23 March 2026

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NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE YUBA COUNTY WATER AGENCY, COLGATE POWERHOUSE PENSTOCK FAILURE EMERGENCY RESPONSE PROJECT (WDID#5A58CR00211), YUBA COUNTY

On 18 March 2026, the Yuba County Water Agency (Applicant) filed a notification requesting coverage under the 1 August 2023 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 (WQ 2023-0061-DWQ) (General Certification Order) for the Colgate Powerhouse Penstock Failure Emergency Response 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 will take place within 2.2 acres 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/2023/rgp-8-certification-mainbody.pdf) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

The Project must proceed 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 18 March 2026, and supplementary information (Application Package). Coverage under

the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:
The 320-acre Colgate Powerhouse Penstock Failure Emergency Response Project (Project) consists of activities to repair damage that occurred due to a pipe rupture.

On 13 February 2026, a failure of the Colgate penstock pipe, carrying water from New Bullards Bar Reservoir to the mainstem of the Yuba River, occurred. The penstock rupture occurred on a ridge adjacent to the Yuba River, directly upstream of Dobbins Creek. The failure took place roughly 800 feet above the Yuba River and the New Colgate Powerhouse. The released water traveled downslope through and around two unnamed drainages-one on the west slope and one on the east slope of the ridge.

An estimated 400-acre-feet of water was released during the event, mobilizing approximately 265,000 cubic yards of hillside sediment. The resulting flow destroyed multiple outbuildings and damaged existing infrastructure, including roads, culverts, and storm drains. Additional infrastructure-such as the switchyard, powerhouse, associated equipment, and the work yard-was buried under roughly 15 feet of sediment.

Construction to repair the damage will include mechanical dredging below the ordinary high-water mark (OHWM) of the Yuba River (elevation 553 feet above sea level). Approximately 2.2- acre of temporary impact is anticipated. Dredging will remove accumulated sediment and debris to restore the incident area to the original river grade, which ranges from approximately elevation 552.5 feet to 448 feet above sea level.

Additional emergency response actions will occur in areas outside the Yuba River's OHWM. These activities include work in areas necessary for emergency dredging and sediment removal:

- Removal of sediment from ephemeral stream channels
- On-site and off-site sediment disposal
- Road repair, replacement, and buttressing
- Drainage and hillside stabilization
- Debris removal
- Slope stabilization and repair
- Culvert and storm drain repair or replacement
- Erosion control implementation
- Utility infrastructure repair or replacement
- Site restoration activities

Most dredged material will be placed above the OHWM at multiple Yuba County Water Agency–owned locations within the project area (see Figure 1). Approximately 0.25 acre of dredged material will be reused to construct temporary access roads/ramps within the OHWM of the Yuba River to facilitate safe dredging operations. Debris to be removed consists primarily of fine sediment, gravel, boulders, miscellaneous maintenance equipment, a single automobile, various steel structures, and associated materials.

The Project will temporarily impact 2.2 acres of waters of the United States.

ADDITIONAL CONDITIONS:
The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

In addition, the following best management practices (BMPs) will be adhered to:

- Install and maintain erosion and sediment controls as needed (e.g., silt fences, fiber rolls, coir wattles, erosion control blankets, sediment settling basins, stabilized entrances).
- Erosion control devices shall be biodegradable in areas where soil, trenching spoils and casting, and sediment runoff from work areas threatens to enter receiving waters.
- Install erosion control structures along skid trails and tractor roads and other applicable work areas prior to the end of the day if the U.S. Weather Service forecast shows a 30% or more chance of rain before the next day, and prior to weekend or other shutdown periods.
- Inspect sediment and erosion control BMPs before and after rain events and repair, upgrade, and maintain BMPs to prevent sediment-laden runoff. Maintenance can include:
    - Checking for trapped or entangled fish and wildlife;
    - Removal of accumulated sediment; and
    - Replacement of damaged erosion control devices.
- Do not use materials in the sediment barriers that could pose entanglement risk of fish and wildlife such as monofilament netting.
- Where vegetation cannot reasonably become established and erosion control is required for more than one season (greater than three months), biodegradable materials (e.g., jute erosion control blankets, coconut fiber matting, or similar soil stabilization materials) shall be used. Broadcast straw or chipped mulch may be used only on slopes less than 10 percent and in areas not exposed to wind and shall be applied in a manner that maintains coverage until vegetation becomes established.
- Keep excavated material and other non-hazardous wastes (i.e. sawdust, soil, silt, clay, rock, felled trees, slash, bark, and ash) out of channels, floodplains, wetlands, and lakes; place barriers between waterways and stockpiles/wastes.
- Do not deposit litter, raw materials or waste and construction debris within or next

to waterways or within a floodplain where they may pass into the watercourse.

- Stabilize disturbed soils promptly; suspend or modify work during saturated soil conditions unless stabilization/matting is in place.
- Control dust by applying water as needed without creating runoff or non-stormwater discharges to waterways or seasonal wet areas.

