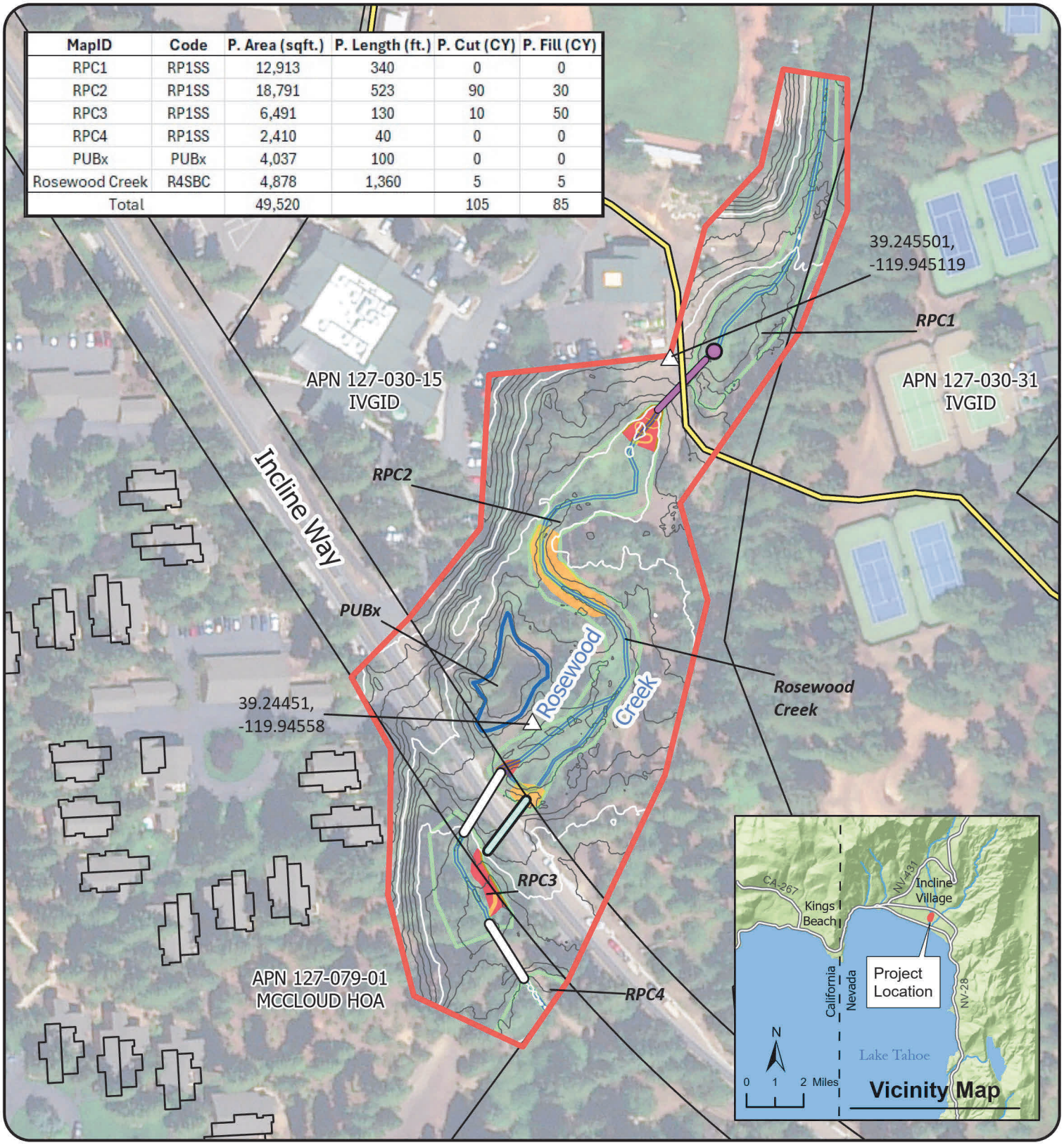
FEDERAL PERMITTEE ENDANGERED OR THREATENED SPECIES COMPLIANCE

The US Forest Service Lake Tahoe Basin Management Unit (USFS LTBMU), as the lead agency for compliance, and NTCD submitted to the US Fish and Wildlife Reno, Nevada office an Official Species List of Federal Endangered and Threatened Species that may be affected by the Lower Rosewood Creek Aquatic Organism Passage Project and the Biological Assessment. After an online video chat discussion regarding the proposed project on December 20, 2024, the US Fish and Wildlife (USFWS) and the USFS LTBMU determined the project would have No Effect on endangered or threatened species. Because the USFWS does not concur with no effect determinations, the Biological Assessment stating no effect (**Attachment F- Biological Assessment**) and the provided email conversations show Endangered Species Act Section 7 compliance documentation (**Attachment G- ESA Compliance Email Documentation**)

FEDERAL PERMITTEE NHPA COMPLIANCE

The lead agency on the Project for compliance, the USFS Lake Tahoe Basin Management Unit, provided evidence of compliance, with surveys resulting in negative findings for cultural resources. (**Attachment H- NHPA Compliance**)

MapID	Code	P. Area (sqft.)	P. Length (ft.)	P. Cut (CY)	P. Fill (CY)
RPC1	RP1SS	12,913	340	0	0
RPC2	RP1SS	18,791	523	90	30
RPC3	RP1SS	6,491	130	10	50
RPC4	RP1SS	2,410	40	0	0
PUBx	PUBx	4,037	100	0	0
Rosewood Creek	R4SBC	4,878	1,360	5	5
Total		49,520		105	85



- APE (4.3 Acres)
- Ex. Paved Path
- Ex. Standpipe/AOP Barrier to be removed
- Property Line
- Proposed Culvert
- Ex. Culvert to be replaced
- Ex. Culvert to Remain

Ex. Contour
- 10' Contour
- 2' Contour

Proposed Earthwork in Existing Aquatic Resources
- Net Cut (3,360 SF)
- Net Fill (2,060 SF)

Ex. Waters of the U.S.
- PUBx (4,037 SF)
- R4SBC (3,982 SF)
- RP1SS (39,430 SF)

Imagery Source: TRPA, 2018

Proposed Impacts
Lower Rosewood Creek AOP
Incline Village, Washoe County, NV

Scale - 1:1,600
1"=133.33'

N

0 75 150 225 300 Feet

NV State Plane Zone West	NAD 83	Prepared/Revised: 2/6/2026
Prepared by: P. Johnson, NTCD	Nevada Tahoe Conservation District	Page 6

ATTACHMENT D – DEWATERING PLAN

PRELIMINARY DEWATERING AND DIVERSION PLAN

Lower Rosewood Creek Aquatic Organism Passage Project

Prepared For:

Prepared By:

February 2026

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1.0 BACKGROUND AND OBJECTIVES

The Lower Rosewood Creek Aquatic Organism Passage Project (Project) site is in Incline Village, NV on land owned and managed by the Incline Village General Improvement District (IVGID), the McCloud Condominium Homeowner's Association (McCloud) and in the Washoe County right-of-way. The Project is being designed and managed by the Nevada Tahoe Conservation District (NTCD).

Rosewood Creek is a perennial tributary to Third Creek with drainage into Lake Tahoe. The Rosewood Creek watershed consists of urban and residential parcels, with the lower portion publicly available for recreation (disc golf). The Project area is 4.3 acres and located within the lower portion of the Rosewood Creek watershed. (**Figure 1- Project Location and Vicinity**) Rosewood Creek has undergone multiple restoration projects in the past 20 years, but unfortunately in 2003, native fish passage was not a priority. The proposed Project will remove two metal standpipe culvert crossings and replace them with new culverts that will allow for the passage of native salmonids. The first standpipe and culvert replacement would occur at Incline Way, and the second standpipe and culvert replacement would occur approximately 0.15 miles upstream at an existing multi-use path. The new culverts will provide suitable passage conditions for target aquatic species and open access to 1.5 miles of suitable aquatic species habitat on Rosewood Creek. The Project will increase channel sinuosity and improve geomorphic continuity downstream of each culvert replacement. Additional channel work within the Project area will reduce channel incision and achieve improved floodplain connectivity with potential riparian area expansion.

Objectives:

- Remove fish passage barriers and open 1.5 miles of aquatic habitat on Rosewood Creek to native salmonids;
- Install box culverts that successfully provide fish passage for native salmonids over a range of flows;
- Restore channel morphology that successfully provides fish passage for native salmonids over a range of flows;
- Restore lateral hydrologic continuity by restoring a section of channel to exhibit hydrologic connectivity with its floodplain under bankfull flows.

