



NEVADA DIVISION OF  
**ENVIRONMENTAL  
PROTECTION**

A division of the  
Nevada Department of Conservation & Natural Resources

STATE OF NEVADA  
Joe Lombardo, *Governor*  
Vinson Guthreau, *Director*  
Jennifer L. Carr, *Administrator*

901 S. Stewart Street, Suite 4001  
Carson City, Nevada 89701  
p: 775-687-4670 f: 775-687-5856  
ndep.nv.gov

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

**Web Posting: 6/3/2026**

**Deadline for Comments: 7/3/2026**

**McFaul Creek and Meadow Restoration  
Douglas County**

**Nevada Tahoe Conservation District  
P.O. Box 915  
Zephyr Cove, NV 89448**

**Certification Action Number NV-401-26-014; SPK-2026-00318**

The purpose of this project is to restore a portion of McFaul Creek and an associated meadow which are tributary to Lake Tahoe in Zephyr Cove, Douglas County, Nevada. The proposed activities include: removal of an existing concrete junction box and corrugated metal pipe culvert, realignment of 285 linear feet (LF) of McFaul Creek to increase separation from the highway and reduce pollutant loading from roadway runoff, construction of 350 LF of higher sinuosity channel using sod and blanket stabilization, installation of appropriate natural grade controls made of wood, rock, and native vegetation, fill of an existing 3-foot headcut and relocate willows to provide shading, and grading to remove existing berms and increase the width of the floodplain by 10 to 14 feet on the north side of the creek. This project would result in 292 cubic yards of excavation and 75 cubic yards of fill. The proposed project is anticipated to occur July 1, 2026, through October 15, 2026, while McFaul Creek is dry. The project proponent has requested certification for the use of Nationwide Permit 27 (Aquatic Ecosystem 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 7/3/2026:

Bureau of Water Quality Planning  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701-5249  
[ndep401@ndep.nv.gov](mailto: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](mailto: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.