



# Public Notice

U.S. ARMY CORPS OF ENGINEERS

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**Subject:** Public Notice of Intent to Reissue Regional General (RGP) Permit 6, U.S. National Park Service (NPS) Categorically Excluded Activities in Glen Canyon and Lake Mead National Recreation Areas (NRAs)

**Action ID:** SPK-2004-50130

**Comments Period:** October 20, 2021 – November 19, 2021

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is re-evaluating RGP 6, NPS Categorically Excluded Activities in Glen Canyon and Lake Mead NRAs. This RGP would authorize activities undertaken, assisted, authorized, regulated, funded, or financed, in whole or in part, by the U.S. National Park Service (NPS) in Lake Mead and Glen Canyon National Recreation Areas that are categorically excluded from further environmental documentation in accordance with the Council on Environmental Quality Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA). These activities are within a category of actions that would neither individually nor cumulatively have a significant effect on the human environment. This notice is to inform interested parties of the intent to re-issue RGP 6 and to solicit comments on the attached draft permit. This notice may also be viewed at the Corps web site at [www.spk.usace.army.mil/Media/RegulatoryPublicNotices.aspx](http://www.spk.usace.army.mil/Media/RegulatoryPublicNotices.aspx).

The proposed RGP 6 is intended to be used to streamline the application and permitting process for the NPS (Lake Mead and Glen Canyon National Recreational Area), who must obtain a Department of Army (DA) Permit before discharging dredged or fill materials into waters of the U.S. for categorically excluded activities. RGP 6 would be applicable to waters of the U.S., limited to jurisdictional streams, drainage ditches, wetlands and Section 10 waterways (Colorado River, Lakes Powell, Mead and Mojave) within national park boundaries of the above listed NRAs.

**AUTHORITY:** This application is being evaluated under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**LOCATION:** This RGP pertains to all jurisdictional waters within Lake Mead and Glen Canyon NRAs.

**PROJECT DESCRIPTION:** The proposed RGP 6 is a modification of the previous version that expired on September 22, 2019, (Corps Public Notice No. 200450130) and is intended to authorize dredge and fill activities associated with categorically excluded activities within the NRAs. The proposed RGP 6 is also intended to streamline the permitting process for routine maintenance activities, provide mitigation certainty for new construction projects, and authorize minor impact activities which do not qualify for issuance under a Nationwide Permit (NWP). Activities that would qualify for processing through the proposed RGP 6 are dredge and fill activities resulting in unavoidable, relatively minor impacts and, therefore, do not warrant more detailed processing. Proposed RGP 6 modifications, include increasing routine maintenance activities which do not require pre-construction notification from 0.1 acres and 250 cubic yards of material to 0.5 acres and 500 cubic yards of material within waters of the U.S. (excluding wetlands and springs). Also,

included is the grading and maintenance of shorelines and beach areas in existing developed areas, not to exceed 3 acres. Please see the attached proposed permit for further details.

## **ADDITIONAL INFORMATION:**

### **Environmental Setting.**

#### **Lake Mead and Mohave**

Three of the nation's four desert ecosystems (the Mohave, the Great Basin, and the Sonoran Desert) meet in Lake Mead NRA. Lake Mead was created behind Hoover Dam in 1935 and filled completely in 1941. Lake Mohave was created and filled behind Davis Dam in the 1950s. At full pool, Lake Mead has a surface area of 157,900 acres with over 700 miles of shoreline, and Lake Mohave has a surface area of 28,260 acres and 150 miles of shoreline. The area is a regionally and nationally important resource for water-related recreation and other important uses, including hydropower and water supply. Portions of the recreation area, including a 300-foot zone around the shoreline of both lakes, are jointly administered by the NPS for recreation and resource protection and by the Bureau of Reclamation for projects and security areas at and around Hoover and Davis dams.

#### **Lake Powell**

Lake Powell was created as a result of the construction of Glen Canyon Dam on the Colorado River in 1965. It is located in northern Arizona and southern Utah within the Colorado Plateau physiographic province. The reservoir reached full pool level, 3,700 AMSL (above mean sea level), in 1980. Glen Canyon Dam is the only major dam on the main stem of the Colorado River above Lee's Ferry and it controls almost all the flow leaving the upper Colorado River Basin. At full pool the reservoir extends more than 180 miles upstream from the dam near Page, Arizona into Cataract Canyon, Utah. Hite Marina, which is about 140 miles upstream, is the farthest developed area from Glen Canyon Dam. Figure 1 shows the location of the seven developed areas on Lake Powell. At full pool the reservoir has more than 1,900 miles of shoreline and stores 27 million acre-feet of water that is used for irrigation, conservation storage, recreation, and electrical production.

