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Clean Water Act Section 401 – Certification and Wetlands Program

General Orders

Projects that involve discharges to waters of the state in more than one region are under the jurisdiction of the State Water Resources Control Board (State Water Board). Regional Water Quality Control Boards issue orders for projects that fall within their jurisdiction, with the exception of orders for enrollment under Nationwide Permits 12, 57, and 58, which are issued by the State Water Board. The following certification orders have been issued by the State Water Board.

- [CWA Section 401 Water Quality Certification Program - Home Page](#)
- [Individual Orders for Single Projects](#)

[2023](#) | [2022](#) | [2021](#) | [2020](#) | [2019](#) | [2018](#) | [2017](#) | [2013](#) | [2012](#) | [2004](#) | [2003](#)

Note: None available for these years: 2011, 2010 & 2005

2024

Applicant	Date Issued	Subject
U.S. Army Corps of Engineers Regional General Permit No. 5 for Emergency Activities	09/20/2024	Water Quality Order WQ 2024-0085-DWQ Clean Water Act Section 401 Water Quality Certification for Regional General Permit 5 for Emergency Repair and Protection Activities <ul style="list-style-type: none">Regional General Permit 5 Order (Main Body)Attachment A – MapAttachment B – Report RequirementsAttachment C – Signatory RequirementsAttachment D – Notice of Intent Form

U.S. Army Corps of Engineers Regional General Permit No. 41 for Invasive Plant and Algae Removal	09/05/2024	Water Quality Order WQ 2024-0067-DWQ Clean Water Act Section 401 Water Quality Certification and Order for Regional General Permit 41 for Eradication and Removal of Invasive, Non-Native Plant and Algal Species from Waters of the U.S. <ul style="list-style-type: none"> Regional General Permit 41 Order (Main Body) Attachment A – Map Attachment B – Signatory Requirements Attachment C – Addendum 4 to the Initial Study/Negative Declaration
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2023

Applicant	Date Issued	Subject
U.S. Army Corps of Engineers Regional General Permit No. 63 for Emergency Activities	10/18/2023	Water Quality Order WQ 2023-0095-DWQ Clean Water Act Section 401 Water Quality Certification for Regional General Permit 63 for Emergency Repair and Protection Activities <ul style="list-style-type: none"> Regional General Permit 63 Order (Main Body) Attachment A – Map Attachment B – Report Requirements Attachment C – Signatory Requirements Attachment D – Notice of Intent Form Attachment E – Notice of Completion Form Attachment F – Compliance with 40.CFR Part 121.7
U.S. Army Corps of Engineers Regional General Permit No. 23 for the Middle-mile Broadband Network Initiative	8/14/2023	Water Quality Order WQ 2023-0068-DWQ Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification for Regional General Permit 23 for the Middle-mile Broadband Network Initiative <ul style="list-style-type: none"> Regional General Permit 23 Order (Main Body) Attachment A – Statewide Network Map Attachment B – Notice of Intent Form and Instructions Attachment C – Reports and Notification Requirements Attachment D – Notice of Project Complete Form

- [Attachment G – Compliance with 40.CFR Part 121.7](#)

U.S. Army Corps of Engineers
Regional General Permit No. 8 for Emergency Activities

8/1/2023

Water Quality Order WQ 2023-0061-DWQ Clean Water Act Section 401 Water Quality Certification for Regional General Permit 8 for Emergency Repair and Protection Activities

- [Regional General Permit 8 Order \(Main Body\)](#)
- [Attachment A – Map](#)
- [Attachment B – Report Requirements](#)
- [Attachment C – Signatory Requirements](#)
- [Attachment D – Notice of Intent Form](#)
- [Attachment E – Notice of Completion Form](#)
- [Attachment F – Compliance with 40.CFR Part 121.7](#)

U.S. Army Corps of Engineers
Regional General Permit No. 10 for Wildfire Mitigation

7/7/2023

Statewide General Water Quality Certification Order for Discharges of Dredged or Fill Material to Waters of the State from Wildfire Mitigation Activities (Water Quality Order No. 2023-0055-DWQ)

