

Attachment A

2012 Notification Procedures and Requirements for Certified Nationwide Permits

Notification Requirements:

(In the following discussion, a “Pre-construction Notification” (PCN) is the document submitted to the Corps; a “notification” is the document submitted to the State Water Board and Regional Water Board.)

Applicants for the 2012 certified Nationwide Permits (NWP) are required to submit notification to the State Water Resources Control Board (State Water Board) and Regional Water Quality Control Board (Regional Water Board) as directed below.

Applicants enrolling under NWPs 5, 6, 11, 12, 20, 22, 28, 32, and 36 are required to submit a signed notification and fees. Applicants enrolling under NWPs 1, 4, 9, and 10 are not required to submit a notification or fees to the State Water Board or a Regional Water Board. The fact that an applicant does not need to submit a notification or pay a fee does not relieve the applicant from adhering to all other conditions of this Certification. Failure to comply with the conditions listed in this Certification may subject a permittee to administrative and/or judicial enforcement.

Notification Procedures and Instructions:

The notification shall be submitted on the 2012 Certified Nationwide Permit Notification Form, which is provided below.

The signed notification shall be received by the appropriate Regional Water Board, with a copy to the State Water Board, not less than 45 days before any activity which may result in a discharge is commenced. To avoid project delays, the applicant should submit the notification as early as possible.

Note that projects requiring compensatory mitigation or which may affect federal or state endangered or listed species do not qualify for CEQA exemptions, and are thus would not meet the conditions of this certification. In this case, an application for an individual certification should be submitted to the appropriate Regional Water Board or, if the project may discharge to the jurisdiction of more than one Regional Water Board, then the application should be submitted to the State Water Board.

Response to Notifications:

The Regional Water Board is responsible for responding to a notification. Response to notifications will be either a Notice of Exclusion (NOE), which informs the applicant that the proposed activity is not qualified for enrollment under this certification, or a Notice of Applicability (NOA), informing the applicant that the proposed activity is qualified for this certification. A NOE may be rescinded and a NOA may be issued upon receipt of additional information requested by Regional Water Board staff.

Timing:

If the applicant does not receive a NOE or NOA from the Regional Water Board within 45 days of the date of receipt of the signed notification, the applicant may assume that the project meets the conditions of certification and may proceed with the project under the conditions of the NWP and this certification. In no case may the project commence before the appropriate fee is paid.

**Instructions for Completion of the
2012 Certified Nationwide Permits Notification Form**

Notifications and the appropriate fee shall be submitted to the 401 Program Manager for the affected Regional Water Board, and a copy of the notification shall be submitted to State Water Board's Division of Water Quality, 401 Certification Program Manager. Addresses and web site information are provided in the *2012 Certified Nationwide Permit Notification Form*. A copy of this form follows these instructions.

Forms may also be obtained by contacting the staff of the applicable Regional Water Board.

Fees may be changed at any time. To determine the correct fee, consult the "Dredge and Fill Fee Calculator" under "Resources for Applicants" at: http://www.waterboards.ca.gov/water_issues/programs/cwa401, or contact the Regional Water Board staff. Please attach the fee check to the first page of the signed notification form.

(a) Provide the name, address, telephone number and, if available, e-mail address of:

- 1) the applicant; and
- 2) the applicant's agent (if an agent is submitting the notification).

All regulatory actions, including waivers of action, by any federal agencies must be disclosed in Items (b) and (c).

(b) Provide complete identification of all federal licenses/permits being sought for or applying to the proposed activity, including the:

- 1) federal agency;
- 2) type (e. g., Nationwide Permit Number); and
- 3) file number(s) assigned by the federal agency(ies), if available.

For each permit identified in (b) above, provide complete copies of either:

- 1) the application(s) for federal license(s)/permit(s) being sought for the activity; or
- 2) if no federal applications are required, any notification(s) concerning the proposed activity issued by the federal agency(ies); or
- 3) if no federal notification is issued, any correspondence between the applicant and the federal agency(ies) describing or discussing the proposed activity.

(c) Copies of any final and signed federal permits, licenses, and agreements.

