Central Valley Regional Water Quality Control Board

12 September 2025

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NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. WQ 2022-0048-DWQ, ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION AND WASTE DISCHARGE REQUIREMENTS FOR RESTORATION PROJECTS STATEWIDE, CACHE SLOUGH MITIGATION BANK PROJECT (WDID# 5A48CR00212), SOLANO COUNTY

On 26 June 2025, Westervelt Ecological Services, LLC submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. WQ 2022-0048-DWQ, Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Cache Slough Mitigation Bank Project (Project) meets the requirements of, and is hereby enrolled under, Order No. WQ 2022-0048-DWQ. You may proceed with your Project in accordance with the Order. This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of Order WQ 2022-0048-DWQ (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

The Project is described in the notification form requesting coverage under the General Certification Order, dated 26 June 2025, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified. Failure to comply with Order No. WQ 2022-0048-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:
The 331.8-acre Project will convert approximately 89.405 acres of existing managed wetlands (managed emergent marsh, seasonal wetland, riparian, irrigation ditch) to approximately 255 acres of state and federally jurisdictional wetland (tidal freshwater wetland) and 45 acres of other waters of the U.S. (floodplain riparian). Restoration of tidal freshwater wetland and floodplain-associated vegetation communities will be accomplished by re-contouring the site and re-establishing tidal connection to Cache Slough/Sacramento River.

The Project will be constructed in two phases across two consecutive construction seasons. In the first phase, the Project will include habitat restoration activities on the landside of the State Route 84 embankment and Cache Slough/Sacramento River that consists of:

1. Excavating approximately 250,000 cubic yards of material to construct 14,000 feet of tidal and subtidal channels;
2. Placement of excavated material to create elevated planting mounds adjacent to the channels and construction of approximately 11,000 feet of earthen berms around the perimeter of the restoration site; and,
3. Re-contouring existing habitats across the site, as needed, to support positive drainage across the marsh plain.

The second phase of the Project will create a tidal connection to the Cache Slough/Sacramento River by constructing a low water crossing structure (61-foot long, single-span bridge) under State Route 84 and excavating a subtidal channel. The subtidal channel has been designed to support full tidal exchange and maximize fish access to the restored habitat by excavating to a depth of -2 feet, which will maintain a minimum 4 feet of water depth at lower-low water. On the waterside of the bridge, the subtidal channel will extend approximately 2120 feet into Cache Slough/Sacramento River and will require dredging of approximately 1,250 cubic yard of sediment to transition the bottom of the subtidal channel to the existing grade of Cache Slough/Sacramento River. Following dredging, the subtidal channel would be lined with appropriately sized rock to limit erosion and provide stable fish access.

Revegetation would follow grading in the fall of construction year one (Phase I) and would continue as needed up to the breach in construction year two.

The Project will temporarily impact 0.04 acre and permanently impact 88.15 acre of wetland, temporarily impact 0.01 acre and permanently impact 2.64 acre of riparian, and temporarily impact 0.22 acre and permanently impact 1.70 acre of stream channel. Temporary impacts are associated with the installation of sheet piles to isolate the bridge work area from tidal waters, sediment removal to create the tidal channel, construction of a temporary road detour parallel to State Route 84, and excavation, grading, and redeposition of soil excavated from the Project site to create the new tidal channels and habitat berms supporting diverse plant and habitat assemblages. Temporarily impacted areas will be restored to pre-Project condition. The Project will restore/establish 236.02 acres of wetland, 46.33 acres of riparian, and 25.04 acres/14,000 linear feet of stream channel.

PROJECT LOCATION:
The Project area is located at latitude 38.181949 Degrees North and longitude 121.674685 Degrees West.

PROJECT SCHEDULE:
April 2026 through October 2027

APPLICATION FEE RECEIVED:
$4,212.00 was received on 23 June 2025.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

ANNUAL REPORTING:
The Permittee shall submit an Annual Report each year on the 1st day of the month, one year after the effective date of this Notice of Applicability. Annual reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

The Annual Report shall include the information specified in Attachment D, Part A of Order No. WQ 2022-0048-DWQ. The Permittee shall submit the report in accordance with the report submittal instructions in Attachment D of Order No. WQ 2022-0048-DWQ and email it to centralvalleysacramento@waterboards.ca.gov with a cc to Jenna Yang at Jenna.Yang@waterboards.ca.gov. The WDID No. for this Project is 5A48CR00212.

