
Central Valley Regional Water Quality Control Board

17 November 2022

Jeannie Wiley
California Department of Transportation
855 M Street, Suite 200
Fresno, CA 93721

ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; CALIFORNIA DEPARTMENT OF TRANSPORTATION, TUMEY GULCH BRIDGE PROJECT (WDID NO. 5C10CR00063A1), FRESNO COUNTY

This Order responds to the 18 October 2022 request for an amendment of the Tumey Gulch III Bridge Project (Project) Section 401 Water Quality Certification (WDID No. 5C10CR00063A1). The original Water Quality Certification (Certification) was issued on 31 December 2019. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

This amendment is not valid until and unless an amendment to the Section 404 Permit with equivalent modifications is approved by the United States Army Corps of Engineers (USACE) or it is otherwise determined by USACE that an amendment of the 404 Permit is unnecessary.

AMENDMENT:

The California Department of Transportation (hereinafter Permittee) is requesting an amendment to the Section 401 Water Quality Certification and Order for the removal of approximately 15,600 square feet of excess sediment that has accumulated within the gulch. Of the 15,600 square feet, only 9,017 square feet (0.207 acre) falls below the ordinary high-water mark. Construction would remove sediment up to a depth of 3 to 5 feet. The removal of the sediment will result in an 0.167 acre increase in temporary impacts to stream channel. Therefore, the first paragraph of the cover page of the original Certification and various sections in the Project Information Sheet are amended in underline format below.

First Paragraph of Cover Page

This Order responds to the 30 August 2019 application submitted by California Department of Transportation (Applicant) for the Water Quality Certification of the Tumey Gulch Bridge Project (Project), temporarily impacting 0.207 acre of waters of the United States.

Project Information Sheet

Excavation/Fill Area: Approximately 475 cubic yards of clean fill dirt will be placed into 0.04 acre of waters of the United States. Approximately 1,670 cubic yards of accumulated sediment will be removed from 0.167 acre waters of the United States.

Table 1: Impacts from Fill and/or Excavation Activities

Aquatic Resource Type	Temporary Acres	Temporary Linear Feet
Stream channel	<u>0.207</u>	<u>324</u>

APPLICATION FEE RECEIVED:

An amendment fee of \$2,417.00 was received on 28 September 2022. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3), as was calculated as category G – Amended Orders.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

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PUBLIC NOTICE:

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 21 October 2022 to 11 November 2022. The Central Valley Water Board did not receive any comments during the comment period.

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Tumey Gulch III Bridge Project (WDID#5C10CR00063A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

Original Signed by Clay L. Rodgers for:
Patrick Pulupa
Executive Officer

cc: [Via email only] see next page

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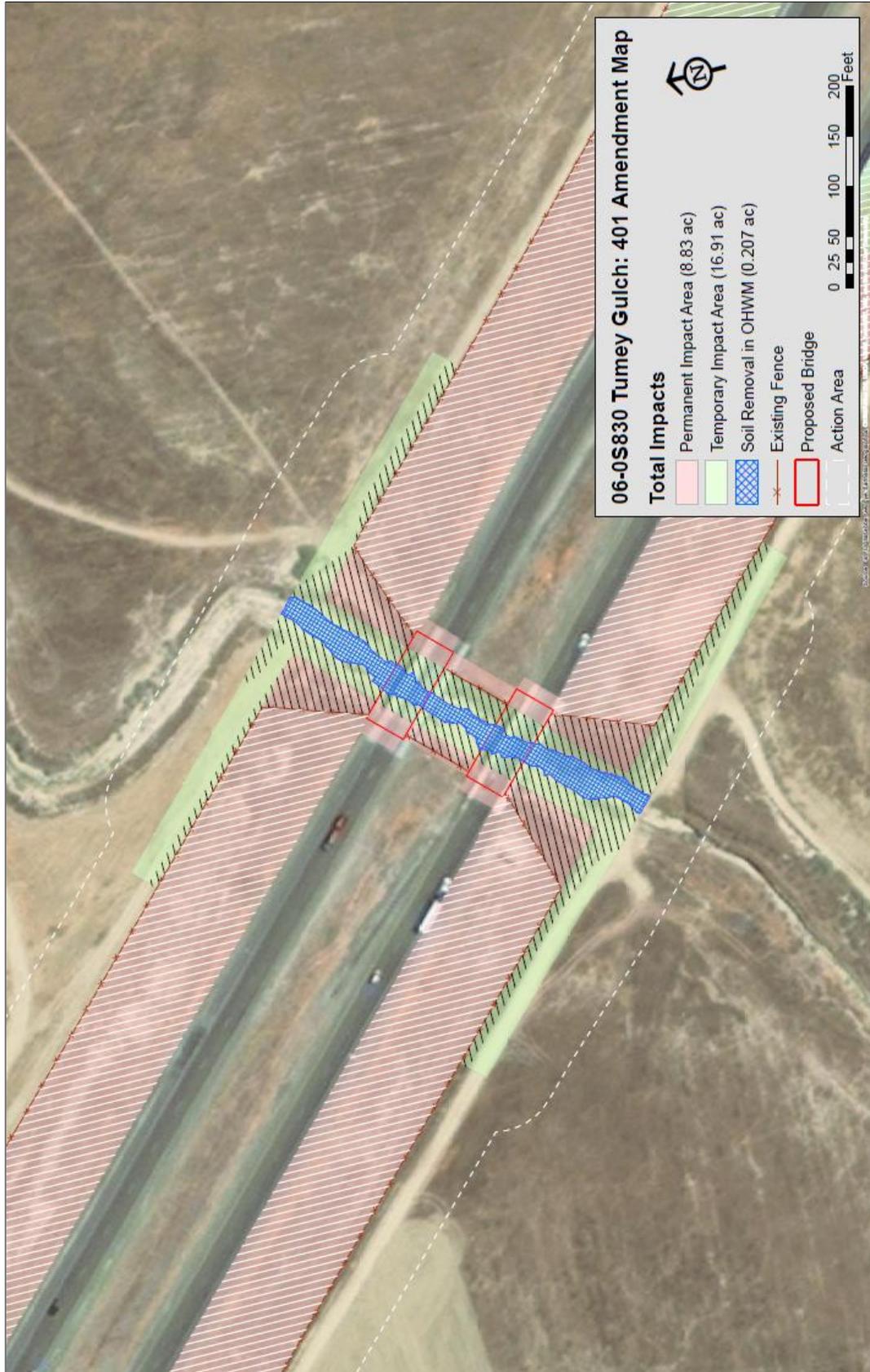


Figure 4: Updated Impacts Map