Central Valley Regional Water Quality Control Board

2 November 2026

Sarah Morgan
Yocha Dehe Wintun Nation
PO Box 18
Brooks, CA 95606
SMorgan@yochadehe.gov

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE YOCHA DEHE WINTUN NATION, CACHE CREEK BANK STABILIZATION PROJECT (WDID#5A57CR00234), YOLO COUNTY

On 15 October 2026, the Yocha Dehe Wintun Nation (Enrollee) filed a notification requesting coverage under the 1 August 2023 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 (WQ 2023-0061-DWQ) (General Certification Order) for the Cache Creek Bank Stabilization Project (Project). After review of the notification and the supplemental material submitted by the Enrollee, 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 will take place within approximately 2 acres/1,513 linear feet 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/2023/rgp-8-certification-mainbody.pdf) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

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 15 October 2026, and supplementary information (Application Package). Coverage

under the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:
A legacy tire disposal area was inadvertently discovered within an actively eroding streambank along Cache Creek within the Project area. Ongoing channel migration and bank erosion have exposed portions of the tire disposal area, and continued erosion may expose and release tires and associated waste materials directly into Cache Creek. The actively eroding bank is also encroaching on an important Tribal cultural site located approximately 600 feet upstream of the tire disposal area, as well as an existing Tribal access road. Continued bank erosion has resulted in the streambank migrating closer to the cultural site and access road, and additional bank erosion during winter rains and high flows could result in damage or loss of the cultural site and access road. The Project will remove all tires within the legacy tire disposal area to prevent tires from entering Cache Creek and stabilize the eroding streambank with riprap to protect the cultural site and access road from future erosion and bank migration.

Tires and associated debris within the legacy tire disposal area will be excavated and transported offsite to an authorized recycling or disposal facility. Following tire removal, the excavation area will be backfilled with clean material. Bank stabilization actions will extend approximately 1,513 linear feet along the eastern bank of Cache Creek and will involve vegetation removal, bank grading, installation of imported filter rock and riprap, and placement of willow poles to promote revegetation and stability. Construction will use excavators, haul trucks, off road dump trucks, front loaders, and related equipment operating primarily from the top of bank. Aqua dams will be utilized to temporarily divert and dewater work areas. Sections of Cache Creek approximately 150 feet long will be dewatered one at a time during bank stabilization activities, while the entire tire removal area will be dewatered during tire removal activities.

The Project will permanently impact 0.72 acre/1,513 linear feet and temporarily impact 1.36 acres/1,513 linear feet of waters of the United States. Temporarily impacted areas will be restored to pre-project conditions.

COMPENSATORY MITIGATION:
Compensatory mitigation is required for permanent impacts to 0.72 acre/1,513 linear feet of waters of the state. The Enrollee shall submit a compensatory mitigation plan for Central Valley Water Board staff approval within forty-five (45) days of completion of construction. The compensatory mitigation plan will identify the mitigation type (e.g., habitat establishment, rehabilitation, etc.), location, acreage, design, and implementation schedule. The compensatory mitigation plan shall be implemented prior to termination of coverage.

ADDITIONAL CONDITION:
The Enrollee shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2022-0057-DWQ, for discharges to surface waters comprised of storm water associated with construction

activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

PROJECT LOCATION:
The Project is located along Cache Creek approximately 1.2 miles upstream from the town of Guinda in Yolo County.

Latitude: 38.84703° and Longitude: -122.19476°

PROJECT SCHEDULE:
The Project is anticipated to start in early November and will take approximately 8 to 10 weeks to complete.

APPLICATION FEE RECEIVED:
An application fee of $ 4,212.00 was received on 15 October 2026. 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.

REPORTING REQUIREMENTS:
The Enrollee must submit a Monthly Report to the Central Valley Water Board on the fifteenth (15) day of each month beginning after the issuance of this Notice of Applicability. The Monthly Report contents shall include the following:

a. Construction Summary: Describe Project progress and schedule including initial ground disturbance, site clearing and grubbing, road construction, site construction, and the implementation status of construction storm water Best Management Practices (BMPs). If construction has not started, provide estimated start date.

b. Event Summary: Describe distinct Project activities and occurrences, including environmental monitoring, surveys, and inspections.

c. Photo Summary: Provide photos of Project activities. For each photo, include a unique site identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of the photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.

d. Compliance Summary:

- List name and organization of environmental surveyors, monitors, and inspectors involved with monitoring environmental compliance for the reporting period.
- List associated monitoring reports for the reporting period.
- Summarize observed incidents of non-compliance, compliance issues, minor

problems, or occurrences.

- Describe each observed incident in detail. List monitor name and organization, date, location, type of incident, corrective action taken (if any), status, and resolution.

WATER QUALITY MONITORING:
During planned in-water work, dewatering activities, or during the installation or removal of temporary water diversions, any discharges to waters of the state shall conform to the following water quality standards:

a. Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.

b. Activities shall not cause dissolved oxygen to be reduced below 5.0 mg/L for waters designated with the WARM beneficial use, and 7.0 mg/L for waters designated with the COLD or SPWN beneficial uses, in surface water.

c. Activities shall not cause turbidity increases in surface water to exceed:

i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;

ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;

iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;

iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;

v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior permission of the Central Valley Water Board Executive Officer.

d. Activities shall not cause temperature in surface waters to increase more than 5°F above natural receiving water temperature for waters with designated COLD or WARM beneficial uses.

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 1 sampling parameters.[1] The sampling requirements in Table 1 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area.