Project work includes the following components:

- Replacement of two metal standpipe/culvert combos with new culverts
- Channel realignment below each culvert replacement to create acceptable channel grades and morphology for fish passage
- Excavation of steep banks to improve floodplain connectivity
- Incorporation of rock into the channel design to sustain riffles and facilitate fish passage
- Use of fiber roll silt barriers, seeding and erosion control blankets to stabilize the site.
- Fish rescue and subsequent dewatering of approximately 1,200 linear feet of channel by installing coffer dams above and below the active works areas with diversion pipe from dam to dam.
- Additional revegetation work including planting native seed, willow staking and installation of erosion control blankets.

The purpose of this Dewatering and Diversion Plan (DDP) is to detail the control of creek flow during the construction of proposed improvements described above. Dewatering and discharge processes and monitoring described in the following sections will allow the project to operate at an acceptable level while protecting water quality until construction is completed.

The Contractor shall submit a detailed DDP to the Engineer for distribution to Nevada Division of Environmental Protection (NDEP), Tahoe Regional Planning Agency (TRPA) and Washoe County prior to the initiation of construction activities, and in accordance with the project plans, standard specifications, the special technical specifications, the Stormwater Pollution Protection Plan (SWPPP), and this plan. These entities will review and comment on the DDP within fifteen (15) working days and provide comments to the Engineer who will then provide the comments to the Contractor. The Contractor will update the plan based on the comments, if needed, and re-submit to the Engineer for review and acceptance. No work on the Project will be allowed to be performed until an accepted plan has been provided and certified.

The detailed dewatering plan shall include the Contractor's approach for dewatering including but not limited to: the dewatering location(s), number and size of pumping units (if applicable), power source for pumping units (if applicable), size and materials for pipes, materials for damming, piping discharge point(s), fuel storage location (if applicable), location of emergency or back up detention system, settling basin (if applicable), gravel bags, baker tank (if applicable), dirt bag filter (s) and location of dewatering infiltration area. The Contractor shall include the manufacturer's specifications where applicable.

The detailed diversion plan shall include the Contractors approach for diverting the natural flow of Rosewood Creek during construction of in-channel work including but not limited to: diversion method and materials, number and size of pumping units, power source for pumping units, piping discharge point(s), access and installation methodologies, protection methods for discharge point(s), fuel storage (if applicable), design flow rates, and final method for gradually introducing natural flow into the newly installed culverts and constructed channel while concurrently meeting all applicable regulatory water quality standards for discharge. The Contractor shall include the manufacturer's specifications where applicable.

Alternatively, the Contractor may adopt this plan and list the following information: diversion method and materials, number and size of pumping units, power source for pumping units, piping discharge point(s), access and installation methodologies, protection methods for discharge point(s), fuel storage (if applicable), and design flow rates.

2.0 REGULATORY REQUIREMENTS

2.1 Effluent Requirements

The diversion and dewatering operations as well as the introduction of flow into the newly installed culverts and realigned channel are required to meet the permit requirements of Nevada Division of Environment Protection (NDEP), and the Tahoe Regional Planning Agency (TRPA). The NDEP standards for tributaries in the Lake Tahoe Basin reference the Nevada Administrative Code - Chapter 445A – NAC 445A.1628. The TRPA standards are

specified in Chapter 81 – Water Quality Control of the TRPA Code of Ordinances. The more stringent NDEP standard for turbidity governs. NDEP Standards for discharge to tributaries of Lake Tahoe are in **Appendix B**.

Operations will be required to fully accommodate all in-channel flows for the entire duration of the Project to assure Project success and to protect the downstream reaches of Rosewood Creek, Third Creek, and Lake Tahoe from any discharge exceeding 10 NTUs, or the baseline turbidity value established prior to construction, whichever is higher. Per NDEP NAC445A.1628, single value turbidity cannot exceed 10 NTU in more than 10 percent of samples taken. Samples must be taken daily at Rosewood Creek and Lake Tahoe. See Section 3.3 for additional information on the introduction of water to newly installed and restored areas.

2.1 Aquatic Species Requirements

Prior to any dewatering or diversion activities, salvage/recovery of aquatic species will be conducted by the Nevada Tahoe Conservation District (NTCD) or their hired contractor following Nevada Division of Wildlife(NDOW) protocols, within the anticipated construction dewatering zone by electro-shocking or other suitable means. Aquatic species will be moved approximately 500 -700 feet upstream or downstream of project activities, as determined by NDOW staff. Block nets will be installed to ensure fish do not move back into the Action Area. Nets will be cleaned one to two times daily by NTCD Staff to ensure the nets are functioning.

3.0 DIVERSION REQUIREMENTS

3.1 Summary

The project area is at the downstream end of the Rosewood Creek watershed. Dewatering and diversion of the flows of Rosewood Creek will be required as part of this project. The project boundary is in the vicinity of Incline Way, extending 250 linear feet downstream of Incline Way and 800 linear feet upstream. The project improvements will be constructed in two work areas, utilizing coffer dams to dewater the creek in work areas. In one work area, project improvements include a new culvert at the upstream multi-use pedestrian path with channel realignment downstream of the culvert, the removal of steep channel bank material to reduce channel incision, and any bank restoration efforts including willow stakes, native seed and erosion control blankets. Coffer dams will be installed above and below this work area to dewater the creek until grading and in-channel work is complete (Figure 2). Flows will be pumped around the active construction area and rejoined with Rosewood Creek downstream of the active construction area. This section of creek will be ‘seasoned’ by incremental rewetting, initially using just 0.1 cubic foot per second (cfs) of the flow to rewet the channel and then increasing at increments until all water can be placed back into the channel.

The second work area will replace the culvert under Incline Way and then the channel realignment downstream of the culvert. Again, coffer dams will be utilized above and below the active construction area to dewater the creek until grading and in-channel work is complete, with flows being pumped around the active construction area and rejoined with Rosewood Creek downstream. Again, this section of creek will be ‘seasoned’ by incremental rewetting. The project will be constructed during late summer or early fall when creek flows are expected to be at their lowest.

3.2 Installing Diversion

Installation of each diversion dam shall only be initiated after approval from NTCD. Because the project is being constructed in two phases, separate diversions are necessary. Each diversion will consist of an upstream and downstream coffer dam, a pump and hose to divert flows around the active construction area and rejoin Rosewood Creek downstream of the active construction area. Plastic pipe may be used for the diversion when grades allow. See **Appendix D** for locations and lengths of proposed diversion alignments.

Each coffer dam shall be built with sandbags no larger than 14" x 26", filled with clean sand. This will enable the transport of bags by hand in wet or sensitive areas. Each dam must be lined in 6 mil (min) tear resistant plastic. See plans and specifications for additional information on installing coffer dams. Each coffer dam shall be installed and removed at the end of construction in a manner to not create turbidity and shall be done all by hand (no use of equipment). Each coffer dam site will be restored to its original condition.

Prior to coffer dam installation and channel dewatering, block nets will be installed at the upstream and downstream ends of the Action Area and all fish will be removed from the work areas by qualified biologists or NTCD staff following NDOW protocols. The dewatering pump will be capable of conveying a minimum flow of 1 cfs. The peak flow in Rosewood Creek during previous summertime monitoring for the period of July 15 to October 15 is 5 cfs, however, NTCD will do some pre-planning on the existing upstream diversion to Third Creek to limit flows to the project area to no more than 2 cfs. If a larger pump were required, it would not be useful for the lower flows expected in the creek. Two additional pumps with a minimum total capacity of 1 CFS will be on standby in the event additional flow capacity is required. In the event of a failure of any dewatering diversion pump, the contractor will be required to have an operational replacement pump of the same capacity on-site within 24 hours, or sooner if directed by the engineer. In the event of this occurrence, the engineer will closely watch meteorological conditions and hydrological conditions in the project area to ensure the contractor is meeting dewatering requirements.

3.3 Channel Flushing and Diversion Decommissioning

Flushing of newly constructed restoration improvements must occur before any diversions are decommissioned. For flushing of each work area of new Rosewood Creek channel, the diversion and associated coffer dams shall remain in place while the contractor pumps no more than 50 gallons per minute (or 0.1 cfs) into the new channel, taking care to wash and spray sections of loose dirt and sediment if possible. A pump shall be present upstream of the downstream coffer dam to pump flushing flows to upland at least 30 feet away from any active flow paths. NTCD will sample these flushing flows and notify the contractor when water quality standards have been met, and additional flows can be directed into the new channel. Additional flow may be directed using a pump or the partial lowering of the diversion dam after one iteration of flushing flows have been completed. Lowering of the diversion dam shall remove no more than one sandbag at a time with testing and water quality standards being met between each sandbag removal at a minimum. Flushing flows for the channel could take up to two full days to meet water quality standards. Once flushing is completed and meets water quality standards, the upstream coffer dam can be fully removed (Figure 2). After this removal, testing shall occur upstream of the

downstream coffer dam to ensure that standards are still being met. Once standards are met, the downstream coffer dam will be removed.

