

DEPARTMENT OF WATER RESOURCES

Division of Flood Management
P.O. Box 219000
SACRAMENTO, CA 95821-9000



March 3, 2015

Ms. Susan Clark
U.S. Army Corps of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814

Subject: **California Department of Water Resources Delta Flood Emergency Facilities Improvement Project Request for Section 404 Permit to Construct under Nationwide Permit 39, Commercial and Institutional Developments**

Dear Ms. Clark:

The California Department of Water Resources (DWR) is pleased to submit the enclosed application for Nationwide Permit 39, Commercial and Institutional Developments, for the Delta Flood Emergency Facilities Improvement Project (FIP), for the Rio Vista site located in Solano County, California.

The FIP, a Component of the Delta Flood Emergency Preparedness, Response, and Recovery Program (DFEPRRP), consists of improving the Rio Vista transfer facility site where quarry rock, sand, soil and other flood fight materials can be efficiently transferred from trucks to barges to expedite levee repairs and facilitate channel closures in the event of Delta levee breaches. In addition, the Rio Vista FIP site would serve other emergency response functions needed by DWR to respond rapidly and effectively to significant emergencies in the Delta, including storage of repair materials and flood fight supplies.

Implementation of the proposed project would result in impacts to non-riparian forested seasonal wetland habitat that qualifies as waters of the United States. Impacts to jurisdictional wetlands total approximately 0.009 acres as a result of improving and widening an access road from a variable 20 to 24-foot width to a consistent 28 feet wide gravel road.

DWR is submitting this application package for authorization under Nationwide Permit 39 in accordance with Section 404 of the Clean Water Act. Construction is expected to take up to 8 months to complete, beginning in September 2015.

The enclosed Notification package includes:

- Completed PCN Form and Regional Conditions Checklist
- Attachment A: Continuation Form
- Attachment B: Impact Map
- Attachment C: Copy of 401 application
- CD containing an electronic copy of the Notification package
- Copy of Section 106 Cultural Resource Report (under separate cover)

If you have any questions regarding the project or need additional information, please contact me by phone at 916.574-2167 or e-mail at kristin.richmond@water.ca.gov.

Sincerely,


Kristin Richmond
Project Manager

U.S. Army Corps of Engineers South Pacific Division



Nationwide Permit Pre-Construction Notification (PCN) Form

This form integrates requirements of the U.S. Army Corps of Engineers Nationwide Permit Program within the South Pacific Division (SPD), including General and Regional Conditions. You MUST fill out all boxes related to the work being done. Fillable boxes in this form expand if additional space is needed.

Box 1 Project Name Delta Flood Emergency Facilities Improvement Project, Rio Vista			
Applicant Name Kristin Richmond		Applicant Title Project Manager	
Applicant Company, Agency, etc. DWR, Division of Flood Management		Applicant's internal tracking number (if any)	
Mailing Address 3310 El Camino Avenue, Suite 200 Sacramento, CA 95821			
Work Phone with area code (916) 574-2167	Mobile Phone with area code	Home Phone with area code	Fax # with area code (916) 574-2767
E-mail Address kristin.richmond@water.ca.gov	Relationship of applicant to property: <input type="checkbox"/> Owner <input type="checkbox"/> Purchaser <input checked="" type="checkbox"/> Lessee <input type="checkbox"/> Other:		
Application is hereby made for verification that subject regulated activities associated with subject project qualify for authorization under a U.S. Army Corps of Engineers Nationwide Permit or Permits as described herein. I certify that I am familiar with the information contained in this application and, that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agency to which this application is made the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work <u>only</u> after all necessary permits have been received and to comply with all terms and conditions of the authorization.			
Signature of applicant <i>Kristin C. Richmond</i>			Date (mm/dd/yyyy) 3/2/2015

If anyone other than the person named as the Applicant will be in contact with the U.S. Army Corps of Engineers representing the Applicant regarding this project during the permit process, Box 2 MUST be filled out.

Box 2 Authorized Agent/Operator Name Sarah A. N. Bennett		Agent/Operator Title Regulatory Specialist, Biologist	
Agent/Operator Company, Agency, etc. AECOM Inc.		E-mail Address sarah.bennett@aecom.com	
Mailing Address 2020 L Street, Suite 400 Sacramento CA, 95811			
Work Phone with area code (916) 266-4922	Mobile Phone with area code	Home Phone with area code	Fax # with area code (916) 414-5850
I hereby authorize the above named authorized agent to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant <i>Kristin C. Richmond</i>			Date (mm/dd/yyyy) 3/2/2015
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			
Signature of authorized agent			Date (mm/dd/yyyy)

Box 3 Name of Property Owner(s), if other than Applicant: Central Valley Flood Protection Board		
Owner Title	Owner Company, Agency, etc.	
Mailing Address 3310 El Camino Avenue, Suite 151 Sacramento, CA 95821		
Work Phone with area code (916) 574-0609	Mobile Phone with area code	Home Phone with area code

Box 4 Name of Contractor(s) (if known): Unknown at this time		
Contractor Title	Contractor Company, Agency, etc.	
Mailing Address		
Work Phone with area code	Mobile Phone with area code	Home Phone with area code

Box 5 Site Number <u>1</u> of <u>1</u>. Project location(s), including street address, city, county, state, zip code where proposed activity will occur: The project site is located north of the city of Rio Vista, north of Airport Road in Solano County California. See Attachment A for a Regional Map.	
Waterbody (if known, otherwise enter "an unnamed tributary to"): Forested seasonal wetlands located adjacent to Sacramento River	
Tributary to what known, downstream waterbody: NA, no surface connection <input type="checkbox"/>	
Latitude & Longitude (D/M/S, DD, or UTM with Zone): 38°10'29.68" N, -121°40'46.57" W	Section, Township, Range: Unsectioned, Township 4N, Range 2E
County Assessor Parcel Number (Include County name): 0177-110-060 (Solano County)	USGS Quadrangle map name: Rio Vista
Watershed (HUC and watershed name ¹): Lower Sacramento ¹ http://water.usgs.gov/GIS/regions.html HUC 18020109	Size of permit area or project boundary: 27.45 acres linear feet
Directions to the project location and other location descriptions, if known: From Sacramento, the site is readily accessible from I-5 via Highway 12. From Highway 12, turn north onto River Road. Turn west at Airport Road. Arrive at the project site. See Figure 2 in Attachment A for the Site and Vicinity Map.	
Nature of Activity (Description of the project, include all features): See Attachment A.	
Project Purpose (Description of the reason or purpose of the project): The purpose of the Facilities Improvement Project (FIP) is to ensure that the State has the appropriate infrastructure and supplies in the Delta to respond to and recover quickly and effectively from major flood or earthquake disasters in the Sacramento-San Joaquin River Delta.	

Box 6 Reason(s) for discharge into Waters of the United States (Description of why dredged and/or fill

material needs to be placed in Waters of the United States):

Widening existing road from 20 to 24 feet to a consistent 28 foot wide road would result in impacts to 0.009 acre of forested seasonal wetland. A total of 14.5 CY of aggregate base and 392 square feet of geotextile fabric would be placed in forested seasonal wetland.

Proposed discharge of dredge and/or fill material. Indicate total surface area in **acres** and **linear feet** (where appropriate) of the proposed impacts to Waters of the United States, indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.), and identify the impact(s) as permanent and/or temporary for each requested Nationwide Permit¹:

¹ Enter the intended permit number(s). See Nationwide Permit regulations for permit numbers and qualification information:

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>

Water Body Type	Requested NWP Number: 39				Requested NWP Number:				Requested NWP Number:			
	Permanent		Temporary		Permanent		Temporary		Permanent		Temporary	
	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length
Non-tidal Wetland	0.009											
Total:												

Total volume (in cubic yards) and type(s) of material proposed to be dredged from or discharged into Waters of the United States:

Material Type	Total Volume Dredged	Total Volume Discharged
Rock Slope Protection (RSP)		
Clean spawning gravel		
River rock		
Soil/Dirt/Silt/Sand/Mud		
Concrete		
Structure		
Stumps/Root wads		
Other: Aggregate Base		14.5
Total:		14.5

Activity requires a written waiver to exceed specified limits of the Nationwide Permit? Yes No

If yes, provide Nationwide Permit number and name, limit to be exceeded, and rationale for each requested waiver:

Activity will result in the loss of greater than 1/2-acre of Waters of the United States? Yes No

If yes, provide an electronic copy (compact disc) or multiple hard copies (7) of the complete PCN for appropriate Federal and State Pre-discharge Notification (See General Condition #31, Pre-construction Notification,

Agency Coordination, Section 2 and 4).

