



Instructions for U.S. Army Corps of Engineers Nationwide Permit Pre-Construction Notification

The purpose of this instructional document is to provide permittees, or applicants, with recommendations to prepare a complete pre-construction notification (PCN), with helpful tips noted where appropriate. Additional tools and resources can be found at the end of the instructional PCN Form. Summaries of the Nationwide Permits (NWP) and applicable State Regional Conditions are located on our website at: <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/NWP/>.

Please note that a PCN to the U.S. Army Corps of Engineers (Corps) is required before starting work in some cases. Also note that additional information or mitigation may be required, based on the scope of work and corresponding impacts to natural and cultural resources.

Per general condition 32(c) of the NWPs, the PCN form (Form ENG 6082) may be used for NWP PCNs (alternatively, a letter containing the required information outlined in general condition 32(b) may also be prepared in lieu of Form ENG 6082). [Form ENG 6082](#) captures the contents of the PCN outlined in general condition 32(b); download and save the PDF to your computer, then open the file in Adobe Acrobat. Upon opening, you will receive a "Please Wait..." message and you will need to enable all features to use the form. Once the Corps receives a PCN, either in letter format or via Form ENG 6082, the PCN is reviewed by the Corps for completeness.

Note that the terms "applicant" and "permittee" are used interchangeably. The applicant/permittee is the party with legal or financial interest in the project and is generally responsible for the long-term maintenance of the permitted structure or fill. In most cases, the applicant is the landowner or entity paying for the work. The consultant, agent, or construction firm should not be identified as the applicant. If the landowner or financial backer of the project is not responsible for the long-term maintenance, it is recommended that the PCN contain an agreement regarding permit transference to the appropriate entity. Please contact the [Corps Regulatory Office](#) in your area if you have questions:

Albuquerque District Regulatory Office

New Mexico/Texas Branch Office

4101 Jefferson Plaza NE
Albuquerque, New Mexico 87109-3435
(505) 342-3283
Email: CESPA-RD-NM@usace.army.mil

Albuquerque District Regulatory Office

Projects within Navajo Nation
See [Area of Responsibility Map](#) for Contact
Phone Numbers or call (505) 342-3374
Email: SPA-RD-NN@usace.army.mil

Northwestern Colorado Branch Grand Junction Regulatory Office

400 Rood Avenue, Room 224
Grand Junction, Colorado 81501-2520
(970) 243-1199
Email: SPA-RD-CO@usace.army.mil

Southern Colorado Branch Pueblo Regulatory Office

201 West 8th Street, Suite 350
Pueblo, Colorado 81003
(719) 543-9459
Email: SPA-RD-CO@usace.army.mil

Southern Colorado Branch Durango Regulatory Office

1970 East 3rd Avenue, Suite 109
Durango, Colorado 81301
(970) 259-1764
Email: SPA-RD-CO@usace.army.mil

New Mexico/Texas Branch Las Cruces Regulatory Office

505 South Main Street, Suite 142
Las Cruces, New Mexico 88001
(575) 556-9939
Email: CESPA-RD-TX@usace.army.mil

U.S. Army Corps of Engineers, Albuquerque District
NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN) INSTRUCTIONS

Not for Official Use – Instructional Document

Date
October 2023

This instructional document follows the current ENG Form 6082 format. Instructions from ENG Form 6082 are provided in black text with gray background, with clarification and additional instruction identified in blue.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see *sample drawings and/or instructions*) and be submitted to the district engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

<p>5. APPLICANT'S NAME</p> <p>Enter the name and the email address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.</p> <p>First - Middle - Last -</p> <p>Company -</p> <p>Company Title -</p> <p>E-mail Address -</p>	<p>8. AUTHORIZED AGENT'S NAME AND TITLE (<i>agent is not required</i>)</p> <p>Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization.</p> <p>First - Middle - Last -</p> <p>Company -</p> <p>E-mail Address -</p>
<p>6. APPLICANT'S ADDRESS</p> <p>Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.</p> <p>Address-</p> <p>City - State - Zip - Country -</p>	<p>9. AGENT'S ADDRESS (<i>if applicable</i>)</p> <p>Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.</p> <p>Address-</p> <p>City - State - Zip - Country -</p>
<p>7. APPLICANT'S PHONE NOS. with AREA CODE</p> <p>a. Residence b. Business c. Fax d. Mobile</p>	<p>10. AGENT'S PHONE NOS. with AREA CODE (<i>if applicable</i>)</p> <p>a. Residence b. Business c. Fax d. Mobile</p>

