



Central Valley Regional Water Quality Control Board

21 August 2024

Roberto Cortez
East Bay Municipal Utility District
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NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE EAST BAY MUNICIPAL UTILITY DISTRICT, PARDEE RESERVOIR TURBIDITY CURTAIN MAINTENANCE PROJECT (WDID#5B05CR00126), CALAVERAS COUNTY

On 19 July 2024, the East Bay Municipal Utility District (Applicant) filed a notification requesting coverage under the 25 February 2022 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification and Order of the United States Army Corps of Engineers 2021 Nationwide Permits (General Certification Order) for the Pardee Reservoir Turbidity Curtain Maintenance 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 Certification Order. The proposed activity will take place within 0.01 acre/180 linear feet of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Nationwide Permit #3a (Maintenance Activities), subject to the conditions and the notification requirements described in the Nationwide Permit ("Special Conditions"). 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 the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) can be found on the State Water Resources Control Board's General Order webpage and is enclosed.

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the notification form requesting coverage under the General Certification Order, dated 19 July 2024, and supplementary information (Application Package). Coverage under

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:

The 0.01-acre Pardee Reservoir Turbidity Curtain Maintenance Project will repair the damage to a 1,000 feet turbidity curtain around the water intake tower in the Pardee Reservoir. The curtain was previously secured to the reservoir floor using steel cable line and Danforth-style galvanized anchors. However, the anchors were not strong enough to withstand the wind force that occurred during recent storm events. The anchors will be replaced with 36 concrete blocks. Damaged sections of the curtain will also be replaced with new panels. The Project will permanently impact 0.01 acre/180 linear feet of waters of the United States.

PROJECT LOCATION:

3535 Sandretto Road in Valley Springs, CA 95252

Latitude: 38.24685° and Longitude: -120.84010°

PROJECT SCHEDULE:

26 August 2024 through 31 October 2024

COMPENSATORY MITIGATION:

The Permittee is required to provide compensatory mitigation for the authorized impact to 0.01 acre of lake/reservoir by purchasing 0.01 aquatic resource credits in the Cosumnes/Mokelumne Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program.

APPLICATION FEE RECEIVED:

An application fee of \$2,985.00 was received on 18 July 2024. 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 E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

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

Original Signed by Anne Walters for:

Patrick Pulupa
Executive Officer

Enclosure: State Water Board Certification of the 2021 Nationwide Permits General Water Quality Certification and Order

Attachments: Figure 1 – Project Vicinity Map
Figure 2 – Project Activities Map

cc: Distribution List, page 3

DISTRIBUTION LIST
[Via email only]

United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
SPKRegulatoryMailbox@usace.army.mil

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

United States Environmental Protection Agency
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CWA Section 401 WQC Program
State Water Resources Control Board
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Figure 1: Project Vicinity Map

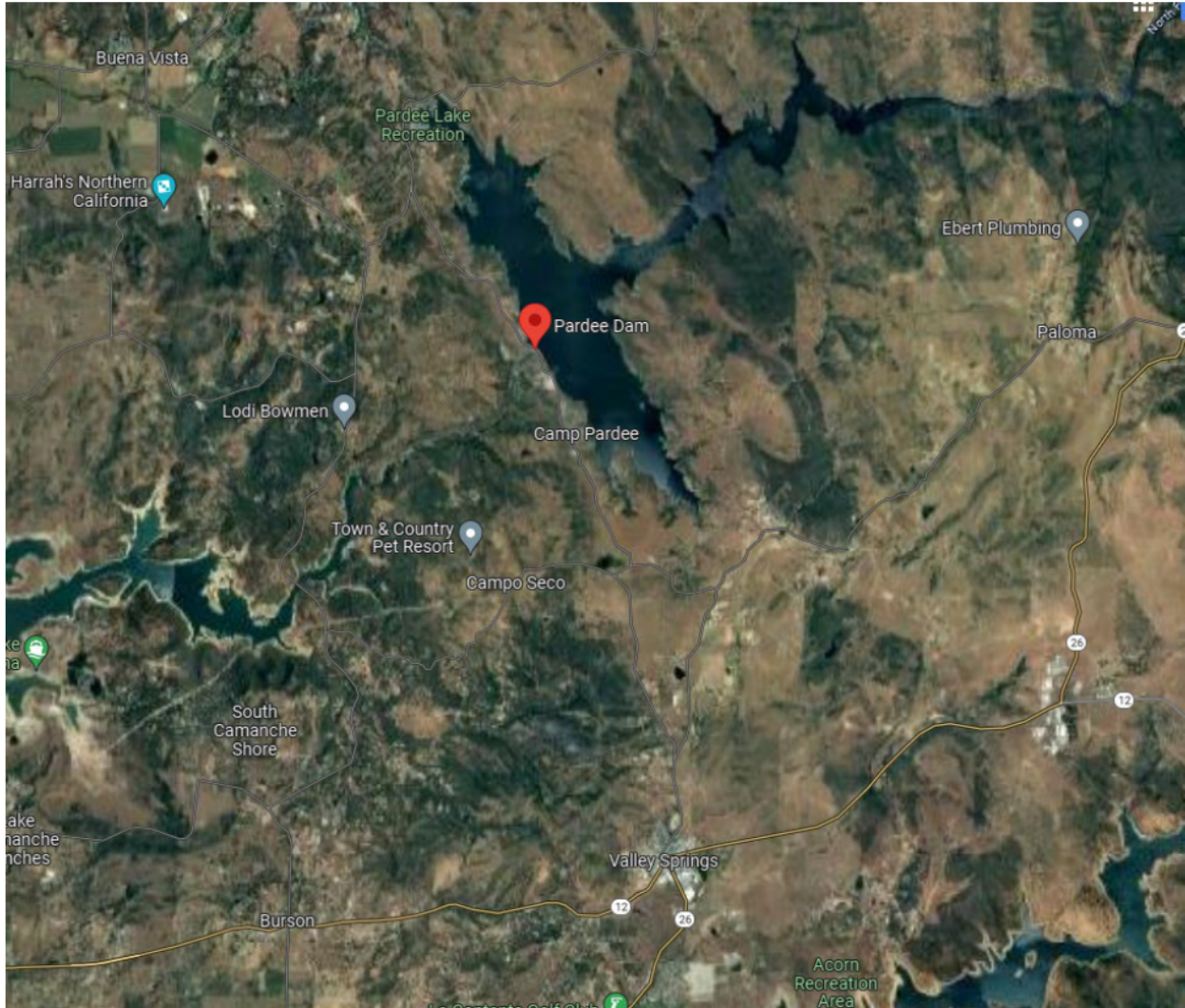


Figure 2: Project Activities Map