Describe direct and indirect effects caused by the activity and how the activity has been designed (or modified) to have minimal adverse effects on the aquatic environment (See General Condition #31, Pre-construction Notification, District Engineer's Decision, Section 1):

Direct effects include temporary impacts to water quality. As part of the proposed action, BMPs will be installed prior to the start of construction.

Potential cumulative impacts of proposed activity(if any):

None.

Required drawings and figures (see each U.S. Army Corps of Engineers District's Minimum Standards Guidance):

Vicinity map: Attached (or mail copy separately if applying electronically)

To-scale Plan view drawing(s): Attached (or mail copy separately if applying electronically)

To-scale elevation and/or Cross Section drawing(s): Attached (or mail copy separately if applying electronically)

Numbered and dated pre-project color photographs: Attached (or mail copy separately if applying electronically)

Sketch drawing(s) or map(s): Attached (or mail copy separately if applying electronically)

Has a wetlands/waters of the U.S. delineation been completed?

Yes, Attached² (or mail copy separately if applying electronically) No

If a delineation has been completed, has it been verified in writing by the Corps?

Yes, Date of preliminary or approved jurisdictional determination (mm/dd/yyyy):

Corps file number: SPK-2008-00648

No

²If available, provide ESRI shapefiles (NAD83) for delineated waters

For proposed discharges of dredged material resulting from navigation dredging into inland or near-shore waters of the U.S. (including beach nourishment), please attach³ a proposed Sampling and Analysis Plan (SAP) prepared according to Inland Testing Manual (ITM) guidelines (including Tier I information, if available), or if disposed offshore, a proposed SAP prepared according to the Ocean Disposal Manual. Attached (or mail copy separately if applying electronically)

³Or mail copy separately if applying electronically

Is any portion of the work already complete? YES NO

If yes, describe the work:

Box 7 Authority:

Is Section 10 of the Rivers and Harbors Act applicable?: YES NO

Is Section 404 of the Clean Water Act applicable?: YES NO

Is the project located on U.S. Army Corps of Engineers property or easement?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Would the project affect a U.S. Army Corps of Engineers structure?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Is the project located on other Federal Lands (USFS, BLM, etc.)?: YES NO

Is the project located on Tribal Lands?: YES NO

Box 8 Is the discharge of fill or dredged material for which Section 10/404 authorization is sought part of a larger plan of development?: YES NO

If discharge of fill or dredged material is part of development, name and proposed schedule for that larger development (start-up, duration, and completion dates):

Location of larger development (if discharge of fill or dredged material is part of a plan of development, a map of suitable quality and detail of the entire project site should be included):

Box 9 Measures taken to avoid and minimize impacts to waters of the United States:

See Attachment A for additional detail.

Box 10 Proposed Compensatory Mitigation related to fill/excavation and dredge activities. Indicate in **acres** and **linear feet** (where appropriate) the total quantity of Waters of the United States proposed to be created, restored, enhanced and/or preserved for purposes of providing compensatory mitigation. Indicate water body type (tidal wetland, non-tidal wetland, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.) or non-jurisdictional (uplands¹). Indicate mitigation type (permittee-responsible on-site/off-site, mitigation bank, or in-lieu fee program). If the mitigation is purchase of credits from a mitigation bank, indicate the bank to be used, if known:

¹For uplands, please indicate if designed as an upland buffer. Cosumnes River Floodplain Mitigation Bank

Site Number	Water Body Type	Created		Restored		Enhanced		Preserved		Mitigation Type
		Area	Length	Area	Length	Area	Length	Area	Length	
Cosumnes River Floodplain	Non-tidal Wetland	0.01								Mitigation Bank
Total:		0.01								Mitigation Bank

If no mitigation is proposed, provide detailed explanation of why no mitigation would be necessary:

If permittee-responsible mitigation is proposed, provide justification for not utilizing a Corps-approved mitigation bank or in-lieu fee program:

Has a draft/conceptual mitigation plan been prepared in accordance with the April 10, 2008, Final Mitigation Rule² and District Guidelines?

²http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitig_info.aspx

³**Sacramento and San Francisco Districts**-http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pdf/Mitigation_Monitoring_Guidelines.pdf

⁴**Los Angeles District**-http://www.spl.usace.army.mil/regulatory/mmg_2004.pdf

⁵**Albuquerque District**-http://www.spa.usace.army.mil/reg/mitigation/SPA%20Final%20Mitigation%20Guidelines_OLD.pdf

Yes, Attached (or mail copy separately if applying electronically) No

If no, a mitigation plan must be prepared and submitted, if applicable.

Mitigation site(s) Latitude & Longitude (D/M/S, DD, or UTM with Zone):

USGS Quadrangle map name(s):

Assessor Parcel Number(s):

Section(s), Township(s), Range(s):

Box 13 Section 401 Water Quality Certification:

Applying for certification? Yes, Attached (or mail copy separately if applying electronically) No

Certification issued? Yes, Attached (or mail copy separately if applying electronically) No

Certification waived? Yes, Attached (or mail copy separately if applying electronically) No

Certification denied? Yes, Attached (or mail copy separately if applying electronically) No

Exempted activity? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 14 Coastal Zone Management Act:

Is the project located within the Coastal Zone? Yes No

If yes, applying for a coastal commission-approved Coastal Development Permit?

Yes, Attached (or mail copy separately if applying electronically) No

If no, applying for separate CZMA-consistency certification?

Yes, Attached (or mail copy separately if applying electronically) No

Permit/Consistency issued? Yes, Attached (or mail copy separately if applying electronically) No

Exempt? Yes No

Agency concurrence? Yes, Attached No

If exempt, state why:

Box 15 List of other certifications or approvals/denials received from other federal, state, or local agencies for work described in this application:

Agency	Type of Approval ⁴	Identification Number	Date Applied	Date Approved	Date Denied
RWQCB	401 Water Quality Certification		concurrent		

⁴Would include but is not restricted to zoning, building, and flood plain permits

Nationwide Permit General Conditions (GC) checklist:

(<http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf>)

Check	General Condition	Rationale for compliance with General Condition
<input checked="" type="checkbox"/>	1. Navigation	Project implementation will not result in impact to any streams. Project is in compliance with GC.
<input checked="" type="checkbox"/>	2. Aquatic Life Movements	Aquatic life movements will not be disrupted by project implementation. Impacts to forested seasonal wetlands would occur adjacent to existing developed road. Project is in compliance with GC.
<input checked="" type="checkbox"/>	3. Spawning Areas	Proposed project is not within a spawning area. Project is in compliance with GC.
<input checked="" type="checkbox"/>	4. Migratory Bird Breeding Areas	Proposed impacts to WOUS are not in migratory bird breeding areas. Project is in compliance with GC.
<input checked="" type="checkbox"/>	5. Shellfish Beds	Proposed project is not located within a shellfish bed. Project is in compliance with GC.
<input checked="" type="checkbox"/>	6. Suitable Material	Proposed project involves road widening. Only suitable materials will be placed within wetlands. Project is in compliance with GC.
<input checked="" type="checkbox"/>	7. Water Supply Intakes	Water supply intakes are not located within the proposed project area. Project is in compliance with GC.
<input checked="" type="checkbox"/>	8. Adverse Effects from Impoundments	Proposed project is not located within an impoundment. Project is in compliance with GC.
<input checked="" type="checkbox"/>	9. Management of Water Flows	Proposed project will not alter condition, capacity, or location of open waters. Project is in compliance with GC.
<input checked="" type="checkbox"/>	10. Fills Within 100-Year Floodplains	Project is located within the 100-Year floodplain. Project is in compliance with GC.
<input checked="" type="checkbox"/>	11. Equipment	Not applicable. Work in WOUS is restricted to forested seasonal wetland. Project is in compliance with GC.
<input checked="" type="checkbox"/>	12. Soil Erosion and Sediment Controls	Construction will not occur within actively flowing streams or drainages. Project is in compliance with GC.
<input checked="" type="checkbox"/>	13. Removal of Temporary Fills	Temporary fills are not anticipated. Project is in compliance with GC.
<input checked="" type="checkbox"/>	14. Proper Maintenance	Project is in compliance with GC.