The flushing process is repeated for the second work area after construction is complete. Both upstream and downstream block nets will remain in place until after the second construction phase is complete, water quality standards are met, and all coffer dams are removed.

Decommissioning of each coffer dam shall only be initiated after acceptance of the completion of grading by the Engineer, NTCD, and NDEP. The decommissioning shall start with the shutdown of the diversion pump, if required, and then proceed with the slow and careful removal of portion(s) of the coffer dam. The portion(s) of the coffer dam to be removed shall only be the top layers of the dam in order to minimize the downstream forces of the water on the new grading. The maximum allowable sandbag size for the dam within Rosewood Creek is 14" x 26" to better control the decommissioning of the dams. The coffer dams shall be removed in a manner as to not create turbidity and shall be done all by hand (no use of equipment). Once the coffer dams have been removed, the diversion area will be restored or regraded per Engineer with appropriate water quality protection measures in place.

3.4 Phasing and Winterization

This Project has an anticipated construction time of one season, lasting approximately 8 weeks, between August 1 and October 15, 2026. Any diversions and coffer dams installed will be eliminated by the end of the construction season when in-channel construction is complete. Winterization of diversions and coffer dams are not expected to be necessary for the project.

3.5 Diversion Flow Rates

During previous Rosewood Creek restoration projects, the creek was monitored and analyzed for several years by the Dessert Research Institute to get baseline flows. This monitoring information provided an estimated baseflow value within the creek of approximately 0.6 cubic feet per second (cfs), with 90% of flow between July 1 and October 1 anticipated to be at or below this flow level, based on creek monitoring during the summers of 2003 through 2007. Based on this monitoring information, the contractor will be required to maintain a diversion capable of conveying a minimum of 1.0 cfs during all times of diversion.

The Rosewood Creek monitoring discussed above additionally provided information on the possibility of thundershowers, or summer storm events, which could occur during the construction of the project. Based on the available data (July 2003 through October 2007) the largest summer storm event generated flows of approximately 5 cfs (Dale Miller Memorandum, 9/29/03). Because this observed flow was located below Highway 28, the anticipated flows within the Project area should be similar to the 5 cfs estimate. However, summer thunderstorm events are by their nature varied in local intensity and having too large of pumps on site will not be practical for dewatering the small stream that likely has flows around 0.6 cfs during the planned construction

Previous design reports for restorations on Rosewood Creek analyzed flow hydrographs for Rosewood Creek. Estimated peak flows for the Project area during storm events from these reports are shown in Table 1 below. Note that these storm flows are much more likely to occur in the winter and spring months, outside of the proposed construction period.

Table 1: Estimated Peak Flows in project area

	Peak Flow for Indicated Return Period [cfs]	
	10 yr	**100 yr**
Rosewood Creek	23	48

Groundwater flows are expected to be encountered due to the project's location within a riparian area and a dedicated pump for spot groundwater dewatering will be required to be on site at all times during grading activities and during dewatering.

4.0 DEWATERING REQUIREMENTS

4.1 Summary

A combination of pumping and gravity flow diversions will be utilized to divert Rosewood Creek flows through the project site. The creek will be dewatered on two separate occasions at two separate locations, but only for the time necessary to complete the in-channel work. Each location will be dewatered for a period of approximately 3 weeks between August to mid- October. See **Appendix D** for locations and lengths of proposed diversion alignments. Locations of intakes and outlets are approximate; actual locations will be determined based on field conditions by the project engineer, hydrologist, and construction contractor. Coffer dams will be installed upstream and downstream of all dewatered areas prior to pumping. It is anticipated that standard coffer dams for dewatering Rosewood Creek will require 14" x 26" sandbags. Examples of sandbags will be submitted by the contractor to the engineer for approval. It is assumed the Contractor will use flexible hoses to divert the creek around the construction area, allowing the water to be diverted to a dirtbag or a natural depression to prevent dirty water entering Rosewood Creek should it be needed at any point.

4.2 Dewatering Flow Rates

The Contractor is responsible for appropriately dewatering the construction site to allow for construction of the Project improvements as described in this plan, the SWPPP and the Special Technical Specifications. Based on the monitoring information stated in Section 3.5 Diversion Flow Rates above, the contractor will be required to maintain a diversion capable of conveying a minimum of 1.0 cfs during all times of diversion. To convey streamflows and potential thunderstorm runoff with an added safety factor, pumps shall be present on site in size and quantity to convey a minimum of 2 CFS (~900 GPM). To pump potential groundwater flows, pumps shall be present on site in size and quantity to convey a minimum of 1 CFS. Contractors will be required to submit pump specifications to the project engineer for approval. At least one 2" pump must be on site at all times. Two additional pumps must be on site with a minimum size of 1".

4.3 Discharge and Treatment Options

Treatment options may include the use of dirt bag filters or use of existing water quality infrastructure such as the water quality basin at Incline Way. The effluent that discharges from any dirt bag filter on the Project site will meet groundwater quality discharge standards before being allowed to infiltrate into the soil in a location that can appropriately accommodate it. The groundwater discharge standard used will be the TRPA Standard of 200 NTU since NDEP Standards only require best management practices and daily monitoring for erosion. TRPA Standards are listed in **Appendix C**. Discharge locations shall be accepted by the Engineer prior to placement and use by the Contractor. NTCD will take the discharge samples as daily grab samples.

If the treated decant is unable to meet requirements for direct release to the creek downstream of the work area (equal to or less than 10 NTU Turbidity), then it may be applied to the vegetation within a location at least 50 feet from Rosewood Creek for infiltration or pumped to a water truck and used as applied dust control. All discharged effluent water used for irrigation will occur at least 50 feet away from Rosewood Creek and will be immediately discontinued upon evidence of runoff. The effluent shall not be discharged into sanitary sewers. The contractor shall have hoses of 200 LF in length to enable adequate pumping distance from project areas and Rosewood Creek.

If the treated water is unable to meet quality requirements and the volume of water is too large to be consumed by use for construction purposes, a sedimentation tank may be necessary to treat the water. If necessary, a sedimentation tank would be used to bring the water to effluent standards (equal or less than 10 NTU Turbidity) before being discharged to Rosewood Creek.

4.4 Contractor Requirements

Contractors for this project are required to follow all guidelines in this plan and may not deviate from the plan without approval from the engineer. A fine for work done without engineer's approval of up to $2500 per violation will pertain to any failure to follow the guidelines in this dewatering plan. As well the contractor will be subject to an hourly fine of $250 for turbidity violations.

5.0 OPERATIONS AND MAINTENANCE

All temporary sumps and pumping systems necessary for dewatering activities shall be designed, operated, and maintained to avoid pumping of fine sediments from the subsurface. Monitoring of sumps and pump systems shall be conducted by the contractor at a minimum of every two hours to ensure that subsurface fine sediments are not being removed by the dewatering operation. Dewatering fluids and debris shall be disposed of in a suitable manner in compliance with the requirements of the SWPPP. Sedimentation tanks used on the project site, if required, shall only be flushed and cleaned outside of the project area at an approved facility. Disposal of materials shall meet all federal, state, and local requirements. No runoff waters or stormwater shall be allowed to drain into excavated areas, except where specifically identified in the project plans.

Routine monitoring of all diversion and dewatering systems will be conducted daily by the Contractor during active construction. If it is discovered that any portion of the system is not functioning properly, the Contractor shall shut down operations until the problem is evaluated and the necessary repairs to the system are made.

6.0 MONITORING

6.1 Water Quality Monitoring

While routing Rosewood Creek around the active construction area, the discharge effluent water quality must not exceed the upstream turbidity by 10 NTU at a location 200' downstream from the discharge point. See **Appendices B and C** for discharge requirements. Discharge effluent water quality will be measured for turbidity at a location 200' downstream from active construction utilizing daily grab samples by NTCD. Decommissioning diversions and rewatering new sections of channel shall not proceed to the next phase until turbidity standards are met in the previous phase. Additionally, visual inspection data will be collected at any diversion or dewatering discharge points on a daily basis. If turbidity levels fall outside the limits in **Appendix B** or if the discharge exhibits any odors, discoloration or oily sheen, the Contractor shall shut down operations until the problem is evaluated and the necessary repairs to the system are made.

6.2 Visual Inspections

When functioning, the Contractor will perform a visual inspection of the entire dewatering and diversion systems from intake to discharge point and note any problems or deficiencies in the system at least every two hours. Any deficiencies shall be corrected immediately and reported to the Engineer for inspection. If there is an issue with the fish screens or fish within the dewatering areas, the Contractor shall report this to the Engineer or LTBMU Fisheries crew immediately.