The water level in Lake Powell drops during summer and fall as the dam releases water for use downstream. The reservoir is usually replenished by spring snowmelt. Recent drought conditions have significantly reduced the reservoir beyond typical water levels. Between 1999 and 2004 the average annual water level dropped over 100 feet. Five years of drought coupled with inlet sedimentation have resulted in new and significant challenges for managing recreational activities and facilities at Lake Powell. The amount and complexity of facilities on the lake require almost constant reconfiguration and/or relocation due to the fluctuations in water level described above, most of which occur below the ever-changing ordinary high water mark (OHWM). The facility reconfiguration and/or relocation is to accommodate increased visitation and associated usage, as well as extreme water elevation fluctuations.

**Alternatives.** The no action alternative would mean that individual Department of the Army permits would need to be processed and issued for activities that would be covered by the proposed RGP 6. Another alternative would be the inclusion of NPS categorically

excluded activities within NWP 23. However, this alternative would have to be accomplished by the Office of the Chief of Engineers (OCE) in Washington, DC and therefore, is not within the purview of the Sacramento District. There is no indication that OCE plans to modify NWP 23 to include NPS's categorically excluded activities.

**Mitigation.** Specific proposals to perform work under the proposed RGP 6 would be reviewed by the Corps before giving notice that the specific proposal is authorized by the RGP 6. The Corps requires consideration and use of all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If an applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation on a case-by-case basis.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the states of Arizona, Utah and Nevada, are required for this RGP 6. The Sacramento District will request certification from these states under separate cover.

**HISTORIC PROPERTIES:** Issuance of this RGP would not affect cultural resources. Specific requests to perform work under this general permit will be reviewed on a case-by-case basis for any effects on cultural resources and appropriate consultation will be completed with the respective State Historic Preservation Officers (SHPO) under Section 106 of the National Historic Preservation Act (NHPA). In most instances, the NPS may act as lead agency for purposes of compliance with Section 106.

**ENDANGERED SPECIES:** Issuance of the RGP 6 would not affect any Federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act (ESA). Specific requests to perform work under this RGP 6 will be reviewed on a case-by-case basis for any effects to Federally-protected species and appropriate consultation will be completed with the U.S. Fish and Wildlife Service (FWS) under Section 7 of the ESA. In most instances, the NPS may act as lead agency for purposes of compliance with Section 7.

**EVALUATION FACTORS:** The decision whether to issue this RGP 6 will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, state, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the

impacts of this proposed action. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny the RGP 6. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice SPK-2004-50130 must be submitted to the office listed below on or before November 19, 2021.

Hollis Jencks, Project Manager  
US Army Corps of Engineers, Sacramento District  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010  
Email: [Hollis.G.Jencks@usace.army.mil](mailto:Hollis.G.Jencks@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Hollis Jencks, 435-295-8380 ext. 8318, [Hollis.G.Jencks@usace.army.mil](mailto:Hollis.G.Jencks@usace.army.mil).

Attachments:  
Proposed Permit  
2 maps of project area



# Regional General Permit 6

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

U.S. NATIONAL PARK SERVICE  
CATEGORICALLY EXCLUDED  
ACTIVITIES  
IN GLEN CANYON AND LAKE MEAD NATIONAL RECREATION AREAS

**EFFECTIVE:** XXXXXXXX  
**EXPIRES:** XXXXXXXX

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The U.S. Army Corps of Engineers, Sacramento District (District), hereby issues Regional General (RGP) Permit 6, U.S. National Park Service (NPS) Categorically Excluded Activities in Glen Canyon and Lake Mead National Recreation Areas (NRAs) for activities that have been determined by the NPS to be categorically excluded from further environmental documentation because the actions, under normal circumstances, are not considered major federal actions and that they will have no measurable impacts on the human environment.

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

**ACTION ID:** SPK-2004-50130

**AUTHORITIES:** Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**LOCATION:** This permit applies to all waters that are considered to be part of the surface tributary system (i.e. Lakes, tributaries and wetlands) within the boundaries of the Glen Canyon and Lake Mead NRAs that are within the Sacramento District's Area of Responsibility and include Coconino and Mohave Counties in Arizona; Garfield, Kane, San Juan Counties in Utah; and Clark County in Nevada.

