



Central Valley Regional Water Quality Control Board

25 May 2018

Jason Smith
Teichert Materials
3500 American River Drive
Sacramento, CA 95864

CERTIFIED MAIL
91 7199 9991 7035 8362 6789

ORDER AMENDING NOTICE OF APPLICABILITY; WATER QUALITY ORDER 2004-0004-DWQ GENERAL WASTE DISCHARGE REQUIREMENTS; TEICHERT AGGREGATES, VERNALIS AGGREGATE EXPANSION PROJECT (WDID#5B39CR00207A1), SAN JOAQUIN COUNTY

This Order responds to the 21 December 2017 request for an amendment of the Vernalis Aggregate Expansion Project (Project) Section 401 Water Quality Certification (5B39CR00207). The original Water Quality Certification (Certification) was issued on 11 February 2012. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

Teichert Aggregates is requesting an amendment to the existing 401 Water Quality Certification. The amendment request includes a change to the Project description to allow for a temporary crossing to remain in place until Project completion, replacing a five-year timeframe.

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

APPLICATION FEE RECEIVED:

A \$200.00 fee for this amendment was received on 21 December 2017. Total fees of \$114.00 for the original Certification were received on 30 November 2011. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3), as was calculated as category F - General Orders for CEQA Exempt Projects (fee code 19) with the dredge and fill fee calculator.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

Nicholas White, Water Resource Control Engineer
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-8114
Nicholas.White@waterboards.ca.gov
(916) 464-4856

PUBLIC NOTICE:

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 5 January 2018 to 26 January 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 Vernalis Aggregate Expansion Project (WDID#5B39CR00207A1). 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, Incoming Executive Officer for
Pamela C. Creedon, Executive Officer

Enclosure: Attachment A: Notice of Applicability; Water Quality Order 2004-0004-DWQ General Waste Discharge Requirements; Teichert Aggregates, Vernalis Aggregate Expansion Project (WDID#5B39NC00207), San Joaquin County

Distribution List, page 3

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

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

cc: (w/enclosure)

Bill Jennings
CA Sportfishing Protection Alliance
3536 Rainier Avenue
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California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Matthew Rodriguez
Secretary for
Environmental Protection

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114
(916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.
Governor

17 February 2012

Attachment A

John Lane
Teichert Materials
3500 American River Drive
Sacramento, CA 95864

CERTIFIED MAIL
7010 3090 0000 5045 1029

NOTICE OF APPLICABILITY; WATER QUALITY ORDER 2004-0004-DWQ GENERAL WASTE DISCHARGE REQUIREMENTS; TEICHERT AGGREGATES, VERNALIS AGGREGATE EXPANSION PROJECT (WDID#5B39NC00207), SAN JOAQUIN COUNTY

On 28 December 2011, Teichert Aggregates filed a notification requesting coverage under the 4 May 2004 State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ, *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the United States Army Corps of Engineers to be Outside of Federal Jurisdiction* (Order), for the above referenced project. After review of the notification and the supplemental material submitted by ECORP Consulting, Inc., the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the project qualifies for enrollment under this Order. The proposed activity will take place within 0.02 acre of waters of the State.

To comply with state law, this project may proceed as described in the Notice of Intent and supplemental project information submitted to the Central Valley Water Board by the Applicant, and in accordance with the conditions in the Order.

A copy of the Order is enclosed. You can also find the Order on the State Water Resources Control Board's website at:

http://www.swrcb.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

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

PROJECT DESCRIPTION

The 0.03-acre Vernalis Aggregate Expansion Project consists of the construction of a temporary bridge across Lone Tree Creek. Construction of the temporary bridge will include the installation of three, 24-inch diameter, 54-foot long corrugated metal pipes within Lone Tree Creek. Approximately 450 cubic yards of clean aggregate and compacted clean soil will be placed around and over the pipeline structures to create the temporary bridge.

California Environmental Protection Agency



The temporary bridge will remain in place ~~for no more than five years from the date of this Notice of Applicability~~ until Project completion. All materials resulting from removal or installation of the three culverts and temporary bridge will be removed from the site and disposed of properly. All areas temporarily disturbed during the removal or installation of the three culverts and temporary bridge will be restored to pre-project conditions.

The project is located at 26314 Bird Road, in Tracy, San Joaquin County, at Teichert Material's Thoming 3 Property. The project is being completed for the Teichert Aggregates. In-stream construction work will occur during periods of low flow and no precipitation.

The Vernalis Aggregate Expansion Project will result in approximately 0.02 acre of temporary impacts to waters of the United States.

PROJECT TIMING

The project will take place within five years of the date of this Notice of Applicability.

PROJECT LOCATION

Section 31, Township 3 South, Range 6 East, MDB&M.

Latitude: 37°43'12.288"N and Longitude: 121°21'47.9154"W

CONDITIONS OF APPROVAL

1. Teichert Aggregates must comply with the requirements specified in the Order.
2. Teichert Aggregates must comply with all other state and federal laws that apply to this project.
3. Upon completion of the project, Teichert Aggregates must submit a Notice of Termination within 30 days of project completion requesting to be relieved of the requirements of the Order with the Central Valley Water Board Contact indicated in this Notice of Applicability.
4. Teichert Aggregates must implement the mitigation and minimization measures that were proposed in the 28 December 2011 notification and in the supplemental material submitted by Teichert Aggregates.

These measures include actions that are designed to avoid impacts to state or federal listed sensitive species, including, but not limited to those actions described in the Department of Fish and Game's Streambed Alteration Agreement Notification No. 1600-2011-0408-R3;

If state or federal listed sensitive species are found within the project site, Teichert Aggregates must immediately notify the Central Valley Water Board Contact indicated in this Notice of Applicability.

5. Failure to comply with the requirements of the Order and the conditions of this Notice of Applicability may result in an enforcement action taken by the Central Valley Water Board.

If you have any questions regarding this Notice of Applicability, please contact Genevieve (Gen) Sparks, Environmental Scientist, at 916-464-4745 or gsparks@waterboards.ca.gov.

Pamela C. Creedon
Executive Officer

Enclosure: State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ

cc: see Distribution List, page 4

DISTRIBUTION LIST

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(Electronic copy only) Bill Orme
State Water Resources Control Board
401 Certification and Wetlands Unit Chief

(Electronic copy only) Dave Smith
Wetlands Section Chief (W-3)
United States Environmental Protection Agency

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