<input checked="" type="checkbox"/>	15. Single and Complete Project	Project is in compliance with GC.
<input checked="" type="checkbox"/>	16. Wild and Scenic Rivers	No designated Wild and Scenic Rivers are present within the project site. Project is in compliance with GC.
<input checked="" type="checkbox"/>	17. Tribal Rights	Project is in compliance with GC.
<input checked="" type="checkbox"/>	18. Endangered Species	See Box 11 above.
<input checked="" type="checkbox"/>	19. Migratory Bird and Bald and Golden Eagle Permits	Suitable nesting habitat for raptors is present within the project site and vicinity. Pre-construction nesting surveys will be completed prior to the start of construction. Project is in compliance with GC.
<input checked="" type="checkbox"/>	20. Historic Properties	See Box 12 above.
<input checked="" type="checkbox"/>	21. Discovery of Previously Unknown Remains and Artifacts	Project is in compliance with GC.
<input checked="" type="checkbox"/>	22. Designated Critical Resource Waters	Not applicable. Project is in compliance with GC.
<input checked="" type="checkbox"/>	23. Mitigation	See Box 10 above.
<input checked="" type="checkbox"/>	24. Safety of Impoundment Structures	Not applicable. Project is in compliance with GC.
<input checked="" type="checkbox"/>	25. Water Quality	See Box 13 above.
<input checked="" type="checkbox"/>	26. Coastal Zone Management	See Box 14 above.
<input checked="" type="checkbox"/>	27. Regional and Case-by-Case Conditions	Project is in compliance with Regional Conditions.
<input checked="" type="checkbox"/>	28. Use of Multiple Nationwide Permits	Not Applicable. Project is in compliance with GC.
<input checked="" type="checkbox"/>	29. Transfer of Nationwide Permit Verifications	DWR is aware of GC. Project is in compliance with GC.
<input checked="" type="checkbox"/>	30. Compliance Certification	Mitigation is anticipated. Credits would be purchased at Cosumnes Floodplain Mitigation Bank, operated by Westervelt. Project in compliance with GC.
<input checked="" type="checkbox"/>	31. Pre-Construction Notification	PCN submitted to Sacramento District USACE.



Sacramento District Nationwide Permit Program Regional Conditions Checklist for California

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

On March 18, 2012, the U.S. Army Corps of Engineers' South Pacific Division approved 26 regional conditions for the 2012 Nationwide Permits (NWP) in California, excluding the Lake Tahoe Basin, within the Sacramento District. This checklist is intended to assist applicants with completing the South Pacific Division Pre-Construction Notification Checklist and to ensure compliance with the regional conditions. This checklist does not include the full text of each regional condition.

Please refer to the *Final Sacramento District Nationwide Permit Regional Conditions for California, excluding the Lake Tahoe Basin* (http://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2012_nwps/2012-NWP-RC-CA.pdf) and the *List of Additional Information Required for Complete Pre-Construction Notification for California, Nevada and Utah*, when completing this checklist.

Please check the box to indicate you have read and have/will comply with the regional condition and provide a rationale on how you have/will comply with the condition.

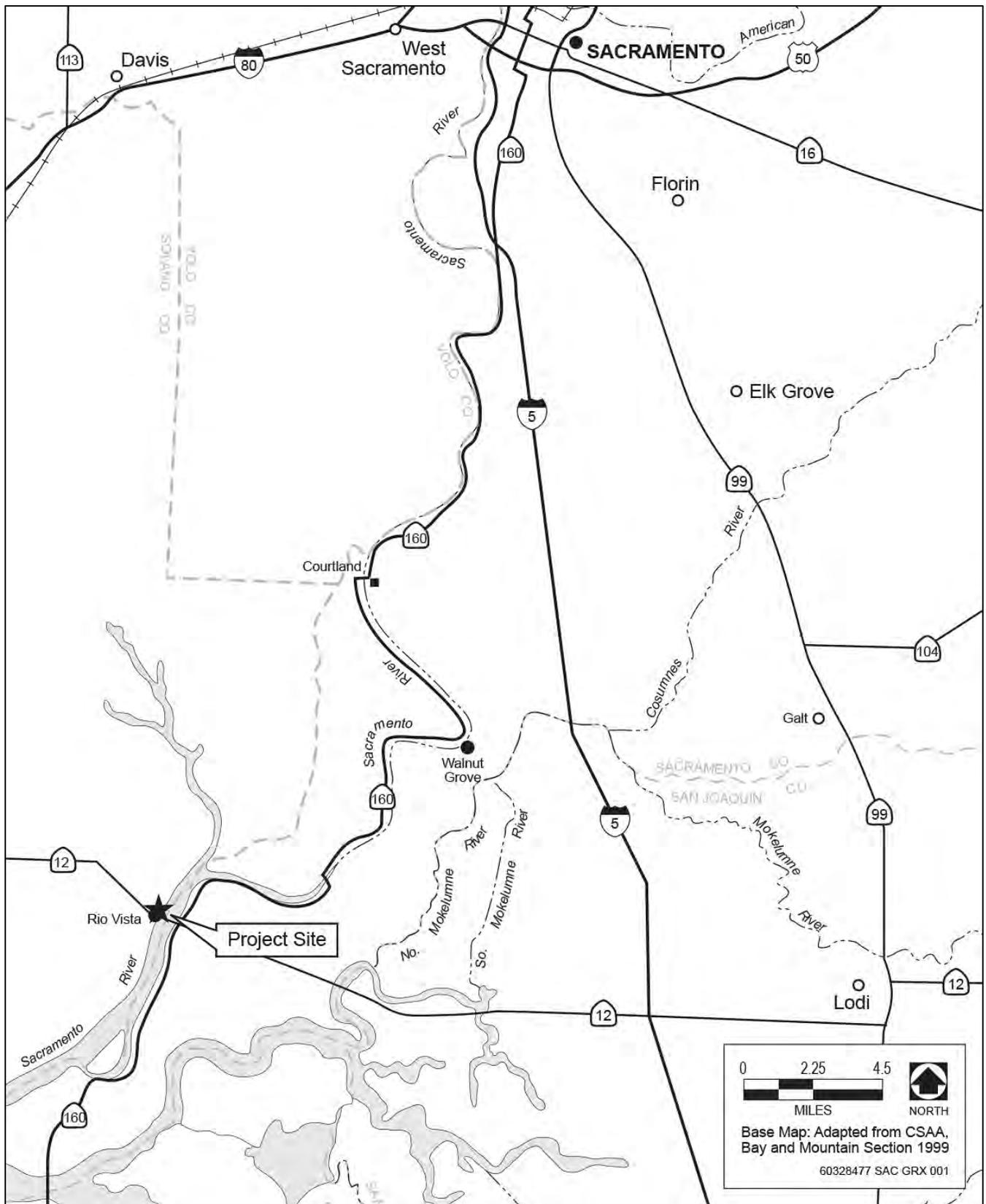
Check	Regional Condition	Compliance Rationale
<input checked="" type="checkbox"/>	1. Pre-construction Notification. PCN must include: <input checked="" type="checkbox"/> Avoidance & minimization statement. <input checked="" type="checkbox"/> Plan & cross-section drawings. <input checked="" type="checkbox"/> Pre-project photos.	The information has been submitted with the PCN. Pre-project photos are included in the wetland delineation report submitted to USACE on January 14, 2015.
<input checked="" type="checkbox"/>	2. Pre-construction Notification. PCN must be submitted for: <input type="checkbox"/> Activities in a vernal pool. <input type="checkbox"/> Activities in the Primary or Secondary Zone of the Legal Delta, Sacramento River, and San Joaquin River, and immediate tributaries. <input type="checkbox"/> Crossings of perennial or intermittent waters. <input type="checkbox"/> Activities within 100 feet of a natural spring. <input type="checkbox"/> Activities located in areas designated as EFH.	PCN submitted in accordance with GC 31.
<input checked="" type="checkbox"/>	3. Recordation. Permittee will record the NWP verification.	Project site is maintained by CVFPB and operated by DWR.
<input checked="" type="checkbox"/>	4. Avoided Waters. Permittee shall: <input type="checkbox"/> Establish & maintain a preserve. <input type="checkbox"/> Place avoided waters & buffers into a separate parcel; and <input type="checkbox"/> Establish permanent legal protection.	Permanent impacts to WOUS are limited to areas with existing culverts and one isolated wetland.
<input checked="" type="checkbox"/>	5. Temporary Fill. PCN must include: <input type="checkbox"/> Avoidance practicability statement. <input type="checkbox"/> Description of the fill. <input type="checkbox"/> Plan for restoration and/or revegetation. Permittee will: <input type="checkbox"/> Use clean & washed gravel, <input type="checkbox"/> Place a horizontal marker. <input type="checkbox"/> Remove all temporary fill within 30 days.	All impacts are permanent. Proposed project does not include temporary fill.