**ACTIVITIES COVERED:** The types of activities covered under this permit are those that have a minimal impact, individually and cumulatively, on the aquatic environment and have been identified by the NPS as being part of a group of projects considered to be categorically excluded from further NEPA review. The following is a list of activities found within the U.S. Department of Interior, Department Manual (516 DM) listing those activities that are considered to be categorically excluded. This list includes only those activities that may require a Section 10 or Section 404 permit from the Corps. This pertains to work at or below the OHWM of Lake Mead, Mohave or Powell (as defined below) or work within ephemeral, intermittent, seasonal or perennial drainages that are tributaries to those lakes and their adjacent wetlands. The OHWM for Lake Mead,

Mohave and Powell shall be determined by calculating the average high lake level over the 30 most recent years.

**The following activities are considered routine maintenance and do not require pre-construction notification prior to commencing the activity, provided the activity would result in impacts to no more than 0.5 acres of navigable waters of the U.S. and/or the discharge of no more than 500 cy of fill material into no more than 0.5 acre of waters of the U.S. (excluding wetlands and springs), unless otherwise stipulated in the specific activities description.**

- (1) Routine maintenance and repairs to non-historic structures, facilities, utilities, grounds and trails that do not change the scope of the original footprint
- (2) Routine maintenance and repairs to cultural resource sites, structures, utilities and grounds under an approved Historic Structures Preservation Guide or Cyclic Maintenance Guide; or if the action would not adversely affect the cultural resource.
- (3) Installation of signs, displays, kiosks, etc.
- (4) Installation or relocation of navigation aids.
- (5) Replacement of in-kind minor structures and facilities with no more than 0.5 acre of additional impacts or minimal change in location or capacity.
- (6) Sanitary facilities operation, which includes maintenance and relocation of floating boat sanitary sewer pump-out stations in response to fluctuating lake levels
- (7) Installation and rehabilitation of wells, comfort stations and pit toilets in areas of existing use and in developed areas, such as established marina facilities.
- (8) Minor trail relocation, defined as 50-linear feet or less for perennial or intermittent streams or 100-ft or less for ephemeral drainages, development of compatible trail networks or other established routes, and trail maintenance and repair. Wetland impacts are limited to 0.10 acre of fill.
- (9) Installation of underground utilities in previously disturbed areas having stable soils, or in an existing utility right-of-way; limited to 600-linear feet or 0.5 acres involving restoration of impacted area.
- (10) Construction of minor structures, including small improved parking lots, in previously disturbed or developed areas consisting of pervious surface.
- (11) Construction or rehabilitation in previously disturbed or developed areas, required to meet health or safety regulations, or to meet requirements for making facilities accessible to the handicapped.
- (12) Construction of fencing enclosures or boundary fencing posing no effect on wildlife migrations.
- (13) Restoration of noncontroversial (based on internal scoping requirements) native species into suitable habitats within their historic range
- (14) Removal of individual members of a non-threatened/endangered species or populations of pests and exotic plants that pose an imminent danger to visitors or an immediate threat to park resources.
- (15) Replacement or renovation of facilities at their same location without altering the kind and amount of recreational, historic, or cultural resources of the area or the integrity of the existing setting.
- (16) Relocation and/or modification of water intakes, utilities, lift stations, and other infrastructure as necessary to provide services.
- (17) In-kind replacement of wire ropes, anchors and structural cables used to keep floating facilities in place and structures in appropriate configuration.

- (18) In-kind replacement of utility system components on floating facilities.
- (19) In-kind replacement of decking, whalers, bumper stripping and other structural components of floating facilities.
- (20) In-kind replacement of slip finger Styrofoam flotation systems with new encapsulated systems.
- (21) Grading and maintenance of shorelines and beach areas in existing developed areas, not to exceed three acres. Any excess material would be deposited outside of a waters of the U.S.
- (22) Grading of washes after flood events. This includes sediment removal at roadway crossings and adjacent washes to pre-flood contours. The activity shall not exceed 100 linear feet upstream of road or trail crossing and shall be the minimum necessary to allow future flows to remain in channel. No realignment of channels is authorized without notification.
- (23) Culvert maintenance at washes including removal of sediment and debris.
- (24) Minor grading of uplands to maintain lake access via roadways, walkways, access routes, and parking areas located below the OHWM, not to exceed 3 acres. Any excess material shall be deposited outside of a waters of the U.S.
- (25) In-kind repair of launch ramps and/or ramp extensions utilizing the placement of temporary structures (e.g. pipe matting) as necessary for maintaining lake access during lake level fluctuations.
- (26) Repair, rehabilitation, and maintenance of existing submerged launch ramps to maintain access to water.
- (27) Installation of temporary boat launch ramps to maintain current access levels
- (28) Temporary extension of launch ramps using in-kind materials, construction, and methodology to maintain access to water up to 60 feet width
- (29) The adjustment and/or reconfiguring of marina positions that includes physically moving facilities into open water as water levels dictate. This applies to activities that do not increase the footprint of the existing facility by more than 0.10 acres. This shall also include the necessary pilings and anchor system for the docks as long as the footprint does not exceed that of the original marina. This includes minor alterations and/or reconfigurations to the breakwaters and wakeless zone buoys as a result of the relocation.
- (30) Addition of new floating breakwater.

