



Central Valley Regional Water Quality Control Board

30 August 2023

Jacob McQuirk
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NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE CA DEPARTMENT OF WATER RESOURCES, SOUTH DELTA GEOTECHNICAL INVESTIGATIONS PROJECT (WDID#5B39CR00412), SAN JOAQUIN COUNTY

On 8 July 2024, CA Department of Water Resources (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 South Delta Geotechnical Investigations 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 will take place within less than 0.001 acre/19 linear feet 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 8 July 2024, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

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

PROJECT DESCRIPTION:

The 0.001-acre South Delta Geotechnical Investigations Project (Project) consists of assessing the subsurface soil characteristics for the planning and eventual design of a future South Delta Gates project. Geotechnical investigations will include soil borings and cone penetration tests (CPTs) which will be used to gain a preliminary understanding of the geological and geotechnical conditions at potential construction locations in Old River, Middle River, and Grant Line Canal. These geotechnical investigations will inform the development of design, engineering, and alternatives analysis for a future project that proposes to construct permanent operable barriers to replace temporary rock barriers that have been annually built and removed for water level improvement.

The proposed project includes both overwater and land-based soil investigations. Overwater investigations include up to 29 soil borings which extend down to 150 feet below river bottom. On-land soil investigations will consist of up to 39 soil borings and 12 CPTs. Only overwater soil explorations will result in the potential discharge of dredged or fill material into Waters of the United States/Waters of the State.

The Project will permanently impact temporarily impact 0.001 acre/19 linear feet of waters of the United States.

PROJECT LOCATION:

Sections 0, 28, 27, and 26, Township 1 South, Range 4 East, MDB&M

Latitude: 37.810701°, 37.885522°, 37.819439°, 37.819503°, and 37.819521°; and
Longitude: -121.544408°, -121.482552°, -121.544486°, -121.514177°, and
-121.503446°

PROJECT SCHEDULE:

1 August 2025 through 31 October 2025

APPLICATION FEE RECEIVED:

An application fee of \$2,985.00 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 E - Low Impact Discharges (fee code 87) 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

DISTRIBUTION LIST
[Via email only]

United States Army Corps of Engineers
San Francisco District Office
Regulatory Division
CESPN-RG-Info@usace.army.mil

Department of Fish and Wildlife, Region 3
AskBDR@wildlife.ca.gov

United States Environmental Protection Agency
R9CWA401@epa.gov

CWA Section 401 WQC Program
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