Check	Regional Condition	Compliance Rationale
<input checked="" type="checkbox"/>	6. Stream Crossings. <input type="checkbox"/> For Federally-listed fish species habitat, span the stream or river, or use bottomless arch culvert. <input type="checkbox"/> Ensure only minor impacts would occur to fish and wildlife passage or expected high flows. <input checked="" type="checkbox"/> No work within standing or flowing waters. <input type="checkbox"/> Dewatering plans must be approved by the Corps. <input type="checkbox"/> Will comply with Regional Condition 19; <input type="checkbox"/> Will not result in a reduction of bankfull width or depth of streams or negatively alter the flood control capacity.	Proposed project will not impact streams. No streams are present within the project site.
<input checked="" type="checkbox"/>	7. Lead Federal Agency. Must submit documentation pertaining to the Corps Permit Area for ESA and Area of Potential Effect for NHPA.	Documents for NHPA compliance are provided as attachments to 404 application.
<input checked="" type="checkbox"/>	8. Compliance Certificate. Must submit: <input checked="" type="checkbox"/> As-built drawings. <input checked="" type="checkbox"/> Post-construction photographs.	DWR agrees to submit as-built drawings and post-construction photographs with the compliance certification.
<input checked="" type="checkbox"/>	9. Permittee Responsible Mitigation. Must submit a final compensatory mitigation & monitoring plan.	The activity does not involve permittee-responsible mitigation. Compensatory mitigation is proposed at Cosumnes River Floodplain Mitigation Bank.
<input checked="" type="checkbox"/>	10. Mitigation. Must complete mitigation construction before or concurrent with commencement of project construction and/or submit proof of mitigation bank or ILF payment.	Compensatory mitigation is proposed at Cosumnes River Floodplain Mitigation Bank.
<input checked="" type="checkbox"/>	11. Contractor Awareness. Responsible for awareness and shall ensure permit & drawing availability.	DWR agrees to have a copy of the permit and drawings available for review at the project site.
<input checked="" type="checkbox"/>	12. Limits of Disturbance. Must clearly identify & ensure no work takes place outside of limits.	The project limits will be identified in the field.
<input checked="" type="checkbox"/>	13. Notification. Must notify 10 days prior to initiation of project construction.	DWR agrees to comply with this condition.
<input checked="" type="checkbox"/>	14. Inspections. Must allow inspection of activity(s).	DWR agrees to allow USACE representatives to inspect the project.
<input checked="" type="checkbox"/>	15. Mather Core Recovery Area (Sacramento County). NWP's (see list) revoked from use in vernal pools.	The activity does not involve impacts to vernal pools in the Mather Core Recovery Area.
<input checked="" type="checkbox"/>	16. Legal Delta. NWP's (see list) revoked.	The activity does not involve impacts in the Legal Delta.
<input checked="" type="checkbox"/>	17. Secondary Zone. Impacts must be mitigated within the Secondary Zone of the Legal Delta.	The activity would not occur within the Secondary Zone of the Legal Delta.
<input checked="" type="checkbox"/>	18. NWP 12 (Utility Lines). <input type="checkbox"/> Activity will not drain wetlands or waters. <input type="checkbox"/> Permittee will stockpile top 6-12" of topsoil. <input type="checkbox"/> Permittee will replace topsoil, and then re-seed. PCN must be submitted when a utility line: <input type="checkbox"/> Results in a discharge of fill into perennial or intermittent waters, or special aquatic sites <input type="checkbox"/> Results in a discharge of fill into greater than 100 linear feet of ephemeral waters; <input type="checkbox"/> Includes construction of an access road, substation or foundation within waters; or <input type="checkbox"/> Does not involve restoration of trenches to pre-project contours and conditions.	The activity will not involve NWP 12.

Check	Regional Condition	Compliance Rationale
☒	<p>19. NWPs 13 & 14. For bank stabilization activity(s):</p> <p><input type="checkbox"/> Activity will use native vegetation, bioengineering design techniques, or a combination thereof.</p> <p>PCN must be submitted when stabilization:</p> <p><input type="checkbox"/> Involves hard-armoring or non-vegetated/non-bioengineered technique.</p>	The activity will not involve NWP 13 or 14.
☒	<p>20. NWP 23 (Categorical Exclusions).</p> <p><input type="checkbox"/> Submit a PCN for all activities.</p> <p><input type="checkbox"/> Include a copy of the CE.</p> <p><input type="checkbox"/> Include final agency determinations for ESA, EFH, and NHPA.</p>	The activity will not involve NWP 23.
☒	<p>21. NWP 27 (Aquatic Habitat Restoration). PCN must be submitted when the activity:</p> <p><input type="checkbox"/> Results in a discharge of fill into perennial or intermittent waters, or special aquatic sites; or</p> <p><input type="checkbox"/> Results in a discharge of fill into greater than 100 linear feet of ephemeral waters.</p>	The activity will not involve NWP 27.
☒	<p>22. NWPs 29 and 39 (Residential & Commercial Development). Channelization or relocation of intermittent or perennial drainages is not authorized, except when relocation would result in a net increase in functions.</p>	No streams are present within the project site. Proposed action would not alter natural stream channels.
☒	<p>23. Waivers (300 & 500 linear foot): PCN must include:</p> <p><input type="checkbox"/> A narrative description;</p> <p><input type="checkbox"/> An analysis of the proposed impacts;</p> <p><input type="checkbox"/> Measures taken to avoid and minimize losses to waters; and</p> <p><input type="checkbox"/> A compensatory mitigation plan.</p>	No waiver is requested.
☒	<p>24. NWPs 29, 39, 40, 42, and 43: Must establish and maintain upland vegetated buffers.</p>	Proposed project would result in minimal impacts to wetland habitat.
☒	<p>25. NWP 46 (Discharge in Ditches): Will not cause the loss of greater than 0.5 acres of waters or the loss of more than 300 linear feet of ditch.</p>	The activity will not involve NWP 46.
☒	<p>26. All NWPs. All NWPs except (see list) are revoked for activities in histosols, fens, bogs and peatlands, and in wetlands contiguous with fens.</p>	The activity would not occur in a histosols, fen, bog, peatland or wetland contiguous with a fen.