STATEMENT OF AUTHORIZATION (*if applicable*)

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

SIGNATURE OF APPLICANT

DATE

12. PROJECT NAME or TITLE

Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

The project name should be specific enough to identify the type of activity to be authorized, general location, and to differentiate from similar, previous actions. It is recommended to use names that are consistent with other federal, state, or local permit requests. Avoid naming the project using only the action type or waterway name with the project type. If possible, refrain from using the landowner or developer name, as these can change over time. However, if the project is a single-family homeowner, use of the landowner's name is appropriate.

LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

(Required per general condition 32(b)(2) and (4))

13. NAME OF WATERBODY, IF KNOWN (if applicable)

Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Provide a brief description of the lake, river, or stream that is within, or nearest to, the project site. If it is an unnamed tributary or wetland complex, describe the connection to the nearest named waterbody. Include the dimensions of the waterway [area or length, width, depth at the Ordinary High Water Mark (i.e., the vegetation or sediment change line on the bank)], or area of the wetland within the project limits, and water type (stream; emergent, scrub/shrub, fen or forested wetland; ditch; lake; pond, etc.). A table providing this information is useful if multiple waterways exist within the project area.

<u>Aquatic Resource Name</u>	<u>Aquatic Resource Type (Cowardin Classification)</u>	<u>Area (Sq ft or acres)</u>	<u>Linear Length (feet)</u>	<u>Lat</u>	<u>Long</u>
Total					

14. PROPOSED ACTIVITY STREET ADDRESS (if applicable)

If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

City:

State:

Zip:

For projects without an address, provide other geographic identifiers (e.g., nearest road, landmarks and site boundaries).

15. LOCATION OF PROPOSED ACTIVITY

Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Latitude °N Longitude °W

Provide coordinates in degree decimal (NAD 83 is preferred. Be sure to distinguish which datum you use if not NAD 83.).

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN

If available, provide the Tax Parcel Identification number of the site, including the Section, Township, Range, and/or local Municipality where the site is located.

State Tax Parcel ID

Municipality

Section

Township

Range

17. DIRECTIONS TO THE SITE

Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Directions to the project site from the closest municipality is preferred. The PCN should contain a location map at a reasonable scale to include road names and a north arrow. It is acceptable to provide multiple maps at different scales, if necessary, to clarify the project vicinity and location. It is preferred that the project location is identified on an aerial image and/or a USGS Topographic map. The *Updated Map and Drawing Standards for the South Pacific Division Regulatory Program*, dated February 10, 2016 may be used as an example (<https://www.spd.usace.army.mil/Portals/13/docs/regulatory/standards/MapStand020816.pdf>).

18. IDENTIFY THE SPECIFIC NATIONWIDE PERMIT(S) YOU PROPOSE TO USE

List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

Required per general condition 32(b)(3). Note: The Corps may determine what permit(s) best fit the authorized work once a complete PCN is received and it is acceptable to leave this section blank if unknown.

19. DESCRIPTION OF PROPOSED NATIONWIDE PERMIT ACTIVITY (Required per general condition 32(b)(4))

Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g., a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Provide a detailed description of the proposed activity, including all components that are directly associated with the activities occurring within all aquatic resources and direct/indirect adverse environmental effects the activity would cause.

Include a description of how the project will affect existing conditions, both in the project area and immediate vicinity (e.g. soils, vegetation, hydrology, federally-listed threatened/endangered species, cultural resources, tribal treaty rights, wildlife or fish habitat, migratory birds, etc.) should be provided.

Include plan and cross-section figures of all work and structures (proposed and existing) at the project site; as well as any other maps that provide relevant information about the project and project area. At a minimum, maps and figures should include a scale bar, north arrow, date, title, legend and figure/sheet number. The *Updated Map and Drawing Standards for the South Pacific Division Regulatory Program*, dated February 10, 2016 may be used as an example.

