



Central Valley Regional Water Quality Control Board

17 September 2021

Timothy Burroughs
Alameda County Waste Management Authority
1537 Webster St
Oakland, CA 94614

NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER SB12006GN, AMENDED ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION FOR SMALL HABITAT RESTORATION PROJECTS, STOPWASTE 2021 LIVESTOCK AND WILDLIFE WATER IMPROVEMENT AND POND RESTORATION PROJECT (WDID#5B01CR00044), ALAMEDA COUNTY

On 31 July 2021, the Alameda County Waste Management Authority submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects File No. SB12006GN (Order SB12006GN).

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the StopWaste 2021 Livestock and Wildlife Water Improvement and Pond Restoration Project (Project) meets the requirements of, and is hereby enrolled under, Order SB12006GN. You may proceed with your Project in accordance with the Order.

A copy of [Order SB12006GN](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/srhcpcert032713.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/srhcpcert032713.pdf) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

Please familiarize yourself with the requirements of Order SB12006GN. You are responsible for complying with all applicable Order requirements. Failure to comply with Order SB12006GN constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

The purpose of the 1.2-acre Project is to reduce entrapment risk for livestock and improve habitat for California Red-Legged frog and California Tiger Salamander by removing sediment from Pond M1 located on the DePaoli parcel, field 1B West, Farm

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

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351, Tract 5113, in the Altamont Hills in eastern Alameda County, reducing siltation and returning the pond to its original capacity. The pond is spring fed and tributary to an ephemeral tributary to Mountain House Creek.

Approximately 1,600 cubic yards of accumulated sediment will be removed from the pond with an excavator and dump truck, and hand tools. Spoils will be placed on a flat grassy footprint southeast of the pond. Sediment will be mixed in with topsoil to a depth of approximately three feet and seeded with a native vegetative mix. Work will be conducted during the dry season. If water is present, a screened and filtered pump will be used to pump water into a dewatering bag. The contents of the dewatering bag will be emptied into the sediment removal area used bags will be disposed of at an appropriate facility.

Project elements that affect aquatic resources include removal of accumulated sediment. The Project will temporarily impact 0.4 acre of lake habitat. Upland areas temporarily impacted by the placement of spoils will be restored to pre-project condition.

PROJECT LOCATION:

The Project is located at Field B on North Flynn Road at the StopWaste Property in Livermore. The approximate center of the Project area is located at latitude 37.716432° N and longitude 121.646661° W.

PROJECT SCHEDULE:

All work is expected to be concluded within one construction season in 2021.

APPLICATION FEE RECEIVED:

\$551.00 was received on 31 July 2021. 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 D - Ecological Restoration and Enhancement Projects (fee code 85).

AVOIDANCE AND MINIMIZATION MEASURES:

The work will be conducted during dry weather. Standard construction best management practices (BMPs) will be employed to minimize dust, erosion, and potential sedimentation. These BMPs include use of water trucks, compacting soil, installing erosion control measures, re-seeding disturbed areas, and implementing all erosion control measures (e.g., silt fences, straw wattles, hay bales, etc.).

In addition to de-sedimentation at Pond M1, potential upstream runoff will be controlled by installing fencing to reduce cattle impact to the drainage immediately upstream of the pond. Fencing will be placed around the pond inlet, spring, and upstream drainage to encourage vegetation growth that will restabilize the drainage and filter sediment, while allowing cattle access to the pond itself (after sediment is removed). The fence will include two gates to facilitate periodic grazing as needed for weed management.

If dewatering is necessary, A USFWS-approved and CDFW-approved biologist with all necessary permits will be on site during all dewatering activities. Any native species

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detected will be moved to the nearest appropriate location as determined by the approved biologist.

The Project will comply with the Programmatic Biological Opinion/Alameda County Voluntary Local Program VLP29 Applicable Avoidance and Minimization Measures (AMMs) for Pond Restoration and Livestock and Wildlife Water Distribution.

NOTICE OF COMPLETION:

Upon completion of the Project, you shall submit a Notice of Completion (NOC) no later than 30 days after Project completion. The NOC shall demonstrate the Project was carried out in accordance with the Project description, include a map of the Project location with final boundaries of the restoration area, and include post-project photographs. More information on the NOC is listed in section B.6 of the Order.