ATTACHMENT A

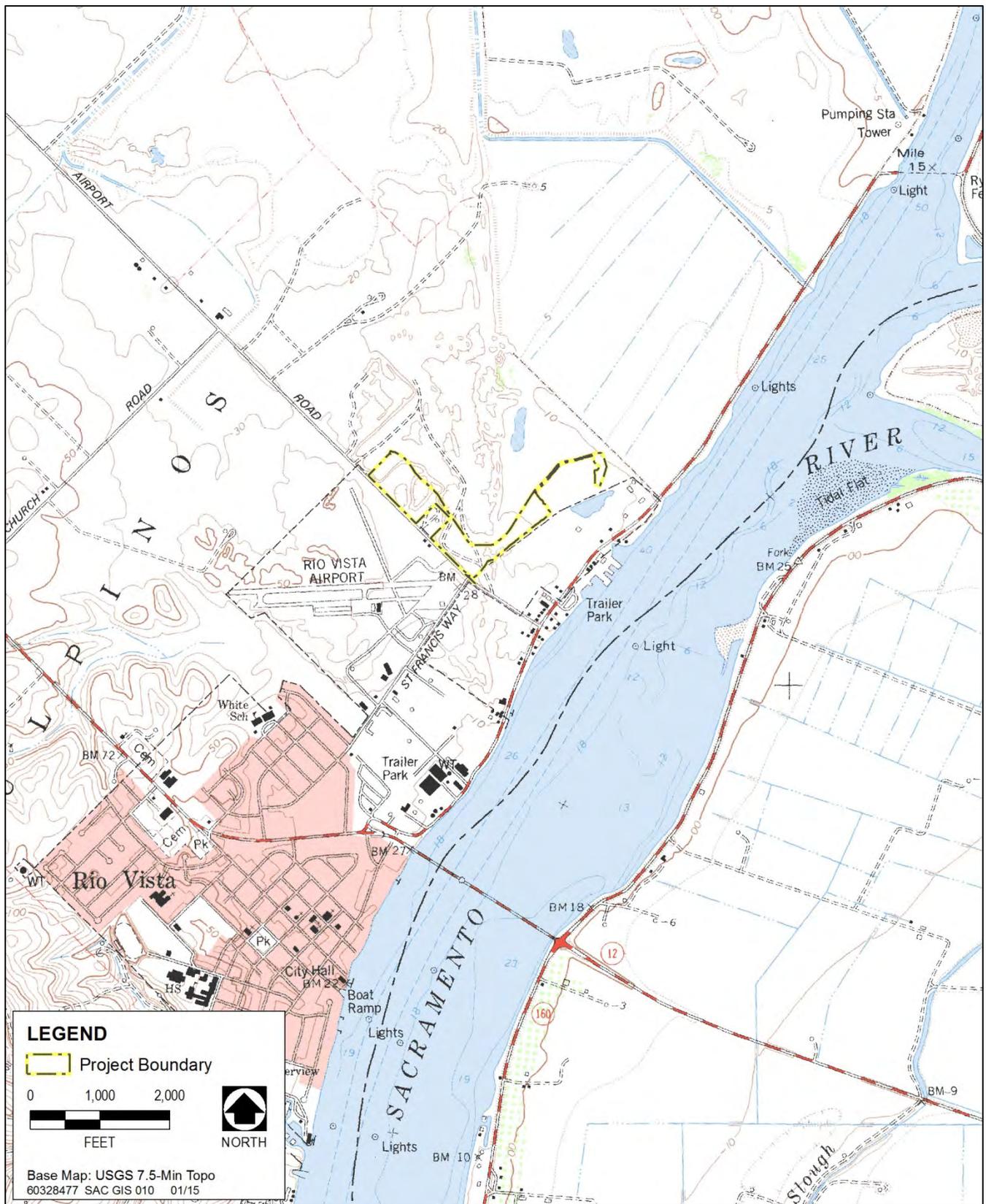
Continuation Form



Source: Compiled by AECOM 2015

Figure 1

Regional Location



Source: Compiled by AECOM 2015

Figure 2

Site Topography

BOX 3: NATURE OF ACTIVITY

The purpose of the FIP is to ensure that the State has the appropriate infrastructure and supplies in the Delta to respond to and recover quickly and effectively from major flood or earthquake disasters in the Sacramento-San Joaquin River Delta. Such disasters could cause multiple levee failures resulting in flooded Delta islands, a loss of lives and property, environmental impacts, impacts on regional and State-wide utilities and transportation corridors, and interruptions in water deliveries from the Delta.

DWR currently has a rock stockpile of approximately 113,000 tons on this project site. In order to transfer stored quarry rock to barges, DWR would need to contract with the Dutra Group for barge-loading services at its established barge-loading facility located along State Route (SR) 84/River Road, which is approximately 1,000 feet southeast of the existing stockpile area. The Dutra Group's facility includes business offices, space for unloading trucks, and a barge-loading facility that is capable of docking and loading several barges concurrently. The site is readily accessible from Interstate (I) 80 via State Route (SR) 12 and SR 113. It is also accessible from I-680 via SR 160 to the south, and from I-5 via SR 12 and SR 160.

Site specific improvements at Rio Vista are summarized below.

- ▶ Site clearing, grubbing, and removal of organic material including approximately 4.0 acres of trees as necessary during project construction.
- ▶ Construct 6,000 square-foot asphalt foundation/pad for two approximately 8-foot by 40-foot temporary office trailers for use as an incidental command post (ICP) during flood emergencies and a pre-fabricated restroom facility. The pad will also encompass Americans with Disabilities Act (ADA) compliant parking stall(s) as required.
- ▶ Establish a 0.75-acre area for vehicle parking.
- ▶ Provide new water connection for the Central Valley Flood Protection Board (CVFPB) lease of the remaining property and develop electrical connections to the site for future temporary office trailers.
- ▶ Widen existing access road(s) to the existing quarry rock stockpile from about 20 feet to 28 feet. Remove at least two and up to approximately 15 trees along the existing access road, as well as numerous woody shrubs.
- ▶ Improve the haul road near the property's southerly boundary with a new ramp from Airport Road near its intersection with St. Francis Way.
- ▶ Place up to five steel storage containers to store flood fight supplies, including bulk bags near the southwestern corner of the property.
- ▶ Improve an existing access ramp at the southwest corner of the property to facilitate access to the Dutra Group's Dock and the steel storage containers.
- ▶ Stockpile up to 20,000 tons of well-drained sand.
- ▶ Stockpile up to 90,000 tons of rock. Rock would be moved from the Port of Stockton to the Rio Vista site.

BOX 9: MEASURES TAKEN TO AVOID IMPACTS TO WATERS OF THE U.S.

HYD-1: Institute Construction Best Management Practices (BMPs) for the Prevention of Erosion and Transport of Soil, Sand, and Silt Offsite during Runoff Events.

DWR shall implement construction Best Management Practices (BMPs) for all land clearing, land leveling, excavation, and fill operations associated with site preparations at the three sites. These measures will be incorporated into the construction plans and specifications. They include avoidance of existing wetlands, including placement of exclusion fencing, creating on site catchments for surface runoff, using coir logs to intercept drainage, and hydroseeding slopes, as appropriate.

Before the start of any construction work, clearing, or site grading associated with preparation, or any stockpiling activities at the sites, measures to control soil erosion and waste discharges will be prepared in accordance with BMPs. DWR will require all contractors conducting work at the sites to implement BMPs to control soil erosion and waste discharges of other construction-related contaminants. The general contractor(s) and subcontractor(s) conducting the work will be responsible for constructing or implementing, regularly inspecting, and maintaining the BMPs in good working order. In addition, the contractors will be required to submit and adhere to the applicable Storm Water Pollution Prevention Plan (SWPPP) associated with site development, preparation, and improvements.

Sufficient buffers from wetlands, riparian habitat, and/or other sensitive areas shall be maintained throughout the construction improvement period(s) of the project.

The plans developed by DWR or its contractor(s) will identify the grading, erosion, and tracking control BMPs and specifications that are necessary to avoid and minimize water quality impacts to the extent practicable. Standard erosion control measures (e.g., management, structural, and vegetative controls) will be implemented for all construction activities that expose soil. Grading operations will be conducted to eliminate direct routes for conveying potentially contaminated runoff to drainage channels. Erosion control barriers such as silt fences and mulching material will be installed, and disturbed areas will be reseeded with native grasses or other plants where necessary. Tracking controls shall be required throughout the construction period, as needed, to reduce the tracking of sediment and debris from the construction site.

At a minimum, entrances and exits shall be inspected daily, and controls implemented as needed.

The following specific BMPs will be implemented, as described in the California BMP Handbook (www.cabmphandbook.com):

- Conduct all work according to site-specific construction plans that identify areas for clearing and grading so that ground disturbance is minimized.
- Avoid riparian vegetation, cover cleared areas with mulches, and install silt fences near riparian areas or streams to control erosion and trap sediment, and reseed cleared areas with native vegetation. Sufficient buffers (minimum 20 feet when possible) from wetlands and/or other sensitive areas shall be maintained throughout the life of the project.

- Stabilize disturbed soils before the onset of the winter rainfall season.
- Stabilize and protect stockpiles from exposure to erosion and flooding.
- Stabilize all construction access by providing a point of entrance/exit to the construction sites that is stabilized to reduce the tracking of mud and dirt onto public roads by construction vehicles.
- Grade each construction entrance/exit to prevent runoff from leaving the construction site, and ensure that all runoff from the stabilized entrances/exits are routed through a sediment-trapping device before discharge.
- Ensure that entry/exit ways are able to support the heaviest vehicles and equipment that will use them.