6.3 Recorded Data

Water Quality data will be collected by NTCD and the data shall include the following:

- Date and time
- Location
- Distance from Active Work Site
- Upstream Turbidity in NTU
- Downstream Turbidity in NTU
- Weather conditions
- Presence of waterfowl or aquatic wildlife
- Color and clarity of discharge effluent
- Erosion or ponding downstream of discharge site
- Photographs taken

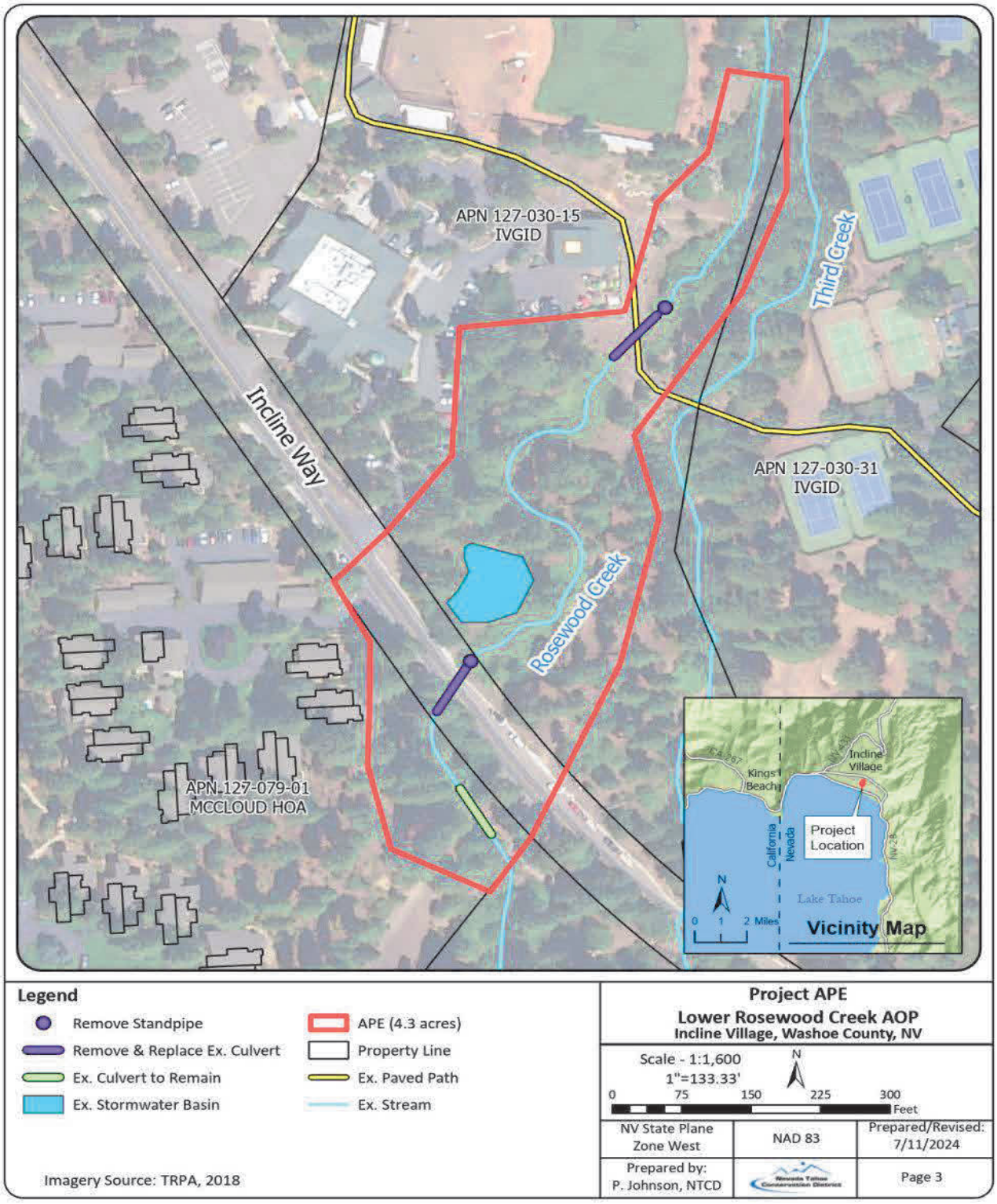


Figure 1. Project Location and Vicinity

APPENDIX A:

EXAMPLE DEWATERING AND DIVERSION DAILY INSPECTION FORM

SWPPP INSPECTION REPORT	Approx. Temperature: _____	Storm Start: _____ (date)
Project: _____	PPT: ____Y / N____	Storm Duration: _____
Inspector: _____	PPT Amount at time of inspection: _____ in.	Time since last storm: _____

DATE: _____ TIME: _____	DAY:	M	T	W	TH	F	SA	SU

Construction Stage: _____

Area of site exposed to storm water runoff: _____

Construction Activities: _____

_____

Inspection Type

Daily ☐ Prior to Predicted Rain ☐ Following Rain Event ☐

Weekly ☐ During Rain Event ☐

Blank=No Inspection NC=Needs Correction, See Observations OK or Check Mark=Meets Standards NA=Not Applicable

1)	Damage to containment dikes or erosion control fencing?	
2)	Improperly installed or ineffective erosion control fencing?	
3)	Unauthorized vehicle access, vehicles accessing designated non-construction areas not subject to disturbance?	
4)	Boundary fence damage or removal?	
5)	Disturbed areas with inadequate erosion prevention and sediment control protection?	
6)	Evidence of any sediment leakage through erosion control fencing or containment dikes?	
7)	Soil piles and other earthen materials which are unprotected or located in a drainage way?	
8)	Spilled and improperly stored chemicals, paint, fuel, oil, solvents, sealants, etc.?	
9)	Upstream runoff diversion structures (are in place and operational)?	
10)	Any evidence of sediment tracking from construction equipment?	
11)	Any signs of soil erosion or deposition down gradient from runoff discharges?	
12)	Sediment accumulation within onsite storm water drainage control facilities, and facilities in need of maintenance?	
13)	Any evidence of non-storm water discharges from the project site? Authorized, illicit, BMP condition?	
14)	Does SWPPP or WPCP require revisions?	
15)	Notable observation at relevant discharge points and downstream locations of the receiving water?	
16)	Observed impacts to the receiving water?	
17)	Photographs taken?	

Date = Defeciency to be addressed O = Observation

Date added	Observation/Inspection	WPCD #	Photo	Date Completed

SIGNATURE: _____ **TITLE:** _____

APPENDIX B:

NDEP WATER QUALITY STANDARDS FOR LAKE TAHOE TRIBUTARIES

STANDARDS OF WATER QUALITY
Lake Tahoe Tributaries

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY CRITERIA TO PROTECT BENEFICIAL USES	Beneficial Uses[a]										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X		X	
Aquatic Life Species of Concern			Cold-water fishery.										
Temperature - °C		S.V. Oct-May ≤ 10.0 S.V. Jun-Sep ≤ 20.0			*								
pH - SU		S.V. 6.5 - 9.0			*								
Dissolved Oxygen - mg/L		S.V. ≥ 6.0			*								
Total Phosphorus (as P) - mg/L		A-Avg. ≤ 0.05			*	*							
Nitrate (as N) - mg/L		S.V. ≤ 10.0						*					
Nitrite (as N) - mg/L		S.V. ≤ 0.06			*								
Unionized Ammonia - mg/L		S.V. ≤ 0.004			*								
Total Suspended Solids - mg/L		S.V. ≤ 25.0			*								
Turbidity - NTU		S.V. ≤ 10.0			*								
Color - PCU		S.V. ≤ 75.0						*					
Total Dissolved Solids - mg/L		A-Avg. ≤ 500.0						*					
Chloride - mg/L		S.V. ≤ 250.0						*					
Sulfate - mg/L		S.V. ≤ 250.0						*					
Sodium - SAR		A-Avg. ≤ 8.0		*									
E. coli - cfu/100 mL[b]		S.V. ≤ 126.0				*							
Toxic Materials		[c]											

* = The most restrictive beneficial use.

X = Beneficial use.

[a] Refer to NAC 445A.122 and 445A.1622 for beneficial use terminology.

[b] The single value must not be exceeded in more than 10 percent of the samples collected within any 30-day period.

