



Central Valley Regional Water Quality Control Board

26 September 2024

Cicely Muldoon
Yosemite National Park
PO Box 577
Yosemite Valley, CA 95389

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, OLD EL PORTAL DEBRIS BASIN PROJECT (WDID# 5B22CR00072), MARIPOSA COUNTY

On 23 August 2024, the Yosemite National Park (Applicant) 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 Regional Water Quality Control Board (Central Valley Water Board) has reviewed the enrollment materials and finds the Old El Portal Debris Basin Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. The Applicant may proceed with the 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.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. The Applicant is 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 1.3-acre Project consists of clearing debris and sediment from an existing basin within an ephemeral stream near the Old El Portal Water Tank. The basin was filled in with mud and large rocks, and the gabion dam was damaged by a debris flow triggered by the storm on 9 January 2023. This project consists of removal of approximately 120

cubic yards of debris from the basin, replacement in kind of the gabion dam using the rocks in the existing gabion baskets. Additionally, road rehabilitation work will be performed on the road that leads to the water tank and gabion structure.

Project elements that affect aquatic resources include removal of the debris from the basin and reconstruction of the gabion dam structure.

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Temporarily impacted areas shall be restored to pre-Project condition.

Table 1: Total Project Fill/Excavation Quantity for Temporary Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Lake			
Ocean/bay/estuary			
Riparian Zone			
Stream Channel	0.12	120	53
Vernal Pool			
Wetland			

PROJECT LOCATION:

The Project is located near the community of El Portal. The approximate center of the Project area is at latitude 37.67914 Degrees North and longitude -119.77951 Degrees West.

PROJECT SCHEDULE:

The Project is anticipated to begin construction in November 2025 and be completed by August 2026.

APPLICATION FEE RECEIVED:

Federal dischargers involved in Dredge and Fill Operations only are not subject to permit fees as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.

MITIGATION AND MINIMIZATION MEASURES:

The Applicant must implement the mitigation and minimization measures proposed in its Mitigation Plan document titled, "Mitigation Plan for Rehabilitate the Old El Portal Debris Basin, Gabion, and Service Road", and dated 3 July 2024, that was submitted with the application.

TERMINATION OF COVERAGE:

Upon completion of the Project, the Applicant 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 Brandon Salazar by phone at (559) 445-6278 or by email at Brandon.Salazar@waterboards.ca.gov.

Digitally signed by Alexander S. Mushegan
for Patrick Pulupa
Executive Officer

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