

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL VALLEY REGION

SECTION 401 WATER QUALITY CERTIFICATION APPLICATION FORM

Application Fees: Application fees shall be based on the current fee schedule in accordance with Title 23 CCR § 2200 (a)(3), and is required. To determine the total fee, please use the fee calculator at: http://www.waterboards.ca.gov/water_issues/programs/#wqcert. In order to process the application, a deposit, as determined by the fee calculator, is required. Projects qualifying for a flat fee category must remit the flat fee with the application. Please include a check payable to the **State Water Resources Control Board**.

Annual Fees: After the certification has become effective, annual fees will be based on the fee schedule at time of billing.

Application and Fee Submission: See the Section 401 Water Quality Certification Application Instructions and Information Sheet at the end of the application form for instructions on submitting the application and fees.

Attach additional sheets as necessary. If any information is not applicable to the proposed project please indicate that as N/A.

1. APPLICANT INFORMATION

2. AGENT INFORMATION*

Applicant:	Agent*
Contact Name:	Contact Name:
Address:	Address:
Phone No:	Phone No:
Fax No:	Fax No:
E-mail Address:	E-mail Address:

*Complete only if applicable

3. PROJECT DESCRIPTION

a) Project Title:
b) Project Location: <div style="margin-left: 20px;"> County: _____ Section: _____ Township: _____ Range: _____ Quadrangle Name: _____ Latitude: _____ Longitude: _____ *Attach site map with "waters" clearly indicated (e.g. USGS 7 ½ quadrangle map) </div>
c) Project Description (Please provide a detailed explanation of all project activities. Include applicable information such as: avoidance and minimization measures for project impacts; alternatives analysis; project activity impacts to water bodies and/or water quality; whether or not dewatering is planned; whether or not wet concrete will be used; and implementation of Low Impact Development (LID) strategies. Attach additional pages as necessary):

d) Proposed Schedule (start date, and completion date):
e) Total Project Size (clearing, grading, other construction activities): _____ acres _____ linear feet (if appropriate)

4. IMPACTED WATER BODIES

a) Name(s) of Receiving Water Body(ies):
b) Anticipated potential stream flow during project activity:
c) Describe potential impacts to water quality:

d) **Waters of the United States:** Indicate in ACRES and LINEAR FEET (where appropriate) the proposed waters of the United States to be impacted by any discharge other than dredging, and identify the impacts(s) as permanent and/or temporary for each water body type listed below:

Water Body Type	Permanent Impacts		Temporary Impacts	
	(acres)	(linear feet)	(acres)	(linear feet)
Jurisdictional Wetland				
Riparian				
Streambed un-vegetated				
Lake/Reservoir				

e) **Non-Federal Waters:** This section is **only** for waters that the U.S. Army Corps of Engineers does **not** consider federally jurisdictional. Indicate in ACRES and LINEAR FEET (where appropriate) the proposed **waters of the State** to be impacted by any discharge other than dredging, and identify the impacts(s) as permanent and/or temporary for each water body type listed below:

Water Body Type	Permanent Impacts		Temporary Impacts	
	(acres)	(linear feet)	(acres)	(linear feet)
Isolated Wetland				
Ditch/Canal				
Other				

f) **Fill:** Indicate the amount (cubic yards) and type of fill material to be discharged/installed in waters of the State/United States:

Type of Material (Soil, concrete, steel, rock.....)	Amount (cubic yards)	What type of water body? (Wetland, riparian, streambed, lake.....)	Indicate if fill is in federal or non-federal waters

g) **Dredge/Removal:** Indicate the amount (cubic yards) and type of material to be dredged and/or removed from waters of the State/United States:

Type of Material (Soil, concrete, steel, rock.....)	Amount (cubic yards)	What type of water body? (Wetland, riparian, streambed, lake.....)	Indicate if dredge or removal is in federal or non-federal waters

