

Central Valley Regional Water Quality Control Board

28 August 2025

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**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ,
STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR
FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF
ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, CLIFTON COURT
FOREBAY SEEP 1 PUMP REPLACEMENT AND EROSION REPAIR PROJECT
(WDID#5B07CR00274), CONTRA COSTA COUNTY**

On 13 June 2025, the California Department of Water Resources submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the United States Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Clifton Court Forebay Seep 1 Pump Replacement and Erosion Repair Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. You may proceed with your Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) can be found on the State Water Resources Control Board's Adopted Orders webpage and is enclosed.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-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 0.12-acre Project consists of bank stabilization and infrastructure improvements at Seep 1 near Clifton Court Forebay. Work involves repairing the eroding seep bank, installing concrete/rock slope protection, and replacing a temporary pump structure with a permanent pump system that conveys seepage from Seep 1 to Italian Slough.

Maintenance work on the eroding slopes of Seeps 1 is proposed to maintain the structural integrity of the seep due to erosion at the banks, and to replace the temporary outlet hose with a permanent structure. PG&E requires the road embankment at Seep 1 be made safe to work on their power pole that has become de-stabilized due to the erosion at the site. The Project as described will take place within Seep 1, which is a manmade drainage ditch that collects seepage from a water infrastructure facility only during high rain events. The ditch is considered a water of the state and has no connectivity with any waters of the United States.

Project elements that affect aquatic resources include installation of a pump structure, concrete wingwall, and clean rock slope protection within 0.023 acre (60 linear feet) of a manmade drainage ditch. The Project will permanently impact 0.023 acre(s)/60 linear feet of Wetland habitat.

PROJECT LOCATION:

The Project is located at 5200 Clifton Court Road. The approximate center of the Project area is located at latitude 37°50'16.00" and longitude 121°36'00.00".

PROJECT SCHEDULE:

1 March 2026- 31 August 2026

APPLICATION FEE RECEIVED:

\$2,985.00 was received on 26 June 2025. The remaining application fee balance of \$1,227.00 based on total Project impacts was received on 14 August 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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

1. No mitigation is proposed. The ditch is a constructed feature, not a natural waterbody, and therefore does not qualify as "high quality waters". The proposed improvements, specifically the installation of durable rock slope protection and a new pump, are designed to prevent future erosion, reduce sediment discharge, and maintain the integrity of the drainage infrastructure. These improvements are expected to have a net positive effect on local water quality by minimizing ongoing degradation risks.

TERMINATION OF COVERAGE:

Upon completion of the Project, you shall submit a complete Notice of Termination (NOT) requesting to be un-enrolled under Order No. 2004-0004-DWQ. Attachment 2 to the Order contains the NOT form.

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 Walter for:
Patrick Pulupa
Executive Officer

Enclosure: State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ

Attachments: Figure 1: Location Map
Figure 2: Site Map

cc: [Via email only]

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

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CWA Section 401 WQC Program
State Water Resources Control Board
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Figure 1: Location Map

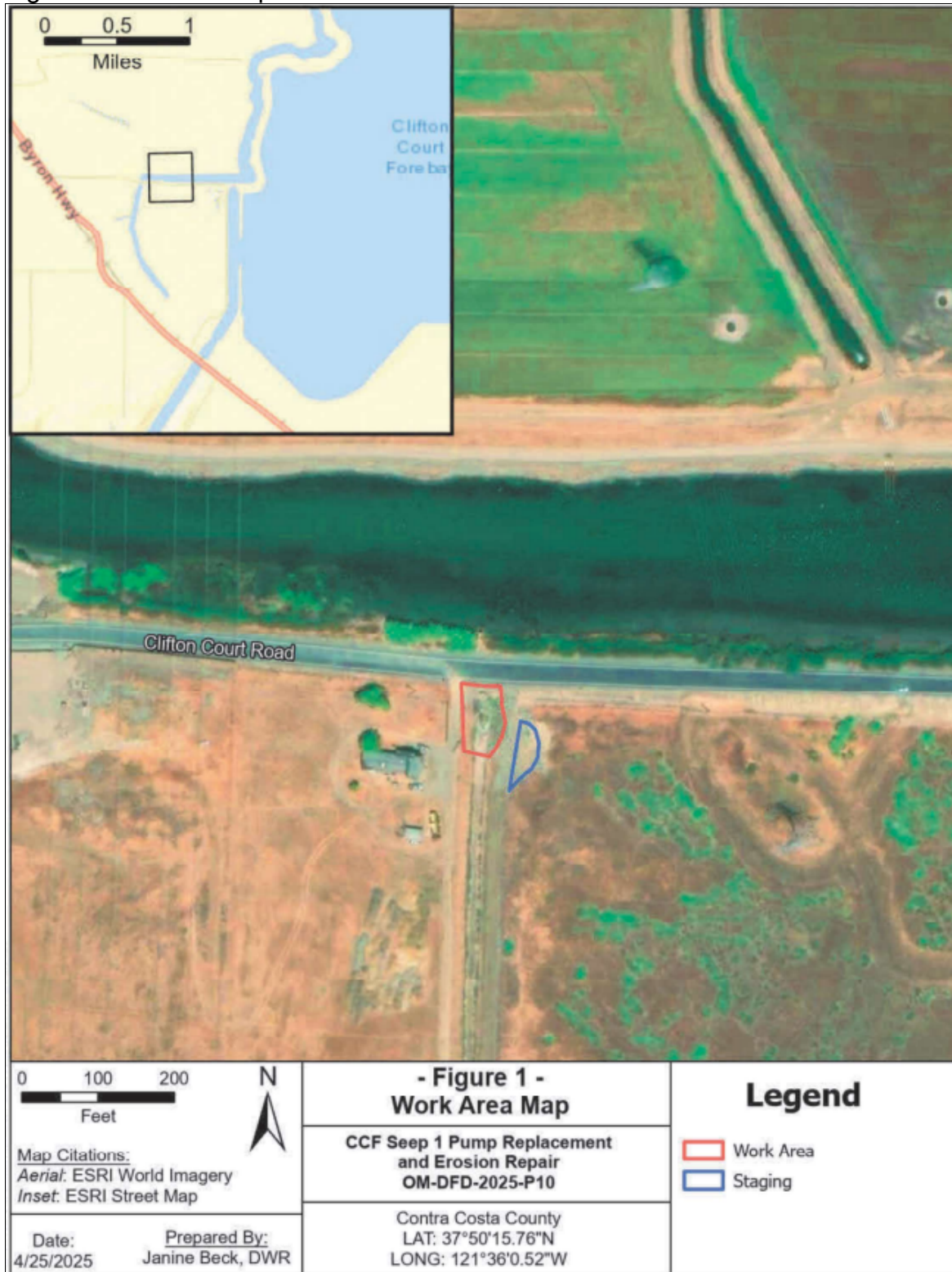


Figure 2: Site Map

