

DEPARTMENT OF THE ARMY REGIONAL PERMIT NUMBER 85

Permittee: Coronado Cays Home Owners Association

Permit Number: Regional General Permit Number (RGP) 85 (SPL-2015-00366)

Issuing Office:

U.S. Army Corps of Engineers, Los Angeles District- South Coast Branch

Effective Date: October 11, 2017

Expiration Date: October 11, 2022

NOTE. The term “you” and its derivatives, as used in this permit, means the permittee. The term “this office” refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

Authority: Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) for structures or work in or effecting navigable waters of the United States.

Project Description: This RGP is applicable to the repair and replacement of existing boat docking structures in the Coronado Cays Homeowner Association. Specifically, this project authorizes the in-kind repair and/or replacement of docks, piles, gangways, fenders, floats, boat lifts or other infrastructure components. Under this RGP, the configuration may change if necessary in order to avoid or minimize environmental impacts, to better meet the project purpose, or if construction methods, materials, or compliance with Americans with Disabilities Act Standards warrant the modification as long as the total footprint of each individual structure results in no net increase in square footage (the square footage of each structure remains the same or less). No new docks or dock expansions will be authorized under this RGP.

Project Location: This RGP is applicable to the jurisdictional waters of South San Diego Bay, within Coronado Cays, City of Coronado, San Diego County, California as shown on enclosed figures 1 and 2.

Terms of Authorization:

1. This RGP will expire on October 11, 2022. Prior to the expiration, the Permittee may apply for the General Permit to be reissued or extended. If this RGP is not reissued or extended by the expiration date, it expires and becomes null and void. The Corps may re-evaluate the terms and conditions of this permit at any time it deems necessary to protect the public interest.
2. The District Engineer retains discretionary authority to require on a case-by-case basis submission of an individual Department of the Army permit application for proposed work when it is determined that such a review would be in the public interest (i.e., potential for significant impact on environmental resources, effect on navigation, etc.). This office will determine the eligibility and qualifications of the individual dock replacements under this RGP

based on the pre-construction notification requesting authorization under this RGP submitted by the Permittees.

3. The work and/or structures authorized by the general permit may be used for non-commercial purposes only. This general permit authorizes work and/or structures used for non-commercial, municipal and residential community structures provided the project complies with all terms of authorization and special conditions of this permit, below.
4. This RGP only applies to those activities covered under Section 10 of the Rivers and Harbors Act.
5. This RGP applies only to those individual docks under the lease to the City of Coronado and does not authorize any projects within the Unified Port of San Diego.
6. Proposed dock replacement projects that would likely result in shading impacts to eelgrass may be authorized by this RGP; however, the applicant shall demonstrate that projects have fully avoided and minimized impacts to the maximum amount practicable and that projects will comply with the provisions of the Overwater Structures (OWS) Programmatic Consultation, as well as with October 2014 California Eelgrass Mitigation Policy (CEMP), including any mitigation requirements.
7. The activity shall not interfere with the right of the public to free navigation on all navigable waters of the United States as defined by 33 CFR Part 329.
8. No dredging is authorized pursuant to this RGP.
9. This RGP does not authorize the placement of new Aids to Navigation (AtoN).
10. The City of Coronado determined that the activities described herein qualify as a categorical exemption of the federal consistency requirements under the Coastal Zone Management Act. A Copy of this Notice of Exemption (COE 2313-01) is attached and will remain in effect as long as this RGP is valid. (Attachment A).
11. The 401 Water Quality Certification (WQC) issued with this RGP has been amended and extended through November 2018 (WQC No. 08C-055). All work shall be conducted in accordance the terms and conditions of this WQC issued by the California Regional Water Quality Control Board. A copy of the WQC is attached (Attachment B).

Permit Conditions:

The following general conditions must be followed in order for any authorization by this regional permit to be valid:

1. The time limit for completing individual projects/activities authorized under this RGP ends the date of the RGP expiration date. If the project is not completed prior to the RGP expiration date, you will need to submit your request for a separate authorization to the Corps All activities authorized under this RGP shall be completed by October 11, 2022.
2. No activity may cause more than a minimal effect on navigation. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the Permittee's expense on authorized facilities in navigable waters of the United States. 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.

