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## Central Valley Regional Water Quality Control Board

6 November 2018

Kevin Yarris  
Yolo County  
Department of General Services  
120 W. Main Street, Suite D  
Woodland, CA 95695

**CERTIFIED MAIL**  
91 7199 9991 7039 6992 9817

### **ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; YOLO COUNTY, KNIGHTS LANDING BOAT LAUNCH IMPROVEMENT PROJECT (WDID#5A57CR00091A1), YOLO COUNTY**

This Order responds to the 20 August 2018 request for an amendment of the Knights Landing Boat Launch Improvement Project (Project) Section 401 Water Quality Certification (WDID#5A57CR00091). The original Water Quality Certification (Certification) was issued on 15 August 2014. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

#### **AMENDMENT:**

Yolo County requested an amendment to identify an applicant representative, modify the impacts from the Project, update applicant contact information, update Central Valley Regional Water Quality Control Board contact information, United States Army Corps of Engineers (USACE) permit information, and clarify the Project scope of work.

The permanent impacts are reduced from 0.53 acre of jurisdictional wetlands and 0.21 acre of streambed impacts to 0.23 acre of jurisdictional wetlands and 0.009 acre of riparian impacts.

The Certification is amended as shown in underline/strikeout format in Attachment A.

#### **APPLICATION FEE RECEIVED:**

\$1,500.00 was received on 24 August 2018. The remaining application fee balance of \$1,552.00 based on total Project impacts was received on 24 August 2018.

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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

**CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:**

Greg Hendricks, Environmental Scientist  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-8114  
Greg.Hendricks@waterboards.ca.gov  
(916) 464-4709

**PUBLIC NOTICE:**

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 31 August 2018 to 14 September 2018. The Central Valley Water Board did not receive any comments during the comment period.

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Knights Landing Boat Launch Improvement Project (WDID#5A57CR00091A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

*Original Signed By Adam Laputz for:*

Patrick Pulupa  
Executive Officer

Attachment A: Amended Certification

Cc: Distribution List, page 3

**DISTRIBUTION LIST**

cc: [Via email only] (w/enclosure)

Nancy Haley (SPK-2009-01634)  
United States Army Corps of Engineers  
Sacramento District Headquarters  
Regulatory Division  
SPKRegulatoryMailbox@usace.army.mil

Sam Ziegler  
United States Environmental Protection Agency  
Ziegler.Sam@epa.gov

California Department of Fish and Wildlife, Region 2  
R2LSA@wildlife.ca.gov

CWA Section 401 WQC Program  
Division of Water Quality  
State Water Resources Control Board  
StateBoard401@waterboards.ca.gov

Wendy Fisher  
Live Oak Associates, Inc.  
wfisher@loainc.com

cc: (w/enclosure)

Bill Jennings  
CA Sportfishing Protection Alliance  
3536 Rainier Avenue  
Stockton, CA 95204



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## Central Valley Regional Water Quality Control Board

15 August 2014

~~Ms. Jennifer Santos~~ Kevin Yarris  
Yolo County General Services  
Facilities and Parks Department  
120 W. Main Street, Suite C  
Woodland, CA 95695

**CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY  
CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE  
KNIGHTS LANDING BOAT LAUNCH FACILITY RENOVATION PROJECT  
(WDID#5A57CR00091), KNIGHTS LANDING, YOLO COUNTY**

**ACTION:**

1.  Order for Standard Certification
2.  Order for Technically-conditioned Certification
3.  Order for Denial of Certification

**WATER QUALITY CERTIFICATION STANDARD CONDITIONS:**

1. This certification action 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 Title 23 of the California Code of Regulations (23 CCR).
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 23 CCR subsection 3855(b) 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 23 CCR §3833, unless otherwise stated in writing by the certifying agency.
4. Certification is valid for the duration of the described project. Yolo County shall notify the Central Valley Water Board in writing within 7 days of project completion.

