



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

Web Posting: 4/4/2024

Deadline for Comments: 5/6/2024

**Elk Point Marina Rehabilitation and Dredging
Douglas County**

**Gordon Consulting Inc.
P.O. Box 4470
Stateline, Nevada 89449**

Certification Action Number NV-401-24-010

The purpose of this project is to rehabilitate the existing Elk Point Marina facilities in Zephyr Cove, Douglas County, Nevada. Rehabilitation activities include replacement of existing sheet piles, extension of an existing breakwater to improve resilience to waves, removal and replacement of an existing boat ramp, reconfiguration of docks, and construction of an ADA-accessible ramp. The project also proposes maintenance dredging of the harbor and entryway channel to 6,220 feet elevation. The project is anticipated to commence fall 2024 and is expected to conclude fall 2026. The proposed activities will require the use of a Letter of Permission (SPK-2015-00056) administered by 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 5/6/2024:

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.