A description of construction methods, materials and erosion/ siltation control is helpful. Describe if the project will involve temporary construction activities such as access roads, staging, and/or stockpiling material within aquatic resources, laydown areas, dewatering, etc.; demarcate such areas on the impact location map and provide detailed plans. Identify the location of excavated material and provide a description of the disposal site.

Please note that for linear projects, where one or more single and complete crossings require a PCN, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, streams, or other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project and will not change the notification requirements of NWP activities that do not require notification.

Other Federal Agency Involvement – if applicable, describe the involvement of any other federal agency (permit, license, landowner, funding, technical assistance, etc.). Further, specify if another agency has been identified as the lead federal agency. Provide points of contact for all other federal agencies involved in the project, including their name, phone number, and email address.

In addition, the applicant should identify that all necessary authorizations from agencies and landowners to perform the requested work have been obtained.

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES

Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

Describe how the action avoids and minimizes impacts to aquatic resources. Discuss best management practices and/or erosion control measures to be implemented. For proposed activities regulated under Section 10 of Rivers and Harbors Act, the description needs to address impacts to the condition and capacity of navigable waters and navigability; and explain how safe navigation would be protected.

21. PURPOSE OF NATIONWIDE PERMIT ACTIVITY

Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

22. QUANTITY OF WETLANDS, STREAMS, OR OTHER TYPES OF WATERS DIRECTLY AFFECTED BY PROPOSED NATIONWIDE PERMIT ACTIVITY

For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, or occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 22 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP.

Include the type and quantity of material that will be discharged within each aquatic resource, with totals for each column and quantities for impacts (both temporary and permanent), and identify if a loss will occur (see definition for “loss” from NWP terms included below).

As defined by the NWPs, loss of waters of the United States means waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. The loss of stream bed includes the acres of stream bed that are permanently adversely affected by filling or excavation because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters or wetlands for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

For projects containing multiple aquatic resource impacts, it is helpful, but not required, to provide an itemized table (example below) within a separate attachment marked Block 22, along with a map identifying the impact locations.

<u>Aquatic Resource Name</u>	<u>Aquatic Resource Type</u> (Cowardin Classification)	<u>Impact Type</u> (fill, excavation, culvert, rip-rap, drop structure, channel relocation, impoundment, etc.)	<u>Volume of Impact</u> (cubic yards below OHWM)	<u>Impact Duration</u> (temp/ perm)	<u>Loss</u> (Yes/ No)	<u>Area of Impact</u> (Sq ft or acres)	<u>Linear Length of Impact</u> (feet)	<u>Lat</u>	<u>Long</u>
Total									

If there is more than one NWP being requested, include a column that identifies which impact is associated with which permit.

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

Per general condition 32(b)(5), the PCN **must** include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams on the project site. Wetland delineations must be prepared in accordance with the [1987 Wetland Delineation Manual and appropriate regional supplement](#). Requesting the Corps to delineate the special aquatic sites and other waters on the project site, may cause permitting delays, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day review period will not start until the delineation has been submitted to or completed by the Corps, as appropriate.

23. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity.

List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs.

If more space is needed or a map would better depict the description, enclose a separate attachment marked *Block 23*.

24. If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and requires pre-construction notification, explain how the compensatory mitigation requirement in paragraph (c) of general condition 23 will be satisfied, or explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required for the proposed activity.

Paragraph (c) of NWP general condition 23 requires compensatory mitigation at a minimum one for one replacement ratio for all wetland losses that exceed 1/10 acre and require pre construction notification, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre, or provide an explanation of why the district engineer should not require wetland compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Per general condition 23 and 32(b)(6), if the proposed activity will result in the loss of greater than 1/10 acre of wetlands or 3/100 acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required (see Block 22 for further clarification of “loss”). As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

Compensatory mitigation can be in the form of creation, restoration, enhancement, preservation, or a combination of these options. Indicate the amount and type of proposed compensatory mitigation, which could consist of the purchase of credits from a mitigation bank or in-lieu fee program, permittee-responsible mitigation, or a combination of these options. See the Final Rule at [33 CFR 332.4\(c\)](#) and the [South Pacific Division’s mitigation and monitoring requirements](#) for compensatory mitigation monitoring plan requirements.

