



# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



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Linda S. Adams  
Secretary for  
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21 June 2010

Dean F. Messer  
California Department of Water Resource  
3500 Industrial Blvd,  
West Sacramento CA, 95691

## **NOTICE OF APPLICABILITY; GENERAL 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE ENGINEERING GEOTECHNICAL ACTIVITIES (WDID#5A34CR0000484), SACRAMENTO, SAN JOAQUIN, CONTRA COSTA, YOLO, AND SOLANO COUNTIES**

On 15 June 2010, the California Department of Water Resources (DWR) filed an application requesting coverage under the State Water Resources Control Board General 401 Water Quality Certification Order of the U.S. Army Corps of Engineers Nationwide Permits. After review of the application 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 Order.

The Central Valley Water Board is certifying this project under U.S. Army Corps of Engineer's Nationwide Permit # 6 (Survey Activities), subject to the conditions and the notification requirements described in their certification ("Special Conditions"). This Certification is being issued under the enclosed State Water Resources Control Board General Order (GO) pursuant to Title 23, Section 3838 of the California Code of Regulations.

A copy of the list of General Orders is enclosed. You can also find the GO on the State Water Resources Control Board's website at: [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/nwpcertv6\\_2007.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/nwpcertv6_2007.pdf)

You should familiarize yourself with the contents of the GO. The project must proceed in accordance with the requirements contained in this Notice of Applicability (NOA) and GO. Coverage under the GO is no longer valid if the project (as described) is modified.

### **PROJECT DESCRIPTION**

DWR is proposing to conduct geotechnical exploratory borings overwater and on land in Sacramento, Solano, Yolo, Contra Costa and San Joaquin counties. DWR's geotechnical staff and/or its consultants will investigate the engineering properties of the soils. The purpose of the investigation is to gather necessary geotechnical information to support the preparation of a draft Environmental Impact Report/Environmental Impact Statement for the proposed Bay Delta Conservation Plan and/or preliminary engineering studies for the Delta Habitat

**California Environmental Protection Agency**

Conservation and Conveyance Program. The DWR geotechnical survey activities must collect Delta soils and groundwater information to identify possible constraints in developing conveyance alternatives.

### **PROJECT TIMING**

DWR will conduct water borings from 1 August 2010 through 31 October 2010 and again from 1 August 2011 through 31 October 2011 and potentially from 1 August 2012 through 31 October 2012 due to seasonal constraints for fisheries or other species.

### **PROJECT LOCATION**

The project is located throughout the Sacramento-San Joaquin Bay Delta at the following twelve sites:

1. Snodgrass Slough – North of Lambert Road,
2. Sacramento River between approximate River Mile 29 and 30,
3. Sacramento River between approximate River Mile 25 and 26,
4. Georgiana Slough – 3 crossings between approximate River Mile 8.5 and 11,
5. North Mokelumne River between approximate River Mile 2 and 3,
6. South Mokelumne River between approximately River Mile 5.5 to 6.5,
7. Potato Slough,
8. San Joaquin River between River Mile 25 and 26 (Venice Reach and Mandeville Cut),
9. Connection Slough (east of Youngs Slough),
10. The Santa Fe Cut between Woodward and Bacon Island (if barge access possible),
11. Woodward Canal, a.k.a. North Victoria Canal, and
12. Confluence of Victoria Canal and Old River  $\pm$  0.5 mile

### **CONDITIONS OF APPROVAL**

The Applicant must comply with the requirements specified in the General Order (GO). Failure to comply with the requirements of the GO and the conditions of this NOA may result in an enforcement action taken by the Central Valley Water Board. The Applicant must also comply with all other State and Federal laws that apply to this project. Upon completion of the project, the applicant must submit a Notice of Termination requesting to be relieved of the requirements of the GO.

The Applicant must comply with the mitigation monitoring and reporting program prepared for this project, as required by California Public Resource Code Section 21081.6 and CEQA Guidelines, California Code of Regulations Section 15074 [or 15097]. The conditions of the mitigation and reporting program contained in the Mitigated Negative Declaration, as they pertain to protecting water quality, are made part of this NOA.

In addition, the Applicant must implement the mitigation and minimization measures that were proposed in the application and in the supplemental material submitted by the Applicant. These measures include actions that are designed to avoid impacts to sensitive species. If State or Federal sensitive species are found within the project site, the Applicant must immediately contact Skyler Anderson at the Central Valley Water Board's office.

If you have any questions regarding this Notice of Applicability, please contact Skyler Anderson, Environmental Scientist, at (916) 464-4849 or sanderson@waterboards.ca.gov.

*Fredrick Moss*

*for* Pamela Creedon  
Executive Officer

Enclosure: State Water Resources Control Board General 401 Water Quality Certification Order; 11 May 2007.

cc: (Electronic copy only)  
Bill Orme, State Water Resources Control Board, 401 Certification and Wetlands Unit Chief  
Dave Smith, Wetlands Section Chief (W-3), United States Environmental Protection Agency

