



## Central Valley Regional Water Quality Control Board

18 November 2022

Nathan Kyle  
Bureau of Reclamation  
Lake Berryessa Field Office  
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Napa, CA 94558  
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**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, BERRYESSA POINT SEAWALL REMOVAL PROJECT (WDID#5A28CR00045), NAPA COUNTY**

On 30 September 2022, the Bureau of Reclamation – Lake Berryessa Field Office 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 Regional Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Berryessa Point Seawall Removal 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/s/hrpcert032713.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/s/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 200-linear foot Project consists of removing a timber soldier wall along the southern face of an artificially created spit of land protruding into Lake Berryessa from Berryessa Point near Smittle Creek Bay. Originally built to stabilize an artificially constructed land spit, the timber wall has degraded to the point where timbers periodically fall during high

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

water events. Sections of the wall are held in place by wire boards and the distal ends of the wall appear to have been further stabilized in the past by sand and dirt placement. The wood piles extend into the ground to an approximate depth of 3 feet. Beyond the cable and boards, the wall is not anchored in any capacity.

Project elements that affect aquatic resources include removal of the wall by detaching the cable and boards. Individual timber soldiers would be mechanically pulled out using an excavator and deposited into a flatbed truck. The excavator will fill the holes that are left from removing the boards and to compact the soil once the slope is established to a natural grade. The bank will be made reasonably even and with uniform surfaces that blend with the natural terrain. The contractor does not expect to disturb the asphalt or trees on top of the spit. The contractor will not discharge any oil or grease and will work on stable soil that is dry from the current low water level. The Project will temporarily impact 200 linear feet of lake. Temporarily impacted areas will be restored to pre-Project condition.

**PROJECT LOCATION:**

The Project is located at Berryessa Point Seawall, immediately north of Smittle Creek. The approximate center of the Project area is located at Latitude 38.58144° and Longitude -122.24658°.

**PROJECT SCHEDULE:**

1 November 2022 through 30 November 2022

**APPLICATION FEE RECEIVED:**

Federal dischargers involved in Dredge and Fill Operations only are not subject to permit fees as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.

**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 Jenna Yang by phone at (916) 464-4764 or by email at [Jenna.Yang@waterboards.ca.gov](mailto:Jenna.Yang@waterboards.ca.gov).

*Original Signed by Adam Laputz 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: Distribution List, page 3

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