



Notice of Request for Section 401 Water Quality Certification Action - Bureau of Water Quality Planning

Web Posting: 8/12/2024

Deadline for Comments: 9/11/2024

**Heavenly Mountain Resort Boulder Lift Replacement
Douglas County**

**Resource Concepts, Inc.
340 North Minnesota
Carson City, NV 89703**

Certification Action Number NV-401-24-036

The purpose of this project is to replace an existing fixed grip triple chair lift with a higher capacity detachable quad chair lift located within Heavenly Mountain Resort at Stateline, Douglas County, Nevada. The proposed lift alignment and upper and lower terminal locations will be in the same location as the existing lift alignment. However, because the proposed lift will require new lift towers to support the larger quad chairs and higher lift speed, the new lift towers will be shifted in location along the alignment and the maintained width of the lift corridor would be widened from 30 feet to approximately 36 feet. The proposed activities would include installation of best management practices for erosion and sediment control pursuant to the Stormwater General Construction Permit, SWPPP, and the Tahoe Regional Planning Agency, removal of existing towers along the alignment (towers will be cut at base and flown out via helicopter - existing bases will be abandoned in place), installation of new towers along alignment, construction of upper and lower lift terminals, and site stabilization and restoration of temporary access roads. The proposed activities will require the use of Nationwide Permits 33, 42, and 57 (SPK-2022-00061) administered by the U.S. Army Corps of Engineers.

A 401 certification (or a waiver of certification) is required for any federal license or permit that authorizes activities that may result in any discharge into waters of the United States. Nevada Division of Environmental Protection is in receipt of a complete request for certification in compliance with Clean Water Act Section 401 Certification regulations which the U.S. Environmental Protection Agency promulgated in 2023, codified as 40 CFR 121.

The Administrator is evaluating whether the proposed activity will comply with applicable water quality requirements. Certification actions are valid for the duration of the federal license or permit (typically five years). Any conditions contained within the certification action become a condition of the federal license or permit.

Persons wishing to comment on the application for consideration by the Administrator in making a determination regarding the certification action should submit their comments or request a hearing in writing, emailed no later than 5:00 P.M. on 9/11/2024:

Bureau of Water Quality Planning
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
ndep401@ndep.nv.gov

The request for a hearing must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All water quality-related comments or objections received within the thirty (30) day period will be considered in the formulation of final certification action regarding the application. If written

comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

The applications, proposed permits, comments received, and other information are on file and may be copied, or copies may be obtained by writing to the above address or by contacting Zachary Carter, Bureau of Water Quality Planning, at (775) 687-9456 or ndep401@ndep.nv.gov. The public notice for this project can be viewed at the following website: <https://ndep.nv.gov/posts/category/water>.

Please bring the forgoing notice to the attention of all persons interested in this matter.