If the mitigation will include the purchase of credits from a mitigation bank or in-lieu fee (ILF) program, indicate the mitigation bank or ILF

to be used, the amount of credit to be purchased, and provide evidence that the mitigation bank or ILF has sufficient available credit. If mitigation is required, the PCN must include a conceptual mitigation plan. A final mitigation plan will need to be submitted and approved prior to project implementation. Note that if the proposed compensatory mitigation is permittee-responsible mitigation and the impact is located within the service area of a mitigation bank or ILF program, your PCN must include a description why permittee responsible mitigation is the environmentally preferable mitigation.

The *South Pacific Division Mitigation Ratio Setting Checklist* (MRSC) is a net sum calculator the Corps uses to document the analysis and corresponding rationale for determining a mitigation ratio to ensure the mitigation is sufficient to replace the lost aquatic resource functions in accordance with 33 CFR 323.3(f)(2). For projects that require mitigation, please complete and include the MRSC with your PCN.

The *2015 South Pacific Division Mitigation and Monitoring Guidelines* state that a functional or conditional assessment method (FCAM) “should be used, where available and appropriate, for larger, more complex projects (generally those having permanent impacts greater than 0.5 acre of waters of the United States and/or greater than 300 linear feet of jurisdictional stream bed).” Utilizing a FCAM will assist in assessing project-related impacts to aquatic resources and mitigation site selection.

The Functional Assessment of Colorado Wetlands (FACWet) and the Colorado Stream Quantification Tool (CSQT) have been approved for use statewide in Colorado. The Colorado Mitigation Procedures (COMP) states that a “*FACWet or another case-by-case Corps-approved FCAM should be used for all wetland mitigation sites to document the change in functions that is reasonably likely to occur as a result of the mitigation activities*” and “*whenever stream mitigation is required, the applicant will be required to provide the Corps with a stream mitigation plan that would offset the functional loss that is anticipated to result from the permitted activity*”.

25. Is any portion of the nationwide permit activity already complete? Yes No If Yes, describe the completed work:

Describe any activities pertaining to the requested authorized work that have already been completed.

Enter “N/A” if the project has not commenced.

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity.

If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Per general condition 18 and 32(b)(7), for non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. This information can be obtained from U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC). It is helpful to include a table (example provided below) that provides the names of the federally listed species within the county where the project is located and whether the species and/or its designated critical habitat will be affected by the proposed project.

<u>Species Name</u>	<u>Determination</u>
- Federally listed species within the county for the project	Species and/or its critical habitat will be affected by the proposed project (Y/N)
- Include common and Latin names	

While not required for a complete PCN, a rationale for the above determinations is helpful. Furthermore, if the project will cause an adverse effect to a federally listed species or its designated critical habitat, a draft biological evaluation or assessment is recommended to be provided as an attachment to the PCN.

For projects in which another federal agency is acting as lead, the PCN must include that agency’s determination of effect and corresponding rationale, a description of their action area, and evidence that Section 7 consultation is complete.

27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties.

If you are not a Federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

If you are not a Federal agency, and if any historic property(ies) or other man-made cultural resource(s) at least 45 years old have the potential to be affected by the proposed NWP activity, list each historic property(ies) or other cultural resource(s) that has the potential to be affected by the proposed NWP activity.

If you are a Federal agency, and the proposed NWP activity requires a PCN, it is strongly encouraged that you coordinate with the Corps early and often to designate a lead Federal agency per [36 CFR 800.2\(a\)\(2\)](#). Alternatively, if no lead Federal agency was designated, please provide us with your documentation demonstrating compliance with Section 106 of the National Historic Preservation Act (NHPA), including historic property investigations and associated reports, any eligibility determination, your finding of effect, and consultation correspondence with the State Historic Preservation Office (SHPO) and/or Tribal Historic Preservation Office (THPO) or compliance with a programmatic agreement (if applicable). This documentation will assist the Corps in completing our separate NHPA compliance, including potentially resolving adverse effects to historic properties in a separate agreement document (e.g., memorandum of agreement).