Leslie Hamamoto
CA Department of Water Resources
Leslie.Hamamoto@water.ca.gov

Figure 1: Vicinity Map

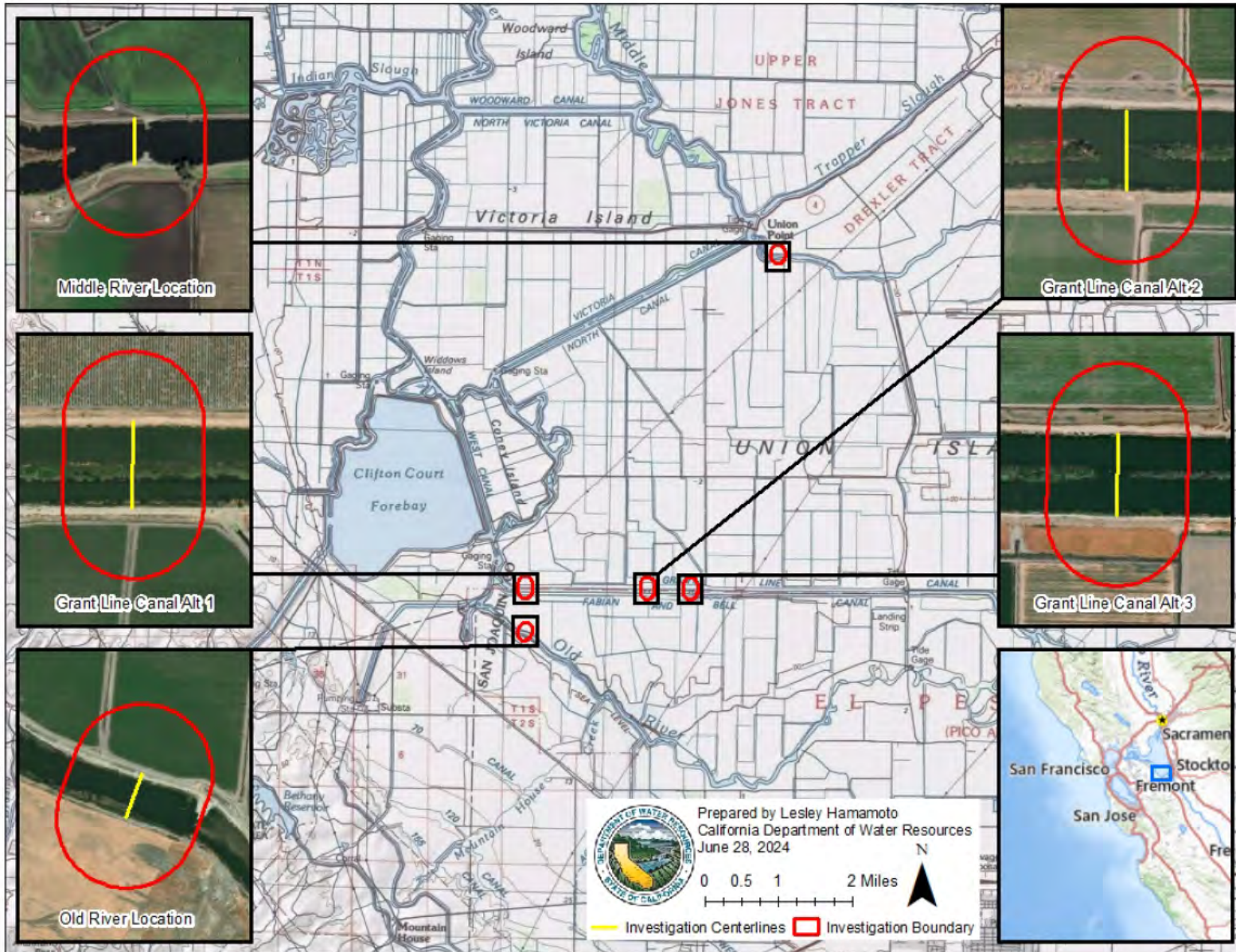


