



Central Valley Regional Water Quality Control Board

9 October 2019

Darlene Bray
CEMEX Construction Pacific, LLC
10100 Katy Freeway
Houston, TX 77043

CERTIFIED MAIL
7019 0700 0002 0112 1238

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE CEMEX CONSTRUCTION PACIFIC, LLC, CEMEX EMERGENCY WHARF REMOVAL PROJECT (WDID#5A57CR00183), YOLO COUNTY

On 18 September 2019, CEMEX Construction Pacific, LLC (Applicant) filed a notification requesting coverage under the 9 October 2018 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of the United States Army Corps of Engineers (USACE) Regional General Permit 8 (General Certification Order) for the CEMEX Emergency Wharf Removal Project (Project). 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 the Project qualifies for enrollment under this General Certification Order. The proposed activity is taking place within less than 0.17 acre/160 linear feet of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Regional General Permit 8, Emergency Repair and Protection Activities, subject to the conditions and the notification requirements described in the Nationwide Permit ("Special Conditions"). This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/rgp8_cert.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/rgp8_cert.pdf) can be found on the State Water Resources Control Board's General Orders webpage and is attached.

The Project is being conducted in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the notification form requesting coverage under the General Certification Order, dated 9 October 2018, and supplementary information (Application Package). Coverage under

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:

The Project consists removing a storm drain pipe, dock, 12 concrete piles, 36 wood piles, sunken boat, and retaining walls from stream channel habitat. To remove the dock and piles, a catchment system was implemented to ensure construction debris will not discharge into stream channel habitat. In-water piles will be cut below the mudline. After removing the storm drain pipe, the levee slope will be backfilled with clean soil, compacted, and regraded to natural contours. Additionally, after removing the dock and retaining walls, the levee slope will be regraded to natural contours.

The Project will temporarily impact less than 0.17 acre/160 linear feet of waters of the United States. Temporarily impacted areas will be regraded to match existing contours. The Project will result in a beneficial gain of approximately 0.07 acre of stream channel habitat

PROJECT LOCATION:

The Project is located adjacent to 1501 South River Road in West Sacramento, along the right bank of the Sacramento River, just south of the Interstate-80 bridge.

Section 02, Township 08 North, Range 04 East, MDB&M

Latitude: 38.570943° N and Longitude: 121.517664° W

PROJECT SCHEDULE:

The Project started construction on 16 September 2019 and will continue until 28 October 2019.

APPLICATION FEE RECEIVED:

An application fee of \$1,638.00 was received on 26 September 2019.

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 G - Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Jordan Hensley at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.

Original Signed By James Marshall For:

Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Location Map

Enclosure: Water Quality Order No. 2018-0025-EXEC Clean Water Act Section 401

Water Quality Certification and Order

cc: Distribution List, page 4

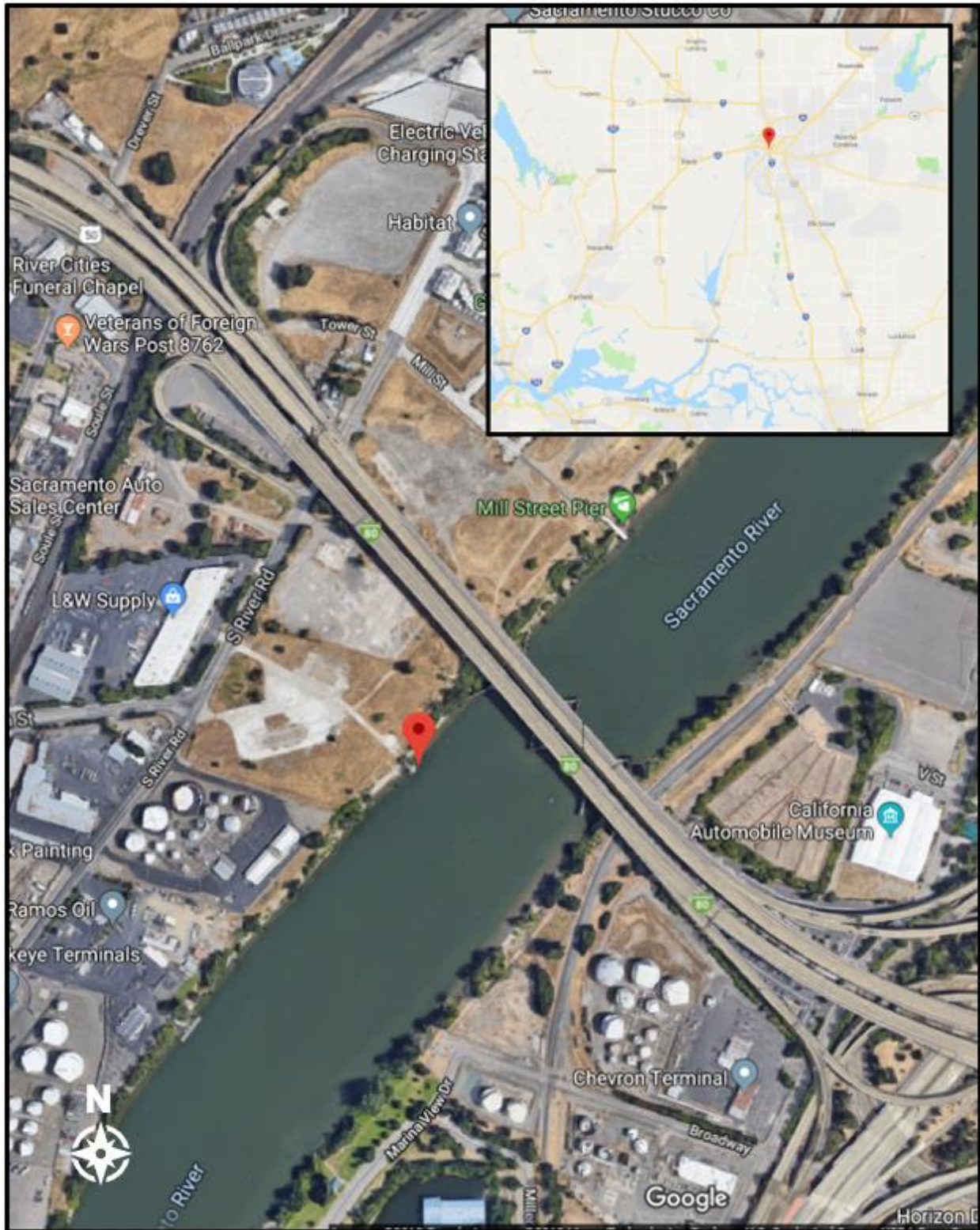


Figure 1 – Project Location Map

DISTRIBUTION LIST

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