
Central Valley Regional Water Quality Control Board

29 April 2016

Elisa Sabatini
Yolo County
626 Court Street
Woodland, CA 95695

CERTIFIED MAIL
91 7199 9991 7035 8419 8377

***CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION; YOLO COUNTY, CACHE CREEK IMPROVEMENT PROGRAM PROJECT
(WDID#5A57CR00093), YOLO COUNTY***

This Order responds to the 20 September 2011 and revised 2 December 2013 applications submitted by Yolo County (Applicant) for the Water Quality Certification of the Cache Creek Improvement Program Project (Project). Yolo County proposes to conduct a 5-year channel stabilization and maintenance program which covers 14.5 miles of Cache Creek. Annually, the project will temporarily and permanently impact no more than 500 acres/5,280 linear feet of waters of the United States.

This Certification provides regulatory coverage for activities within Cache Creek related to the Project. The Applicant proposes to restore riparian and wetland habitats, remove vegetation and debris, stabilize the banks of the stream channel, and perform maintenance activities. Coverage under this Certification is for maintenance activities conducted within Cache Creek in Yolo County, as shown in Figure 1.

This Order serves as certification of the United States Army Corps of Engineers' Regional General Permit 58 (SPK-1995-00652) and Individual Permit under § 401 of the Clean Water Act, and a Waste Discharge Requirement under the Porter-Cologne Water Quality Control Act and State Water Board Order 2003-0017-DWQ.

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to § 13330 of the California Water Code and § 3867 of the California Code of Regulations.
2. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent

Certification application was filed pursuant to § 3855(b) of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. The validity of any non-denial Certification action shall be conditioned upon total payment of the full fee required under § 3860(c) of the California Code of Regulations.
4. This Certification is no longer valid if the project (as described) is modified, or coverage under § 404 of the Clean Water Act has expired.
5. All reports, notices, or other documents required by this Certification or requested by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) shall be signed by a person described below or by a duly authorized representative of that person.
 - (a) For a corporation: by a responsible corporate officer such as: 1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; 2) any other person who performs similar policy or decision-making functions for the corporation; or 3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (b) For a partnership or sole proprietorship: by a general partner or the proprietor.
 - (c) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.
6. Any person signing a document under Standard Condition number 5 shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

PROGRAMMATIC CERTIFICATION CONDITIONS:

In addition to the above standard conditions, the Applicant shall satisfy the following:

1. The Applicant must submit an Annual Notification of Proposed Projects by 15 February of each year. The Annual Notification of Proposed Projects shall include the following:

- (a) An Annual Notice of Intent (NOI) to enroll in and comply with the conditions of this Certification at least 60 days prior to initiating construction;
 - (b) A description of all activities planned for the year. Indicate the U.S. Army Corps of Engineer's Permit that authorized each activity;
 - (c) Individual project locations;
 - (d) The amount of excavation and fill proposed to waters of the United States for the Project in acreage, cubic yards, and/or linear feet, as appropriate;
 - (e) A description of all on-site mitigation (e.g., stabilization of disturbed surfaces, re-vegetation of disturbed surfaces, planting of riparian vegetation, etc.) for the proposed projects; and
2. Criteria for annual activities covered under this Certification:
 - a) the footprint of the channel stabilization and maintenance project activities shall not exceed 5,280 linear feet for any one year of channel stabilization and 500 acres for any one year of maintenance and restoration activities;
 - b) the footprint of the vegetation and debris removal, and riparian habitat and wetlands restoration and establishment, shall not exceed the Project area length of 14.5 miles, as depicted in Figure 1;
 - c) channel stabilization and maintenance activities will be mitigated at a ratio of at least 1:1 for all permanent and temporary impacts by performing onsite riparian and wetland restoration and establishment; and
 - d) no more than a total of 450,200 cubic yards of clean fill, or excavation activities during a one year term of the Certification.
 3. The Applicant shall obtain a separate Water Quality Certification for additional repair projects that are not identified in the Project Information Sheet of this Certification.
 4. The Applicant shall work with the Central Valley Water Board to obtain coverage under a Waste Discharge Requirement permit for dredging activities.
 5. The Central Valley Water Board staff will review the Annual Notification of Proposed Projects and evaluate whether it meets the project description in this Certification. If the Annual Notification of Proposed Projects meets the requirements, the Central Valley Water Board Executive Officer will issue a Notice of Applicability (NOA) within 90 days to provide coverage under this Certification. The Central Valley Water Board reserves the authority to request additional information or exclude any segments from coverage if it cannot determine that the work on the proposed segments is consistent with the impacts identified in the Project Information Sheet or is not sufficiently protective of water quality standards or beneficial uses. In such cases, the Central Valley Water Board Executive Officer will issue a Notice of Exclusion (NOE) within 90 days stating that the segment is not authorized or enrolled in this Certification. The Applicant must receive coverage under an NOA or an individual Water Quality Certification prior to in-water work.
 6. The Applicant shall annually submit the entire fee as required under § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations, with the Annual Notification of Proposed