Figure 2: Project Area and Staging Map

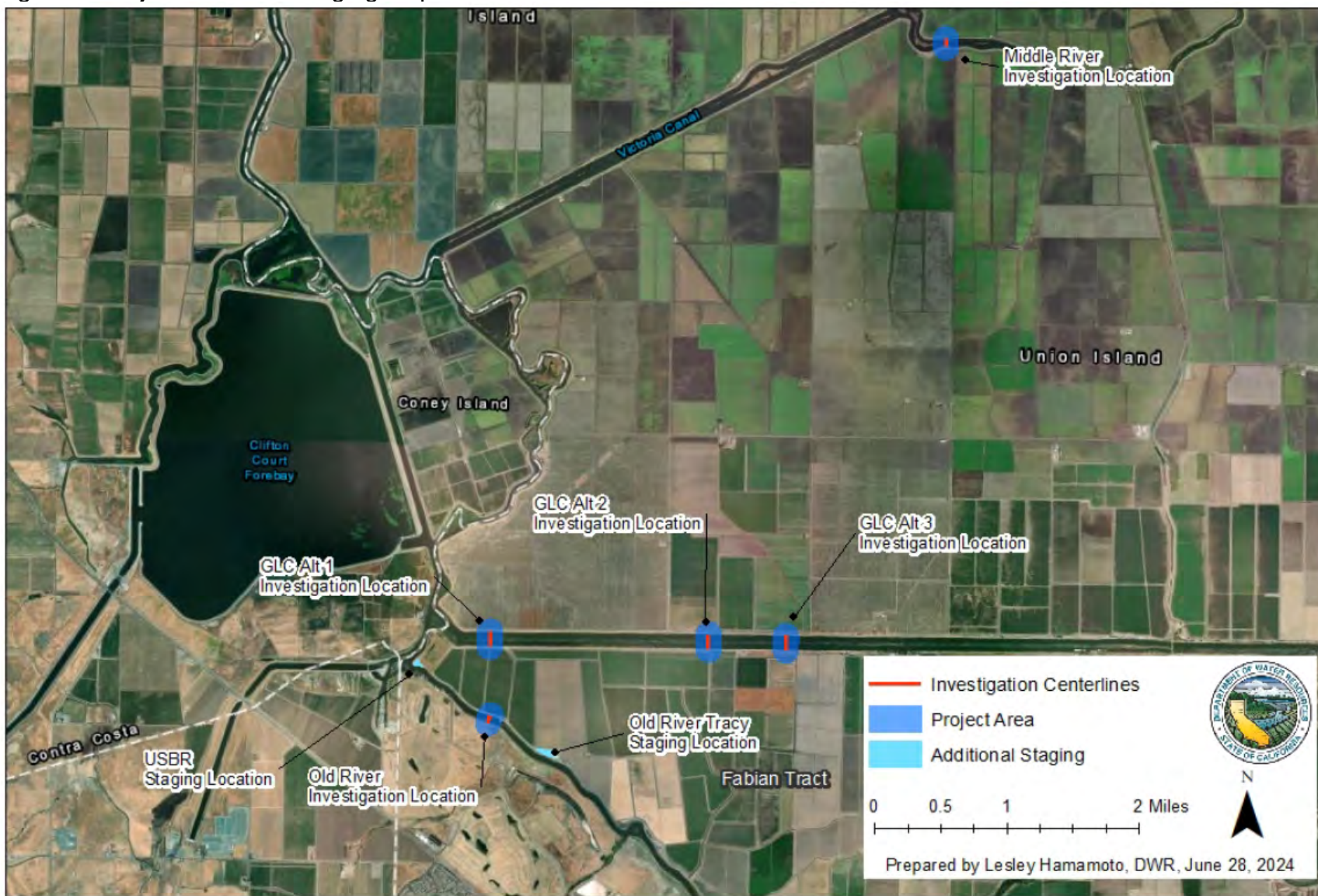


Figure 3: Geotechnical Investigation Site Map Middle River

