

Notice of Intent Instructions

Applicants seeking General Order authorization for Nationwide Permits (NWP) 5, 6, 12, 22, 28, 32, 36 and 54 from are required to submit a complete Notice of Intent (NOI) form to the appropriate Water Board. Mail NOIs, with the fee check to the Regional Water Board with jurisdiction where the proposed project impacts would occur made payable to "State Water Board". A map showing Regional Water Board jurisdictional boundaries is available online at <http://www.waterboards.ca.gov/waterboardsmap.shtml> and are also provided in Attachment C of this General Order. Submit NOIs for NWP 12 activities, and for projects affecting more than one Regional Board, to the State Water Board with a copy to the appropriate Regional Board(s).

To avoid project delays, submit the NOI as early as possible. Within 30 days of NOI receipt the Water Board shall determine if the application is complete. If the application is complete, within 45 days of NOI receipt, the Water Board will issue either a Notice of Applicability (NOA), informing the discharger that the proposed activity qualifies for authorization, or a Notice of Exclusion (NOE), which informs the discharger that the proposed activity does not qualify for General Order authorization. If an NOE or NOA is not issued by Water Board staff within 45 days from NOI receipt, the discharger may proceed with the project according to all applicable General Order conditions.

Definitions

Consider the following definitions while completing your NOI:

Permanent aquatic resource impacts means permanent loss of aquatic resource area or resource function resulting from a discharge of dredged or fill material that changes an aquatic area to dry land or changes the bottom elevation or dimensions of a waterbody, or changes the surface elevation or dimensions of a wetland.

Temporary aquatic resource impacts means temporary impacts to aquatic resources (e.g., waters temporarily filled, excavated, or drained) where the area, contours, and uses of the impacted aquatic resource is typically restored to pre-project conditions within one year of disturbance. However, the Water Board may determine on a project specific basis that specific time frames for restoration must be imposed to avoid temporal loss which would otherwise be included in permanent loss.

Form Instructions

The information below is required pursuant to California Water Code section 3861(c)(3):

Section 1: Nationwide Permit Number

Identify the NWP number that applies to the applicant's project.

Section 2: Applicant and Agent Information

Applicant Company, Contact Name and Title: Provide the full, legal company name of the applicant or responsible party. Most commonly, the applicant is the property and/or facility owner. If the applicant is an individual and not a company, indicate that a company name is not applicable. If the applicant is an agency, company, corporation or other organization, a contact name (First, Middle Initial, Last) of the main representative of the company and their title must be provided. The applicant will be the entity or individual responsible for compliance with the Clean Water Act, California Water Code, applicable Water Quality Control Plans and General Order Conditions.

Applicant Contact Information: Telephone number, email address, and the company's mailing address (not the project address) including the street, city, state and zip code must be provided.

Consultant/Agent Company, Contact Name and Title: The agent's role is to oversee the processing of the NOI and to make the day-to-day decisions regarding the NOI. It is not a requirement to have an agent. If you choose to be represented by an agent, provide the agent's information in Section 2 of the form. If you choose to not be represented by an agent leave this section blank.

Consultant/Agency Contact Information: Telephone number, email address, and the company's mailing address (not the project address) including the street, city, state and zip code must be provided.

Section 3: Fees

Application Fee: The application fee must be paid at the time of NOI submittal. The fee amount is determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category F - General Orders for CEQA Exempt Projects (fee code 19). The dredge and fill fee calculator may be accessed at http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml. This fee is adjusted periodically. ***Dischargers should confirm the correct fee amount prior to submitting an NOI.***

Section 4: Other Agency Permits/ Licenses/ Agreements/ Plans/ Email Correspondence

Provide the following information for each agency:

Permit required: Check yes (Y) if a permit is needed from any of the listed agencies.

If yes, have you received the final permit: If received, check yes (Y) and attach the permit. If not yet received, check no (N) and attach the permit application.

ID number: If the agency issued an identification (ID) number for the project, list it here.

Section 5: Project Information

Project Name: Give the project a name. The Project Name will be used in all correspondence referencing the project. Be sure this Project Name is consistent with other agency applications for the same project, and is consistent on all maps, drawings and reports. Project Name should be clearly relevant to the Project (e.g., Blue Creek Bridge Project; Jones Subdivision Road Widening Project).

Center Coordinates: Indicate the location for the center point of your project in degrees, minutes, seconds (approximate location is acceptable). Assistance in determining a project's coordinates is widely available through various free online services or your local library.

Project Address: Provide the street address of the project location. If the proposed project does not have a physical street address, be as descriptive as possible in the street address line. For example, "Leisure Town Rd., 5.5 miles south of the intersection of I-80 and Leisure Town Rd".

APN: Provide the Assessor's Parcel Number.

Project Construction Timeframe: Provide the estimated start and end dates for the proposed project.

Project Description/ Purpose: Provide a detailed, technically accurate narrative description of the proposed project purpose, project design, all activities planned to complete the design, and total impacts, including area of ground disturbance and areas of impact to all aquatic resources on the site (i.e., any and all streams, wetlands, lakes, ponds, beaches, shorelines, etc). Note that if the U.S. Army Corps of Engineers has declined jurisdiction for any aquatic resources impacted by the Project, the Project is disqualified for this certification of the NWP, and individual WDRs may be required.

Section 6: Avoidance, Minimization and Cumulative Impacts

Avoidance and Minimization: Describe steps taken to avoid impacts to waters and measures incorporated into the project design to minimize loss of, or significant adverse impacts to, beneficial uses of waters of the state, including on-site restoration of the project area. If the effects of impervious surfaces will be minimized through implementation of Low Impact Development treatments, describe those minimization treatments.