**The following activities are potentially authorized by this GP but require pre-construction notification to the Corps before commencing work:**

- (1) Permanent extension and/or expansion of boat launch ramps over 60 feet wide.
- (2) Addition of new floating breakwaters resulting in a minimum of XXXX-waiting on information from Coast Guard.
- (3) Re-configuration of bars and outcrops as water level changes.
- (4) Dredging harbor bottoms as needed to move marina facilities as water level changes.
- (5) Extension of existing gravel roads to the lakeshore as water recedes with no more than 3 acres of impact.
- (6) Adjustment of marina positions that includes physically moving facilities into open water when accompanied by additional slips, dock spaces, or expansion beyond 0.10 acres of impact.
- (7) Culvert replacement on washes that require work beyond the original footprint of the structure, such as replacing an undersized culvert with a larger structure.
- (8) Realignment of up to 750 linear feet of ephemeral waters and 300 linear feet of perennial and intermittent streams.

In accordance with 33 CFR 322.2(f)(1), this RGP 6 authorizes activities that are substantially similar in nature that would result in minimal individual and cumulative impacts on the aquatic environment, when conducted under the terms and conditions of this permit.

**TERMS:** This permit authorizes certain activities that have been determined by the NPS to be categorically excluded from further environmental documentation because the actions, under normal circumstances, are not considered major federal actions and that they will have no measurable impacts on the human environment. Compensatory mitigation for loss of aquatic habitat may be required on a case-by-case basis. Impact limits authorized by this GP are as follows:

- (1) For activities that are at or below the Ordinary High Water Mark of Lakes Powell, Mead and Mohave, the activity will not cause a permanent loss of more than 1-acre of open water.
- (2) For activities below the Ordinary High Water Mark of Lakes Powell, Mead and Mohave, the activity will not cause a permanent loss of more than 1-acre of wetlands.
- (3) Impacts to aquatic resources below the full pool elevation and above the OHWM, which may be subject to future inundation, shall not exceed 3 acres.
- (4) For wetland areas outside of the OHWM of Lakes Powell, Mead and Mohave that are outside of the normal operating range of the reservoirs, wetland impacts are limited to 0.5 acre.
- (5) For activities in perennial and intermittent waters, no more than 300 linear feet may be impacted. If the activity involves the use of a bioengineering method, no more than 500 linear feet may be impacted.
- (6) For activities in ephemeral waters no more than 750 linear feet may be impacted. If the activity involves the use of a bioengineering method, no more than 1000 feet may be impacted.

Activities not meeting the terms and conditions of this permit, or which would result in more than minimal individual or cumulative impacts, may be evaluated through an alternate form of Department of the Army authorization, such as a Nationwide Permit, Letter of Permission or an Standard Permit. The Corps will determine on a case-by-case basis whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. The Corps may add special conditions to a verification under this general permit to ensure the activity results in no more than minimal impacts.

**GENERAL CONDITIONS:**

1. This RGP 6 will expire on XX If this RGP 6 is not modified or reissued by the expiration date, it automatically expires and becomes null and void. Activities which have commenced (i.e. are under construction) or are under contract to commence in reliance upon this RGP will remain authorized until the project construction is completed.
2. The NPS will submit annual post notification reports by December 15<sup>th</sup> of each year. These reports will detail project name, description, location, aquatic resource type and aquatic resource impacts.
3. If the NPS or its subcontractors discovers any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, they must stop work and immediately notify Utah Regulatory Office. NPS shall include the Corps in their Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. The permittee is responsible for all authorized work and ensuring that all contractors and workers are made aware and adhere to the terms and conditions of the permit authorization. The permittee shall ensure that a copy of the permit authorization and associated drawings are available and visible for quick reference at the site until all construction activities are completed.
5. The permittee must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. The permittee is not relieved of this requirement if the permittee abandons the permitted activity or if the permittee sells the property associated with this permit.
6. The permittee may make a good faith transfer to a third party. If the permittee sells the property associated with a RGP 6 permit verification, the permittee may transfer the RGP 6 permit verification to the new owner by submitting a letter to the Utah Regulatory Office to validate the transfer. A copy of the RGP 6 permit verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this RGP 6 permit are still in existence at the time the property is transferred, the terms and conditions of this RGP 6 permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this RGP 6 permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