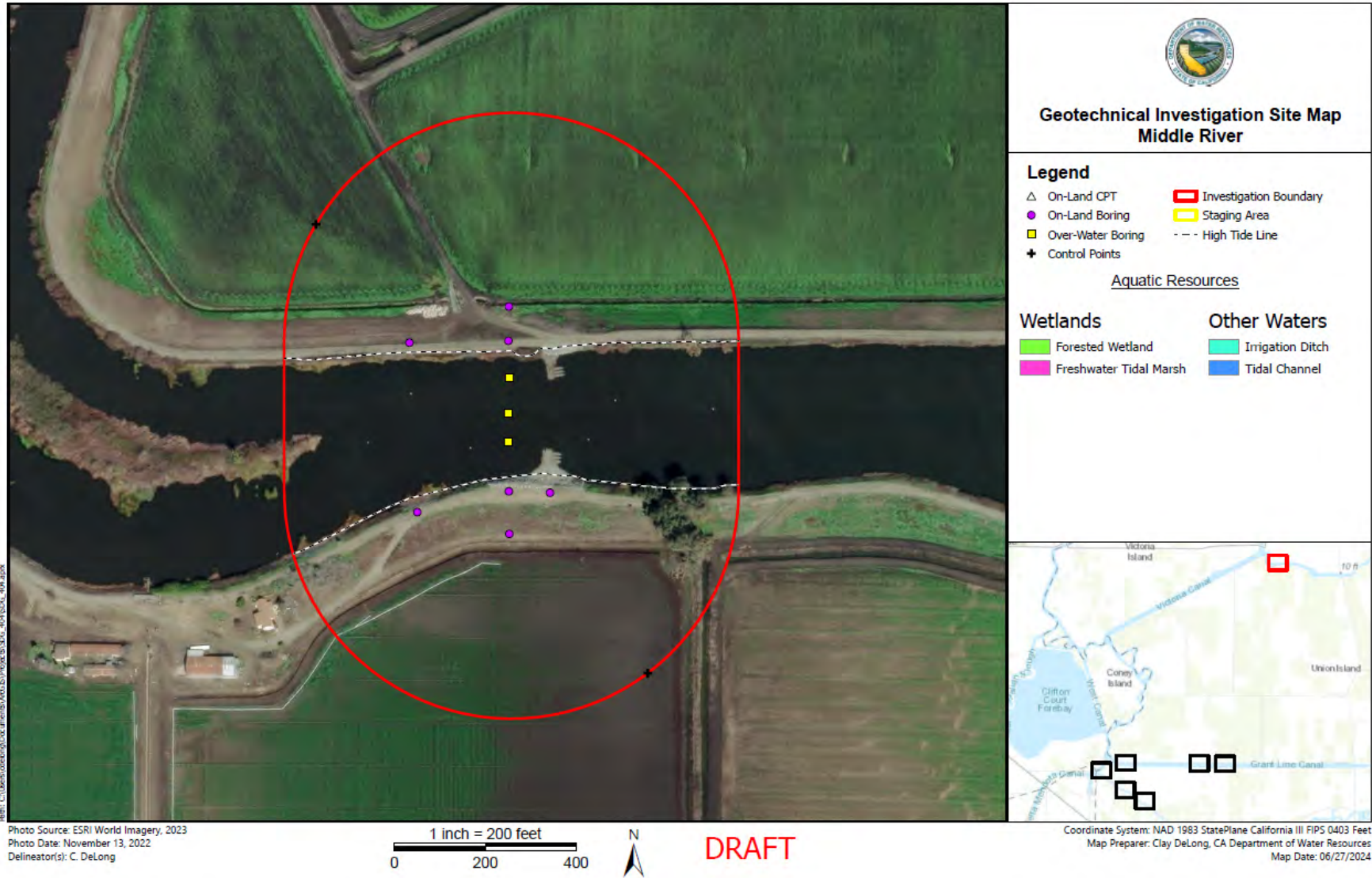


Figure 4: Geotechnical Investigation Site Map Grant Line Canal Alternative 1