- 1) Provide copies of any final and signed federal, licenses, permits, and agreements (or copies of the draft documents, if not finalized) that will be required for any construction, operation, maintenance, or other actions associated with the activity.
- 2) If no final or draft document is available, a list of all remaining agency regulatory approvals being sought shall be included.
- 3) If no application, notification, correspondence, or other document must be exchanged between the applicant and federal agency(ies) prior to the start of the activity, the notification to the State Water Board and appropriate Regional Water Board shall include a written statement to this effect. (Note: Certification is denied for any activity requiring the issuance or renewal of more than one federal license or permit; see Condition 7 of the certification).

(d) Provide final copies of all state permits being sought for or applying to the proposed activity, as directed for federal permits in (c) above.

(e) Provide final copies of all local permits being sought for or applying to the proposed activity, as directed for federal permits in (c) above.

(f) Provide a copy of any draft or final CEQA document(s), if available, prepared for this activity. Staff may request copies of all CEQA documents if needed to evaluate the project and its compliance with the terms of this Certification.

(g) Provide a description of your project. This should include a full, technically accurate description, including the purpose and final goal, of the entire activity (Cal. Code Regs., tit. 23, § 3831(e)) or project (Pub. Resources Code, § 21065), including:

- 1) address (including city and county), assessor's parcel number and, if available, the longitude and latitude of the project site;
- 2) a map of appropriate scale and detail to show the project area, key project features, and location of the project in relation to identifying landmarks (e.g., roads, towns, other significant named features);
- 3) name(s) and hydrologic unit(s) of any receiving water body(ies) that may receive a discharge;
- 4) type(s) of receiving water body(ies) (e. g., stream channel, lake/reservoir, ocean/estuary/bay, or wetland). For each water body type reported here, provide the total estimated quantity of waters of the United States and the types of discharge material(s) that may cause a temporary impact (or minor permanent impact, in the case of NWP 36) to waters. The estimated quantity of waters to be adversely impacted by any discharge shall be reported in acres and, for channels, shorelines, riparian corridors, and other linear habitat, linear feet. Cubic yards of dredged for fill material shall be reported for all impacts. Significant adverse impacts under this order are not permitted;
- 5) any delineation report submitted to the Corps for stream, wetland, or other aquatic resources that would be impacted by the proposed activity or project;
- 6) the total size (in acres), length (in feet) where appropriate, type, and description of the entire project area, including areas outside of jurisdictional waters of the United States;
- 7) a brief list/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 purpose of this item, the water body extends to a named source or stream segment identified in the relevant Regional Water Quality Control Plan (Basin Plan);

- 8) A description of any steps that have been or will be taken to avoid or minimize loss of or significant adverse impacts to beneficial uses of waters of the state, including on-site restoration of the project area; and
- 9) a discussion of any potential cumulative impacts.

(h) The applicant or authorized agent must sign the document. The notification must be signed by the applicant or the applicant's agent (if an agent is submitting the notification). The notification must include a statement that the submitted information is complete and accurate. ***The State Water Board is unable to process electronically signed notifications at this time. Notifications bearing the original signature of the applicant or applicant's agent must be submitted as paper forms until further notice.***

Table 1 - 2012 Comparison of Corps and 401 Certification Notification Requirements for Certified Nationwide Permits

NWP No.	Nationwide Permit Description	Corps Pre-construction Notification (PCN) Requirements	401 Certification Notification Requirements
1	Aids to Navigation	No PCN Required.	No Notification Required.
4	Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities	No PCN required.	No Notification Required.
5	Scientific Measurement Devices	No PCN required.	Notification Required.
6	Survey Activities	No PCN Required.	Notification Required.
9	Structures in Fleeting and Anchorage Areas	No PCN required.	No Notification Required.
10	Mooring Buoys	No PCN required.	No Notification Required.
11	Temporary Recreational Structures	No PCN required (except to reservoir managers at Corps Reservoirs).	Notification Required.
12	Utility Line Activities	PCN required under certain conditions.	Notification Required.
20	Response Operations for Oil and Hazardous Substances	No PCN required.	Notification Required.
22	Removal of Vessels	No PCN except for historic structures and operations in Special Aquatic Sites.	Notification Required.
28	Modification of Existing Marinas	No PCN required.	Notification Required.
32	Completed Enforcement Actions	No PCN Required.	Notification Required.
36	Boat Ramps	PCN Required.	Notification Required.

