



Central Valley Regional Water Quality Control Board

28 February 2024

Jared Carter
Madera County
200 W. 4th Street, Suite 3100
Madera, CA 93637

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR MADERA COUNTY, MADERA COUNTY EMERGENCY ROAD REPAIR PHASE 2 PROJECT (WDID# 5B20CR00133), MADERA COUNTY

On 15 December 2023, Madera County (Applicant) 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 (General Certification Order) for the Madera County Emergency Road Repair Phase 2 Project (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 is taking place in 1.643 acres 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) (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.

The Project is being conducted 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 December 2023, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

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

PROJECT DESCRIPTION:

The Project consists of locations that suffered flood damage due to storm events throughout Madera County in 2023. A total of twenty-two (22) distinct locations, each representing a single and complete project, were identified as having significant damage and need emergency repairs. Emergency repair activities will include bank stabilization utilizing rock slope protection, wing-wall installation, the repair and/or rehabilitation of existing facilities such as culverts, and the restoration of storm damaged areas that impact the roadways. Descriptions for each location are listed below:

18. Road 225

Repairs at Site 18 will include the verification of foundation conditions, re-establishment of slope material, repair of undermined concrete, and installation of riprap and erosion control to prevent future erosion.

19. Avenue 18 ½

Repairs at Site 19 will include the verification of foundation conditions, re-establishment of slope material, repair of undermined concrete, and installation of riprap and erosion control to prevent future erosion.

21. Road 26

Repairs at Site 21 will include the excavation of unstable slope material and reconstruction of the slope. Additional erosion control and drainage will be added to prevent future erosion. Any damaged utilities found during repairs will be replaced as needed.

23. Road 222

Repairs at Site 23 include the excavation of the undermined road, returning the undermined portion to grade, replacement of the existing culvert, installation of a headwall, and the replacement of any damaged utilities found during activities.

24. Road 222

Repairs for Site 24 will include the excavation of the undermined road, replacement of the existing culvert, backfill road to grade, installation of a headwall, installation of riprap, and the replacement of any underground utilities damaged by the storm event.

26. Road 225

Repair for Site 26 will include slope re-establishment, repair of undermined concrete, installation of riprap and erosion control, and replacement of deck surface.

27. Road 225

Repairs will include the excavation of the undermined road and replacement of the damaged culvert. Underground utilities in the area may have been damaged and would be replaced if needed. Excavated areas will be filled with appropriate material. A concrete headwall will be installed around the new culvert and riprap erosion control will be installed on slopes around headwall.

29. Serpa Canyon Road

Repairs for Site 29 will include the excavation of undermined road and shoulder, backfilling the excavation to grade, and replacement of paved surface.

31. Lakeside Drive (Cedar Valley Dam)

Repairs for Site 31 will include dewatering the reservoir, replacement of material on face of dam, keying in and benching replacement material to rebuild the dam face, and rewatering of the reservoir.

34. Road 222

Repairs for Site 34 will include the excavation of the undermined road, replacement of existing culvert, potential removal and replacement of utilities, excavation backfill, installation of a headwall and installation of riprap.

35. Road 13

Repairs for Site 35 will include the excavation of material placed as emergency backfill, restoration of original building material, and installation of riprap and erosion control.

38. Road 225

Repairs for Site 38 will include replacement of washed-out material, restoration of road surface with aggregate base and hot-mix asphalt, installation of replacement of AC dike, replacement of culvert with headwalls and rock slope protection, and reestablishment of erosion control.

39. Road 425C

Repairs for Site 39 will include replacement of washed-out material, restoration of original road grade, and restoration of road surface with aggregate base and hot-mix asphalt.

40. Road 620

Repairs for Site 40 will include replacement of washed-out material, restoration of original road grade, and restoration of road surface with aggregate base and hot-mix asphalt.

43. Manzanita Drive

Repairs for Site 43 Repairs will include replacement of washed-out material, restoration of original road grade, and restoration of road surface with aggregate base and hot-mix asphalt.

44. Mountain Meadows Drive

Repairs for Site 44 Repairs will include restoration of original road grade and shoulder material, replacement of washed-out material, and restoration of road surface with aggregate base and hot-mix asphalt.

46. Cedar Valley Drive

Repairs for Site 46 will include restoration of original road grade and shoulder material,

replacement of washed-out material, and restoration of road surface with aggregate base and hot-mix asphalt.