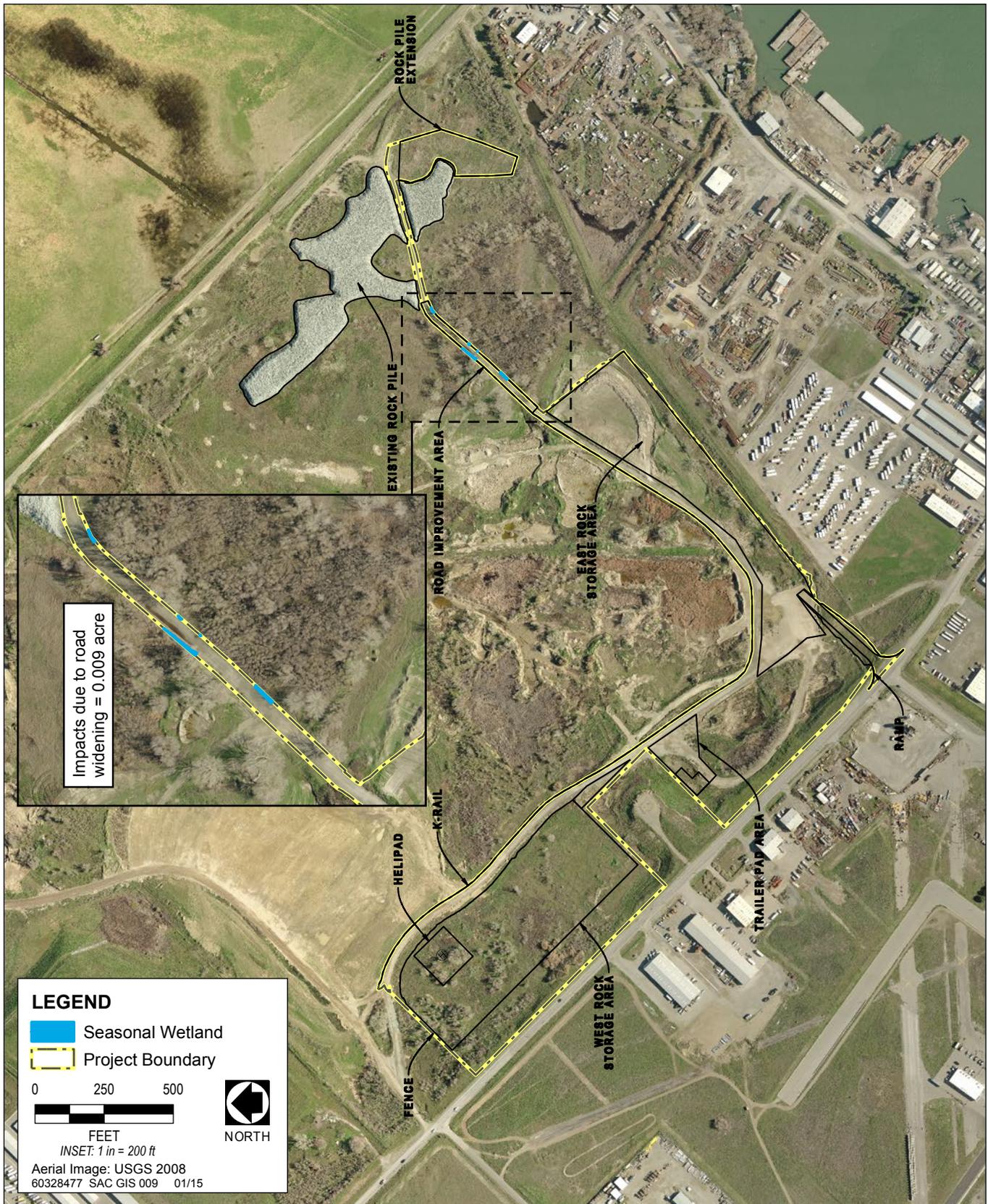
BMPs will also specify appropriate hazardous materials handling, storage, and spill response practices to reduce the possibility of adverse impacts from use or accidental spills or releases of contaminants.

Specific measures applicable to the project include, but are not limited to, the following:

- Develop and implement strict onsite handling rules to keep construction and maintenance materials out of drainages and waterways.
- Conduct all refueling and servicing of equipment with absorbent material or drip pans underneath to contain spilled fuel. Collect any fluid drained from machinery during servicing in leak-proof containers and deliver to an appropriate disposal or recycling facility.
- Maintain controlled construction staging, site entrance, concrete washout, and fueling areas at least 100 feet away from stream channels or wetlands to minimize accidental spills and runoff of contaminants in storm water.
- Prevent raw cement; concrete or concrete washings; asphalt, paint, or other coating material; oil or other petroleum products; or any other substances that could be hazardous to aquatic life from contaminating the soil or entering watercourses.
- Maintain spill cleanup equipment in proper working condition. Clean up all spills immediately according to the spill prevention and response plan, and immediately notify DFW and the Regional Water Quality Control Board (RWQCB) of any spills and cleanup procedures.

ATTACHMENT B

Impact Map



Source: DWR 2014 adapted by AECOM 2014

Rio Vista Impacts to Wetlands Map

ATTACHMENT C

Copy of 401 Application

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL VALLEY REGION

SECTION 401 WATER QUALITY CERTIFICATION APPLICATION FORM

Application Fees: Application fees shall be based on the current fee schedule in accordance with Title 23 CCR § 2200 (a)(3), and is required. To determine the total fee, please use the fee calculator at: http://www.waterboards.ca.gov/water_issues/programs/#wqcert. In order to process the application, a \$600.00 deposit is required except for projects qualifying for a flat fee category in which case the flat fee must be remitted with the application. Please include a check payable to the **State Water Resources Control Board**.

Annual Fees: After the certification has become effective, annual fees will be based on the fee schedule at time of billing.

Application and Fee Submission: See the Section 401 Water Quality Certification Application Instructions and Information Sheet at the end of the application form for instructions on submitting the application and fees.

Attach additional sheets as necessary. If any information is not applicable to the proposed project please indicate that as N/A.

1. APPLICANT INFORMATION

2. AGENT INFORMATION*

Applicant: California Department of Water Resources, Division of Flood Management	Agent* AECOM, Inc.
Contact Name: Kristin Richmond	Contact Name: Sarah A.N. Bennett
Address: 3310 El Camino Avenue, Suite 200	Address :2020 L Street, Suite 400
Sacramento, CA 95821	Sacramento, CA 95819
Phone No: (916) 574- 2167	Phone No: (916) 266-4922
Fax No: (916) 574-2767	Fax No: (916) 414-5850
E-mail Address: Kristin.Richmond@water.ca.gov	E-mail Address: sarah.bennett@aecom.com

*Complete only if applicable

3. PROJECT DESCRIPTION

a) Project Title: Delta Flood Emergency Facilities Improvement Project, Rio Vista
b) Project Location: The project site is located north of the city of Rio Vista, north of Airport Road in Solano County California. See Attachment A for a Regional Map. County: <u>Solano</u> Section: <u>unsectioned</u> Township: <u>4 North</u> Range: <u>2 East</u> Quadrangle Name: <u>Rio Vista</u> Latitude: <u>38°10'29.68" N</u> Longitude: <u>-121°40'46.57" W</u> *Attach site map with "waters" clearly indicated (e.g. USGS 7 ½ quadrangle map)
c) Project Description (Please provide a detailed explanation of all project activities. Include applicable information such as: avoidance and minimization measures for project impacts; alternatives analysis; project activity impacts to water bodies and/or water quality; and implementation of Low Impact Development (LID) strategies. Attach additional pages as necessary): The proposed project would improve and operate a permanent rock stockpile and emergency transfer site near Rio Vista, California. Specifically, the project would modify the existing material storage facility and establish a flood fight supply facility at this location. In addition, the Rio Vista site could be used to support an Incident Command Post (ICP). Attachment A provides additional project description detail.

d) Proposed Schedule (start date, and completion date): September 1, 2015–April 30, 2016
e) Total Project Size (clearing, grading, other construction activities): <u>27.45</u> acres _____ linear feet (if appropriate)