Projects. The corresponding dredge and fill fees for the completed projects will be submitted with the Annual Notification of Proposed Projects.

TECHNICAL CERTIFICATION CONDITIONS:

In addition to the above standard conditions, the Applicant shall satisfy the following:

1. The Applicant shall notify the Central Valley Water Board in writing seven (7) days in advance of the start of any work within waters of the United States.
2. Except for activities permitted by the United States Army Corps of Engineers under § 404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. The Applicant shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of this Certification.
4. The Applicant shall perform surface water sampling¹:
 - a) when performing any in-water work;
 - b) in the event that project activities result in any materials reaching surface waters; or
 - c) when any activities result in the creation of a visible plume in surface waters.

The sampling requirements in Table 1 shall be conducted upstream out of the influence of the project, and 300 feet downstream of the work area. The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff.

Table 1:

Parameter	Unit	Type of Sample	Minimum Sampling Frequency	Required Analytical Test Method
Turbidity	NTU	Grab ⁽¹⁾	Every 4 hours during in-water work	(2, 4)
Settleable Material	mL/L	Grab ⁽¹⁾	Every 4 hours during in-water work	(2)
Visible construction related pollutants ⁽³⁾	Observations	Visual Inspections	Continuous throughout the construction period	—

⁽¹⁾ Grab samples shall not be collected at the same time each day to get a complete representation of variations in the receiving water.

¹ Sampling is not required in wetlands, where the entire wetland is being permanently filled; provided there is no outflow connecting the wetland to surface waters.

- (2) Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff.
- (3) Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.
- (4) A hand-held field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

Surface water sampling shall occur at mid-depth. A surface water monitoring report shall be submitted within two weeks of initiation of in-water construction, and every two weeks thereafter. In reporting the sampling data, the Applicant shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the project complies with Certification requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria below.

If no sampling is required, the Applicant shall submit a written statement stating, "No sampling was required" within two weeks of initiation of in-water construction, and every two weeks thereafter.

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised June 2015 (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Turbidity and settleable matter limits are based on water quality objectives contained in the Basin Plan and are part of this Certification as follows:
 - a) Activities shall not cause turbidity increases in surface water to exceed:
 - i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTUs;
 - ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs; and
 - v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTUs over background turbidity. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior approval of the Central Valley Water Board staff.

- b) Activities shall not cause settleable matter to exceed 0.1 mL/L in surface waters as measured in surface waters within 300 feet downstream of the project.
6. The Applicant shall maximize removal of mercury enriched sediment from the floodplain. Sediment removed from the channel or the settling basin must be placed outside of the floodplain so that it will not erode into the creek. The Applicant may relocate sediment within the channel if the sediment is used to enhance habitat and provides appropriate erosion controls.
7. The Applicant shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, or other water quality objectives are exceeded.
8. In-water work shall occur during periods of low flow (i.e. water is below the work area) and no precipitation.
9. Activities shall not cause visible oil, grease, or foam in the receiving water.
10. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Applicant must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.
11. The Applicant shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the project. The Plan must detail the project elements, construction equipment types and location, access and staging and construction sequence.
12. The Applicant shall develop performance criteria for on-site restoration that can be used to establish that habitats at impacted sites have recovered to approximate pre-project conditions (e.g., percent cover of disturbed surfaces with vegetation, percent survival of replanted riparian vegetation, etc.). Performance criteria shall be reported to the Central Valley Regional Water Board annually with the Annual Notification of Proposed Projects and up to five (5) years after Project completion to provide the status of on-site habitat restoration success.
13. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the United States through the entire duration of the project.

14. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the project area.
15. All areas disturbed by project activities shall be protected from washout and erosion.
16. All temporarily affected areas shall be restored to pre-construction contours and conditions upon completion of construction activities.
17. All materials resulting from the project shall be removed from the site and disposed of properly.
18. This Certification does not allow permanent water diversion of flow from the receiving water. This Certification is invalid if any water is permanently diverted as a part of the project.
19. If temporary surface water diversions and/or dewatering are anticipated, the Applicant shall develop and maintain on-site a Surface Water Diversion and/or Dewatering Plan(s). The Plan(s) must be developed prior to initiation of any water diversions. The Plan(s) shall include the proposed method and duration of diversion activities. The Plan(s) must be consistent with this Certification and must be made available to the Central Valley Water Board staff upon request.
20. When work in a flowing stream is unavoidable and any dam or other artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream, to maintain beneficial uses of waters of the State below the dam. Construction, dewatering, and removal of temporary cofferdams shall not violate Technical Certification Condition 5 of this Certification.
21. Any temporary dam or other artificial obstruction constructed shall only be built from clean materials such as sandbags, gravel bags, water dams, or clean/washed gravel which will cause little or no siltation. Stream flow shall be temporarily diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.
22. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete, asphalt, paint, coating material, drilling fluids, or other construction-related potentially hazardous substances to surface water and/or soil is prohibited. In the event of a prohibited discharge, the Applicant shall notify the Central Valley Water Board Contact within 24-hours of the discharge.
23. The Applicant shall apply for a name change or amendment to this Certification should any of the following occur: a) a change in the ownership of all or any portion of the Cache Creek Improvement Program Project; b) any change in the project description; c) any change involving discharge amounts, temporary impacts, or permanent impacts; or d) amendments, modifications, revisions, extensions, or changes to the United States Army Corps of Engineers' Regional General Permit 58 or Individual Permit, the United States Fish and

Wildlife Service decision document, or the California Department of Fish and Wildlife Streambed Alteration Agreement.

24. The Applicant shall submit a copy of the Biological Opinion to the Central Valley Water Board Contact within 14 days of issuance by the United States Fish and Wildlife Service. The Applicant shall comply with all United States Fish and Wildlife Service requirements, including those requirements described in the Biological Opinion.
25. The Applicant shall implement the United States Fish and Wildlife Conservation Guidelines for the Valley Elderberry Longhorn Beetle dated 9 July 1999.
26. The Applicant shall comply with all California Department of Fish and Wildlife requirements, including those requirements described in Streambed Alteration Agreement No. 1600-2014-0054-R3.
27. 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 for discharges to surface waters comprised of storm water associated with construction activity.
28. The Applicant shall work with the Central Valley Water to obtain coverage under Waste Discharge Requirements (WDRs) for excavation activities that result in discharges to land.
29. The Conditions in this Certification are based on the information in the attached "Project Information Sheet." If the actual project, as described in the attached Project Information Sheet, is modified or changed, this Certification is no longer valid until amended by the Central Valley Water Board.
30. The Applicant shall implement each of the mitigation measures specified in the certified Environmental Impact Report and Subsequent Environmental Impact Report for the project, as they pertain to biology, hydrology and water quality impacts as required by § 21081.6 of the Public Resource Code and § 15097 of the California Code of Regulations.
31. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. The applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with this Certification.
 - (a) If the Applicant or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Certification, or falsifies any information provided in the monitoring reports, the applicant is subject to civil liability, for each day of violation, and/or criminal liability.

- (b) In response to a suspected violation of any condition of this Certification, the Central Valley Water Board may require the Applicant to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- (c) The Applicant shall allow the staff of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the project premises for inspection, including taking photographs and securing copies of project-related records, for the purpose of assuring compliance with this Certification and determining the ecological success of the project.

NOTIFICATIONS AND REPORTS:

