
Central Valley Regional Water Quality Control Board

3 August 2020

Jason Rodgers
City of Chowchilla
130 South Second Street
Chowchilla, CA 93610

ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; CITY OF CHOWCHILLA, BERENDA RESERVOIR BOAT LAUNCH PROJECT (WDID# 5B20CR00080A1), MADERA COUNTY

This Order responds to the 29 May 2020 application for the Berenda Reservoir Boat Launch Project (Project) Section 401 Water Quality Certification. The original Water Quality Certification (Certification) was issued on 28 September 2015 (WDID# 5B20CR00080). The project described in the current application is largely the same as the project we certified in 2015. Thus, this Order amends the 28 September 2015 Certification to address the minor project changes as described below. Please attach this document to the original Certification.

AMENDMENT:

The City of Chowchilla is proposing to change the project start date from 1 September 2015 to 22 September 2020. The original certification authorized permanent impacts to 0.03 acre of Berenda Reservoir. The City of Chowchilla is proposing to add 0.03 acre of temporary impacts and 0.05 acre of additional permanent impacts to Berenda Reservoir.

The Certification is amended as shown below:

1. Replace the 1st paragraph on page 1 of the Certification as follows:

This Order responds to the 23 June 2015 and the 29 May 2020 applications submitted by City of Chowchilla (Applicant) for the Water Quality Certification of a recreation facility project permanently impacting 0.08 acres of waters of the United States and temporarily impacting 0.03 acres of waters of the United States.

2. Replace the 2nd paragraph on page 5 of the Certification as follows:

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited to and all proposed mitigation being completed in strict compliance with the Applicant's project

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

description, the attached "Project Information Sheet," and the Applicant's water quality certification application; and (b) compliance with all applicable requirements of the Central Valley Water Board's Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, revised May 2018.

3. Replace the section entitled "Project Duration" on page 1 of the Project Information Sheet as follows:

Project Duration: The Project is tentatively scheduled to begin in September 2020 and be completed in six months.

4. Replace the section entitled "Designated Beneficial Uses" on page 1 of the Project Information Sheet as follows:

Designated Beneficial Uses: The Central Valley Water Board's Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, revised May 2018 (Basin Plan), has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Preservation of Biological Habitats of Special Significance (BIOL); Rare, Threatened, or Endangered Species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the beneficial uses applicable for the project area can be found in the [Basin Plan](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml) (http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml).

5. Replace the section entitled "Fill/Excavation Area" on page 1 of the Project Information Sheet as follows:

Fill/Excavation Area: Approximately 0.08 acres of lake/reservoir will be permanently impacted by placement of concrete for the new ramp. Approximately 0.03 acres of lake/reservoir will be temporarily impacted by the project.

APPLICATION FEE RECEIVED:

An application fee of \$1949.00 required for the amendment was received on 1 June 2020. Total fees of \$1,200.00 for the original Certification were received on 23 June 2015. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3), as was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

Brandon Salazar, Water Resource Control Engineer
1685 E Street
Fresno, CA 93706
Brandon.Salazar@waterboards.ca.gov
(559) 445-6278

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Berenda Reservoir Boat Launch Project (WDID# 5B20CR00080A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

Original Signed by Clay L. Rodgers for:

Patrick Pulupa
Executive Officer

cc: Sam Ziegler (Electronic Copy Only)
U.S. Environmental Protection Agency, Region 9
Ziegler.Sam@epa.gov

United States Army Corps of Engineers (Electronic Copy Only)
Sacramento District Headquarters
SPKRegulatoryMailbox@usace.army.mil

Patricia Cole (Electronic Copy Only)
United States Fish & Wildlife Service
patricia_cole@fws.gov

Julie Vance, Regional Manager (Electronic Copy Only)
San Joaquin Valley-Southern Sierra Region
Department of Fish and Wildlife, Region 4
R4LSA@wildlife.ca.gov

CWA Section 401 WQC Program (Electronic Copy Only)
Division of Water Quality
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

Joe Medley
Colibri Ecological Consulting

jmedley@colibri_ecology.com