



Central Valley Regional Water Quality Control Board

2 April 2025

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NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE DAGUERRE POINT DAM NATURE-LIKE FISHWAY PHASE 3 SITE INVESTIGATION PROGRAM (WDID#5A58CR00208), YUBA COUNTY

On 28 February 2025, Yuba County Water Agency (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 Daguerre Point Dam Nature-Like Fishway Phase 3 Site Investigations Program (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 approximately 0.003 acre of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Nationwide Permit #6 (Survey 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 28 February 2025, and supplementary information (Application Package). Coverage

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

under the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:

The 0.003-acre Project consists of geotechnical sonic borings at three drilling sites located on an unvegetated gravel/cobble bar. All equipment will be transported to the site using an existing access route. Equipment will include a sonic drill rig, support truck, and fork-lift. After the sonic boring process is complete, each bore hole will be backfilled with the material excavated during boring, supplemented with additional cobbles sourced from the adjacent Goldfields if needed. and the site will be restored to pre-project conditions such that no permanent impacts will occur. The project site is below the ordinary high water mark (OHWM) but no work will be conducted within the wetted portion of the channel. The project and associated effects would be localized due to the nature of the action. All impacts would be transient in nature, and thus only temporary.

The Project will temporarily impact 0.003 acre of waters of the United States.

PROJECT LOCATION:

Section 29, Township 16 North, Range 5 East, MDB&M

Latitude: 39.20756° and Longitude: - 121.44397°

PROJECT SCHEDULE:

Project activities are expected to take place within one working day in 2025.

APPLICATION FEE RECEIVED:

An application fee of \$4,212.00 was received on 4 March 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.

If you have any questions regarding this Notice of Applicability, please contact Carter Cook by phone at (916) 464-4699 or by email at Carter.Cook@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 Location
Figure 2 – Site Map

cc: Distribution List, page 3

DISTRIBUTION LIST
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Figure 1 – Project Location Map



Figure 1. Regional location of the project site.

Figure 2 – Site Map