- 32. The Projects shall not proceed without a Notice of Applicability issued by the Central Valley Water Board.
- 33. The Applicant shall submit an Annual Summary of Activities for completed activities from the current calendar year to the Central Valley Water Board by 31 December of each year. The Annual Summary of Activities shall include the following:
 - (a) A complete description of the work conducted within waters of the United States, including the amount and type (in cubic yards) of material and the area (in acres) of excavated and/or fill material discharged in to waters of the United States, at each location;
 - (b) A list of all Best Management Practices implemented, and the methods of restoring all temporary construction areas;
 - (c) Any changes to the projects as they were described in the Annual Notification of Proposed Repair Projects;
 - (d) Any impacts that have exceed the original impacts and payment for all fill, excavation, and dredging activities not described in the Annual Notification of Proposed Projects;
 - (e) Any activities that were not completed and will be resumed during the next calendar year;
 - (f) The cumulative amount of material (in cubic yards) and area (in acres and, if applicable, linear feet) of material discharged into waters of the United States for all activities conducted under this Certification.
- 34. The Applicant shall provide a Notice of Completion (NOC) no later than 30 days after completion of each activity described in the Certification. The NOC shall demonstrate that

the project has been carried out in accordance with the project description in the Certification and in any approved amendments. The NOC shall include a map of the project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation.

35. The Applicant shall submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: centralvalleysacramento@waterboards.ca.gov. In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID number as shown in the subject line above. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

CENTRAL VALLEY WATER BOARD CONTACT:

Stephanie Tadlock, Environmental Scientist
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-8114
Stephanie.Tadlock@waterboards.ca.gov
(916) 464-4644

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Yolo County is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Cache Creek Improvement Program Project pursuant to § 21000 et seq. of the Public Resources Code. Yolo County certified the Environmental Impact Report on 26 August 1996. Yolo County filed a Notice of Determination with the Yolo County Clerk on 26 August 1996 (SCH No. 1996013004).

Yolo County certified a Subsequent Environmental Impact Report on 23 July 2002. Yolo County filed a Notice of Determination with the State Clearinghouse on 23 July 2002 (SCH No1996013004).

The Central Valley Water Board is a responsible agency for the project. Impact analysis was provided at a programmatic level though out the Environmental Impact Report and Subsequent Environmental Impact Report. The Central Valley Water Board has determined that the Environmental Impact Report and Subsequent Environmental Impact Report are in accordance with the requirements of the California Environmental Quality Act.

The Central Valley Water Board has reviewed and evaluated the impacts to water quality identified in the Environmental Impact Report and Subsequent Environmental Impact Report. The mitigation measures discussed in the Environmental Impact Report and Subsequent Environmental Impact Report to minimize project impacts to State waters are required by this Certification.

With regard to the remaining impacts identified in the Environmental Impact Report and Subsequent Environmental Impact Report the corresponding mitigation measures proposed are within the responsibility and jurisdiction of other public agencies.

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the Yolo County, Cache Creek Improvement Program Project (WDID#5A57CR00093) will comply with the applicable provisions of § 301 ("Effluent Limitations"), § 302 ("Water Quality Related Effluent Limitations"), § 303 ("Water Quality Standards and Implementation Plans"), § 306 ("National Standards of Performance"), and § 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. Through this Order, this discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)".

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in compliance with the conditions of this Certification, Yolo County's application package, and the attached Project Information Sheet; and b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised June 2015.

Original Signed by Adam Laputz for

Pamela C. Creedon
Executive Officer

Enclosure: Project Information Sheet

Attachments: Attachment A – Notice of Intent (NOI) Form for Regional General Permit (RGP) for the Development of the Cache Creek Improvement Program Project

Figure 1 – Project Location Map

cc: Distribution List, page 16

PROJECT INFORMATION SHEET

Application Date: 20 September 2011 and revised 2 December 2013

Applicant: Elisa Sabatini
County Administrators Office
626 Court Street
Woodland, CA 95695

Project Name: Cache Creek Improvement Program Project

Application Number: WDID#5A57CR00093

Date on Public Notice: 6 December 2013

Date Application Deemed Complete: 30 June 2015

Type of Project: Bank and Channel Modification - Channel Construction and Maintenance

Approved Months of Project Implementation: 15 April through 1 November

Project Location: Start: Latitude: 38°42'49.5936" N and Longitude: 122°5'5.6868" W
End: Latitude: 38°43'19.4262" N and Longitude: 122°48'28.731" W

County: Yolo County

Receiving Water(s) (hydrologic unit): Cache Creek, Sacramento Hydrologic Basin, Valley-American Hydrologic Unit #511.30, Lower Cache Creek HA

Water Body Type: Wetland, Streambed, Riparian

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised June 2015 (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Preservation of Biological Habitats of Special Significance (BIOL); Rare, Threatened, or Endangered Species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the beneficial uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml.

