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**Central Valley Regional Water Quality Control Board**

4 April 2017

Kevin Goishi  
Yuba County Water Agency  
1220 F Street  
Marysville, CA 95901-4740

CERTIFIED MAIL  
91 7199 9991 7035 8421 9683

***ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; YUBA COUNTY WATER AGENCY, LOG CABIN DIVERSION DAM AND OUR HOUSE DIVERSION DAM SEDIMENT MANAGEMENT PLAN PROJECT (WDID#5A58CR00113A1), YUBA, NEVADA, AND SIERRA COUNTIES***

This Order responds to the 29 March 2017 request for an amendment of the Log Cabin Diversion Dam and Our House Diversion Dam Sediment Management Plan Project (Project) section 401 Water Quality Certification (WDID#5A58CR00113). The original Water Quality Certification (Certification) was issued on 17 September 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:**

Yuba County Water Agency (YCWA) is requesting an amendment to allow emergency sediment removal at Our House Diversion Dam (Dam). Due to the January and February 2017 rainstorms, an unanticipated increase in transported sediment is blocking the Dam fish release and low level outlet valves. Valve opening exercises conducted under YCWA's Federal Energy Regulatory Commission Project Number 2246 Water Quality Certification, issued on 10 February 2016, were unable to clear the valves. Sediment continues to move downstream to the Dam and the outlet valves cannot operate in an emergency.

The amendment will allow YCWA to perform emergency sediment removal during an alternative timeframe authorized by the United States Army Corps of Engineers (SPK-2014-00703) or California Department of Fish and Wildlife (1600-2014-0163-R2).

The Project Information Sheet is amended as shown in underline format below:

**Approved Months of Project Implementation:** The work period for completing routine maintenance mechanical removal of sediment will be conducted during the period of 15 September through 30 November. The work period for completing emergency work to remove unanticipated sediment accumulation is

5 April 2017 through 30 April 2017, or as authorized by the United States Army Corps of Engineers or California Department of Fish and Wildlife.

**Project Description:** The Project is located at two diversion dams located on Yuba County Water Agency and National Forest System land within the Tahoe National Forest. The approximately 3.57-acre Log Cabin Diversion Dam and impoundment (Log Cabin) is located 1 mile west of Camptonville. The approximately 10.10-acre Our House Diversion Dam (Our House) is approximately 11 miles north of Nevada City. The Project is a component of the Yuba River Development Project, Federal Energy Regulatory Commission Project No. 2246. The Project involves sediment management activities located at Log Cabin and Our House.

#### Routine Maintenance

The Project consists of mechanical removal of accumulated sediments behind the dams of Log Cabin and Our House. The Applicant proposes to remove up to 100,000 cubic yards from both diversion dams over 5 years. The mechanical removal activities will temporarily impact approximately 1.47 acres within Log Cabin and 4.56 acres within Our House. The dredging activities will be conducted during low flow conditions. The dredged material may be temporarily placed within the area of disturbance prior to placing in trucks. All the dredged material will be transported to approved, upland disposal sites in accordance with General Waste Discharge Requirements for Maintenance Dredging Operations, Order No. R5-2009-0085-15.

The active controlled flow (inflows) into the impoundments will be temporarily diverted around areas of dredging activities. The temporary water diversions will be installed and maintained in accordance with conditions of this Certification. Equipment for the temporary water diversion at Log Cabin will temporarily impact 0.38 acre of lakebed.

#### Emergency Work

The January and February 2017 storm events created an unanticipated increase in sediment transported that is blocking the Our House fish release and low level outlet valves. The excess sediment behind Our House will need to be removed to ensure continued efficient operations. Approximately 250 cubic yards of excess sediment will be pumped through a 6-inch diameter hose and into a trash pump set-up, and disposed of as described in the Sediment Management Plan. No vegetation will be removed and no ground disturbing activities will be required. Lohman Ridge Tunnel will be regulated to achieve adequate spill over the diversion dam crest. Work to remove the unanticipated sediment will take approximately 14 days to complete.

The Sediment Management Plan prepared for proposed sediment management activities at Our House and Log Cabin included several methods of sediment removal. This Certification authorizes the mechanical removal and suction dredge emergency work of accumulated sediment behind the diversion dams. The sediment management method of sluicing is not authorized by this Certification.

The Applicant will conduct surface water quality monitoring for turbidity, settleable matter, and dissolved oxygen in accordance with the conditions of this Certification.

The Project will temporarily impact up to 6.41 acres of waters of the United States and remove up to 100,000 cubic yards of accumulated sediment.

**APPLICATION FEE RECEIVED:**

No fees were submitted for this amendment. Total fees of \$22,217.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by section 3833 (b)(3)(A) and by section 2200(a)(3) of the California Code of Regulations.

**CENTRAL VALLEY WATER BOARD CONTACT:**

Stephanie Tadlock, Environmental Scientist  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-8114  
Stephanie.Tadlock@waterboards.ca.gov  
(916) 464-4644

**PUBLIC NOTICE:**

Due to the emergency nature of this Project, the Central Valley Water Board is providing public notice of this Amendment concurrently with the approval of the amendment pursuant to California Code of Regulations, title 23, section 3858.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

Yuba County Water Agency approved the Mitigated Negative Declaration on 2 September 2014. Yuba County Water Agency filed a Notice of Determination with the State Clearinghouse on 4 September 2014 (State Clearinghouse Number 2014072043).

The Central Valley Water Board has determined that the removal of unanticipated sediment accumulation from 5 April 2017 through 30 April 2017 meets the Statutory Exemption, under Section 15269(b) of the California Code of Regulations, which exempts the emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to public health, safety, or welfare, and Section 15269(c) of the California Code of Regulations, which exempts specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term.

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

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Log Cabin Diversion Dam and Our House Diversion Dam Sediment Management Plan Project (WDID#5A58CR00113A1). 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 Andrew Altevogt for*

Pamela C. Creedon  
Executive Officer

cc: Distribution List, page 5

### **DISTRIBUTION LIST**

Matthew Roberts (SPK-2014-00703)  
United States Army Corps of Engineers  
Sacramento District Headquarters  
310 Hemsted, Suite 310  
Redding, CA 96002-0935

Tanya Sheya (Electronic Copy Only)  
1600-2014-0163-R2  
Department of Fish and Wildlife  
R2LSA@wildlife.ca.gov

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

Bill Orme (Electronic copy only)  
State Water Resources Control Board  
StateBoard401@waterboards.ca.gov

Joe Morgan (Electronic copy only)  
United States Environmental Protection Agency  
Morgan.Joseph@epa.gov

Robin Kent (Electronic copy only)  
HDR Engineering Inc.  
Robin.Kent@hdrinc.com