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## Central Valley Regional Water Quality Control Board

16 November 2023

Mitra Emami  
California Department of Water Resources  
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Sacramento, CA 95821  
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### **NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE CALIFORNIA DEPARTMENT OF WATER RESOURCES, 2023 STORM DAMAGE EMERGENCY REHABILITATION PROJECT - SITE 23-045 PROJECT (WDID# 5A51CR00139), SUTTER COUNTY**

On 16 October 2023, Mitra Emami (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 (DQ 2023-0061-DWQ) (General Certification Order) for the 2023 Storm Damage Emergency Rehabilitation Project - Site 23-045 (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 is taking place in 0.28 acre(s)/350 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](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 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 23 May 2023, and supplementary information (Application Package). Coverage under

the General Certification Order is no longer valid if the Project (as described) is modified.

**PROJECT DESCRIPTION:**

The 0.40-acre 2023 Storm Damage Emergency Rehabilitation Project - Site 23-045 (Project) consists of rehabilitation due to stormwater damage to the levee system in Winter 2023. The Applicant proposes to immediately address four (4) flood risk management sites where erosion repair is critical to the health and safety of communities that are protected from flooding. Repair activities consist of clearing and grubbing vegetation to create a clear surface for rock slope protection placement.

Once the site is prepared, excavation and grading of the eroded bank slope would take place above the plane of the ordinary high-water mark (OHWM) to bring the site to design slope, conform the slope to existing ground profile below the OHWM, and key in the rock at the top of slope. Waterside rock slope protection with clearing and grubbing will occur as needed at the sites or landside levee repairs with raincoat protection. Then, rock slope protection would be brought into the site and placed along the bank slope to design specifications.

The Project will permanently impact 0.28 acre/350 linear feet of waters of the United States.

**PROJECT LOCATION:**

The Project is located at State Route 70 and El Centro Way.

Section 20, Township 13 N, Range 4 E, MDB&M

Latitude: 38°57'51.48" and Longitude: -121°32'41.2794"

**PROJECT SCHEDULE:**

The Project started construction on 1 October 2023 and will continue until 1 December 2023.

**APPLICATION FEE RECEIVED:**

An application fee of \$2,734.00.00 was received on 17 October 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 F- Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Sara Gevorgyan at (916) 464-4710 or [Sara.Gevorgyan@waterboards.ca.gov](mailto:Sara.Gevorgyan@waterboards.ca.gov).

*Original Signed by Anne Walters for:*

Patrick Pulupa  
Executive Officer

Enclosure: Water Quality Order No. 2023-0061-DWQ Clean Water Act Section 401  
Water Quality Certification for Regional General Permit 8 for Emergency  
Repair and Protection Activities

cc: [Via email only]

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