4. IMPACTED WATER BODIES

a) Name(s) of Receiving Water Body(ies): Unnamed forested seasonal wetland adjacent to the Sacramento River. Unnamed wetlands separated from Sacramento River by approximately 1,500 feet.
b) Anticipated potential stream flow during project activity: NA. No flowing streams present within project site.
c) Describe potential impacts to water quality: Temporary and short-term impacts on water quality could occur from ground-disturbing activities during project construction. However, flowing streams are not present within the project site and there is little to no threat of degrading nearby water bodies because no surface water connection is present. No concrete would be placed in waters of the state. Project construction activities will expose soil and could result in erosion and sedimentation. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared by the contractor and Best Management Practices (BMPs) will be used throughout project construction. Standard erosion control measures (e.g., management, structural, and vegetative controls) would be implemented for all construction activities that expose soil. Erosion control barriers such as silt fences and mulching material would be installed, and disturbed areas would be reseeded with native grasses or other plants where necessary. See Attachment A, Box 6 for additional BMPs to protect water quality.

d) **Waters of the United States:** Indicate in ACRES and LINEAR FEET (where appropriate) the proposed waters of the United States to be impacted by any discharge other than dredging, and identify the impacts(s) as permanent and/or temporary for each water body type listed below:

Water Body Type	Permanent Impacts		Temporary Impacts	
	(acres)	(linear feet)	(acres)	(linear feet)
Jurisdictional Wetland	0.009			
Riparian				
Streambed un-vegetated				
Lake/Reservoir				

e) **Non-Federal Waters:** This section is **only** for waters that the U.S. Army Corps of Engineers does **not** consider federally jurisdictional. Indicate in ACRES and LINEAR FEET (where appropriate) the proposed **waters of the State** to be impacted by any discharge other than dredging, and identify the impacts(s) as permanent and/or temporary for each water body type listed below: None.

Water Body Type	Permanent Impacts		Temporary Impacts	
	(acres)	(linear feet)	(acres)	(linear feet)
Isolated Wetland				
Ditch/Canal				
Other				

f) **Fill:** Indicate the amount (cubic yards) and type of fill material to be discharged/installed in waters of the State/United States:

Type of Material (Soil, concrete, steel, rock.....)	Amount (cubic yards)	What type of water body? (Wetland, riparian, streambed, lake.....)	Indicate if fill is in federal or non-federal waters
Aggregate base	14.5 CY	Forested seasonal wetland	Federal waters
Geotextile fabric	392 SF	Forested seasonal wetland	Federal waters

g) **Dredge/Removal:** Indicate the amount (cubic yards) and type of material to be dredged and/or removed from waters of the State/United States:

Type of Material (Soil, concrete, steel, rock.....)	Amount (cubic yards)	What type of water body? (Wetland, riparian, streambed, lake.....)	Indicate if dredge or removal is in federal or non-federal waters

5. COMPENSATORY MITIGATION

a) Indicate in ACRES and LINEAR FEET (where appropriate) the total quantity of **waters of the United States** proposed to be Created, Restored and/or Enhanced for purposes of providing Compensatory Mitigation If mitigating for state waters that were not considered federally jurisdictional then attach a description of the proposed mitigation:

DWR proposes to purchase credits for floodplain mosaic wetland habitat at the Cosumnes Floodplain Mitigation Bank, operated by Westervelt, for the loss of forested seasonal wetland habitat within the project site.

Water Body Type	Created		Restored		Enhanced	
	(acres)	(linear ft)	(acres)	(linear ft)	(acres)	(linear ft)
Jurisdictional Wetland	0.01					
Riparian						
Streambed						
Lake/Reservoir						

b) If contributing to a Mitigation or Conservation Bank, indicate the agency, dollar amount, acreage, and water body type (if applicable):

Mitigation Bank or Conservation Agency Cosumnes Floodplain Mitigation Bank

\$ for 0.01 acres of seasonal wetland (water body type)

How many acres of this mitigation area qualify as waters of the United States? 0.01

c) Other Mitigation (omit if not applicable): NA

How many acres of this mitigation area qualify as waters of the United States? _____

d) Location of Compensatory Mitigation Site(s) (attach map of suitable quality and detail):

City of Area _____ County Sacramento

Longitude/Latitude _____ Township/Range _____

6. OTHER ACTIONS/BEST MANAGEMENT PRACTICES (BMPs)

Briefly describe other actions/BMPs to be implemented to Avoid and/or Minimize impacts to waters of the United States, including preservations of habitats, erosion control measures, project scheduling, flow diversions, etc.

Impacts to water quality will be avoided and/or minimized by implementation of BMPs. A storm water pollution prevention plan (SWPPP) will be developed by the contractor for the proposed project, to obtain a Construction General Permit. See Attachment A for additional detail.

Flowing streams are not present within the project site and no work would occur within a flowing stream. No dewatering is required for project construction.

7. OTHER PERMITS/AGREEMENTS/ETC

a) U.S. Army Corps of Engineers Permit: Indicate the type of ACOE permit (*check one*)

Nationwide Permit No(s) 39 Individual Permit No(s): _____ Regional Permit No(s): _____

Letter(s) of Permission _____ ACOE Permit Reference Number _____

Have you notified ACOE of project? Yes, permit application submitted concurrent.

Have you reviewed the General Conditions for your ACOE permit? Yes.

Have you attached a copy of the application/notification to ACOE? Yes.

b) California Department of Fish and Game Lake or Streambed Alteration Agreement: NA.

Date of Application: _____

Have you attached a copy of the application?

Has the Agreement been issued? _____ if so, list Agreement number: _____

c) Water Rights: NA.

If the project is directly related to any diversion, obstruction, extraction, or impoundment of the natural flow of a river, stream, lake or underground source then provide the Water Right Application ID Number _____ or Permit ID Number _____

8. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

a) Indicate the type of CEQA Document required for this project:

Categorical Exemption ___ Negative Declaration __X_ Environmental Impact Report ___

Has the document been certified/approved, or has a Notice of Exemption been filed? Yes.

If yes date of approval/filing 02/11/2015 If no, expected approval/filing date: _____

Lead Agency California Department of Water Resources, Division of Flood Management

Have you attached a copy of the draft/final CEQA documentation*? Yes. SCH No. 2014112056

* A final copy of valid CEQA documentation must be provided before a project can be certified

b) List State and Federal Threatened/Endangered Species that could potentially be impacted by this project:

No state or federally listed species have potential to occur within the project site, nor be impacted by project implementation.

9. PAST/FUTURE PROPOSALS BY THE APPLICANT

Briefly list/describe any projects carried out in the last 5 years or planned for implementation in the next 5 years that are in any way related to the proposed activity or may impact the same receiving body of water. Include the estimated adverse impacts from the past or future projects.

Within the project site, DWR established a rock stockpile of approximately 113,000 tons on approximately 3.4 acres of land owned by the Sacramento-San Joaquin Drainage District through the State of California Central Valley Flood Protection Board (CVFPB) in 2007-2008. In January 2013, DWR constructed a ramp to facilitate movement of the stockpiled rock in an emergency to Dutra Group's barge-loading facility, located on the Sacramento River.

No additional future projects are planned for the Rio Vista site at this time. DWR is proposing to develop the West Weber site, located in Stockton, California as a second Delta Flood Emergency Facilities Improvement Project location. The West Weber site, located in San Joaquin County is located within the Lower-Calaveras-Mormon Slough Watershed (HUC 18040004).

SIGNATORY REQUIREMENTS

All reports, notices, or other documents required by the Water Quality Certification or requested by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) shall be signed by a person described below or by a duly authorized representative of that person.

- a. For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor.
- c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official.

10. CERTIFICATION [Any person signing or submitting a document, e.g. an application, a monitoring report, etc., to demonstrate compliance with the Water Quality Certification regulations shall make the following certification, whether written or implied]

"I certify under penalty of law that this document, including all attachments and supplemental information, were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Print Name: Kristin C. Richmond Title: Project Manager
Signature: *Kristin C. Richmond* Date: 3/2/2015

STATEMENT OF AUTHORIZATION (if designating a specific agent)

I hereby authorize Sarah Bennett to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

X *Kristin C. Richmond* DATE 3-2-2015
APPLICANT'S SIGNATURE (not the authorized agent)

All information on this application becomes part of the public record, and as such is subject to public records requests disclosure. In addition, the application will be posted for public review on the Regional Board's web site in accordance with California Code of Regulations Title 23 Section 3858.

