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## Central Valley Regional Water Quality Control Board

21 November 2025

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### **NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE CALIFORNIA DEPARTMENT OF WATER RESOURCES, TOM PAINE SLOUGH GEOTECHNICAL INVESTIGATIONS PROJECT (WDID#5B39CR00434), SAN JOAQUIN COUNTY**

On 24 October 2025, the California Department of Water Resources (Applicant) filed a notification requesting coverage under the 25 February 2022 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification and Order of the United States Army Corps of Engineers 2021 Nationwide Permits (General Certification Order) for the Tom Paine Slough Geotechnical Investigations 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 <0.005 acre of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Nationwide Permit #6 (Survey 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/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf)) can be found on the State Water Resources Control Board's General Order 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 24 October 2025, 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 less than 0.005-acre Project consists of over-water and on-land soil investigations to assess the subsurface soil characteristics for planning and design to replace the four siphon structures and support piles at the Tom Paine Slough Siphon Facility. Over-water investigations include up to 9 soil borings using barge-mounted drilling equipment. On-land soil investigations will consist of up to 7 soil borings and/or cone penetration tests (CPTs) using truck-mounted equipment. All soil borings will extend down to a maximum of 150 feet below the channel bottom or ground surface. Following the completion of each soil boring, the hole will be grouted from the bottom of the borehole to within approximately 10 to 15 feet of the top with 5 percent (by weight) bentonite and 95 percent (by weight) cement grout. Grout will be placed from the bottom of the hole upward to a depth of approximately 10 feet below the bottom of the slough or river based on a calculated grout take volume to prevent grout migration into the river water.

The Project will temporarily impact <0.005 acre of waters of the United States.

**PROJECT LOCATION:**

Latitude: 37.790300° and Longitude: -121.418605°

**PROJECT SCHEDULE:**

1 August 2026 through 31 October 2026

**APPLICATION FEE RECEIVED:**

An application fee of \$4,212.00 was received on 27 October 2025.

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 E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Jenna Yang by phone at (916) 464-4764 or by email at [Jenna.Yang@waterboards.ca.gov](mailto:Jenna.Yang@waterboards.ca.gov).

*Original Signed by Anne Walters*

Patrick Pulupa  
Executive Officer

Enclosure: State Water Board Certification of the 2021 Nationwide Permits General  
Water Quality Certification and Order

cc: Distribution List, page 3

**DISTRIBUTION LIST [via email only]**

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Figure 1: Project Location Map





Figure 2: Project Impact Locations Map