If you have questions concerning this matter, please contact Angela Nguyen-Tan by phone at (916) 464-0335 or by email at Angela.Nguyen-Tan@waterboards.ca.gov.

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Location
Figure 2 – Impacts to Waters of the State

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

cc: Distribution List, page 4

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[Via email only]

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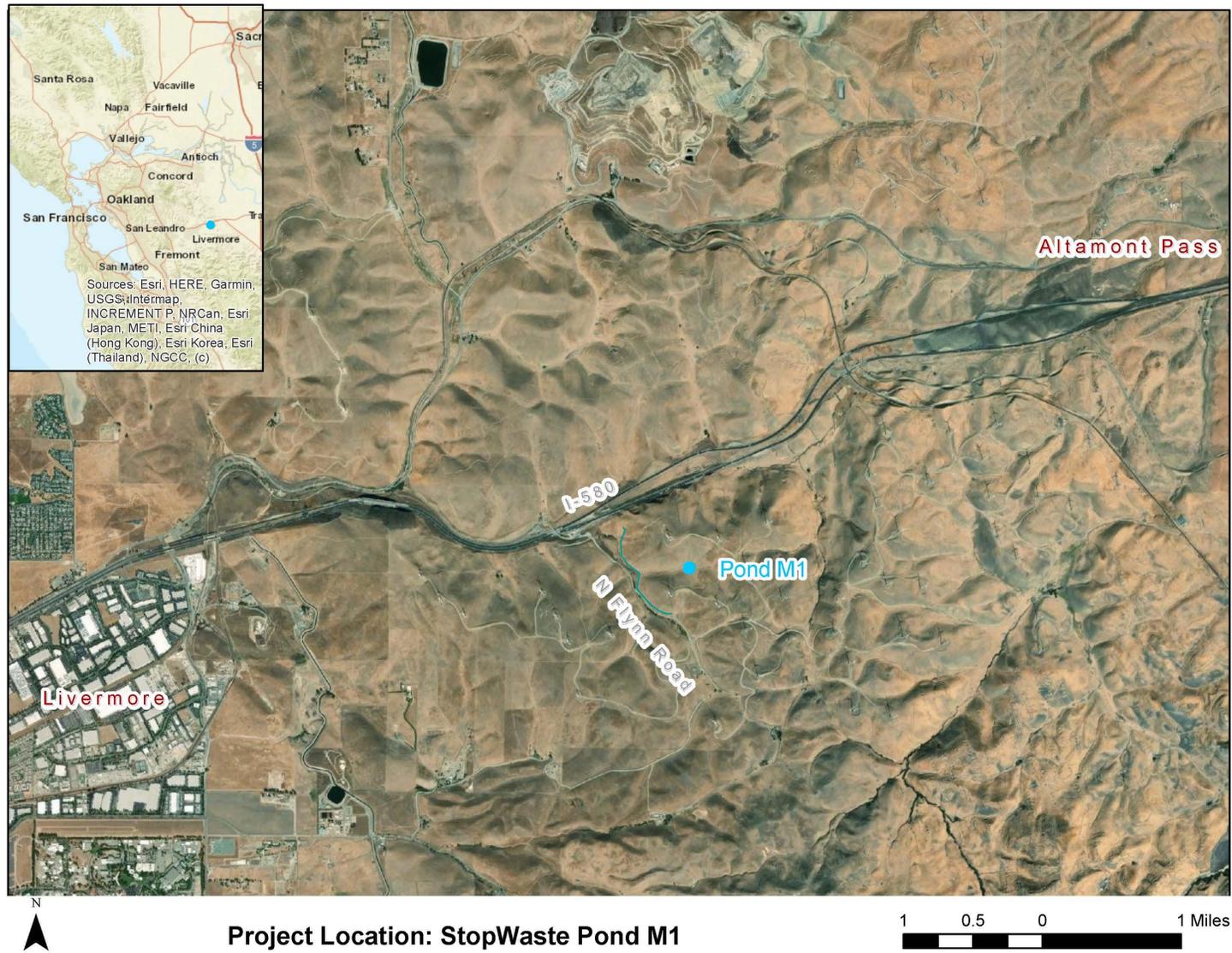
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Project Location: StopWaste Pond M1

Figure 1 – Project Location

