
Central Valley Regional Water Quality Control Board

28 August 2025

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NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR SACRAMENTO MUNICIPAL UTILITY DISTRICT, ICE HOUSE SPILLWAY INTAKE STRUCTURE DEBRIS REMOVAL PROJECT, (WDID#5A09CR00136Y7), EL DORADO COUNTY

On 9 July 2025, the Sacramento Municipal Utility District (Permittee or SMUD) filed a notification requesting coverage under the 2018 UARP Maintenance Activities Project (Project) Notice of Applicability for the General Section 401 Water Quality Certification Order Requirements (NOA) (WDID#5A09CR00136), dated 27 July 2018. After review of the notification and the supplemental material submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that Ice House Spillway Intake Structure Debris Removal Project (Project) qualifies for enrollment under this Programmatic Certification. The proposed activity will take place within approximately 0.50 acre of waters of the United States.

The Central Valley Water Board is certifying this Project under the Programmatic Certification, subject to the conditions and the notification requirements described in the Programmatic Certification. This Notice of Applicability is being issued under the Programmatic Certification pursuant to section 3838 of the California Code of Regulations.

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and the Programmatic Certification. The Project is described in the notification form requesting coverage under the Programmatic Certification, dated 9 July 2025, and supplementary information (Application Package). If the Project is modified from that described in the Application Package, then coverage under the Programmatic Certification is no longer valid.

PROJECT LOCATION:

The Project activities will occur on the east side of Ice House Dam.

Section 8, Township 11 North, Range 15 East, MDB&M.

Latitude: 38° 49' 24.95" and Longitude: -120° 21' 30.95"

PROJECT DESCRIPTION:

The Project consists of removing up to 500 cubic yards of loose decomposed granite to restore the hydraulic capacity of the spillway. Actual cut volume to be removed is expected to be much less since the working estimate does not account for depth to exposed bedrock. Bedrock will be left in place and not removed. Project area temporary impacts (site access and staging area) are estimated to be 0.5acre. The work area (work area) is estimated to be up to 0.25 acre. The potential placement area is estimated to be up to 0.25 acre. Total impacts are less than 1 acre. An existing staging area that will be used for equipment during the project is located between Ice House Dam and the spillway control structure. An excavator will load material into haul trucks to be relocated away from the intake structure. Material and equipment will be mobilized to the site from SMUD Fresh Pond to the Project via Ice House Road to Wrights Lake Road.

The temporary impacts to waters of the U.S. is approximately 0.50 acre. There will be no permanent impacts, all dredged materials will be removed and place outside of waters of the U.S. within the Permittee's fee title lands.

The Permittee received a renewed Federal Energy Regulatory Commission (FERC) license on 23 July 2014 that requires minor construction and modification that may impact wetlands and waters of the United States. This Certification provides coverage to the Permittee for the following maintenance activities related to the Project considered unrelated to the FERC license issued to the Permittee:

- Water quality monitoring for turbidity, temperature, pH, and visual observations will be performed consistent with the methodology outlined in SMUD's Programmatic 401 Water Quality Certification (WDID#5A09CR00136A1). Any fish trapped in the tailrace during dewatering will be removed and place downstream by a qualified biologist.
- To obtain coverage under this Certification, the Applicant must submit a Notice of Intent (NOI) (Attachment A), at least 90 days prior to initiating construction. Specific dimensions and volumes, impacts to waters of the United States, and the mitigation for those impacts are required to be provided with each NOI. Central Valley Water Board staff will review the NOI and evaluate whether it meets the Project description in this Certification. If the NOI meets the requirements, Central Valley Water Board staff will issue a NOA within 90 days to provide coverage under this Certification. The Applicant cannot start in-water work until an NOA is issued.

The Central Valley Water Board reserves the authority to request additional information or exclude any work from coverage if it cannot determine that the work is not sufficiently protective of water quality standards or beneficial uses. In such cases, the Central Valley

Water Board Executive Officer will issue a Notice of Exclusion (NOE) within 90 days stating that the segment is not authorized or enrolled in this Certification. Valley elderberry longhorn beetle has been identified in the maintenance area. The Applicant shall implement the United States Fish and Wildlife Conservation Guidelines for the Valley Elderberry Longhorn Beetle dated 9 July 1999. Maintenance activities will temporarily impact 0.50 acres of waters of the United States.

APPROXIMATE TIMEFRAME OF PROJECT IMPLEMENTATION:

November 2025-December 2025

APPLICATION FEE RECEIVED:

An application fee of \$4,212.00 was received on 16 July 2025. \$14,560.00 was received 6 August 2025. The total fee is \$18,772.00. 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 authorized by a Water Board General Order (fee code 84) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Sara Gevorgyan, Environmental Scientist, at (916) 464-4710 or Sara.Gevorgyan@waterboards.ca.gov.

Original Signed by Anne Walter for:
Patrick Pulupa
Executive Officer

Enclosure: 2018 UARP Maintenance Activities Project (Project) General Section 401
Water Quality Certification Order Requirements (WDID#5A09CR00136) dated
27 July 2018

Attachments: Figure 1 – Project Location Map

cc: Distribution List, page 4

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Figure 1: Project Location Map