303(d) List of Water Quality Limited Segments: Cache Creek is the receiving water for the Cache Creek Improvement Program Project. Cache Creek, is on the 303(d) list for boron, mercury, and unknown toxicity. This project, as conditioned with mitigation measures to prevent transport of sediment due to project activities, will minimize impacts to Cache Creek. The most recent list of approved water quality limited segments is found at:
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

Project Description: The Cache Creek Improvement Program Project (Project) consists of a program that will implement the following annual activities: 1) bank stabilization and maintenance; 2) vegetation and debris removal; and 3) riparian and wetland habitat restoration and establishment. The Project will be conducted along a 14.5-mile section of Cache Creek between Capay Dam and Yolo. The Project is located in Cache Creek approximately 1.5 miles north of Esparto in Yolo County.

Bank Stabilization and Maintenance

Activities include placing rocks on the banks and channel to control erosion and redirect flow. Maintenance activities consist of excavating gravel and sediment from the channel and floodplain, and repairing the adjacent levees. Accumulated sediment deposits will be removed annually from the channel bar within the streambed. The accumulated material will be transported off-site where it is processed at state approved mining operations. Materials not suitable for sale may be stock piled at the mining operations and used for levee patches and berms on-site. The Applicant will work with Central Valley Water Board staff to ensure the applicable Waste Discharge Requirements, or other permits, are obtained prior to final discharge of accumulated materials.

Vegetation and Debris Removal

Project activities such as removing vegetation and debris, and restoring riparian habitat and wetlands will not exceed the Project area length of 14.5 miles, as depicted in Figure 1.

Riparian and Wetland Habitat Restoration

Restoration activities include soil discing, invasive species removal, planting of native species vegetation, and irrigation to help establish habitat areas within the Project area. The Cache Creek Conservancy performs an annual invasive species removal under contract with Yolo County. Between two and three new restoration sites will be identified annually for establishment and on-going maintenance activities. Each new restoration site will be approximately 20-100 acres in area.

Summary of Impacts

Valley elderberry longhorn beetle has been identified in the Project area. The Applicant shall implement the United States Fish and Wildlife Conservation Guidelines for the Valley Elderberry Longhorn Beetle dated 9 July 1999.

Dewatering will occur within the project area. No wet concrete will be placed below the ordinary high water mark. Work will be performed during dry conditions. Annual project activities will not exceed 450,200 cubic yards of clean fill and excavation activities. Annual permanent and

temporary impacts to waters of the United States will not exceed 500 acres/5,280 linear feet. The maximum total impacts authorized through this Order are 2,500 acres/26,400 linear feet of permanent and temporary impacts to waters of the United States.

Preliminary Water Quality Concerns: Construction activities may impact surface waters with increased turbidity and settleable matter.

Proposed Mitigation to Address Concerns: The Applicant will implement Best Management Practices to control sedimentation and erosion. The Applicant will conduct turbidity and settleable matter testing during in-water work, stopping work if Basin Plan criteria are exceeded or observations indicate an exceedance of a water quality objective. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities to provide 1:1 mitigation for temporary impacts.

Excavation/Fill Area: The approximate amount of fill of waters of the United States will be submitted with the Annual Notification of Proposed Projects.

The approximate amount of excavation from waters of the United States will be submitted with the Annual Notification of Proposed Projects.

The Annual Notification of Proposed Projects will include the volume of fill materials placed into waters of the United States at each site involving the discharge of material into waters of the United States.

Dredge Volume: None

United States Army Corps of Engineers File Number: SPK-1995-00652

United States Army Corps of Engineers Permit Type: Regional General Permit #58 and Individual Permit

California Department of Fish and Wildlife Lake or Streambed Alteration Agreement: 1600-2014-0054-R3

Possible Listed Species: Swainson's hawk, Bank swallow, Valley elderberry longhorn beetle, and Western red bat.

Status of CEQA Compliance: Yolo County is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Cache Creek Improvement Program Project pursuant to § 21000 et seq. of the Public Resources Code. Yolo County certified the Environmental Impact Report on 26 August 1996. Yolo County filed a Notice of Determination with the Yolo County Clerk on 26 August 1996 (SCH No. 1996013004).

Yolo County certified a Subsequent Environmental Impact Report on 23 July 2002. Yolo County filed a Notice of Determination with the State Clearinghouse on 23 July 2002 (SCH No1996013004).

The Central Valley Water Board will file a Notice of Determination with the State Clearinghouse within five (5) days of the date of this Certification.

