
Central Valley Regional Water Quality Control Board

15 May 2024

Stacey Mortenson
San Joaquin Regional Rail Commission
949 East Channel Street
Stockton, CA 95202
smortenson@SJRRRC.com

ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; SAN JOAQUIN REGIONAL RAIL COMMISSION, LATHROP WYE AND TRACK EXTENSION PROJECT (WDID#5B39CR00366A2), SAN JOAQUIN COUNTY

This Order responds to the 9 May 2024 request for an amendment of the Lathrop Wye and Track Extension Project (Project) Section 401 Water Quality Certification (WDID#5B39CR00366). The original Water Quality Certification (Certification) was issued on 22 April 2022. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

San Joaquin Regional Rail Commission is requesting an amendment to Section XIV.G.5.b Good Site Management “Housekeeping” of the Certification. The amendment reduces the approved distances between the waterway and both equipment refueling areas and areas where hazardous materials are stored.

Section IX is also amended to include avoidance and minimization measures to ensure that the reduced buffer zones will not negatively impact water quality. These changes will allow San Joaquin Regional Rail Commission to proceed with the Project described in the original Certification.

The Certification is amended to reflect an updated buffer area criteria in Section XIV.G.5.b. of the Order as follows:

Refueling of equipment within the floodplain or within 50 feet of the waterway is prohibited. If critical equipment must be refueled within 50 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous

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

substances should be stored within a floodplain or within 100 feet of a waterway. The Permittee must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.

The Certification is amended to include the following avoidance and minimum measures in Section IX of the Order as follows:

- Limit storage of hazardous materials to the SSJID laydown area and no less 100 feet from the French Camp Canal TOB.
- Limit maintenance of vehicles and equipment to the SSJID laydown area and no less than 100 feet from the French Camp Canal TOB.
- Limit refueling of vehicles and equipment to no less than 50 feet from the French Camp Canal TOB.
 - Exceptions for critical, difficult to move equipment such as the crane (per the original certification condition).
- Inspect equipment and vehicles for leaks daily (per CDFW 1600 condition 2.34)
- Inspect BMPs daily (per USACE 404 condition 5).

APPLICATION FEE RECEIVED:

No fee was required for this amendment. Total fees of \$9675.00 for the original Certification were received on 1 April 2022. 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:

Olivia Ilsley, Environmental Scientist
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114
(916) 464-4673
Olivia.ilsley@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Lathrop Wye and Track Extension Project (WDID#5B39CR00366A2). 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 Signe by Anne Walters for:
Patrick Pulupa
Executive Officer

cc: [Via email only]

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

United States Environmental Protection Agency
R9CWA401@epa.gov

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
StateBoard401@waterboards.ca.gov

Carie Wingert
LSA
Carie.wingert@lsa.net