APPENDIX C:

TRPA STANDARDS FOR SURFACE DISCHARGE

Table 3.10-2 TRPA Discharge Limits for Surface Runoff and Discharge to Groundwater

Constituent	Maximum Concentration
Surface Runoff	
Dissolved Inorganic Nitrogen as N	0.5 mg/l
Dissolved Phosphorus as P	0.1 mg/l
Dissolved Iron as Fe	0.5 mg/l
Grease and Oil	2.0 mg/l
Suspended Sediment	250 mg/l
Discharge to Groundwater	
Total Nitrogen as N	5 mg/l
Total Phosphate as P	1 mg/l
Iron as FE	4 mg/l
Turbidity	200 NTU[1]
Grease and Oil	40 mg/l

Source: TRPA 2012a

[1] **NTU = Nephelomteric Turbidity Unit**

U.S. Army Corps of Engineers
South Pacific Division

Nationwide Permit Pre-Construction Notification (PCN)

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

0. To be filled by the Corps

Application Number:	Date Received:	Date Complete:

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

a. Prospective Permittee

First - Julia Middle - _____ Last - Nickles-Bryan

Company - McCloud Condos Homeowners Association Email Address - mchoajulia@gmail.com

Address - 931 Incline Way City - Incline Village State - NV Zip - 89451

Phone (Residence/Mobile) - _____ Phone (Business) - (866) 744-1230

b. Agent (if applicable)

First - Domi Middle - _____ Last - Fellers

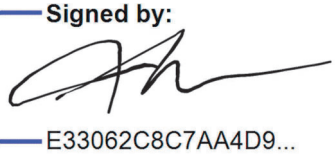
Company - Nevada Tahoe Conservation District Email Address - dfellers@ntcd.org

Address - PO Box 915 City - Zephyr Cove State - NV Zip - 89448

Phone (Residence/Mobile) - (775) 524-3482 Phone (Business) - (775) 586-1610

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

Signed by:



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Signature of Applicant

2/10/2026

Date

U.S. Army Corps of Engineers

South Pacific Division

Nationwide Permit Pre-Construction Notification (PCN)

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0. To be filled by the Corps

Application Number:	Date Received:	Date Complete:

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

a. Prospective Permittee

First - Kate Middle - Last - Hudson

Company - Incline Village General Improvement District Email Address - ksn@ivgid.org

Address - 1220 Sweetwater Rd City - Incline Village State - NV Zip - 89451

Phone (Residence/Mobile) - Phone (Business) - (775) 832-1203

b. Agent (if applicable)

First - Domi Middle - Last - Fellers

Company - Nevada Tahoe Conservation District Email Address - dfellers@ntcd.org

Address - PO Box 915 City - Zephyr Cove State - NV Zip - 89448

Phone (Residence/Mobile) - (775) 524-3482 Phone (Business) - (775) 586-1610

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

Kate S. Nelson, PE Digitally signed by Kate S. Nelson, PE Date: 2026.02.09 11:20:35 -08'00'

Signature of Applicant

2/9/2026

Date

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

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

a. Project Name or Title:	**b. County, State:**
Lower Rosewood Creek Aquatic Organism Passage Project	Washoe, NV

c. Name of Waterbody: Rosewood Creek

d. Coordinates:

☐ Unknown (please provide other location descriptions below)

Latitude - 39.244375 Longitude - 119.945706

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

The Project site is located within Washoe County, Incline Village, Nevada. The Project area is 4.3 acres and located within the lower portion of the Rosewood Creek watershed, at and above Incline Way within private parcels and Washoe County right-of-way.

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

From Reno, take Mt. Rose/SR431 to Incline Village. Take Country Club Drive south for approximately 2.5 miles (crossing SR28) and turn west onto Incline Way. In approximatley 0.35 mile, the road intersects Rosewood Creek. The Project extends approximately 0.15 miles upstream and 80 feet downstream from the Rosewood Creek and Incline Way intersection.

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

NWP 27 Aquatic Habitat Restoration, Establishment and Enhancement Activities and NWP 14 Linear Transportation Projects

4. Description of the Proposed Activity (see Instructions)

a. Complete description of the Proposed Activity:

Attachment A- Block 4a

b. Purpose of the Proposed Activity:

Attachment A- Block 4b

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

Attachment A- Block 4c

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

Attachment A- Block 4d

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

None

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

☒ Yes, Attached ☐ No

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

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

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

5. Aquatic Resource Delineation (see Instructions)

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

If yes, please attach a copy of the delineation

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

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

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

6. Compensatory Mitigation (see Instructions)

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

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

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

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

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

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

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

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

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

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

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

1. Lahontan cutthroat trout
2. Sierra Nevada yellow-legged frog
3.
4.
5.
6.

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

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

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

If yes, please attach a copy of the information.

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

see Attachment F- Biological Assessment; Attachment G- ESA Compliance documentation

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

8. Historic Properties (see Instructions)

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

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

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

1. 2.

3. 4.

5. 6.

OR

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

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

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

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

☒ Yes ☐ No

If yes, please attach a copy of the information.

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

see Attachment H

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

9. National Wild and Scenic Rivers (see Instructions)

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

☐ Yes, in a component of a National Wild and Scenic River System; ☐ Yes, in a "study" river ☒ No

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

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

10. Section 408 Permissions (see Instructions)

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

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

If yes, please attach the Section 408 permission

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

11. Compliance with NWP General Conditions (see Instructions)		
Check	**General Condition**	**Rationale for Compliance with General Condition**
☒	1. Navigation	Rosewood Creek is not a Traditional Navigable Water.
☒	2. Aquatic Life Movements	The project facilitates fish passage, opening approximately 1.5 miles of fish habitat for the native salmonids. The project will improve migration and movement for aquatic species.
☒	3. Spawning Areas	There are no known existing spawning areas in the Project area.
☒	4. Migratory Bird Breeding Areas	The Project could have potential impacts on raptors and passerines protected under the Migratory Bird Treaty Act of 1918. Impacts will be avoided or minimized by completing work outside of nesting season and conducting pre-construction surveys if within the nesting season timeframe and minimizing disturbance to identified nests.
☒	5. Shellfish Beds	NA
☒	6. Suitable Material	No unsuitable materials or toxic pollutants will be used. The fill includes native soil, natural woody debris structures, rocks and boulders. In addition, fiber roll silt barriers, seeding and erosion control blankets would be used.

☒	7. Water Supply Intakes	There are no public water supply intakes in the vicinity of the project site.
☒	8. Adverse Effects from Impoundments	Three separate 3 CY coffer dams would be installed as temporary fill to divert flow from Rosewood Creek around the project area. Upon project completion, the coffer dams would be removed and the channel restored to its previous condition should it be needed.
☒	9. Management of Water Flows	Fish rescue and subsequent de-watering of approximately 1,200 linear feet of the Rosewood Creek channel with a bypass around the active construction project area and water re-entry below the active construction project area to maintain water flow in the channel. Active construction will commence upstream and move downstream. Attachment I- Dewatering Plan
☒	10. Fills Within 100-Year Floodplains	The Project's 85 CY of permanent fill is within the 100-year floodplain with a one percent annual chance flood discharge is contained in channel (FEMA USGS The National Map Orthoimagery 5/24/24).
☒	11. Equipment	Heavy equipment used in construction would not be located within wetlands or mudflats. Measures would be taken to minimize soil disturbance.
☒	12. Soil Erosion and Sediment Controls	The Project will comply with the Tahoe Regional Planning Agency (TRPA) BMP requirements as specified in Chapter 60.4 of TRPA Code of Ordinances, along with complying with the Nevada Division of Environmental Protection;s (NDEP;s) requirement for a Stormwater Pollution Prevention Plan (SWPPP). See Attachment A Block 4D.

☒	13. Removal of Temporary Fills	Three separate 3 CY coffer dams would be installed as temporary fill to divert flow from Rosewood Creek around the project area. Upon project completion, the coffer dams would be removed and the channel restored to its previous condition should it be needed.
☒	14. Proper Maintenance	The property owners would maintain the infrastructure (culverts on Incline Village General Improvement District and Washoe County right-of-way property) installed as part of the project in perpetuity.
☒	15. Single and Complete Project	This is a single and complete project.
☒	16. Wild and Scenic Rivers	Rosewood Creek is not designated as a Wild and Scenic River.
☒	17. Tribal Rights	The proposed Project would not impair reserved tribal rights.
☒	18. Endangered Species	See Box 7 above.
☒	19. Migratory Bird and Bald and Golden Eagle Permits	The proposed Project will not result in “take” of Migratory Birds or Bald/Golden Eagles due to implementation of mitigation measures (pre-construction bird survey) and construction occurring outside the nesting season.

☒	20. Historic Properties	See Box 8 above.
☒	21. Discovery of Previously Unknown Remains and Artifacts	See box 8 above.
☒	22. Designated Critical Resource Waters	Rosewood Creek is not a designated Critical Resource Water.
☒	23. Mitigation	See Boxes 4(d) and 6 above.
☒	24. Safety of Impoundment Structures	See Attachment I- Dewatering Plan and Attachment A-Block 4D will ensure the safe usage of the temporary coffer dams.
☒	25. Water Quality, including status of Section 401 Water Quality Certification	401 Water Quality Certification is being submitted and awaiting permit.
☒	26. Coastal Zone Management, including status of CZM Consistency Certification from the State of California (for projects in or affecting the Coastal Zone)	NA

☒	27. Regional and Case-by-Case Conditions	The proposed Project will comply with all Regional and Case-by-Case conditions.
☒	28. Use of Multiple Nationwide Permits	Authorization is requested under two nationwide permits: NWP 27 Aquatic Habitat Restoration and NWP 14 Linear Transportation Projects.
☒	29. Transfer of Nationwide Permit Verifications	The permit will not be transferred.
☒	30. Compliance Certification	The applicant will provide a signed certification documenting completion of the proposed Project.
☒	31. Activities Affecting Structures or Works Built by the United States	See Box 10 above.
☒	32. Pre-Construction Notification	The agent believes this document constitutes a complete PCN.