[This page intentionally blank]

**2012 Certified Nationwide Permit Notification Form
TO COMPLY WITH THE TERMS OF
GENERAL WATER QUALITY CERTIFICATION OF 2012 NATIONWIDE PERMITS
ORDER NUMBER SB12002GN**

**A SIGNED NOTIFICATION MUST BE RECEIVED BY THE STATE WATER BOARD AND THE
APPROPRIATE REGIONAL WATER BOARD NO LESS THAN 45 DAYS BEFORE ANY PROJECT
ACTIVITY**

This application is for coverage under Order No. SB12002GN for Nationwide Permit:

Mark only one item

Scientific Measurement Devices	NWP 5 <input type="checkbox"/>
Survey Activities	NWP 6 <input type="checkbox"/>
Temporary Recreational Structures	NWP 11 <input type="checkbox"/>
Utility Line Activities	NWP 12 <input type="checkbox"/>
Response Operations for Oil and Hazardous Substances	NWP 20 <input type="checkbox"/>
Removal of Vessels	NWP 22 <input type="checkbox"/>
Modification of Existing Marinas	NWP 28 <input type="checkbox"/>
Completed Enforcement Actions	NWP 32 <input type="checkbox"/>
Boat Ramps	NWP 36 <input type="checkbox"/>

Important Note: The applicant listed shall be the party responsible for compliance with the Clean Water Act, California Water Code, applicable Water Quality Control Plan, and 401 Certification Conditions and is typically the property/facility owner. The authorized agent is the individual or team that is authorized by the applicant to provide information to the Regional Water Board on behalf of the applicant (responsible party).

(a) Applicant Identification			
Name and Title of Applicant			
Applicant Mailing Address			
City	County	State	Zip
Email	FAX	Phone (office)	
		Phone (cell)	
<p>→FEE CHECK: Attach fee check here, payable to State Water Resources Control Board.</p>			

(a) Continued Applicant Authorized Agent Name			
Authorized Agent Title and Affiliation			
Agent Mailing Address			
City	County	State	Zip
Email	FAX		Phone (office) Phone (cell)

(b) – (c) – (d) – (e) Other Permits/Licenses/Agreements/Plans (attach copies to this notification as described in the instructions)
(b) & (c) Federal (Type and Permit/License Number)
(d) State (Type and Permit/License/Agreement Number)
(e) Other County, City, etc. (Type and Permit/License Number)
Other Required Documents or Plans (for example SWPPP)

(f) CEQA	
CEQA Notice of Exemption (exemption name and number)	
Notice of Completion or Notice Availability	
Attach draft or final CEQA Notice of Exemption, Notice of Completion or Notice of Availability. Staff may request copies of all CEQA documents if needed to evaluate the project.	

(g) Full Project Description and Location

Project Name

1. Site Location/Address

Nearest Cross Street(s) if applicable

County

Total size of Site (acres)

Assessor's Parcel Number

2. Provide latitude/longitude for the approximate center of discharge area; for linear projects, provide coordinates for each end of project in degrees/minutes/seconds (DMS) to the nearest ½ second.

DMS: N. Latitude Deg. _____ Min. _____ Sec. _____
W. Longitude Deg. _____ Min. _____ Sec. _____
N. Latitude Deg. _____ Min. _____ Sec. _____
W. Longitude Deg. _____ Min. _____ Sec. _____

Attach a map of at least 1:24000 (1" = 2000') detail of the proposed discharge site (e.g., USGS 7.5 minute topographic map) and **pre-project photos**.

Provide detailed directions to project location, include identifying landmarks (roads, towns, or other identifying land marks).

