
Central Valley Regional Water Quality Control Board

3 August 2021

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NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, MENDOZA LIVESTOCK POND AND STREAM IMPROVEMENT PROJECT (WDID#5B01CR00043), ALAMEDA COUNTY

On 14 June 2021, the Contra Costa Water District submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Mendoza Livestock Pond and Stream Improvement Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. You may proceed with your Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) can be found on the State Water Resources Control Board's Adopted Orders webpage and is enclosed.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The purpose of the project is to repair damaged facilities to enhance habitat for California red-legged frog and minimize localized flooding within the Los Vaqueros Habitat Management Unit in Alameda County. The 1.0-acre Project consists of

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

embankment and spillway repair of an existing livestock pond, and stream crossing improvements and stream restoration.

Livestock Pond Repair – The project will remove accumulated sediment from the water side of the existing berm. The volume of sediment will not exceed 50 cubic yards, all of which will be used onsite and will not discharge sediment to waters of the state.

Spillway Repair – Spillway repair will include removal and disposal of the existing metal pipe and concrete rubble visible at the pipe outlet. The spillway will be reshaped and stabilized with buried geotextile and rock riprap, with a section of concrete block liner over the embankment to allow it to continue to function as a usable road. Compacted fill will be placed to raise the embankment to provide 3 feet of freeboard over the design flow elevation, and maintain at least 14 feet top width for driving safety. An adjacent flat area has been identified as a borrow site for additional soil, using an excavator and loader or dump truck to scoop and move the material. Sediment material will be removed as needed on the upstream face of the embankment to provide a solid, native foundation for new compacted fill placement. Any removed sediment will be placed in an adjacent upland location and will not re-enter the pond or waterways.

Stream Crossing Improvements – Impacts to the bed of the existing, ephemeral channel will include the removal of existing culverts and some minor amount of associated sediment. The total area of the ephemeral stream channel impacted will be less than 0.01 acre in size and less than 50 feet in length.

Stream Restoration – The stream is an ephemeral tributary to Mountain House creek. Minor grading will remove historic fill around the culverts and shape each location to match upstream and downstream channel dimensions. The crossings consist of one low-water ford crossing lined with articulated concrete blocks, stable for up to 100-yr storm event and accessible to cattle and rancher year-round, and one seasonal low-water crossing which will retain its current gravel road base.

No wet concrete will be placed into the lake or stream channel habitat. The Project will temporarily impact 0.01/50 linear feet acre of stream channel habitat, and 0.05 acre/10 linear feet of lake habitat. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located at 16850 Jess Ranch Road, Mountain House. The approximate center of the Project area is located at latitude 37.7232°N and longitude 121.5957°W.

PROJECT SCHEDULE:

1 August through 31 October

APPLICATION FEE RECEIVED:

A payment in the amount of \$2,066.00 was received on 20 July 2021. 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.

MITIGATION AND MINIMIZATION MEASURES:

The work will be conducted during dry weather. Standard construction best management practices (BMPs) will be employed to minimize dust, erosion, and potential sedimentation. These BMPs include use of water trucks, compacting soil, installing erosion control measures, re-seeding disturbed areas, and implementing all erosion control measures (e.g., silt fences, straw wattles, hay bales, etc.) You must implement the mitigation and minimization measures proposed in your Mitigation Plan.

COMPENSATORY MITIGATION: The Central Valley Water Board is not requesting compensatory mitigation for the Mendoza Livestock Pond and Stream Improvement Project for temporary impacts to 0.06 acres of waters of the state because the impacts are temporary and will not negatively impact existing water quality.

TERMINATION OF COVERAGE:

Upon completion of the Project, you shall submit a complete Notice of Termination (NOT) requesting to be un-enrolled under Order No. 2004-0004-DWQ. Attachment 2 to the Order contains the NOT form.

If you have questions concerning this matter, please contact Angela Nguyen-Tan by phone at (916) 464-0335 or by email at Angela.Nguyen-Tan@waterboards.ca.gov.