NOTICE OF COMPLETION:
Upon completion of the Project, you shall submit a Request for Notice of Project Complete (NOC) no later than 30 days after Project completion. The NOC shall demonstrate the Project was carried out in accordance with the Project description, include a map of the Project location with final boundaries of the restoration area, and include post-project photographs. More information on the NOC is listed in Attachment D, Part B (Report Type 4) of the Order.

If you have any questions regarding this Notice of Applicability, please contact Jenna Yang at (916) 464-4764 or at Jenna.Yang@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Enclosure: Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide, Order WQ 2022-0048-DWQ

Attachments: Figure 1 – Project Vicinity Map
Figure 2 – Project Restoration Map
Figure 3 – Project Impact Map (1 of 5)
Figure 4 – Project Impact Map (2 of 5)
Figure 5 – Project Impact Map (3 of 5)
Figure 6 – Project Impact Map (4 of 5)
Figure 7 – Project Impact Map (5 of 5)

cc: Distribution List (via email only)

U.S. Environmental Protection Agency
Region 9
R9cwa401@epa.gov

United States Army Corps of Engineers
Sacramento District Headquarters
SPKRegulatoryMailbox@usace.army.mil

Department of Fish and Wildlife
Region 2
R2LSA@wildlife.ca.gov

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

Richard McHenry
CA Sportfishing Protection Alliance
RMcHenry@calsport.org

Figure 1: Project Vicinity Map

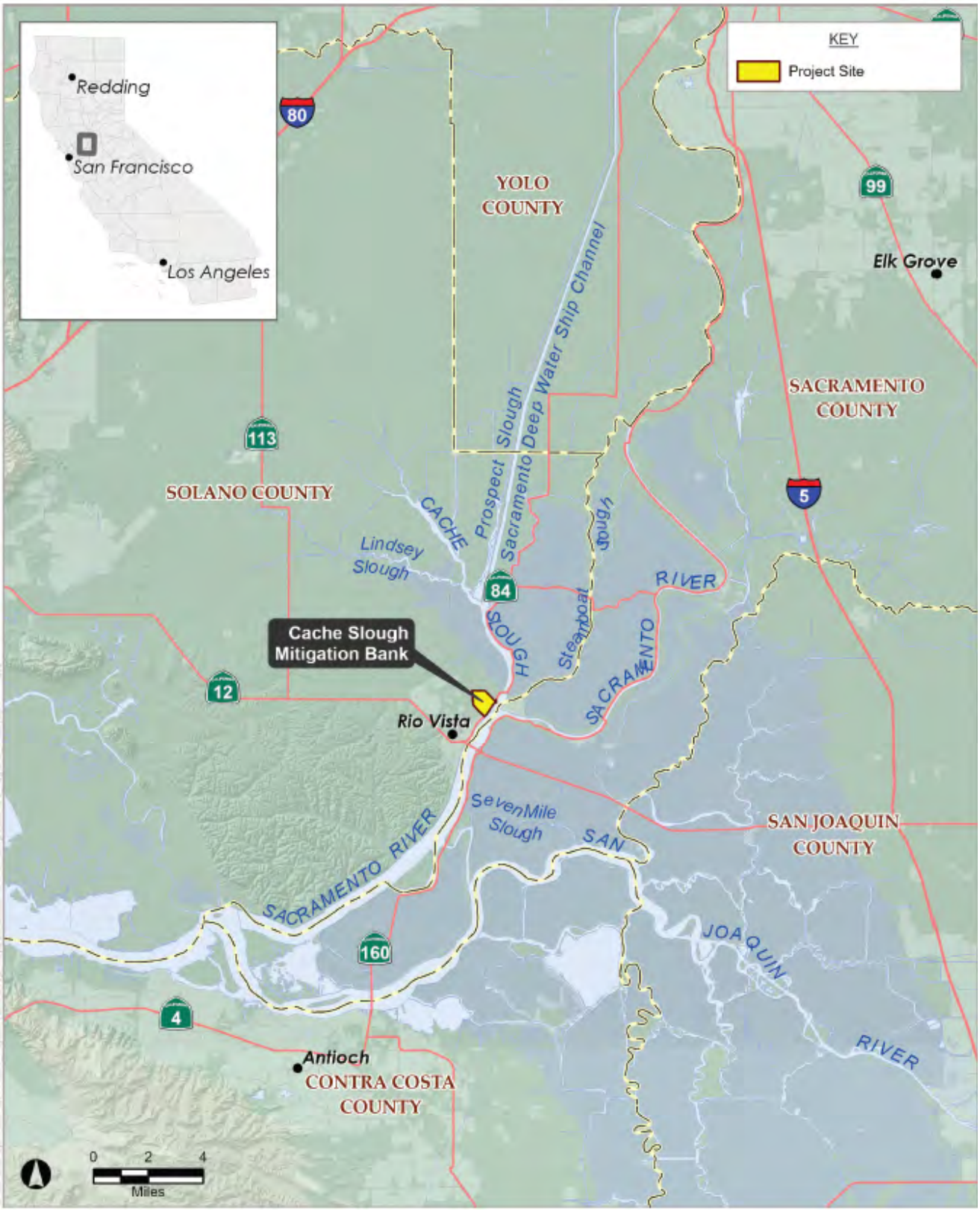

Figure 2: Project Restoration Map

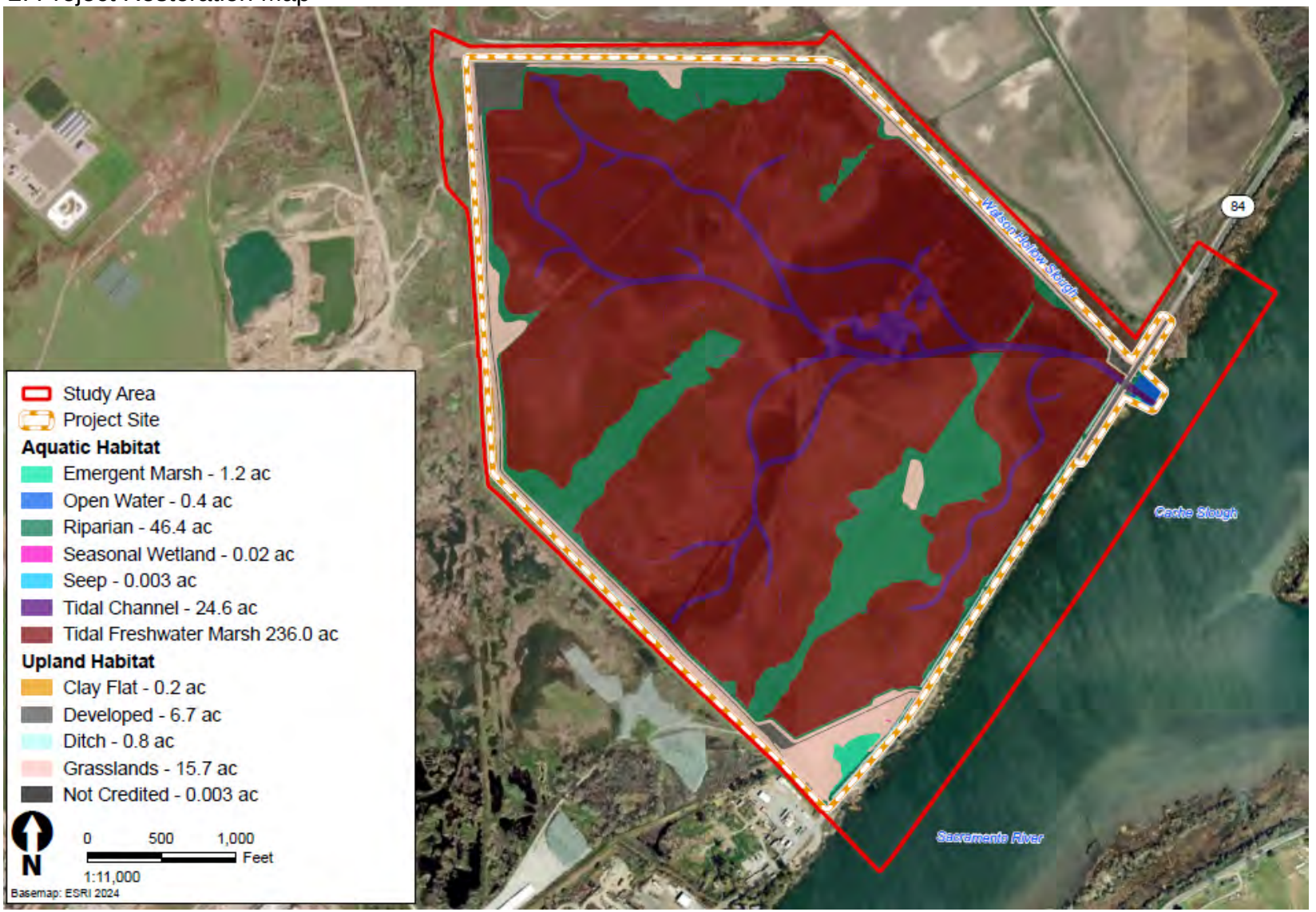

Figure 3: Project Impact Map (1 of 5)