**ADDITIONAL TECHNICALLY CONDITIONED CERTIFICATION CONDITIONS:**

In addition to the four standard conditions, Yolo County shall satisfy the following:

1. Yolo County shall notify the Central Valley Water Board in writing 7 days in advance of the start of any in-water activities.
2. Except for activities permitted by the U.S. Army Corps 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. All areas disturbed by project activities shall be protected from washout or erosion.
4. Yolo County 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.
5. An effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working during all phases of construction.
6. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.
7. Yolo County shall perform surface water sampling: 1) When performing any in-water work; 2) In the event that project activities result in any materials reaching surface waters or; 3) When any activities result in the creation of a visible plume in surface waters. The following monitoring shall be conducted immediately upstream out of the influence of the project and 300 feet downstream of the active work area. Sampling results shall be submitted to this office within two weeks of initiation of sampling and every two weeks thereafter. The sampling frequency may be modified for certain projects with written permission from the Central Valley Water Board.

Parameter	Unit	Type of Sample	Frequency of Sample
Turbidity	NTU	Grab	Every 4 hours during in water work
Settleable Material	ml/l	Grab	Same as above.
Visible construction related pollutants	Observations	Visible Inspections	Continuous throughout the construction period

8. Activities shall not cause turbidity increases in surface water to exceed:
- (a) where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
  - (b) where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
  - (c) where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
  - (d) where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
  - (e) 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 NTU over background turbidity as measured in surface waters 300 feet downstream from the working area. 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 assessed by prior permission of the Central Valley Water Board.

9. Activities shall not cause settleable matter to exceed 0.1 ml/l in surface waters as measured in surface waters 300 feet downstream from the project.
10. The discharge of petroleum products or other excavated materials to surface water is prohibited. Activities shall not cause visible oil, grease, or foam in the work area or downstream. Yolo County shall notify the Central Valley Water Board immediately of any spill of petroleum products or other organic or earthen materials.
11. Yolo County shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, oil/grease, or foam are exceeded.
12. Yolo County shall comply with all Department of Fish and Wildlife 1600 requirements for the project.
13. Yolo County must obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities issued by the State Water Resources Control Board for any project disturbing an area of 1 acre or greater.
14. The Conditions in this water quality certification are based on the information in the attached "Project Information." If the information in the attached Project Information is modified or the project changes, this water quality certification is no longer valid until amended by the Central Valley Water Board.
15. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under State law and section 401 (d) of the federal Clean Water Act. 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 into this Order.

- a. If Yolo County or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Order, or falsifies any information provided in the monitoring reports, the applicant is subject to civil monetary liabilities, for each day of violation, or criminal liability.
- b. In response to a suspected violation of any condition of this Order, the Central Valley Water Board may require Yolo County 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. Yolo County shall allow the staff(s) 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.

**ADDITIONAL STORM WATER QUALITY CONDITIONS:**

Yolo County shall also satisfy the following additional storm water quality conditions:

1. During the construction phase, Yolo County must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include the following:
  - (a) the Storm Water Pollution Prevention Plan (SWPPP) must be prepared during the project planning and design phases and before construction;
  - (b) an effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working prior to the rainy season and during all phases of construction.
2. Yolo County must minimize the short and long-term impacts on receiving water quality from the Knights Landing Boat Launch Facility Renovation Project by implementing the following post-construction storm water management practices:
  - (a) minimize the amount of impervious surface;
  - (b) reduce peak runoff flows;
  - (c) provide treatment BMPs to reduce pollutants in runoff;
  - (d) ensure existing waters of the State (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
  - (e) preserve and, where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
  - (f) limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
  - (g) use existing drainage master plans or studies to estimate increases in pollutant loads and flows resulting from projected future development and require incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;

