

**Date:**

December 11, 2008

**Applicant:**

Department of Parks and Recreation

**Project Name:**

Department of Parks and Recreation - Picacho Lower Dock Dredging, WDID NO. 7B133019001

**Receiving Water:**

Colorado River

**Location:**

The Lower Dock is located at Picacho State Recreation Area on Picacho Road approximately 20 miles N' by NW' of Yuma Arizona in County of Imperial (Latitude 33° 01'57"N/114° 38'34"W, Township/Range 4 South/ 23 West). The Channel extends inland approximately 300' from the river proper and ranges from 12' to 30' wide from front to back. The area that will be dredged is less than half of the total channel in length and as far as the excavator can reach in width.

**Project Description:**

The project scope is to remove sand and rock material, which were deposited by recent floods, from the lower dock and channel located at Picacho State Recreation Area. Completion of this work will provide an accessible, navigable waterway to the public and to emergency responders. To cause minimal turbidity in the Colorado River, the Applicant will install filter fabric across the channel during excavation. This fabric material will contain the cloudy water and other debris within the work area. Additionally, materials dredged from the river will be hauled off-site as they are removed from the channel. This will prevent the runoff and redeposit of silts into the river. The project will be completed with a long reach excavator that has been working in the Colorado River on another project just north of the lower dock area. Therefore, the excavator should not have any petroleum products on its external surfaces, which would be hazardous to plant and fish life as well as and would impact water quality. All work will be completed from the shore, and no equipment will enter the water.

The Applicant is requesting a waiver of the 21-day public notice period due to the impact on emergency services provided by the local Colorado River Patrol Ranger. Currently, the flood debris causes the local Patrol Ranger to have an extra 30-minute delay to respond to emergencies due to its inability to store the patrol boat at this location. Removing the flood debris as soon as possible from the channel of the lower dock will enable the Patrol Ranger to respond to emergencies more quickly.

The Applicant is also concerned about conducting this work as soon as possible in order to comply with critical habitat deadlines. These deadlines have been established to ensure that endangered and threatened animal species are not disturbed during their sensitive nesting and breeding seasons.

Finally, the Applicant is concerned about the continued availability of the contractor, who is currently on-site and will be sending his crew away for the Christmas holidays.

The Applicant will be working under the U.S. Army Corps of Engineers Nationwide Permit No. 3 (Maintenance), which does not require notification to the Corps. In addition, the Applicant has received a waiver from the Department of Fish and Game from the requirement to obtain a Lake and Streambed Alteration permit.

The Regional Board has determined that the proposed project qualifies for a categorical exemption as pursuant to Section 15301 ("Existing Facilities") of the CEQA Guidelines (Title 14, California Code of Regulations, commencing with Section 15000) since the proposed project, as described above, consists of the repair and maintenance of existing topographical features involving negligible or no

expansion of use beyond that existing at the time of this determination. Therefore, the Regional Board intends to approve this Clean Water Act section 401 water quality certification for the proposed project in less than the normal 21-day public notice period specified in Section 3858(a) of Title 23 of the California Code of Regulations. Section 3858(a) allows for a shorter notice period, if an emergency requires that certification be issued in less than 21 days. This regulatory provision provides further that public notice must be provided as much in advance of issuance of the certification as possible, but no later than simultaneously with issuance of certification. This public notice is being provided in compliance with this requirement.

**Action:**

Pending

**Water Board Contact:**

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