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## Central Valley Regional Water Quality Control Board

26 February 2015

Stephanie Chun  
California Department of Water Resources  
Division of Flood Management Office  
3310 El Camino Ave, RM 140  
Sacramento, CA 95821

### **NOTICE OF APPLICABILITY**

#### **WATER QUALITY ORDER 2003-0003-DWQ, STATEWIDE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND WITH A LOW THREAT TO WATER QUALITY, DEPARTMENT OF WATER RESOURCES, BUTTE SLOUGH OUTFALL GATES REHABILITATION PROJECT, COLUSA AND SUTTER COUNTY**

On 26 November 2014, the California Department of Water Resources (DWR) submitted a Notice of Intent (NOI) to obtain coverage under Water Quality Order No. 2003-0003-DWQ, *Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality* (hereafter General Order) for construction dewatering at the above-referenced site. Additional information was received on 5 February 2015. The submittals contain all the information required to evaluate applicability of the General Order; therefore, the NOI is considered complete. Based on the information provided in the NOI, the discharge meets the conditions of the General Order. The discharge is hereby covered under State Water Resources Control Board General Order 2003-0003-DWQ-0130. Please include this number on all correspondence related to this discharge.

#### **PROJECT LOCATION**

The Butte Slough Outfall Gates (BSOG) is a flood control structure located on the Sacramento River approximately four miles east/southeast of the City of Colusa. The structure is located on both sides of the Sacramento River levee, within both Butte Slough and the Sacramento River, in Sutter and Colusa counties. The BSOG project area is approximately 8 acres. A project site map is shown on Attachment A, which is attached hereto and made part of this Order by reference. Project activities include rehabilitation of the structure and outfall gates; establishing an on-site control facility with backup power sources; and implementation of structural and operational measures that will reduce long-term environmental impacts.

The Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition, revised October 2011 (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board. Pursuant to §13263(a) of the California Water Code (CWC), waste discharge requirements must implement the Basin Plan.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

## **PROJECT DESCRIPTION**

Construction activities on the BSOG is scheduled to begin the summer of 2015 and requires two construction seasons, which will take place between 1 May and 1 November (anticipated for 2015 and 2016). The project will consist of two phases. Phase 1 will include the construction of sheet pile cofferdams on the inlet and outlet side of the Sacramento River levee, followed by demolition of the existing structures. The outlet structure will be completed in Phase 1, but the inlet structure will only be partially completed. The inlet structure and any unfinished work on the outlet structure will be completely finished under Phase 2.

Dewatering of the construction area will occur following installation of sheet pile cofferdams on each side of the levee. Dewatering will be accomplished with engine-driven pumps and either trench sumps, pit sumps, groundwater wells, or a combination of the above. Water from the dewatering activity will be directly discharged into Butte Slough or the Sacramento River using conveyance pipes and pumps and also used for dust control or construction water within the project boundary area using a water truck. Discharges of water from the dewatering activities into surface waters and surface water drainage courses require regulatory coverage under a National Pollutant Discharge Elimination System (NPDES) permit. DWR has submitted an application for coverage under an NPDES permit. Discharges to Butte Slough or the Sacramento River are prohibited unless an NPDES permit has been issued for this project.

## **FACILITY-SPECIFIC REQUIREMENTS**

The General Order and this Notice of Applicability (NOA) regulates construction dewatering used as dust control or construction water at the BSOG rehabilitation project.

1. Water generated during construction dewatering shall be disposed of as described in the Notice of Intent and in accordance with the requirements contained in the General Order.
2. Construction dewatering discharge at a location or in a manner different from that described in the Notice of Intent or this Notice of Applicability is prohibited.
3. All technical reports required herein that involve evaluation, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, section 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
4. Monitoring results shall be submitted on a semi-annual basis in accordance with the General Order's Monitoring and Reporting Program.
5. The Discharger shall submit the required annual fee (as specified in the annual billing issued by the State Water Resources Control Board) until the Notice of Applicability is officially terminated. DWR must submit a Notice of Termination following completion of the discharge to request rescission of this NOA.
6. Failure to abide by the conditions of the General Order, including its monitoring and reporting requirements, and this letter authorizing applicability could result in enforcement actions, as authorized by provisions of the California Water Code.

Now that the NOA has been issued, the Board's Compliance and Enforcement section will take over management of your case. Guy Childs is your new point of contact for any questions

about the Order. The Central Valley Water Board has gone to a Paperless Office System. All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov). Documents that are 50MB or larger should be transferred to a disk and mailed to the appropriate regional water board office, in this case 11020 Sun Center Drive, Suite A, Rancho Cordova, CA 95670.

To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Program: Waste Discharge to Land (Non-15), Compliance Unit, WDID No. 5A06NC00013, DWR Butte Slough Outfall Gates Rehabilitation Project, Colusa and Sutter County.