Project Description

Total size and detailed description of the entire project including areas outside of jurisdictional waters of the United States. A full, technically accurate description, including the purpose and final goal, of the entire activity (Cal. Code Regs., tit. 23, § 3831(e)) or project (Pub. Resources Code, § 21065).

Proposed project start date

Expected date of completion

(g) (3) Hydrologic Information (From the Regional Water Board Basin Plan)	
Receiving Water(s)	
Hydrologic Unit(s)	

(g) (4) Project Impacts (Fill)*			
Waterbody Type	Acres**	Linear Feet	Cubic Yards
<i>Lake</i>			
<i>Ocean</i>			
<i>Riparian Zone</i>			
<i>Stream Channel</i>			
<i>Vernal Pool</i>			
<i>Wetland</i>			

* The quantity of waters to be adversely impacted by any discharge shall be reported in acres for wetland, vernal pool; and in linear feet and acres for channels, streambed/streambank, shorelines and riparian corridors. Cubic yards shall also be reported for all impacts.

** Provide acres to three decimal places (e.g., 0.006).

(g) (4) Project Impacts (Dredge*/Excavation)*			
Waterbody Type	Acres**	Linear Feet	Cubic Yards
<i>Lake</i>			
<i>Ocean</i>			
<i>Riparian Zone</i>			
<i>Stream Channel</i>			
<i>Vernal Pool</i>			
<i>Wetland</i>			

* The quantity of waters to be adversely impacted by any discharge shall be reported in acres for wetland, vernal pool; and in linear feet and acres for channels, streambed/streambank, shorelines and riparian corridors.

** Provide acres to three decimal places (e.g., 0.006).

(g) (5)(6) Report the total size (in acres), length (in feet) where appropriate, type, and description of the entire project area, including areas outside of jurisdictional waters of the United States. Attach delineation report as submitted to Corps of Engineers, if required.

(g) (7) Previous Projects

Provide a brief list/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 purpose of this item, **the water body extends to a named source or stream segment identified in the relevant Regional Water Quality Control Plan (Basin Plan).**

(g) (8) (9) Avoidance, Minimization and Cumulative Impacts

Describe any steps that have been taken or will be taken to avoid or minimize loss of or significant adverse impacts to beneficial uses of waters of the state, including on-site restoration of the project area. Include a discussion of any potential cumulative impacts.

Reminders:

1. This Notification must be signed and received no less than 45 days before any activity commences which may result in a discharge.
2. Upon receipt of a signed Notification, the Regional Water Board will either respond with a Notice of Exclusion (NOE) which informs the applicant that the proposed activity is not qualified for coverage or a Notice of Availability (NOA) informing the applicant that the proposed activity is qualified for coverage.
3. The project may not proceed until the appropriate permit fee is received by the Regional Water Board.
4. The appropriate fee is located on the fee calculator at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/#resources
5. Water Boards addresses and phone numbers are located at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf
6. If the applicant does not receive an NOE or an NOA from the Regional Water Board within 45 days of the date of receipt of the Notification, the applicant may assume that the project meets the conditions of certification and may proceed with the project under the conditions of the NWP and Order number SB12002GN.
7. **References in the form to attached documents must include the name of the document, the page number and paragraph number.**

STATEMENT OF AUTHORIZATION (Required when applicant is designating an authorized agent)

I hereby authorize _____ to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

PRINT NAME OF APPLICANT (NOT THE AUTHORIZED AGENT)

SIGNATURE OF APPLICANT (NOT THE AUTHORIZED AGENT)

DATE

Application is hereby made for a permit to authorize the work described in this application. I certify, under penalty of perjury, that this application is complete and accurate to the best of my knowledge. I further certify that I possess the authority to undertake the work described herein, or am acting as the duly authorized agent of the applicant. In addition, I certify property owner responsibility and liability for compliance with permit conditions issued for this project for compliance with any future authorization or amendments thereto.

