



Comment Period Approaching on State Board Regulatory Program for Discharge of Dredge & Fill Material

08.21.2017 | By [Mary Lynn K. Coffee](#), [Paul S. Weiland](#)

In a prior e-alert, we described the effort of the California State Water Resources Control Board (State Board) to develop a new regulatory program for discharge of dredged or fill materials to waters of the state. The program would impose requirements in addition to and duplicative of those already required by the U.S. Army Corps of Engineers under section 404 of the Clean Water Act and by the California Department of Fish and Wildlife under section 1600 of the Fish and Game Code. If adopted, it would apply to new public works projects and private development activities; operations and maintenance associated with a wide range of public and private actions; and conservation/mitigation banking. Board staff issued the final draft of the Statewide Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State on July 21, 2017.

The comment period on the Statewide Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State ends on September 7, 2017. The Board's project timeline indicates that it will issue responses to comments in Fall 2017 and consider adopting the new regulatory program in Winter 2017.