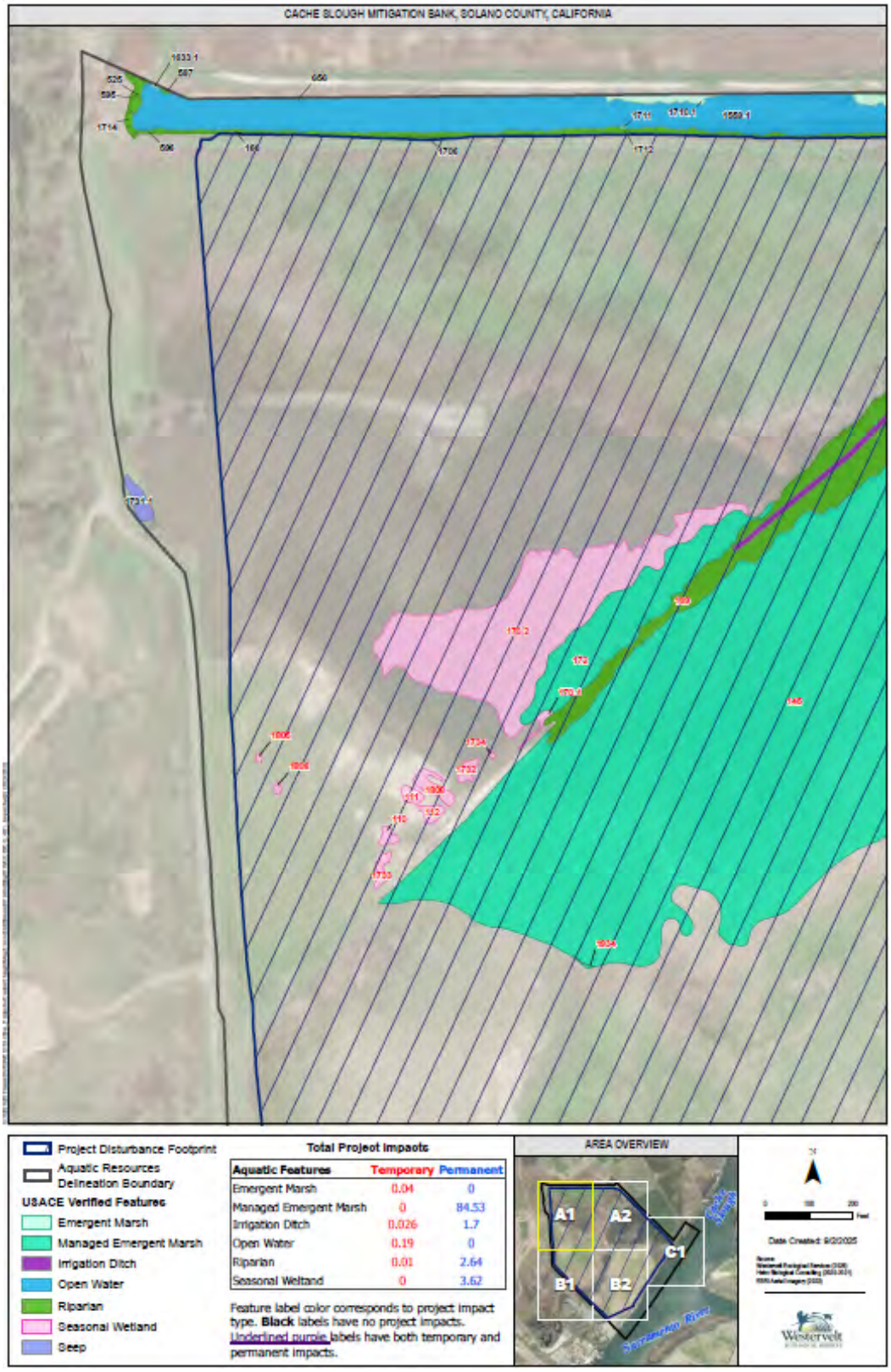

Figure 4: Project Impact Map (2 of 5)

