



Colorado River Basin Regional Water Quality Control Board

September 28, 2017

Wally Glass
Monterey C.C. Association, Inc.
275 Avenida Del Sol
Palm Desert, CA 92260

Dear Mr. Glass:

SUBJECT: DENIAL WITHOUT PREJUDICE OF THE APPLICATION FOR 401 WATER QUALITY CERTIFICATION (WQC) FOR THE PROPOSED MONTEREY COUNTRY CLUB GRAN VIA CHANNEL CROSSING STREET REPAIR PROJECT, WDID NO. 7A333174001

Staff of the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) is denying without prejudice the application for a Clean Water Act (CWA) Section 401 WQC for Monterey Country Club Gran Via Channel Crossing Street Repair Project (Project) as described below. The application is denied without prejudice until the Regional Water Board receives the following:

- 1) An updated 401 application, providing documentation from U.S. Army Corps of Engineers (USACE) stating that the Project is subjected to Section 404 of the Clean Water Act.
- 2) The remaining fee that is due for processing the application.

The Project encompasses 0.47 acres located on Gran Via within the Monterey Country Club (C.C.). Repairing this private access road would consist of removing and replacing concrete with new reinforced concrete, and replacing the small box drain with a larger box drain to alleviate future flooding and nuisance water on the road.

On June 9, 2017, Regional Water Board staff received the Monterey C.C. Association, Inc. application for a 401 WQC. On August 3, 2017, Regional Water Board staff requested additional information on: 1) the status of Federal Permit(s) or Nationwide Permit (NWP) stating Project is subjected to the CWA (e.g. Section 404) from USACE; and 2) the remaining fee for the Project.

On September 12, 2017, Regional Water Board staff followed up with an e-mail to Michelle Witherspoon, the applicant's representative, to request information on the status of the NWP. She informed the Regional Water Board staff that the USACE has not provided any feedback and has not received any updates on the status of the NWP. The Regional Water Board staff informed her that the application will be placed under denial without prejudice and cannot continue the application's process without knowing USACE decision if the Project requires the NWP. However, if USACE determines Project is not subjected to Section 404 of CWA then the Project will not require 401 WQC.

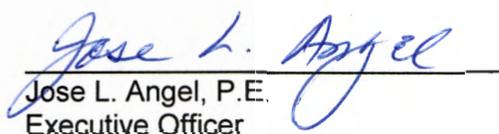
NANCY WRIGHT, CHAIR | JOSE L. ANGEL, EXECUTIVE OFFICER

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Monterey C.C. Association, Inc. may reapply following receipt of this denial without prejudice at any time. No additional fee is required if the revised application is filed within 12 months of the denial without prejudice. Regional Water Board staff will retain the application materials submitted to date until a complete application has been submitted. Monterey C.C. Association, Inc.'s new submittals need not include all of the pertinent previously submitted reports unless the information contained in these reports has changed or is no longer valid.

If you have any questions, please contact Mr. Juan Lezo, Water Resources Control Engineer, at (760) 776-8959 or juan.lezo@waterboards.ca.gov; and/or Mr. Kai Dunn, Senior Water Resources Control Engineer, at (760) 776-8986 or kai.dunn@waterboards.ca.gov.

Sincerely,


Jose L. Angel, P.E.
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

JL/tab

cc: Michelle Witherspoon, MSA Consulting, Inc., mwitherspoon@msaconsultinginc.com

File: WDID No. 7A333174001, Monterey Country Club Gran Via Channel Crossing Street Repair Project