- [Cover Letter](#)
- [Water Quality Certification Order RGP 10 \(Main Body\)](#)
- [Attachment A - Notice of Intent Form](#)
- [Attachment B - Notice of Intent Instructions](#)
- [Attachment C - Reporting and Notification Requirements](#)
- [Attachment D - Signatory Requirements](#)
- [Attachment E - Compliance with 40 CFR Part 121.7](#)
- [Attachment F - Map of Regional Water Boards](#)

State Water Board Initiative

7/13/2023

Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material to Waters of the State from Emergency Repair and Protection Activities (Water Quality Order No. 2023-0058-DWQ)

- [Waste Discharge Requirements Order \(Main Body\)](#)
- [Attachment A - Map](#)
- [Attachment B - Reports and Notification Requirements](#)
 - [Attachment B - Cover Sheet Only](#)

- [Attachment E - Notice of Completion Form](#)

PG&E Bay Area Operations and Maintenance Order	4/4/2023	Order for Waste Discharge Requirements and Water Quality Certification for the Pacific Gas & Electric Company's (PG&E) Bay Area Operations and Maintenance Program (Order No. WQ 2023-0022-DWQ) <ul style="list-style-type: none"> • Cover Letter • Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification • Attachment A - Project Area Map • Attachment B - Notice of Intent • Attachment B - Notice of Intent Instructions • Attachment C - Report and Notification Requirements • Attachment D - Signatory Requirements • Attachment E - CEQA findings of Fact • Attachment F - Compliance with 40 CFR 121.7 • Attachment G - Notice of Completion
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Prior Years

2022

Applicant	Date Issued	Subject
State Water Board Initiative	8/16/2022	Statewide Restoration General Order – Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide – Order No. WQ 2022-0048-DWQ Adopted by the State Water Board on August 16, 2022, in Resolution No. 2022-0029 . Final Statewide Restoration General Order (SRGO) No. WQ 2022-0048-DWQ <ul style="list-style-type: none"> • Complete Order with attachments



- [Attachment B – Notice of Intent \(pdf only; non-fillable\)](#)
- [Attachment C – CEQA Findings of Fact](#)
- [Attachment D – Reporting and Notification Requirements](#)
- [Attachment E – Signatory Requirements](#)
- [Attachment F – Order Deviation Procedures](#)

HOW TO APPLY FOR ENROLLMENT:

Step 1: REQUIRED - Request a pre-application consultation with the appropriate Water Board as soon as your project concept is developed, or at least 30-days prior to submitting a Notice of Intent (NOI). Use the [Staff Directory](#) to locate contact information for your Water Board.

Step 2: After Step 1 has been completed, apply for enrollment under the SRGO using one of the Notice of Intent (NOI) forms linked below. Instructions for how to enroll and submit your Notice of Intent to the appropriate Water Board are included in the Notice of Intent form. (*Save a local copy of the NOI form before filling it out.*)

- [SRGO Notice of Intent \(NOI\) \(fillable Word form\)](#)
- [SRGO Notice of Intent \(NOI\) \(fillable pdf form\)](#)

Related Resource: [California Department of Fish and Wildlife's CEQA Statutory Exemption for Restoration Projects \(SERP\)](#)

CEQA:

- **Final SRGO Programmatic EIR – Main Body**
- **Final SRGO Programmatic EIR – Appendices Only**
- **Final Adopted SRGO Programmatic EIR** by section:
 - [Cover Page](#)
 - [0 Executive Summary](#)
 - [1 Prologue and Introduction](#)
 - [2 Background and Description of the Order](#)
 - [3.1 Environmental Setting, Impacts, and Mitigation Measures](#)
 - [3.2 Aesthetics](#)
 - [3.3 Agriculture and Forestry Resources](#)
 - [3.4 Air Quality and Greenhouse Gas Emissions](#)