5. COMPENSATORY MITIGATION

a) Indicate in ACRES and LINEAR FEET (where appropriate) the total quantity of **waters of the United States** proposed to be Created, Restored and/or Enhanced for purposes of providing Compensatory Mitigation If mitigating for state waters that were not considered federally jurisdictional then attach a description of the proposed mitigation:

Water Body Type	Created		Restored		Enhanced	
	(acres)	(linear ft)	(acres)	(linear ft)	(acres)	(linear ft)
Jurisdictional Wetland						
Riparian						
Streambed						
Lake/Reservoir						

b) If contributing to a Mitigation or Conservation Bank, indicate the agency, dollar amount, acreage, and water body type (if applicable):

Mitigation Bank or Conservation Agency _____
 \$ _____ for _____ acres of _____ (water body type)
 How many acres of this mitigation area qualify as waters of the United States? _____

c) Other Mitigation (omit if not applicable):

How many acres of this mitigation area qualify as waters of the United States? _____

d) Location of Compensatory Mitigation Site(s) (attach map of suitable quality and detail):

City of Area _____ County _____
 Longitude/Latitude _____ Township/Range _____

6. OTHER ACTIONS/BEST MANAGEMENT PRACTICES (BMPs)

Briefly describe other actions/BMPs to be implemented to Avoid and/or Minimize impacts to waters of the United States, including preservations of habitats, erosion control measures, project scheduling, flow diversions, etc.

7. OTHER PERMITS/AGREEMENTS/ETC

a) U.S. Army Corps of Engineers Permit: Indicate the type of ACOE permit (*check one*)

Nationwide Permit No(s) _____ Individual Permit No(s): _____ Regional Permit No(s): _____

Letter(s) of Permission _____ ACOE Permit Reference Number _____

Have you notified ACOE of project? _____

Have you reviewed the General Conditions for your ACOE permit? _____

Have you attached a copy of the application/notification to ACOE? _____

b) California Department of Fish and Game Lake or Streambed Alteration Agreement:

Date of Application: _____

Have you attached a copy of the application?

Has the Agreement been issued? _____ if so, list Agreement number: _____

c) Water Rights:

If the project is directly related to any diversion, obstruction, extraction, or impoundment of the natural flow of a river, stream, lake or underground source then provide the Water Right

Application ID Number _____ or Permit ID Number _____

8. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

a) Indicate the type of CEQA Document required for this project:

Categorical Exemption ___ Negative Declaration ___ Environmental Impact Report ___

Has the document been certified/approved, or has a Notice of Exemption been filed? _____

If yes date of approval/filing _____ If no, expected approval/filing date: _____

Lead Agency _____

Have you attached a copy of the draft/final CEQA documentation*? _____

* A final copy of valid CEQA documentation must be provided before a project can be certified

b) List State and Federal Threatened/Endangered Species that could potentially be impacted by this project:

9. PAST/FUTURE PROPOSALS BY THE APPLICANT

Briefly list/describe any projects carried out in the last 5 years or planned for implementation in the next 5 years that are in any way related to the proposed activity or may impact the same receiving body of water. Include the estimated adverse impacts from the past or future projects.

SIGNATORY REQUIREMENTS

All reports, notices, or other documents required by the Water Quality Certification or requested by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) shall be signed by a person described below or by a duly authorized representative of that person.

- a. For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor.
- c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official.

10. CERTIFICATION [Any person signing or submitting a document, e.g. an application, a monitoring report, etc., to demonstrate compliance with the Water Quality Certification regulations shall make the following certification, whether written or implied]

"I certify under penalty of law that this document, including all attachments and supplemental information, were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Print Name: _____ Title: _____

Signature: _____ Date: _____

STATEMENT OF AUTHORIZATION (if designating a specific 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.

X _____
APPLICANT'S SIGNATURE (not the authorized agent)

DATE _____

All information on this application becomes part of the public record, and as such is subject to public records requests disclosure. In addition, the application will be posted for public review on the Regional Board's web site in accordance with California Code of Regulations Title 23 Section 3858.

