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Central Valley Regional Water Quality Control Board

6 October 2016

Nathan Houx
City of Modesto
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ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; CITY OF MODESTO, TUOLUMNE RIVER REGIONAL PARK GATEWAY PARCEL PHASE 2 PROJECT (WDID#5B50CR00073A1), STANISLAUS COUNTY

This Order responds to the 13 July 2016 request for an amendment of the Tuolumne River Regional Park Gateway Parcel Phase 2 Project section 401 Water Quality Certification (WDID#5B50CR00073). The original Water Quality Certification (Certification) was issued on 22 April 2016. 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 City of Modesto is requesting to add additional work to the project description. The additional work includes constructing new sanitary sewer facilities, a maintenance driveway, and security fencing to protect the public utility. This additional work will not impact waters of the United States.

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

Project Description: The Tuolumne River Regional Park Gateway Parcel Phase 2 Project (Project) is located between the Tuolumne River, State Route 99, and Tuolumne Boulevard, within the City of Modesto in Stanislaus County (see Figure 1). A 401 Water Quality Certification was issued on 20 July 2006 (WDID#5B50CR00029) and amended on 2 October 2007 (WDID 5B50CR00029A) for Phase 1. Phase 2 of the Project consists of constructing a Riverwalk Trail system with 12-foot wide pervious pavement with an adjacent 4-foot wide decomposed granite trail. In addition, a backwater channel will be created to collect local runoff from the site and provide aquatic habitat during high river flows. A portion of the site will be graded to create a maximum 200-foot-wide (at the widest point), 625-foot-long channel extending from the Tuolumne River up onto the Phase 2 Project site. A fish terrace between the river and backwater channel will allow for unimpeded movement between the Tuolumne River and the channel. The channel

will have a maximum depth of 10-11 feet at its deepest point. The north bank of the Tuolumne River will be altered by grading and reducing the existing bank by approximately 16 feet within the footprint of the created backwater channel, in order to allow seasonal high water flows to enter the backwater channel to support wetland habitat. A pre-fabricated steel plank bridge, 15-feet wide and 100-feet long, will be constructed over the mouth of the backwater channel as part of the trail system.

The City of Modesto will construct new sanitary sewer facilities, a maintenance driveway, and security fencing to protect the public utility.

Impacts to 0.03 acre/120 linear feet of waters of the United States are from the work conducted on the north bank of the Tuolumne River (e.g., construction of the backwater channel). All other project activities will not impact waters of the United States.

No dewatering will occur within the Project area. No wet concrete will be placed into the Tuolumne River. The Project will permanently impact 0.03 acre/120 linear feet of waters of the United States.

APPLICATION FEE RECEIVED:

No fees were submitted for this amendment. Total fees of \$600.00 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:

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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 Tuolumne River Regional Parkway Parcel Phase 2 Project (WDID#5B50CR00073A1). 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 3

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