47. Road 222

Repairs for Site 47 will include replacement or repair of culverts, if necessary, slope slide repair with benched and keyed import material, and establishment of proper drainage and erosion control.

48. Taylor Mountain Road

Repairs for Site 48 will include replacement or repair of culverts, if necessary, slope slide repair with benched and keyed import material, and establishment of proper drainage and erosion control.

49. John West Road

Repairs for Site 49 will include the excavation of compromised material, the repair or replacement of the 16 inch culvert as needed, repaving of repair area, and rebuilding the damaged slope with benched and keyed import material. Enhanced erosion control will be established once the slope has been rebuilt.

51. Road 225

Repairs for Site 51 will include slope excavation, bench and key new stabilized slope, and restoration of pavement and subgrade for compromised road surface.

52. Ellen Mine Road

Repairs for Site 52 will include replacement of culvert and washed-out material, restoration of original road grade and shoulder material, installation of headwall/end wall, and restoration of road surface with aggregate base and hot-mix asphalt.

The Project will permanently impact 0.524 acre and temporarily impact 1.119 acres of waters of the United States.

PROJECT LOCATION:

The Project is located at various locations within Madera County as indicated in Table 1.

Table 1: Project Locations

Site ID	Latitude (Degrees)	Longitude (Degrees)
18 - Road 225	37.165894	-119.41658
19 - Avenue 18 ½	37.018182	-120.43371
21 - Road 26	37.096623	-120.07446
23 - Road 222	37.303242	-119.54125
24 - Road 222	37.308497	-119.54560
26 - Road 225	37.189309	-119.46331

Site ID	Latitude (Degrees)	Longitude (Degrees)
27 - Road 225	37.16956	-119.434078
29 - Serpa Canyon Road	37.282858	-119.67012
31 - Lakeside Drive	37.401723	-119.62267
34 - Road 222	37.197085	-119.50069
35 - Road 13	37.120737	-120.31088
38 - Road 225	37.163021	-119.41066
39 - Road 425C	37.295553	-119.65047
40 - Road 620	37.391054	-119.68993
43 - Manzanita Drive	37.399825	-119.61939
44 - Mountain Meadows Drive	37.401173	-119.62007
46 - Cedar Valley Drive	37.40295	-119.626523
47 - Road 222	37.246732	-119.51914
48 - Taylor Mountain Road	37.341517	-119.61603
49 - John West Road	37.317344	-119.61449
51 - Road 225	37.17528	-119.457068
52 - Ellen Mine Road	37.276464	-119.75401

PROJECT SCHEDULE:

The Project went into construction on 29 January 2024 and will continue through May 2024.

APPLICATION FEE RECEIVED:

An application fee of \$2,985.00 was received on 31 January 2024.

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.

COMPENSATORY MITIGATION

The Applicant is required to provide compensatory mitigation for the authorized impacts to stream channel by purchasing 0.06 acre of stream channel habitat or aquatic

resource credits from an approved mitigation bank or in-lieu fee program. If the Applicant purchases in-lieu fee credits, then the Applicant is required to provide compensatory mitigation for the authorized impact to 0.063 acre of stream channel by purchasing 0.06 Aquatic Resource Credits in the San Joaquin River Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program.

A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board within 90 days of authorized impacts and prior to the Central Valley Water Board's approval of a Notice of Completion.

Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 3. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

Aquatic Resource Type	Mitigation Type	Units	Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channel	In-Lieu Fee Program or Approved Mitigation Bank	Acres						0.06

REPORTING AND NOTIFICATION REQUIREMENTS

The Applicant shall submit all reports in accordance with the report submittal instructions in Attachment B of Order No. WQ 2023-0061-DWQ, and in accordance with conditions specified in this Notice of Applicability and email it to centralvalleyfresno@waterboards.ca.gov with a cc to Brandon Salazar at brandon.salazar@waterboards.ca.gov. The WDID No. for this Project is 5B20CR00133.

A Notice of Completion (NOC) shall be submitted by the Applicant no later than 45 days after the emergency work has been completed. The NOC shall demonstrate that the work has been carried out in accordance with the description provided in the Applicant's Notice of Intent (NOI).

If you have any questions regarding this Notice of Applicability, please contact Brandon Salazar at (559) 445-6287 or at Brandon.Salazar@waterboards.ca.gov.

Original Signed by Christina Shupe
For Patrick Pulupa
Executive Officer

cc: see next page

cc: Via email only:

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