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

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

7. For projects that require submittal of a pre-construction notification (PCN); for all activities resulting in temporary fill within waters of the United States, the permittee shall:
  - a. Place a horizontal marker (e.g. fabric, certified weed free straw, etc.) to delineate the existing ground elevation of the waters temporarily filled during construction, as appropriate; and
  - b. Remove all temporary fill within 30 days following completion of construction activities.
  - c. Areas shall be restored to original contours and replanted with native vegetation.
8. For projects that require submittal of a PCN; Within 90 days following completion of construction activities, the permittee shall submit as-built drawings of the work conducted on the project site and any onsite and/or off-site compensatory mitigation, preservation, and/or avoidance area(s), along with a signed Compliance Certification. The as-builts shall include a plan-view drawing of the location of the authorized work footprint (as shown on the permit drawings), with an overlay of the work as constructed in the same scale as the permit drawings. The drawing shall show all areas of ground disturbance, wetland impacts, structures, and the boundaries of any on-site and/or off-site mitigation or avoidance areas. Please note that any deviations from the work as authorized, which result in additional impacts to waters of the U.S., must be coordinated with the Utah Regulatory Office prior to impacts.
9. For projects that require submittal of a PCN; the permittee shall clearly identify the limits of disturbance in the field with highly visible markers (e.g. construction fencing, flagging, silt barriers, etc.) prior to commencement of construction activities within waters of the United States. The permittee shall maintain such identification properly until construction is completed and the soils have been stabilized. The permittee is prohibited from any activity (e.g. equipment usage or materials storage) that impacts waters of the United States outside of the permit limits (as shown on the permit drawings).
10. The permittee shall allow Corps representatives to inspect the authorized activity and any mitigation areas at any time deemed necessary to determine compliance with the terms and conditions of the RGP verification. The permittee will be notified in advance of an inspection.
11. For project areas supporting habitat for migratory birds, activities in waters of the United States that involve clearing of land (or other surface disturbance) shall be timed to avoid the bird breeding season (March through August) to the maximum extent practicable. Destruction of nests with eggs or young is a violation of the Migratory Bird Treaty Act (15USC 701-718h). The permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

12. For projects that require submittal of a PCN; Erosion and siltation controls (Best Management Practices, BMPs) shall be used and maintained throughout the construction period until all disturbed areas are stabilized. If straw bales are selected as a BMP, they shall be certified as weed free. The permittee shall submit photographs of best management practices used during construction and post-construction photographs within 90 days of project completion to demonstrate the project was constructed in accordance with the conditions of this RGP 6.
13. Fill material must be clean and free of contaminants and noxious plants. Unsuitable fill material includes, but is not limited to, vehicle bodies, farm machinery, appliances and other metal objects, asphalt, biodegradable construction debris and tires, concrete with exposed rebar.
14. You shall maintain any activity authorized by this RGP 6 in good condition and in conformance with the terms and conditions of this permit. This includes maintenance to ensure public safety. Should you wish to cease to maintain the authorized activity or should you desire to abandon it, you must obtain a modification of this permit from this office, which may require restoration of the area.
15. No activities authorized under this RGP 6 or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
16. No activity is authorized under this RGP 6 which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. No activity is authorized under this RGP 6 which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed. When initiating Section 7 consultation, NPS shall notify the US Fish and Wildlife Service that their request also includes the Army Corps of Engineers federal action (permit).
17. The States of Arizona, Utah and Nevada are responsible for issuing a 401 Water Quality Certification for the proposed RGP 6 for activities covered by this permit. You must comply with the terms and conditions of the applicable certification i.e., depending upon which state your activity will occur. A copy of each certification will be attached to the final RGP 6 attached.
18. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions

caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

19. Within 30 days of completing work, a written statement signed by the NPS shall be submitted to the Utah Regulatory Office certifying that the work has been completed in accordance with the terms and conditions of this permit.

**Special Conditions:** Special conditions may be added based upon specific review of your request to perform work. These special conditions would be included in a notice from this office verifying authorization under this RGP 6.

