



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

A division of the
Nevada Department of Conservation & Natural Resources

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

Web Posting: 10/1/2026

Deadline for Comments: 11/2/2026

**Marlette Lake Water Intake Replacement
Washoe County**

**Resource Concepts, Inc.
340 N. Minnesota St
Carson City, NV 89703**

Certification Action Number NV-401-26-023; SPK-2026-00566

The purpose of the proposed project is to upgrade an existing water system intake structure to reduce the amount of sediment uptake and buildup within the Marlette Lake water system (MLWS) in Washoe County, Nevada. The project proposes to replace the existing intake structure with a new modernized design that elevates the screen above the lake-bed sediment line. This will prevent sand intrusion from further damaging the intake pump and restore security of the MLWS raw water supply. The replacement structure design will include a precast concrete base to anchor the intake to the lakebed. The new intake base will be 8 feet by 8 feet (64 square feet), which is approximately 40 square feet larger than the current 8 feet by 3 feet structure. The new concrete base will be set atop the existing disturbance footprint of the removed structure to minimize new disturbance to the lakebed (approximately 40 square feet of new disturbance). As the base will be pre-cast prior to being brought to the site, there will be no on-site cement washouts needed. Two access points will be utilized for potential staging, storage, and operations to replace the intake structure which may require the discharge of rock material to improve access to the lake. The project is anticipated to commence May 1, 2027 and final demobilization is expected to occur no later than October 15, 2027. The project proponent has requested certification for the use of Nationwide Permit 58 (Utility Line Activities for Water and Other Substances) 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 11/2/2026:

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.