
State Water Resources Control Board

Second Public Notice of Water Quality Certification for U.S. Army Corps of Engineers Nationwide Permits

State Water Resources Control Board
Division of Water Quality
Water Quality Certification and Wetlands Program

Date Posted: August 18, 2021

Affected Counties: Statewide

Nationwide Permits (NWP) authorize certain activities under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. On October 16, 2020, the State Water Board provided public notice of an application by the U.S. Army Corps of Engineers (Corps) to reissue all NWPs. The Corps reissued 12 NWPs and issued four new NWPs in January 2021. The remaining 41 NWPs are expected to be finalized and published in the Federal Register by the end of the calendar year. The Corps has extended the reasonable period of time to take certification action on these 41 NWPs. The State Water Board is preparing to take a certification action on these NWPs.

The Corps' Headquarters Proposal to Reissue and Modify the Nationwide Permits can be accessed at the [Federal Register website](https://www.federalregister.gov/documents/2020/09/15/2020-17116/proposal-to-reissue-and-modify-nationwide-permits) (<https://www.federalregister.gov/documents/2020/09/15/2020-17116/proposal-to-reissue-and-modify-nationwide-permits>). Links to the draft Regional Conditions for each of the three Corps Districts within California (Sacramento, San Francisco, and Los Angeles) are available under "Supporting/Related Materials."

Staff will consider all comments submitted in writing and received during a 45-day comment period that begins on the first date of issuance of this notice (August 18, 2021) and ends at 12:00 p.m. (noon) on the last day of the comment period (October 2, 2021).

Electronic submittals are strongly encouraged. Comment letters may be submitted electronically, in pdf text format, to Beth Payne via e-mail at: Elizabeth.Payne@waterboards.ca.gov. **Please indicate in the subject line: "Comment Letter – Water Quality Certification for the Corps' NWPs."**

If unable to submit comments electronically, please address comments to:

Beth Payne,
State Water Board
P.O. Box 100, Sacramento,
CA 95812-2000 (mail)

State Water Board Contact:

Beth Payne, Senior Environmental Scientist
Wetlands Permitting and Planning Unit Supervisor, Division of Water Quality
State Water Resources Control Board
Telephone: (916) 341-5579
Email: elizabeth.payne@waterboards.ca.gov

Note: No regulatory decision on the application is implied or intended in this public notice.

KEEP INFORMED OF PROJECT MILESTONES

To be informed of milestones in the development of this proposed Water Quality Certification, any interested persons should enroll in the State Water Board's 401 Program e-mail notification service.

Click the **SUBSCRIBE** button on the [401 Program Webpage](http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml) (http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml).

By enrolling in this list, you will receive notices for all current CWA 401 applications, including the Project announced in this notice. You will need a valid e-mail address to use this service. If you do not have internet access or do not wish to participate in the Lyris subscription list, contact the staff person named in the notice to express your interest in receiving notices by other means. You can enroll or un-enroll at any time.