Cumulative Impacts: Include a discussion of any potential cumulative impacts. Provide a brief description, including estimated adverse impacts of any projects implemented by the project applicant within the last five years or planned for implementation by the applicant within the next five years that are in any way related to the proposed activity or that may impact the same receiving water body(ies) as the proposed activity. For the purpose of this item, the waterbody extends to a named source or stream segment identified in the relevant Regional Water Quality Control Plan (Basin Plan).

Section 7: Temporary Impacts, Permanent Impacts and Compensatory Mitigation Information

Temporary Impacts: Check yes if your project results in temporary impacts to waters of the state. Provide the total temporarily impacted area in acres, to the nearest thousandths of an acre. Also state linear feet of impacts, to the nearest whole foot; this quantity must match the sum of temporary impact quantities listed in Table 2. Attach a restoration plan meeting all General Order conditions with your NOI.

Riparian Tree Removal: Check yes if your project results in the removal of mature riparian trees and attach a table listing tree(s) species name(s); common name(s); diameter(s) at breast height (DBH); and whether the removed trees are part of the riparian overstory or understory, or both.

Permanent Impacts: Check yes if your project results in permanent impacts and provide the total permanently impacted area in acres, to the nearest thousandths of an acre; and linear feet, to the nearest whole foot; this quantity must match the sum of permanent impact quantities listed in Table 2.

Table 1: Receiving Waters Information: List each aquatic resource impact site in Table 1.

Impact Site ID: Identify the impact site with a Site ID; Site IDs should correspond to those used in project maps and other agency application materials.

Waterbody Name: List the Water Body name found in the basin plan. If the impact Site ID occurs in an unnamed waterbody state “unnamed tributary” to either the next unnamed tributary or the named receiving waters. Contact Water Board staff for basin plan maps or general assistance completing this section, if needed.

Impacted Aquatic Resource Type: For each impact Site ID, identify the impacted aquatic resource type from the following list: Lake, Ocean, Riparian Zone, Stream Channel, Vernal Pool or Wetland. (More refined or precise resource classifications may be used in Project plans and related documents.)

Water Board Hydrologic Units: Identify the Water Board basin plan hydrologic unit code (HUC). Note that the Basin Plan HUC is *not* the same as a U.S. Geological Survey (USGS) Hydrologic Unit Code (USGS HUC). If unknown, indicate UNK and this information will be completed by Water Board staff.

Receiving waters: List the first downstream waterbody with beneficial use designation in the Water Board basin plan. If unknown, indicate UNK and this information will be completed by Water Board staff.

Receiving Waters Beneficial Uses: List the beneficial use designation. If unknown, indicate UNK and this information will be completed by Water Board staff.

303d Listing Pollutant: List pollutants for receiving waters that have a 303d impairment designation, if the water is not listed indicate NA. If unknown, indicate UNK and this information will be completed by Water Board staff.

eCRAM ID: If a California Rapid Assessment Method (CRAM) assessment has been performed at this location, provide the CRAM assessment area ID and attach the CRAM score sheet.

Table 2: Individual Direct Impact Information

Impact Site ID: Identify the impact site with a Site ID; Site IDs should correspond to those used in Table 1.

Latitude and Longitude: Provide the center coordinate of the impact site.

Direct Impact Dimensions: Provide the area, length, and volume of material excavated, filled or dredged to the nearest cubic yard. When the project impacts a shoreline, record the length of shoreline impacted. When a project impacts a channel, bed, banks, or adjacent riparian area, record the length of channel impacted in the direction of flow. For polygonal projects that do not have a clear linear aspect (such as transmission line tower foundations), record the distance of the longest line that can be drawn across or through the site. For activities that don't include excavation or filling (such as road grading), enter NA for cubic yards.

Section 8: Documentation

Attach the following documents to your NOI: Use this checklist to confirm the necessary documentation is attached to your NOI. If you determine one of the listed items does not pertain to your project write NA in the corresponding box:

- a. **Fee check for the appropriate amount (NOI Section 3)**
- b. **Other agency correspondence (NOI Section 4)**
- c. **Delineation report submitted to the Corps**
- d. **Table 3: Mature riparian trees proposed for removal (NOI Section 7)**
- e. **Temporary impact restoration and monitoring plan (NOI Section 7)**
- f. **Map(s) (NOI Section 7)** Submit maps of sufficient detail to clearly illustrate all project elements, site characteristics, and impacts, with a scale of at least 1:24000 (1" = 2000'). Acceptable map formats, listed in order of preference, are:
 - i. **GIS shapefiles:** Shapefiles must depict the boundaries of all project areas, site characteristics, and extent of aquatic resources impacted or avoided. Each shape should be attributed with the extent/type of aquatic resources impacted. Features and boundaries should be accurate to within 33 feet (10 meters). Identify datum/projection used and if possible, provide map with a North American Datum of 1983 (NAD 83) in the California Teale Albers projection in feet.
 - ii. **KML files:** Saved from on-line mapping services. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. Include URL(s) of maps. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
 - iii. **Other electronic format:** (CAD or illustration format) that provides a context for location (inclusion of landmarks, known structures, geographic coordinates, or USGS DRG or DOQQ). Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a table with the object ID and attributed with the extent/type of aquatic resources impacted.

- iv. Aquatic resource maps marked on paper **USGS 7.5 minute topographic maps** or **Digital Orthophoto Quarter Quads (DOQQ)**; Original or legible copies are acceptable. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
- g. **Pre-project photographs:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.
- h. **Attach additional pages as needed:** For example, if the requested information does not fit in the space provided on the form, or if you would like to provide supplemental information not requested on the NOI.

Section 9: Agent and Applicant Signature

Please sign and submit to the appropriate Regional Board. Water Board mailing addresses are located on General Order Attachment B. An original signature is required; electronic signatures are not accepted.