Per general condition 20 and 32(b)(8), for non-federal permittees, if the NWP activity has the potential to cause effects to a historic property(ies) listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places (NRHP), the PCN must state which historic property(ies) might have the potential to be affected by the proposed NWP activity and include a vicinity map identifying the location of the historic property(ies).

Describe the type and level of cultural resource and historic property investigation that was conducted to determine potential and/or known impacts to a historic property(ies) and other cultural resource(s). For example, was a cultural resource survey conducted by a third-party contractor of the project or permit area? If not, provide a rationale for why a survey was not conducted. If a survey was conducted, include a copy of the technical report documenting its findings, which should include a description and map of the area surveyed and any identified historic property(ies) or cultural resource(s), as well as recommendations of their eligibility for inclusion on the NRHP and corresponding rationale. This report should also include a recommendation regarding the potential effect (e.g., no historic properties affected, no adverse effect, adverse effect) to historic properties from the NWP activity (e.g., undertaking).

28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in 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, identify the Wild and Scenic River or the “study river”:

If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a “study river” under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit <http://www.rivers.gov/>.

Per general condition 16 and 32(b)(9), for an activity that will occur in a component of the National Wild and Scenic River System, or in 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, the PCN must identify the Wild and Scenic River or the “study river.”

29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project? Yes No

If “yes”, please provide the date your request was submitted to the Corps district:

Per general condition 32(b)(10), for a NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter and/or temporarily or permanently occupy or use a Corps federally authorized civil works project, the PCN must include a statement confirming that the project proponent has submitted a written request for Section 408 permission from, or review by, the Corps office having jurisdiction over that Corps project.

30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30.

The terms of some of the Nationwide Permits include additional information requirements for preconstruction notifications:

- * NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- * NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
- * NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre project conditions.
- * NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre construction notification.
- * NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.

* NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).

* NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions must be submitted to the district engineer and receive written authorization prior to commencing the activity.

* NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre construction notification.

* [NWP 27, Aquatic Habitat Restoration, Enhancement, and Establishment Activities](#) – it is recommended that applicants review the [Guidelines for Nationwide Permit \(NWP\) 27 Aquatic Habitat Restoration, Establishment, & Enhancement Activities prepared by the Corps' Albuquerque District](#) for additional requirements

Review the terms, general conditions, and regional conditions of the NWPs applicable to your project in order to identify if information not captured in Form ENG 6082 is required for a complete PCN and provide it within this block. Current NWPs and regional conditions can be reviewed [here](#). If additional space is needed, provide an attachment marked *Block 30*.

31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.)

The pre-construction notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in Block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

DRAWINGS AND ILLUSTRATIONS

General Information. Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.

[Note for compliance with general condition 25 - water quality: See EPA's Overview of CWA Section 401 Certification located here regarding Regulatory Requirements for CWA Section 401 Certification.](#)

[New Mexico: For all actions that are determined by the Albuquerque District to meet the terms and conditions of the following NWPs and are located off tribal land, individual water quality certification \(WQC\) must be obtained from the New Mexico Environment Department's Surface Water Quality Bureau \(SWQB\): 12, 21, 29, 39, 40, 42, 43, 44, 48, 50, 51, 52, 57, and 58. A copy of the individual WQC must be provided to the district engineer prior to commencing the regulated activity. Conditions contained within the individual WQC that meet the procedural requirements of 40 CFR Part 121 will be incorporated as part of NWP verifications.](#)

[For all actions that are determined by the Albuquerque District to meet the terms and conditions the following NWPs and are located](#)

off tribal land, conditional WQC (CWQC) has been provided by the SWQB: 3, 4, 5, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 45, 46, 49, 53, 54, and 59. This CWQC is available on our website at: <http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits/WaterQualityCertification.aspx>.

Notification to the SWQB should be provided to:

Alan Klatt
New Mexico Environment Department SWQB
P.O. Box 5469
Santa Fe, NM 87502-5469
E-mail: Alan.Klatt@state.nm.us

Navajo Nation: For all actions that are determined by the Albuquerque District to meet the terms and conditions of the following NWP and are located within the Navajo Nation, individual water quality certification (WQC) must be obtained from the Navajo Nation Environmental Protection Agency.

