

**Lahontan Water Board Program Fact Sheet
FY 2016-2017**

**Clean Water Act Section 401 Water Quality Certification
(Dredge and Fill)**

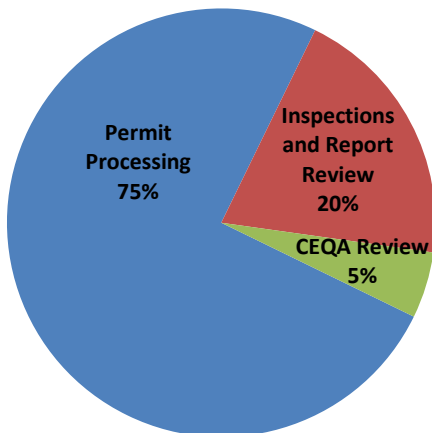
Overview

This Program regulates discharges of fill and dredged material to all waters of the State, including waters of the U.S. under Clean Water Act (CWA) section 401 and the Porter-Cologne Water Quality Control Act. Additional protections are provided for wetlands, special aquatic sites and headwaters because these waterbodies have important functions and values including pollutant removal, flood water retention, and habitat connectivity. The Program’s core protection strategies is impact avoidance, followed by minimization, and then mitigation to compensate for impacts and ensure no net loss of water resources. The Program is supported by 2.1 PYs.

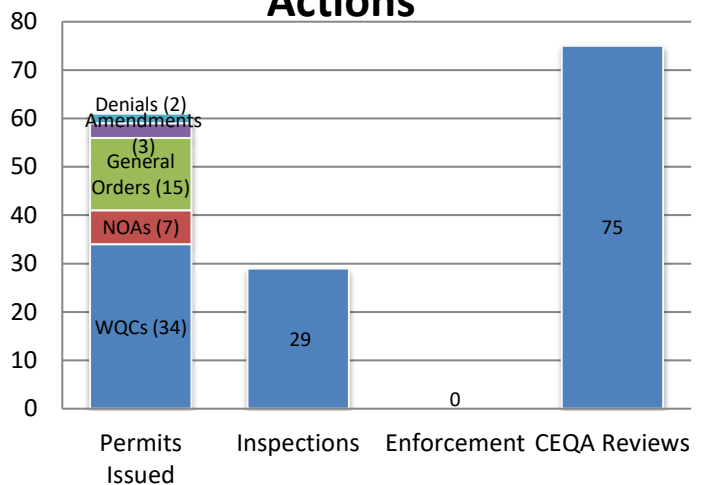
Key Efforts

- Require applicants propose the least environmentally damaging practicable alternative (LEDPA) for their project, avoid and minimize impacts, and provide mitigation for unavoidable impacts.
- Provide conditions in the certification that are enforceable and able to be tracked in CIWQS for efficient compliance and enforcement.
- Provide comments on environmental documents to ensure requirements of the dredge and fill program, including LEDPA, 404(b)(1) guidelines (i.e., avoidance, minimization, mitigation), and jurisdictional issues are clearly explained and taken into consideration
- Inspect for compliance with Order and enforce for non-compliance.
- Continue to assist and engage in discussions with State Board and USEPA on the statewide Draft Procedures for Discharges of Dredged or Fill Material to Waters of the State (formerly Wetland and Riparian Area Protection Policy)
- Require monitoring and reporting including use of California Rapid Assessment protocols and ECOATLAS
- Development of general orders for LADWP and San Bernardino County

Staff Time



Actions



Accomplishments

- Issued 61 dredge and/or fill permits, denials or amendments (includes 34 Water Quality Certifications -WQCs, 7 Notices of Applicability (NOAs) for enrollment in WDRs for impacts to State waters, 3 amendments, 15 General Order enrollments, and 2 Denials).
- Performed 29 inspections (0 enforcement, 3 compliance, and 5 pre-requirement).
- Completed 1 informal enforcement actions for non-compliance with permit conditions. Staff is currently overseeing the resolution of these issues.
- Progress toward a long-term, multi-year 401 WQC for LADWP activities in Inyo and Mono counties. Meetings are held quarterly to develop CEQA document and discuss planned maintenance needs and permits are issued on an as-needed basis.
- Completion of the Petersen Ranch Mitigation Bank in the Antelope watershed and progress towards the Mojave River Watershed Mitigation Bank in the Mojave watershed.
- Completion of four restoration projects in Inyo National Forest, Mono County as part of the LADWP Supplemental Environmental Project.
- Continued training efforts for EcoAtlas and rapid assessment method protocols.
- Continued inspection and technical consultation on the Lake Tahoe Basin Management Unit Upper Truckee River Restoration effort.
- Reviewed and commented on 75 environmental documents.

Performance targets for this year – Progress to date

- State Board, in collaboration with the regional boards, is currently working on the development of a set of statewide performance targets for the Program.

Unaddressed Work

- More than half of the permitted sites each year do not get inspected.
- Outreach and education is limited.
- Protection and adequate regulation of impacts to waters of the state where no waters of the U.S. are designated is unaddressed in some areas.
- Limited opportunities and resources to ensure mitigation projects are successful.
- Identification of priority functions and values of waters in region requiring protection and impact avoidance where possible.
- Expansion of basin plan prohibitions or policies to protect floodplains and riparian areas.
- Incentivizing watershed restoration and resiliency efforts.