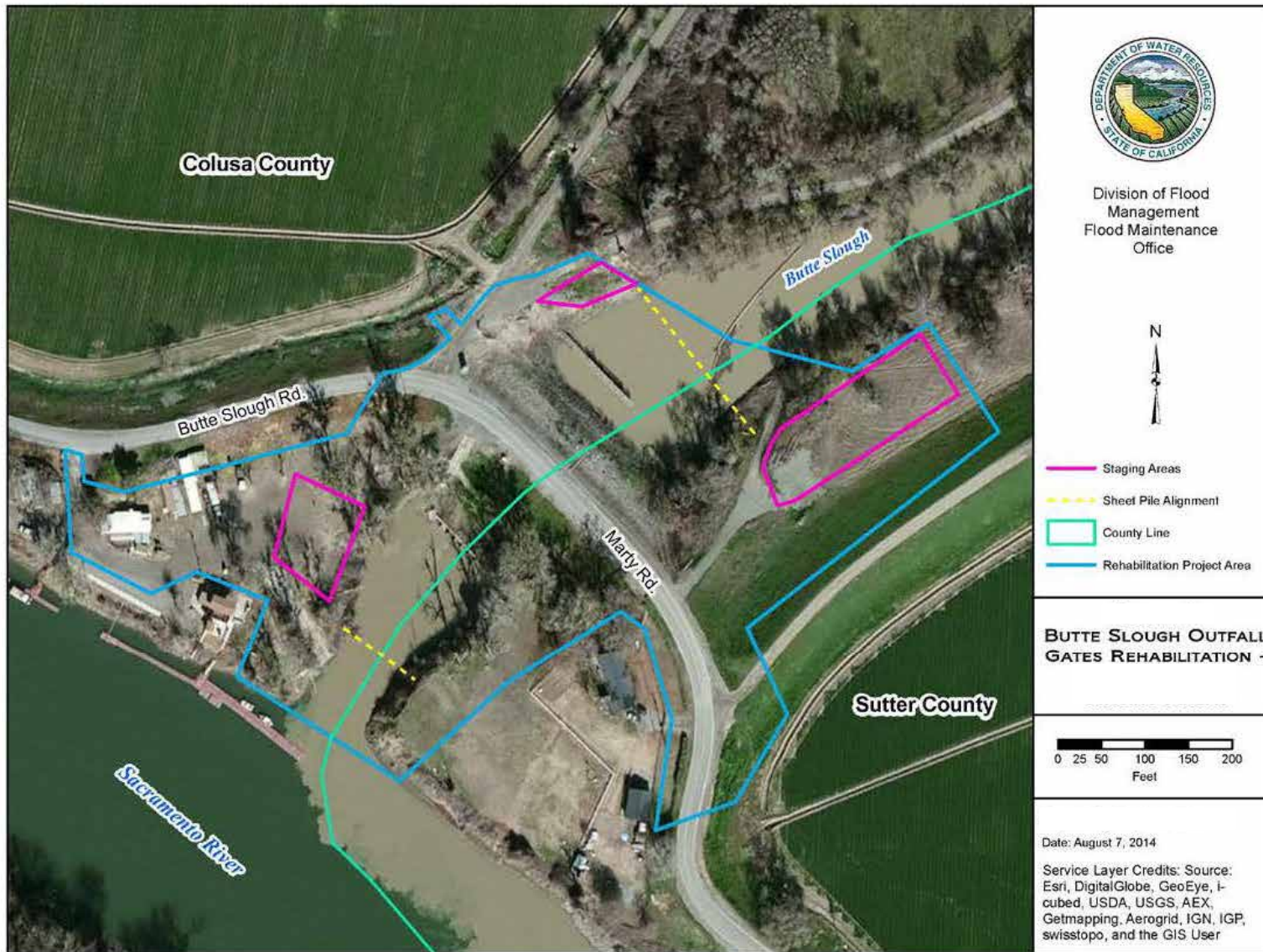
If you find it necessary to make a change to your permitted operations, Guy will direct you to the appropriate Permitting staff. You may contact Guy at (916) 464-4648 or at [gchilds@waterboards.ca.gov](mailto:gchilds@waterboards.ca.gov).

- Original signed by Andrew Altevogt for -

PAMELA C. CREEDON  
Executive Officer

enclosures: Attachment A  
Water Quality Order No. 2003-0003-DWQ  
Monitoring Report Submittal Transmittal Form

cc w/o enc: Annalisa Kihara, State Water Resources Control Board, Sacramento  
Rob Kostlivi, Colusa County Environmental Health Department, Colusa  
Jan Hill, Sutter County Environmental Health Department, Yuba City  
Jon Ericson, Department of Water Resources, Sacramento  
Lorrain Pendlebury, Central Valley Flood Protection Board, Sacramento  
Amber Woertink, Central Valley Flood Protection Board, Sacramento



Approximate Scale  
As Noted Above



Drawing Reference:  
Notice of Intent  
26 November 2014

**PROJECT SITE MAP**  
**BUTTE SLOUGH OUTFALL GATES REHAB PROJECT**  
**COLUSA AND SUTTER COUNTY**