



Central Valley Regional Water Quality Control Board

13 January 2023

Alvaro Buenrostro
Merced County Public Works Department
715 Martin Luther King Jr Way
Merced, CA 95340

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE MERCED COUNTY PUBLIC WORKS DEPARTMENT, TURLOCK ROAD BRIDGE OVER DRY CREEK SCOUR REPAIR PROJECT (WDID# 5B24CR00103), MERCED COUNTY

On 2 January 2023, the Merced County Public Works Department (Applicant) filed a notification requesting coverage under the 9 October 2018 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 Turlock Road Bridge Over Dry Creek Scour Repair 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 0.554 acre 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/generalorders/rgp8_cert.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/rgp8_cert.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

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 2 January 2023, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

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

PROJECT DESCRIPTION:

The 1.21-acre Project consists of remediating previous attempts to mitigate scour at the bridge piers. The current bridge piers have been scoured to the point where the pile casing is visible. Pile exposure leads to loss of column capacity from excessive unsupported pile length and risks bridge failure at the exposed piers. The emergency project would restore the channel geometry to its approximate pre scour conditions, remove the existing concrete slope protection, and armor the channel under the bridge with rock slope protection.

The Project will permanently impact 0.091 acre and temporarily impact 0.463 acre of waters of the United States.

ADDITIONAL CONDITIONS:

1. The Permittee is required to provide compensatory mitigation for the authorized impact 0.091 acre of stream channel by purchasing 0.09 Aquatic Resource Credits in the Merced/Tuolumne River Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program.

PROJECT LOCATION:

The Project is located at Turlock Rd bridge Over Dry Creek in Merced County, approximately 13 miles north-northwest of the City of Merced.

Latitude: 37.473701 Degrees, and Longitude: -120.603981 Degrees

PROJECT SCHEDULE:

The approximate timeframe of Project construction is to commence construction on 16 January 2023 and last up to 45 work days.

APPLICATION FEE RECEIVED:

An application fee of \$ 2,734.00 was received on 6 January 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 Brandon Salazar at (559) 445-6287 or Brandon.Salazar@waterboards.ca.gov.

Original Signed by Clay L. Rodgers for:

Patrick Pulupa
Executive Officer

cc: (See Next Page)

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