Notification to NNEPA should be provided to:

Patrick Antonio
Water Quality, National Pollutant Discharge Elimination System Program
P.O. Box 339
Window Rock, AZ 86515
E-mail: PatrickAntonio@navajo-nsn.gov

Colorado (excluding Tribal Lands): Under the Colorado 401 Certification Regulation, all nationwide permits are certified by statute and do not require a certification by the State of Colorado Water Quality Control Division (WQCD). Applicants for NWP do not need to submit any information or documents to the WQCD.

Texas: The State of Texas has conditionally certified activities authorized under Corps Nationwide Permits, except Nationwide Permit (NWP) 16. Individual water quality certification is therefore required for NWP 16.

Tribal Lands: For all actions that are determined by the Albuquerque District to meet the terms and conditions of a NWP and are located on Tribal Land, either a general WQC or conditional WQC has been granted, or the WQC has been waived or denied. Information regarding water quality certification on Tribal Lands is available on our website at: <http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits/WaterQualityCertification.aspx>.

Per general condition 30: Within 30 days of project completion, you must certify that your work complies with all permit conditions. A Certification of Compliance fillable form is now available [here](#).

Attachments to Form ENG 6082 may include the following (as appropriate):

1. Location map(s).
2. Plans to scale that clearly identify the limits of waters of the United States and impact locations (temporary and permanent). If multiple waters of the United States are to be impacted, it is helpful if the map contains the table of impacts found under the aquatic resource impact section.
3. Aquatic Resources Delineation.
4. Draft Biological Evaluation or Assessment.
5. Historic and Cultural Resources Survey.
6. Compensatory mitigation plan, conceptual or final.
7. Evidence of application for Section 401 Water Quality Certification.
8. Evidence of Lead Federal Agency.
9. Storm Water Management Plan.
10. Copies of other permits received.
11. Other site-specific evaluation(s).

Useful Resources for Reference:

1. [Updated Map and Drawing Standards for the South Pacific Division Regulatory Program, dated February 10, 2016](#)
2. [Corps of Engineers Wetlands Delineation Manual \(on-line edition\)](#)
3. [U.S. Fish and Wildlife Service Cowardin Classification](#)

4. [Regional Supplements to the Corps of Engineers Wetlands Delineation Manual](#), with automated datasheets for [Arid West Data Form Version 2.0](#), [Great Plains Data Form Version 2.0](#), and [Western Mountains, Valleys and Coast Data Form Version 2.0](#).
 5. [National Ordinary High Water Mark Field Delineation Manual for Rivers and Streams \(Interim Version\)](#)
 6. [General Regulatory Program Requirements](#)
 7. [General and Regional Conditions Applicable to Nationwide Permits](#)
 8. [404\(b\)\(1\) Guidelines \(40 CFR 230\)](#)
 9. [U.S. Army Corps of Engineers, U.S. Army Corps of Engineers Headquarters Website, 2021 Nationwide Permits](#)
 10. [Compensatory Mitigation for Losses of Aquatic Resources; including the 2008 Final Rule \(33 CFR 332\)](#)
 11. [South Pacific Division Regional Compensatory Mitigation and Monitoring Guidelines](#)
 12. [12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios and Mitigation Ratio Setting Checklist](#)
 13. [Colorado Mitigation Procedures, Version 2.0](#)
 14. [Functional/Condition Assessment Methods approved for statewide use in Colorado – Functional Assessment of Colorado Wetlands \(FACWet\) and Colorado Stream Quantification Tool \(CSQT\)](#)
 15. [U.S. Fish and Wildlife Service Information for Planning and Consultation \(IPaC\)](#)
 16. [Guidelines For Compliance With Appendix C Of 33 CFR Part 325 And Section 106 Of The National Historic Preservation Act](#)
 17. [National Park Service Wild and Scenic Rivers Program](#)
 18. [National Wild and Scenic River System](#)
 19. [Section 408 Program](#)
- Visit our website to obtain further information about the 404 Regulatory Permit Program: <http://www.spa.usace.army.mil/reg>.