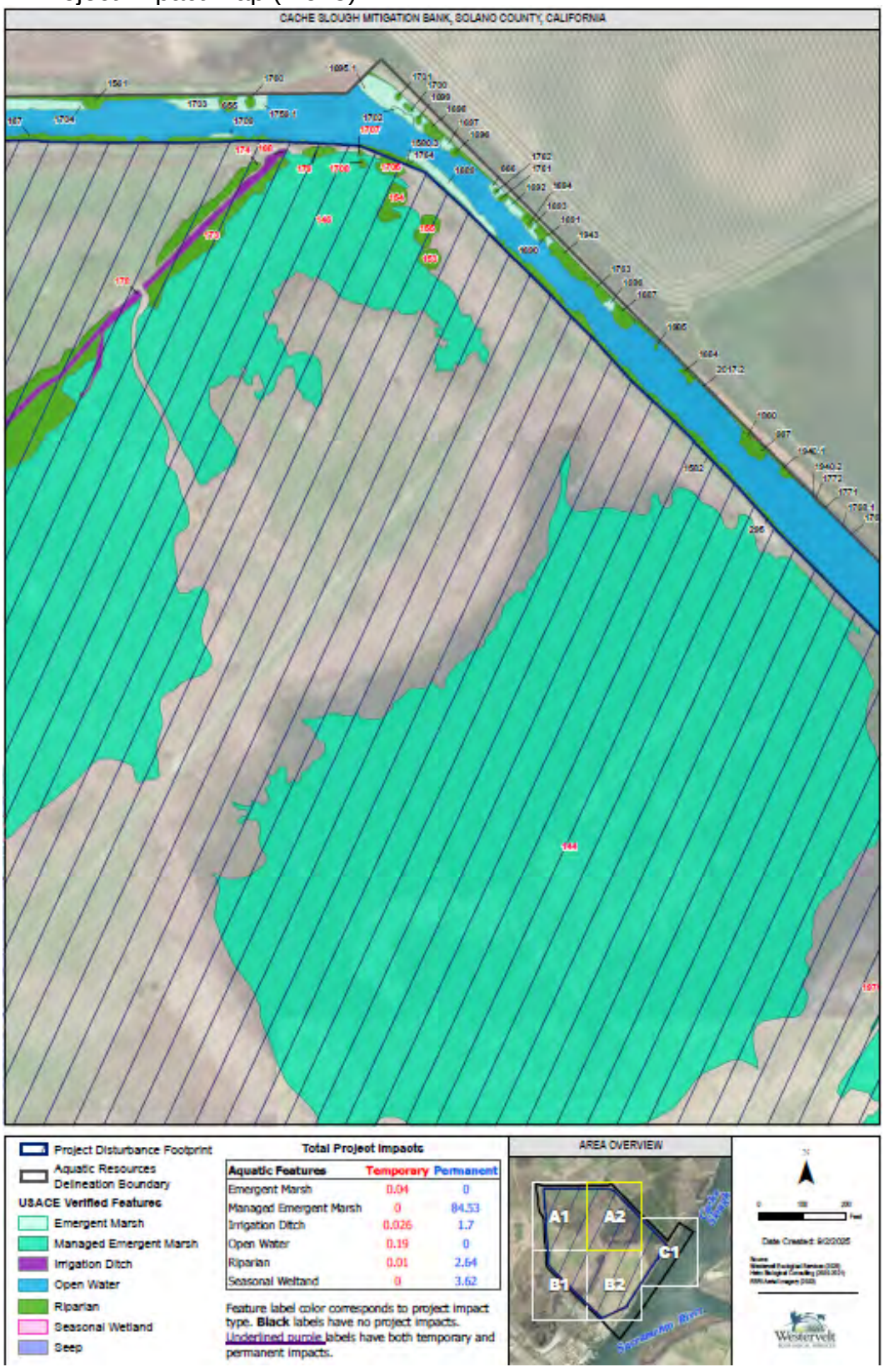

Figure 5: Project Impact Map (3 of 5)