- (h) identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/ sediment loss;
    - (i) control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.
3. Yolo County must ensure that all development within the project provides verification of maintenance provisions for post-construction structural and treatment control BMPs. Verification shall include one or more of the following, as applicable:
  - (a) the developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; or
  - (b) written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; or
  - (c) written text in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control BMPs; or
  - (d) any other legally enforceable agreement that assigns responsibility for storm water BMP maintenance.
4. Staff of the Central Valley Water Board has prepared total maximum daily load (TMDL) allocations that, once approved, would limit methylmercury in storm water discharges to the Sacramento-San Joaquin Delta. The Central Valley Water Board has scheduled these proposed allocations to be considered for adoption. When the Central Valley Water Board adopts the TMDL and once approved by the Environmental Protection Agency, the discharge of methylmercury may be limited from the proposed project. The purpose of this condition is to provide notice to Yolo County that methylmercury discharge limitations and monitoring requirements may apply to this project in the future and also to provide notice of the Central Valley Water Board's TMDL process and that elements of the planned construction may be subject to a TMDL allocation.

**REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

George D. Day, P.E., Redding Branch Office, 364 Knollcrest Drive, Suite 205, Redding, California 96002, (530) 224-4845

Greg Hendricks, Environmental Scientist, 11020 Sun Center Drive # 200, Rancho Cordova, CA 95670, (916) 464-4709

**WATER QUALITY CERTIFICATION:**

I hereby issue an order certifying that any discharge from Yolo County, Knights Landing Boat Launch Facility Renovation Project (WDID# 5A57CR00091) 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. 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

strict compliance with Yolo County's project description 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, Fourth Edition, revised October 2011 (Basin Plan).

Any person aggrieved by this action may petition the State Water Quality Control Board to review the action in accordance with California Water Code § 13320 and California Code of Regulations, title 23, § 2050 and following. The State Water Quality Control Board must receive the petition by 5:00 p.m., 30 days after the date of this action, except that if the thirtieth day following the date of this action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Quality Control Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.



(for) PAMELA C. CREEDON  
Executive Officer

GDD:lmw

Enclosure: Water Quality Order No. 2003-0017 DWQ

cc w/o Mr. Marc Fugler, U.S. Army Corp of Engineers, Sacramento  
enclosures: Department of Fish and Wildlife, Region 2, Rancho Cordova  
U.S. Fish and Wildlife Service, Sacramento  
Mr. Bill Jennings, CALSPA, Stockton

cc w/o U.S. EPA, Region 9, San Francisco  
enclosures Mr. Bill Orme, SWRCB, Certification Unit, Sacramento  
by email:

## PROJECT INFORMATION

**Application Date:** 3 August 2011

**Application Complete Date:** 14 August 2014

**Applicant:** Yolo County, Attn: ~~Ms. Jennifer Santos~~ Kevin Yarris

**Applicant Representatives:** A. A. Rich & Associates, Attn: Ms. Alice A. Rich

**Project Name:** Knights Landing Boat Launch Facility Renovation Project

**Application Number:** WDID No. 5A57CR00091

**U.S. Army Corps File Number:** SPK-2009-01634

**Type of Project:** Site improvements including providing a permanent restroom facility, ~~a fish cleaning station~~, onsite park host connection, additional parking, and improved picnic and shore fishing facilities for day use.

**Project Location:** Section 14, Township 11 North, Range 2 East, MDB&M.  
Latitude: 38°48'05" and Longitude: -121°43'25"

**County:** Yolo County

**Receiving Water(s) (hydrologic unit):** Sycamore Slough, which is tributary to Sacramento River. Colusa Basin Hydrologic Unit-Sycamore-Sutter Hydrologic Area No. 520.10

**Water Body Type:** Wetlands, ~~Streambed~~, Riparian

**Designated Beneficial Uses:** The Basin Plan for the Central Valley Water Board has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND), Hydropower Generation (POW); Groundwater Recharge, Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and /or Early Development (SPWN); and Wildlife Habitat (WILD).

**Project Description (purpose/goal):** The Knights Landing Boat Launch Facility Renovation Project consists of updating and reconfiguring the existing floating dock. The current floating dock (6' by 90' long including gangway) will be replaced with an 8' by 60' ~~floating dock~~ boarding float and 4'-6' by 12' gangway. The replacement dock will be moved from the downstream edge of the boating ramp to the middle of the boating ramp, approximately 15' downstream of its current location. The new boarding float will be installed with an anchor pin (no pilings), and pre-cast concrete will be extended under the new float. These modifications will accommodate higher boat traffic on the ramp, facilitate float maintenance during high flows and provide a safer environment for boaters.