PROJECT LOCATION:
The Project is located at 12700 Lake Francis Road in Yuba County.

Sections 4, 9, 16, &17, Township 17 North, Range 7 East, MDB&M

Latitude: 39°19'52.97" and Longitude: -121°11'30.52"

PROJECT SCHEDULE:
The approximate timeframe of Project construction below the Ordinary High Water mark (OHWM) starts on 21 March 2026, and will continue until the area is restored to original river grade.

APPLICATION FEE RECEIVED:
An application fee of $4,212.00 was received on 18 March 2026.

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 F - 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 Peter Minkel at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Original Signed by Anne Walters
For Patrick Pulupa
Executive Officer

Enclosure: Water Quality Order No. 2023-0061-DWQ Clean Water Act Section 401 Water Quality Certification for Regional General Permit 8 for Emergency Repair and Protection Activities

Attachment: Figure 1 – Project Location Map

cc: Distribution List, page 5

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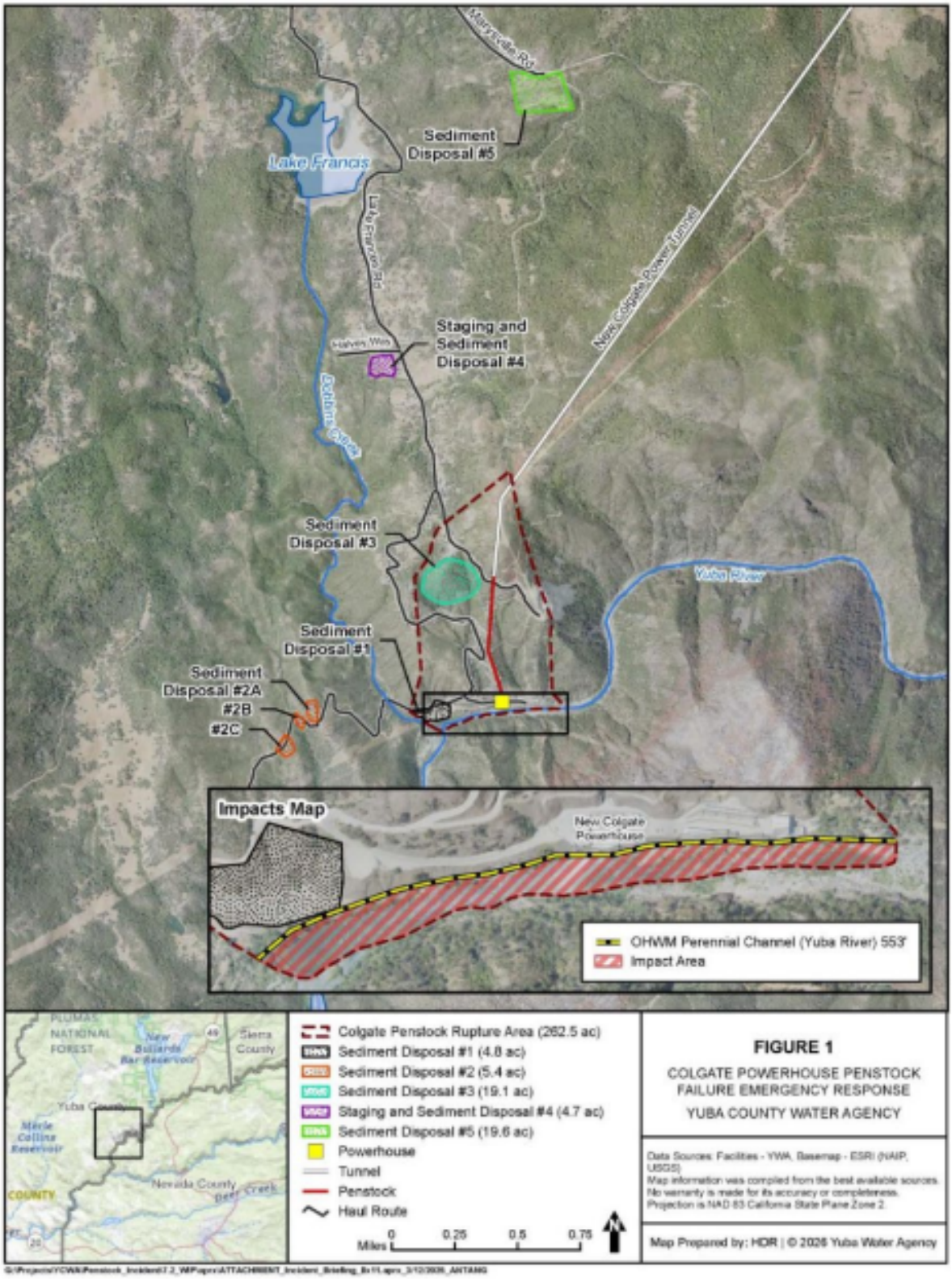

Figure 1 – Project Location Map