



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

**Ash Meadows Backcountry Trail
Nye County**

**SWCA Environmental Consultants
961 Matley Lane, Suite 190
Reno, NV 89502**

Certification Action Number NV-401-24-055

The purpose of this project is to create a backcountry hiking and nature exploration opportunity for Ash Meadows National Wildlife Refuge (AMNWR) visitors. The project consists of the construction of approximately 8.17 miles of trail routes, separated into four sections, and associated recreational support infrastructure including parking areas, trailhead kiosks, a vault toilet, overlooks, waypoint signs, and informational panels. Construction of the trails will require vegetation removal, hand grading and compaction of native soils to create a 36-inch trail tread width, removal of materials to create a smooth trail surface, and applying trail edging (tufa rock or similar) to the first 100 feet of trail for directional purposes near trail head access points. Construction of the trails will be completed using hand tools for the grading, smoothing, and vegetation clearing. Small portions of the trails will include 4-foot-wide puncheon boardwalk or low-profile bridges which will be constructed over channel crossings and marshy areas where necessary. These include one 7-foot crossing and one 20-foot crossing on the Cold Spring Trail, one 20-foot crossing on the Peterson Trail that does not impact wetlands, and one 30-foot boardwalk (that encompasses a 4-foot crossing) on the UCS Loop Trail. The project proponent has requested verification from the U.S. Army Corps of Engineers for the use of Nationwide Permit 14 (Linear Transportation Projects) under Clean Water Act Section 404.

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.