**Central Valley Regional Water Quality Control Board Water (CVRWQCB)
Section 401 Water Quality Certification Application
Instructions and Information**

Applications:

Applications must be received with the following items to be considered complete. Applications missing any of the following items may be considered incomplete:

1. A deposit, as determined by the fee calculator, is required to process the application. Projects qualifying for a flat fee category must remit the flat fee with the application. The check must be made payable to the “**State Water Resources Control Board**” and mailed to the appropriate CVRWQCB office at the address listed below.

Note:

- (a) Application fees shall be based on the current fee schedule.
 - (b) The total fee and a copy of the fee calculator must be submitted prior to the issuance of the certification. The total fee is based on the acres of fill or amount that is to be dredged as found in Title 23 CCR Section 2200(e). To determine the fee, please use the fee calculator found at http://www.waterboards.ca.gov/water_issues/programs/#wqcert Any checks mailed to pay any outstanding fee prior to issuance of the certification should be mailed to the appropriate CVRWQCB, and must include the project name and WDID# (if known).
 - (c) After the certification has become effective, annual fees will be based on the fee schedule at time of billing.
 - (d) If the CVRWQCB becomes the Lead Agency for the project, additional fees will be required based on staff hours for completion of a California Environmental Quality Act (CEQA) document.
2. A copy of the application and/or the §404 federal permit from the U.S. Army Corps of Engineers (USACOE) including the Regulatory Branch Number.

Note:

- (a) If the applicant will be using a non-reporting Nationwide permit number, verification (i.e., letter or email) from the USACOE is requested.
 - (b) All dredging projects require a permit from the USACOE.
 - (c) The applicant is responsible to complete the project within the expiration date of the USACOE permit.
3. A copy of the approved or preliminary jurisdiction determination letter issued by the USACOE.
 4. An adequate description of the project which includes a location map, starting date, and the expected project duration, and photos if available. Calculate the total area of jurisdictional waters of the United States and waters of the State that will be temporarily and permanently impacted, (in acres). State if dredging, cofferdams, or the use of cast-in-place concrete will be required. Pumping from cofferdams must meet turbidity requirements from the appropriate Basin Plan.

Note:

- (a) For dewatering that results in a discharge to surface waters, a dewatering permit may be required if the discharge does not exceed 0.25 mgd and the project duration is less than 4 months. Projects that require dewatering in excess of the 0.25 mgd or/longer than 4 months must obtain General Waste Discharge Requirements/NPDES Permit for Dewatering and Other Low Threat Discharges to Surface Waters.
 - (b) For dewatering that results in a discharge to land, please contact the Non-15 Permitting Unit at (916) 464-4740.
 - (c) If your project comprises one (1) acre or more of disturbed area, you must obtain coverage under the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities. For information regarding construction storm water permit please contact:
 - Fresno Office: Debra Mahnke - (559) 445-6281;
 - Redding Office: Scott Zaitz or Dani Berchtold (530) 224-4845; or
 - Sacramento Office: Jacque Kelley (916) 464-4764
5. A copy of the application or signed agreement for Lakebed or Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (DFW), or correspondence from DFW stating that no LSAA is required for your project.
 6. Provide documentation of the proposed compensatory mitigation efforts required to off- set impacts to waters of the United States and waters of the State associated with the project and/or required by the USACOE.
 7. A copy of any draft or final CEQA document(s), if available, prepared for the activity. Although CEQA documentation is not required for a complete application, the certifying agency shall be provided with and have ample time to properly review a final copy of valid CEQA documentation before taking a certification action. Valid CEQA documentation includes:
 - i. Notice of Exemption (NOE) - state type, class and section numbers for exemption, and explanation of applicability to the project. Exemptions may be reviewed by our Office of Chief Counsel;
 - ii. Initial Environment Assessment with a Negative Declaration (ND) – required if the project will not impact jurisdictional waters of the United States, including wetlands, or other resources (i.e., fish, wildlife and plants);
 - iii. Mitigated Negative Declaration (MND) – required if the project impacts any jurisdictional waters of the United States and/or waters of the State, including wetlands, or other resources. The MND must state all on and off-site mitigation measures and all overseer agencies for the development of wetlands; or
 - iv. Environmental Impact Report (EIR) - required if the project impacts any jurisdictional waters of the United States and/or waters of the State, including wetlands, or other resources. The EIR must state all on and off-site mitigation measures and all overseer agencies for the development of wetlands.

