



Public Notice of Water Quality Certification for U.S. Army Corps of Engineers' Regional General Permit 8 for Repair and Protection Activities in Emergency Situations

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program
Date Posted: June 12, 2023

Project Name: Reissuance of Regional General Permit 8 for Repair and Protection Activities in Emergency Situations

(Reg. Meas. ID: 452974 and SWRCB ID: SB23037GN)

Affected Counties: All counties within the U.S. Army Corps of Engineers Sacramento District boundaries - Eastern Alameda, Alpine, Amador, Butte, Calaveras, Colusa, eastern Contra Costa, El Dorado, Fresno, Glenn, north-western Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, northern Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, eastern Solano, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Yolo, and Yuba counties

The following information is provided in satisfaction of the public notice requirements of Section 3861, Title 23, of the California Code of Regulations, which govern the State's Water Quality Certification Program.

State Water Resources Control Board (State Water Board) are proposing to certify the Regional General Permit 8 for Repair and Protection Activities in Emergency Situations pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. **The State Water Board will consider all comments submitted in writing and received by the State Water Board contact listed below during a 45-day comment period that begins on the date of issuance of this notice (June 12, 2023) and ends at 5:00 p.m. on July 27, 2023.** Electronic submittals are strongly encouraged.

State Water Board Contact:

Ashley Powell, Environmental Scientist
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State Water Resources Control Board
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E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Background: On May 23, 2023, the U.S. Army Corps of Engineers (USACE), Sacramento District, issued a public notice for reissuance of Regional General Permit 8 for Repair and Protection Activities in Emergency Situations. On May 24, 2023, the USACE Sacramento District (District) submitted a request to the State Water Board for a pre-filing meeting for Clean Water Act Section 401 water quality certification in compliance with 40 CFR § 121.4.

Pursuant to federal law 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.

Project Description: The USACE Sacramento District proposes to reissue Regional General Permit 8 (RGP 8) to authorize necessary emergency repair and protection measures in waters of the United States. These activities are proposed to be reauthorized pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, where there is a sudden, unexpected occurrence involving 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.

Applicant: United States Army Corps of Engineers, Sacramento District

Applicant Contact: Leah Fisher

Telephone: 916-557-6639

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View the [USACE Public Notice for RGP 8 dated May 23, 2023](#).¹

¹ <https://www.spk.usace.army.mil/Media/Regulatory-Public-Notices/Article/3405063/spk-1997-00652-public-notice-of-proposed-modification-and-reissuance-of-regional/>

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 directly to the 401 water quality Certification and Wetland Program Email List button on the 401 Program Webpage at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml

By enrolling in this list, you will receive notices for all current 401 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 email 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.