

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

Amended Public Notice of Re-Issue of the General Water Quality Certification

*** This public notice has been amended to set forth the correct public comment period. All deleted text is shown in strikethrough and all new text in bolded and underlined text.**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (RWQCBs) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board (State Water Board) has this responsibility for projects affecting waters within multiple RWQCB jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Project Name: General 401 Water Quality Certification (WQC) Order for Small Habitat Restoration Projects

Affected Counties: Statewide

Project Description: On August 10, 2012, the State Water Board General 401 Water Quality Certification for Small Habitat Restoration Projects expires. The purpose of the General 401 WQC is to authorize incidental discharges to Waters of the U.S. for small habitat restoration projects that will not have a significant effect on the environment. Projects must qualify for Categorical Exemption for Small Habitat Restoration under the California Environmental Quality Act (CEQA) Guidelines (Pub. Resources Code § 15333). Examples of small habitat restoration projects that may be eligible for coverage under the General WQC, include but are not limited to: (a) re-vegetation of disturbed areas with native plant species; (b) wetland restoration; (c) stream or river band Revegetation; (d) bio-engineering techniques that minimizes application of rock armoring; (e) large wood augmentation projects to improve habitat complexity ; and (f) improvement of existing stream/watercourse crossings, the primary purpose of which is to improve habitat, remove barriers to upstream fish migration, or reduce watercourse sedimentation. These projects will require a federal license or permit issued in reliance on this General WQC.

Water Board staff are proposing to regulate this project pursuant to section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. In addition, staff will consider all comments submitted in writing and received at this office by mail during a **45**-day comment period that begins on **July 17, 2012**, ~~the first date of issuance of this letter~~ and ends at 5:00 p.m. on **August 31, 2012**, ~~the last day of the comment period~~. If you have any questions, please contact Catherine Woody at (916) 341-5785 or CWoody@waterboards.ca.gov

Date Posted: July 17, 2012

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Note: No regulatory decision on the application is implied or intended in this public notice.