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## Central Valley Regional Water Quality Control Board

18 October 2023

Chandra Johannesson  
East Bay Municipal Utility District  
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Oakland, CA 94607  
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### **NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE EAST BAY MUNICIPAL UTILITIES DISTRICT, 2023 STORMS LANCHA PLANA POND EMBANKMENT STABILIZATION PROJECT (WDID#5B03CR00100), AMADOR COUNTY**

On 22 August 2023, East Bay Municipal Utilities District (Applicant) filed a notification requesting coverage under the 9 October 2018 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of the United States Army Corps of Engineers (USACE) Regional General Permit 8 (General Certification Order) for the 2023 Storms Lancha Plana Pond Embankment Stabilization Project (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 is taking place within approximately 0.097 acre/465 linear feet of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Regional General Permit 8, Emergency Repair and Protection 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/generalorders/rgp8_cert.pdf) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/generalorders/rgp8\\_cert.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/rgp8_cert.pdf)) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

The Project is being conducted 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 22 August 2023, and supplementary information (Application Package). Coverage

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

under the General Certification Order is no longer valid if the Project (as described) is modified.

**PROJECT DESCRIPTION:**

The 0.62-acre 2023 Storms Lancha Plana Pond Embankment Stabilization Project (Project) consisted of repairing a failed embankment to stop the discharge of mine drainage to Camanche Reservoir as mandated by the Central Valley Regional Water Quality Control Abandoned Mine Section. Installment of an impermeable geomembrane liner on the pond side of the failed embankment will control incidental erosion during construction of a berm. Rock slope protection was placed as methodically as possible with attention to minimizing erosion.

The Project permanently impacted 0.094 acre/325 linear feet and temporarily impacted 0.03 acre/140 linear feet of waters of the United States.

**PROJECT LOCATION:**

The Project is located off Buena Vista Road  
Sections 4 & 5, Township 4 North, Range 120 East, MDB&M  
Latitude: 38°13'47.39" N and Longitude: 121°53'22.45" W

**PROJECT SCHEDULE:**

The Project started construction on 17 August 2023 and was completed on 6 October 2023.

**APPLICATION FEE RECEIVED:**

An application fee of \$2,734.00 was received on 17 August 2023.

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 G - Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Peter Minkel at (916) 464-4684 or [PeterG.Minkel@waterboards.ca.gov](mailto:PeterG.Minkel@waterboards.ca.gov).

*Original Signed by Anne Walters for:*

Patrick Pulupa  
Executive Officer

Enclosure: Water Quality Order No. 2018-0025-EXEC Clean Water Act Section 401  
Water Quality Certification and Order

cc: Distribution List, page 3

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