U.S. Army Corps of Engineers

Sacramento District

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

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

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

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

☒ Yes, see attached ☐ No

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

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

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

See Attachment B- Box 2

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

The following drawings are enclosed:

☒ Plan-View drawing clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the U.S. on the site

☒ Cross-Section view drawings clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the U.S. on the Site

The plan-view and cross-section view drawings contain the following

Title block: ☒ Yes ☐ No

Legend and scale: ☒ Yes ☐ No

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

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

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

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

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

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

Have you enclosed numbered and dated pre-project color photographs showing a representative sample of waters proposed to be impacted on the site, and all waters of the U.S. proposed to be avoided on and immediately adjacent to the project site?

☒ Yes ☐ No ☐ N/A (describe why): See Attachment D- Site Photos

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

☐ Yes ☒ No ☐ N/A (describe why):

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

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

☒ Yes ☐ No ☐ N/A

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

See Attachment E- Aquatic Resources Delineation Report

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

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

See Attachment B- Box 6

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

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

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

A total of three separate 3 CY of temporary fill for coffer dams is required to de-water approximately 1,200 linear feet of the Rosewood Creek channel during construction. The creek will be rerouted around the active construction project area, re-entering the creek below the active area to maintain flow.

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

A total of three separate 3 CY of temporary fill for coffer dams would remain for the duration of channel construction, which is estimated to occur from late August to October 2026. The materials will be plastic lining along the channel and plastic bags filled with clean sand.

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

Three different 3 CY of temporary fill for coffer dams will be within the project area: one at the utmost upstream location of the project area, one below the channel bank grading, and at the upmost downstream location of the project area. Each coffer dam would be perpendicular to the Rosewood Creek channel. The channel width is 4-6 feet in each location and the coffer dams will be slightly larger with a length of 8-10 linear feet.

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

Upon project completion, the coffer dams would be removed and the channel restored to its previous condition should it be needed.

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

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

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

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

See Attachment I- Dewatering Plan

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

See Attachment I- Dewatering Plan

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

See Attachment I- Dewatering Plan

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

Total proposed fill in the Rosewood Creek channel is 5 cubic yards (CY) and fill in potential wetlands is 30 CY on channel bank cutback and 50 CY below the Incline Way culvert. Realignment of the creek and creation of pool riffle morphology would increase sinuosity and extend the length of the existing Rosewood Creek channel from 1,200 feet to 1,360 feet and the area of the channel by 0.021 acres.

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

See Attachment I- Dewatering Plan

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

See Attachment I- Dewatering Plan

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

☐ **The proposed activity would not result in the construction of a linear transportation crossing.** (skip to Box 11)

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

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

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

☐ **The proposed activity would not result in the construction of a replacement linear transportation crossing.** (skip to Box 11)

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

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

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

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

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

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

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

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

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

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

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

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

☐ T**he following are enclosed:**

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

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

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

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

The proposed project has been designed to result in a net increase in aquatic resource functions and services. Replacement of the existing standpipe–culvert combinations (see Attachment A- Block 4a) will require realignment of Rosewood Creek downstream of the installation to address the existing elevation drop. This realignment will restore pool–riffle morphology, increase channel sinuosity, and extend the length of the existing channel from approximately 1,200 feet to 1,360 feet, resulting in an increase of approximately 0.008 acres of channel area (see Attachment A- Figure 3-Proposed Impacts).

Improvements to channel morphology, combined with re-vegetation of disturbed areas, are expected to enhance hydrologic connectivity and floodplain interaction, resulting in an expansion of potential wetland area by approximately 0.025 acres (see Attachment A- Figures 2 and 3). Collectively, these improvements will increase aquatic habitat complexity and overall aquatic resource functions and services.

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

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

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

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

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

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

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

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

see Attachment I- Dewatering Plan

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

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

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

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

see Attachment A- Block 4d

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

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

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

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

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

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

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

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

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

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

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

This checklist is intended to assist prospective permittees with documenting compliance with all Sacramento District Regional Conditions, as required by Regional Condition B(1). This checklist does not include the full text of each regional condition. Please refer to the *Final Sacramento District Nationwide Permit Regional Conditions for California, excluding the Lake Tahoe Basin* (http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/Nationwide-Permits/) when completing this checklist.

Please check the box to indicate you have read and have/will comply with the Regional Condition and provide a rationale on how you have/will comply with the Regional Condition.

Check	Regional Condition	Rationale for Compliance
☐	**A(1). Primary and Secondary Zone of the Legal Delta:** NWPs 29 and 39 are revoked in in the Primary or Secondary Zone of the Legal Delta.	
☐	**A(2). Mather Core Recovery Area:** NWPs 14, 18, 23, 29, 39, 40, 42, 43, and 44 are revoked from use in vernal pools in the Mather Core Recovery Area.	
☐	**A(3). All NWPs except 3, 6, 20, 27, 32, and 38:** Revoked for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	
☐	**B(1). Additional PCN Requirements:**	See Boxes 1 through 1(p)
☐	**B(2). PCN Requirements:** PCN must be submitted for: ☐ Discharge of fill material into vernal pools. ☐ Activities in the Primary or Secondary Zone of the Legal Delta, Sacramento River, and San Joaquin River, and navigable tributaries. ☐ New or replacement linear transportation crossings where the pre-construction bankfull width of waters of the U.S. at the crossing would be reduced. ☐ Activities within 100 feet of a known natural spring. ☐ Activities located in areas designated as EFH that would result in an adverse effect to EFH. ☐ Activities in waters of the U.S. on Tribal lands.	
☐	**B(3). Utility Line Activities:** PCN shall be submitted when a utility line: ☐ Results in a discharge of dredged/fill material into perennial drainages, other perennial open waters, and/or special aquatic sites. ☐ Results in a loss of greater than 100 linear feet of intermittent or ephemeral drainages/open waters of the U.S. ☐ Includes construction of a temporary or permanent access road, substation, or foundation within waters of the U.S. ☐ Does not involve restoration of trenches to pre-project contours and conditions within 20 days. ☐ Involves discharge of excess material from trench into waters of the U.S.	

Check	Regional Condition	Rationale for Compliance
☐	**B(4). <u>New Bank Stabilization.</u>** New bank stabilization activities shall: ☐ Use native vegetation, bioengineering design techniques, or a combination, unless specifically determined to be not practicable by the Corps. **PCN will be submitted when new bank stabilization:** ☐ Involves any hard-armoring or the placement of any non-vegetated or non-bioengineered technique in waters of the U.S.	
☐	**B(5). <u>NWP 3, 6, 20, and 27:</u>** A PCN shall be submitted for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	
☐	**B(6). <u>NWP 23:</u>** A PCN shall be submitted for all activities.	
☐	**B(7). <u>NWP 27:</u>** PCN shall be submitted when the activity: ☐ Results in a discharge of dredged and/or fill material into perennial drainages and other perennial open waters of the U.S. or special aquatic sites. ☐ Results in a discharge of dredged and/or fill material into greater than 0.10 acre of 100 linear feet of intermittent or ephemeral drainages or other intermittent or ephemeral open waters of the U.S.	
☐	**B(8). <u>NWP 29 and 39.</u>** Channelization or relocation of perennial or intermittent drainages is not authorized unless the Corps determines the channelization or relocation would result in a net increase in aquatic resource functions and services. This Regional Condition does not apply to certain ditches.	
☐	**B(9). <u>NWP 46.</u>** Discharge shall not cause the loss of greater than 0.5 acre or 300 linear feet of waters of the U.S., unless specifically waived in writing by the Corps.	
☐	**B(10). <u>Linear Transportation Crossings.</u>** The following criteria apply: ☐ For Federally-listed fish species, span the stream or river or use bottomless arch culvert. ☐ Shall be constructed to maintain pre-construction course, condition, capacity and location of open waters unless the activity would result in a net increase in aquatic resource functions and services. ☐ Replacement linear transportation crossings shall be designed to approximate the bankfull width and depth of upstream and downstream open waters, unless determined to be not practicable by the Corps.	
☐	**B(11). <u>Standing or Flowing Water:</u>** Unless determined to be not practicable by the Corps, no construction activities shall occur within standing or flowing waters. Must allow inspection of activity(s).	

