

Central Valley Regional Water Quality Control Board

3 April 2026

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**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER WQ 2022-0048-DWQ,
ORDER FOR CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION
AND WASTE DISCHARGE REQUIREMENTS FOR RESTORATION PROJECTS
STATEWIDE, MULE CREEK STATE PRISON - VEGETATED BIOSWALES
RECONSTRUCTION PROJECT (WDID#5B03CR00105), AMADOR COUNTY**

On 6 March 2026, the California Department of Corrections and Rehabilitation 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 (Order).

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Mule Creek State Prison - Vegetated Bioswales Reconstruction 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 No. WQ 2022-0048-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf)
(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.

Please familiarize yourself with the requirements of Order No. WQ 2022-0048-DWQ. You are responsible for complying with all applicable Order requirements. Coverage under the Order is no longer valid if the Project (as described) is modified.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.

Mule Creek State Prison - Vegetated Bioswales Reconstruction Project

PROJECT DESCRIPTION:

The 0.93-acre Project consists of recontouring existing drainage features within the prison facility in Lone, California, by excavating and placing native material to convert eroded channels into vegetated bioswales. The project includes installation of rock/riprap check dams and aprons to reduce erosion and turbidity, followed by revegetation of the channel and banks with native species and temporary irrigation to support establishment. Work will occur within the existing streambed footprint using standard construction equipment (e.g., excavators, loaders, and dump trucks) under dry conditions, with the goal of improving stormwater management, reducing flooding and sediment transport, and enhancing aquatic habitat and overall water quality downstream.

Project elements that affect aquatic resources include excavation and recontouring of existing streambed features to construct vegetated bioswales, placement of native material within the channel, installation of rock/riprap check dams and aprons to reduce erosion, and revegetation of the channel bed and banks with native species. The Project will temporarily impact 0.34 acre/1,243 linear feet and permanently impact 0.02 acre/101 linear feet of Streambed. Temporarily impacted areas will be restored to pre-Project condition after construction activities are completed.

PROJECT LOCATION:

The Project is located at 4001 Highway 104, Lone CA 95640. The approximate center of the Project area is located at latitude 38°22'1.05", and longitude -120°57'12.23".

PROJECT SCHEDULE:

May 2026- October 2026

APPLICATION FEE RECEIVED:

\$1,123.00 was received on 27 March 2026. 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.

REPORTING AND NOTIFICATION REQUIREMENTS

The Permittee shall follow notification and reporting requirements described in this Notice of Applicability (NOA), and those found in Attachment D of the Order WQ 2022-0048-DWQ, unless specified as an optional requirement and excluded from this NOA.

1. Annual Reporting- Not Applicable

Mule Creek State Prison - Vegetated Bioswales Reconstruction Project

2. Notification for In-Water Work and Diversions

The project proponent shall notify the Water Board at least forty-eight (48) hours prior to initiating work in flowing or standing water or stream diversions. Notification may be via e-mail, delivered written notice, or other verifiable means.

3. Water Quality Monitoring Plan for In-Water Work or Diversions

A Water Quality Monitoring Plan shall be submitted to the approving Water Board for acceptance at least thirty (30) days in advance of commencement of project activity. Standards for in-water work or diversions are discussed in General In-Water Measures, specifically IWW-6, presented in Attachment A. The Permittee shall comply with the approving Water Board-specific water quality control plan water quality objectives and reporting requirements.

4. Environmental Monitoring

Per General Protection Measure 5 (GPM-5) of the Order, a resource specialist shall ensure that all applicable protective measures are implemented during project construction. The resource specialist shall have authority to stop any work if they determine that any permit requirement is not fully implemented. The resource specialist shall prepare and maintain a monitoring log of construction site conditions and observations, which will be kept on file.

NOTICE OF COMPLETION:

Upon completion of the Project, you shall submit a Notice of Completion (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 section B.6 of the Order.

If you have questions concerning this matter, please contact Sara Gevorgyan by phone at (916) 464-4710 or by email at Sara.Gevorgyan@waterboards.ca.gov.

Original Signed by Anne Walters
For Patrick Pulupa
Executive Officer

Enclosure: State Water Resources Control 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

Attachments: Figure 1: Location Map

cc: Distribution List, page 4

DISTRIBUTION LIST
[Via email only]

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Figure 1: Location Map