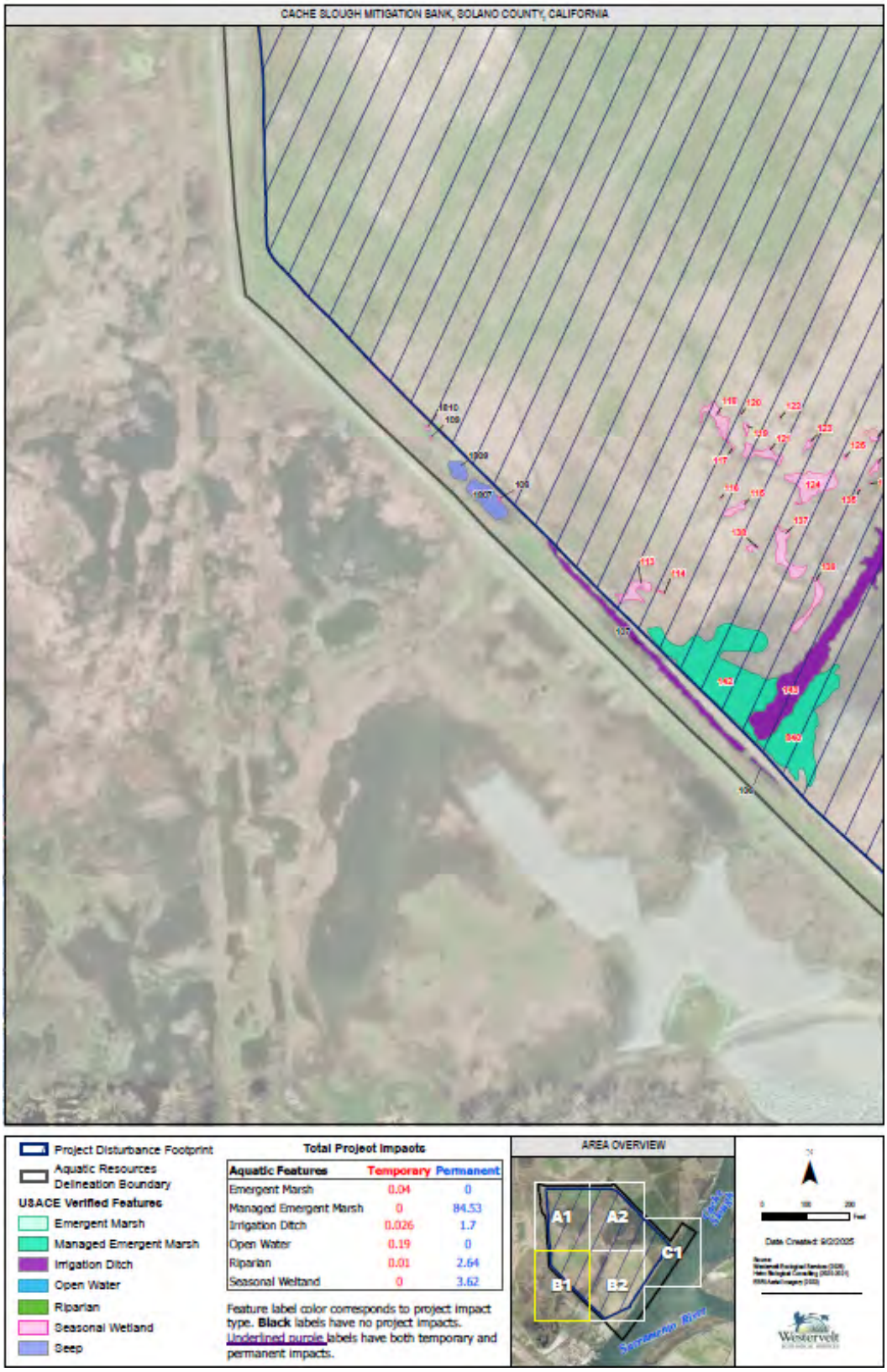

Figure 6: Project Impact Map (4 of 5)

