
Central Valley Regional Water Quality Control Board

8 October 2024

David Weisenberger
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NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. WQ 2022-0048-DWQ, ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION AND WASTE DISCHARGE REQUIREMENTS FOR RESTORATION PROJECTS STATEWIDE, BANTA-CARBONA IRRIGATION FLOODPLAIN RESTORATION PROJECT (WDID# 5B39CR00409), SAN JOAQUIN COUNTY

On 6 June 2024, the Banta-Carbona Irrigation District (Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. WQ 2022-0048-DWQ, Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Banta-Carbona Irrigation Floodplain Restoration Project (Project) meets the requirements of, and is hereby enrolled under, Order No. WQ 2022-0048-DWQ. You may proceed with your Project in accordance with the Order. 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 [Order WQ 2022-0048-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

The Project is described in the notification form requesting coverage under the General Certification Order, dated 6 June 2024, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified. Failure to comply with Order No. WQ 2022-0048-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 41-acre Project consists of redirecting flow near the Permittee's diversion intake on the San Joaquin River to eliminate the need for frequent dredging while also lowering the floodplain immediately upstream of the intake to restore beneficial floodplain habitat. Migration of the stream channel away from the Permittee's intake structure over time has resulted in sedimentation issues which can limit operation of the fish screen and threaten the water supply. The intake channel will be realigned, and an earthen berm will be constructed that separates the lowered floodplain area from the intake channel to prevent fish entrainment and sediment build up. This Project will not only solve the issue of sedimentation accumulation at the Permittee's diversion intake, thereby reducing the need for periodic dredging, but it will also create and restore floodplain habitat that will benefit juvenile Chinook salmon (*Oncorhynchus tshawytscha*; both spring and fall-run) and Central Valley Steelhead (*O. mykiss*).

Project elements that affect aquatic resources include cutting material from the Project site via a long-reach excavator and/or bulldozers to lower the elevation of the existing floodplain by an average of eight feet. The intake channel will be realigned, and a habitat partition will be constructed to reduce fish entrainment in the intake. The habitat partition will be constructed of locally excavated material with imported slope and scour protection rock. All excavated material not repurposed for the Project will be hauled off site by the construction contractor. Revegetation of the area will be conducted by harvesting willow cuttings and planting several rows along both banks of the San Joaquin River within the Project area.

The Project will temporarily impact 4.69 acres of riparian and permanently impact 7.09 acres of stream channel, 8.32 acres of wetland, and 20.9 acres of riparian habitats. The Project will restore a total of approximately 20 acres of wetland.

PROJECT LOCATION:

The Project is located at an elevated floodplain bench immediately upstream of the Banta-Carbona Irrigation District point of diversion on the San Joaquin River. The approximate center of the Project area is located at latitude 37.725435° and longitude -121.297909°.

PROJECT SCHEDULE:

Project construction is estimated to begin April 2025 and end October 2025.

APPLICATION FEE RECEIVED:

\$796.00 was received on 12 July 2024.

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 D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

ANNUAL REPORTING:

The Permittee shall submit an Annual Report each year on the 1st day of the month, one year after the effective date of this Notice of Applicability. Annual reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

The Annual Report shall include the information specified in Attachment D, Part A of Order No. WQ 2022-0048-DWQ. The Permittee shall submit the report in accordance with the report submittal instructions in Attachment D of Order No. WQ 2022-0048-DWQ and email it to centralvalleysacramento@waterboards.ca.gov with a cc to Jenna Yang at Jenna.Yang@waterboards.ca.gov. The WDID No. for this Project is 5B39CR00409.

NOTICE OF COMPLETION:

Upon completion of the Project, you shall submit a Request for Notice of Project Complete (NOC) no later than 30 days after Project completion. The NOC shall demonstrate the Project was carried out in accordance with the Project description, include a map of the Project location with final boundaries of the restoration area, and include post-project photographs. More information on the NOC is listed in Attachment D, Part B (Report Type 4) of the Order.

If you have any questions regarding this Notice of Applicability, please contact Jenna Yang at (916) 464-4764 or at Jenna.Yang@waterboards.ca.gov.