Compensatory Mitigation: The Project has been identified as a regional restoration and erosion control Project at Cache Creek. The Central Valley Water Board is not requesting compensatory mitigation for the Project.

Application Fee Provided: Total fees of \$944.00 have been submitted to the Central Valley Water Board as required by § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations.

DISTRIBUTION LIST

Marc Fugler (SPK-1995-00652)
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1325 J Street, Room 1350
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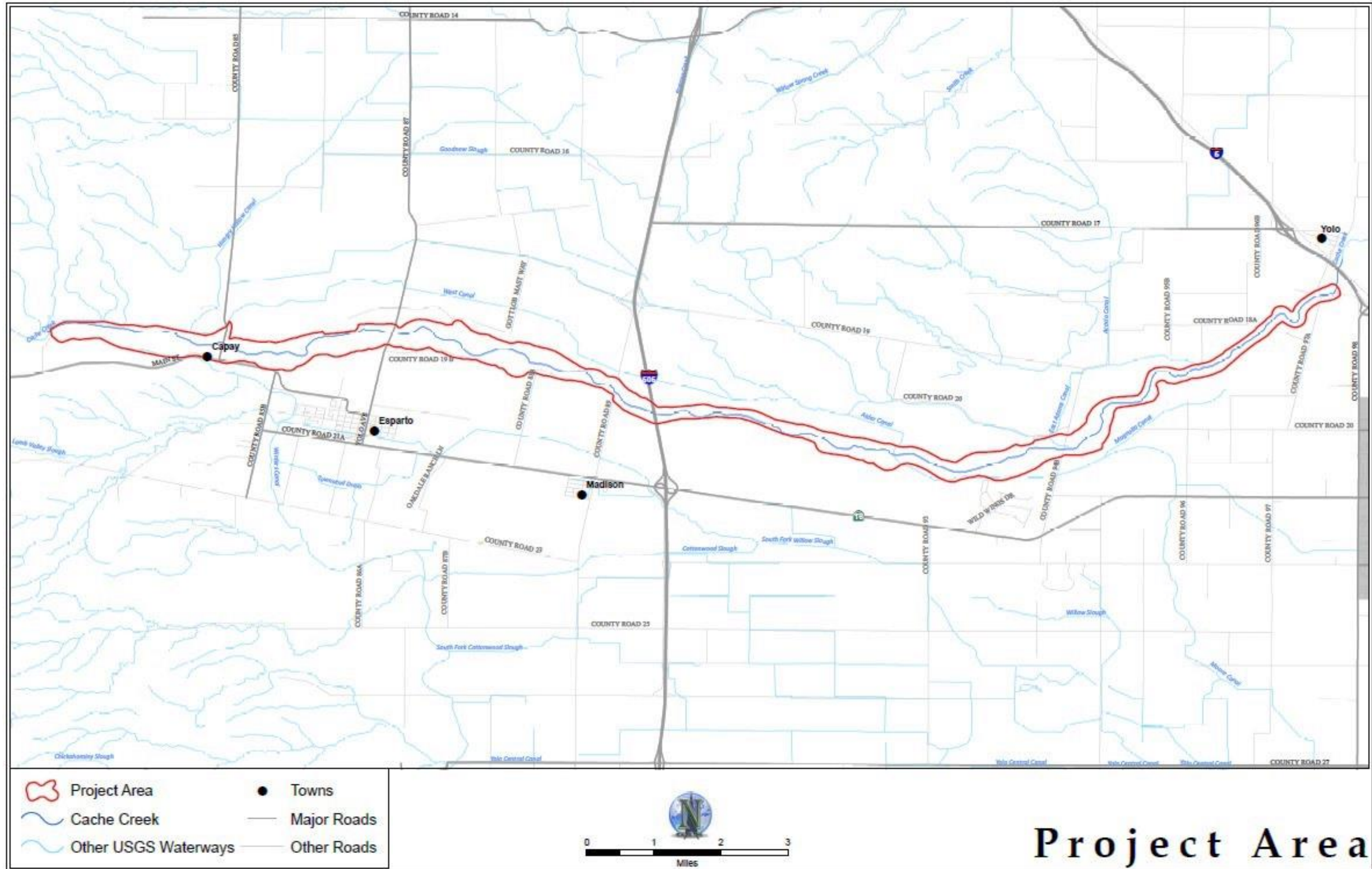


Figure 1 – Project Location Map