



State Water Resources Control Board

NOTICE OF EXEMPTION
Pursuant to Section 21108
Public Resources Code

To: Office of Planning & Research
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814
From: State Water Resources Control Board
Division of Water Quality
P.O. Box 100
Sacramento, CA 95812-0100

Project Title: small Vessel General Permit

Project Applicant: U.S. Environmental Protection Agency, Region 9

Project Location: State of California, Coastal and Inland Waters

Project Description:

The project consists of the issuance of a 401 certification by the State Water Board for the vessel discharge NPDES permit issued by the U.S. Environmental Protection Agency (USEPA). Section 401 of the Clean Water Act (33 U.S.C. §1341) requires every applicant for a federal license or permit which may result in a discharge into navigable waters to provide the licensing or permitting federal agency with certification that the project will be in compliance with specified provisions of the Clean Water Act, including water quality standards and implementation plans promulgated pursuant to section 303 of the Clean Water Act (33 U.S.C. § 1313). Clean Water Act section 401 directs the agency responsible for certification to prescribe effluent limitations and other limitations necessary to ensure compliance with the Clean Water Act and with any other appropriate requirement of state law. Section 401 further provides that state certification conditions shall become conditions of any federal license or permit for the project. The State Water Resources Control Board (State Water Board) is designated as the state water pollution control agency for all purposes stated in the Clean Water Act and any other federal act. (Water Code, § 13160.) The State Water Board's Executive Director has been delegated the authority to issue a decision on a water quality certification application. (California Code of Regulations, Title 23, § 3838, subd. (a).)

The State Water Board is certifying the small Vessel General Permit (sVGP) as issued by the USEPA by regulating discharges incidental to the normal operation of vessels less than 79 feet in length in the waters of the United States. Recreational and military vessels are not subject to this

NPDES permitting under section 402 of the Clean Water Act. For each discharge type regulated by the sVGP, effluent limitations are organized into management groups and are established to minimize the amount of discharge produced, technology-based requirements for certain discharges are established, water quality-based effluent limitations are set for impaired water bodies, and certain discharge types are limited or prohibited in waters protected for conservation purposes. Inspections, monitoring record keeping, and reporting requirements are established by the sVGP and will be performed accordingly.

Exempt Status: Categorical Exemption Classes 7 and 8 in accordance with Title 14, California Code of Regulations, Sections 15307 and 15308.

Reason Why Project Is Exempt:

1. The project consists of the issuance of a 401 certification by the State Water Board for the sVGP issued by the USEPA. The 401 certification includes conditions for the protection of the environment pursuant to the State Water Board's authority under California Code of Regulations, title 23, section 3859 (a).
2. The project does not involve construction activities.
3. There is no relaxation of standards allowing environmental degradation.
4. This project will not cause significant adverse impacts on any sensitive environment and will not result in significant cumulative impacts.

Contact Person: Shuka Rastegarpour Environmental Scientist DWQ/Ocean Standards Unit	Telephone: (916) 341-5576 e-mail: srastegarpour@waterboards.ca.gov
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Approved by:


Thomas Howard
Executive Director

9/27/12
Date

RECEIVED
SEP 28 2012
STATE CLEARING HOUSE



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The State Water Board is certifying the Vessel General Permit (VGP) as issued by the U.S. USEPA by regulating discharges incidental to the normal operation of vessels greater than or equal to 79 feet in length in the waters of the United States. Recreational and military vessels are not subject to this NPDES permitting under section 402 of the Clean Water Act. For each

discharge type regulated by the VGP, effluent limitations are established to decrease the volume of pollutants entering the waste stream, technology-based requirements for certain discharges are established, water quality-based effluent limitations are set for impaired water bodies, and certain discharge types are limited or prohibited in waters protected for conservation purposes. Inspections, monitoring record keeping, and reporting requirements are established by the VGP and will be performed accordingly.


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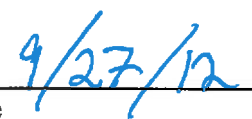
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