Note:

- (a) If any Statement of Overriding Considerations, Supplemental EIR, and/or Addendum to the EIR is adopted for the project, copy(ies) must be submitted.
- (b) For more information on CEQA visit: <http://resources.ca.gov/ceqa/>
- (c) For information on NEPA visit:
http://ceres.ca.gov/wetlands/permitting/NEPA_summary.html

Submission of Applications:

Effective 13 October 2014, application and attachments, and submission of material for the development of the water quality certification must be submitted electronically. The requirements for electronic submission are:

- 1. The application and its attachments is one single, searchable Portable Document Format (PDF).
- 2. Documents less than 50 MB should be emailed to the appropriate CVRWQCB:

Fresno: centralvalleyfresno@waterboards.ca.gov
Redding: centralvalleyredding@waterboards.ca.gov
Sacramento: centralvalleysacramento@waterboards.ca.gov
- 3. The subject line of the email must include "401 Water Quality Certification Unit".
- 4. Documents 50 MB or larger should be transferred to a disk and mailed to the appropriate CVRWQCB address below.

Central Valley Regional Water Quality Control Board Contacts:

For further assistance, please contact the appropriate office for the project.

Fresno

1685 E Street
Fresno, CA 93706

Matt Scroggins, Senior Engineer
(559) 445-6042
matt.scroggins@waterboards.ca.gov

Debra Mahnke, Water Resource Control
Engineer
(559) 445-6281
debra.mahnke@waterboards.ca.gov

Counties:

Fresno, Kings, Kern, Madera, Mariposa,
Merced, Tulare, and eastern portion of San
Benito

Sacramento

11020 Sun Center Drive # 200
Rancho Cordova, California 95670

Elizabeth Lee, Senior Engineer
(916) 464-4787
elizabeth.lee@waterboards.ca.gov

Stephanie Tadlock, Environmental Scientist
(916) 464-4644
stephanie.tadlock@waterboards.ca.gov

Peter Minkel, Engineering Geologist
(916) 464-4684
peter.minkel@waterboards.ca.gov

David Torres, Water Resource Control
Engineer
(916) 464-4745
david.torres@waterboards.ca.gov

Philip Giovannini, Environmental Scientist
(916) 464-4812
Philip.Giovannini@waterboards.ca.gov

Counties

Alameda, Alpine, Amador, Calaveras, Colusa,
Contra Costa, El Dorado, Lake, Napa,
Nevada, Placer, Sacramento, San Joaquin,
Solano, Stanislaus, Sutter, Tuolumne, Yolo,
and Yuba

Redding Office

364 Knollcrest Drive, Suite 364
Redding, California 96002

George Day, Senior Engineer
(530) 224-4859
george.day@waterboards.ca.gov

Scott Zaitz, Environmental Scientist
(530) 224-4784
scott.zaitz@waterboards.ca.gov

Dani Berchtold, Sanitary Engineering Associate
(530) 224-4783
dannas.berchtold@waterboards.ca.gov

Dan Warner, Water Resource Control Engineer
(530) 224-4848
daniel.warner@waterboards.ca.gov

Counties:

Butte, Glenn, Plumas, Shasta, Tehama, and portions of
Lassen and Modoc

Additional information may be obtained from the State Water Resource Control Board Clean Water Act
Section 401 – Certification and Wetlands Program at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml