



Central Valley Regional Water Quality Control Board

20 February 2024

Grey Tompkins
County of Tulare
5961 S. Mooney Blvd
Visalia, CA 93277

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE COUNTY OF TULARE, ROAD 168 OVER ST JOHN'S RIVER BRIDGE REPAIR PROJECT (WDID# 5C54CR00146), TULARE COUNTY

On 29 January 2024, the County of Tulare (Applicant) filed a notification requesting 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 (General Certification Order) for the Road 168 over St John's River Bridge Repair (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 in 1.0 acre/304 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/2023/rgp-8-certification-mainbody.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2023/rgp-8-certification-mainbody.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

The Applicant 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 12 February 2024, and supplementary information (Application Package). Coverage

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under the General Certification Order is no longer valid if the Project (as described) is modified.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 Project consists of repairs at the Road 168 Bridge over St John's River. Proposed repairs include scour repair at three piers by recovering the exposed piers with soil and then stabilizing with rock slope protection. The proposed repairs are urgently needed to restore the damaged structure to pre-emergency condition and ensure access across Road 168. A temporary water diversion system will utilize existing low water channels within the St John's riverbed to divert open flows away from the piers where work is being performed. It is anticipated that the existing low water channel (which is anticipated to flow through the bridge at Pier 7, the northernmost pier) will need to be diverted from the east side of the bridge via a pipe installation.

The Project will permanently impact 0.04 acre/40 linear feet and temporarily impact 0.96 acre/304 linear feet of waters of the United States.

PROJECT LOCATION:

The Project is located at the Road 168 bridge over the St. John's River near the city of Visalia.

Latitude: 36.3588 degrees and Longitude: -119.1977 degrees

PROJECT SCHEDULE:

The approximate timeframe of Project construction is to begin March 2024 and last for approximately 10 working days depending on weather and flow conditions in St. Johns River.

APPLICATION FEE RECEIVED:

An application fee of \$2,985.00 was received on 13 February 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 F - Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

ADDITIONAL CONDITIONS:

1. Water Quality Monitoring

If surface water is present, continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g., oil and grease, turbidity plume, or uncured concrete). Sampling is not required in a wetland where the entire wetland is being permanently filled, provided there is no outflow connecting the wetland to surface waters. The Permittee shall perform surface water sampling:

- i. When performing any in-water work;
- ii. During the entire duration of temporary surface water diversions;
- iii. In the event that the Project activities result in any materials reaching surface waters; or
- iv. When any activities result in the creation of a visible plume in surface waters.

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 1 sampling parameters. The sampling requirements in Table 1 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area unless otherwise approved by the Executive Officer.

Table 1: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
pH	Standard Units	Grab	Every 4 hours
Turbidity	NTU	Grab	Every 4 hours
Temperature	Degrees F (or as degrees C)	Grab	Every 4 hours
Visible construction related pollutants ¹	Observations	Visual Inspections	Continuous throughout the construction period

2. Reporting and Notification Requirements

The Applicant shall submit all reports in accordance with General Certification Order Section VI.G, the report submittal instructions in Attachment B of Order No. WQ 2023-0061-DWQ, and in accordance with conditions specified in this Notice of Applicability and email it to centralvalleyfresno@waterboards.ca.gov with a cc to Brandon Salazar at brandon.salazar@waterboards.ca.gov. The WDID No. for this Project is 5C54CR00146.

3. Notification for In-Water Work and Diversions

The Applicant should notify the Water Board at least forty-eight (48) hours prior to initiating work in flowing or standing water or stream diversions. Notification may be via e-mail, delivered written notice, or other verifiable means.

¹ Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

If you have any questions regarding this Notice of Applicability, please contact Brandon Salazar at (559) 445-6287 or at Brandon.Salazar@waterboards.ca.gov.

Original Signed by Christina Shupe
For Patrick Pulupa
Executive Officer

cc: Via email only:

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