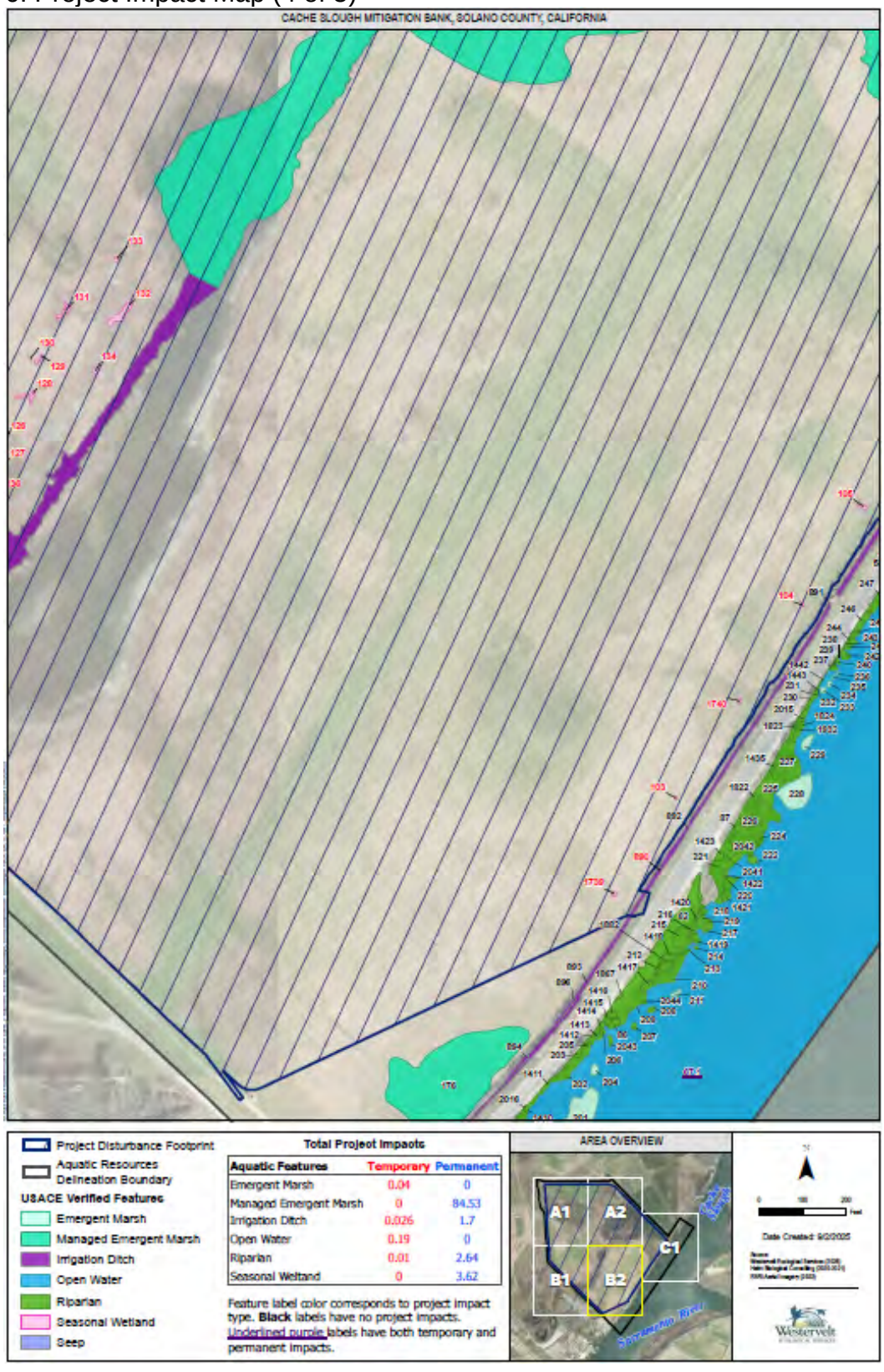

Figure 7: Project Impact Map (5 of 5)