PRINT NAME AND TITLE OF APPLICANT (OR AGENT)

SIGNATURE OF APPLICANT (OR AGENT)

DATE

PRINT NAME AND TITLE OF LANDOWNER (OR AGENT)

For Staff Use ONLY

WDID Number	Regional Board Office	Date Notification Received
File Number	Check Amount	Check #

[This page intentionally blank]



CALIFORNIA
Water Boards
 STATE WATER RESOURCES CONTROL BOARD
 REGIONAL WATER QUALITY CONTROL BOARDS

P.O. Box 100, Sacramento, CA 95812-0100
www.waterboards.ca.gov

Office of Public Affairs: (916) 341-5254
 Office of Legislative Affairs: (916) 341-5251
 Office of the Ombudsman (916) 341-5254

Water Quality information: (916) 341-5455
 Water Rights information: (916) 341-5300
 Financial Assistance information: (916) 341-5700

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS

NORTH COAST REGION (1)
www.waterboards.ca.gov/northcoast
 5550 Skylane Blvd., Suite A
 Santa Rosa, CA 95403
 E-mail: info1@waterboards.ca.gov
 (707) 576-2220 TEL • (707) 523-0135 FAX

CENTRAL COAST REGION (3)
www.waterboards.ca.gov/centralcoast
 895 Aerovista Place, Suite 101
 San Luis Obispo, CA 93401
 E-mail: info3@waterboards.ca.gov
 (805) 549-3147 TEL • (805) 543-0397 FAX

LAHONTAN REGION (6)
www.waterboards.ca.gov/lahontan
 2501 Lake Tahoe Blvd.
 South Lake Tahoe, CA 96150
 E-mail: info6@waterboards.ca.gov
 (530) 542-5400 TEL • (530) 544-2271 FAX

SAN FRANCISCO BAY REGION (2)
www.waterboards.ca.gov/sanfranciscobay
 1515 Clay Street, Suite 1400
 Oakland, CA 94612
 E-mail: info2@waterboards.ca.gov
 (510) 622-2300 TEL • (510) 622-2460 FAX

LOS ANGELES REGION (4)
www.waterboards.ca.gov/losangeles
 320 W. 4th Street, Suite 200
 Los Angeles, CA 90013
 E-mail: info4@waterboards.ca.gov
 (213) 576-6600 TEL • (213) 576-6640 FAX

Victorville branch office
 14440 Civic Drive, Suite 200
 Victorville, CA 92392
 (760) 241-6583 TEL • (760) 241-7308 FAX

COLORADO RIVER BASIN REGION (7)
www.waterboards.ca.gov/coloradoriver
 73-720 Fred Waring Dr., Suite 100
 Palm Desert, CA 92260
 E-mail: info7@waterboards.ca.gov
 (760) 346-7491 TEL • (760) 341-6820 FAX



CENTRAL VALLEY REGION (5)
www.waterboards.ca.gov/centralvalley
 11020 Sun Center Drive, Suite 200
 Rancho Cordova, CA 95670
 E-mail: info5@waterboards.ca.gov
 (916) 464-3291 TEL • (916) 464-4645 FAX

SANTA ANA REGION (8)
www.waterboards.ca.gov/santaana
 3737 Main Street, Suite 500
 Riverside, CA 92501-3339
 E-mail: info8@waterboards.ca.gov
 (951) 782-4130 TEL • (951) 781-6288 FAX

Fresno branch office
 1685 E Street, Suite 200
 Fresno, CA 93706
 (559) 445-5116 TEL • (559) 445-5910 FAX

SAN DIEGO REGION (9)
www.waterboards.ca.gov/sandiego
 9174 Sky Park Court, Suite 100
 San Diego, CA 92123
 E-mail: info9@waterboards.ca.gov
 (858) 467-2952 TEL • (858) 571-6972 FAX

Redding branch office
 415 Knollcrest Drive
 Redding, CA 96002
 (530) 224-4845 TEL • (530) 224-4857 FAX

★ **State Water Resources Control Board** (Headquarters)
 1001 I Street, Sacramento, CA 95814

State of California
 Edmund G. Brown Jr., Governor

California Environmental Protection Agency
 Linda S. Adams, Acting Secretary

State Water Resources Control Board
 Charles R. Hoppin, Chair