
Central Valley Regional Water Quality Control Board

2 May 2023

Grey Tompkins
County of Tulare
5961 S. Mooney Blvd
Visalia, CA 93277

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE COUNTY OF TULARE, EMERGENCY REPAIR AT THREE CROSSINGS OVER DEER CREEK PROJECT (WDID# 5C54CR00132), TULARE COUNTY

On 19 April 2023, the County of Tulare (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 Emergency Repair at Three Crossings over Deer Creek (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 1.156 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/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.

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 19 April 2023, 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 Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.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 4.2 acre Project consists of conducting emergency repairs at three crossings over Deer Creek that have been washed out due to extreme weather events in March 2023. The proposed repair would restore the damaged roadway and crossings to pre-emergency condition and stabilize site soils to prevent further degradation.

The Project will permanently impact 0.006 acre and temporarily impact 1.15 acre of waters of the United States.

PROJECT LOCATION:

The Project is located at three separate bridge crossings over Deer Creek in Tulare County.

M109 Rd 264 over Deer Creek:

Latitude: 35.991799 degrees North and Longitude: -118.982747 degrees West

Road 224 over Deer Creek:

Latitude: 35.979956 degrees North and Longitude: -119.071526 degrees West

Road 256 over Deer Creek:

Latitude: 35.991494 degrees North and Longitude: -118.999997 degrees West

APPLICATION FEE RECEIVED:

An application fee of \$ 2,734.00 was received on 20 April 2023.

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 Brandon Salazar at (559) 445-6287 or Brandon.Salazar@waterboards.ca.gov.

Original Signed by Scott J. Hatton for:
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Executive Officer

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