- 3.7 Cultural Resources
- 3.8 Energy Resources
- 3.9 Geology and Soils
- 3.10 Hazards and Hazardous Materials
- 3.11 Hydrology and Water Quality
- 3.12 Land Use and Planning
- 3.13 Mineral Resources
- 3.14 Noise
- 3.15 Population and Housing
- 3.16 Recreation
- 3.17 Transportation
- 3.18 Tribal Cultural Resources
- 3.19 Utilities and Public Services
- 3.20 Wildfire
- 4 Cumulative Impacts
- 5 Other Considerations
- 6 Alternatives
- 7 List of Preparers
- 8 References
- Appendix A. Order Cover Page
- Appendix B. NOP & Comment Letters
- Appendix C. Existing Programmatic Permits and Processes
- Appendix D. NMFS Programmatic BOs
- Appendix E. Order Description and Eligibility
- Appendix F. Species Protection Measures
- Appendix G. California Natural Diversity Database
- Appendix H. Response to Comments
- Appendix I. Findings of Fact and Statement of Overriding Considerations
- Appendix J. Mitigation Monitoring and Reporting Program

Nationwide

Permits 1, 3a, 4, 5,
6, 9, 10, 11, 14, 20,
22, 28, 32, 36, 54

0048-DWQ)

*Dischargers seeking enrollment under **NWPs 12, 57, or 58** (utility related permits), should follow the instructions in the [2020 State Water Board Certification of the NWPs \(Order No. \[WQ\] 2020-0039-EXEC\)](#), see below under Year 2020.*

- [Certification Action and General Order](#)
- [Attachment A – Notice of Intent Form](#) (effective February 25, 2022)
- [Instructions for Filling out the NOI and Submitting an Application](#)
- [Attachment B - Reporting and Notification Requirements](#)
- [Attachment C - 40 CFR Part 121.7 Compliance](#)
- [Attachment D - Signatory Requirements](#)
- [Attachment E - list of Certified NWPs](#)

NWP projects must meet specific size thresholds and other CEQA or locational requirements to enroll under this General Order (No. WQ 2021-0048-DWQ). Below is a non-exclusive list of such thresholds. If your project does not qualify for enrollment under this General Order, submit an [individual application](#) to the appropriate Water Board.

- Projects must be exempt from CEQA.
- Projects impacting histosols, fens, bogs, peatlands, in wetlands contiguous with fens and vernal pools are prohibited.
- NWPs 3(a) and 14 only: Construction, replacement, or expansion of facilities in any ocean, bay, tidal waters or shores thereof are prohibited.
- NWP 3(a) and 14 include the following size thresholds for all impacts to waters of the state:
 - Permanent Impact Acreage: no more than one hundredth (0.01) of an acre.
 - Total Impact Acreage: no more than two tenths (0.2) of an acre of total impacts.
 - Permanent Impact Length: no more than 100 linear feet.

Important Note: Only the project types listed below may be eligible for enrollment under this General Order [No. WQ 2021-0048-DWQ]. Applicants seeking enrollment for projects under a Nationwide Permit not listed below or for projects not eligible for coverage under any of the Water Board's General Orders should submit an individual application to the appropriate Water Board. Visit the State Water Board's [401 Water Quality Certification and Waste Discharge Requirements webpage](#) for individual application instructions.:

- NWP 1 aids to navigation
- NWP 3a maintenance
- NWP 4 fish and wildlife harvesting
- NWP 5 scientific measuring devices
- NWP 6 survey activities
- NWP 9 structures in fleeting and anchorage areas
- NWP 10 mooring buoys
- NWP 11 temporary recreational structures
- NWP 14 linear transportation
- NWP 20 response operations for oil or hazardous substances
- NWP 22 removal of vessels
- NWP 28 modification of existing marinas
- NWP 32 completed enforcement actions
- NWP 36 boat ramps
- NWP 54 living shorelines

Nationwide Permits - other resources:

- Army Corps of Engineers – [Headquarters](#)
- Army Corps of Engineers – [Sacramento District](#)
- Army Corps of Engineers – [San Francisco District](#)
- Army Corps of Engineers – [Los Angeles District](#)

Nationwide
Permits 12, 57,
and 58

Effective March 15, 2021

Important Note: Only the following project types may be eligible for enrollment under this General Order:

- NWP 12 for oil or natural gas pipeline activities
- NWP 57 for electric utility line and telecommunications activities
- NWP 58 for utility line activities for water and other substances

NWP 12, 57, and 58 projects must meet specific size thresholds and other CEQA or locational requirements to enroll under this General Order (No. 2020-0039-EXEC). Below is a non-exclusive list of such thresholds. If your project does not qualify for enrollment under this General Order, submit an [individual application](#) to the appropriate Water Board.

