



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

Web Posting: 3/11/2026

Deadline for Comments: 4/10/2026

**Lower Rosewood Creek Aquatic Organism Passage Project
Washoe County**

**Nevada Tahoe Conservation District
PO Box 915
Zephyr Cove, NV 89448**

Certification Action Number NV-401-26-008

The purpose of this project is to remove two metal standpipe culvert crossings and replace them with box culvert structures that allow for the passage of native salmonids within Rosewood Creek in Incline Village, Washoe County, Nevada. The first standpipe and culvert replacement would occur at Incline Way, and the second standpipe and culvert replacement would occur approximately 800 feet upstream at an existing multi-use path. Removal and replacement of these obstructions with fish friendly passages would enable native salmonids to move upstream from Lake Tahoe to above Northwood Blvd via Third and Rosewood Creeks without any human-made obstructions. Additional project components would include realigning Rosewood Creek at both the pedestrian path and Incline Way to account for the elevation drop from the standpipes, to reduce channel incision and improve floodplain connectivity. Project work would include realignment of the channel below each culvert replacement to make up for the rapid elevation drop and create pool riffle morphology, excavation of steep banks to improve floodplain connectivity, incorporation of rock structures into the channel design to sustain riffles and facilitate fish passage, use of fiber roll silt barriers, seeding and erosion control blankets to stabilize the site, fish rescue, and subsequent temporary dewatering of approximately 1,200 linear feet of channel, additional revegetation work including native seed, willow staking and installation of erosion control blankets. The project is anticipated to occur from August through September 2026. The project proponent has requested certification for the use of Nationwide Permit 14 (Linear Transportation Projects) and Nationwide Permit 27 (Aquatic Habitat Restoration, Enhancement, and Establishment Activities) under Clean Water Act Section 404 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 4/10/2026:

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.