Check	Regional Condition	Rationale for Compliance
☐	**B(12). Lead Federal Agency:** Must submit documentation for compliance with Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, and National Historic Preservation Act.	
☐	**C(1). Recordation.** Permittee will record NWP verification for areas required to be preserved as a special condition or where boat ramps, docks, marinas, piers, or permanently moored vessels will be constructed or placed in or adjacent to navigable waters.	
☐	**C(2). Compensatory Mitigation:** ☐ For permittee responsible compensatory mitigation, develop and submit a final comprehensive mitigation and monitoring plan for approval prior to commencement of construction activities in waters of the U.S. ☐ Complete the construction of compensatory mitigation before or concurrent with construction of authorized activity and submit proof of purchase of mitigation bank or in-lieu fee program credits prior to commencement of construction of the authorized activity. ☐ Compensatory mitigation for unavoidable impacts within the Secondary Zone of the Legal Delta shall be conducted within the Secondary Zone of the Legal Delta.	
☐	**C(3). Best Management Practices (BMPs):** Unless determined to be not practicable or appropriate by Corps, permittee shall employ and maintain construction BMPs.	
☐	**C(4). Highly Visible Markers:** Unless determined to be not practicable or appropriate by Corps, permittee shall clearly identify the limits of the authorized activity with highly visible markers. The permittee is prohibited from any activity that impacts waters of the U.S. outside of the permit limits.	
☐	**C(5). Temporary Access and Construction:** For temporary fill within waters of the U.S., the permittee shall: ☐ Use spawning quality gravel where appropriate, as determined by the Corps. ☐ Install a horizontal marker to delineate the existing bottom elevation of waters of the U.S. ☐ Remove all temporary fill and restore the area to pre-project contours and conditions within 30 days following completion of construction activities in waters of the U.S.	
☐	**C(6). Utility Line Activities:** ☐ Permittee shall ensure utility line does not result in draining waters of the U.S. ☐ Unless determined not practicable or appropriate by the Corps, permittee shall dispose of excess material from utility line trench in an upland location.	

Check	Regional Condition	Rationale for Compliance
☐	**C(7). <u>Contractor Compliance:</u>** Permittee is responsible for all work and ensuring contractors and workers are aware of and adhere to terms and conditions of the authorization. The permittee shall ensure a copy of the authorization and drawings are available at the site.	
☐	**C(8). <u>Site Inspection:</u>** Permittee shall allow Corps representatives to inspect authorized activity and any avoidance, preservation, and/or compensatory mitigation areas at any time deemed necessary.	
☐	**C(9). <u>Compliance Certification:</u>** Permittee shall submit: ☐ As-built drawings; ☐ Numbered and dated post-construction photographs; ☐ Description and photo-documentation of all BMPs; ☐ For temporary fills in waters of the U.S., a description and photo-documentation of all restored waters of the U.S.	

Compliance with Sacramento District Regional Conditions for Nevada and the Lake Tahoe Basin in California

This checklist is intended to assist prospective permittees with documenting compliance with all Sacramento District Regional Conditions, as required by Regional Condition B(1). This checklist does not include the full text of each regional condition. Please refer to the *Final Sacramento District Nationwide Permit Regional Conditions for Nevada and the Lake Tahoe Basin in California* (http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/Nationwide-Permits/) when completing this checklist.

Please check the box to indicate you have read and have/will comply with the Regional Condition and provide a rationale on how you have/will comply with the Regional Condition.

Check	Regional Condition	Rationale for Compliance
☒	**A(1). All NWPs except 3, 6, 20, 27, 32, and 38:** Revoked for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	The proposed activity associated with the Project proposed under NWP 27 and NWP 14 does not include histosols, fen, bog, peatlands or wetlands contiguous with a fen.
☒	**A(2). Lake Tahoe:** All NWPs revoked in Lake Tahoe upon issuance of Regional General Permit	Currently there are no General Permits applicable to the Lake Tahoe Basin.
☒	**B(1). Additional PCN Requirements:**	See Boxes 1 through 1(p)
☒	**B(2). PCN Requirements:** PCN must be submitted for: ☐ New or replacement linear transportation crossings where the pre-construction bankfull width of waters of the U.S. at the crossing would be reduced. ☐ Activities within 100 feet of a known natural spring. ☐ Activities in waters of the U.S. on Tribal lands. ☐ Activities proposing in-stream grouted outfall structures or grouting of stream bottoms..	NA
☒	**B(3). Utility Line Activities:** PCN shall be submitted when a utility line: ☐ Results in a loss of greater than 100 linear feet of perennial, intermittent, or ephemeral drainages/open waters of the U.S. ☐ Includes construction of a temporary or permanent access road, substation, or foundation within waters of the U.S. ☐ Does not involve restoration of trenches to pre-project contours and conditions within 20 days. ☐ Involves discharge of excess material from trench into waters of the U.S.	NA
☒	**B(4). New Bank Stabilization.** New bank stabilization activities shall: ☒ Use native vegetation, bioengineering design techniques, or a combination, unless specifically determined to be not practicable by the Corps. **PCN will be submitted when new bank stabilization:** ☐ Involves any hard-armoring or the placement of any non-vegetated or non-bioengineered technique in waters of the U.S.	Bank stabilization with include native seed mix, willow staking and installation of erosion control blankets.

Check	Regional Condition	Rationale for Compliance
☒	**B(5). NWP 3, 6, 20, and 27:** A PCN shall be submitted for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	The activity would not occur in a histosols, fen, bog, peatland or wetland contiguous with a fen.
☒	**B(6). NWP 23:** A PCN shall be submitted for all activities.	The activity is not proposed under NWP 23
☒	**B(7). NWP 27:** PCN shall be submitted for all activities. The following applies: ☐ Facilities for controlling stormwater runoff, construction of water parks, and the use of grout or concrete for in-stream structures are not authorized. ☒ For stream restoration, post-project stream sinuosity shall be appropriate and equal to or greater than pre-project sinuosity. ☒ Structures shall allow the passage of aquatic organisms, recreational water craft, or other navigational structures, unless waived.	The two new culverts replacing the standpipe culvert combos will allow for aquatic organism passage with increased aquatic habitat, increased stream sinuosity and improved hydrologic connectivity below the culverts to adjust for the large elevation drop associated with the existing standpipe culvert combo.
☒	**B(8). NWP 29 and 39.** Channelization or relocation of perennial or intermittent drainages is not authorized unless the Corps determines the channelization or relocation would result in a net increase in aquatic resource functions and services. This Regional Condition does not apply to certain ditches.	The activity is not proposed under NWP 29 or 39
☒	**B(9). NWP 46.** Discharge shall not cause the loss of greater than 0.5 acre or 300 linear feet of waters of the U.S., unless specifically waived in writing by the Corps.	The activity is not proposed under NWP 46
☒	**B(10). Linear Transportation Crossings.** The following criteria apply: ☒ For Federally-listed fish species, span the stream or river or use bottomless arch culvert. ☒ Shall be constructed to maintain pre-construction course, condition, capacity and location of open waters unless the activity would result in a net increase in aquatic resource functions and services. ☐ Replacement linear transportation crossings shall be designed to approximate the bankfull width and depth of upstream and downstream open waters, unless determined to be not practicable by the Corps.	The Project will replace two standpipe culvert fish barriers with new fish friendly culverts. The activity would result in a net increase in aquatic resources in Rosewood Creek (0.021 acres).
☒	**B(11). Standing or Flowing Water:** Unless determined to be not practicable by the Corps, no construction activities shall occur within standing or flowing waters. Must allow inspection of activity(s).	See Attachemnt I- Dewatering Plan- no construction activities will occur within standing or flowing waters.
☒	**B(12). Lead Federal Agency:** Must submit documentation for compliance with Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, and National Historic Preservation Act.	The US Forest Service Lake Tahoe Basin Management Unit has submitted the appropriate documentation (See Attachments F, G and H).

