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## Central Valley Regional Water Quality Control Board

6 November 2024

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**NOTICE OF APPLICABILITY FOR ENROLLMENT UNDER WATER QUALITY ORDER NO. 2023-0058-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF DREDGED OR FILL MATERIAL TO WATERS OF THE STATE FROM EMERGENCY REPAIR AND PROTECTION ACTIVITIES, UNITED STATES ARMY CORPS OF ENGINEERS, YOLO BYPASS EAST LEVEE-SOUTH (YBEL-S) EMERGENCY REPAIR WEST SACRAMENTO PROJECT (WDID#5A57CR00218), YOLO COUNTY**

On 24 October 2024, The United States Army Corps of Engineers (Applicant) filed a notification requesting coverage under Water Quality Order No. 2023-0058-DWQ Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material to Waters of the State from Emergency Repair and Protection Activities (General Order) for the Yolo Bypass East Levee-South (YBEL-S) Emergency Repair West Sacramento Project (Project). After review of the notification and the supplemental material submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Project qualifies for enrollment under this General Order. The proposed activity will take place within less than 1 acre/1600 linear feet of waters of the United States.

A copy of the [General Order](#) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders/2023/emergency-wdr-main.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders/2023/emergency-wdr-main.pdf)) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Order. The Project is described in the notification form requesting coverage under the General Order, dated 24 October 2024, and supplementary information (Application Package). Coverage under the General Order is no longer valid if the Project (as described) is modified.

**PROJECT DESCRIPTION:**

The Project consists of placing rock revetment below the ordinary high-water mark along approximately 1,600 feet of the Tule Canal. Placement of the rock revetment is

necessary in order to prevent failure of the Yolo Bypass East Levee-South (YBEL-S) at this location. Slumping has been observed at several locations along the levee in the project area, and it has been determined that there is a high probability that the existing slope is unstable and may fail if emergency actions are not implemented.

A long arm excavator will remove existing rock that is currently in place above the ordinary high water mark (OHWM) and place it below the OHWM and into the Tule Canal. Where the rock is removed, plastic sheeting will be placed, and a series of sandbags will be deployed using State of California Emergency Flood Fighting Methods (2012) for material and placement requirements. The long arm excavator will be stationed above the OHWM and will not enter the stream channel. This activity is a temporary fix that is necessary to prevent levee failure during the upcoming wet season. USACE will develop designs and construction a permanent fix at this location at a later date.

The Project will permanently impact 0.75 acre/1,600 linear feet of waters of the United States.

**ADDITIONAL CONDITIONS:**

1. The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.
2. The Permittee shall notify the Central Valley Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be delivered via written notice, email, or other verifiable means.

**PROJECT LOCATION:**

The Project is located along Channel Drive in West Sacramento.

Latitude: 38.5529° and Longitude: -121.5822°

**PROJECT SCHEDULE:**

The Project started on 29 October 2024 and will continue until 9 December 2024.

**APPLICATION FEE RECEIVED:**

Federal dischargers involved in Dredge and Fill Operations only are not subject to permit fees as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.

If you have any questions regarding this Notice of Applicability, please contact Nicholas Savino at (916) 464-4920 or [Nicholas.Savino@waterboards.ca.gov](mailto:Nicholas.Savino@waterboards.ca.gov).

*Original Signed by Anne Walters for:*  
Patrick Pulupa  
Executive Officer

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

cc: [Via email only]

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Figure 1: Project Location

