What About Corps Nationwide Permits?
Most projects receiving a Corps “Nationwide Permit” need individual 401 certification. The State Board has “pre-certified” the activities authorized by some of the Nationwide Permits, if those activities are conducted in compliance with conditions specified in the certification. In some cases a notification to the State and Regional Board is still required before the discharge can occur and there is a ($60) fee to review the notification for the pre-certified activity. Check the State Board Web site to find out if individual certification is required, or check with the Regional Board.

What About “Non-Notifying” Nationwide Permits?
Projects which qualify for Non-Notifying Nationwide Permits don’t need prior notification to the Corps before discharging. Most still need individual State certification but, as with other Nationwide Permits, some have been pre-certified. They are subject to the same requirements as described above. Check the State Board Web site or call the Regional Board about the specifics for your project.

Are there CEQA Requirements?
State law requires that a final environmental document developed under the California Environmental Quality Act (CEQA) must be reviewed before certification can be issued. If the project is exempt from CEQA, the application should explain why and provide appropriate documentation. An application may be submitted before a draft or final CEQA document is available, and in that case the draft and final documents must be submitted as soon as possible. If the CEQA document will not be finalized for some time, the State or Regional Board may deny the project without prejudice to comply with mandated timeframe’s to act on a complete application. Usually a city, county, or other State agency prepares the CEQA document, but when there is no other CEQA lead agency, the State or Regional Board may do so.

How Can I Get Approved Fastest?
1. Avoid impacts to water resources, especially wetland and riparian areas and headwater streams. Minimize impacts which cannot be avoided. If impacts cannot be avoided or minimized, plan to compensate for all resources temporarily or permanently lost.
2. Consult with the appropriate Regional Board (or State Board for multi-Region projects) in planning the project. Water quality concerns are best dealt with early.
3. Before applying, contact the Regional Board (or State Board for multi-Region projects) for the latest information on the application procedure.
4. Supply all information and the $500 deposit when applying. The lack of necessary information is the single biggest impediment to speedy certification.
5. If another local or State agency must satisfy CEQA requirements, be sure that environmental documentation is finalized before the certification application is submitted. If the Regional (or State) Board will be the CEQA Lead Agency, contact that agency well before submitting the application.

Where can I get more information?
The addresses, phone numbers, and Web addresses for the Regional Boards and State Board are listed on the back of this brochure (and are available in the “State Government” section of your local phone book).

California State and Regional Boards Office

North Coast Region (1)
550 Skyline Blvd., Suite A
Santa Rosa, CA 95403
(707) 576-2229 tel
(707) 525-0135 fax
www.swrcb.ca.gov/swqcb1/

San Francisco Bay Region (2)
1515 Clay Street, Suite 1400
Oakland, CA 94612
(510) 622-2300 tel
(510) 622-2468 fax
www.swrcb.ca.gov/swqcb2/

Central Coast Region (3)
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401
(805) 549-3147 tel
(805) 543-0397 fax
www.swrcb.ca.gov/swqcb3/

Los Angeles Region (4)
320 W. Fourth Street, Suite 200
Los Angeles, CA 90013
(213) 576-6000 tel
(213) 576-6640 fax
www.swrcb.ca.gov/swqcb4/

Central Valley Region (5)
3443 Router Road, Suite A
Sacramento, CA 95832-3088
(916) 255-3000 tel
(916) 255-3015 fax
www.swrcb.ca.gov/swqcb5/

Fresno Branch Office
1653 E Street
Fresno, CA 93706
(559) 445-5106 tel
(559) 445-5105 fax
www.swrcb.ca.gov/swqcb6/

San Diego Region (9)
9174 Skypark Court, Suite 100
San Diego, CA 92253-1324
(858) 457-2072 tel
(858) 571-6972 fax
www.swrcb.ca.gov/swqcb9/

State Water Resources Control Board Offices

Division of Water Rights
1001 I Street, 16th Floor
Sacramento, CA 95814
(916) 341-5400 fax
www.dwrweb.swrcb.ca.gov

Division of Water Quality
1001 I Street, 15th Floor
Sacramento, CA 95814
(916) 341-5445 tel
(916) 341-5463 fax
www.swrbwq.ca.gov

Note: This information may not apply to hydraulic projects seeking Federal Energy Regulatory Commission (FERC) or Bureau of Reclamation or to projects needing a State water right permit.
**What Are Water Quality Standards?**

Water quality standards include:

1. **Beneficial Uses** - uses of water for drinking, agriculture, navigation, recreation, and fish and wildlife habitat.
2. **Objectives** - numeric and narrative limits on water characteristics or bans on substances, which affect water quality.
3. **Anti-Degradation Policy** - which requires that existing high-quality waters be protected and maintained.