~~Removal of the existing abandoned wooden pilings to the south of the boat ramp (part of an abandoned train track that crossed the slough) will occur by a diver and crane directly cutting~~

~~them off at the base and lifting them out of the water. This will effectively remove a major obstruction to boat traffic on the slough.~~ The wooden pilings that are currently on the northern side of the boat ramp and anchor the floating dock will be removed. A diver and crane will cut off these pilings at the base and lift them out of the water. The wooden pilings that are not underwater at the time of construction will be removed and backfilled.

The current 6' by 200' wide sidewalk on the northernmost side of the ramp will be replaced with reinforced concrete over an aggregate base to accommodate traffic wheel loads and widened by 2' along the length of the ramp ~~to accommodate the requirements from the Department of Boating and Waterways that the boarding float be 8'.~~ A new 8' wide The thickness of the concrete and aggregate base will each be six inches. ~~New side walkway will be installed as well as a in the center of the ramp divider leading to the gangway and boarding float to safely separate traffic on both sides of the ramp and create two lanes of use opportunity.~~

The upper stream bank will be set back from the water edge in areas where it is undercut. The upper portion of the stream bank will be re-vegetated with wilows valley oak and other native vegetation. The lower portion of the stream bank that approaches the ordinary high water mark will be stabilized with rip rap. The minimum rip rap required will be used for erosion protection, and the combination of rip rap and vegetation is expected to prevent erosion during normal high flows. The total length of the stream bank stabilization will be ~~less than 500'~~ approximately 275'. This ~~should~~ will not involve dewatering and will not affect water flows or channel the stream in any way. These changes should protect against wake erosion and provide habitat for wildlife. Additionally, rip rap will be placed along portions of both sides of the boat ramp and along the base of the ramp.

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

**Proposed Mitigation to Address Concerns:** Yolo County will implement Best Management Practices (BMPs) to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities. Yolo County will conduct turbidity and settleable matter testing during in-water work, stopping work if Basin Plan criteria are exceeded or are observed.

**Fill/Excavation Area:** Project implementation will permanently impact ~~0.53~~ 0.23 acre of jurisdictional wetlands and ~~0.24 acre of un-vegetated streambed.~~ 0.009 acre of riparian habitat.

**Dredge Volume:** Not Applicable

**U.S. Army Corps of Engineers Permit Number:** ~~Nationwide Permit #3 (Maintenance) & #13 (Bank Stabilization)~~ Nationwide Permit #36 (Boat Ramps)

**Department of Fish and Wildlife Streambed Alteration Agreement:** Yolo County applied for a Streambed Alteration Agreement on 5 April 2010. Lake & Streambed Alteration Agreement Number: 1600-2010-0056-R2

**Possible Listed Species:** Central Valley Chinook salmon, Central Valley steelhead, North American green sturgeon, and Sacramento splittail.

**Status of CEQA Compliance:** The Yolo County Board of Supervisors issued a final Notice of Determination approving a Negative Declaration on 24 March 2009 in compliance with Section 21108 or 21152 of the Public Resources Code, stating the project will not have a significant effect on the environment. Mitigation measures were not made a condition of approval. A

mitigation reporting or monitoring plan was not adopted for this project and a statement of Overriding Considerations was not adopted for this project. (State Clearinghouse Number 2006042146).

**Compensatory Mitigation:** Not Applicable

**Application Fee Provided:** On 4 August 2011 a certification application fee of \$640.00 was submitted as required by 23 CCR §3833b(3)(A) and by 23 CCR §2200(e). A remaining certification fee of \$5,865 was received on 10 April 2014 as required by 23 CCR §3833b(2)(A) and by 23 CCR § 2200(e).