Original Signed By Anne Walters for:
Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Vicinity Map
Figure 2 – Project Plan View (1 of 3)
Figure 3 – Project Plan View (2 of 3)
Figure 4 – Project Plan View (3 of 3)

cc: (via e-mail only)

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Figure 1: Project Vicinity Map



Figure 2: Project Plan View (1 of 3)

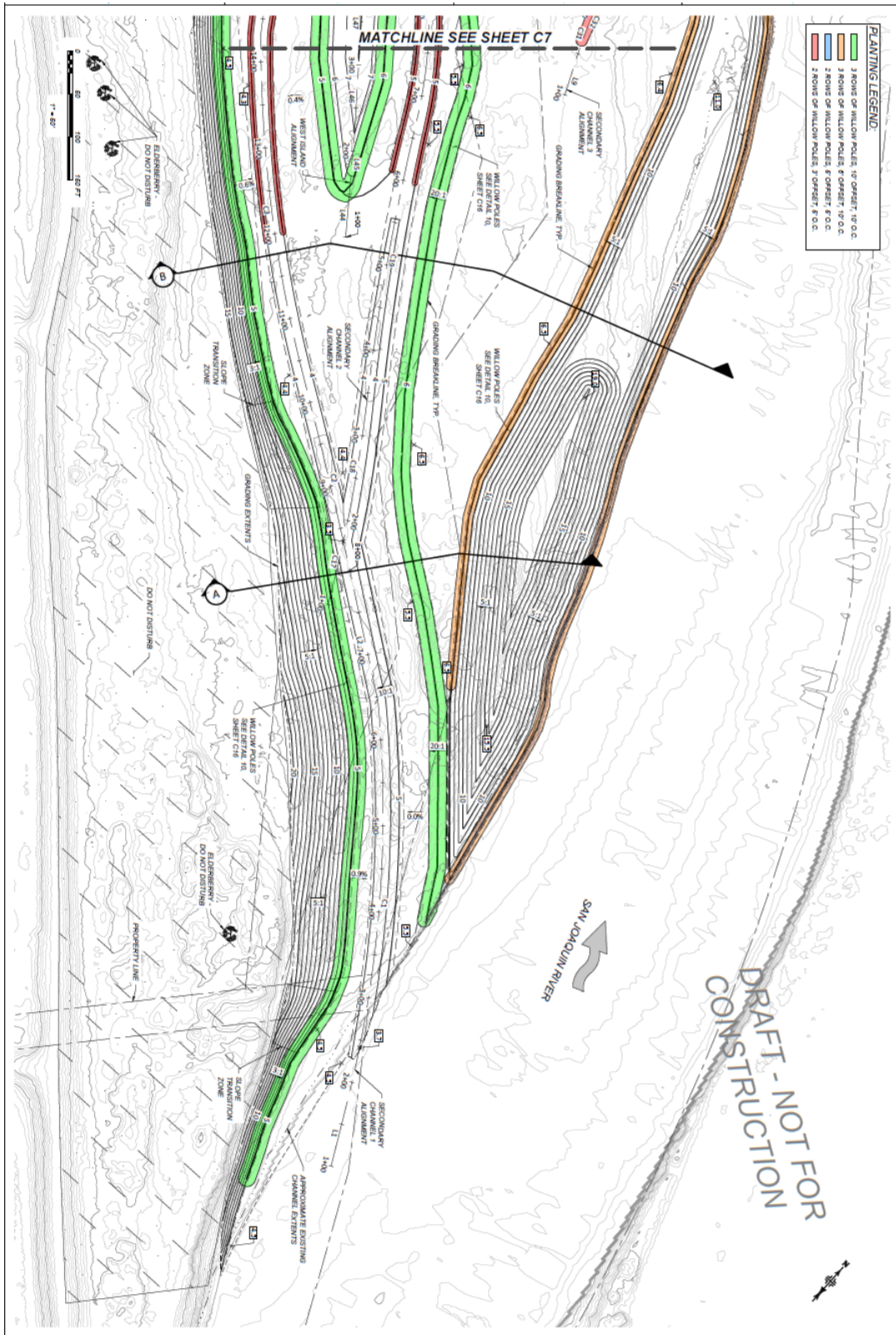


Figure 3: Project Plan View (2 of 3)