Regional Water Quality Control Boards (Regional Boards) maintain Water Quality Control Plans (Basin Plans) for each major hydrologic basin in California. The Basin Plans list the water bodies in each region and describe the applicable water quality standards.

**Do I Need Certification?**

Most projects requiring Certification fall into two categories:

1. Projects involving discharges of dredged or fill material to waters of the United States including wetlands and other water bodies. Such discharges may result from navigational dredging, flood control channelization, levee construction, channel clearing, fill of wetlands for development, or other activities. These projects involve the removal or placement of soil, sediment, and other materials in or near water bodies and require Corps permits under CWA section 404. Projects of this category of activities include:
   - Dams, diversions, and power plants requiring Federal Energy Regulatory Commission (FERC) licenses and projects which may result in a discharge to a water body.
   - Construction of hydroelectric facilities such as dams, diversions, and power plants requiring Federal Energy Regulatory Commission (FERC) licenses and projects which may result in a discharge to a water body.
   - Construction of levees, fill of wetlands for development, or other activities. These projects involve the removal or placement of soil, sediment, and other materials in or near water bodies.

2. Projects involving construction of hydroelectric facilities such as dams, diversions, and power plants requiring Federal Energy Regulatory Commission (FERC) licenses and projects which may result in a discharge to a water body.

Certification applications for single-Region, non-hydroelectric, non-water rights projects should be made to the appropriate Regional Board. Certification applications for multi-regional projects (e.g., pipelines or roads crossing regional boundaries) should be made to the appropriate Regional Board(s) and prepare the certification action.

**How Are Water Quality Standards Determined?**

Certification applications for single-Region, non-hydroelectric, non-water rights projects should be made to the appropriate Regional Board. The Regional Board reviews the application and takes the appropriate certification action (certification or denial).

Applications for multi-regional projects (e.g., pipelines or roads crossing regional boundaries) should be made to the appropriate Regional Board(s) and prepare the certification action.

**Do I Need Certification?**

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**How Do I Get Certification?**

Certification applications for single-Region, non-hydroelectric, non-water rights projects should be made to the appropriate Regional Board. The Regional Board reviews the application and takes the appropriate certification action (certification or denial).

Applications for multi-regional projects (e.g., pipelines or roads crossing regional boundaries) should be made to the appropriate Regional Board(s) and prepare the certification action.

**What Will It Cost?**

Fees range upward from $500, depending on whether technical certification conditions must be developed and the size of the proposed impact. The fee schedule for technically conditioned projects can be found in California Code of Regulations, Title 23, section 3856.

**What Are the State Options for Certification?**

Certification applications for single-Region, non-hydroelectric, non-water rights projects should be made to the appropriate Regional Board. The Regional Board reviews the application and takes the appropriate certification action (certification or denial).

Applications for multi-regional projects (e.g., pipelines or roads crossing regional boundaries) should be made to the appropriate Regional Board(s) and prepare the certification action.

**How Do I Apply?**

A complete application for 401 certification must include an application fee deposit of $500 and all information required by State law. Regional Boards can provide application forms for their jurisdictions. You can also see the requirements for an application in California Code of Regulations, Title 23, section 3856.

**Does Certification Protect Habitat?**

By federal and State law the water quality agencies must be concerned with maintaining the quality of water needed to maintain natural habitats dependent on water bodies.

**Is a Permit Required for "Isolated" Waters?**

You need a permit from the Regional Board. If you discharge to an "isolated" waterbody without a State permit you are subject to fines or criminal action, and you may have to restore the waterbody to its original condition.

"Isolated" waters were determined by the U.S. Supreme Court (in the "SWANCC decision") not to need federal permits, so you will not receive a Corps section 404 permit or a 401 certification. But the required State permit will protect uses in the same way. Make sure the Corps agrees that the waterbody is "isolated." Otherwise you might be subject to federal penalties for violation of the CWA.

**Are Other Permits Needed?**

For dredge or fill projects, a California Department of Fish and Game (CDFG) Stream and Lakebed Alteration Agreement is frequently required. Contact the local CDFG Regional Office (listed in the "Government" pages of the phone book).

For modifications to coastal water bodies, permits may be required from the California Coastal Commission or, in the San Francisco Bay area, the Bay Conservation and Development Commission (BCDC).

In addition, county or municipal (e.g., grading) permits may be required for various activities.