



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

Web Posting: 1/13/2025

Deadline for Comments: 2/12/2025

**Carson River Bank Stabilization
Lyon County**

**Universal Engineering Sciences
4480 West Hacienda Avenue, Suite 104
Las Vegas, NV 89118**

Certification Action Number NV-401-24-054

The purpose of this project is to stabilize banks of the Carson River at two locations in Lyon County. Each of the two areas identified for stabilization have become highly erodible since the 2017 high water events leading to the loss of large trees in the cottonwood gallery and threatening the Dayton Valley Road Bridge with tree debris strikes and a buildup of sediment. This project proposes using in-stream gravel, sand bars, riprap, and clean soil with biotechniques applied to stabilize the banks at a 3:1 slope. All bedload material is part of the Superfund site and is thus assumed to contain elevated levels of mercury and/or arsenic. Through the project, this material would be sequestered in the bank and would not be further transported downstream during storm events. During construction, temporary flow diversions would be constructed to divert flows around construction areas within the Carson River. The project proponent has requested verification from the U.S. Army Corps of Engineers for the use of Nationwide Permit 13 (Bank Stabilization) under Clean Water Act Section 404 and Rivers and Harbors Act Section 10.

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 2/12/2025:

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.