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ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

22 August 2022

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NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE PACIFIC GAS AND ELECTRIC COMPANY, TIGER CREEK REGULATOR DAM SPILLWAY REPLACEMENT PROJECT, 2022 GEOTECHNICAL INVESTIGATION (WDID#5B03CR00097), AMADOR COUNTY

On 14 July 2022, Pacific Gas and Electric Company (Applicant) filed a notification requesting coverage under the 25 February 2022 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification and Order of the United States Army Corps of Engineers 2022 Nationwide Permits (General Certification Order) for the Tiger Creek Regulator Dam Spillway Replacement Project, 2022 Geotechnical Investigation (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 will take place within less than 0.022 acre/155 linear feet of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Nationwide Permit #6 (Survey 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.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

A copy of the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) can be found on the State Water Resources Control Board's General Order 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 14 July 2022, 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 geotechnical investigation is planned for the right abutment of Tiger Creek Regulator Dam in support of the ongoing planning and engineering design for the future spillway replacement project. The project proposes to excavate up to six subsurface test pits and 10 potholes within the Tiger Creek Regulator Reservoir using an excavator with a 3-foot-wide bucket. The purpose of this investigation is to provide subsurface data along the proposed cofferdam and spillway intake alignment, develop design criteria and geotechnical recommendations for the proposed cofferdam and intake structure, and provide information that will inform the constructability of the proposed cofferdam and intake structure.

Project construction is scheduled for early October 2022. The enclosed Project Description document includes the scope of work, project sketches, and aquatic resources impacts figure.

ADDITIONAL CONDITION:

The Applicant 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. 2009-0009-DWQ, as amended 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:

Section 8, Township 7 North, Range 14 East, MDB&M
Latitude: 38.478488°, and Longitude: -120.452292°

PROJECT SCHEDULE:

Early October 2022 through Late October 2022

APPLICATION FEE RECEIVED:

An application fee of \$ 2417.00 was received on 14 July 2022. The remaining application fee balance of \$55.59 was received on 14 July 2022.

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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Sara Gevorgyan at 916-464-4710 or Sara.Gevorgyan@waterboards.ca.gov.

Original Signed By Adam Laputz for:
Patrick Pulupa
Executive Officer

Enclosure: State Water Board Certification of the 2017 Nationwide Permits General Water Quality Certification and Order

cc: Distribution List, via email only

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