

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

**Public Notice of Application for
Water Quality Certification**

**U.S. Army Corps of Engineers 2012
Reissuance of Nationwide Permits**

On February 16, 2012, the U.S. Army Corps of Engineers (Corps) notified the State Water Resources Control Board that the Corps is reissuing 48 of the 49 existing nationwide permits (NWP), general conditions, and definitions, with some modifications (see notice in Attachment A). The Corps is also issuing two new NWPs, three new general conditions, and three new definitions. The effective date for the new and reissued NWPs will be March 19, 2012. These NWPs will expire on March 18, 2017.

The February 16 notification in the Federal Register serves as the Corps application for Water Quality Certification (Certification) under Section 401 of the Clean Water Act for those proposed NWPs that will result in a discharge into waters of the U.S. within the State of California.

On February 21, 2012, the U.S. Army Corps of Engineers published in the Federal Register its final notice of reissuance of the NWPs (Federal Register / Vol. 77, No. 34 / Tuesday, February 21, 2012 / Notices, p. 10184; online at <http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf>).

The Federal Register notice specifies that "If the state ... takes no action by April 23, 2012, [water quality certification] will be considered waived for those NWPs."

A Certification or Denial will be prepared by the State Water Board in response to this notice for all of the NWPs.

Water Board staff are proposing this certification pursuant to Section 401 of the Clean Water Act (33 USC 1341) and Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact Cliff Harvey at (916) 558-1709. (charvey@waterboards.ca.gov).

Date Posted: February 27, 2012

State Water Resources Control Board Staff Contact:
Cliff Harvey, Environmental Scientist
Water Quality Certification Unit, Division of Water Quality
State Water Resources Control Board
Telephone: 916-558-1709
Email: charvey@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 under the "Quick Links" section of the 401 Program Webpage at: http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml

By enrolling in this list, you will receive notices for all current 401 project 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 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. The State Water Board will not disclose your name or e-mail information to any outside parties, and will not use this information for any other purpose.