3. The Permittee shall maintain all structures authorized by this permit in good and safe condition and construct and maintain them in compliance with the terms and conditions of this permit. The Permittee is not relieved of this requirement if the permitted activity is abandoned, although they may make a good faith transfer to a third party. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification from this permit from this office, which may require removal of the structures and restoration of the area.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided (transferee) and forward a copy of the permit to this office to validate the transfer of this authorization within 60 days.
5. No debris, soil, silt, sand, sawdust, rubbish, cement or concrete washings, paints or varnishes, soaps, oil or petroleum products shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.
7. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
8. This Corps RGP does not authorize you to take any threatened or endangered species, in particular the California least tern or the green sea turtle. No activity is authorized under this regional permit that is likely to adversely affect a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply).
9. The Corps recommends that pile removal and installation and in-water work be scheduled, when possible, outside the least tern breeding season. If pile removal and installation must occur during least tern nesting season (April 1 to September 15), the permittee shall notify

the Corps, U.S. Fish and Wildlife Service (USFWS), at least 60 days prior to the start of construction for review of project specific information. The permittee shall not begin work until receiving approval from the Corps.

10. The method for pile installation shall utilize the best available technology that reduces disturbance to sediment and vegetation, turbidity and noise. Such methods include vibratory hammer installation, pile jetting or the use of helical piles. Impact Pile driving is not authorized. A turbidity curtain shall be installed around each piling and remain in place until the construction has been completed and sediments have settled. In addition, low-pressure jetting techniques that cause less disruption are preferred. Bubble curtains, cofferdams, isolation casings, or other technologies that attenuate noise may be required if the construction method utilized is expected to cause excessive noise.
11. The Permittee and contractor shall employ measures during construction to prevent spills of fuels, lubricants or other hazardous substances. In the event of a spill, the Permittee and contractor shall make every effort to stop the leak and contain the spill. The Permittee and contractor are responsible for reporting spills, complying with all directives to contain and clean up the spilled material(s) and for completing any required restoration.
12. If pile removal or installation must occur during the least tern breeding season (April 1 to September 15), a qualified least tern biologist shall be retained by the Permittee and will be present at least 30 minutes before and during all pile removal and installation activities. The least tern biologist shall begin surveys of the in-water work area prior to the commencement of pile removal or installation at the beginning of each work day. If the least tern biologist observes least terns within 100 feet of the in-water work area, the least tern biologist shall notify the project manager, and pile removal or installation shall commence only after least terns have departed from the in-water work area, and no least terns are observed within 100 feet of the in-water work area for at least 10 minutes. If pile removal or installation results in a turbidity plume that spreads outside the turbidity curtain, the Permittee/contractor will stop activity and adjust the turbidity curtain to prevent additional spread of turbidity outside the turbidity curtain. The biologist will inform the Corps and the HOA if turbidity occurs beyond the curtain. The least tern biologist shall record observations of least terns within 300 feet around the in-water work area, and turbidity associated with pile installation or removal.
13. The least tern biologist shall provide reports to the Corps and USFWS within 24 hours of each monitoring day during the least tern breeding season (April 1 to September 15). Daily reports shall include information regarding the presence of least terns in San Diego Bay, observations of least terns in the vicinity of the work area, photographs showing the silt curtain surrounding the work, information regarding incidences of turbidity outside of the silt curtain. The least tern biologist shall also submit a summary report of the project monitoring to the Corps and USFWS after construction is concluded.
14. Pre-Construction Eelgrass Monitoring: For all actions that may directly or indirectly affect eelgrass habitat, a pre-construction survey of the eelgrass habitat in the action area and an appropriate reference site(s) should be completed 60 days before the start of construction and during the active growth period (typically March through October) in accordance with

October 2014 California Eelgrass Mitigation Policy (CEMP). In cases where environmental planning and/or permitting may take longer than 60 days, it may also be necessary to do a preliminary eelgrass survey prior to the pre-construction survey. This preliminary survey can be used to anticipate potential impacts to eelgrass for the purposes of mitigation planning. Eelgrass surveys should include: 1) spatial distribution, 2) areal extent, 3) percentage of vegetated cover, and 4) turion (shoot) density. Please refer to sections II.A and II.B of CEMP for detailed information on the definition of eelgrass habitat and surveying eelgrass habitat, respectively. CEMP and Implementation Guidelines can be found at: http://www.westcoast.fisheries.noaa.gov/publications/habitat/california_eelgrass_mitigation/Final%20CEMP%20October%202014/cemp_oct_2014_final.pdf.

