

Colorado River Basin Regional Water Quality Control Board

November 7, 2017

Rick Dirk
Needle Marina Park
100 Marina Drive
Needles, CA 92363

Dear Mr. Dirk:

**SUBJECT: INCOMPLETE APPLICATION FOR 401 WATER QUALITY CERTIFICATION
FOR THE NEEDLE MARINA MAINTENANCE DREDGING PROJECT
(WDID NO. 7B363037001)**

Colorado River Basin Water Board (Regional Water Board) staff has reviewed the federal Clean Water Act (CWA) water quality certification application materials submitted by your consultant, CJE Environmental Consulting Services, for the Needles Marina Maintenance Dredging Project, which we received on August 8, 2017 via email (Application). On July 24 and August 23, 2017, Regional Water Board staff followed up with two emails to Mr. Clarence Johnson of CJE Environmental Consulting Service to clarify the requirements of California Environmental Quality Act (CEQA) for and additional information required to complete 401 Water Quality Certification (WQC) application. As of today, we did not receive additional information for the Application. This letter provides notice that the Application is incomplete. As a result, we are not yet able to act on it. As described further below, it lacks important required information, including, but not limited to:

CEQA Determination:

1. Regional Water Board can make CEQA determination independently for a project as Categorical Exemption for the CWC 401 WQC process based on federal National Environmental Policy Act (NEPA) determination as Categorical Exclusions and other conditions. There is a suggestion that U.S. Bureau of Reclamation conducts a NEPA process for the project.
2. Comments or determination from California Department of Fish and Wildlife (CDFW) to clarify no sensitive habitats or endangered species around the project area.
3. Cultural Resource record search to show no impact on the Native American cultural resources around the project area.
4. CEQA exemption assessment.

Additional Information:

1. A complete work plan is required detailing the proposed process, dredged amount, Best Management Practices (BMPs) implementation (construction and post construction), mitigation measures, monitoring plan, placement of dredge materials, and etc.
2. A mitigation plan should be prepared that describes the proposed project's physical and biological impacts, mitigation goals, a mitigation work plan, a management and maintenance plan, success criteria and performance indicators, a monitoring plan, site protection measures, and financial assurance.
3. A complete copy of all final (or draft if not finalized) documents of other state, federal, and local licenses, permits and agreements ("permits") that will be required for any construction, operation, maintenance, or other actions associated with the project. This would include, but is not limited to, permits from agencies such as the CDFW, U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), the State Water Resources Control Board (State Water Board) or the Regional Water Board. Such licenses or permits might include, but are not limited to CWA Section 404; Section 10 of the Rivers and Harbors Act of 1899; CDFW streambed alteration agreements; local zoning, building, and flood-plain permits, water rights permits, and any other permits or orders from the State Board or Regional Water Board. For each permit, provide the permit number (if available), the name and telephone number of a contact person at the permitting agency, and the date and status of application.
4. Revise the Wetland and Jurisdictional Water of the U.S. Delineation.
5. The Application fee of \$720.00 was received on September 20, 2016. Additional fee for the total dredged of 16,000 cubic yard is required to complete the Application.

In summary, the Application is not yet complete and lacks the information needed for us to determine whether or not the Project meets CWC 401 WQC requirements. Please revise the application to provide the additional information requested herein. If you have any questions, please contact me at (760) 776-8986 or via email to kai.dunn@waterboards.ca.gov.

Sincerely,



Kai Dunn, Ph.D., P.E.
Senior Water Resources Control Engineer
Colorado River Basin
Regional Water Quality Control Board

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cc: Clarence Johnson, 57 Amberwood Court, Moraga, CA 94556