



Central Valley Regional Water Quality Control Board

6 March 2024

Allen Lao
California Department of Transportation
1976 East Dr. Martin Luther King Jr. Blvd
Stockton, CA 95205
Allen.Lao@dot.ca.gov

ORDER AMENDING NOTICE OF APPLICABILITY UNDER THE GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, STATE ROUTE 120 TUOLUMNE DRAINAGE SYSTEM (SR 108) PROJECT (WDID# 5B55CR00172A1), TUOLUMNE, CALAVERAS COUNTY

This Order responds to the 15 December 2023 request for an amendment of the State Route 120 Tuolumne Drainage System (SR 108) Project (Project) Section 401 Water Quality Certification (WDID#5B55CR00172). The original Water Quality Certification (Certification) was issued on 8 December 2023. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

The California Department of Transportation is requesting to modify the Project Notice of Applicability to be authorized under a Nationwide Permit 14 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) as modified by the United States Army Corps of Engineers. The existing Notice of Applicability was issued for coverage under the 1 August 2023 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 (2023-0061-DWQ). The permit change will allow the California Department of Transportation to proceed with the Project described under the General Certification Order for a Nationwide Permit 14 as authorized by the United States Army Corps of Engineers.

Additionally, the California Department of Transportation has provided documentation from the United States Army Corps of Engineers (SPK-2022-00679) authorizing in-water construction activities to continue until 31 October 2025.

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

The Certification is amended to update the conditional approval of the Project under the General Certification Order and extend the expiration date to 31 October 2025.

APPLICATION FEE RECEIVED:

No fee was required for this amendment. Total fees of \$2,734.00 for the original Certification were received on 24 October 2023. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3), as was calculated as category F - Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

Olivia Ilsley, Environmental Scientist
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114
Olivia.Ilsley@waterboards.ca.gov
(916) 464-4673

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the State Route 120 Tuolumne Drainage System (SR 108) Project (WDID#5B55CR00172A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

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

cc: Distribution List, page 3

DISTRIBUTION LIST
[Via email only]

Sara Hatch (SPK-2022-00679)
United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
SPKRegulatoryMailbox@usace.army.mil

United States Environmental Protection Agency
R9CWA401@epa.gov

California Department of Fish and Wildlife, Region 2
R2LSA@wildlife.ca.gov

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
StateBoard401@waterboards.ca.gov

Nicole Kith
Caltrans District 10
Environmental Scientist
nicole.kith@dot.ca.gov

James Henke
Caltrans District 10
Senior Environmental Scientist
james.henke.jr@dot.ca.gov