- Projects must be exempt from CEQA.
- Projects impacting histosols, fens, bogs, peatlands, in wetlands contiguous with fens and vernal pools are prohibited.
- Construction, replacement, or expansion of facilities in any ocean, bay, tidal waters or shores thereof are prohibited.
- Size thresholds for all impacts to waters of the state:
 - Permanent Impact Acreage: no more than five thousandths (0.005) of an acre.
 - Temporary Impact Acreage: no more than one half (0.5) of an acre of total impacts.
 - Permanent Impact Length: no more than 50 linear feet.
 - Temporary Impact Length: no more than 400 linear feet of total impacts.

How to Apply:

1. Fill out the Notice of Intent according to the [Instructions](#) in Attachment A (below).
Submit the Notice of Intent and fee to the **State Water Board**.
[Fees may be paid electronically](#)
2. **(Preferred)** Send an email with all attachments and proof of payment to: SWBNWP@waterboards.ca.gov

Quality

CWA 401 Certification Program; ATTN: Jean Bandura
 1001 I Street; 15th Floor
 Sacramento, CA 95814

2020 Order and Attachments

- [Certification Action and General Order](#)
- Attachment A -
 - [Notice of Intent Form](#)
 - [Instructions](#)
- [Attachment B](#) - Reporting and Notification Requirements
- [Attachment C](#) - 40 CFR Part 121.7 Compliance
- [Attachment D](#) - Signatory Requirements
- [Attachment E](#) - list of Certified Nationwide Permits

Projects enrolled under this General Order

Applicants seeking enrollment for projects under a Nationwide Permit not listed above or for projects not eligible for coverage under any of the Water Board's General Orders should submit an individual application to the appropriate Water Board. Visit the State Water Board's [401 Water Quality Certification and Waste Discharge Requirements webpage](#) for individual application instructions.

2018

Applicant	Date Issued	Subject
Riverside County Flood Control and Water Conservation District	06/13/2018	2018 Existing Flood Control Facilities Maintenance Authorized Under U.S. Army Corps of Engineers Regional General Permit (RGP) 99 <ul style="list-style-type: none"> • Cover Letter • General Order • Attachment A - Project Maps • Attachment B - As-Built Dimension Information • Attachment C - CEQA Findings of Fact

- [Attachment E](#) - Reporting and Notification Requirements
- [Attachment F](#) - Certification Deviation
- [Attachment G](#) - Signatory Requirements

2013

Applicant	Date Issued	Subject
State Water Board Initiative	03/27/2013	Amended General Water Quality Certification for Small Habitat Restoration Projects <ul style="list-style-type: none">• Certification Order• Attachment A - Signatory Requirements• Attachment B - Notice of Intent (NOI)

2012

Applicant	Date Issued	Subject
State Water Board Initiative	09/06/2012	General Water Quality Certification for Small Habitat Restoration Projects File # SB09016GN <ul style="list-style-type: none">• Certification Order• Attachment A - Signatory Requirements• Attachment B - Notice of Intent (NOI)

2004

Engineers to be Outside Federal Jurisdiction (WQO 2004-0004)

- [Certification](#)






2003

Applicant	Date Issued	Subject
State Water Board Initiative	11/19/2003	401 - Regulated Projects (WQ Order 2003-0017) <ul style="list-style-type: none">Certification

(Page last updated 10/24/2024)



Water is a precious resource in California, and maintaining its quality is of utmost importance to safeguard the health of the public and the environment.

Statewide Campaigns

-  EPA Water Sense
-  Report an Environmental Concern
-  Save Our Water
-  Flex Alert
-  Register to Vote



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The California Water Boards include the [State Water Resources Control Board](#) and nine [Regional Boards](#)

The State Water Board is one of six environmental entities operating under
the authority of the California Environmental Protection Agency

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