The sampling frequency and/or monitoring locations may be modified for certain projects with written approval from Central Valley Water Board staff. Data collected from water quality monitoring shall be included in monthly reports. In reporting the data, the Enrollee shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the Project complies with Order requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria.

Table 1: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Dissolved Oxygen	mg/L and % saturation	Grab	Every 4 Hours
Turbidity	NTU	Grab	Every 4 hours
Temperature	°F (or as °C)	Grab	Every 4 hours
Visible construction related pollutants[2]	Observations	Visual Inspections	Continuous throughout the construction period

[1] Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

[2] Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

If you have any questions regarding this Notice of Applicability, please contact Nicholas Savino at (916) 464-4920 or Nicholas.Savino@waterboards.ca.gov.

Original Signed by Anne Walters
For Patrick Pulupa
Executive Officer

Enclosure: *Water Quality Order No. 2023-0061-DWQ Clean Water Act Section 401 Water Quality Certification for Regional General Permit 8 for Emergency Repair and Protection Activities*

Attachments: Figure 1: Project Location
Figure 2: Project Impacts

cc: via email only

United States Army Corps of Engineers, SPKRegulatoryMailbox@usace.army.mil
Matthew Di Loreto, United States Army Corps of Engineers, Matthew.J.DiLoreto@usace.army.mil
Department of Fish and Wildlife, R2LSA@wildlife.ca.gov
Alexander Funk, Department of Fish and Wildlife, Alexander.Funk@Wildlife.ca.gov
United States Environmental Protection Agency, R9CWA401@epa.gov
State Water Board, Section 401 WQC Program, Stateboard401@waterboards.ca.gov
CA Sportfishing Protection Alliance, RMcHenry@calsport.org
Rylie Towne, Verdantas, Rylie.Towne@verdantas.com

Figure 1: Project Location

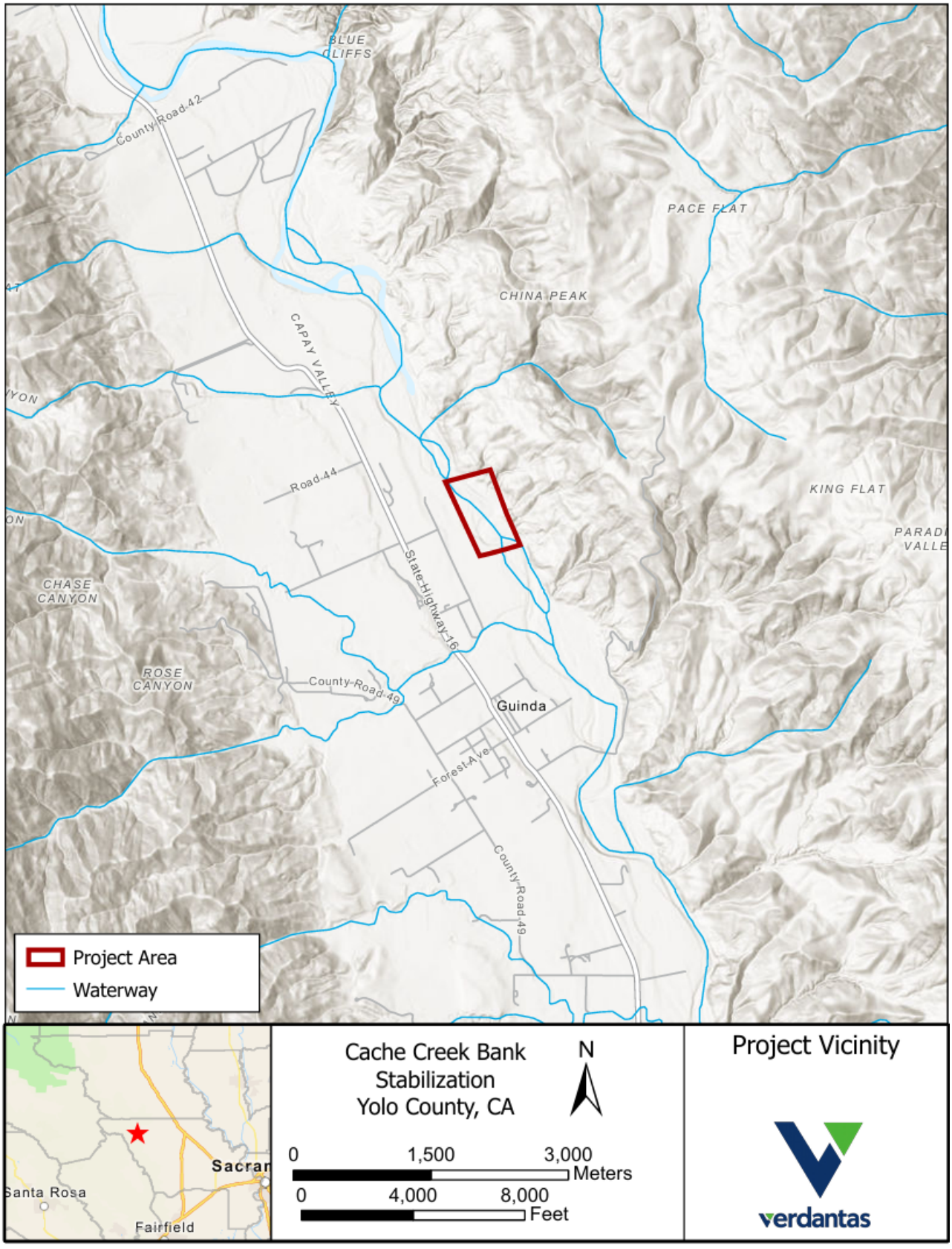


Figure 2: Project Impacts