Check	Regional Condition	Rationale for Compliance
☒	**C(1). <u>Recordation.</u>** Permittee will record NWP verification for areas required to be preserved as a special condition or where boat ramps, docks, marinas, piers, or permanently moored vessels will be constructed or placed in or adjacent to navigable waters.	NA
☒	**C(2). <u>Compensatory Mitigation:</u>** ☐ For permittee responsible compensatory mitigation, develop and submit a final comprehensive mitigation and monitoring plan for approval prior to commencement of construction activities in waters of the U.S. ☐ Complete the construction of compensatory mitigation before or concurrent with construction of authorized activity and submit proof of purchase of mitigation bank or in-lieu fee program credits prior to commencement of construction of the authorized activity.	No compensatory mitigation is required because the Project would result in a net increase in aquatic resources.
☒	**C(3). <u>Best Management Practices (BMPs):</u>** Unless determined to be not practicable or appropriate by Corps, permittee shall employ and maintain construction BMPs.	The Permittee shall implement and maintain construction BMPs.
☒	**C(4). <u>Highly Visible Markers:</u>** Unless determined to be not practicable or appropriate by Corps, permittee shall clearly identify the limits of the authorized activity with highly visible markers. The permittee is prohibited from any activity that impacts waters of the U.S. outside of the permit limits.	The Permittee shall use highly visible markers to identify the limits of the authorized activity.
☒	**C(5). <u>Temporary Access and Construction:</u>** For temporary fill within waters of the U.S., the permittee shall: ☐ Use spawning quality gravel where appropriate, as determined by the Corps. ☐ Install a horizontal marker to delineate the existing bottom elevation of waters of the U.S. ☒ Remove all temporary fill and restore the area to pre-project contours and conditions within 30 days following completion of construction activities in waters of the U.S.	Three different 3 CY coffer dams would be installed as temporary fill to divert flow from Rosewood Creek around the project area. Upon project completion, the coffer dams would be removed and the channel restored to its previous condition should it be needed.
☒	**C(6). <u>Utility Line Activities:</u>** ☐ Permittee shall ensure utility line does not result in draining waters of the U.S. ☐ Unless determined not practicable or appropriate by the Corps, permittee shall dispose of excess material from utility line trench in an upland location.	NA
☒	**C(7). <u>Contractor Compliance:</u>** Permittee is responsible for all work and ensuring contractors and workers are aware of and adhere to terms and conditions of the authorization. The permittee shall ensure a copy of the authorization and drawings are available at the site.	A copy of the authorization will be available on the construction site.

Check	Regional Condition	Rationale for Compliance
☒	**C(8). <u>Site Inspection:</u>** Permittee shall allow Corps representatives to inspect authorized activity and any avoidance, preservation, and/or compensatory mitigation areas at any time deemed necessary.	The Permittee will allow access for inspection purposes.
☒	**C(9). <u>Compliance Certification:</u>** Permittee shall submit: ☒ As-built drawings; ☒ Numbered and dated post-construction photographs; ☒ Description and photo-documentation of all BMPs; ☒ For temporary fills in waters of the U.S., a description and photo-documentation of all restored waters of the U.S.	All required documentation will be submitted after construction is completed.

Compliance with Sacramento District Regional Conditions for Utah

This checklist is intended to assist prospective permittees with documenting compliance with all Sacramento District Regional Conditions, as required by Regional Condition B(1). This checklist does not include the full text of each regional condition. Please refer to the *Final Sacramento District Nationwide Permit Regional Conditions for Utah* (http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/Nationwide-Permits/) when completing this checklist.

Please check the box to indicate you have read and have/will comply with the Regional Condition and provide a rationale on how you have/will comply with the Regional Condition.

Check	Regional Condition	Rationale for Compliance
☐	**A(1). <u>All NWPs except 3, 6, 20, 27, 32, and 38:</u>** Revoked for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	
☐	**B(1). <u>Additional PCN Requirements:</u>**	See Boxes 1 through 1(p)
☐	**B(2). <u>PCN Requirements:</u>** PCN must be submitted for: ☐ All discharges below the OHWM of the Great Salt Lake in areas containing bioherms ☐ New or replacement linear transportation crossings where the pre-construction bankfull width of waters of the U.S. at the crossing would be reduced. ☐ Activities within 100 feet of a known natural spring. ☐ Activities in waters of the U.S. on Tribal lands. ☐ Activities proposing in-stream grouted outfall structures or grouting of stream bottoms..	
☐	**B(3). <u>Utility Line Activities:</u>** PCN shall be submitted when a utility line: ☐ Results in a loss of greater than 100 linear feet of perennial, intermittent, or ephemeral drainages/open waters of the U.S. ☐ Does not involve restoration of trenches to pre-project contours and conditions within 20 days. ☐ Involves discharge of excess material from trench into waters of the U.S.	
☐	**B(4). <u>New Bank Stabilization.</u>** New bank stabilization activities shall: ☐ Use native vegetation, bioengineering design techniques, or a combination, unless specifically determined to be not practicable by the Corps. **PCN will be submitted when new bank stabilization:** ☐ Involves any hard-armoring or the placement of any non-vegetated or non-bioengineered technique in waters of the U.S.	
☐	**B(5). <u>NWP 3, 6, 20, and 27:</u>** A PCN shall be submitted for activities in histosols, fens, bogs, peatlands, and in wetlands contiguous with fens.	
☐	**B(6). <u>NWP 23:</u>** A PCN shall be submitted for all activities.	

Check	Regional Condition	Rationale for Compliance
☐	**B(7). NWP 27:** PCN shall be submitted for all activities. The following applies: ☐ Facilities for controlling stormwater runoff, construction of water parks, and the use of grout or concrete for in-stream structures are not authorized. ☐ For stream restoration, post-project stream sinuosity shall be appropriate and equal to or greater than pre-project sinuosity. ☐ Structures shall allow the passage of aquatic organisms, recreational water craft, or other navigational structures, unless waived.	
☐	**B(8). NWP 29 and 39.** Channelization or relocation of perennial or intermittent drainages is not authorized unless the Corps determines the channelization or relocation would result in a net increase in aquatic resource functions and services. This Regional Condition does not apply to certain ditches.	
☐	**B(9). NWP 46.** Discharge shall not cause the loss of greater than 0.5 acre or 300 linear feet of waters of the U.S., unless specifically waived in writing by the Corps.	
☐	**B(10). Linear Transportation Crossings.** The following criteria apply: ☐ For Federally-listed fish species, span the stream or river or use bottomless arch culvert. ☐ Shall be constructed to maintain pre-construction course, condition, capacity and location of open waters unless the activity would result in a net increase in aquatic resource functions and services. ☐ Replacement linear transportation crossings shall be designed to approximate the bankfull width and depth of upstream and downstream open waters, unless determined to be not practicable by the Corps.	
☐	**B(11). Standing or Flowing Water:** Unless determined to be not practicable by the Corps, no construction activities shall occur within standing or flowing waters. Must allow inspection of activity(s).	
☐	**B(12). Lead Federal Agency:** Must submit documentation for compliance with Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, and National Historic Preservation Act.	
☐	**C(1). Recordation.** Permittee will record NWP verification for areas required to be preserved as a special condition or where boat ramps, docks, marinas, piers, or permanently moored vessels will be constructed or placed in or adjacent to navigable waters.	

Check	Regional Condition	Rationale for Compliance
☐	**C(2). <u>Compensatory Mitigation:</u>** ☐ For permittee responsible compensatory mitigation, develop and submit a final comprehensive mitigation and monitoring plan for approval prior to commencement of construction activities in waters of the U.S. ☐ Complete the construction of compensatory mitigation before or concurrent with construction of authorized activity and submit proof of purchase of mitigation bank or in-lieu fee program credits prior to commencement of construction of the authorized activity.	
☐	**C(3). <u>Best Management Practices (BMPs):</u>** Unless determined to be not practicable or appropriate by Corps, permittee shall employ and maintain construction BMPs.	
☐	**C(4). <u>Highly Visible Markers:</u>** Unless determined to be not practicable or appropriate by Corps, permittee shall clearly identify the limits of the authorized activity with highly visible markers. The permittee is prohibited from any activity that impacts waters of the U.S. outside of the permit limits.	
☐	**C(5). <u>Temporary Access and Construction:</u>** For temporary fill within waters of the U.S., the permittee shall: ☐ Use spawning quality gravel where appropriate, as determined by the Corps. ☐ Install a horizontal marker to delineate the existing bottom elevation of waters of the U.S. ☐ Remove all temporary fill and restore the area to pre-project contours and conditions within 30 days following completion of construction activities in waters of the U.S.	
☐	**C(6). <u>Utility Line Activities:</u>** ☐ Permittee shall ensure utility line does not result in draining waters of the U.S. ☐ Unless determined not practicable or appropriate by the Corps, permittee shall dispose of excess material from utility line trench in an upland location.	
☐	**C(7). <u>Contractor Compliance:</u>** Permittee is responsible for all work and ensuring contractors and workers are aware of and adhere to terms and conditions of the authorization. The permittee shall ensure a copy of the authorization and drawings are available at the site.	
☐	**C(8). <u>Site Inspection:</u>** Permittee shall allow Corps representatives to inspect authorized activity and any avoidance, preservation, and/or compensatory mitigation areas at any time deemed necessary.	

Check	Regional Condition	Rationale for Compliance
☐	**C(9). <u>Compliance Certification:</u>** Permittee shall submit: ☐ As-built drawings; ☐ Numbered and dated post-construction photographs; ☐ Description and photo-documentation of all BMPs; ☐ For temporary fills in waters of the U.S., a description and photo-documentation of all restored waters of the U.S.	