**Central Valley Regional Water Quality Control Board Water (CVRWQCB)
Section 401 Water Quality Certification Application
Instructions and Information**

Applications & Fees:

Applications must be received with the following six (6) items to be considered complete. Applications missing any of the following items may be considered incomplete:

1. A **\$600.00** deposit must accompany the application except for projects qualifying for a flat fee category in which case the flat fee should be remitted with the application, and a copy of the fee calculator must be received with the application. The check must be made payable to the **“State Water Resources Control Board”** and mailed to the appropriate CVRWQCB office at the address listed below.

Note:

- (a) Application fees shall be based on the current fee schedule.
 - (b) The total fee and a copy of the fee calculator must be submitted prior to the issuance of the certification. The total fee is based on the acres of fill or amount that is to be dredged as found in Title 23 CCR Section 2200(e). To determine the fee, please use the fee calculator found at http://www.waterboards.ca.gov/water_issues/programs/#wqcert
Any checks mailed to pay any outstanding fee prior to issuance of the certification should be mailed to the appropriate CVRWQCB, and must include the project name and WDID# (if known).
 - (c) After the certification has become effective, annual fees will be based on the fee schedule at time of billing.
 - (d) If the CVRWQCB becomes the Lead Agency for the project, additional fees will be required based on staff hours for completion of a California Environmental Quality Act (CEQA) document.
2. A copy of the application and/or the §404 federal permit from the U.S. Army Corps of Engineers (USACOE) including the Regulatory Branch Number (i.e., SPK-XXXX-XXXXX), if known.

Note:

- (a) If the applicant will be using a non-reporting Nationwide permit number, verification (i.e., letter or email) from the USACOE is requested.
 - (b) All dredging projects require a permit from the USACOE.
 - (c) The applicant is responsible to complete the project within the expiration date of the USACOE permit.
3. An adequate description of the project which includes a location map, starting date, and the expected project duration, and photos if available. Calculate the total area of jurisdictional waters of the United States and waters of the State that will be temporarily and permanently impacted, (in acres). State if dredging, cofferdams, or the use of cast-in-place concrete will be required. Pumping from cofferdams must meet turbidity requirements from the appropriate Basin Plan.

Note:

- (a) For dewatering that results in a discharge to surface waters, a dewatering permit may be required if the discharge does not exceed 0.25 mgd and the project duration is less than 4 months. Projects that require dewatering in excess of the 0.25 mgd or/longer than 4 months must obtain General Waste Discharge Requirements/NPDES Permit for Dewatering and Other Low Threat Discharges to Surface Waters. For more information, please contact the NPDES Unit:
- Fresno Office: Matt Scroggins – (559) 445-6042;
 - Redding Office: George Day – (530) 224-4859; or
 - Sacramento Office: Josh Palmer - (916) 464-4674
- (b) For information regarding dewatering that results in a discharge to land, please contact the Non-15 Permitting Unit:
- Fresno Office: Dale Harvey – (559) 445-6190;
 - Redding Office: George Day – (530) 224-4859; or
 - Sacramento Office: Anne Olson - (916) 464- 4740.
- (c) If your project comprises one (1) acre or more of disturbed area, you must obtain coverage under the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities. For information regarding construction storm water permit please contact:
- Fresno Office: Debra Mahnke - (559) 445-6281;
 - Redding Office: Scott Zaitz or Dani Berchtold (530) 224-4845; or
 - Sacramento Office: Jacque Kelley (916) 464-4764
4. A copy of the application or signed agreement for Lakebed or Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (DFW), or correspondence from DFW stating that no LSAA is required for your project.
5. Provide documentation of the proposed compensatory mitigation efforts required to off- set impacts to waters of the United States and waters of the State associated with the project and/or required by the USACOE.
6. A copy of any draft or final CEQA document(s), if available, prepared for the activity. Although CEQA documentation is not required for a complete application, the certifying agency shall be provided with and have ample time to properly review a final copy of valid CEQA documentation before taking a certification action. Valid CEQA documentation includes:
- i. Notice of Exemption (NOE) - state type, class and section numbers for exemption, and explanation of applicability to the project. Exemptions may be reviewed by our Office of Chief Counsel;
 - ii. Initial Environment Assessment with a Negative Declaration (ND) – required if the project will not impact jurisdictional waters of the United States, including wetlands, or other resources (i.e., fish, wildlife and plants);
 - iii. Mitigated Negative Declaration (MND) – required if the project impacts any jurisdictional waters of the United States and/or waters of the State, including wetlands, or other

resources. The MND must state all on and off-site mitigation measures and all overseer agencies for the development of wetlands; or

- iv. Environmental Impact Report (EIR) - required if the project impacts any jurisdictional waters of the United States and/or waters of the State, including wetlands, or other resources. The EIR must state all on and off-site mitigation measures and all overseer agencies for the development of wetlands.
- v. Statement of Overriding Considerations (SORC) – required if adopted for the project.
- vi. Supplemental/Subsequent EIR - required if adopted for the project.
- vii. Addendum to the EIR - required if adopted for the project.

In addition, a Notice of Determination (NOD) for NDs, MNDs, EIRs, or Statement of Overriding Considerations must be submitted prior to issuance of a Certification.

Note:

- (a) For more information on CEQA visit: <http://resources.ca.gov/ceqa/>
- (b) For information on NEPA visit: http://ceres.ca.gov/wetlands/permitting/NEPA_summary.html

Submission of Applications:

Effective 13 October 2014, application and attachments, and submission of material for the development of the water quality certification must be submitted electronically. The requirements for electronic submission are:

- 1. The application and its attachments is one single, searchable Portable Document Format (PDF).
- 2. Documents less than 50 MB should be emailed to the appropriate CVRWQCB:
 - Fresno: centralvalleyfresno@waterboards.ca.gov
 - Redding: centralvalleyredding@waterboards.ca.gov
 - Sacramento: centralvalleysacramento@waterboards.ca.gov
- 3. The subject line of the email must include “401 Water Quality Certification Unit”.
- 4. Documents 50 MB or larger should be transferred to a disk and mailed to the appropriate CVRWQCB address below.

Central Valley Regional Water Quality Control Board Contacts:

For further assistance, please contact the appropriate office for the project.

Fresno

1685 E Street
Fresno, CA 93706

Matt Scroggins, Senior Engineer
(559) 445-6042
matt.scroggins@waterboards.ca.gov

Debra Mahnke, Water Resource Control
Engineer
(559) 445-6281
debra.mahnke@waterboards.ca.gov

Counties:

Fresno, Kings, Kern, Madera, Mariposa,
Merced, Tulare, and eastern portion of San
Benito

Redding Office

364 Knollcrest Drive, Suite 364
Redding, California 96002

George Day, Senior Engineer
(530) 224-4859
george.day@waterboards.ca.gov

Dan Warner, Water Resource Control
Engineer
(530) 224-4848
daniel.warner@waterboards.ca.gov

Scott Zaitz, Environmental Scientist
(530) 224-4784
scott.zaitz@waterboards.ca.gov

Dani Berchtold, Sanitary Engineering
Associate
(530) 224-4783
dannas.berchtold@waterboards.ca.gov

Counties:

Butte, Glenn, Plumas, Shasta, Tehama, and
portions of Lassen and Modoc

Sacramento

11020 Sun Center Drive # 200
Rancho Cordova, California 95670

Elizabeth Lee, Senior Engineer
(916) 464-4787
elizabeth.lee@waterboards.ca.gov

Trevor Cleak, Environmental Scientist
(916) 464-4684
trevor.cleak@waterboards.ca.gov

Stephanie Tadlock, Environmental Scientist
(916) 464-4644
stephanie.tadlock@waterboards.ca.gov

Counties

Alameda, Alpine, Amador, Calaveras, Colusa,
Contra Costa, El Dorado, Lake, Napa, Nevada,
Placer, Sacramento, San Joaquin, Solano,
Stanislaus, Sutter, Tuolumne, Yolo, and Yuba

Additional information may be obtained from the State Water Resource Control Board Clean Water Act
Section 401 – Certification and Wetlands Program at:
http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml