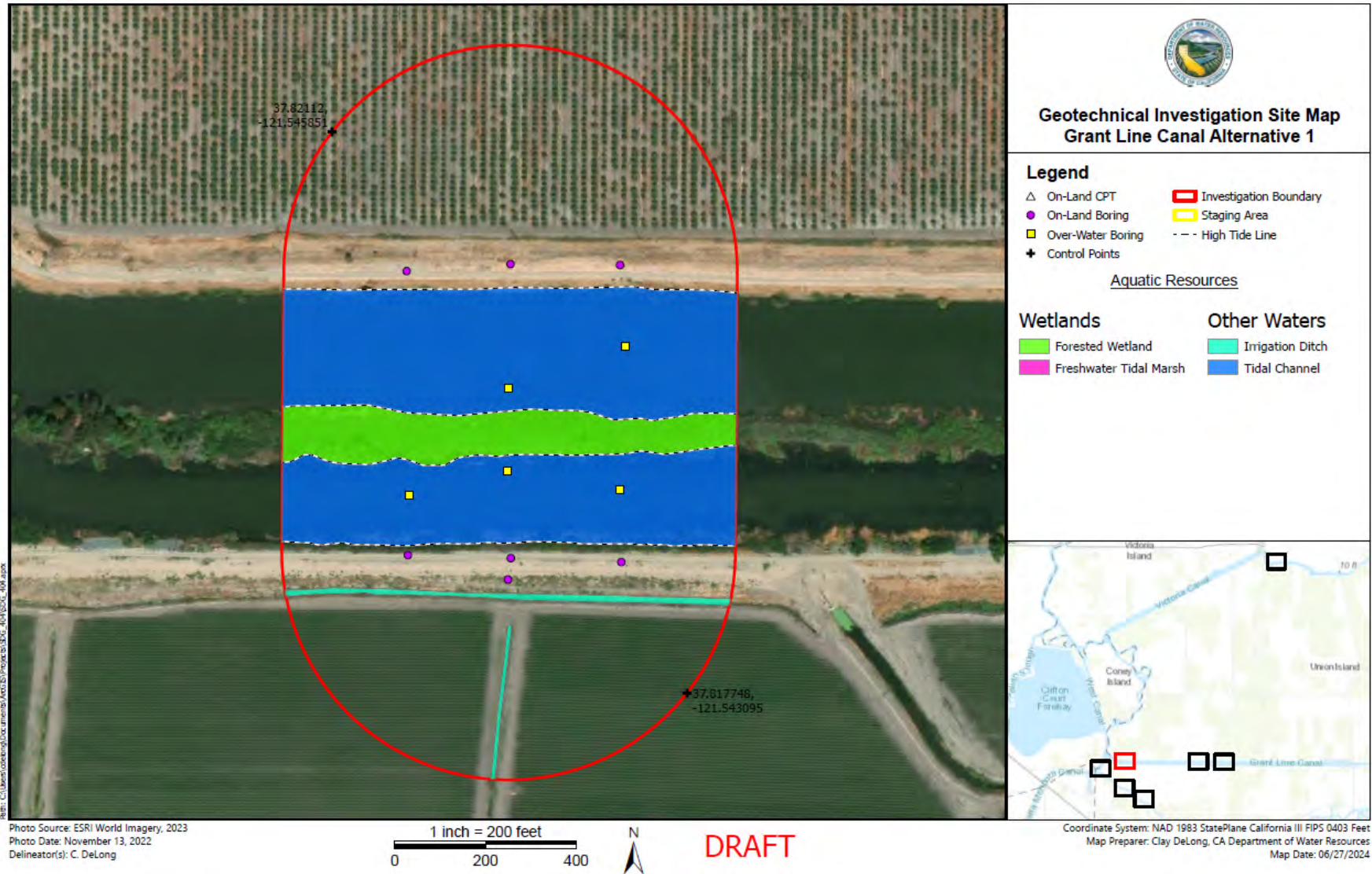


Figure 5: Geotechnical Investigation Site Map Grant Line Canal Alternative 2

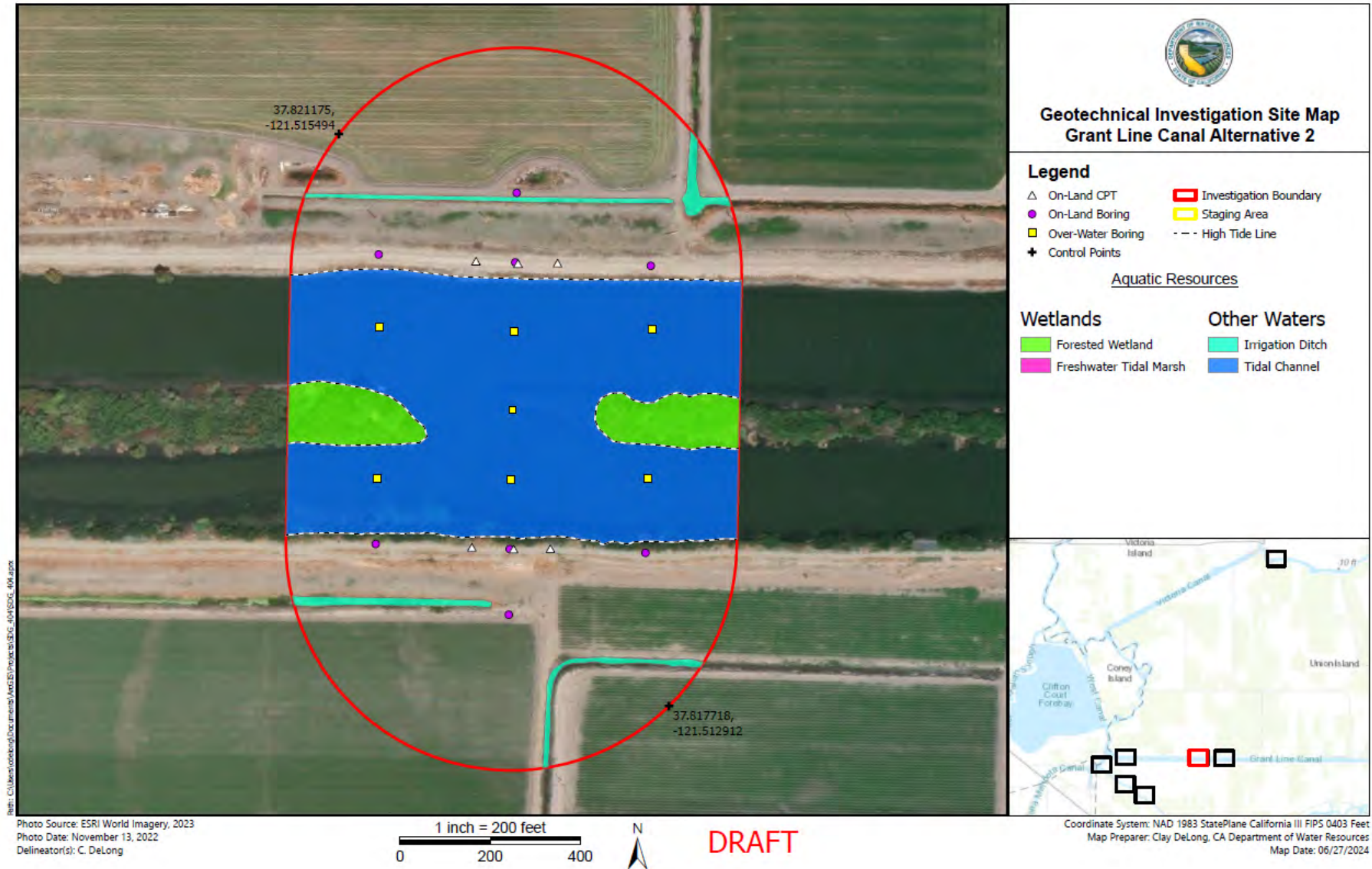


