



Central Valley Regional Water Quality Control Board

29 August 2023

Cary Richardson
Contra Costa Water District
1331 Concord Ave
Concord, CA 94520

**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER SB12006GN,
AMENDED ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER
QUALITY CERTIFICATION FOR SMALL HABITAT RESTORATION PROJECTS,
POND MC-5 DESEDIMENTATION AND RESTORATION PROJECT
(WDID#5B07CR00254), CONTRA COSTA COUNTY**

On 25 May 2023, the Contra Costa Water District submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. SB12006GN, Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Pond MC-5 Desedimentation and Restoration Project (Project) meets the requirements of, and is hereby enrolled under, Order No. SB12006GN. You may proceed with your Project in accordance with the Order.

A copy of [Order SB12006GN](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/hrpcert032713.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/hrpcert032713.pdf) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

Please familiarize yourself with the requirements of Order No. SB12006GN. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. SB12006GN constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 1.09-acre Project consists of desilting an existing livestock pond to allow for more productive rangelands, promotion of native species over invasive species, and reduce fire risk to the adjacent urban areas. Approximately 1,000 cubic yards of sediment will be removed from an existing livestock water pond to return the pond to its original function, increase available livestock water across the property, and provide habitat benefits for wildlife in the park.

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

The Project will temporarily impact 1.05 acres/45,738 square feet and permanently impact 0.04 acres/1742.4 square feet of wetland and non-jurisdictional areas. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located at Pond MC-5 is within the Deer Valley West property owned by the Contra Costa Water District. The approximate center of the Project area is located at latitude 37° 54' 18.59" and longitude -121° 47' 38.70".

PROJECT SCHEDULE:

Work will be conducted from 1 September 2023 through 15 October 2023.

APPLICATION FEE RECEIVED:

\$729.00 was received on 3 May 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 D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

You must implement the mitigation and minimization measures proposed in your Mitigation Plan.

1. Approximately 75 cubic yards of rock-rip rap will be used to create a new rock lined spillway and inlet, protecting the pond and decreasing erosion.
2. The pond will be surveyed by a Qualified Biologist before project construction. If standing water is present, water will be pumped using screened and filtered pumps. Turbid water will be pumped to areas where it can infiltrate. Pumped water will not be allowed to enter existing waterways as overland flow. If necessary, filter bags or similar devices will be used to treat turbid water to prevent sediment from entering waterways. The contents of any filter bags used will be emptied at the spoils placement area and the used bag will be disposed of at the appropriate facility. USFWS and CDFW approved biologists with all necessary permits will be on-site during all dewatering activities. Any native species detected will be moved to the nearest appropriate location as determined by the approved biologist.
3. Monitoring will be required for one year following project implementation to ensure the project did not have a negative effect on the impacted water resource. The Contra Costa Water District will work with the Natural Resources Conservation Service and the Contra Costa Resource Conservation District on determining attainment of performance standards.

NOTICE OF COMPLETION:

Upon completion of the Project, you shall submit a Notice of Completion (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 section B.6 of the Order.

If you have questions concerning this matter, please contact Sara Gevorgyan by phone at (916) 464-4710 or by email at Sara.Gevorgyan@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Enclosure: Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects File # SB12006GN

cc: [Via email only]

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CWA Section 401 WQC Program
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