### **PRECONSTRUCTION NOTIFICATION PROCEDURES:**

1. You may choose to request a pre-application meeting with the Corps and other resource agencies. To request a pre-application meeting, please contact your local Corps office listed in the "Contacts" section of this document.
2. Under this RGP 6, NPS must provide the Utah Regulatory Office with written notification prior to beginning an activity, unless otherwise specified above under "Activities". This notification shall include the following information and should be submitted at least 10 days prior to beginning work:
  1. The applicant shall submit a completed and signed PCN form with the following supplemental information:
    - a) Total area of waters of the United States to be directly affected, in include linear feet for stream impacts and in acreage for wetland impacts.
    - b) Volume and type of material to be placed into waters of the United States
    - c) A signed determination by the NPS that the activity is categorically excluded,
    - d) A brief description of the proposed activity
    - e) Description of the type of structures
    - f) Drawings, including plan and cross-section views, clearly depicting the location, size and dimensions of the proposed activity, as well as the location of delineated waters of the United States on the site. The OHWM should be clearly marked on a cross section view. Waters should be delineated using the Aquatic Resources Delineation guidance of the Sacramento District 2001 minimum standards, using the current Corps approved delineation manual and any appropriate supplements to the manual. The drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill in Corps jurisdiction, including both permanent and temporary fills/structures. The ordinary high water mark, should be shown (in feet), based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation. All drawings for activities located within the boundaries of the Sacramento District shall comply with the September 15, 2010 Special Public Notice: Map and Drawing Standards for the Sacramento District Regulatory Division, (available on the Sacramento District Regulatory Division website at: [www.spk.usace.army.mil/Regulatory](http://www.spk.usace.army.mil/Regulatory));

- g) Dewatering plan, if applicable;
- h) Proposed construction schedule;
- i) Any other information pertinent to the stream channel or wash involved;
- j) A list of all other permits and authorizations as required by law, ordinance, or regulation;
- k) A description of measures proposed to be taken to avoid and minimize to the maximum extent practicable, impacts to the aquatic environment, including those to wetlands, Federally-listed threatened and/or endangered species, spawning habitat, and shallow water habitat.
- l) For all temporary fills, the application shall include a description of the proposed temporary fill, including the type and amount of material to be placed, the area proposed to be impacted, and the proposed plan for restoration of the temporary fill area to pre-project contours and conditions, including a plan for the revegetation of the temporary fill area, if necessary. In addition, the application shall include the reason(s) why avoidance of temporary impacts is not practicable.
- m) Documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Work may not commence until written verification from the Corps is received that the work may proceed. PCN shall be submitted to:

Utah Regulatory Office  
U.S. Army Corps of Engineers, Sacramento District  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010  
[SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil)

- 3. Once this office receives a complete request for verification, the Corps will confirm receipt of a complete application within 5 working days. If the request for verification is not complete then the Corps will request additional information within 5 working days.
- 4. Once this office determines the activity complies with the terms and conditions of the RGP, you will receive a letter of verification from this office that you can proceed with your authorized activity.

### **FURTHER INFORMATION:**

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and/or Section 404 of the Clean Water Act (33 U.S.C. 1344), and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.

- b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed federal projects.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
  - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
- Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
6. Extensions. The permit duration, as described above, establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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

**PERMIT DURATION:** This permit is valid for five years from issuance, and will expire on **XXXXXX**. The Corps may re-evaluate the terms and conditions of this permit at any time it deems necessary to protect the public interest. This permit may be re-issued after public notice and documentation of the decision. Activities under this permit must be verified in writing by the Corps. Verifications are valid until the permit expires.