Figure 6: Geotechnical Investigation Site Map Grant Line Canal Alternative 3

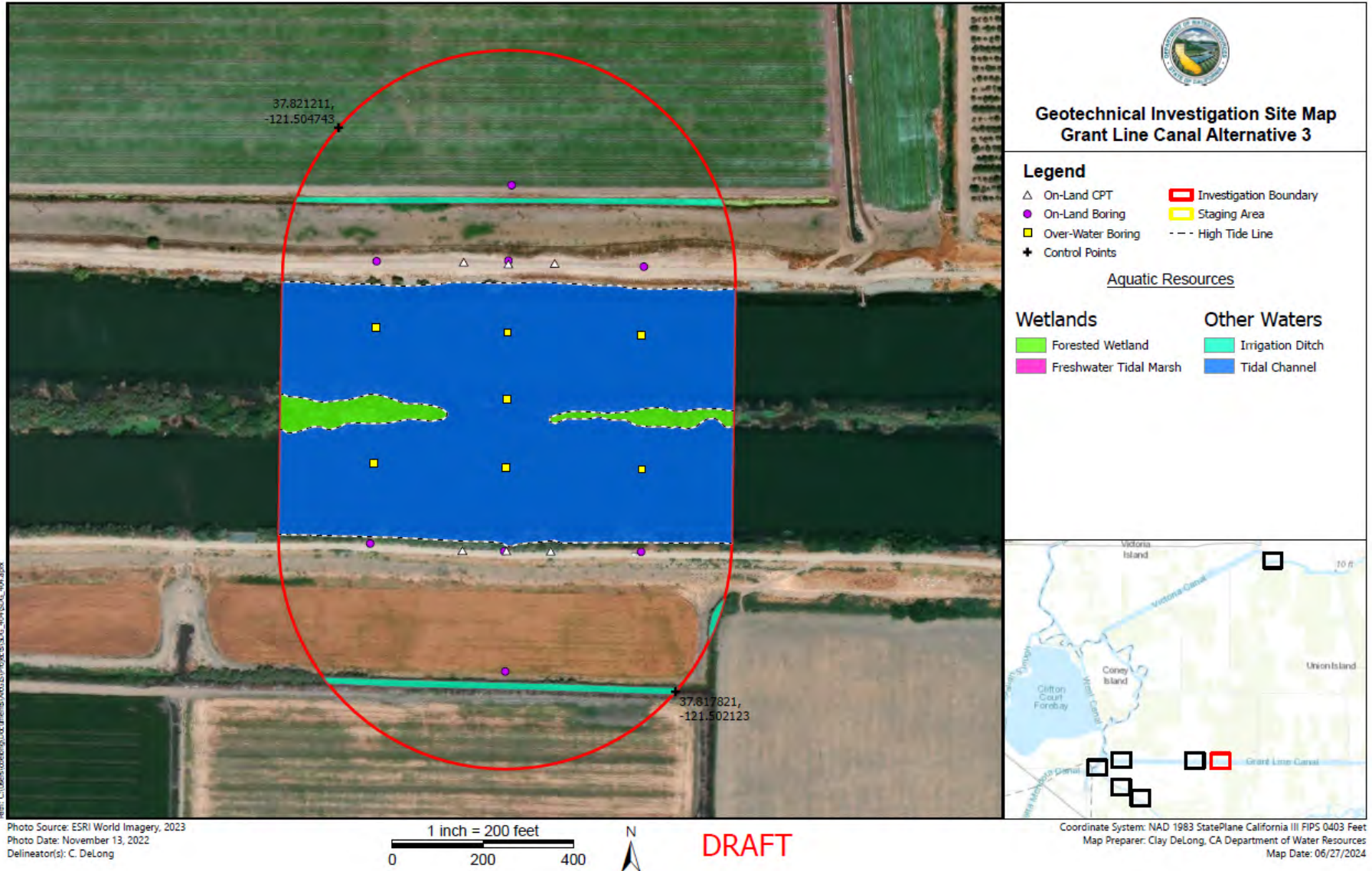


Figure 7: Geotechnical Investigation Site Map USBR Staging Area

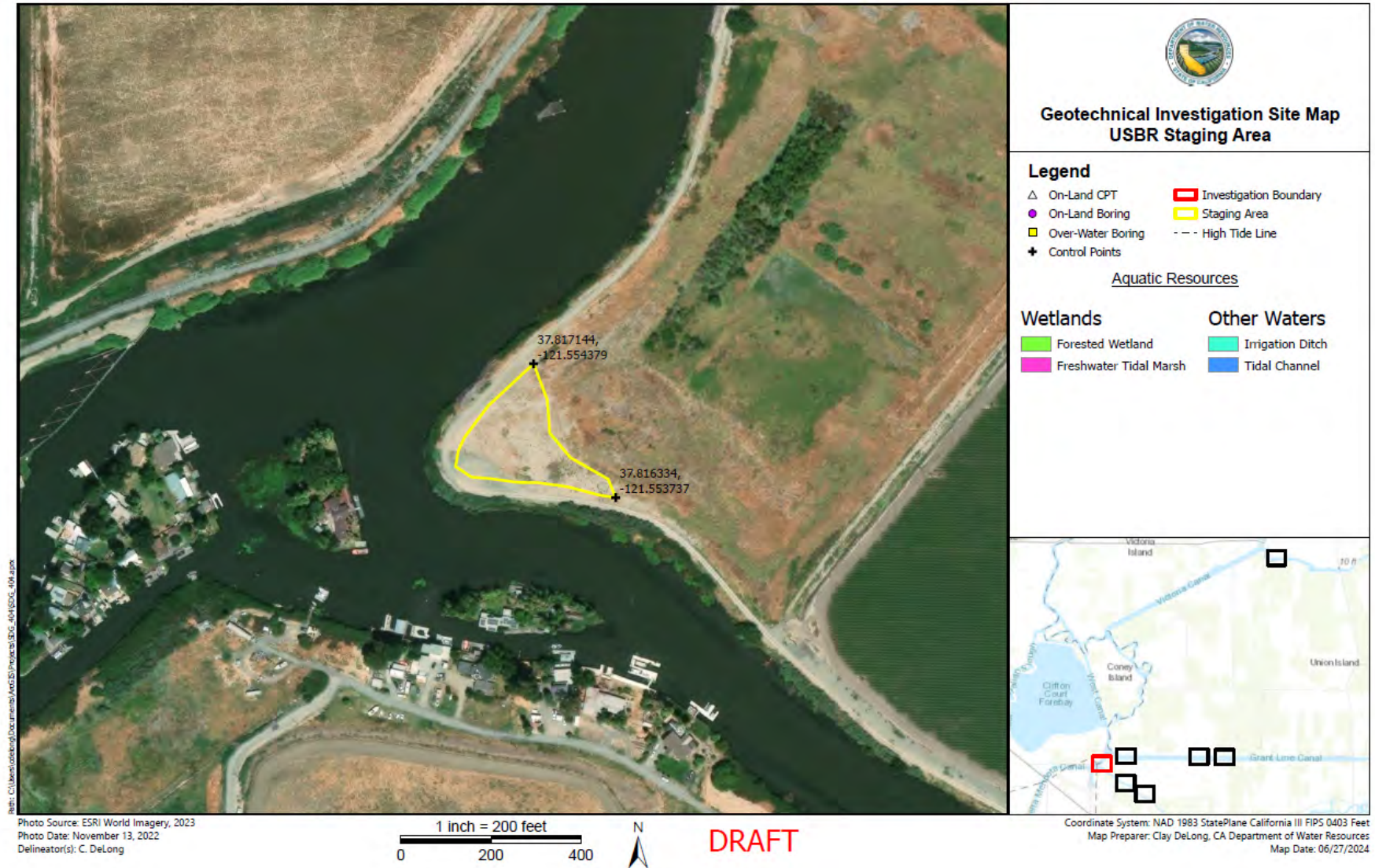


Figure 8: Geotechnical Investigation Site Map Old River

