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**Central Valley Regional Water Quality Control Board**

31 July 2017

Jacob McQuirk, P.E.  
Department of Water Resources  
1416 Ninth Street, Room 215-23  
Sacramento, CA 95814-0001

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***ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; DEPARTMENT OF WATER RESOURCES, SOUTH DELTA TEMPORARY BARRIERS PROJECT (WDID#5B39CR00191A2), SAN JOAQUIN COUNTY***

This Order responds to the 28 July 2017 request for a second amendment of the South Delta Temporary Barriers Project (2011-2016) Section 401 Water Quality Certification (WDID#5B39CR00191). The original Water Quality Certification (Certification) was issued on 6 May 2011 and amended on 6 March 2012 (WDID#5B39CR00191A1). The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

**AMENDMENT:**

The original Certification authorized annual construction, operation, and removal of the South Delta Temporary Barriers Project from 2011 until 2016. The Department of Water Resources is requesting an amendment to extend authorization of the installation, operation, and removal of the temporary barriers until 31 December 2017 or until a new certification is issued for the South Delta Temporary Barriers Project. The time extension will allow for authorization of water quality impacts to expire in concurrence with United States Army Corps of Engineers Individual Permits Number SPK-2000-00696 and SPK-2001-00121.

The Certification is amended as shown in underline/strikeout format below:

***CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE SOUTH DELTA TEMPORARY BARRIERS PROJECT (~~2011-2016~~) (WDID#5B39CR00191), SAN JOAQUIN COUNTY***

[...]

4. This Certification is valid for the duration of the described project. This Certification is no longer valid if the project (as currently described) is modified, or coverage under Section 404 of the Clean Water Act has expired. **This Certification expires on 31 December 2017.**

[...]

#### **WATER QUALITY CERTIFICATION:**

I hereby issue an Order certifying that any discharge from the Department of Water Resources, South Delta Temporary Barriers Project (~~2011-2016~~) (WDID#5B39CR00191) 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)".

[...]

The Project Information Sheet is amended in underline/strikeout format below:

**Project Name:** South Delta Temporary Barriers Project (~~2011-2016~~)

**Approximate Timeframe of Project Implementation:** ~~2011 to 2016~~ The water flow control structures are typically installed during March or April of each year, and are typically removed during October or November of each year each year. Installation of the fish control structure typically occurs twice a year. It is installed for the first time in April and removed in June, and it is installed again in September and removed in November or December. On the occasions when the optional non-physical barrier is installed, installation would occur prior to April and removal would occur around June.

[...]

**Project Description (purpose/goal):** The South Delta Temporary Barriers Project (~~2011-2016~~) consists of continued seasonal installation of up to three water flow control structures and one fish control structure in the Delta. These structures have been installed annually since 1991. The water flow control structures are typically installed during March or April of each year, and are typically removed during October or November of each year. Installation of the fish control structure typically occurs twice a year. It is installed for the first time in April and removed in June, and it is installed again in September and removed in November or December. The installation of all barriers is expected to continue on an annual basis until ~~2016 or until~~ permanent control structures are authorized

and constructed. The project's purpose is to provide adequate agricultural water supply in terms of quality and quantity to meet the responsible and beneficial needs of water users in the Delta. Additionally, this project may help keep fish that are migrating within the San Joaquin River, from making a wrong turn at Old River and entering the interior of the Delta. Fish that enter the interior of the Delta are vulnerable to harm (injury or death) caused by State and Federal water export facilities, and are subject to maze like conditions which can delay or obstruct migrations.

[...]

#### **APPLICATION FEE RECEIVED**

No fees are required for this amendment. Total fees of \$4,575.00 for the original Certification were submitted to the Central Valley Water Board as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.

#### **CENTRAL VALLEY WATER BOARD CONTACT:**

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#### **WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the South Delta Temporary Barriers Project (WDID#5B39CR00191A2). 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:*

Pamela C. Creedon  
Executive Officer

cc: Distribution List, page 4

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