Central Valley Regional Water Quality Control Board

14 February 2024

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NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE YUBA COUNTY WATER AGENCY, LAKE FRANCIS DAM GEOTECHNICAL INSTRUMENTATION AND AUTOMATED DATA ACQUITION SYSTEMS PROJECT (WDID#5A58CR00198), YUBA COUNTY

On 21 December 2023, the Yuba County Water Agency (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 Lake Francis Dam Geotechnical Instrumentation and Automated Data Acquisition Systems 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 0.051 acre/95.4 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 Permits #3(a) and 5 (Maintenance Activities and Scientific Measurement Devices 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) 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

21 December 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 Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.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 11.2-acre Lake Francis Dam Geotechnical Instrumentation and Automated Data Acquisition Systems Project (Project) consists of installing five sensor types on the Lake Francis Dam and in weirs downstream of the dam to measure various parameters, including the phreatic surface within the dam embankment and foundation, and the seepage flows from the dam drains. The sensor types include precipitation gauges, barometers, unvented vibrating-wire piezometers, vented vibrating-wire piezometers, and vented weir monitors. A Project Location Map indicating locations of the sensors is attached in Figure 1.

In addition, a seepage cutoff wall will be constructed in alignment with the existing concrete flume structure (Parshall flume) within Dobbins Creek downstream of the confluence of the low-level outlet channel and the spillway channel. The seepage cutoff wall will be placed adjacent to the existing flume structure and is anticipated to limit seepage flows from bypassing the downstream left bank at the existing flume structure. The concrete wall will be approximately 10 feet in length, and the footing will be embedded a minimum of 12 inches into bedrock.

A new stainless-steel weir will be bolted to the existing concrete flume, replacing a weir plate previously existing at the same location, and will allow for measurements of seepage flows from the base of the dam. This new weir plate (W2) will be located further downstream from the existing Weir 1 in Dobbins Creek and is intended to capture total seepage flows from four dam toe drains and from the spillway relief drain, located upstream of this proposed location.

The Project will permanently impact 0.001 acre/5.6 linear feet and temporarily impact 0.050 acre/89.8 linear feet of waters of the United States.

The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one of more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

PROJECT LOCATION:
Section 4-5, Township 17 North, Range 7 East, MDB&M

Latitude: 39°21’35.34” and Longitude: -121°12’16.40”

PROJECT SCHEDULE:
1 May 2024 through 1 October 2024

APPLICATION FEE RECEIVED:
An application fee of $2,734.00 was received on 27 December 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 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 Peter Minkel by phone at (916) 464-4684 or by email at: PeterG.Minkel@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Attachment: Figure 1: Project Location Map with Sensor Locations

Enclosure: State Water Board Certification of the 2021 Nationwide Permits General Water Quality Certification and Order

cc: [Via email only]

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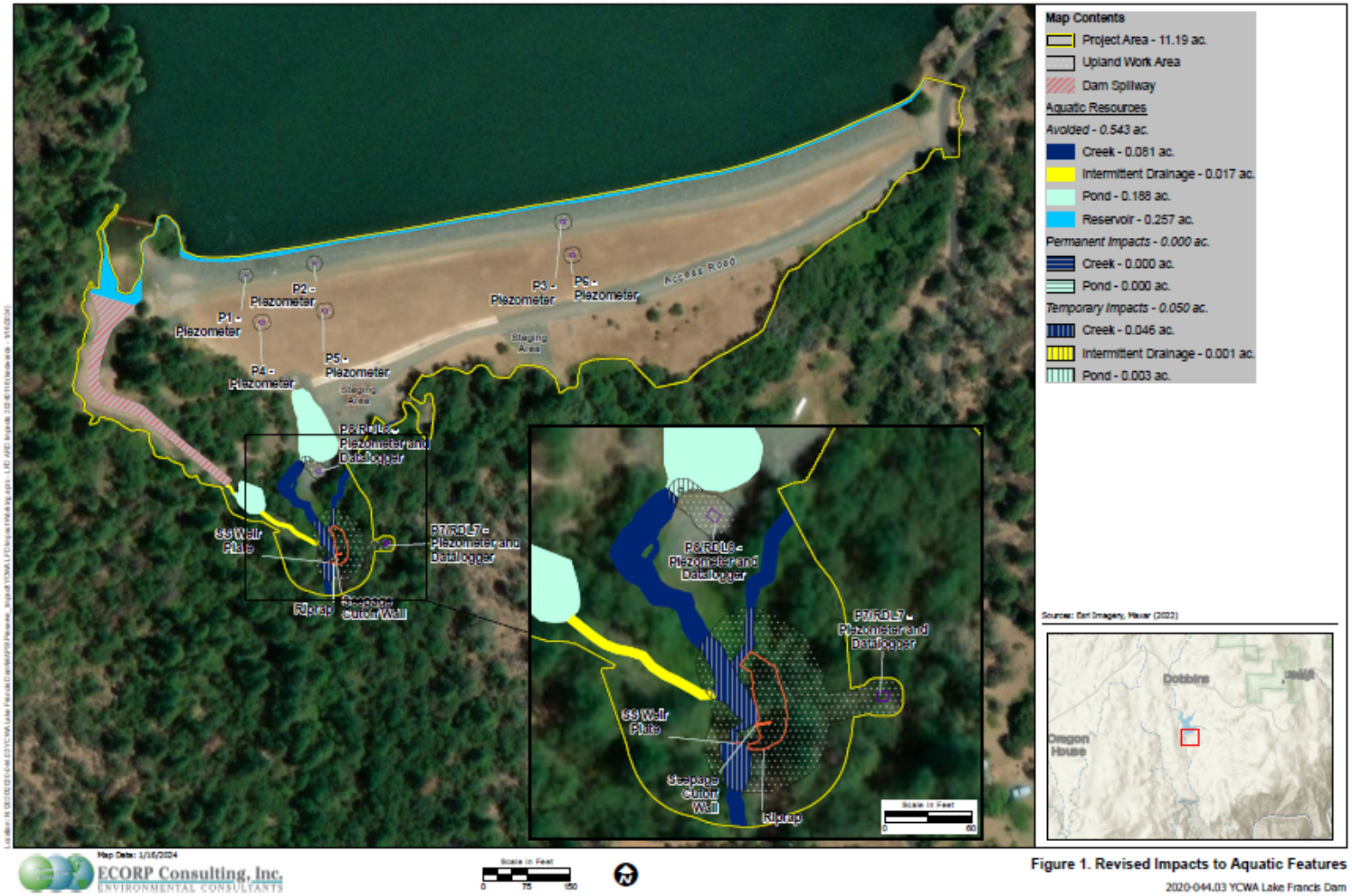

Figure 1 – Project Location Map with Sensor Locations