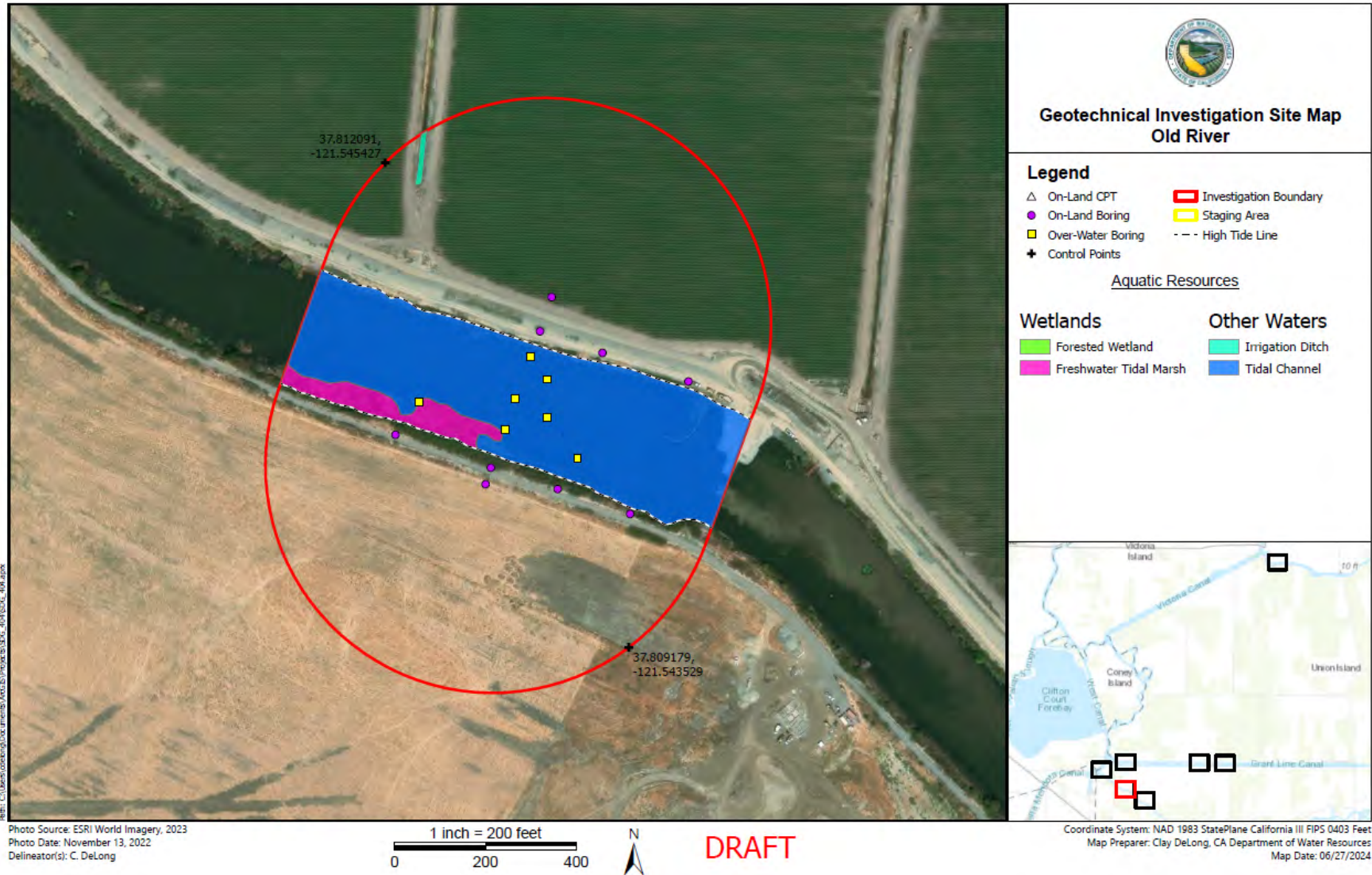


Figure 9: Geotechnical Investigation Site Map Old River Tracy Staging Area