**CONTACTS AND ADDITIONAL INFORMATION:**

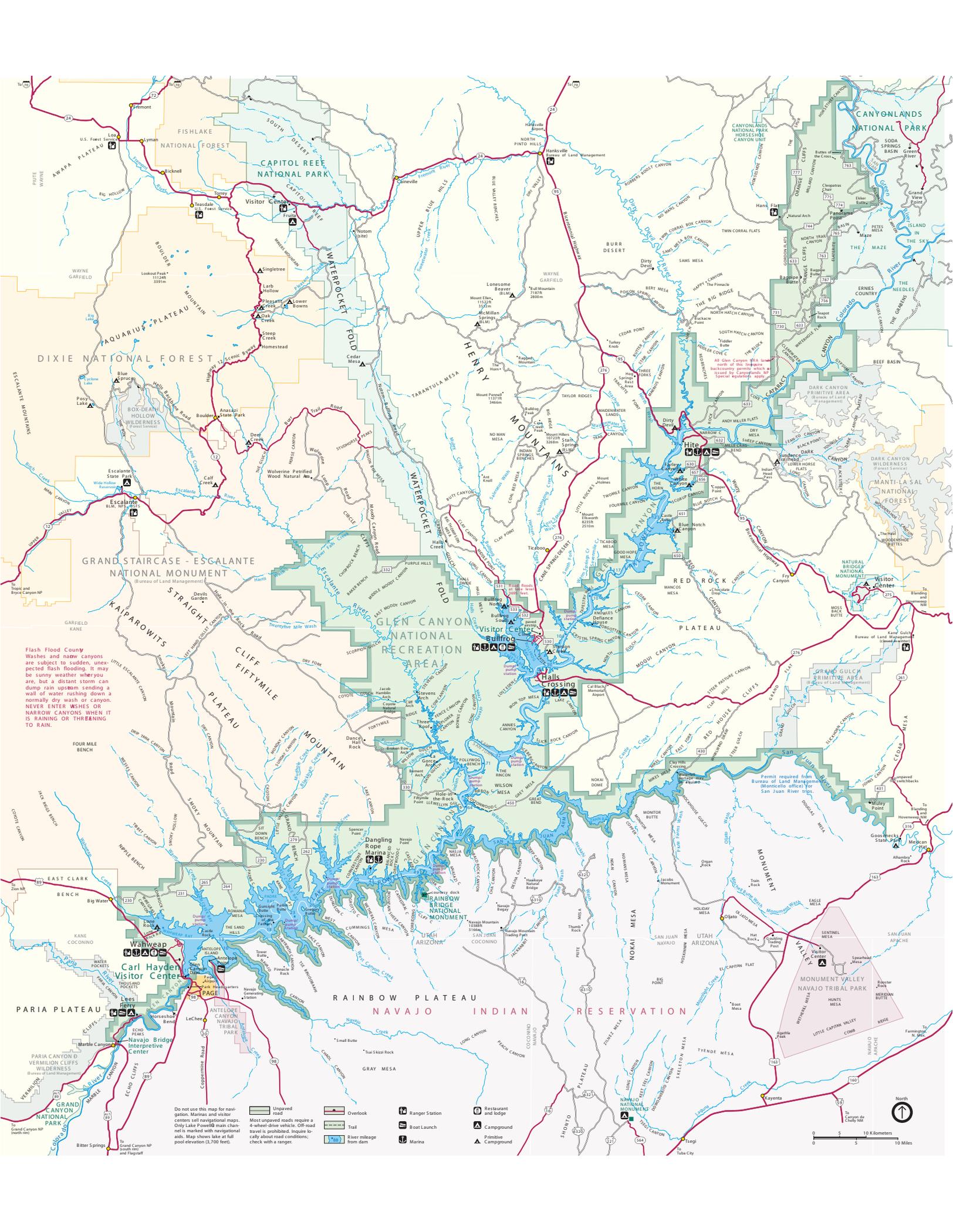
US Army Corps of Engineers, Sacramento District  
Bountiful Regulatory Office  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010  
Phone: 801-295-8380 ext. 8318

**ATTACHMENTS:** 401 Water Quality Certifications, Maps

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

Michael S. Jewell  
Chief, Regulatory  
Division

\_\_\_\_\_  
Date

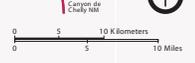


**Flash Flood County**  
 Washes and narrow canyons are subject to sudden, unexpected flash flooding. It may be sunny weather where you are, but a distant storm can dump rain upstream sending a wall of water rushing down a normally dry wash or canyon. NEVER ENTER WASHES OR NARROW CANYONS WHEN IT IS RAINING OR THREATENING TO RAIN.

All Glen Canyon NRA land south of the highway backcountry permits which are issued by Canyonlands National Park Special Regulation apply.

Permits required from Bureau of Land Management (Monticello office) for San Juan River trips.