15. Post-Construction Eelgrass Monitoring: If the pre-construction eelgrass survey documents the presence of eelgrass, a post-construction survey of the eelgrass habitat in the action area and at the reference site(s) should be completed within 30 days of completion of construction, or within the first 30 days of the next active growth period following completion of construction that occurs outside the active growth period. For actions where the impact cannot be fully determined until a substantial period after an action is taken (e.g., a dock reconfiguration with potential shading impacts to eelgrass), an estimate of likely impacts should be made prior to implementation of the proposed action based on the best available information. A monitoring program consisting of a pre-construction eelgrass survey and three post-construction eelgrass surveys at the impact site and appropriate reference site(s) should be performed. Please refer to section II.D of the CEMP for detailed information on assessing impacts to eelgrass habitat. The determination of the need for mitigation shall be made based upon the results of these surveys.
16. Mitigation: Any impacts to eelgrass habitat would require mitigation in accordance with CEMP. The determination for the need for mitigation would be assessed annually based on reports submitted to this office and the requirement that there be no net loss of eelgrass habitat for the activities authorized under this RGP. The final mitigation requirement for eelgrass is calculated at a 1.2:1 ratio (mitigation area:impact area). Per CEMP, delays in mitigation initiation in excess of 135 days may warrant an increased final mitigation ratio to offset loss of eelgrass habitat function that accumulates through delay. Because habitat function is accumulated over time once the mitigation habitat is in place, the longer the delay in initiation of mitigation, the greater the additional habitat area needed (i.e., mitigation ratio increasingly greater than 1.2:1) to offset losses. Please refer to section II.F.5 of CEMP for detailed information on mitigation timing. Any mitigation plan for the impacts will be developed in consultation with the Corps, National Marine Fisheries Service, USFWS, and California Department of Fish and Wildlife, and approved by the Corps. A mitigation plan, if required, shall be submitted within 3 months of determining the need for mitigation and initiated within 6 months of its approval.
17. The Permittee shall avoid and minimize impacts to essential fish habitat (EFH) by maintaining or reducing the dimensions of structures to the minimum size necessary to meet the water dependent purpose of the project and utilizing materials that increase light penetration. Boat docks, ramps, gangways and similar structures should be constructed in locations that will avoid eelgrass habitat to the maximum extent practicable. Specific guidance on these

avoidance and minimization measures can be found in the EFH Programmatic Consultation for Overwater Structures found at: http://www.westcoast.fisheries.noaa.gov/publications/habitat/essential_fish_habitat/efh_over_waterstructure_final_la_scb.pdf.

18. Pre-Construction Eelgrass Monitoring: For all actions that may directly or indirectly affect eelgrass habitat, a pre-construction survey of the eelgrass habitat in the action area and an appropriate reference site(s) should be completed 60 days before the start of construction and during the active growth period (typically March through October) in accordance with CEMP. In cases where environmental planning and/or permitting may take longer than 60 days, it may also be necessary to do a preliminary eelgrass survey prior to the pre-construction survey. This preliminary survey can be used to anticipate potential impacts to eelgrass for the purposes of mitigation planning. Eelgrass surveys should include: 1) spatial distribution, 2) areal extent, 3) percentage of vegetated cover, and 4) turion (shoot) density. Please refer to sections II.A and II.B of CEMP for detailed information on the definition of eelgrass habitat and surveying eelgrass habitat, respectively. CEMP and Implementation Guidelines can be found at: http://www.westcoast.fisheries.noaa.gov/publications/habitat/california_eelgrass_mitigation/Final%20CEMP%20October%202014/cemp_oct_2014_final.pdf.
19. Post-Construction Eelgrass Monitoring: If the pre-construction eelgrass survey documents the presence of eelgrass, a post-construction survey of the eelgrass habitat in the action area and at the reference site(s) should be completed within 30 days of completion of construction, or within the first 30 days of the next active growth period following completion of construction that occurs outside the active growth period. For actions where the impact cannot be fully determined until a substantial period after an action is taken (e.g., a dock reconfiguration with potential shading impacts to eelgrass), an estimate of likely impacts should be made prior to implementation of the proposed action based on the best available information. A monitoring program consisting of a pre-construction eelgrass survey and three post-construction eelgrass surveys at the impact site and appropriate reference site(s) should be performed. Please refer to section II.D of the CEMP for detailed information on assessing impacts to eelgrass habitat. The determination of the need for mitigation shall be made based upon the results of these surveys.
20. Mitigation: Any impacts to eelgrass habitat would require mitigation in accordance with CEMP. The determination for the need for mitigation would be assessed annually based on reports submitted to this office and the requirement that there be no net loss of eelgrass habitat for the activities authorized under this RGP. The final mitigation requirement for eelgrass is calculated at a 1.2:1 ratio (mitigation area:impact area). Per CEMP, delays in mitigation initiation in excess of 135 days may warrant an increased final mitigation ratio to offset loss of eelgrass habitat function that accumulates through delay. Because habitat function is accumulated over time once the mitigation habitat is in place, the longer the delay in initiation of mitigation, the greater the additional habitat area needed (i.e., mitigation ratio increasingly greater than 1.2:1) to offset losses. Please refer to section II.F.5 of CEMP for detailed information on mitigation timing. Any mitigation plan for the impacts will be developed in consultation with the Corps, National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), and California Department of Fish and Wildlife (CDFW) and