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

Attachment: Figure 1 – Project Location Map
Figure 2 – Site Impact Map

Enclosure: State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ

cc: Distribution List, Page 4

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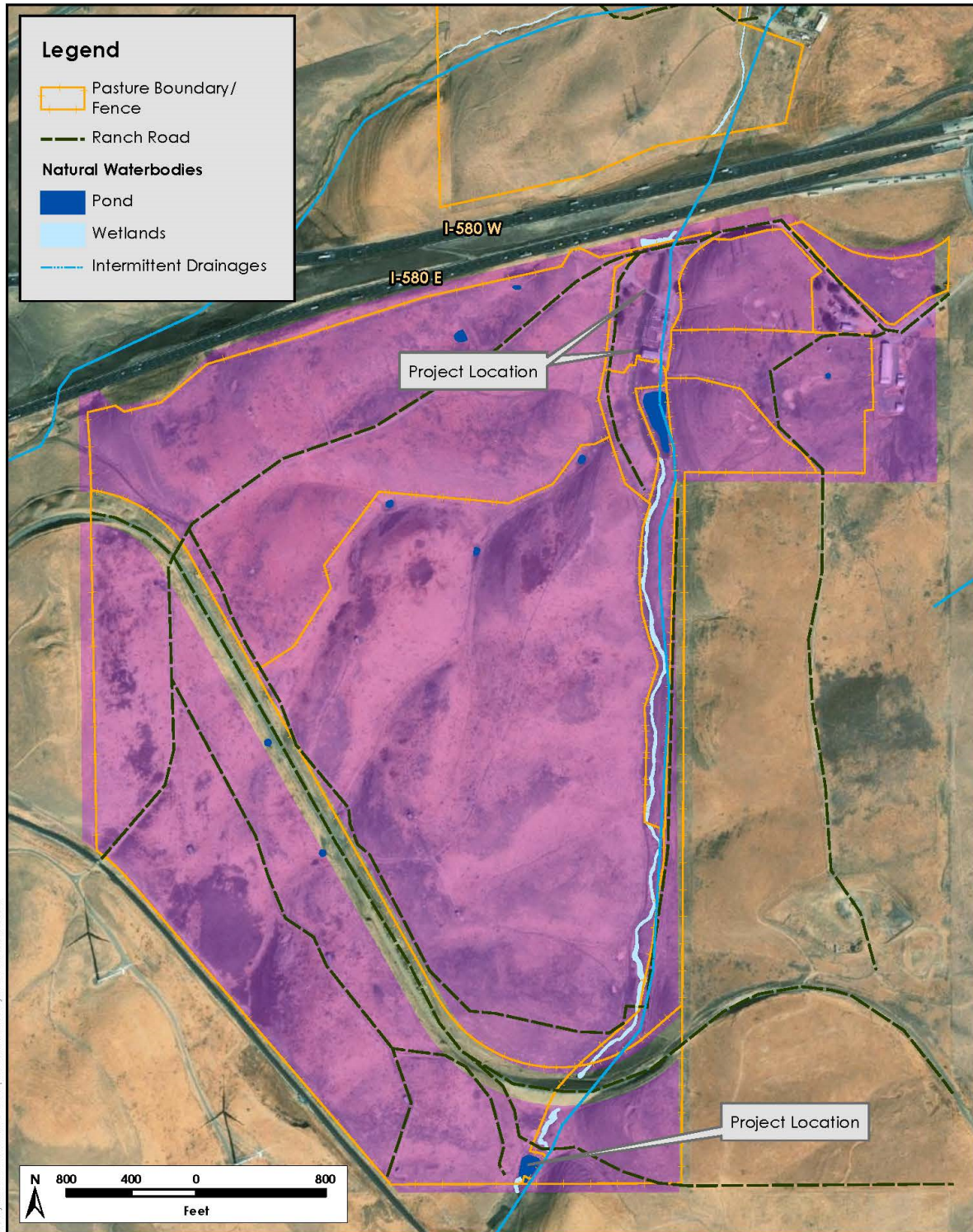
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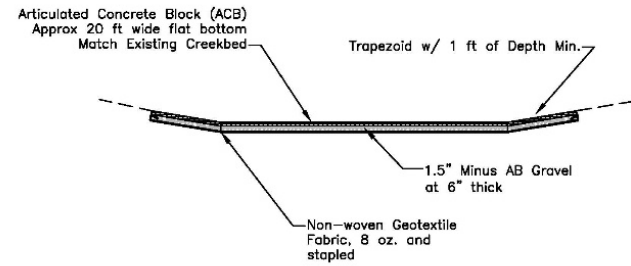
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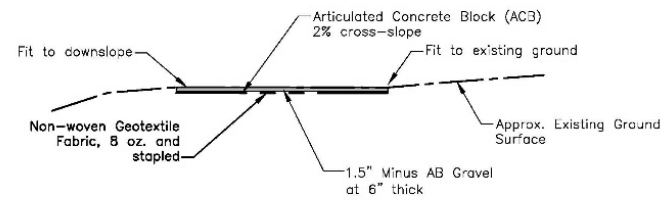
H. T. HARVEY & ASSOCIATES
Ecological Consultants

Attachment 1. Project Location
Mendoza Livestock Pond and Stream Improvement Project
Statewide WDR Notice of Intent (3912-06)
May 2021

Figure 1 – Project Location Map



PROFILE - Stream Crossing
Not to scale



SECTION - Stream Crossing
Not to scale

<p>DESIGNED: K. Bergmann July 2020</p> <p>DRAWN: K. Bergmann Jan 2020</p> <p>CHECKED: _____</p> <p>APPROVED: _____</p>	<p>JOB CLASS: IV</p> <p>Proposed Plan and Profile</p> <p>Mendoza - CCWD Crossing</p> <p>Stream Crossing (57B), Obstruction Removal (500) Alameda County, CA</p>	<p>Natural Resources Conservation Service United States Department of Agriculture</p>
<p>File No. Channel 1E.dwg</p> <p>Drawing No. _____</p> <p>1/14/21 8:19 AM Sheet 1 of 1.</p>		

Figure 2 – Site Impact Map