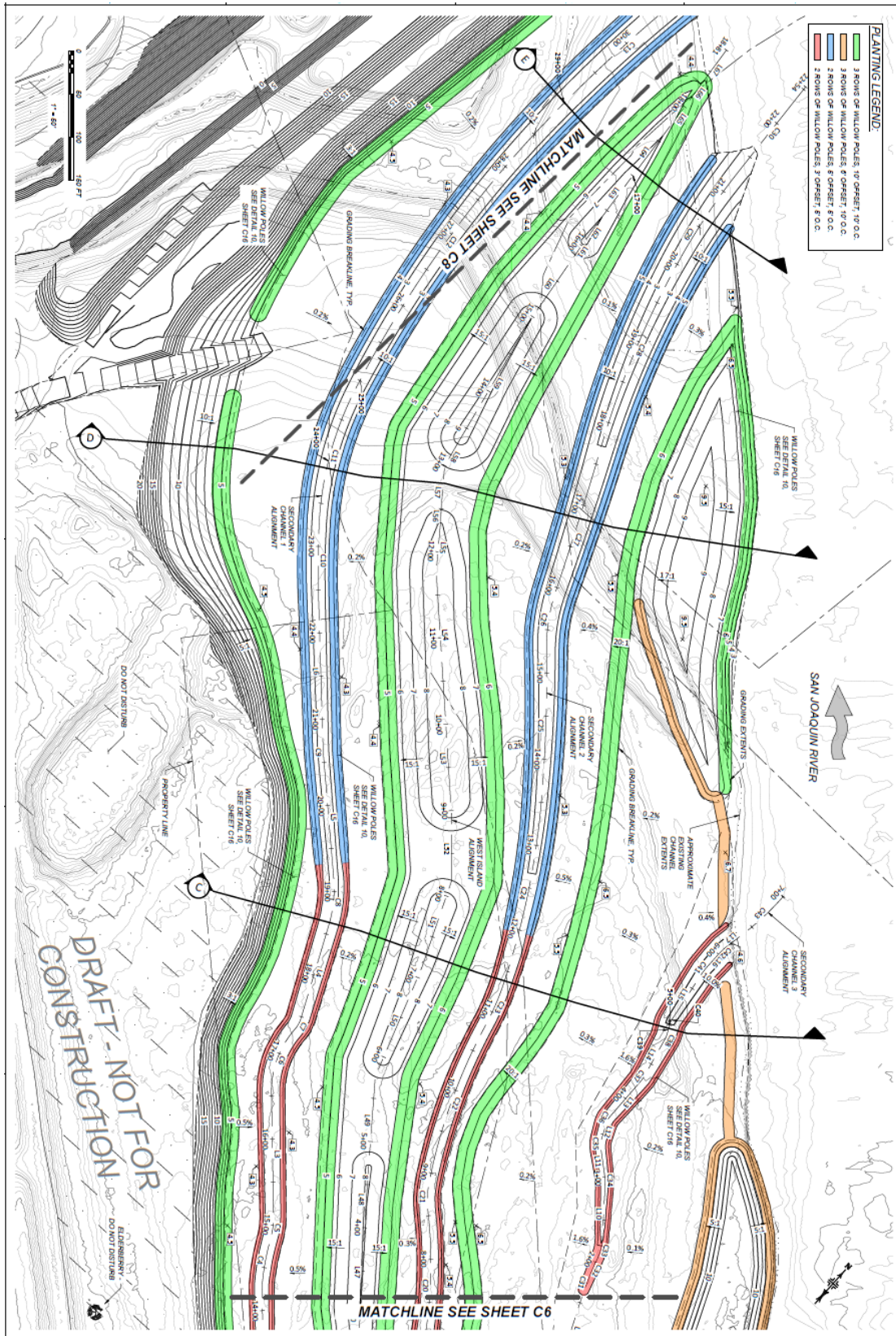


Figure 4: Project Plan View (3 of 3)