approved by the Corps. A mitigation plan, if required, shall be submitted within 3 months of determining the need for mitigation and initiated within 6 months of its approval.

21. Notification Procedures: In order to request activity-specific approval pursuant to this RGP, the Permittee shall submit the information listed below to this office. Activities completed under this RGP must receive written verification from this office prior to commencing construction. The Permittee shall provide copies of this request to NMFS, USFWS, California Regional Water Quality Control Board (CRWQCB), and CDFW, NMFS). The following information must be submitted to the Corps for approval:
 - a. A description of the proposed activities and indication of intent to utilize this RGP;
 - b. The name, address, e-mail address and telephone number of the Permittee and the designated point of contact;
 - c. The name of the owner and address of the property where the project is proposed.
 - d. Signature of the Permittee and agent;
 - e. A map showing the property location;
 - f. A detailed plan-view of the existing structure, dock, or piles depicting the location, size and dimensions of all structures and piles.
 - g. A detailed plan-view and cross section drawing of the proposed work clearly depicting the location, size and dimensions of structures, number, size, and locations of pilings, duration of installation, and the location of staging areas, turbidity curtains, etc. All drawings shall comply with the Final Map and Drawing Standards for the South Pacific Division Regulatory Program, which can be found at <http://www.spd.usace.army.mil/Portals/13/docs/regulatory/standards/map.pdf>;
 - h. A list of federally listed threatened and/or endangered species that may be present in the area, a description of the environmental resources in the project area including spawning and/or shallow water habitat, a description of measures proposed to be taken to avoid and minimize to the maximum extent practicable, impacts to the aquatic environment, species and habitats;
 - i. A description of the methods, materials and equipment proposed to be used for the construction/installation;
 - j. The proposed work schedule including time of year and duration of the activity;
 - k. A copy of the pre-construction and/or preliminary eelgrass survey completed in compliance with CEMP;
22. The method for pile installation shall utilize the best available technology that reduces disturbance to sediment and vegetation, turbidity and underwater noise. Such methods include vibratory hammer installation, pile jetting or the use of helical piles. Impact Pile driving is not authorized. If piles will be jetted, a turbidity curtain shall be installed around each piling and remain in place until the construction has been completed and sediments have settled. In addition, low-pressure jetting techniques that cause less disruption are preferred. Bubble curtains, cofferdams, isolation casings, or other technologies that attenuate noise may be required if the construction method utilized is expected to cause excessive underwater noise.
23. A qualified biological monitor shall be on site during construction to monitor for the presence of marine mammals, threatened or endangered species- including snowy plover, least tern and

green sea turtle, turbidity, the release of contaminants, spills or leaks, and the disturbance to eelgrass habitat. A summary of the observations shall be completed and provided with the annual report. If any of these species occur, construction will not begin, or if started, will stop until the animal has left the project area.

24. The Permittee and contractor shall employ measures during construction to prevent spills of fuels, lubricants or other hazardous substances. In the event of a spill, the Permittee and contractor shall make every effort to stop the leak and contain the spill. The Permittee and contractor are responsible for reporting spills, complying with all directives to contain and clean up the spilled material(s) and for completing any required restoration.
25. The Permittee shall use only clean construction materials suitable for use in the oceanic environment. Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act). Concrete pilings are preferred. Pilings made up of painted steel, unpainted steel, steel coated with epoxy-petroleum compound or plastic are also acceptable. Should untreated wood be used for fender piles then rub strips are recommended on the face of the wood. No portions of any structure may be constructed with creosote treated materials.
26. Post-Construction Reporting: The Permittee shall provide an annual report of work done by each home owner, pursuant to this RGP by the end of November each year. Copies of this report shall be provided to this office as well as NMFS, USFWS, CRWQCB, and CDFG, NOAA. Each report shall include:
 - a. List of the projects completed, brief summary of the project work that was completed, description of replacement structures (i.e., number of pilings, dock square footage, materials used in the maintenance and repairing of each dock), post-construction drawings;
 - b. Biological summaries from the project monitoring;
 - c. Eelgrass surveys, (if required), cumulative assessment of eelgrass impacts (updated based on post-construction surveys) and proposed mitigation for impacts (if impacts are observed).
27. The structures shall be built and utilized in a manner so as not to impair navigation.
28. No structures authorized by this RGP shall extend channelward from the bulkhead more than $\frac{1}{4}$ of the width of the waterway.
29. Should any federal aids to navigation (AtoN) be affected by projects authorized under this RGP, the Permittee shall immediately contact the US Coast Guard at:

Commander, 11th Coast Guard District (dpw)

TEL: (510) 437-2980

E-mail: d11LNM@uscg.mil

Website: <http://www.uscg.mil/dp/lnmrequest.asp>

U.S. Coast Guard, Sector LA-LB (COTP)
E-mail: D11-DG-SectorLALB-WWM@uscg.mil

For projects in San Diego County:
U.S. Coast Guard
Sector San Diego, Attn: LTJG
Briana Biagas 2710 N. Harbor Dr.
San Diego, CA 92101
Attn: Ports and
Waterways Division Tel :
(619) 278-7261
Email: BRIANA.L.BIAGAS@uscg.mil

30. If the work requires that private aids to navigation be established, the Permittee or contractor should contact the US Coast Guard Private Aid of Navigation at the above contact information. Installation to or modifications of Aids to Navigation are not authorized under this RGP and would require separate approval from the Corps.
31. The Permittee shall notify the Commander, Eleventh Coast Guard District, and the Coast Guard, Sector San Diego not less than 14 days prior to commencing work and as the project progresses. A complete set of guidelines with examples and contact information can be found at <http://www.uscg.mil/D11/DP/LnmRequest.asp> or call BM1 Josh Netherton at 510-437-2980 (Local Notice to Mariners). The notification, either by letter, fax, or e-mail, shall include as a minimum the following information:
 - a. Project description including the type of operation ;
 - b. Location of operation, including Latitude / Longitude (NAD 83);
 - c. Work start and completion dates and the expected duration of operations;
 - d. Equipment and vessels involved in the operation (name, size, and type);
 - e. VHF-FM radio frequencies monitored by vessels on scene;
 - f. Name of Permittee Company or contractor, point of contact, and 24-hour phone number;
 - g. Potential hazards to navigation; and
 - h. Chart number for the area of operation.
32. Upon notification to the U.S. Coast Guard as specified in the above Conditions, the Permittee shall also forward a copy of the notification to the Coast Guard Chief, Waterways Management. The Chief, Waterways Management may modify the deployment of marine construction equipment or mooring systems to safeguard navigation during project construction. The Permittee shall direct questions concerning lighting, equipment placement, and mooring to Waterways Management Section, LT Van Vu at 540-437-2978.
33. Prior to the onset of the authorized activity, the Permittee shall implement a contractor education program to ensure that all onsite personnel are informed of the biologically sensitive resources associated with the project site and compliance with all the General and Special Conditions herein. The Permittee shall provide all onsite personnel a copy of this RGP, and require all onsite personnel to read, understand, and agree to this authorization in its entirety

prior to initiation of the authorized activity. In addition, a copy of this RGP will remain with the biological monitor and on the project site posted for easy access by the work crew.

34. Damage to structures/vessels: The Permittee hereby recognizes the possibility that the structures permitted may be subject to damage by wave wash from passing vessels. The issuance of this general permit does not relieve the Permittee from taking all proper steps to insure the integrity of the structures permitted and the safety of boats moored thereto from damage by wave wash and the Permittee shall not hold the United States liable for any such damage.
35. This permit is valid until March 11, 2018 unless Coronado Cays submits a request for a new 5-year coastal exemption for activities included in this RGP and receives confirmation from the Coastal Commission that the new 5-year coastal exemption is valid and no appeals are filed. The Permittee will provide the new 5-year coastal exemption and Coastal Commission's confirmation to the Corps.
36. This permit is valid until November 1, 2018 unless the Permittee receives a new 401 Water Quality Certification for this RGP and the included activities. The Permittee will provide the new 401 Water Quality Certification to the Corps.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - () Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () 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 project.
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 to 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: General Condition 1 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 re-evaluation of the public interest decision, the Corps will usually provide you with favorable consideration if you request an extension of this time limit.

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

Dave Castanon
Chief, Regulatory Division
Los Angeles District

October 11, 2017
Date