
State Water Resources Control Board

Public Notice of Application for Water Quality Certification for the U.S. Army Corps of Engineers, San Francisco District Regional General Permit 5 for Emergency Action Repair and Protection Activities

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program
Date Posted: August 7, 2019

Affected Counties: Alameda, Contra Costa, Del Norte, Humboldt, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Siskiyou, Solano, Sonoma, and Trinity County

Affected Regional Boards: Central Coast, Central Valley, North Coast, and San Francisco Bay Regional Water Quality Control Boards (collectively Regional Water Boards)

The following information is provided in satisfaction of public notice requirements.

State Water Resources Control Board (State 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. **Staff will consider all comments submitted in writing and received at this office during a 21-day comment period that begins on the first date of issuance of this letter (August 7, 2019) and ends at 5:00 p.m. on the last day of the comment period (August 28, 2019).** To submit comments, or if you have any questions, please contact the State Water Board staff person listed below.

State Water Resources Control Board Contact:

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E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Project Name: Regional General Permit 5 for Repair and Protection Activities in Emergency Situations (Project)

(Reg. Meas. ID: 433381 and SWRCB ID: SB19022GN)

Background: On July 12, 2019, the U.S. Army Corps of Engineers (Corps) publicly noticed an intent to reissue, with no modifications, Regional General Permit 5 for Repair and Protection Activities in Emergency Situations within the jurisdiction of the Corps' San Francisco District.

The Corps' public notice serves as the Corps' application for Water Quality Certification (Certification) under Section 401 of the Clean Water Act for RGP 5. RGP 5 was previously issued by the Corps on December 14, 2014 and expires on August 31, 2019.

Project Description: RGP 5 authorizes discharges of dredged or fill material into waters of the United States, including wetlands, and/or work or structures in navigable waters of the United States for necessary repair and protection measures associated with an emergency situation. An emergency situation, as determined by the Corps, is one where there is a clear and imminent threat to life or property (such as those situations that could potentially result in an unacceptable hazard to life or a significant loss of property if corrective action requiring a permit is not undertaken immediately) demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services.

A Certification or Denial will be prepared by the State Water Board for RGP 5 in response to this application.

Applicant: U.S. Army Corps of Engineers, San Francisco District

Applicant Contact: Frances Malamud-Roam

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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. Such 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 (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Board has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

KEEP INFORMED OF PROJECT MILESTONES

To be informed of milestones in the development of this proposed Water Quality Certification, any interested persons should enroll in the State Water Board's 401 Program e-mail notification service.

Click the SUBSCRIBE button under the "Quick Links" section of the 401 Program Webpage at:

[The 401 Water Quality Certification and Wetlands Program Website](https://www.waterboards.ca.gov/water_issues/programs/cwa401/index.html)

(https://www.waterboards.ca.gov/water_issues/programs/cwa401/index.html)

Select "CWA401 Certification and Wetlands Program." By enrolling in this list, you will receive notices for all current 401 project applications, including the project announced in this notice. You will need a valid e-mail address to use this service. If you do not have internet access or do not wish to participate in the Lyris list, contact the staff person named in the notice to express your interest in receiving notices by other means.

You can enroll or un-enroll at any time. The State Water Board will not disclose your name or e-mail information to any outside parties, and will not use this information for any other purpose