



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

Web Posting: 11/6/2024

Deadline for Comments: 12/6/2024

**Hunter's Place Upland Restoration
Lyon County**

**Mr. Elmer Bull
215 N. Whitacre St.
Yerington, NV 89447**

Certification Action Number NV-401-24-046

The purposes of this project are 1) to restore upland area that was damaged by heavy flood waters from the West Walker River that occurred in the late winter / early spring of 2023, 2) to relocate rocks and sand that make up a large gravel bar that currently forces water flows into the banks of the upland area, and 3) to armor the restored area with rock to prevent future erosion of the restored bank. The proposed activities would occur in Yerington, Lyon County, Nevada. Construction phases would include excavation of a bypass channel along the east side of the river bed that will transport river water away from the primary areas of equipment activity, construction of a 56.5 foot long coffer dam within what is currently the main channel to divert river flows into the bypass channel, removal a large portion of the large gravel bar that has developed on the inside bend of the river, transport of the dredged gravel to the river bank above the area where repair is to occur, and lastly the placement of large (>24") rock on the east side of the newly shaped gravel bank. This project will utilize a Clean Water Act Section 404 Nationwide Permits 33 and 45 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 12/6/2024:

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 foregoing notice to the attention of all persons interested in this matter.