- Unpaved road
- Most unpaved roads require a 4-wheel-drive vehicle. Off-road travel is prohibited. Inquire locally about road conditions. Check with a ranger.
- Overlook
- Ranger Station
- Boat Launch
- Restaurant and lodge
- Campground
- Trail
- Marina
- Primitive Campground
- River mileage from dam



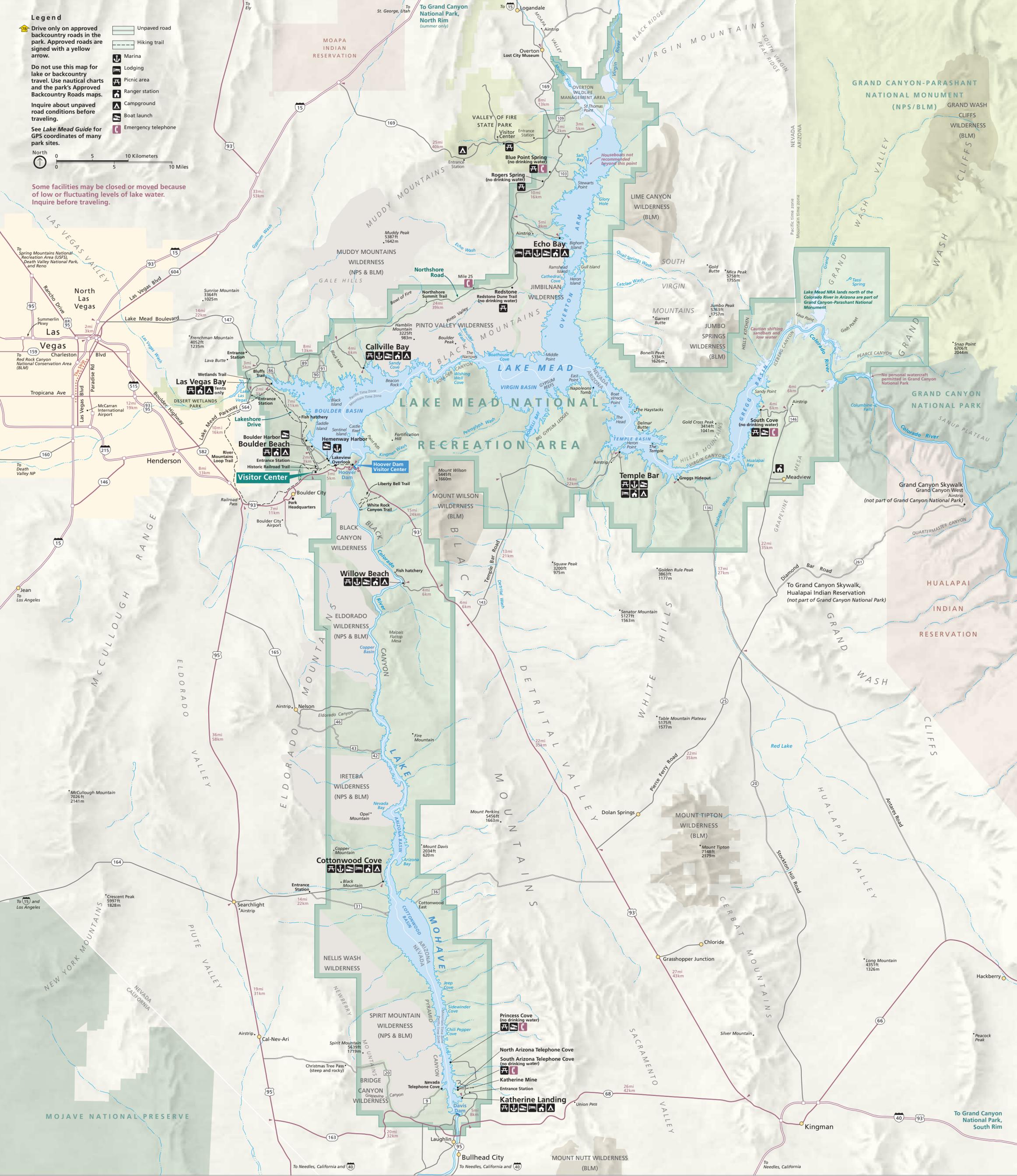
**Legend**

- Drive only on approved backcountry roads in the park. Approved roads are signed with a yellow arrow.
- Do not use this map for lake or backcountry travel. Use nautical charts and the park's Approved Backcountry Roads maps.
- Inquire about unpaved road conditions before traveling.
- See *Lake Mead Guide* for GPS coordinates of many park sites.

- Unpaved road
- Hiking trail
- Marina
- Lodging
- Picnic area
- Ranger station
- Campground
- Boat launch
- Emergency telephone

North  
0 5 10 Kilometers  
0 5 10 Miles

Some facilities may be closed or moved because of low or fluctuating levels of lake water. Inquire before traveling.



To Grand Canyon National Park, South Rim